

**FEDERATION DES BARREAUX D'EUROPE
EUROPEAN BARS FEDERATION
VERBAND EUROPÄISCHER RECHTSANWALTSKAMMERN
FEDERACION DE LOS COLEGIOS DE ABOGADOS DE EUROPA
FEDERAZIONE DEGLI ORDINI FORENSI D'EUROPA**



*General Congress of Aix-en-Provence
May 22, 2010*

Resolution on the protection of fundamental rights in the EU

The Federation of European Bars (FBE) has passed the following resolution on the occasion of its General Congress in Aix-en-Provence on May 22, 2010:

We appreciate that with the appointment of a commissioner for Justice, Fundamental Rights and Citizenship and a commissioner for Home Affairs the new EU commission for the first time has separated the department of Home Affairs from the department of Justice. Hereby Security on the one side and Freedom and Justice on the other side have their own advocates on the governmental level who are able to articulate the often contradictory aims of Justice and Home Affairs.

However, the separation of the department of Home Affairs from the department of Justice must also be pursued on the administrative level. Only with a separate Directorate General at European level will it be possible to avoid conflicts of interest and maintain a strict separation of powers between Justice and Home Affairs in performing the tasks of Legal Policy.

A separate Directorate General should play an overall role across departments in order to ensure

- the conformance of all European proposals for legislation with the fundamental rights of the EU-Charter, as well as
- the consistency and coherence in European legislation

We are of the opinion that only a separate Directorate General for Justice with such an overall role can live up to the significance of the rule of law for a democratic system.

