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3244th Council meeting

Justice and Home Affairs

Luxembourg, 6 and 7 June 2013

President **Mr Alan Shatter**
Minister for Justice, Equality and Defence of Ireland

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Main results of the Council

*On Thursday, justice ministers held an in-depth discussion on certain key issues regarding the proposal for a regulation on the protection of individuals with regard to the processing of personal data and on the free movement of such data (**General Data Protection Regulation**).*

*The Council agreed on a general approach concerning the proposal for a directive on the **fight against fraud to the Union's financial interests** by means of criminal law. This general approach constitutes the basis for negotiations with the European Parliament on the final text of the directive.*

*Ministers held a public debate on the proposal for a regulation creating a **European Account Preservation Order** and on the proposal for a regulation on **insolvency proceedings** and approved a number of guidelines for future work.*

*The Commission presented to ministers its proposal for a regulation on promoting the free movement of citizens and businesses by simplifying the acceptance of certain **public documents** in the EU.*

*The Council **adopted conclusions on fundamental rights and the rule of law and on the Commission's 2012 Report on the Application of the Charter of Fundamental Rights** of the EU. These conclusions take forward the debate on the possible need for and shape of a future initiative aimed at better safeguarding the Union's fundamental values. Ministers were also briefed by the Presidency on the state of play regarding the **EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms** (ECHR).*

*The Council also adopted the new **EU Action Plan on Drugs** (2013-2016) and listened to a presentation by the Director of the European Monitoring Centre for Drugs and Drug Addiction on the **2013 European Drug Report**.*

*On Friday, home affairs ministers held an in-depth discussion on the issue of **foreign fighters and returnees** from a counter-terrorism perspective, with particular regard to Syria, on the basis of a document prepared by the EU Counter-Terrorism Coordinator (CTC).*

*Ministers were also briefed by the Presidency on the final steps towards the completion of the **Common European Asylum System** and on the state of play as regards the **Schengen Governance** legislative package.*

*Ministers held a public debate on the proposal for a regulation on **the European Agency for Law Enforcement Cooperation and Training (Europol)** and discussed the latest developments concerning the **protection of refugees from the Syria conflict**.*

Over lunch, ministers discussed the issues related to ***the free movement of persons*** *raised in a letter sent to the Presidency by the home affairs ministers of Austria, Germany, the Netherlands and the United Kingdom.*

The ***Mixed Committee*** *(the EU plus Norway, Iceland, Liechtenstein and Switzerland), meeting in the margins of the Council, was briefed on the latest state of play regarding* ***Schengen governance****. The Greek delegation reported to the Committee on the implementation of Greece's* ***national action plan on asylum reform and migration management****.*

A joint declaration establishing a mobility partnership between the Kingdom of Morocco and the European Union and its member states was signed in the margins of the Council.

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- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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PARTICIPANTS

Belgium:	
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Ms Annemie TURTELBOOM	Minister for Justice
Ms Maggie DE BLOCK	State Secretary for Asylum, Immigration and Social Integration, attached to the Minister for Justice
Bulgaria:	
Ms Zinaida ZLATANOVA	Deputy Prime Minister and Minister for Justice
Mr Dimiter TZANTCHEV	Permanent Representative
Czech Republic:	
Mr Martin POVEJŠIL	Permanent Representative
Denmark:	
Mr Morten BØDSKOV	Minister for Justice
Mr Jeppe TRANHOLM-MIKKELSEN	Permanent Representative
Germany:	
Mr Hans-Peter FRIEDERICH	Federal Minister for the Interior
Mr Ole SCHROEDER	Parliamentary State Secretary to the Federal Minister for the Interior
Mr Peter TEMPEL	Permanent Representative
Estonia:	
Mr Ken-Marti VAHER	Minister for the Interior
Mr Hanno PEVKUR	Minister for Justice
Mr Matti MAASIKAS	Permanent Representative
Ireland:	
Mr Alan SHATTER	Minister for Justice and Equality, Defence
Greece:	
Mr Antonios ROUPAKIOTIS	Minister for Justice, Transparency and Human Rights
Mr Evripidis STYLIANIDIS	Minister for the Interior
Mr Nikolaos DENDIAS	Minister for Public Order and Protection of the Citizen
Mr Angelos SYRIGOS	State Secretary, Ministry of the Interior
Mr Marinos SKANDAMIS	General Secretary, Ministry of Justice, Transparency and Human Rights
Spain:	
Mr Jorge FERNÁNDEZ DIAZ	Minister for the Interior
Mr Alberto RUIZ-GALLARDÓN JIMÉNEZ	Minister for Justice
France:	
Mme Christiane TAUBIRA	Keeper of the Seals, Minister for Justice
Mr Manuel VALLS	Minister for the Interior
Italy:	
Ms Annamaria CANCELLIERI	Minister for Justice
Mr Angelino ALFANO	Deputy Prime Minister and Minister for the Interior
Cyprus:	
Mr Ionas NICOLAOU	Minister for Justice and Public Order
Latvia:	
Mr Jānis BORDĀNS	Minister for Justice
Ms Ilze JUHANSONE	Permanent Representative
Lithuania:	
Mr Juozas BERNATONIS	Minister for Justice
Mr Dailis Alfonsas BARAKAUSKAS	Minister for the Interior

Luxembourg:	
Ms Octavie MODERT	Minister for Justice, Minister for Culture, Minister for the Civil Service and Administrative Reform, Minister for Administrative Simplification attached to the Prime Minister
Mr Nicolas SCHMIT	Minister for Labour, Employment and Immigration
Mr Jean-Marie HALSDORF	Minister for the Interior and the Greater Region, Minister for Defence
Hungary:	
Mr Tibor NAVRACSICS	Deputy Prime Minister and Minister for Public Administration and Justice
Mr László FELKAI	Permanent Secretary, Ministry of the Interior
Malta:	
Mr Emanuel MALLIA	Minister for Home Affairs and National Security
Mr Owen BONNICI	Parliamentary Secretary for Justice within the Ministry for Home Affairs and National Security
Netherlands:	
Mr Ivo OPSTELTEN	Minister for Security and Justice
Mr Fred TEEVEN	State Secretary for Security and Justice
Austria:	
Ms Johanna MIKL-LEITNER	Federal Minister for the Interior
Ms Beatrix KARL	Federal Minister for Justice
Poland:	
Mr Michał BONI	Minister for Administration and Digitalisation
Mr Piotr STACHAŃCZYK	State Secretary, Ministry of the Interior and Administration
Mr Michal KRÓLIKOWSKI	Deputy State Secretary, Ministry of Justice
Portugal:	
Mr Miguel MACEDO	Minister for the Interior
Mr Fernando SANTO	State Secretary of Property and Equipment, Ministry of Justice
Romania:	
Mr Robert Marius CAZANCIUC	Minister for Justice
Mr Bogdan TOHĂNEANU	State Secretary, Ministry of Internal Affairs
Slovenia:	
Mr Gregor VIRANT	Minister for the Interior and Public Administration
Mr Rado GENORIO	Permanent Representative
Slovakia:	
Mr Tomáš BOREC	Minister for Justice
Mr Ivan KORČOK	Permanent Representative
Finland:	
Ms Anna-Maja HENRIKSSON	Minister for Justice
Ms Päivi RÄSÄNEN, Ministre	Minister for the Interior
Sweden:	
Ms Beatrice ASK	Minister for Justice
Mr Tobias BILLSTRÖM	Minister for Migration
United Kingdom:	
Mr Chris GRAYLING	Lord Chancellor, Secretary of State for Justice
Ms Theresa MAY	Secretary of State for the Home Department

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Commission:

Ms Viviane REDING	Vice-President
Ms Cecilia MALMSTRÖM	Member

.....

The Government of the Acceding State was represented as follows:

Croatia:

Mr Ranko OSTOJIĆ	Minister for the Interior
Mr Vladimir DROBNJAK	Permanent Representative

ITEMS DEBATED

Data protection

The Council discussed key issues on the proposal for a regulation setting out a general EU framework for data protection on the basis of a document prepared by the Presidency (*10227/13* + *ADD1*). Delegations generally welcomed the considerable progress achieved on the draft regulation under the Irish Presidency.

On the understanding that no part of the draft regulation can be agreed until the whole text of the regulation is agreed, it was concluded that the amended text of chapters I to IV was a good basis for further progress on the proposal for a regulation. The Chair indicated that legislative discussions should take account of the interests of both citizens and business, in particular small and medium-sized enterprises (SMEs).

Protection of the EU's financial interests

The Council agreed on a general approach on the draft directive on the fight against fraud to the Union's financial interests by means of criminal law. This general approach will constitute the basis for negotiations with the European Parliament on the final text of the directive (*10232/13*).

The goal of the proposal (*12683/12*) is to deter fraudsters, improve the prosecution and sanctioning of crimes against the EU budget, and facilitate the recovery of misused EU funds, thereby increasing the protection of EU taxpayers' money.

The proposed directive provides common definitions of a number of offences against the EU budget, including fraud and other fraud-related crimes such as active and passive corruption, the misappropriation of funds and money laundering. It lays down minimum rules on periods within which cases must be investigated and prosecutions brought, as well as minimum rules on sanctions, including imprisonment for the most serious cases to strengthen the deterrent effect. These common rules should, under the Commission's proposal, help to ensure a level playing field and improve investigation and prosecution across the EU.

A clear majority of delegations have indicated that the legal basis of the proposal should be Article 83(2), rather than Article 325(4) as proposed by the Commission. The text of the general approach is based on the presumption that Article 83(2) is the legal basis.

European account preservation order

The Council held a public debate on the proposal for a regulation creating a European account preservation order and endorsed key principles for future work at technical level.

The package of key principles relates to the balance between creditors' and the debtors' interests as set out in the document prepared by the Presidency (*10047/13*). This document addresses the following issues:

- the conditions for issuing a preservation order,
- the ex parte nature of the proceedings,
- the provision of security by the creditor,
- the liability of the creditor,
- the amounts exempt from preservation to protect the debtor, and
- the remedies to be made available to the parties, in particular to the debtor.

The aim of the proposed regulation (*13260/11*) is to facilitate cross-border debt recovery by creating a uniform European procedure leading to the issue of a European account preservation order. This European procedure will be available to citizens and businesses as an alternative to national procedures, but will not replace national procedures. It will apply only to cross-border cases.

The Commission presented its proposal on 25 July 2011. The discussions in the Council's preparatory bodies are still ongoing.

Insolvency proceedings

The Council held a public debate on the proposal for a regulation amending Council regulation (EC) No 1346/2000 on insolvency proceedings. There was wide agreement between member states on the political guidelines for the future work as set out in the Presidency document (*10050/13*).

The Council also called for work to be continued at technical level on the basis of those guidelines, and taking into account the comments expressed by delegations.

The proposed regulation aims at making cross-border insolvency proceedings more efficient and effective with a view to ensuring that the internal market functions smoothly and is resilient in economic crises. This objective is in line with the European Union's current political priorities on promoting economic recovery and sustainable growth, higher rates of investment and employment, and ensuring that businesses survive and thrive.

The proposed regulation will also bring the current Insolvency Regulation in line with the developments in national insolvency laws made since it entered into force in 2002.

Mutual recognition of public documents

The Council listened to a presentation by the Commission on its proposal for a regulation on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012 (*9037/13*) and asked its preparatory bodies to start working on these proposals.

The proposal aims at simplifying the procedures for cross-border use and acceptance of public documents between the Member States as well as harmonising the related rules, thereby contributing towards the creation of a citizens' Europe and a well-functioning single market for EU businesses.

For background information see the background note.

Fundamental rights and the rule of law – Council conclusions

The Council adopted conclusions on fundamental rights and the rule of law and on the Commission's 2012 Report on the Application of the Charter of Fundamental Rights of the EU (*10168/13*).

The Commission's third annual report was submitted to the Council in May 2013 (*9297/13*). The conclusions also concern general fundamental-rights and rule-of-law issues.

The conclusions set out some elements that could be considered when taking forward the debate on the possible need for and shape of a future initiative aimed at better safeguarding the Union's fundamental values, in particular the rule of law and fundamental rights in the Union.

In this context the conclusions call on the Commission to take that debate forward in 2013, involving all member states, EU institutions and stakeholders.

On the basis of the Commission's reflections the Council will give further consideration to the need for and possible shape of methods or initiatives aimed at better safeguarding fundamental values, in particular the rule of law and fundamental rights in the Union, and countering extreme forms of intolerance, such as racism, anti-Semitism, xenophobia and homophobia.

Accession to the ECHR

The Council was briefed by the Presidency on the state of play on the EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

In June 2010 the Council adopted a negotiating mandate, and negotiations have been ongoing since then. At the last negotiating session (3-5 April 2013) an agreement at negotiator level was reached[1]. Once the Court of Justice of the European Union has had the opportunity to give an opinion on the agreement, the Commission will come forward with a proposal for a Council decision authorising signature, and possibly including the internal rules and the adaptations to the EU law that need to be agreed on before accession.

In accordance with Article 218 of the Treaty on the Functioning of the European Union (TFEU), the Council will decide unanimously, after obtaining the consent of the European Parliament. Furthermore, the decision concluding the agreement would enter into force only after ratification by all member states. It will also need ratification by all parliaments of the 47 member states of the Council of Europe.

The Lisbon Treaty provides the legal basis for the EU's accession to the ECHR. Article 6(2) of the Treaty on European Union stipulates: "The EU shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms". According to the Stockholm programme, this is "of key importance". The programme also called for a "rapid" accession to the ECHR.

[1] http://www.coe.int/t/dghl/standardsetting/hrpolicy/Accession/Meeting_reports/47_1(2013)008rev2_EN.pdf

Drugs

The Council adopted the new EU Action Plan on Drugs (2013-2016) (*9963/13*), which provides for 54 specific, evidence-based initiatives in the areas of drug-demand reduction, drug-supply reduction, coordination, international cooperation, information, research, monitoring and evaluation. As well as setting out a timetable for each of these initiatives, the action plan gives details of who is responsible for their implementation and of the mechanisms intended to collect and assess the relevant data. Fifteen overarching indicators and a number of additional indicators are provided to assess implementation of the action plan.

The action plan contains the following main features:

- Demand reduction: action to tackle the challenge of misuse of prescribed and "over-the-counter" opioids and to improve health-care measures available for drug users in prisons and after release.

- Supply reduction: measures to tackle the spread and use of new psychoactive substances, to promote alternatives to coercive sanctions for drug-using offenders and to develop drug-supply indicators.

- Coordination: encouragement of ongoing dialogue with civil society and the scientific community.

- International cooperation: dialogues on drug issues with various partners, alternative development, and EU commitment to contribute to the mid-term review process of the 2009 UN Political Declaration.

- Information, research, monitoring and evaluation: research into all areas of drug phenomena and evaluation of the quality of past research. Measures to improve capacity to detect the phenomenon on new psychoactive substances.

This action plan is the first of its kind to implement the recently adopted EU Drugs Strategy for 2013-2020 (*17547/12*), which aims to contribute to a reduction in drug demand and drug supply within the EU. The strategy also aims to reduce the health and social risks and harm caused by drugs through a strategic approach that supports and complements national policies, provides a framework for coordinated and joint actions and forms the basis and political framework for EU external cooperation in this field.

The Council also listened to a presentation by the Director of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) on its 2013 European Drug Report (*10215/13*).

Fight against terrorism

The Council held an in-depth discussion on the issue of foreign fighters and returnees from a counter-terrorism perspective, with particular regard to Syria, on the basis of a document prepared by the EU Counter-Terrorism Coordinator (CTC).

The Council expressed broad support for the paper and the package of suggested measures and tasked its working parties with preparing implementing measures where necessary. It also invited the CTC to present a report on the implementation of the proposed measures at the Justice and Home Affairs Council in December 2013.

The issue of foreign fighters was one of the five major topics identified by the CTC to inform the debate at the Council in March on the security implications of the situation in the Sahel/Maghreb. As a follow-up, the CTC prepared the above document with concrete proposals for action.

The proposals relate to:

– the need for a common assessment of the phenomenon of young Europeans going to Syria for Jihad and the need to obtain a better picture of the different groups fighting in Syria;

– measures to prevent youngsters from going to Syria or to offer assistance on their return;

– detection of travel movements and the criminal justice response;

– cooperation with third countries.

Europol

The Council held a public debate on the proposal for a regulation on the European Agency for Law Enforcement Cooperation and Training (Europol) and agreed on a number of guidelines for future work at technical level (*10213/13*).

These guidelines relate to two main questions that arise from the Commission proposal: the proposed merger of the European Police College (CEPOL) with Europol and the supply of information from Member States to Europol.

During the debate, a large majority of delegations opposed the merger of CEPOL with Europol. Thus, the Council instructed its experts to work on the proposal on that basis. It also invited the Commission to reconsider its proposal for the merger.

In April 2013 the Commission submitted a proposal for a regulation on the European Agency for Law Enforcement Cooperation and Training (Europol), thereby repealing the existing Decisions on Europol[1] and CEPOL[2] (*8229/13*).

[1] Decision 2009/371/JHA. OJ L 121, 15.05.2009, p. 37
[2] Decision 2005/681/JHA. OJ L 256, 1.10.2005, p. 63.

Common European Asylum System

The Council was briefed by the Presidency on the final steps towards the completion of the Common European Asylum System (CEAS).

The Presidency recalled that the Council had taken another important step towards completing the CEAS by adopting its positions at first reading on the recast of three of the relevant legal instruments: the reception conditions directive, the Dublin regulation and the asylum procedures directive. The coming weeks should see the completion of the final procedural steps necessary to finalise the legislative process in relation to these proposals and the Eurodac regulation.

The European Council had committed to establishing a Common European Asylum System based on further harmonisation of national asylum systems and higher levels of protection by 2012.

For more information see press release *10411/13*.

Schengen governance

The Council was informed about the state of play of the Schengen governance legislative package, namely a regulation on the establishment of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and an amendment to the Schengen Borders Code as regards the rules for the temporary reintroduction of border controls at internal borders in exceptional circumstances.

The Presidency recalled that on 30 May the Permanent Representatives Committee[1] (Coreper) had endorsed the agreement reached with the European Parliament on this legislative package, opening the way for the formal adoption of both instruments in the near future. The European Parliament is due to approve the agreement in July and the Council is expected to adopt the package in autumn.

For more information see press release *10239/13*.

[1] The Permanent Representatives Committee is composed of the ambassadors of the 27 EU member states. Its role is to prepare decisions of the Council.

Syria: protection of refugees, latest developments

The Council held a discussion on Syria with particular reference to the protection of refugees, on the basis of the latest developments.

Representatives from the European External Action Service (EEAS) and the European Asylum Support Office (EASO) updated ministers on the latest developments. The Commission also briefed ministers on the progress achieved towards the establishment of a Regional Protection Programme (RPP).

The Council recalled the commitment of the EU to step up humanitarian assistance to all affected populations throughout Syria and neighbouring countries. It also welcomed the progress being made towards the establishment of a RPP and invited the Commission to follow up on that work.

Free movement of persons

Over lunch, ministers discussed the issues related to the free movement of persons raised in a letter sent to the Presidency by the home affairs ministers of Austria, Germany, the Netherlands and the United Kingdom.

All member states agreed that the free movement of persons was a core value of the European Union.

The Council invited the Commission to look at the implementation of free-movement rules, including guidance on fighting abuse of these rules, and to present an interim report to the Justice and Home Affairs Council by October 2013 and a final report by December 2013.

In parallel, the Council will examine the Citizenship Report, presented by the Commission, which looks at some of these issues.

Any other business

The Council was informed of the state of play regarding a number of legislative proposals, including:

- the directive on the right to access to a lawyer. The European Parliament and the Council reached agreement on 28 May, thus paving the way for the final adoption of the legal act in the near future (see press release *10495/13*);
- the European investigation order;
- the directive on confiscation of the proceeds of crime;
- matrimonial property regimes and registered partnerships;
- the multiannual financial framework (MFF) as regards the Rights, Equality and Citizenship Programme and the Justice Programme (2014-2020);
- the legal migration package;
- the MFF as regards home affairs (the Asylum and Migration Fund and the Internal Security Fund; policing).

The Commission presented its communication "Maximising the Development Impact of Migration: the EU contribution for the UN High-level Dialogue and next steps towards broadening the development-migration nexus".

The Swedish delegation presented its plans and priorities as Chair of the Global Forum on Migration and Development for 2013-2014.

The Hungarian delegation updated ministers on the recent developments in the Budapest process and in particular on the ministerial conference "A Silk Routes Partnership for Migration".

The Slovenian delegation informed ministers on the outcome of the informal meeting of the interior ministers of the Brdo process (Brdo pri Kranju, Slovenia, 21-22 May 2013).

The Commission provided an update on the negotiations with Russia on the justice and home affairs-related issues, and in particular on the outcome of the EU-Russia Summit of 3-4 June 2013.

The Lithuanian ministers informed the Council about the forthcoming Lithuanian EU Presidency's priorities in the area of justice and home affairs.

The incoming Presidency will continue the implementation of the Stockholm Programme and will launch discussions on strategic guidelines for the future of the area of freedom, security and justice. One of the most important tasks for the Lithuanian Presidency will be to finalise the work on all regulations in the area of justice and home affairs for the new multiannual financial framework at the earliest possible stage in 2013.

During Lithuania's Presidency, special emphasis will be given to the efficient management of the EU's external borders, the development of a common immigration policy, strengthening law-enforcement cooperation in the fight against serious and international organised crime and terrorism, and improving the effectiveness of civil protection.

The Presidency will also give emphasis to the Justice for Growth Programme through initiatives facilitating access to justice for citizens and businesses, establishing a new data protection framework and setting up a European Public Prosecutor’s Office to combat crimes affecting the Union's financial interests.

Concerning the external dimension, the Lithuanian Presidency will seek to enhance cooperation on justice and home affairs issues with the Eastern Partnership countries and will organise a first formal Eastern Partnership JHA ministerial meeting in October 2013 in Luxembourg. The Presidency will also seek to strengthen the cooperation with other EU's strategic partner countries and regions (including the United States, Russia and the Western Balkans).

Mixed Committee

In the margins of the Council meeting, the Mixed Committee (the EU plus Norway, Iceland, Liechtenstein and Switzerland) discussed the following items:

Schengen governance

The Committee was informed about the state of play of the Schengen governance legislative package, namely a regulation on the establishment of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and an amendment to the Schengen Borders Code as regards the rules for the temporary reintroduction of border controls at internal borders in exceptional circumstances.

For more information see the item above.

Greece's National Action Plan on Asylum Reform and Migration Management

The Greek minister outlined the progress made in implementing the Greek national action plan on asylum and migration.

The Council noted that the efforts of Greece, and all those contributing to the implementation of the action plan, are giving rise to considerable progress in improving Greece's asylum and migration systems. It also noted that there is more work to be done by all stakeholders.

The Council invited Greece, the Commission and the relevant Council bodies to follow up the discussion with a view to returning to the issue at a future meeting.

Any other business

The Committee was informed about the state of play regarding a number of legislative proposals, including:

– the regulation for the establishment of a European Border Surveillance System (EUROSUR);

– the technical amendments to the Schengen Borders Code (Regulation 562/2006 and the Schengen Convention)

– the changes to Regulation 539/2001 (visa requirements – suspension and reciprocity mechanisms);

– the MFF as regards home affairs

– the Data Protection Directive

The Commission presented its third Biannual Report to the European Parliament and the Council on the functioning of the Schengen area (1 November 2012 - 30 April 2013). The Committee held an exchange of views and welcomed the work that had taken place over the past months on strengthening the Schengen area and enhancing mutual trust.

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A joint declaration establishing a mobility partnership between the Kingdom of Morocco and the European Union and its member states was signed in the margins of the Council.

The declaration was signed by the ministers of nine member states (Belgium, France, Germany, Italy, the Netherlands, Portugal, Spain, Sweden and the United Kingdom), by the Commission (representing the EU) and by the Minister for Foreign Affairs of the Kingdom of Morocco.

OTHER ITEMS APPROVED

JUSTICE AND HOME AFFAIRS

Protection measures in civil matters

The Council adopted a regulation on mutual recognition of protection measures taken in civil matters upon request of the person at risk (*PE-CONS 7/13*).

Fore more information see press release *10412/13*.

Common European Asylum System

The Council adopted its positions at first reading on the recast of three important legal instruments with a view to fulfilling the commitment of the European Council to establish a Common European Asylum System. The three recast proposals are: the reception conditions directive (*14654/1/12 REV 1*), the Dublin regulation (*15605/2/12 REV 2*) and the asylum procedures directive (*8260/1/13 REV 1*).

Given the agreement reached in the trilogue meetings between the co-legislators, the European Parliament is expected to approve the three Council's positions at first reading without amendments ("early second reading agreement") at its next plenary part-session (10-13 June). The three legal acts will be then formally adopted.

Convention implementing the Schengen Agreement

The Council approved the reports on the implementation of Article 102A of the Convention Implementing the Schengen Agreement (CISA) during the years 2010 and 2011, as set out in *13680/1/11 REV 1* and *9217/2/12 REV 2*, and submitted them to the European Parliament.

Article 102A of the CISA allows those services in EU member states responsible for issuing registration certificates for vehicles to have access to the Schengen Information System (SIS) for the purposes of checking whether vehicles presented to them for registration have not been stolen, misappropriated or lost and that persons applying for a registration certificate are not using identity documents which have been stolen, misappropriated or lost.

CEPOL – Annual report 2012

The Council took note of and endorsed the CEPOL Annual Report for 2012 (*8890/13*) and sent it to the European Parliament and the Commission for information.

e-Justice

The Council took note of the report of the Working Party on e-Law (e-Justice) on progress made during the first half of the year in the area of European e-Justice (*9870/13*). The work was carried out on the basis of the revised roadmap endorsed by the JHA Council in June 2011 (*10331/11*) and in accordance with the European e-Justice action plan[1].

Mobility partnership – Morocco

The Council confirmed the agreement on the joint declaration establishing a mobility partnership between the Kingdom of Morocco and the European Union and its member states, to be signed on 7 June 2013, in the margins of the Justice and Home Affairs Council.

Rights of victims of human trafficking – Council conclusions

The Council adopted conclusions (*9203/13*) on an EU Framework for the Provision of Information on the Rights of Victims of Trafficking in Human Beings – Priority A, Action 4 of the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016.

These conclusions are intended to improve the situation of victims of trafficking in human beings and to support and complement the publication presented by the Commission on 15 April 2013 on "*The EU rights of victims of trafficking in human beings*".

CEPOL working arrangements

The Council approved the working arrangement between the European Police College (CEPOL) and the Academy of Management of the Ministry of Internal Affairs of the Russian Federation, concerning training courses for police officers which aim in particular to enhance efficiency of law-enforcement agencies in the fight against cross-border crime.

[1] OJ C 75 31.3.2009.

Europol's fifth activity report

The Council took note of the general report on Europol's activities between 2008 -2012 *(8659/13)*, as prepared by the Joint Supervisory Body of Europol and will forward it to the European Parliament for information.

Security-related research and industrial policy

The Council adopted conclusions on strengthening the internal security authorities' involvement in security-related research and industrial policy (*9814/13*)

Terrorism

The Council adopted conclusions calling for an update of the EU Strategy for Combating Radicalisation and Recruitment to Terrorism (*9447/13*).

Organised crime

The Council adopted conclusions on setting the EU's priorities for the fight against serious and organised crime between 2014 and 2017 (*9849/13*).

Information exchange

The Council adopted conclusions following the Commission Communication on the European Information Exchange Model (*9811/13*).

GENERAL AFFAIRS

Rules of procedure – Court of Justice and General Court

The Council approved amendments to the rules of procedure of the Court of Justice and the General Court aimed at adding Croatian to the list of languages of a case (*8937/13* + *8938/13*). The Court of Justice and the General Court have now to adopt the amendments so that they can enter into force on 1 July when Croatia is expected to join the EU.

FOREIGN AFFAIRS

EU human rights policy

The Council adopted the EU Annual Report on Human Rights and Democracy in the World in 2012 (thematic reports), see *9431/13*.

Democratic Republic of the Congo – restrictive measures

The Council amended the implementing legislation for the specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo. Changes were made so as to take into account of modifications to these sanctions adopted by the UN Security Council.

Iran – restrictive measures

The Council amended the EU restrictive measures against Iran that are motivated by the EU's serious and deepening concern about the Iranian nuclear programme. Changes were made to implement modifications of the UN sanctions regime against Iran.

FISHERIES

Ban on shark finning

Today, the Council adopted an amending regulation on the removal of fins of sharks on board vessels following a first reading agreement with the European Parliament (*76/12*). This text aims to eliminate existing derogations to the ban of "shark finning".

For further details, see *10419/13*.

APPOINTMENTS

Committee of the Regions

The Council appointed Mr Peter Bonello, Mr Paul Farrugiaand Dr Marc Sant (Malta) to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015 *(9983/13)*.

TRANSPARENCY

Public access to documents

The Council approved:

– the reply to confirmatory application No 08/c/03/13 made by Mr Miettinen, the UK delegation voting against (*8882/13*);

– the reply to confirmatory application No 09/c/01/13 made by Mr Marini, the Estonian, Finnish and Swedish delegations voting against (*8962/13*);

– the reply to confirmatory application No 11/c/01/13 made by Mr Hallonsten, the Danish, Estonian, Dutch, Slovenian, Finnish and Swedish delegations voting against *(9353/13)*.