

## European Parliament resolution on the European judicial area (9 July 1982)

**Caption:** On 9 July 1982, the European Parliament adopts a resolution on the proposal for a European judicial area and reaffirms the importance of European cooperation in the fight against crime and terrorism.

**Source:** Official Journal of the European Communities (OJEC). 13.09.1982, n° C 238. [s.l.].

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**URL:** [http://www.cvce.eu/obj/european\\_parliament\\_resolution\\_on\\_the\\_european\\_judicial\\_area\\_9\\_july\\_1982-en-2a135bb3-681b-48fb-95c8-760196e43aac.html](http://www.cvce.eu/obj/european_parliament_resolution_on_the_european_judicial_area_9_july_1982-en-2a135bb3-681b-48fb-95c8-760196e43aac.html)

**Publication date:** 21/10/2012

## Resolution on the European judicial area (9 July 1982)

*The European Parliament,*

- A. having regard to the motion for a resolution by Mr Motchane, Mr Sarre, Mrs Cresson, Mr Glinne, Mr Zagari, Mr Estier, Mr Moreau, Mr Oehler, Mr Jaquet, Mrs Roudy and Mr van Minnen on the European judicial area (Doc. 1-370/79/rev.),
- B. having regard to the motion for a resolution by Mr Sarre, Mr Glinne, Mrs Lizin, Mr van Minnen, Mr Estier, Mr Motchane, Mr Jaquet, Mrs Charzat, Mrs Roudy, Mrs Cresson, Mr Sutra and Mr Oehler on the European judicial area and the European Agreement on the Suppression of Terrorism (Doc. 1-593/79),
- C. having regard to the motion for a resolution by Mr Sieglerschmidt, Mr Orlandi, Mr Pelikan, Mr Key, Mrs Castle, Mr Lezzi, Mr Seefeld, Mr Wagner, Mr B. Friedrich, Mr Schinzel, Mr Abens and Mr Seeler on the Dublin Agreement on the Suppression of Terrorism (Doc. 1-603/79),
- D. having regard to the motion for a resolution by Mr De Clercq, Mr de Gucht and Mr van Miert on the racist attack in Antwerp (Doc. 1-649/81),
- E. having regard to the European Convention on Extradition, and the first Additional Protocol thereto, the European Convention on the Suppression of Terrorism and other work carried out by the Council of Europe on the subject of international crime,
- F. having regard to the communications of the European Council referring to the prospect of establishing a European judicial area particularly with respect to criminal matters,
- G. having regard to Articles 48, 52 and 59 of the EEC Treaty providing for the free movement of persons, subject to certain limitations,
- H. having regard to Article 230 of the EEC Treaty (“The Community shall establish all appropriate forms of cooperation with the Council of Europe”),
- I. having regard to the report of the Legal Affairs Committee and the opinion of the Political Affairs Committee (Doc. 1-318/82),
1. Presumes that the creation of a European judicial area should relate to the establishment and safeguarding of the rights to which citizens are entitled, to the definition of the obligations incumbent upon them and to the manner in which the Member States will cooperate to ensure that those rights may be freely exercised, those obligations maintained and society protected against any attack on public order and security in the form of terrorist or other criminal activity perpetrated by individuals or groups of individuals;
  2. Expresses its abhorrence of all terrorist crimes;
  3. Considers that priority should be given to establishing effective cooperation in the sector dealing with the fight against crime;
  4. Considers that it is repugnant to the concept of the free movement of persons and of the special quality of the relationship between the 10 Member States that terrorists should be able to evade detection or capture or trial and punishment by preparing their terrorist activity in one Member State, carrying, it out in another, and retreating across an internal Community frontier;
  5. Considers therefore that to prevent criminals going unpunished stronger agreements, which do not, however, jeopardize the free movement of persons, should urgently be sought;

6. Calls in this connection for closer cooperation between the services concerned in the fight against terrorism through the exchange of information and, possibly, joint training of specialists;
7. Believes it would be advisable to set up, at European level, specialized structures for the centralization of confidential information in connection with the fight against crime and terrorism;
8. Considers that, in the case of terrorist crimes alone, the concept of political motive or political offence in the context of laws governing extradition should have no place within the external frontiers of the Community;
9. Calls on the Commission to make proposals for a Directive providing for the suppression of terrorism in the Member State and establishing common principles for extradition between Member States, and to report thereon to the European Parliament;
10. Requests the Commission likewise to make proposals for Directives dealing with mutual assistance in criminal matters, the compellability of witnesses, the taking of witness statements, and the transfer of prisoners, and report thereon to the European Parliament;
11. Considers that all such Directives should be supplementary to, but not in conflict with, the European Conventions negotiated within the Council of Europe;
12. Calls once again on the Member States of the European Community to sign and ratify without reservation the European Convention on the Suppression of Terrorism or — at the very least — the Dublin Agreement of 4 December 1979 concerning the application of that convention between the Member States;
13. Calls urgently on the appropriate Ministers meeting in Political Cooperation to do their utmost to adopt in due course agreements to facilitate the capture, arrest, trial and punishment of criminals and to promote closer, legally regulated cooperation between police forces while respecting absolutely the rights of the defence;
14. Instructs its President to forward this resolution to the Commission, the Council and the Ministers of Justice meeting in Political Cooperation.