

**Statement prepared by Mrs. Nelly Koutzkova, alternate
Representative of the Bulgarian Government to
the European Convention**

**for the 12th Plenary session of the European Convention,
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**REPORT
OF WORKING GROUP X “Freedom, Security and Justice”**

Mr. President,
Dear colleagues,

Let me first of all express my satisfaction for the quality and substance of **the final report** of working group “Freedom, Security and Justice”. The conclusions witness our efforts to find new directions for the future development of the Union as an area of freedom, security and justice. The report we produced clearly indicates that the Union could be much more efficient in the field of police and judicial cooperation and capable of delivering better results in the battle against crime.

Already in its initial position the Bulgarian Government put forward its view that police and judicial cooperation in criminal matters should be deepened so as to address the new security threats and challenges the EU is facing. In addition, our Government’s position strongly advocated that enlarged EU should develop an integrated "neighbourhood policy" by means of combining foreign policy activities and measures in the areas of cross-border crime, immigration, asylum policy, and control of the Union’s external borders.

Let me point out that the proposals of the working group’s report reflect an even higher degree of ambition. The Working group advocates a single institutional framework and a uniform legal regime for the justice and home affairs co-operation, presently included in the first and third pillars; general application of qualified majority voting and co-decision; approximation of criminal laws and procedure; full jurisdiction by the European Court of Justice; and improved efficiency of the existing EU executive bodies in this area.

Our work was dominated by the understanding that effectiveness of legislative outcome and operational co-operation can best be achieved by minimizing the differences between the legal and institutional instruments on community and inter-governmental level.

Let me refer especially to the consensus reached on the need for the practical development of European integrated system of border management, also through the possible creation of a European border guard unit. Within the framework of asylum, migration and protection of external borders, such measures reflect a much-needed approach of solidarity among the member states.

It is clear that we need joint action at the level of the Union to respond to the challenges on asylum, to fight against illegal immigration and organised crime.

It is also clear that our judicial co-operation would be most effective when it is based on the mutual recognition and enforcement of the Member States' decisions followed by gradual harmonisation of criminal codes and systems. We strongly believe that the principle of mutual recognition should be enshrined in the Treaty.

As for the efficiency of operational cooperation, we share the view that the role of Europol and Eurojust in the fields of immigration, asylum and cross-border crime should be strengthened and at the same time made politically accountable. We should not, however, neglect the need for further improvements in joint operations, shared intelligence and solidarity-based external border control.

Thank you for your attention.