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(Information)

COUNCIL

Detailed work programme on the follow-up of the objectives of Education and training systems in Europe*(2002/C 142/01)*

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EXECUTIVE SUMMARY**Political Cooperation on the future objectives of education and training systems in Europe**

Policy cooperation in education and training is gaining momentum in the EU with the approval of the work programme on the future objectives of education and training systems on 14 February. It focuses on the following three strategic objectives, which are broken down into 13 associated objectives:

- *improving the quality and effectiveness of education and training systems in the EU,*
- *facilitating the access of all to education and training systems,*
- *opening-up education and training systems to the wider world.*

Policy advances in education and training cooperation have a decisive contribution to make to the success of the Lisbon strategy, as has been acknowledged in the Commission's Synthesis Report forwarded to the Barcelona European Council. The broader mission of education and training systems must continue to be recognised in order to secure their full contribution to the Lisbon goals and the crucial support needed from educators and society as a whole. In view of this the Council and the Commission jointly request that the Education and Training Area now be explicitly recognised as a key priority domain in the Lisbon strategy.

The Council and the Commission underline their determination to provide a comprehensive response to the challenges of the knowledge society, globalisation and the enlargement of the EU, and therefore set themselves ambitious but realistic goals. For the benefit of citizens and the Union as a whole the following should be achieved in education and training by 2010:

- *the highest quality will be achieved in education and training and Europe will be recognised as a world-wide reference for the quality and relevance of its education and training systems and institutions,*
- *education and training systems in Europe will be compatible enough to allow citizens to move between them and to take advantage of their diversity,*
- *holders of qualifications, knowledge and skills acquired anywhere in the EU will be able to get them effectively validated throughout the Union for the purpose of career and further learning,*
- *Europeans, at all ages, will have access to lifelong learning,*

- *Europe will be open to cooperation for mutual benefits with all other regions and should be the most-favoured destination of students, scholars and researchers from other world regions.*

The work on those three objectives dealing with new basic skills, information technologies and mathematics, science and technology has already started, and action will be launched for all other objectives no later than 2003. Achieving the agreed objectives will draw on policy cooperation using the new open method of coordination in order to enhance the value added of European action, in accordance with Articles 149 and 150 of the Treaty. This is based on the identification of shared concerns and objectives, the spreading of good practice and the measurement of progress through agreed instruments, comparing achievements both between European countries and with the rest of the world. Arrangements for the effective participation of Candidate Countries will be worked out at the next informal meeting of Education ministers from EU and candidate countries in June 2002 in Bratislava. The Council (Education) in cooperation with the Commission will assure the responsibility for steering and monitoring the strategy as a whole. They plan to send their next joint report to the European Council in 2004.

1. Introduction

1.1. At its meeting in Lisbon in March 2000, the European Council acknowledged that the European Union was confronted with a quantum shift resulting from globalisation and the knowledge-driven economy and agreed a strategic target for 2010: to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion. Stressing that these changes require not only a radical transformation of the European economy, but also a challenging programme for the modernisation of social welfare and education systems the European Council at the same time asked the Education Council to 'undertake a general reflection on the concrete objectives of education systems, focusing on common concerns while respecting national diversity, with a view to contributing to the Luxembourg and Cardiff processes and presenting a broader report to the European Council in the Spring of 2001'.

1.2. The report on the future concrete objectives of education and training systems was presented to the Stockholm European Council in March 2001. It sets out the following 3 strategic objectives that were agreed and refines them into 13 associated objectives:

- improving the quality and effectiveness of education and training systems in the EU,
- facilitating the access of all to education and training systems,
- opening up education and training systems to the wider world.

The Stockholm Conclusions requested that the follow-up work on the future objectives of education and training systems be pursued and a work programme be submitted to the spring 2002 European Council, including an assessment of their achievement 'in the framework of the open method of coordination and in a world-wide perspective'.

1.3 The attached detailed Work programme was jointly adopted by the Council and the Commission on 14 February 2002. It sets out the key issues that need to be addressed in order to achieve the 3 strategic objectives and their 13 associated objectives that have been agreed. It addresses various elements and levels of education and training, from basic skills to vocational and higher education having particular regard to the principle of lifelong learning. It identifies the main instruments that will be used for measuring progress, comparing Europe's achievements both internally and with other world regions.

1.4 On this basis, the Council (Education) and the Commission jointly submit the present report to the European Council meeting in Barcelona in March 2002. It stresses the essential role of education and training in enhancing the level of qualification of people in Europe and hence in meeting not only the Lisbon challenge, but also the broader needs of citizens and society. This joint report reflects the Council and the Commission's commitment to, and ambitions for Education and Training as a fundamental part of the European Knowledge Area. Finally, it sets out the way in which progress should be achieved, applying the Open Method of Coordination to education and training in accordance with Articles 149 and 150 of the Treaty (cf. sections 4 and 5 below).

2. Education and training, a key priority domain in the Lisbon strategy

2.1. Since the Lisbon European Council two years ago numerous initiatives have been taken by Member States and at the European level and significant results have already been achieved in the fields of mobility, lifelong learning, professional, vocational and higher education, quality evaluation and assurance, *e-learning* and international cooperation.

In November 2001, following the wide-ranging consultation on lifelong learning, the Commission presented to the European Parliament and the Council a Communication establishing lifelong learning as a guiding principle for education and training and setting out concrete priority actions. The *e-learning* action plan is moving forward and two Forums dealing respectively with the transparency of vocational qualifications and the quality of vocational training have been established.

The European Year of Languages in 2001 underlined the importance of linguistic diversity in education and training in Europe. The Bologna process for fostering the compatibility and attractiveness of European higher education moved forward at the Ministerial Conference in Prague in May 2001 and the Council (Education) sees it as supporting the work on future objectives of education and training systems in the EU context.

The communication on the strengthening of cooperation with third countries in higher education was presented to the Council and the European Parliament in September 2001 and the reflection on the crucial role of educational cooperation in general across political and cultural boundaries has been widening since then. The White Paper on Youth includes reflections on the role of formal as well as non-formal education. Finally the Commission has recently proposed an action plan based on the report of the High Level Task Force on skills and mobility set up after the Stockholm European Council.

2.2. Since the Lisbon European Council, all these events and initiatives show that the development of education and training systems in a lifelong learning and in a worldwide perspective has increasingly been acknowledged as a crucial factor for the future of Europe in the knowledge era.

2.3. While education and training systems need to change in view of the challenges of the knowledge society and globalisation, they pursue broader goals and have broader responsibilities to society. They play an important role in building up social cohesion, in preventing discrimination, exclusion, racism and xenophobia and hence in promoting tolerance and the respect for human rights.

The role of education and training systems in disseminating the fundamental values shared by European societies is stressed both in the Report on concrete future objectives of education and training systems and in the communication on lifelong learning. Both documents also emphasise that the general goals attributed by society to education and training go beyond equipping Europeans

for their professional life, in particular concerning their personal development for a better life and active citizenship in democratic societies respecting cultural and linguistic diversity.

The Council (Education) and the Commission re-affirm that, notwithstanding their essential role in the Lisbon strategy, education and training are more than instruments for employability. Their broader mission must continue to be recognised in order to secure their full contribution to the Lisbon goals and the crucial support needed from the education and training community and from society as a whole.

2.4. The numerous events and initiatives taken in the area of education and training show its growing importance but their number, diversity and multiple links to other policies (in particular to the employment strategy and the strategy to fight social exclusion) have increased the need for greater strategic coherence. The Council and the Commission will focus their efforts on setting in place with this comprehensive work programme a consistent framework bringing such coherence to the various education and training policy strands in the European Community context.

2.5. The Council and the Commission request that an Education and Training Area now be explicitly recognised as a key priority domain in the Lisbon strategy. This would transmit the clear message that, however effective the policies in other areas, making the European Union the leading knowledge-based economy in the world will only be possible with the crucial contribution from education and training as factors of economic growth, innovation, sustainable employability and social cohesion. Ministers in charge of education and training acknowledge their responsibility in this process and re-affirm their determination to meet the challenge.

3. Pursuing ambitious but realistic goals

3.1. Beyond answering the invitation of the European Council to work on common objectives for education and training systems and to present a joint detailed work programme, the Council and the Commission are determined to take all initiatives required for a comprehensive response to the challenges of the knowledge society and globalisation, as well as of EU enlargement.

3.2. The Council and the Commission therefore set themselves ambitious but realistic goals which should also be shared by the countries joining the EU in the coming years. For the benefit of citizens and the Union as a whole the following should be achieved in education and training by 2010:

- 1) *The Highest quality will be achieved in education and training and Europe will be recognised as a world-wide reference for the quality and relevance of its education and training systems and institutions;*
- 2) *Education and training systems in Europe will be compatible enough to allow citizens to move between them and take advantage of their diversity;*
- 3) *Holders of qualifications, knowledge and skills acquired anywhere in the EU will be able to get them effectively validated throughout the Union for the purpose of career and further learning;*
- 4) *Europeans, at all ages, will have access to lifelong learning;*
- 5) *Europe will be open to cooperation for mutual benefits with all other regions and should be the most-favoured destination of students, scholars and researchers from other world regions.*

4. The way ahead: applying the 'open method of coordination' to education and training

4.1. The new open method of coordination will be applied as an instrument for the development of a coherent and comprehensive strategy in education and training within the framework of Articles 149 and 150 of the Treaty. The Lisbon Conclusions defined the open method of coordination as a means of 'spreading best practice and achieving greater convergence towards the main EU' goals and indicated that it would be a fully decentralised approach using variable forms of partnerships and designed to help Member States to develop their own policies progressively.

The open method of coordination will draw on tools such as indicators and benchmarks as well as on comparing best practice, periodic monitoring, evaluation and peer review etc. organised as mutual learning processes.

4.2. In the detailed work programme the three strategic objectives are broken down into thirteen objectives and forty-two key issues reflecting the wide spectrum of areas related to education and training. The work on their implementation has already started for three objectives (those dealing with new basic skills, information technologies, mathematics, science and technology). It will begin during 2002 or 2003 for the other ten according to the agreed timetable. The work on all objectives will thus have been launched by 2004.

4.3. The open method of coordination will be used for each of these objectives thereby harnessing their European added value. It will be however applied in a differentiated way to the various objectives, drawing in each case on the most appropriate tools. This will make it possible to focus action and to use the limited financial and human resources available in the most efficient way. A monitoring of progress towards the objectives set will be ensured across the board, using in each case the most relevant quantitative and/or qualitative tools available.

5. A single comprehensive strategy for education and training

5.1. Within this framework of the open method of coordination a single comprehensive strategy will be implemented as shown in the attached detailed work programme. It will consist of two main strands of activity: the work on common challenges aimed at supporting Member States in improving their own education and training systems, and efforts to release the potential of transnational activity in education and training.

The implementation of the work programme will bring coherence to the various sectoral policies in education and training while respecting the input and the particular focus of each. Specific or new strands of action such as those proposed in the Commissions Communication on lifelong learning will not lead to the launching of a parallel coordination process but will, where relevant, be integrated into the framework of the 3 strategic and 13 objectives in the Work.

5.2. The implementation of the detailed work programme will also be supported by European cooperation in other forms: Community programmes, action plans, visits of decision makers, comparative and prospective studies, statistical and other surveys, pilot projects, etc. Many of

these build on and complement the work of other international organisations (such as the OECD and the Council of Europe), networks, cooperation schemes or pilot projects between Member States or with candidate countries (e.g. on sustainable professionalisation or basic skills).

5.3. Furthermore, synergy will be sought with other activities, in particular with those concerning the enhancement of transparency, recognition and quality assurance in all sectors of the education and training systems in the EU and with other sectors of EU activity such as research.

The same applies concerning activities carried out in a non EU context, like the Bologna process or the Lisbon recognition convention in the area of higher education.

5.4. The Council (Education) in cooperation with the Commission will steer and monitor the strategy and the implementation process as a whole in accordance with the Council conclusions of November 2001 on the follow-up to the Report on the concrete future objectives of education and training systems. A report on progress achieved will be submitted to the spring European Council of 2004.

6. Opening up the process to other European countries

The European Council meeting in Stockholm in March 2001 has already agreed that the Candidate Countries should be involved in the goals and procedures of the Lisbon strategy. Change and reform in education and training systems require a medium to long term perspective and it is necessary to start a dialogue in these fields without delay, not least because the Candidate Countries may in many areas contribute examples of good practice. Arrangements for their effective participation in this process will be worked out at the regular meeting of Education ministers of the EU and the Candidate Countries scheduled in June 2002 in Bratislava.

DETAILED WORK PROGRAMME FOR THE IMPLEMENTATION OF THE 13 OBJECTIVES

Strategic objective 1

IMPROVING THE QUALITY AND EFFECTIVENESS OF EDUCATION AND TRAINING SYSTEMS IN THE EU

OBJECTIVE 1.1 — IMPROVING EDUCATION AND TRAINING FOR TEACHERS AND TRAINERS

Access to knowledge is of the highest importance in a knowledge society. Teachers and trainers are therefore key actors in any strategies targeted at stimulating the development of society and the economy. Attracting and retaining well qualified and motivated people in the teaching profession, which is faced with massive recruitment needs due to the

ageing of the teaching population, is a short and medium term priority in most European countries.

If Europe is to succeed in this objective, which is becoming more difficult across the continent as a whole, it must improve the ways in which teachers and trainers are supported as their role changes, and as public perceptions of them change; it must be supported by a general consensus, with those in the teaching and training professions, as to the skills which they all should have.

A. Key issues

1. Identifying the skills that teachers and trainers should have, given their changing roles in knowledge society
2. Providing the conditions which adequately support teachers and trainers as they respond to the challenges of the knowledge society, including through initial and in-service training in the perspective of lifelong learning
3. Securing a sufficient level of entry to the teaching profession, across all subjects and levels, as well as providing for the long-term needs of the profession by making teaching and training even more attractive
4. Attracting recruits to teaching and training who have professional experience in other fields

B. Organisation of the follow-up

- a) *Starting period:* during 2002 (second stage).
- b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*
 - Shortage/surplus of qualified teachers and trainers on the labour market,
 - Progression in number of applicants for training programmes (teachers and trainers),
 - Percentage of teachers and trainers who follow continuous professional training.
- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*
 - evaluation of training programmes for teachers and trainers,
 - conditions for becoming a teacher or trainer according to educational level,
 - inclusion of the following subjects in study and training plans: ICT, foreign languages, European dimension of education and intercultural education,

— promotion systems in the teaching profession during a teacher's career,

— improvement of working conditions of teachers.

OBJECTIVE 1.2 — DEVELOPING SKILLS FOR THE KNOWLEDGE SOCIETY

Across the EU, there is currently no common understanding of what *basic skills* are. For many, 'basic' has a strong connotation of numeracy and literacy and the word 'skills' is generally considered not to cover attitudes, aptitudes and knowledge, the way 'competencies' does. The Commission is producing a first document outlining a view of what *key competencies* might be. Bearing in mind both the Conclusions of the Lisbon summit and the Uppsala informal meeting of education and research ministers, as well as life-long learning, readiness for personal effort and cultural dimensions, the 'key competencies' could consist of the following principal areas:

Numeracy and literacy (foundation skills)

Basic competencies in mathematics, science and technology

Foreign languages

ICT skills and use of technology

Learning to learn

Social skills

Entrepreneurship

General Culture

The quality of teaching is an essential criterion for the acquisition of key competencies. There must therefore be a close link with objective 1.1. 'Improving Education for Teachers and Trainers'.

Ensuring and monitoring the acquisition of key competencies by all involves both appropriate curriculum design for those at school, and the provision and effective use of Life Long Learning opportunities for adults, paying special attention to disadvantaged groups.

Validation of key competencies, through appropriate instruments, is necessary. Methodological work is required in these areas even if evaluation may be difficult in some areas such as acquisition of social competencies. These are however needed in the interest of social cohesion and active citizenship.

A. Key issues

1. Identifying new basic skills, and how these skills together with the traditional basic skills can be better integrated in the curricula, learned and maintained through life
2. Making attainment of basic skills genuinely available to everyone, including those less advantaged, those with special needs, school drop-outs and to adult learners
3. Promoting official validation of basic skills, in order to facilitate ongoing education and training and employability

B. Organisation of the follow-up

a) *Starting period:* 2nd half of 2001 (1st stage).

b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*

- people completing secondary education,
- continuous training of teachers in areas of emerging skills needs,
- literacy Attainment Levels (PISA),
- numeracy/ Mathematics Attainment Levels (PISA),
- learning to learn Attainment Levels,
- percentage of adults with less than upper secondary education who have participated in any form of adult education or training, by age group.

c) *Themes for exchanging experience, good practice, and, as appropriate, peer review (Indicative list):*

- performance and results in the mother tongue, foreign language and mathematics up to the end of compulsory education,
- literacy and numeracy developments in schools and in provision for adults.

OBJECTIVE 1.3 — ENSURING ACCESS TO ICT FOR EVERYONE

The provision of adequate equipment and educational software, as proposed under the first key issue, calls for action on various points. There is a need to provide all schools with an appropriate infrastructure, one of the preconditions for a quality education, that would integrate capacity for full use of ICT. This includes equipment, broadband communication facilities (Internet/Intranet) and general maintenance. There is also a need to ensure the provision of services and content that addresses the broad scope of educational requirements: high quality digital educational content, educational software, remote and local (virtual/real) services, tutoring, guidance, adequate levels of teaching and managerial support.

There are other crucial conditions concerning the best use of innovative teaching and learning techniques based on ICT, as emphasised by the second key issue:

- ICT should be used for the purpose of enhancing the quality of education provided. There is a need to foster practices where ICT has a positive impact on teaching and learning so that education systems can incorporate learner-centred approaches which take fully into account variations in learning styles and pedagogical requirements among the student population. In this context, it is important to support the teachers in their widening roles.
- It is important to assess if and how ICT is actually used to its full extent, and how ICT impacts on the outcomes

of learning processes in terms of skills and knowledge acquisition.

- There is a need to support decision makers, at all levels, with a view to addressing current education policy issues such as integration of new learners, innovation, European and international collaboration, and providing them with means to implement 'ICT-induced' changes in the curriculum.

Finally, the Employment guidelines for 2001 recalled the following:

- all schools to have access to the internet and multimedia resources by the end of 2001,
- all teachers needed are skilled in the use of these technologies by the end of 2002 in order to provide pupils with a broad digital literacy.

A. Key issues

1. Providing adequate equipment and educational software so that ICT and e-Learning processes can be best applied in teaching and training practices
2. Encouraging the best use of innovative teaching and learning techniques based on ICT

B. Organisation of the follow-up

- a) *Starting period:* 2nd half of 2001 (1st stage).
- b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*
 - percentage of teachers that have been trained in ICT use in schools,
 - percentage of pupils and students using ICT in their studies,
 - percentage of learning sessions in teaching and training institutions in which ICT is used.
- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*
 - quality hardware and software in schools,
 - use of ICTs in various subjects,
 - use of ICTs in non-formal education,
 - qualitative assessment of the use of ICT in education.

OBJECTIVE 1.4 — INCREASING RECRUITMENT TO SCIENTIFIC AND TECHNICAL STUDIES

Scientific and technological development is fundamental for a competitive knowledge society. General and specialised scientific or technological knowledge is increasingly called upon in professional and daily life, in public debates, decision making and legislation. All citizens need a basic understanding of mathematics, science and technology. If Europe is to maintain, let alone to improve, its position in the world, and to meet the Lisbon targets, it must do more to encourage children and young people to take a greater interest in science and mathematics; and to ensure that those already in scientific and research careers find their careers, prospects and rewards sufficiently satisfactory to keep them there. In this context, gender balance must be encouraged.

The informal Meeting of ministers of Education and Ministers of Research in Uppsala (March 2001) underlined the importance of increasing recruitment to scientific and technological disciplines, including a general renewal of pedagogy and closer links to working life and industry throughout the whole educational and training system. This would contribute to the construction of the European research area.

A. Key issues

1. Increasing the interest in mathematics, science and technology from an early age
2. Motivating more young people to choose studies and careers in the fields of mathematics, science and technology in particular research careers and scientific disciplines where there are shortages of qualified personnel, in a short and medium term perspective, in particular through the design of strategies for educational and vocational guidance and counselling
3. Improving gender balance among people learning mathematics, science and technology
4. Securing a sufficient numbers of qualified teachers in mathematics and scientific and technical subjects

B. Organisation of the follow-up

- a) *Starting period:* 2nd half of 2001 (1st stage).
- b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*
 - increase in number of entries into mathematics, science and technology courses (upper secondary advanced levels and tertiary levels, by gender),
 - increase in number of graduates in mathematics, science and technology, by gender,
 - increase in number of scientists and engineers in society, by gender,
 - increase in number of qualified teachers in MST (secondary level).
- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*
 - inclusion of scientific and technical subjects in secondary education,
 - development strategies aiming at the performance of schools in encouraging pupils to study natural

science, technology and mathematics and in teaching these subjects.

OBJECTIVE 1.5 — MAKING THE BEST USE OF RESOURCES

Achieving the objective to provide Life-wide and Lifelong Learning in the knowledge society will increase the overall need for investment in education and training. This goes for public spending in human resources, spending in private enterprises and investment by each individual. Although public finance is becoming generally tighter in EU countries, Europe cannot afford to hold back here. The Lisbon conclusions⁽¹⁾ call for a substantial annual increase in *per capita* investment in human resources, pointing out that the future of the European economy depends very largely on the skills of its citizens, and these in turn need the continuous updating which is characteristic of knowledge societies. On the other hand, the education and training sector must use the pressure on finance to encourage as an efficient as possible distribution and use of resources, and to achieve the highest levels of quality.

⁽¹⁾ paragraph 26, 1st indent.

A. Key issues

1. Increasing investment in human resources while ensuring an equitable and effective distribution of available means in order to facilitate general access to and enhance the quality of education and training
2. Supporting the development of compatible quality assurance systems respecting diversity across Europe
3. Developing the potential of public-private partnerships

B. Organisation of the follow-up

- a) *Starting period:* During 2002 (2nd stage).
- b) *Indicators for measuring progress to be reviewed as appropriate (Indicative list):*
 - increase in *per capita* investment in human resources (Structural indicator).

- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*

- self-evaluation to improve the quality of education provided,
- public and private expenditure on education (structural indicator).

Strategic Objective 2

FACILITATING THE ACCESS OF ALL TO EDUCATION AND TRAINING SYSTEMS**OBJECTIVE 2.1 — OPEN LEARNING ENVIRONMENT**

The transformation to a knowledge society implies that access to education and training must be simplified and made more democratic; and that passage from one part of the education and training system to another must be made easier. At the same time, work must be made available to as wide a cross-

section of the population as possible, increasing not only the employment rate but also the general skills levels. The complexities in the education and training systems are normally the result of the intention to provide the best possible qualifications system; but they must be simplified, so that if people need to change from one part of the system to another, they can use their previous efforts and achievements, and carry forward the appropriate levels of credit.

A. Key issues

1. Broadening access to lifelong learning by providing information, advice and guidance, on the full range of learning opportunities available
2. Delivering education and training so that adults can effectively participate and combine their participation in learning with other responsibilities and activities
3. Ensuring that learning is accessible for all, in order to better respond to the challenges of the knowledge society
4. Promoting flexible learning paths for all
5. Promoting networks of education and training institutions at various levels in the context of lifelong learning

B. Organisation of the follow-up

- a) *Starting period:* between 2nd half of 2002 and end of 2003 (3rd stage).
- b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*
 - percentage of the population between 25 and 64 participating in education and training (structural indicator)

- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*

- availability of child-care and flexible learning times to learners,
- possibilities of educational leave for employees,
- accreditation of prior learning,

- funding mechanisms and incentives for adults.

OBJECTIVE 2.2 — MAKING LEARNING MORE ATTRACTIVE

Making learning attractive throughout life means first of all making learning relevant for the individual. Everyone needs to understand, from an early age, the importance of education and training throughout life. Education and training systems have an major role to play here, but families, local communities and employers play must play an important role too if learning

is to become part of everyone's activity. Learning needs to be made attractive if the higher employment rates sought are to be combined with the higher skills levels needed. If people do not see the value to themselves of continuing to learn, they will never make the effort needed and the rise in skills levels that the knowledge society demands as foreseen by the Lisbon European Council will not be reached.

The Employment guidelines 2001 goal of halving the number of 18 to 24 years olds with only lower secondary education who are not in education and training by 2010 is one way of measuring if the young adults find the learning attractive.

A. Key issues

1. Encouraging young people to remain in education or training after the end of compulsory education; and motivating and enabling adults to participate in learning through later life
2. Developing ways for the official validation of non-formal learning experiences
3. Finding ways of making learning more attractive, both within the formal education and training systems and outside them,
4. Fostering a culture of learning for all and raising the awareness of potential learners of the social and economic benefits of learning

B. Organisation of the follow-up

a) *Starting period:* between 2nd half of 2002 and end of 2003 (3rd stage).

b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*

- percentage of working time spent by employees on training per age groups,
- participation in tertiary education,
- proportion of the population aged 18-24 with only lower secondary education and not in education or training (Structural indicator).

c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*

- ongoing training courses in order to motivate learners
- possibility of following open courses, on-line or distance learning
- validation of experience acquired.

OBJECTIVE 2.3 — SUPPORTING ACTIVE CITIZENSHIP, EQUAL OPPORTUNITIES AND SOCIAL COHESION

Education and training systems have an important role in helping to sustain democratic societies in Europe. All citizens should have equal access to education and training. Member States need to take care of the needs of vulnerable groups, particularly people with disabilities and people with learning difficulties as well as those living in rural/remote areas or having problems in reconciling their work and family commitments. It cannot be accepted that substantial proportions of people drop out of learning prematurely, and miss essential basic skills and qualifications to participate actively in society, without accepting also the loss to society and the economy as a whole which their unfulfilled potential represents. Other aspects related to citizenship, equal opportunities and social cohesion are essential dimensions of education and training in their own right.

A specific goal already agreed by the Member States according to the Lisbon conclusions is to halve, by 2010, the number of 18 to 24 year olds with only lower secondary education who are not in education and training (Employment guidelines 2001, no. 4).

A. Key issues

1. Ensuring that the learning of democratic values and democratic participation by all school partners is effectively promoted in order to prepare people for active citizenship
2. Integrating fully equal opportunity considerations in the objectives and functioning of education and training
3. Ensuring fair access to acquisition of skills for the less privileged or those currently less well served and motivating them to participate in learning

B. Organisation of the follow-up

- a) *Starting period:* During 2002 (2nd stage).
- b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*
 - proportion of the population aged 18-24 with only lower secondary education and not in education or training (structural indicator).
- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*
 - participation of pupils, parents and other stakeholders in school governance,
 - gender equality in tertiary education and continuous training,
 - models for integration of and giving access to disadvantaged groups to education and training; models for encouraging them to pursue formal qualifications.

Strategic Objective 3

OPENING UP EDUCATION AND TRAINING SYSTEMS TO THE WIDER WORLD**OBJECTIVE 3.1 — STRENGTHENING THE LINKS WITH WORKING LIFE AND RESEARCH, AND SOCIETY AT LARGE**

Education and training systems in Europe have made great strides over the past decade, but in too many ways they are still turned in upon themselves. Greater cooperation with a broad range of actors in business, research and society at large, including the social partners is needed: education and training establishments need this to become learning organisations

themselves, to stay open to outside changes, contributions, ideas and talent, and to remain relevant for the lives of the individuals they serve. This will enable institutions to stimulate the sense of enterprise and initiative which students and trainees need. Everyone in society with an interest in education and training must be able to make their contribution, and education and training establishments must be open and able to receive the intellectual and practical contributions that the outside world can make.

A. Key issues

1. Promoting close co-operation between education and training systems and society at large
2. Establishing partnerships between all types of education and training institutions, firms and research facilities for their mutual benefit ⁽¹⁾
3. Promoting the role of relevant stakeholders in developing training, including initial training, and learning at the work place

⁽¹⁾ Cf. Lisbon Conclusions paragraph 26, third indent.

B. Organisation of the follow-up

a) *Starting period:* between 2nd half of 2002 and end of 2003 (3rd stage).

b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*

- percentage of students and trainees in initial training benefiting from placement arrangements (éducation en alternance).

c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*

- participation of parents in school life and in children's learning in general,
- participation of local representatives in school life,
- collaboration of schools with local organisations,
- cooperation of education and training institutions with business enterprises, for example concerning placements and training opportunities,

- participation of teachers in training organised and carried in cooperation with business,

- descriptive studies about how education and training establishments seek to attract and involve those currently outside education and training systems.

OBJECTIVE 3.2 — DEVELOPING THE SPIRIT OF ENTERPRISE

Education and training should provide an understanding of the value of enterprise, as well as models of successful entrepreneurship, of the value of risk-taking and of the need for everyone to have a sense of initiative. The changes in society and the economy that the knowledge society will bring, and the existing trend towards a services-based economy, will give the opportunity to millions of individuals to start their own business, and this should be seen by students as a viable career option. Over recent years the importance of developing new forms of business has been recognised, often based on the needs of local communities. Developing the spirit of enterprise is important for individuals, for economy and for society at large.

Promoting education for entrepreneurship and self-employment is also an agreed goal included in the Employment guidelines 2001 (no. 9).

A. Key issues

1. Promoting the sense of initiative and creativity throughout the education and training system in order to develop the spirit of enterprise ('entrepreneurship')
2. Facilitating the acquisition of skills needed to set up and run a business

B. Organisation of the follow-up

a) *Starting period:* between 2nd half of 2002 and end of 2003 (3rd stage).

b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*

- proportion of self-employed in various sectors of the knowledge economy (particularly age group 25-35),
- percentage of education and training institutions providing counselling and guidance for setting up business.

c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*

- qualitative assessment of young graduates starting enterprises according to economic sector; viability of these enterprises,

- promotion of self-employment,

- teaching of entrepreneurship at various educational levels.

OBJECTIVE 3.3 — IMPROVING FOREIGN LANGUAGE LEARNING

Europe's diversity is nowhere clearer than in its languages. But if it is to benefit from that diversity, its citizens have to be able to communicate with each other. Knowledge of languages is part of the basic skills that the Europe of the knowledge society requires; everyone should, as a general rule, be able to speak two foreign languages. Foreign language learning, including where appropriate at an early age, must be improved; and this means improving the ways in which foreign languages are taught, and increasing contact between teachers and learners and the foreign languages they are working on. The training of language teachers is therefore central to this objective.

Since 1995, the Community has repeatedly promoted the objectives concerning the learning of languages apart from the mother tongues (Council resolutions of 31 March 1995 and 14 February 2002 as well as the recommendation on mobility

of 10 July 2001). A specific way to reach the objectives set in the Recommendation and the resolutions would be a significant reduction of the number of citizens over 15 not knowing any other language than their mother tongue(s).

A. Key issues

1. Encouraging everyone to learn two, or where appropriate, more languages in addition to their mother tongues, and increasing awareness of the importance of foreign language learning at all ages
2. Encouraging schools and training institutions in using efficient teaching and training methods and motivating continuation of language learning at a later stage of life

B. Organisation of the follow-up

- a) *Starting period:* between 2nd half of 2002 and end of 2003 (3rd stage).
- b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*

The Council and the Commission note that no reliable data on the foreign language skills of young people are available; further work must therefore be carried out to obtain them. In the meantime, the following indicative list is adopted.

- percentage of pupils and students who reach a level of proficiency in two foreign languages ⁽¹⁾,
- percentage of language teachers having participated in initial training or in-service training courses involving mobility providing direct contact with the language/culture they teach.
- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*
 - methods and ways of organising the teaching of languages,
 - early language learning,
 - ways of promoting the learning of foreign languages.

OBJECTIVE 3.4 — INCREASING MOBILITY AND EXCHANGE

Mobility helps to promote the feeling of belonging to Europe, the development of European awareness, and the emergence of European citizenship. It allows young people to improve their personal skills and employability, and offers trainers the chance to broaden their experience and enhance their skills. In an increasingly complex Europe all the available means for facilitating and promoting mobility must be used in the most effective way possible, so that people — in particular young people — can identify with Europe. Mobility in education or training, including pre-doctoral research training, also plays a part in creating a European education and training area and can contribute to achieving a European Research Area.

The European Union already has a solid basis in this field. The Socrates, Leonardo and Youth programmes and the assistance provided for research worker mobility are among the areas where EU activities provide an example to the world, even though concrete experience also shows that mobility as an instrument has not yet reached its full potential in providing support for the Lisbon objective.

Numerous other Community initiatives, such as the mobility action plan approved by the Nice European Council, the recommendation of the European Parliament and the Council on the same subject, and the creation of the task force on new European labour markets (the establishing of which was backed by the Stockholm European Council) all testify to the importance of mobility and to the political recognition of that importance. These will be implemented in close coordination with the mobility initiatives in the European Research Area.

Specific goals are included in the conclusions of the Lisbon European Council (no. 13 concerning mobility of researchers and no. 26 concerning mobility of students, teachers and training and research staff).

⁽¹⁾ For instance, to level B2 of the Council of Europe's Common European Framework of Reference.

A. Key issues

1. Providing the widest access to mobility to individuals and to education and training organisations, including those serving a less privileged public and reducing the remaining obstacles to mobility
2. Monitoring the volume, directions, participation rates as well as qualitative aspects of mobility flows across Europe
3. Facilitating validation and recognition of competencies acquired during mobility
4. Promoting the presence and recognition of European education and training in the world as well as their attractiveness to students, academics and researchers from other world regions

B. Organisation of the follow-up

a) *Starting period:* During 2002 (2nd stage).

b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*

— proportion of national students and trainees carrying out part of their studies in another EU or third country,

— proportion of teachers, researchers and academics from other EU countries employed at different educational levels,

— number and distribution of EU and non-EU students and trainees in education and training.

c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*

— financing, participation and geographical distribution of EU and national exchange programmes,

— social benefits, i.e. in public transportation, museums etc, granted to people during mobility,

— evaluation of the results and development of Euro-pass,

— information on mobility offers and conditions of the EU and the Member States

— ECTS in vocational training,

— development of 'certificate supplement' in vocational training (similar to diploma supplements in higher education),

— Transferability of national grants for foreign education and training periods.

OBJECTIVE 3.5 — STRENGTHENING EUROPEAN CO-OPERATION

In the new Europe of the knowledge society, citizens should be able to learn and work throughout Europe, and make full use of their qualifications wherever they are. In the higher education area in particular, the obstacles to mobility and to recognition of qualifications are already being tackled, both through the EU instruments (such as the ECTS or the university partnerships within the Socrates programme) and through the 'Bologna process'. However, in many areas there is substantial work to be done. Therefore higher education institutions and other educational authorities should be encouraged to develop more compatible systems of qualifications across Europe and a common understanding of what are the minimum levels of quality required for accreditation. The policies on the transparency and recognition of qualifications, must be strengthened. The development of joint degrees and qualifications and of the accreditation systems must be supported if the education and training institutions in Europe are to be recognised world-wide as centres of excellence.

A. Key issues

1. Enhancing the effectiveness and timeliness of recognition processes for the purpose of further study, training and employment throughout Europe
2. Promoting co-operation between responsible organisations and authorities in view of more compatibility in quality assurance and accreditation
3. Promoting transparency of information on education and training opportunities and structures in view of the creation of an open European area for education
4. Promotion of the European dimension of teaching and training

B. Organisation of the follow-up

- a) *Starting period:* During 2002 (2nd stage).
- b) *Indicators for measuring progress (Indicative list to be reviewed as appropriate):*
 - proportion of undergraduate and postgraduate students and researchers continuing their studies in another EU or third country,
 - percentage of graduates obtaining joint degrees in Europe,
- c) *Themes for exchanging experience, good practice and, as appropriate, peer review (Indicative list):*
 - percentage of students and trainees within ECTS or Europass and/or obtaining Diploma/Certificate Supplement.
 - promotion of accreditation in higher education,
 - promotion of joint courses and degrees in Europe which are internationally recognised; promotion of relevant *marketing* initiatives,
 - inclusion of the European dimension in education and training.

TIMETABLE TO START FOLLOW-UP WORK FOR OBJECTIVES**Stage 1 (starting: 2nd half of 2001)**

- Objective 1.2 — Developing skills for the knowledge society
- Objective 1.3 — Ensuring access to ICT for everyone
- Objective 1.4 — Increasing the recruitment to scientific and technical studies

Stage 2 (starting: during 2002)

- Objective 1.1 — Improving education and training for teachers and trainers
- Objective 1.5 — Making the best use of resources
- Objective 2.3 — Supporting active citizenship, equal opportunities and social cohesion
- Objective 3.4 — Increasing mobility and exchange
- Objective 3.5 — Strengthening European co-operation

Stage 3 (starting: between 2nd half of 2002 and end of 2003)

- Objective 2.1 — Open learning environment
- Objective 2.2 — Making learning attractive
- Objective 3.1 — Strengthening the links with working life and research, and society at large
- Objective 3.2 — Developing the spirit of enterprise
- Objective 3.3 — Improving foreign language learning

By end of 2002, the first results concerning the indicators and, where appropriate, benchmarks for stage 1 will be available. The first results for stage 2 will be available mid-2003 and for stage 3, by end of 2003.

It is foreseen that results for exchanging experience for stage 1 will be available by end 2003. Furthermore, peer reviews will be launched as requested by Member States.

An intermediate report on the implementation of the work plan will be submitted jointly by the Council and the Commission to the European Spring Council 2004.

Table

Model to be used in the follow-up of quantitative indicators to support the implementation of the objectives using the open method of coordination

	Present levels			Progress		Benchmarks (where feasible)/Reference Criteria (see note below) ⁽¹⁾	
	Average (EU)	Average of 3 best performing (EU)	USA and Japan	2004	2010	for 2004	for 2010
Indicator							
Indicator							
Indicator							

⁽¹⁾ On the basis of chosen indicators for each objective an interim report foreseen in 2004 and the final report foreseen in 2010 will include an evaluation of progress made. Where feasible, European-wide benchmarks could be set by the Council by consensus within the scope of articles 149 and 150 of the EC Treaty. Furthermore, the reference criteria (*benchmarks*) for 2004 and 2010 will be communicated by the Member States on a voluntary basis. This process of implementation will require the availability of national statistical data according to the indicators chosen

Source: ...

STATISTICAL DATA

OBJECTIVE 1.2 — DEVELOPING SKILLS FOR THE KNOWLEDGE SOCIETY

	Presents levels			
	EU Average ⁽¹⁾	Average of 3 best performing in EU	USA	Japan
Numeracy/mathematics (scores)	494	536	493	557
Literacy (scores)	498	535	504	522

(¹) NL not included — average 14 member States.

Source: PISA, OCDE, 2001

OBJECTIVE 1.4 — INCREASING THE RECRUITMENT TO SCIENTIFIC AND TECHNICAL STUDIES**Number of graduates as percentage of total number (2000 for most countries)**

	Presents levels			
	EU Average	Average of 3 best performing in EU	USA	Japan
Natural Science	5,1 %	8,3 %	—	—
Mathematics and Computer Science	3,8 %	7,3 %	—	—
Engineering, Manufacturing and construction	14,3 %	20,1 %	—	—

Notes:

GR: missing.

L: The country does not have a complete education system. Natural Science includes also Mathematics and Science.

A: Professionally oriented tertiary education (ISCED 5B) is not included.

NL: PhD level studies (ISCED 6) missing.

Source: Eurostat, UOE data collection 2000 — provisional data.

OBJECTIVE 1.5 — MAKING THE BEST USE OF RESOURCES**Public expenditure on education as a percentage of the GDP ⁽¹⁾**

	Presents levels			
	EU Average ⁽¹⁾ (1999)	Average of 3 best performing in EU (1999)	USA (1998)	Japan (1998)
	5,0 %	7,3 %	5,0 %	3,5 %

⁽¹⁾ Based on the structural indicator (<http://europa.eu.int/comm/eurostat/Public/datashop/print-product/EN?catalogue=Eurostat&-product=1-ir010-EN&mode=download>).

Notes:

F: Educational expenditure figures do not include DOM(Departements d'Outre Mer).

UK: Estimates, based on data for UK financial years which run from 1 April to 31 March.

L: Missing.

OBJECTIVE 2.2 — MAKING LEARNING MORE ATTRACTIVE

	Presents Levels			
	EU Average	Average of 3 best performing in EU	USA	Japan
Proportion of students in tertiary education (ISCED 5, 6) as a percentage of all pupils and students, 1999/2000 ^(a)	15 %	20,8 %	—	—
Percentage of people who do not have an upper secondary qualification aged 25-34, 2000 ^{(b) (1)}	25,9 %	12,1 %	—	—

⁽¹⁾ IRL: missing. UK: GCSEs are considered upper secondary qualifications

Source:

a) Eurostat, UOE.

b) LFS.

Calculation:

a) Students at ISCED 5,6 / total number of students.

b) (Respondents aged 25-34 with educational attainment ≤ ISCED 2) / total number of respondents aged 25-34.

OBJECTIVE 2.3 — SUPPORTING ACTIVE CITIZENSHIP, EQUAL OPPORTUNITIES AND SOCIAL COHESION

	Presents levels			
	EU Average	Average of 3 best performing in EU	USA	Japan
Proportion of the population aged 18-24 with only lower secondary education and not in education or training (2000) ⁽¹⁾	17,8 %	7,8 % ⁽¹⁾		

⁽¹⁾ IRL: missing. UK: GCSEs are considered upper secondary qualifications

Source: LFS (Structural indicator: Early school leaver).

**PROPOSAL FOR A COMPREHENSIVE PLAN TO COMBAT ILLEGAL IMMIGRATION AND
TRAFFICKING OF HUMAN BEINGS IN THE EUROPEAN UNION**

(2002/C 142/02)

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I. INTRODUCTION

1. The European Council meeting at Laeken on 14 and 15 December 2001 reaffirmed its commitment to the policy guidelines and objectives defined at Tampere regarding the creation of an area of freedom, security and justice in the European Union, and considered that the objective of bringing about within that area a true common asylum and immigration policy implies, as well as the establishment of various instruments, integration of the policy on migratory flows into the Union's foreign policy, in that it called for an action plan to be developed on the basis of the Commission communication on illegal immigration and the smuggling of human beings.
 2. The prevention of and the fight against illegal immigration are essential parts of the common asylum and immigration policy of the European Union. With the entry into force of the Treaty of Amsterdam, new competences have been created, with the inclusion of the new Title IV in the Treaty establishing the European Union. While Article 62 of the same Treaty is the legal basis for regulations relating to border controls and visa policy, Article 63(3) refers explicitly to measures on illegal immigration and illegal residence, including repatriation of illegal residents. Moreover, since facilitation of illegal immigration involves, in most cases, organised criminal networks operating at an international level, the relevant provisions of Title VI of the Treaty on European Union on police and judicial cooperation in criminal matters (Articles 29, 30 and 31 of the Treaty on European Union) also apply.
 3. The Vienna Action Plan of the Council and the Commission on how best to implement the provisions of the Treaty of Amsterdam on an area of freedom, security and justice, of December 1998, mentioned that in line with giving priority to controlling migration flows, practical proposals for combating illegal immigration more effectively needed to be brought forward swiftly.
 4. In addition, the European Council emphasised in the conclusions of its Tampere summit of October 1999 the need for more efficient management of migration flows at all stages and to tackle illegal immigration at its source. Moreover, the European Council called for closer cooperation between Member States and confirmed the requirement for new Member States to accept in full the relevant *acquis* including the standards which have been set within the Schengen cooperation. Within the framework of the Council, the common interest in the fight against illegal immigration, the need for cooperation and the determination to combat networks was highlighted again by the agreement reached on the Directive defining the facilitation of unauthorised entry, movement and stay, and the accompanying Framework Decision on the strengthening of the penal framework to prevent the facilitation of unauthorised entry and residence, as well as the Directive concerning the harmonisation of financial penalties imposed on carriers transporting into the territory of the Member States third country nationals lacking the documents necessary for admission.
 5. The Commission has consolidated a first set of objectives to enhance the fight against illegal immigration in the 'Scoreboard' reviewing progress on the creation of an area of freedom, security and justice in the European Union. Besides improvements in the exchange of information and statistics, the enhancement of the fight against trafficking in human beings and the economic exploitation of immigrants is mentioned, as well as cooperation with countries of origin and the establishment of a coherent common policy on readmission and return.
 6. Accordingly, on 15 November 2001 the Commission adopted its communication to the Council and the European Parliament on a common policy on illegal immigration, in which the Council of the European Union is invited to approve, at the earliest opportunity, an Action Plan to prevent and combat illegal immigration, indicating which actions must be given priority.
- A. Dimensions of the phenomenon
7. Illegal immigration is multifaceted in terms of the individuals concerned and the patterns of their illegal entry and residence. First there are those who illegally enter the territory of a Member State. This can take place either with an illegal border crossing or at a border post using false or forged documents. Often these illegal entries happen on an individual and independent basis. However, illegal entries are increasingly organised by facilitators, who provide transport, temporary shelter, travel documents, information, surveillance or other supportive services starting in the countries of origin, continuing in transit countries and ending in the country of destination. The price of smuggling services is very high, so that many illegal immigrants have to hand over most or all of their savings. In cases where illegal immigrants are not able to pay the price, they often become victims of traffickers, who employ exploitative means to gain 'reimbursement' for the cost of the journey.
 8. There are also a large number of illegal residents in the European Union who have entered with a valid visa or residence permit but have 'overstayed'. Others simply enter with valid travel documents, when their nationality is exempted from a visa requirement for a short-term stay. This legal residence, however, becomes illegal, when the person concerned embarks on self-employed or employed activities not authorised by the visa exemption or the visa obtained. In many cases persons with a proper

residence and work permit simply overstay their period of legal residence or violate residence regulations in other ways.

9. Owing to the nature of undocumented residence it is not possible to assess the exact proportions between the different categories of illegal residents. It seems clear, however, that each one represents a significant part of the whole phenomenon of illegal immigration and that any future action needs adequately to address each category. To do so effectively, however, requires further in-depth analysis of the phenomenon, so as to be able better to determine the adequate instruments for the different categories of illegal residents and patterns of illegal residence.
10. Accordingly, further efforts to analyse the patterns of illegal residence in the European Union must be encouraged in order to adjust future measures more specifically to the real problems which need to be tackled to prevent and fight illegal immigration effectively.

B. International obligations and Human Rights

11. Measures relating to the fight against illegal immigration have to balance the right to decide whether to accord or refuse admission to the territory to third country nationals and the obligation to protect those genuinely in need of international protection. This concerns, in particular, obligations for protection arising from the European Convention on Human Rights, particularly Article 3 thereof, and the Geneva Convention on Refugees, most notably Articles 33 and 31. The latter Article lays down that 'States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorisation, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence'.
12. Effective action against illegal immigration plays an essential part in contributing to public acceptance of admission for humanitarian grounds by preventing misuse of the asylum system. Nevertheless, the fight against illegal immigration has to be conducted in a balanced way. Member States should, therefore, explore possibilities of offering rapid access to protection so that refugees do not need to resort to illegal immigration or people smugglers. Whatever measures are put into practice to fight illegal immigration, the specific needs of potentially vulnerable groups like minors and women need to be respected.

C. Relations with third countries

13. Efforts on migration management cannot have their full impact if measures are not implemented at the beginning of the migration chain, i.e. the promotion of peace, political stability, human rights, democratic principles and sustainable economic, social and environmental development of the countries of origin. To that end, migration issues should be integrated in the existing partnerships, which are the general framework of our relations with third countries.
14. In the context of enlargement the candidate countries have to adopt, in their domestic legislation and practices, the existing EU acquis on the fight against illegal immigration. This also implies full acceptance of the Schengen acquis as stated in Article 8 of the Schengen Protocol; the candidate countries are also required to produce detailed national Action Plans for implementation of the Schengen acquis.
15. Cooperation should also be further developed with transit countries. Smugglers of human beings use different modes of transportation and different routes for their illegal activities. Usually, direct connections from the main source countries are not available. Thus, transit through third countries is the norm. Illegal immigrants take advantage of gaps at border controls and other deficiencies in control measures. Some transit countries show a certain reluctance to deal with irregular migration flows properly due to their interest in not becoming a country of destination. It is necessary, therefore, to enter into a dialogue with transit countries in order to support their effort to deal with the problem.
16. The European Union and its Member States should continue to participate actively in other international fora and to conclude multilateral agreements on the subject. Further international cooperation could also facilitate and promote third country cooperation and other efforts which aim to fight illegal immigration. In particular, when measures on illegal immigration are conducted in third countries, the expertise of international organisations, such as UNHCR, could be very helpful in many respects. First, such organisations could confirm that measures do comply fully with justified needs for protection. Secondly, effects of synergy could result by using existing infrastructures instead of establishing new ones. Finally, such an involvement could lead to a better mutual understanding among those involved.

D. Enforcement of existing rules

17. Obviously, a legal framework for the fight against illegal immigration already exists in all European Union Member States as do regulations on the issuing of visas, border controls, illegal entry and stay, on smuggling, trafficking, illegal employment and carrier liability. Certain common principles on these issues have been laid down in several Recommendations under the regime of the Maastricht Treaty. In addition, and much more importantly, a large number of binding rules has been established within the Schengen framework. The importance of the evaluation of the Schengen acquis is worth mentioning in this respect.
18. It does not make any sense to introduce new rules or to harmonise rules at European Union level, if present regulations are not enforced with sufficient resources and, most importantly, the necessary will. Common efforts are condemned to fail, if Member States' services and practices do not follow the rules adopted in common, i.e. relating to the issuing of visas and external border controls. Whether as countries of transit or destination, Member States must, therefore, work intensively towards a genuine partnership based on mutual confidence in each others law enforcement activities.
19. The creation of an area of freedom, security and justice requires all Member States to apply common rules effectively. The common security system is only as strong as its weakest point. Consequently, it is crucial to enforce existing rules properly as a main priority.
20. Whatever the circumstances, the Action Plan should be carried out while taking into account the relevant Community law.

E. Penalties

21. Illegal activities, which are regularly connected with irregular migration flows, are a major common concern in all Member States. Trafficking and smuggling in human beings especially are seen as totally unacceptable. The appropriate provisions have, therefore, to be put in place. At European Union level, no Member State must be considered as a place for committing unlawful acts. This would strengthen the scope of justice in the Union and send a clear signal that Member States are willing to impose severe penalties. In Tampere Conclusions No 23, the European Council therefore urged the adoption of legislation providing for severe penalties for serious crimes, and in Laeken Conclusions No 45 the Council stated that efforts to surmount the problems arising from differences between legal systems should continue within

the reinforcement of the area of freedom, security and justice.

22. The UN Convention against Transnational Organised Crime signed in Palermo on 12 to 15 December 2000 and its two accompanying Protocols on trafficking in persons and smuggling of migrants now form the basis for a global recognition of the problem and a comparable approach to tackling it. It is, therefore, essential to ensure a swift ratification of these instruments as well as a coordinated implementation of their provisions at EU level.

II. MEASURES AND ACTIONS

A. Visa Policy

23. According to Article 61 of the Treaty establishing the European Community, visa policy is a directly related flanking measure to the free movement of persons with respect to external border controls. Whilst facilitating the free movement of persons, visa policy can also significantly contribute to the prevention of illegal immigration and to the fight against terrorism. Visa policy alone cannot, however, counter illegal immigration relating, for example, to third country nationals who enter legally but 'overstay'.
24. The adoption of the Council Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, provides further development for an harmonised visa policy and instrument for preventing entries into the Member States territory of non-authorised persons.
25. Given the constant changes in migratory flows, these lists should be reexamined annually without prejudice to the standard machinery laid down in the Regulation for reviewing the lists.

I. Uniform visa and security standards

26. Security and identification issues have been covered by the use of secure documents, which should allow for clear identification of the person concerned. In addition, travel documents aim to prove that the holder is entitled to exercise certain rights. Since travel documents have existed, they have been targets of forgery and fraudulent use for obvious reasons. States have, therefore, tried on an ongoing basis to raise the security standard of these documents. An example of a very successful cooperation

in the field of security documents is the evolution of the EU/Schengen visa sticker. Based on the Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas, it has become a document of the highest standard, effective against counterfeiting or attempts at falsification. Third countries should also be encouraged and even supported to strengthen their efforts in order to render their travel documents more secure.

27. Accordingly, measures aimed at improving the security of the visa and of the residence permit based on new technologies should be adopted. Consideration should be given in particular to including in visas and, where appropriate, in residence permits, not only a photograph of the applicant but also his or her biometric data.

II. *Creation of common administrative structures*

28. The Tampere Conclusions (No 22) stressed that 'a common active policy on visas and false documents should be further developed, including closer cooperation between EU consulates in third countries and, where necessary, the establishment of common EU visa issuing offices.'

29. For this common policy on visas to be developed in line with the approach referred to in the Tampere Conclusions, it is essential as a first step to increase cooperation between Member States' diplomatic and consular representations in the countries generating the migratory flows.

30. Information exchange on visa-issuing practices and trends in document forgery already takes place both formally and informally. This useful cooperation should be further promoted and enhanced by mutual assistance in the training of staff. It is also common practice in several places to represent other Member States in countries where a Member State does not have its own representation.

31. In this context, the idea of joint visa offices has been raised, but hitherto without any concrete result, due to practical, legal and cost-sharing difficulties; progress must therefore be made in examining the possibility of setting up such joint visa offices as requested in the Laeken Conclusions (No 42).

32. However, it seems quite obvious that one of the expected advantages of joint visa posts would be to reduce the cost of issuing visas. Such a burden-sharing approach could provide the financial means needed by the Member States in order to improve the technical equipment used for the purposes of issuing visas (detection of counterfeit or

forged documents, access to online databases of sample travel documents, secured storage conditions for blank visa stickers etc.). In addition, staff sharing would also mean sharing of experience and know-how in the field of risk assessment of illegal immigration or potential overstayers. In a medium or long-term perspective, one more substantial positive outcome of joint visa posts would consist of more uniform implementation of the common rules and the reduction of visa shopping.

33. Accordingly, quite apart from the vital importance of increasing collaboration at local consular level, measures should be adopted progressively with a view to the establishment of joint visa offices, given the requirement for better management of external border controls laid down in the Laeken Conclusions. In the short-term, any possible initiatives by the Member States on setting up joint offices or infrastructures could be carried out in Pristina as a priority pilot project. At the same time, a feasibility study on the legal, technical and financial issues raised by the creation of integrated joint consular offices would be carried out.

III. *Development of a European Visa Identification System*

34. The creation of common administrative structures could, in itself, be a major step forward in harmonising Member States policies and practices with regard to visas. Nevertheless, a complementary approach could be envisaged making use of the possibilities of modern communication and computer technology.

35. The Laeken Conclusions No 42 also note that the Council and the Member States must take steps to set up a common visa identification system. It has been suggested that this system could be supplemented by introducing a central register of aliens resident in Europe.

36. In the context of the prevention of terrorist threats, the conclusions of the JHA Council held on 20 September 2001 invited the Commission to make proposals on the creation of a system to be used for the purpose of exchanging information on issued visas. A series of reflections and feasibility studies should be instigated and could explore whether such a common electronic system could complement the concept of security documents in order to create a dual identification process based on secure documents and a database.

37. In order to ensure that the services responsible have information which is as full and helpful as possible, this database should not only contain details of visas issued but also data concerning visas applied for and refused.
38. Such a system could include information which is already gathered or required from the visa applicant today, such as personal particulars. In addition, an electronic photo could be taken and stored, together with the biometric data of the applicant. Travel documents should also be scanned and stored, which would have two major advantages. First, subsequent manipulations of the travel document could be easily detected by comparison of the travel document with its image. Secondly, the stored image of the travel documents could be used to obtain new travel documents quickly, when a person is obliged to leave the country but tries to conceal his or her identity. Anyway, the development of such a system should be based on a clear definition of needs and objectives as well as a thorough evaluation of existing initiatives (including the possibilities already offered by the SIS and VISION) and resources to be mobilised.
39. Any such system should be devised in conformity with current rules on the protection of personal data.
40. Accordingly, urgent measures for establishing a common visa identification system should be adopted, without prejudice to an examination of any possible technical or legal problems that might arise.

B. Information exchange and analysis

I. Statistics

41. It is a widely shared assessment that the level of legal as well as illegal immigration is significant and cannot be neglected due to its social, economic and political implications in the countries of destination. However, by definition it is impossible to have a clear picture of the scale of the phenomenon of illegal immigration in the Member States of the European Union. An estimate of the scale of illegal migration can only be derived from existing hard data which have a link to the phenomenon such as refused entries, apprehensions of illegals at the border or in the country, rejected applications for international protection, applications for national regularisation procedures and escorted or forced returns.
42. The Council of May 2001 decided to introduce a public annual report consisting of a statistical overview and an analysis for the purpose of discussing trends in asylum and migration flows and the relevant policy developments in the European Union. This would include a section analysing data on illegal immigration.
43. Accordingly, the necessary measures should be adopted to provide Member States with statistical data reliable enough to analyse at regular intervals both legal migratory flows and illegal immigration.
- ### *II. Gathering information, intelligence and analysis*
44. However, mere figures are not sufficient for understanding the phenomenon and to prepare decisions for operative purposes. This requires further in-depth analysis of its causes, the methods of entry and the consequences for our societies. Member States have gathered considerable information and have gained expertise in this field, but the European dimension to the phenomenon has not yet been sufficiently explored. Although formal and informal networks for the exchange of information have been developed over the years for this purpose, modernisation of the exchange of statistical information on a European level is required to enable the Community to develop adequate common policies in conjunction with the measures for Europol contained in this comprehensive Plan.
45. In order to establish constant information exchange among Member States, a centre for information exchange, CIREFI, has been set up in which, on a nearly monthly basis, experts from Member States share information, in particular on current trends in irregular migratory flows. However, this form of cooperation should be strengthened, requiring more intense networking among Member States' operational services, especially in the field of analysis. In this context, it is useful to analyse how existing instruments might be put to better use.
46. Accordingly, among other initiatives to be undertaken in this field, a feasibility study shall be carried out with a view to developing a European system for exchanging information on asylum, migration and countries of origin, as provided for in the Laeken Conclusions (No 40).
- ### *III. Development of the Early Warning System*
47. With a Council Resolution of May 1999 an early warning system for the transmission of information on illegal immigration and facilitator networks has been introduced. The aim was to set up a standardised, permanent communication framework enabling a Member State to report illegal migration phenomena instantly.

48. However, the Early Warning System (EWS) is still in a rudimentary phase. The main problems are insufficient use, a lack of information distribution within the Member States' services involved and poor technical infrastructure. As a first step common guidelines, concerning cases in which the system should be used, could be further elaborated. Nevertheless, the administrative and technical infrastructure seems to be the key obstacle. Operational services have to be given the chance to deliver and to obtain information as easily as possible, seven days a week, 24 hours a day. That is the reason why the early warning system should be developed as a web-based secure intranet site. Admittedly, the success of this approach depends very much on the possibility of operational services accessing the system without difficulty.
49. Accordingly, measures designed to implement and administer an early warning system more developed than the existing one should be adopted.

C. Pre-Frontier Measures

I. Advice and support by liaison officers

50. First steps have been taken to develop the concept of liaison officers in countries of transit and origin and to coordinate these efforts among Member States. In accordance with the conclusions adopted by the Council in November 2000 and May 2001, networking is being intensified among liaison officers of Member States, for example in cooperation in the Western Balkans area.
51. In the future, the EU should continue to build up the network of immigration and airline liaison officers by promoting closer cooperation. Permanent information exchange between immigration and airline liaison officers as well as with police liaison officers and other intelligence officers of Member States must be guaranteed. Common training must be conducted regularly on the basis of previously defined tasks and assignments and the mutual support of liaison officers must be encouraged.
52. Accordingly, as the coordination and adaptation of the Member States' actions in the use of liaison officers and experts, as of other operators in this field, is necessary, together with closer cooperation in boarding checks at points of origin, measures to coordinate tasks, training and liaison postings efficiently should be adopted, using the experience gained in the Balkans, although this could be extended to include other regions of strategic interest to the European Union, involving the establishment of an information network of all the Member States' liaison officers, who would draw up joint reports for subsequent

analysis by the CIREFI Working Party, in conjunction with the development of the Early Warning System.

II. Financial and technical support for actions in third countries

53. While applying the actors-in-the-chain approach, it is essential to support targeted measures in the countries of origin and transit. Some of these forms of assistance were already identified in the conclusions of the Tampere European Council with a view, in particular, to helping these countries to strengthen their capacity to combat trafficking in human beings, and to cope with their readmission obligations. In the same context, it is worth making mention of the Action Plans prepared by the High-Level Working Group on Asylum and Migration.
54. In this framework, targeted migration and asylum projects could be financed in the following areas:
- support for asylum seekers infrastructure,
 - development of public registration structures,
 - establishment of reception centres for illegal immigrants in transit countries,
 - awareness-raising campaigns,
 - improvement of document security,
 - fight against corruption,
 - deployment of liaison officers,
 - expert meetings, training and seminars,
 - supporting returns of irregular migrants,
 - improvement of border control management and equipment.
55. Accordingly, and within the available resources, measures to build upon national technical and financial assistance to help third countries should be adopted within the framework of the European guidelines on immigration, giving particular attention to the overall coherence of the Member States' and the Union's external action.

III. Awareness-raising campaigns

56. In No 22 of its Tampere conclusions, the European Council mentioned information campaigns in the countries of origin as another instrument to influence illegal migration. The concept of information campaigns as such should be interpreted in a broad sense. Initiatives aimed at raising awareness among the public at large of the problems and risks related to illegal migration could be considered, as well as concentrated initiatives targeted at specific groups such as the unemployed, women or students.
57. Accordingly, given that the preparation of information campaigns, both by the European Union and by Member States, requires a tailor-made solution for each country of origin or even region, and furthermore, since the cultural dimension is a fundamental element of such campaigns, their elaboration has to be conducted carefully in a way which ensures that the campaign has the desired effect on the target region and audience.

D. Measures relating to border management

58. High-standard external border controls are an important contribution to preventing illegal immigration. Also significant is that border management does not focus solely on the immigration aspect but also on other purposes: customs purposes, traffic security, prevention of the entry of dangerous or illegal goods, identification of persons wanted for arrest or extradition at a request of a competent judicial authority, etc.
59. All these elements have to be integrated into a coherent strategy, which should be based on the Tampere and Laeken Conclusions. Account should be taken of the the incoming Commission communication on border controls as well as of the results of the feasibility study on a European Border Guard and of the seminar on police and border security.

I. Border management in a common area

60. The existence and improvement of external border controls — which should be the subject of a risk assessment — in a common area established by the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders must not cause us to lose sight of the reality of the illegal migratory flows within that common area, involving evasion of entry permits for aliens who may remain illegally in the countries of the European Union after the end of their legal stays.

61. Accordingly, the undesirable effects of the abolition of checks at common borders, in particular with enlargement in prospect, such as easier illegal transit between Member States and the obvious encouragement to networks trafficking in human beings, must be dealt with by means of effective and realistic measures that prevent transit between Member States followed by illegal establishment, but at the same time do not undermine the freedom of movement of persons within an area of freedom, security and justice, and take account of the provisions of the Amsterdam Treaty, the Vienna Action Plan and the Tampere and Laeken Conclusions.

II. Controls at sea borders

62. The statistics show that the number of illegal immigrants arriving by sea has increased over recent years, for several reasons (sea borders are now longer, and are difficult to control ...).
63. This situation shows the need for the adoption of appropriate legislative and/or operational initiatives at European level aimed at improving sea border controls. To this end, the Commission is invited to conduct a feasibility study to see how these controls can be improved.

III. Common curriculum and training

64. As already emphasised, border checks are carried out in accordance with uniform principles based on a common standard. However, these elements have to be developed further. A key factor to enhance the quality of the cooperation could be to set up a harmonised curriculum for border guards that takes into account the different characteristics of national training traditions.
65. Another measure for strengthening cooperation between border control authorities is the harmonisation of the training of border guards. Border controls should be carried out by a specialised service, which calls for specific know-how. A professional border guard management requires clearly focused education and training. In addition, the fact that there are different legal frameworks should be borne in mind. Careful consideration should be given to the possible contribution of the European Police College (CEPOL) to the achievement of these objectives.
66. Accordingly, it should be considered whether these specific needs might not be better met by setting up a network of existing national training facilities offering appropriate and targeted services like programme design, seminars, workshops, etc. and creating the conditions for a joint training effort.

IV. *Border management cooperation and performance by joint teams*

67. Articles 7 and 47 of the Schengen Convention call for closer cooperation in the field of border controls. Such cooperation may take the form of an exchange of liaison officers. On the basis of bilateral agreements, reciprocal secondment of liaison officers already takes place. These liaison officers can be posted to executive border guard authorities at the external borders. They do not carry out any tasks relating to the sovereignty of States but advise and support the competent border guard authorities. It should be examined how an exchange of this kind could be gradually improved not only by bilateral cooperation between Member States, but also by a coherent Community approach. It is equally important to take account of the fact that new Member States will be joining. A study could be made of the usefulness of technical cooperation support facilities as referred to in the section on the improvement of cooperation and coordination in the operational sphere in the Commission communication to the Council and to the European Parliament of 15 November 2001 on a common policy on illegal immigration.
68. Accordingly, without prejudice to the existing agreements in this field between Member States, and because the setting up of the Member States' various operational services and the relationship between them must be analysed, measures should be adopted to develop and intensify practical cooperation and coordination of border checks and surveillance and to analyse the need for and the viability of a common external border unit.

E. **Readmission and return policy**

69. Readmission and return policy is an integral and vital component in the fight against illegal immigration. Given its importance, the matter must be given proper consideration, separately and at a more detailed level, in preparation for which the European Commission must, as a matter of urgency, present a Green Paper analysing possible measures and courses of action to flesh out a Community return policy, and it should also analyse the advisability of establishing a financial instrument for implementing the return policy.
70. Nevertheless, it is already possible to highlight a number of practical measures that should be considered for implementation.

I. *Establishing a joint approach/cooperation between the Member States for the purposes of implementing return measures*

71. A Community return policy should be based on two elements: common principles and common measures. One important common principle is, for example, the

strengthening of the obligation under international law to readmit own nationals, a principle that is confirmed in the Tampere Conclusions (No 26). It should likewise be possible to ensure that third-country nationals leave the territory of the Member States when they have no legal status authorising them to stay either permanently or temporarily.

72. Nonetheless, common measures and regulations must not be an obstacle to administrative cooperation between Member States; such cooperation must be improved and developed.
73. In this context, it should be noted that a European Visa Identification system will significantly facilitate the process of identifying illegal residents and the issue of travel documents for return purposes.
74. Accordingly, without prejudice to the establishment of common principles, progress must be made towards closer collaboration on the issues of transit and readmission, of identification of illegal residents and the issue of travel documents for return purposes.

II. *Readmission agreements with third countries*

75. The concept of readmission agreements, which was endorsed in conclusion No 27 of the European Council in Tampere, has to be developed. Nevertheless, before the negotiation of any readmission agreement, the interests of the European Union and of the Member States should be taken into account.
76. However, there is no need to wait until the first Community readmission agreements that are being negotiated by the Commission on the basis of the mandate given by the Council are concluded and implemented to identify without delay the third-countries generating illegal immigration and negotiate and conclude new readmission agreements with them, as provided for in the Laken conclusions (n. 40). The EU should also use its political weight to encourage third countries which show a certain reluctance to fulfil their readmission obligations.
77. Accordingly, the third countries with which new readmission agreements need to be negotiated and concluded must be identified, and common measures adopted aimed at ensuring that such countries fulfil their obligation to readmit their own nationals in accordance with the rules already established under international law. These agreements should also include an obligation to readmit third-country nationals and stateless persons coming from or having resided in the country concerned.

III. *Transit of returnees*

78. Closely related to readmission is the transit issue: it is a common finding that third-country nationals staying illegally in the territory of the Member States have transited through the territory of other countries and did not arrive in the Member State concerned directly from their countries of origin.

79. Accordingly, rules on transit of returnees should be put in place at EU level as well as with third countries, where appropriate.

IV. *Common standards for return procedures*

80. There have been differences documented in the legal provisions governing return procedures and in the corresponding administrative practices; this will hinder the establishment in future of an effective Community return policy for third-country nationals found to be staying illegally in the territory of the Member States.

81. Accordingly, it would be a good idea to analyse the possibility of adopting measures in accordance with Article 63(3)(b) of the Treaty establishing the European Community to implement common standards for return procedures.

F. **Europol**

82. The detection and dismantling of criminal networks are high priorities in the fight against illegal immigration. This action is promoted by police cooperation, in which the role of Europol could be enhanced.

83. The purpose of Europol's work in combating illegal immigration is, as in other areas, to provide support to the Member States in the prevention, investigation and analysis of the crimes involved. Europol supplies the elements of strategy, which contain not only explanatory detail but also elements of conjecture. These allow for an appropriate threat and risk assessment. Europol provides operational support with intelligence bulletins and analytical work files. It also supports joint investigations and operations. These joint operations, which have already taken place, have resulted in further investigations and to the observation, arrest and conviction of several suspects.

84. Measures should be adopted to give Europol more operative powers to enable it to work together with national authorities on the trafficking or smuggling of

human beings, as was also concluded by the EU Police Chiefs Operational Task Force in March 2001.

85. Accordingly, to that end, Article 30 of the Treaty on European Union should be fully utilised and Europol should be empowered to:

- facilitate further and support the preparation, coordination and carrying out of specific investigations by the competent authorities of Member States, including the operational activities of joint investigation teams comprising representatives of Europol in a support capacity,

- call on the competent authorities of the Member States to conduct investigations in specific cases and develop specific expertise which may be put at the disposal of Member States to assist them in investigating cases of trafficking or smuggling of human beings,

- contribute, where possible and appropriate, to the collation by law enforcement agencies of reports on suspicious financial transactions relating to trafficking and smuggling of human beings and to exchanges of information relating to them. The Europol Management Board is invited to consider the establishment of agreements with transit countries to foster the operational exchange of information.

G. **Penalties**

86. Many legal and practical instruments which the EU is gradually introducing in closely related matters, such as police and judicial cooperation, must also be mobilised in a practical manner as part of a comprehensive approach to combating smugglers and traffickers in human beings. The liaison magistrates, where they exist, the European judicial network, and especially Eurojust, should focus more actively on this type of offence. Furthermore, the adoption of the Convention on Mutual Legal Assistance of 29 May 2000, as well as the recent extension of its Protocol on improving mutual assistance in criminal matters, in particular in the area of combating organised crime and laundering of the proceeds of crime and financial crime, will represent important tools for increasing the effectiveness of judicial cooperation in the fight against smuggling and trafficking.

I. *Smuggling of Human Beings*

Distinction between Smuggling and Trafficking of Human Beings

87. The expressions 'smuggling' and 'trafficking' are often used synonymously, although a clear distinction should be drawn as they are substantially different. This is also useful from a law enforcement perspective. Clarification of the terminology and definitions has been included in the United Nations Convention against Transnational Organised Crime and its two accompanying Protocols on smuggling and trafficking, which were signed in Palermo on 15 December 2001.
88. These definitions make it clear that smuggling means helping with an illegal border crossing and illegal entry. Smuggling, therefore, always has a transnational element. This is not necessarily the case with trafficking, where the key element is the exploitative purpose. Trafficking involves the intent to exploit a person, in principle irrespective of how the victim comes to the location where the exploitation takes place. This can involve, in cases where borders are crossed, legal as well as illegal entry into the country of destination. Illegal immigration can also include trafficking aspects, but has indeed a wider scope and relates more to the general illegal entry and residence of persons. Illegal immigrants in a wider sense are, therefore, not necessarily victims of traffickers.
89. Accordingly, the following points should be borne in mind concerning the smuggling of human beings:

- as regards the issue of smuggling of migrants, Article 27 of the Schengen Convention makes it a requirement 'to impose appropriate penalties on any person who, for financial gain, assists or tries to assist an alien to enter or reside the territory of one of the Contracting Parties in breach of that Contracting Party's law on the entry and residence of aliens';
- the Council recently reached political agreement on a Directive defining the facilitation of unauthorised entry, movement and stay and an accompanying Framework Decision on the strengthening of the penal framework to prevent the facilitation of unauthorised entry and residence.

II. *Trafficking in human beings*

90. The Council has reached political agreement on a Framework Decision addressing the substantial criminal law aspects of trafficking. Furthermore, in the legislative measures against trafficking in human beings, it must also be stressed that the victims must be given special attention. The adoption of the Framework Decision on the standing of victims in criminal procedure on 15 March 2001 is especially relevant here. It provides measures to safeguard for instance the victim's right to information and protection in relation to the criminal procedure.
91. It is important to clarify the status of the victims of trafficking in terms of certain benefits or special assistance when they are prepared to cooperate in investigations against their exploiters. On the one hand, such a clarification would provide a platform for more structured assistance and protection focusing directly on the victim's individual situation and needs, and, on the other hand, on the need of the law enforcement authorities to conduct efficient investigations against traffickers.

III. *Illegal Employment*

92. A significant number of illegal immigrants have entered the country of destination legally, but overstayed the time limits for residence because they have the opportunity to continue working. Since the Council Recommendation of 27 September 1996 on combating the illegal employment of third-country nationals, the sensitive issue of illegal employment of third-country nationals has not been tackled again in the Council. The Commission adopted a Communication on illegal work in 1998, which also deals with illegal employment of illegally resident third-country nationals.
93. Accordingly, in order to deal with the problem of illegal immigration comprehensively, the issue of illegal employment of illegal residents should be addressed after the situation regarding Member States' legislation in this area has been studied.

IV. *Illegal immigration and financial benefits*

94. It is worth noting the progress made in preparing and adopting standards on money laundering, the identification, tracing, freezing, seizing and confiscation of means and assets from crime for the prevention and suppression of smuggling of migrants and trafficking of human beings.

95. Accordingly, as a common principle, the confiscation of all financial gains from criminal activities relating to illegal immigration should be given priority, as should the confiscation of the means of transport used for the trafficking of immigrants. Therefore, rules on confiscation have to be established and adequately enforced, if this is not already the case. This should include provisions on the liability of legal persons who are involved in these activities. Penalties for legal persons could be, for instance, the exclusion from entitlement to public benefits or the disqualification from practising commercial activities. Furthermore, traffickers, smugglers or legal persons who are liable should be made fully responsible for all return-related costs, including costs for social welfare and other public expenditure during the stay.

V. *Carrier Liability*

96. Carriers today are already responsible for returning those aliens who are refused entry on the basis of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985. In addition, carriers are obliged to take all necessary measures to ensure that an alien is in possession of valid travel documents. The Council adopted in June 2001 a Directive supplementing the provisions of Article 26, which contains three optional models of penalties for carriers who do not fulfil their obligations.
97. Accordingly, the guidelines in that Directive should be followed up to ensure that it is transposed and implemented.

III. **EVALUATION OF THE PLAN**

98. As has been seen in this Comprehensive Plan to combat illegal immigration and trafficking of human beings in the European Union, many different measures and courses of action must be developed and implemented to prevent and combat illegal immigration, as an essential part of the common asylum and immigration policy of the European Union; if the Comprehensive Plan is to have full effect a mechanism must be set up to monitor and appraise the initiatives proposed, the progress made and the achievements attained.
99. Such monitoring and appraisal must be carried out at an appropriate level and frequently enough to be useful, in order to ensure that the ambitious work programme established by this instrument can be developed swiftly, taking into account the new dimensions that the phenomenon of immigration on a global scale represents.
100. Accordingly, the European Commission will have to draw up an annual report monitoring and appraising the Comprehensive Plan to combat illegal immigration and trafficking of human beings in the European Union, and this report will be submitted to the Council for discussion.
101. The Commission's annual report on monitoring and appraisal will contain a 'scoreboard', which will also be updated annually, showing the progress made on each measure and course of action developed.
102. Likewise, the Commission is invited to take account of the content of this Comprehensive Plan, including the list of priorities, when drafting future initiatives for submission to the Council.

ANNEX

VISA POLICY SUMMARY OF MEASURES AND ACTIONS TO BE ADOPTED AND IMPLEMENTED IN COMBATING ILLEGAL IMMIGRATION AND TRAFFICKING IN HUMAN BEINGS⁽¹⁾

Visa policy	Uniform visa and security standards	In the short-term: improve document security on the basis of new technologies. In the medium-term: possibly inclusion of biometric data on documents.
	Creation of common administrative structures	In the short-term: run a pilot project on using joint infrastructures. In the short-term: strengthening the consular cooperation. In the medium-term: bring integrated consular offices into operation.
	Development of a European Visa Identification System	In the short-term: conduct a feasibility study to determine the main features of the common In the medium-term: bring the common visa identification system into operation.
Information exchange and analysis	Statistics	In the short-term: annual report consisting of a statistical overview and data analysis. In the medium-term: review of the system.
	Gathering information, intelligence and analysis	In the short-term: conduct a feasibility study with a view to developing a European system for exchanging information, taking into account possible improvements of existing instruments. In the medium-term: determination of a European system for exchanging information.
	Development of the Early Warning System	In the short-term: implement and appraise the existing Early Warning System.
Pre-frontier measures	Advice and support by liaison officers	In the short-term: step up cooperation via the liaison officers' network.
	Financial and technical support for actions in third countries	In the short-term: implement the Action Plans prepared by the High-Level Working Group on Asylum and Migration.
	Awareness-raising campaigns	In the medium-term: prepare campaigns in the countries of origin and transit.
Measures relating to border management	Border management in a common area	In the short-term: put into practice a risk assessment system.
	Controls at sea borders	In the short-term: conduct a feasibility study on improving sea border controls. In the medium-term: carry out measures to improve sea border controls.
	Common curriculum and training	In the short-term: analyse the possible contribution from CEPOL towards improving training. In the medium-term: create a network of national training organisations.
	Border management cooperation and performance by joint teams	In the short-term: step up cooperation with the operational services in the Member States. In the short-term: analyse the feasibility of a joint external borders service. In the medium-term: actions and measures based on the feasibility study.

⁽¹⁾ Short-term: actions and measures to be implemented as soon as possible and in principle within one year.

Medium-term: actions and measures to be implemented as soon as possible and in principle within three years

Readmission and return policy	Establishing a joint approach/cooperation between the Member States for the purposes of implementing return measures	In the short-term: improve practical cooperation between the competent services. In the short-term: determination of appropriate criteria and practical arrangements for the compensation between Member States of costs resulting from the enforcement of expulsion Decisions, as established in the Council Directive on the mutual recognition of expulsion Decisions. In the short-term: analysis of the actions and measures that may be envisaged on the basis of the Commission Green Book on return
	Readmission agreements with third countries	In the short-term: conclude outstanding Agreements In the short term: identification of third-countries with which agreements need to be negotiated. In the medium-term: conclude different readmission Agreements as distinct from those outstanding.
	Transit of returnees	In the short-term: establish within the European Union and with third countries standards for the transit of returnees, where necessary.
	Minimum common standards for return procedures	In the medium-term: examine the possibility of adopting measures to ensure certain common minimum standards for return procedures
Europol	In the medium-term: apply Article 30 of the Treaty on European Union in its entirety, giving EUROPOL wider scope for supporting investigations in the Member States concerning networks of illegal immigration, including trafficking of human beings; provide support for Member States and, wherever possible and appropriate, participate in the collection and exchange of information among bodies responsible for implementing the laws applying in such cases.	
Penalties	Smuggling of Human Beings	In the short-term: put into practice the new Community instruments aimed at combating illegal trafficking of human beings.
	Trafficking of human beings	In the short-term: determination of the possibility of granting to the victims of trafficking of human beings certain benefits or special assistance.
	Illegal Employment	In the short-term: conduct a study of the laws of the Member States. In the medium-term: prepare a proposal for harmonising the way in which illegal employment is dealt with at European level.
	Illegal immigration and financial benefits	In the short-term: analysis of the possibility of adopting provisions on confiscation of financial gains and on confiscation of means, in particular means of transport, used in criminal activities relating to illegal immigration.
	Carrier Liability	In the short-term: follow up the Directive on carrier liability.