

Agenda (with notes) for the meeting of the Justice and Home Affairs Council, 19 July 2004, Brussels

With regard to that which was indicated concerning the public nature of the documents included under the agenda points, it can be noted that it represents current status as on 5 July 2004. A current account can be found in the Council documents register¹.

I Justice and Home Affairs Council

1. Adoption of the provisional agenda

B points

B.3 (possible) Commission Communication on arriving at a single procedure for processing requests for protection in the member states

Document : not yet available
Legal basis : not applicable
Right of approval : not applicable

During the Council the Commission will probably give a presentation of the Communication on arriving at a single procedure for processing requests for protection in the member states. This Communication has not yet been published.

This Communication is expected to be an expansion of a survey entitled *Study on the single asylum procedure 'one-stop shop' against the background of the common European asylum system and the goal of a common asylum procedure*, that was commissioned by the Commission in 2003. The Communication will probably set out all the benefits of a single procedure, thus of an asylum procedure in which all forms of protection, namely refugee status and forms of subsidiary protection will be investigated and assessed by a single body. In a large number of member states including most of the states that joined on 1 May 2004, such a procedure is already in place. However, there are also member states in which requests for (certain types of) subsidiary protection (other than requests for the recognition of refugee status) are assessed by different bodies such as regional organisations. The Communication will probably contain proposals for drafting an action plan to promote the realisation of a single procedure in the member states.

B.4 (possible) Annual Report of the Commission on immigration and integration

Document : not yet available
Legal basis : not applicable
Right of approval : not applicable

During the Council the Commission will probably make a presentation of the first annual report on immigration and integration. The annual report has not yet been published.

The annual report is an activity that flows from the conclusions of the European Council of Thessalonica and the Communication of the Commission on immigration, integration and employment of 2003. The report aims to provide an annual overview of developments in the area of common migration politics. It serves to provide policy insights for effective immigration management in Europe. The first report will probably offer an overview of the migration trends in Europe as well as the various measures and activities taken in the field of migration. Suggestions for new policy instruments are also expected.

1 <http://register.consilium.eu.int/utfregister/frames/introfsNL.htm>

B.5 (possible) Commission Communication on common repatriation and takeover policy

Document : not yet available
Legal basis : not applicable
Right of approval : not applicable

During the Council the Commission will probably give a presentation of the Communication on repatriation and takeover policy. This Communication has not yet been published.

The Communication will probably provide an overview of the results of the negotiations conducted by the Commission concerning the conclusion of European repatriation and takeover agreements with third countries. This is expected to deal with obstacles in this field and will make proposals for the future. Between September 2001 and November 2002, 11 mandates were successively granted to the Commission to undertake negotiations. These involved the following countries: Albania, Algeria, China, Hong Kong, Macao, Morocco, Ukraine, Pakistan, Russia, Sri Lanka and Turkey. The negotiations with Albania, Hong Kong, Macao and Sri Lanka have been completed; those with Morocco, Ukraine, Russia and Pakistan are progressing while those with Algeria, China and Turkey have yet to start.

B.6 Commission Communication on improving access to information by legal enforcement authorities

Document : 10745/04 ENFOPOL 77 CRIMORG 53 (EN)
Status document : public
Legal basis : not applicable
Right of approval : not applicable

During the Council, the European Commission will give a presentation on this Communication on improving access to information by legal enforcement authorities. This Communication was published recently and provides a perspective that will be dealt with in relation to the topic "JHA Long-Term Programme" (see under B.7 of this agenda).

B.7 Justice and Home Affairs Long-Term Programme

Document : not yet available
Legal basis : not applicable
Right of approval : not applicable

During the meeting on 17/18 June 2004, the European Council invited the Council and the Commission to submit proposals on the realisation of a long-term agenda as a follow-up to the programme of the European Council of Tampere in 1999.

The Dutch presidency is planning to lay down political guidelines for a new long-term programme in the area of JHA at the European Council of 5 November 2004. By way of preparation, an exploratory debate will be held on the basis of a memorandum from the Dutch presidency, during the Council of 19 July 2004. Input for this memorandum was garnered from the Constitutional Treaty, the Communication of the Commission assessing the upshot of the Tampere Programme (COM(2004) 401 final), the EU Action Plan on combating terrorism of 8 June 2004 and the information obtained during consultations in various member states in the last few months.

The goal of the debate during the Council of 19 July 2004 is to acquire a clear picture of the needs and standpoints of the member states, specifically concerning themes on which there is broad agreement or considerable lack of consensus. During the informal meeting of the JHA

ministers on 30 September/1 October and the Council on 25/26 October this year, the discussion will focus more on the open discussion points and the draft conclusions will be finalised.

The memo of the Dutch chairmanship will deal with the following five main themes:

- (1) Adequate access to the court and protection of the rights of the individual
- (2) A coherent system of civil and trade law that also provides for effective jurisdiction and the enforcement of court decisions
- (3) Measures in the field of asylum, migration, border control and integration
- (4) Protection against external and internal security threats, public order and legal order
- (5) Reinforcement of alternatives for combating cross-border crime and strengthening coordination and collaboration in this area.

B.8 Terrorism: Follow-up of the Conclusions of the European Council of 17 and 18 June 2004

Document : not available
Legal basis : not applicable
Right of approval : not applicable

The EU Anti-Terrorism Coordinator presented his Action Plan at the European Council of 17 and 18 June. This Action Plan is an elaboration of the European Council statement on terrorism of 25 March 2004 in which all the factors that play a part in combating terrorism are dealt with such as how to tackle terrorism financing, external security policy, exchanging intelligence, police and judicial collaboration, reinforcing border controls and document security and protecting the vital infrastructure. Many of these Action Points will be dealt with during the Dutch presidency of the European Union. In addition, the European Union concluded, among other things, that the Action Plan will be evaluated every 6 months, that a coherent general approach for the further intensification of the battle against terrorism financing must be detailed, an all-embracing strategy for the better protection of vital infrastructure must be drafted and that concrete proposals must be tabled for ways of fully integrating efforts to combat terrorism in EU external affairs policy.

B.9 Miscellaneous

A) Measures taken by the Greek government concerning security surrounding the Olympic Games in Athens, and terrorist attacks in specific.

Under this added agenda point, the Greek delegation will provide a verbal clarification of the measures taken to safeguard security during the Olympic Games. Specific points to be dealt with include preventive measures to circumvent terrorist attacks.