



Social Sciences Research Centre  
Institute for European Integration Research



**OAW**  
Austrian Academy  
of Sciences

Das Institut für europäische Integrationsforschung (EIF)  
der Österreichischen Akademie der Wissenschaften lädt ein:

## **VIENNA LECTURES ON THE EUROPEAN UNION**

Monday 21 March 2011: Marise Cremona  
Head of Department of Law, European University Institute

### **"Justice and Home Affairs in a Globalised World: The EU's Ambitions and Reality"**

The EU's policy on Justice and Home Affairs has as its objective the establishment of the Union as 'an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States'. How does this essentially internal objective translate into international action? How does the Union respond, in an internal policy field, to external challenges? This paper will assess the ambitions and the reality of the external dimension of the EU's policy of Justice and Home Affairs from two perspectives. The first is the close link between internal and external objectives and policies, and the implications for both EU competence and policy priorities. The second is the progressive constitutionalisation of the JHA field, its transformation from inter- governmental cooperation into a policy domain subject to the political and judicial accountability of ordinary legislative procedures. The paper is structured around a case study of the negotiation, renegotiation and eventual conclusion of the EU-US Agreement on the transfer of financial messaging data for the purpose of combating terrorism (the 'SWIFT' Agreement), and in particular the interplay thereby revealed (i) between different regulatory approaches to data protection in the context of international commercial transactions and the needs of private commercial undertakings; (ii) between different (EU) institutional actors in the context of international action against terrorism where the EU needs to be seen as an effective actor and partner of the US; and (iii) between the needs of public security and the need to provide against the risk of breaches of individual rights of data protection and privacy through the misuse of security-based powers.

Moderated by:

Gerda Falkner (Director of EIF; Professor, University of Vienna)

The lecture will take place at 17h00 in the  
Sitzungssaal der ÖAW, Dr. Ignaz Seipel-Platz 2, 1010 Wien

Lecture to be followed by a discussion and a wine & cheese reception  
For more information please visit the website of EIF at [www.eif.oeaw.ac.at](http://www.eif.oeaw.ac.at)