

**INTERVENTION BY BARONESS SCOTLAND**  
**AT THE FIFTH PLENARY SESSION OF THE CONVENTION**

1. The fight against organised crime and tackling the problems of asylum and immigration are at the top of people's agendas. They must also be at the top of the European Union's.
2. The task for this Convention should be to set out clearly the EU's Missions in these areas; focusing on where it can add value to national action. And then to identify the instruments and institutional arrangements which will deliver these missions most effectively.

MISSIONS

3. The Union needs a common asylum policy: common standards for how we treat our asylum seekers and a common understanding of what constitutes a refugee, going beyond the minimum standards we are currently seeking to agree.
4. We need a common approach to immigration, working together to strengthen the EU's borders and to fight the human traffickers, and to manage limited economic immigration to fill gaps in our labour markets.
5. And we need to integrate asylum and immigration into our external policies. Using aid to create economic opportunities in source countries; but equally using the EU's collective clout against those who do not co-operate on returns.
6. On crime, the EU should concentrate on cross-border issues not policing our streets. We need our police and prosecuting authorities to be able to co-operate across borders as easily as within a single country. As the recent Commission Communication said, this should be based on mutual recognition of each other's systems. Not the creation of a single legal system. And we need to develop common standards for defendants' rights.
7. And the EU must have a greater focus on drugs – an approach covering all aspects of the problem from law enforcement to combating addiction – set out clearly in the Treaty. This is one of the greatest scourges of our time, and clearly requires international co-operation. Yet EU activity is near invisible to the man on the street.

## INSTRUMENTS

8. We must be prepared to think radically on the means of delivering these outcomes to improve effectiveness. For example:
  - Unanimity has held up progress on asylum and immigration. We should move to majority voting.
  - Has joint right of initiative represented a sharing of the burden, or complicated the pursuit of a single legislative programme?
  - Is there a need for all or any of the distinct instruments in the third pillar? Surely we no longer need Conventions which are rarely used and too slow to enter into force to meet the JHA challenges we face? Can we apply the lessons we have learned from the civil law field to our work on criminal law?
  - Is there advantage in unifying our handling of JHA in a single institutional framework on the basis of the business to be achieved rather than arguments of first pillar versus third?
  - Is there sufficient national and European Parliamentary oversight of the powerful institutions we have created like Europol and Eurojust?

## CONCLUSIONS

9. Answers to these questions – based on practical considerations not on ideology – will show the Convention responding to what people want out of Europe. And will show the EU tackling the concerns that have led to the rise of ugly extremism in Europe.