

Speech by Mr Józef Oleksy, Representative of the Sejm of the Republic of
Poland at the plenary session of the Convention
Brussels, 3rd of April, 2003

Mr President,
Dear Colleagues,

The present international situation, highly marked by the threats of organized crime and terrorism, should influence our thinking of the future shape of Union's security and justice policy. Already the Tampere conclusions underlined the need for a coherent approach to fight these threats and guarantee that the Union has capacity to effectively act in that area. People have the right to expect the Union to address the threat to their freedom and legal rights posed by serious crime.

The matters discussed under the area of freedom, security and justice touch upon the sensitive issues where the core responsibility lays in the state. In that respect the role of the national parliaments should be emphasized. The involvement of the national parliaments should be guaranteed in the definition by the European Council of the guidelines and priorities for European criminal justice policy.

It is also important to apply the subsidiarity "early warning mechanism" in the criminal law matters. The political control on the activities of Europol should also be guaranteed for the national parliaments especially in the light of extension of its competences in art.22.

The Working Group chaired by Mr. John Bruton proposed to extend the competence of the Court of Justice to the area of freedom, security and justice including acts adopted in that field by Union bodies. I support such a recommendation. That should be reflected in article 9 of the text proposed by the Presidium as it is not clear in the current wording of this article.

On border controls as mentioned in art. 10:

It is not clear how the absence of any controls on persons will correspond with the existing possibility under the Schengen Convention to introduce national border checks for a limited period of time under the grounds of public policy or national security. Maybe a third paragraph should be added to article 10 in that respect.

Finally, Ladies and Gentlemen, the new wording of tasks and powers of Europol as well as the proposal to apply the legislative procedure concerning the extension of its scope of action has to be positively assessed.

Thank you for your attention