



**COUNCIL OF  
THE EUROPEAN UNION**



14617/07 (Presse 253)

**PROVISIONAL VERSION**

## **PRESS RELEASE**

2827th Council meeting

### **Justice and Home Affairs**

Brussels, 8-9 November 2007

President

**Mr Rui PEREIRA**  
Minister for the Interior of Portugal

**Mr Alberto COSTA**  
Minister for Justice of Portugal

# **P R E S S**

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14617/07 (Presse 253)

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**EN**

## **Main results of the Council**

*The Council concluded that the necessary conditions for the application of the Schengen acquis have been met in all areas (air, land and sea borders, police cooperation, the Schengen information system, data protection and visa issuance) in nine Member States: Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia, Slovakia and the Czech Republic. Therefore, and pending the opinion of the European Parliament, the EU is expected to abolish checks at internal land and sea borders (and air borders by March 2008) on 21 December 2007. People will be able to move freely, without checks, within an area expanded to 3.6 million km<sup>2</sup>, the "Schengen area".*

*In addition, the Council reached a general approach on a proposal for a Framework Decision on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters. By setting data protection norms for the first time in the framework of police and financial cooperation in criminal matters, the Council highlights the importance it attaches to the safeguard of the very basic rights of the citizens while at the same time fostering confidence between Member States.*

*Finally, the Council adopted without debate a common position on a draft directive amending the current postal directive 97/67/EC concerning the full accomplishment of the internal market of Community postal services.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- 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**

The governments of the Member States and the European Commission were represented as follows:

### **Belgium:**

Ms Laurette ONKELINX  
Mr Patrick DEWAELE

Deputy Prime Minister and Minister for Justice  
Deputy Prime Minister and Minister for the Interior

### **Bulgaria:**

Ms Ana Ivanova KARAIVANOVA-DAVIDOVA  
Mr Roumen Genov ANDREEV

Deputy Minister for Justice  
Deputy Minister for the Interior

### **Czech Republic:**

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Mr Ivan LANGER

Minister for Justice  
Minister for the Interior

### **Denmark:**

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Permanent Representative

### **Germany:**

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Federal Minister for the Interior

### **Estonia:**

Mr Rein LANG  
Mr Jüri PIHL

Minister for Justice  
Minister for Internal Affairs

### **Ireland:**

Mr Seán POWER

Minister of State at the Department of Justice, Equality  
and Law Reform with special responsibility for Equality  
Issues

### **Greece:**

Mr Sotirios HADJIGAKIS  
Mr Prokopios PAVLOPOULOS

Minister for Justice  
Minister for the Interior

### **Spain:**

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Mr Antonio CAMACHO VIZCAÍNO  
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Minister for Justice  
State Secretary for Security  
State Secretary for Immigration and Emigration

### **France:**

Mr Pierre SELLAL

Permanent Representative

### **Italy:**

Mr Rocco Antonio CANGELOSI

Permanent Representative

### **Cyprus:**

Mr Sofoklis SOFOKLEOUS  
Mr Christos PATSALIDES

Minister for Justice and Public Order  
Minister for the Interior

### **Latvia:**

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Mr Mārtiņš BIČEVSKIS

Minister for the Interior  
State Secretary, Ministry of Justice

### **Lithuania:**

Mr Petras BAGUŠKA  
Mr Raimondas ŠUKYS

Minister for Justice  
Minister for the Interior

### **Luxembourg:**

Mr Luc FRIEDEN

Minister for Justice, Minister for the Treasury and the  
Budget  
Minister with responsibility for Foreign Affairs and  
Immigration

Mr Nicolas SCHMIT

### **Hungary:**

Mr Albert TAKÁCS

Minister for Justice and Law Enforcement

### **Malta:**

Mr Tonio BORG

Deputy Prime Minister, Minister for Justice and Home  
Affairs

Netherlands:

Mr Ernst HIRSCH BALLIN  
Ms Guusje ter HORST

Minister for Justice  
Minister for the Interior and Kingdom Relations

**Austria:**

Mr Günther PLATTER

Federal Minister for the Interior

**Poland:**

Mr Władysław STASIAK  
Mr Andrzej Sebastian DUDA

Minister for the Interior and Administration  
Deputy State Secretary, Ministry of Justice

**Portugal:**

Mr Alberto COSTA  
Mr Rui PEREIRA

Minister for Justice  
Minister for the Interior

**Romania:**

Mr Tudor CHIUARIU  
Mr Cristian DAVID

Minister for Justice  
Minister for the Interior and for Administrative Reform

**Slovenia:**

Mr Lovro ŠTURM  
Mr Dragutin MATE

Minister for Justice  
Minister for the Interior

**Slovakia:**

Mr Štefan HARABIN  
Mr Robert KALIŇÁK

Deputy Prime Minister and Minister for Justice  
Deputy Prime Minister and Minister for the Interior

**Finland:**

Ms Tuija BRAX  
Ms Anne HOLMLUND  
Ms Astrid THORS

Minister for Justice  
Minister for the Interior  
Minister for Migration and European Affairs

**Sweden:**

Ms Beatrice ASK  
Mr Tobias BILLSTRÖM

Minister for Justice  
Minister for Migration

**United Kingdom:**

Mr Jack STRAW  
Ms Meg HILLIER

Secretary of State for Justice and Lord Chancellor  
Parliamentary Under Secretary of State, Home Office

**Commission:**

Mr Franco FRATTINI

Vice-President

**ITEMS DEBATED**

**MIXED COMMITTEE**

The Mixed Committee (EU+ Norway, Iceland and Switzerland) met on 8 November 2007 at 14.30 and discussed the following issues:

**Return of illegal staying non-EU nationals**

The Presidency briefed the Council about the progress made in regard to the negotiations concerning a proposal on common standards and procedures in Member States for returning illegally staying third-country nationals.

It announced that, following intensive work at the level of officials on the part of successive Presidencies, the Council has made significant progress on this proposal and that it will continue to pursue all possibilities for reaching a first reading agreement with the Parliament.

**Background**

This proposal was submitted by the Commission in 2005 and has been examined at length, under successive Presidencies.

It sets out common standards and procedures to be applied in Member States for returning illegally staying third-country nationals, in accordance with fundamental rights as general principles of Community law as well as international law, including refugee protection and human rights obligations.

The draft Directive deals with key issues in the policy of return such as the voluntary departure of the returnees, the execution of a return decision through a removal procedure, the postponement of removal, the imposition of entry bans as accompanying measure to a return decision, the form of the return decision, the remedies against a return decision and the safeguards for a returnee pending return, the possibility of accelerated procedure of return in certain cases and the detention of returnees and its conditions.

The Council, in the context of the European Return Fund and more recently the draft European Parliament and Council Regulation establishing the Visa Information System, committed itself to pursuing work in close contact with the European Parliament with a view to reaching agreement for the draft Directive by the end of 2007. The Portuguese Presidency has therefore prioritized work on the proposal at the level of the Council and maintained close contact with Parliament.

### **Enlargement of the Schengen area**

The Mixed Committee assessed the state of preparedness of the new Member States to implement the Schengen acquis, with a view to the lifting of internal borders in December 2007 (land and sea borders) and in March 2008 (air borders).

The latest evaluation visits, which took place over the past six months, demonstrated that the nine Member States concerned are sufficiently prepared to apply the Schengen acquis in a satisfactory manner.

The Council therefore agreed to the conclusions on the Schengen evaluation, according to which the necessary conditions for the application of the Schengen acquis have been met in all areas (air, land and sea borders, police cooperation, the Schengen information system, data protection and visa issuance) in the Member States concerned (see page 25).

The Council Decision to lift the internal borders controls will be taken in December, once the European Parliament has rendered its opinion.

The Mixed Committee also took note of the state of play concerning the SIS II (Schengen Information System) project.

For more information see [Factsheet: Enlargement of the Schengen Area](#).

### **Schengen agreement with Switzerland**

Switzerland asked for a Swift ratification by the EU member states of the EU-Switzerland Schengen agreement.



## **Personal data protection**

Pending the lifting of some parliamentary scrutiny reservations, the Mixed Committee agreed on a general approach on a proposal for a Framework Decision on the protection of personal data processes in the framework of police and judicial cooperation in criminal matters.

The purpose of this legislation is to ensure a high level of protection of the basic rights and freedoms, and in particular the privacy of individuals, while guaranteeing a high level of public safety when exchanging personal data.

By setting data protection norms for the first time in the framework of police and financial cooperation in criminal matters, the Council highlights the importance it attaches to the safeguard of the very basic rights of the citizens while at the same time fostering confidence between Member States.

The text agreed foresees that the exchange of personal data will be supported by clear binding rules enhancing mutual trust between the competent authorities. Relevant information will be protected in a way excluding any obstruction of this cooperation between the Member States while fully respecting fundamental rights of individuals, in particular the right to privacy and to protection of personal data. Common standards on the confidentiality and security of the processing, on liability and sanctions for unlawful use will contribute to achieving both aims.

In particular, the text defines the right of access to data, the right to rectification; erasure or blocking, the right to compensation and the right to seek judicial remedies.

This Framework Decision does not preclude Member States from providing safeguards for the protection of personal data higher than those established in this Framework Decision.

The file was discussed at the Council meeting of 18 September 2007 and an agreement was reached on the regime for onward transfer on personal data obtained from another Member State to third States. The Council also confirmed the understanding that the text applies to the cross-border exchange of personal data only.

**ESTABLISHMENT OF A EUROPEAN POLICE OFFICE**

The Council reached a general approach on Chapter II ("Information progressing systems") and III ("Common provisions on information processing") of a draft Decision establishing the European Police Office.

The Council already reached agreement on Chapter I ("Establishment and tasks") at its meeting on 12-13 June 2007.

This draft Council Decision will replace the Europol Convention and will constitute a real improvement of the operational and administrative functioning of Europol. The Council Decision is expected to be finalised at the latest by June 2008.

**PRÜM IMPLEMENTING DECISION**

The Council reached a general approach on a draft Decision regarding cross-border cooperation in combating terrorism and cross-border crime.

This text implements the Council Decision agreed in June 2007 that integrates the third pillar part of the Prüm Convention into the EU (the Prüm Decision). The new text lays down the necessary administrative and technical provisions for different forms of cooperation, especially for the automated exchange of DNA data, dactyloscopic data and vehicle registration data.

**SPECIAL INTERVENTION UNITS FOR CRISIS SITUATIONS**

The Council reached a general approach on a draft Decision on the improvement of cooperation between the special intervention units of the EU Members in crisis situations.

This Decision will create a legal framework for these special intervention units. This will allow, for example the possibility of obtaining community funding of the joint training and exercise of these units.

Following the attacks of 11 September 2001, the special intervention units of all law enforcement authorities of the Member States initiated cooperation activities under the aegis of the Police Chiefs Task Force. Since 2001, their network, called "Atlas", has conducted various seminars, studies, exchanges of materials, and joint exercises.

The Council Decision on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ("Prüm Decision") and in particular its Article 18 regulates forms of police assistance between Member States in connection with mass gatherings and similar major events, disasters and serious accidents. The Decision agreed today complements those provisions of the Prüm Decision, as it envisages forms of police assistance between Member States through special intervention units in other situations, i.e. in man-made crisis situations presenting a serious direct physical threat to persons, property, infrastructure or institutions, in particular hostage taking, hijacking and similar events.

**ADMISSION OF HIGHLY SKILLED IMMIGRANTS AND SINGLE PERMIT PROCEDURE**

The Council had a first exchange of views on two recently adopted Commission proposals:

- a proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, and
- a proposal for a Council Directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State

The Council agreed to return to these proposals in the context of a joint meeting with EU Employment Ministers in December 2007. It also instructed its preparatory bodies to further examine these texts with a view to reaching an early agreement.

**Background**

The proposal for a Directive on the admission of highly skilled immigrants seeks to establish more attractive entry and residence conditions for third-country nationals to take up highly qualified employment in EU Member States – the so-called "EU Blue Card".

The proposal does not create the right of admission. The scheme is entirely demand-driven, fully respectful of the principle of Community preference and Member States' jurisdiction to decide on the numbers of persons admitted. Since labour market needs differ from Member State to Member State, the proposed common system is flexible and centred around a number of key points. For example, it introduces a fast-track procedure, based on common criteria. If a third-country national is admitted under this scheme, he/she would receive a special residence and work permit, called the "EU Blue Card", entitling him/her to a series of socio-economic rights and favourable conditions for family reunification. Facilitated access to the labour market is also provided for.

In a bid to avoid negative brain drain effects in developing countries, especially in Africa, the proposal advocates ethical recruitment standards to limit – if not ban – active recruitment by Member States in developing countries already suffering from serious brain drain, and contains measures to facilitate circular migration.

The second proposal is horizontal in nature, and seeks to simplify procedures for all potential immigrants applying to reside and work in a Member State. Furthermore, it aims to ensure a common set of rights to all third-country workers already admitted and legally working in a Member State, comparable to those of EU citizens. It does not harmonise admission conditions for labour immigrants, which will remain in the hands of the Member States.

The proposal therefore provides for a "one-stop-shop" system for the applicants. It introduces a single application procedure, which aims to simplify and accelerate the procedure both for the employer and for the immigrant, as well to introduce certain safeguards (access to information on the documents needed for an application, obligation to provide reasons for rejection and to take a decision on the application within 90 days). Once admitted, the immigrant will receive a "single permit", which will entitle him/her to stay and work for the period granted.

The proposal, acknowledging the contribution made by legal immigrant workers to the EU's economy and to help them integrate more convincingly, seeks to guarantee basic socio-economic rights on an equal footing with Member State's own nationals, in particular as regards working conditions and pay, education, trade union's rights and social security.

The Portuguese Presidency has highlighted the issue of legal migration in the context of its Presidency. A High Level Conference on Legal Migration, held in Lisbon on 13-14 September 2007, brought together Ministers and a wide range of experts. It focussed on three themes - Legal Migration channels and the management of migratory flows, integration and the Lisbon Agenda on migration and development.

The Presidency also proposed to convene a special joint meeting of the JHA and the Employment, Social Policy, Health and Consumer Affairs (ESPHCA) Council to discuss employment on 6 December 2007.

## **EXTERNAL RELATIONS**

The Presidency briefed the Council about the main findings of the Western Balkan Ministerial Forum which was held in Brdo (Slovenia) on 4 and 5 October 2007.

The Spanish delegation also briefed about an EU/Latin-America and Caribbean States experts Seminar on migration which will be held at the beginning of next year.

**MEDIATION IN CIVIL AND COMMERCIAL MATTERS**

The Council reached a political agreement on a draft Directive on mediation in civil and commercial matters.

The objective of this proposal is to facilitate access to alternative dispute resolution and to promote the amicable settlement of disputes by encouraging the use of mediation and by ensuring a balanced relationship between mediation and judicial proceedings.

A cross-border dispute shall be one in which at least one of the parties is domiciled or habitually resident in a Member State other than that of any other party on the date on which:

- (a) the parties agree to use mediation after the dispute has arisen, or
- (b) mediation is ordered by a court, or
- (c) an obligation to use mediation arises under national law, or
- (d) an invitation is made to the parties.

This Directive will apply to processes where two or more parties to a cross-border dispute attempt themselves on a voluntary basis to reach an amicable agreement on the settlement of their dispute with the assistance of a mediator. It should apply in civil and commercial matters. However, it should not apply to rights and obligations which the parties are not free to decide on themselves under the relevant applicable law. Such rights and obligations are particularly frequent in family law and labour law.

Mediation should not be regarded as a poorer alternative to judicial proceedings in the sense that compliance with agreements resulting from mediation would depend on the good will of the parties. Member States should therefore ensure that the parties to a written agreement resulting from mediation can have the content of their agreement made enforceable. It should only be possible for a Member State to refuse to render an agreement enforceable if the content is contrary to its law, including its private international law, or if its law does not provide for the enforceability of the content of the specific agreement. The content of an agreement resulting from mediation which has been rendered enforceable in a Member State should be recognised and declared enforceable in the other Member States in accordance with applicable Community law or national law.

Member States should ensure that their rules on limitation and prescription periods do not prevent the parties from going to court or to arbitration if their mediation attempt fails.

The Commission submitted this proposal on 22 October 2004 and it is subject to the codecision procedure. The new compromise text reflects the amendments agreed with the European Parliament.

**RECOGNITION OF SUSPENDED SENTENCES, ALTERNATIVE SANCTIONS AND  
CONDITIONAL SENTENCES**

The Council reached a common understanding on three issues of a draft Framework Decision on the recognition and supervision of suspended sentences, alternative sanctions and conditional sentences.

This German and French initiative aims at setting rules under which a Member State, other than the Member State in which the person concerned has been sentenced, supervises probation measures imposed on the basis of a judgment, or alternative sanctions contained in such a judgment, and takes - unless otherwise provided - all other decisions relating to that judgment.

In June 2007, the Council already reached a common understanding on the aim of the Framework Decision, the scope of its application, the types of suspensory measures and alternative sanctions, and the division of competences between the issuing State and the executing State.

Today, the Council reached a basis for agreement on the issues of the competent authorities to act, the division of competences between the executing State and the issuing State, and the question of languages, subject to technical refinement in the Council preparatory bodies.

Concerning the competent authorities, it will be left to the Member States to determine, in accordance with their national law, which authorities are competent to act under the Framework Decision.

The competent authority in the executing State will have in principle competence to take all subsequent decisions relating to the judgment. However, the executing State may refuse to assume responsibility for taking some specific subsequent decisions, notably the imposition of a custodial measure.



This division is inspired by the principle of mutual trust: competent authorities should have trust that their counterparts, to whom they transfer a judgment, will diligently handle the competence conferred upon them. It would be contrary to the principle of mutual trust, and jeopardizing the efficiency of the entire system, to require an executing authority to refer a file back to the issuing authority in each and every case of non-compliance with a probation measure or alternative sanction. To be noted, however, that final agreement on this issue is subject to further work on the issue of dual criminality.

Finally, and according also to the principle of mutual trust, only the information in the certificate should be translated into the official language or one of the official languages of the executing State. This certificate should contain sufficient information on the essential elements of the judgment, thus allowing the executing authorities to take decisions under the Framework Decision.

**COMBATING CYBERCRIME - Council Conclusions**

The Council adopted the following conclusions:

"In view of:

- 1) The significant rise of cybercrime figures in recent years and the increasing links with organised crime;
- 2) The prioritisation of a strategy to combat organised crime and computer crime at the European Council meeting in Tampere in October 1999;
- 3) The Council Decision of 29 May 2000 to combat child pornography on the Internet, which requires Member States to take the necessary measures to encourage Internet users to inform law enforcement authorities, either directly or indirectly, of suspected distribution of child pornography material on the Internet, if they come across such material;
- 4) The Commission communication of 26 January 2001 to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, "Creating a safer information society by improving the security of information infrastructures and combating computer-related crime";
- 5) The Council Framework Decision 2005/222/JHA of 24 February 2005 on attacks against information systems, which aims to improve cooperation between judicial and other competent authorities, including the police and other specialist law enforcement agencies of the Member States, in particular by harmonizing criminal law rules in the area of attacks against information systems;
- 6) The Council and Commission action plan implementing the Hague programme on strengthening freedom, security and justice in the European Union, which mentions the possibility of issuing a recommendation on minimum standards for capturing and exchanging electronic evidence;
- 7) The Commission communication of 31 May 2006 to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, "A strategy for a secure information society – Dialogue, partnership and empowerment";

- 8) The European Council conclusions from June 2007, welcoming the communication from the Commission on the fight against cybercrime and calling for the development of a policy framework in this field.

The Council,

- 1) In the efforts to combat cybercrime, welcomes and attaches considerable importance to the Commission communication of 22 May 2007 to the European Parliament, the Council and the Committee of the Regions, "Towards a general policy on the fight against cyber crime", which represents a further step towards adopting a coherent EU policy to prevent and combat cybercrime;
- 2) Considers the Commission's intention to strengthen EU-wide cooperation on training for police and judicial authorities as highly significant, especially as regards the establishment of a permanent cybercrime training platform. This is especially important since constantly evolving cybercrime also requires constant updating of those who prevent, investigate and judge it;
- 3) Welcomes the Commission's intention of stepping up dialogue between the public sector and the private sector, in order to facilitate the prevention and detection of computer crime, since in present-day reality most communications operators are privately owned and considering the important role of the private sector in developing security technologies. It should be added that it is usually private parties who detect attacks against their information systems as well as illegal content on networks, who are also usually responsible for blocking or removing it and who are required to record and retain communications data. Therefore, police and judicial authorities need to be able to seek the assistance of the private sector in taking action against offenders;
- 4) Underlines the confidence placed in the Council of Europe Convention of 23 November 2001 on Cybercrime, supports and encourages implementation of the measures thereof and calls for the widest possible participation by all countries;;

- 5) Attaches the greatest importance to promoting cooperation with non-member countries in preventing and combating cybercrime, more specifically , given the pivotal role of the Council of Europe Convention on Cybercrime by supporting the introduction of that globally oriented legal framework, in liaison with the Council of Europe, especially in countries where development and technical assistance is being provided;
- 6) Considers it vital to call for swift implementation in all countries of legal instruments to combat all forms of cybercrime ;
- 7) Sees a strong need of implementing all relevant EU and international instruments fighting the sexual exploitation of children, in particular child pornography;
- 8) Believes that consideration should be given whether there is a need, in each Member State, to enact legislation on identity theft, particularly by way of cybercrime and whether further action at EU level is needed;
- 9) Sees a strong need to enhance coordination and further improve the performance of all available players and resources, in Member States as well as in organs such as Europol and Eurojust and international bodies like Interpol;
- 10) Underlines the need to put into practice and assess the working of arrangements for cooperation between authorities in different countries, with particular reference to the 24/7 network provided for in Framework Decision 2005/222/JHA of 24 February 2005, which ensures round-the-clock cooperation between authorities seven days a week, thus speeding up the response to cybercrime;
- 11) Looks forward to receiving the Commission report on the implementation of the Framework Decision 2005/222/JHA of 24 February 2005 on attacks against information systems;
- 12) Wishes to associate itself with efforts being made to promote a more secure information society, which strikes a balance between fundamental rights and access to information via computer systems and networks, as well as responding to all of the needs met with in preventing and combating cybercrime."

TRAFFICKING OF HUMAN BEINGS - Council conclusions

The Council adopted the following conclusions:

**"Bearing in mind that** trafficking in human beings is a serious violation of human rights and an offence to the dignity and integrity of human beings, which may result in a situation of slavery of the victims.

**Stressing** that the defence of human rights is one of the EU's main concerns, and the Treaty on European Union refers to the objective of the adoption of common action by the Member States in various areas of crime, in particular in trafficking in human beings.

**Bearing in mind that** the European Union's Charter of Fundamental Rights prohibits trafficking in human beings, as an expression of the inviolability of human dignity, a principle present in the international instruments on human rights, such as the United Nations Universal Declaration of Human Rights and the Council of Europe Convention on Human Rights.

**Bearing in mind the** Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings, which sets the objective of approximating the laws and regulations of the Member States in the field of police and judicial cooperation in criminal matters in order to combat trafficking in human beings, introducing a framework of common provisions at European level to address matters such as incrimination, penalties, aggravating circumstances, jurisdiction and extradition.

**Having regard to** the Council Framework Decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography, which seeks to approximate the laws and regulations of the Member States in the field of police and judicial cooperation in criminal matters with the objective of combating trafficking in human beings, the sexual exploitation of children and child pornography.

**Stressing the importance of** the Council of Europe Convention of 16 May 2005 on action against trafficking in human beings, which promotes the strengthening of the framework of prevention, combating and protection of the rights of victims of trafficking.

**Having regard to** the Commission Communication to the European Parliament and the Council entitled Fighting trafficking in human beings - an integrated approach and proposals for an action plan, of 18 October 2005, which is intended to strengthen the European Union's commitment to the prevention of and the fight against trafficking in human beings.

**Underlining the importance of** the EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings adopted in December 2005, bearing in mind that its implementation must be finalised by the end of 2007.

**Stressing the need** to ensure continued action against trafficking in human beings and recalling the Council Conclusions on trafficking in human beings of 4-5 December 2006 further to which the Group of Experts on Trafficking in Human Beings<sup>1</sup> set up to assist the Commission to evaluate and monitor the EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings.

**Recalling** the Roadmap for equality between women and men (2006-2010), that considers trafficking in human beings an essential area of intervention.

**Reiterating** that the JHA Council in June 2007 identified trafficking in human beings as an EU priority in countering organised crime.

**The Council of the European Union,**

**Stresses** the importance of viewing the phenomenon in a global, multidisciplinary context in which all involved actors and stakeholders, including relevant civil society actors within and outside Europe, co-operate;

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<sup>1</sup> Set up by Commission Decision of 17 October 2007, OJ, 20.10.2007, L 277/29.

**Invites** the Member States to enhance their measures to protect and support victims, including effective mechanisms to assist and provide redress to victims, in particular those set out in the EU Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, taking into consideration the promotion of human rights and a gender perspective;

**Recognises** the need for special attention to be given to the situation of child victims of trafficking, in particular trafficking for purposes of sexual exploitation, taking into consideration that child victims are to be provided with appropriate assistance and protection and full account has to be taken of their special rights and needs;

**Stresses** the need for all Member States to strengthen national systems for the collection of data and information as well as the exchange thereof among Member States and with Europol;

**Stresses** the need for all Member States to promote regularly training for all bodies and officers that give or might have to give support to victims of trafficking;

**Underlines the confidence** placed in the Council of Europe Convention of 16 May 2005 on action against trafficking in human beings, supports and encourages implementation of the measures thereof and calls for the widest possible participation by all countries.

**Stresses the importance** of the Member States' drawing up and implementing comprehensive national action plans against trafficking in human beings, using as common definition the one used in Council Framework Decision 2002/629/JHA of 19 July 2002;

**Invites** the Member States to consider measures to discourage all forms of trafficking in human beings in line with the objective set out in 4.2 of the EU Plan on best practices, standards and procedures for combating and preventing Trafficking in Human Beings;

**Underlines the importance** of the incrimination of trafficking in human beings, as provided for in Framework Decision 2002/629/JHA of 19 July 2002;

**Underlines the importance** of Member States promoting the confiscation of crime-related proceeds, instrumentalities and property in connection with trafficking in human beings, in the context of the provisions of the Framework Decision 2005/212/JHA of 24 February 2005;

**Underlines the importance** of receiving from the Commission the evaluation and monitoring report of the EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings adopted in December 2005 with a view to ensure that the action against human trafficking will continue in 2008;

**Takes note of** the Recommendations on the identification and referral to services of victims of trafficking in human beings, in particular as regards support for victims, presented by the Commission at the Anti-Trafficking Day meeting held on 18<sup>th</sup> October 2007, as subsequently amended, and to be published on the Commission's website;

**Takes note of** the conclusions of the Conference on Trafficking in Human Beings and Gender held in Porto, on 8th and 9th October 2007, that gave place to the Porto Declaration, in annex hereto;

**Welcomes** the celebration of 18th October as European Anti-Trafficking Day."



**OTHER ITEMS APPROVED**

**JUSTICE AND HOME AFFAIRS**

**Assesment of the Schengen evaluation of new Member States - *Council conclusions***

The Council adopted the following conclusions:

- "1. The readiness of the new Member States to correctly apply the Schengen acquis in full was evaluated on the basis of Article 3(2) of the 2003 Act of Accession in conjunction with the Decision of the Executive Committee of 16 September 1998 (cf. SCH/Com-ex (98) 26 def.), the note on the continuation of the work on Schengen evaluation and implementation, action programme and timetable approved by the Council on 28 – 29 May 2001 (cf. 8881/01 SCH-EVAL 17 COMIX 371) and the programme for the Schengen evaluation of the 10 new Member States (doc. 7638/2/05 REV 2 SCH-EVAL 20 COMIX 200 updated by doc. 16025/06 SCH-EVAL 191 COMIX 1014). The process of evaluation before the lifting of controls at internal borders has been accomplished.
  
2. Conclusions were adopted by the Council in December 2006 on the state of preparedness of the Member States concerned to implement the non-SIS-related provisions of the Schengen acquis and on SIS II, SIS 1+ and on the enlargement of the Schengen area.  
  
The first series of conclusions in conjunction with the individual reports indicated where additional measures were required and in which cases the necessary changes should be reassessed during follow-up visits.
  
3. Together with the written follow-up, these follow up visits, which took place between March and September 2007, have proven that the Member States concerned are sufficiently prepared to apply the non-SIS-related provisions of the Schengen acquis in a satisfactory manner. An overview of the main results of these revisits can be found in Annex I.
  
4. The Schengen evaluation of the *SIS-related provisions* took place in September and October 2007 in accordance with the work programme of the Schengen evaluation Working party approved by the Council on 2 December 2004, the note on the Schengen evaluation of the new Member States approved by the Council on 2 and 3 June 2005 and the Council conclusions on the SIS reached at the JHA Council of 12 and 13 June 2007.

Extensive questionnaires were completed by the Member States concerned, real data were loaded onto the technical systems cf. Council Decision 2007/471/EC of 12 June 2007, the Member States concerned were integrated into SIS 1+ at the end of August 2007, the functional testing of SIRENE took place in August 2007 and available Schengen alerts of the Member States concerned were loaded onto the SIS 1+ as of 1 September 2007.)

5. The results of these evaluation visits are set out in Annex II and should be read in conjunction with the individual reports of the inspection teams in order to get a full picture of the assessment and recommendations. These results include very good examples of applying the Schengen acquis as well as weaknesses which should be corrected and/or improvements to be made by the Member State concerned regarding implementation of the acquis. Both are set out in Annex II on a country-by-country basis. Although the outstanding issues require to be followed-up, they do not constitute an obstacle to full Schengen membership of the Member States concerned.
6. The Member States concerned have on the whole shown that they are sufficiently prepared to apply both the *non-SIS-related provisions* of the Schengen acquis as well as its *SIS-related provisions* in a satisfactory manner. On this basis, the preconditions have been fulfilled for taking the Decision referred to in Article 3(2) of the 2003 Act of Accession in December 2007 allowing the lifting of internal border controls at the land and sea borders as of 21 December 2007 and at air borders as of 30 March 2008.
7. The Member States concerned are expected to inform the Council, in the course of the next year, on the follow-up to the recommendations mentioned above and those contained in the reports.
8. In addition, the Council draws attention to the Border Management Strategy as defined by the JHA-Council in December 2006. Any fundamental reorganisation of the functions of Integrated Border Management in any Member State should be reported to the Council via the Schengen Evaluation Working Party for an appropriate follow up.
9. Finally, it is worth underlining the fact that thanks to the tremendous efforts made by the Member States concerned, the Member States already applying the provisions of the Schengen acquis, the many experts involved in the evaluation visits and last but not least the successful full implementation of the Portuguese SISone4ALL project, it has been possible to carry out this historically unprecedented evaluation process in full respect of the initially established time-schedule in a diligent, efficient and coherent manner.

## Schengen evaluation of the new Member States:

### Overview of results of the revisits carried out during 2007

The following is an excerpt of the findings of the Schengen Evaluation revisits carried out in 8 new Member States in the course of 2007. The revisits were carried out on the basis of the conclusions adopted by the JHA Council on 4/5-December 2006 where it was decided that revisits were necessary to the Czech Republic (air borders, July), Estonia (data protection, March / land borders, May / air borders, September), Latvia (air borders, September), Lithuania (land borders, May / air borders, September), Malta (police cooperation, May / visa, August / air and sea borders September 2007), Poland (land borders, May / air borders, September), Slovakia (data protection, March / land borders, June / air borders, September) and Slovenia (air borders, July).

As far as Hungary is concerned, no revisits were required and the follow-up to the recommendations outlined in the conclusions adopted by the JHA Council on 4/5 December 2006 provided by Hungary to the Schengen Evaluation working party, was considered satisfactory.

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#### CZECH REPUBLIC

The **airport of Brno** required a revisit during which it was established that the authorities had managed to address all the outstanding issues underlined in the first evaluation report.

#### ESTONIA

In the field of **data protection**, it was established during the revisit that the shortcomings had in the meantime been remedied.

The **land borders of Estonia** required a revisit, during which it was established that the authorities had managed to address the main shortcomings underlined in the first evaluation report.

The main finding of the revisit report was as follows:

- The process of personnel outflow from the Border Guard was still ongoing and the EvalCom is concerned about Estonia's capability to guarantee a high level of border checks in the current circumstances. Estonia was invited to take additional measures to fulfil the recommendation to guarantee the human resources needed to implement a high level of external border control and to stop the outflow of staff. This should be carefully monitored over the coming years to ensure the correct implementation of the Schengen acquis and the maintenance of border security at Estonia's external borders.

The **airport of Tallinn** required a revisit, during which it was established that the authorities had managed to address the main recommendations addressed in the first evaluation report.

The main findings of the revisit report were as follows:

- Ongoing reconstruction works at the passenger terminal of the airport did not allow for a full evaluation of the infrastructure. The EvalCom is of the opinion that an appropriate follow-up is needed; this could be realised by way of a complementary visit upon completion of the construction works. However, the Evaluation Committee considered that the separation between passengers to be implemented in the existing terminal, was in line with the Schengen requirements.
- The number of personnel at the BCP Tallinn has decreased since last year, in line with the trend in recent years and the Evaluation Committee is concerned about Estonia's capability to guarantee a high level of border checks in the current circumstances. The Evaluation Committee therefore highlights the need to fill vacant positions at the BCP Tallinn.

## **LATVIA**

The **airport of Riga** required a revisit, during which it was established that the authorities had managed to address all outstanding issues underlined in the first evaluation report.

## **LITHUANIA**

The **land borders of Lithuania and the airport of Vilnius** required a revisit, during which it was established that the authorities had managed to address the main shortcomings underlined in the first evaluation report.

## **MALTA**

The **Moscow Consulate of Malta** required a revisit but the current Consulate will be relocated in Moscow as from December 2007. A new evaluation was carried out to the Consulate of Malta in Tripoli, where it was established that Malta, as far as its Consular Section in Tripoli is concerned, is in a position to implement the Schengen acquis in full-

In the field of **police co-operation** a revisit was considered necessary during which it was established that Malta managed to address all outstanding issues underlined in the first evaluation report.

Regarding **air and sea border** a revisit was considered necessary during which it was established that the Maltese authorities had managed to address the main shortcomings underlined in the first evaluation report.

## **POLAND**

The **land borders of Poland** required a revisit, during which it was established that the authorities managed to address the main shortcomings underlined in the first evaluation report.

The practice of performing border checks on the territory of a third country-was abolished as of 15 September 2007 (as a result of the revisit) when the Polish Border Guard started carrying out border control on the border with Belarus and Ukraine on the territory of Poland, i.e. in line with the Schengen acquis.

The **air borders of Poland** required a revisit, during which it was established that the authorities had managed to address the main shortcomings underlined in the first evaluation report.

**SLOVENIA**

The **airport of Ljubljana** required a revisit, during which it was established that the authorities had managed to address all the outstanding issues underlined in the first evaluation report.

**SLOVAKIA**

In the course of the revisit in the field of **data protection**, it was established that all previous shortcomings had in the meantime been remedied.

The land borders of the Slovak Republic required a revisit, during which it was established that the authorities managed to turn around the situation. Taking into account all elements evaluated, the remarkable progress made and the commitment of staff at all levels, the Committee concluded that border checks and -surveillance are currently organised and implemented according to the requirements of the Schengen Borders Code.

The **airport of Bratislava** required a revisit, during which it was established that the authorities had managed to address the main shortcomings underlined in the first evaluation report.

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**Council conclusions on the evaluation of the SIS-related provisions  
of the Schengen acquis**

**CZECH REPUBLIC**

Although some minor issues require further attention, the efforts to implement the SIS and the SIRENE functions were appreciated and considered successful. The technology used for all systems was described as state of the art with well organised backup systems, good network security coupled to good management and monitoring, very good communication on Schengen matters, awareness of data-protection and secure use of the systems. It was recommended to turn off the auto save feature in the Query Tool and to make available the functionality of logging out the end-user when not using the system after a certain period of time.

The Czech authorities have informed the evaluation team that they repeated the instructions to turn the autosave feature off and that by the end of November time-out rules would be in place for the Query tool.

**ESTONIA**

The SIS, subject to implementation of the fully integrated system and of the SIRENE workflow, was considered being appropriately implemented, user-friendly and operating effectively with a good performance and infrastructure and acceptable response times at all sites visited.

It was recommended to enhance the capacity of the SIRENE Bureau to correctly follow up a hit and provide assistance to end users e.g. through further training; to ensure and verify that all historical forms are available and easily retrievable for all SIRENE operators.

The Estonian authorities have indicated that they are working on the above recommendations, in particular the inclusion of some improved functionalities in the fully integrated system by November (hide Estonian SIS alerts from the end users, showing only the national alert; limiting the possibility to choose a single query; enhancement of the user interface with some features; implementation of the searches on ranges), that a standard form for information exchange between police users and SIRENE Bureau in follow-up to a hit will be implemented before the end of the year and that user training will be improved.

## **HUNGARY**

The SIS in Hungary operates effectively and its performance is good throughout the country. The SIS was made available for all the different user interfaces and the SIRENE bureau was well prepared. Also most end-users were well trained and well prepared.

It was found that the Data Centre in Budapest was managed, organised and run very efficiently. The SIRENE workflow system worked efficiently and it was also being prepared to handle Interpol and Europol messages, which facilitates exchanges between the various channels. The SIRENE control of data quality seemed beneficial. The workflow application was considered to be a straightforward tool.

However, it was noticed that the knowledge of end-users varied across the country. Therefore, training needs should be reassessed and additional training should be given, in particular regarding aliases, special characters, weak searches and the possibilities of the SISone4ALL web client. The Hungarian authorities indicated they were already working on the implementation of all the recommended improvements; they would be finished by 1 December 2007.

## **LATVIA**

Overall, the SIS in Latvia was considered to operate effectively, subject to the implementation of the integrated system. Its performance and infrastructure were found to be good as were the response times at all sites visited. The efforts made to implement the SIS were appreciated and considered to have been appropriately done.



The Latvian authorities have confirmed that the integrated system is now implemented and have stated that since the evaluation visit the following recommendations were already implemented: removal of the dial-in connection; full and easy availability of the historical SIRENE forms for the SIRENE operators; implementation of a standard form for information exchange between police users and the SIRENE Bureau in the follow-up to a hit; the introduction of only one phone number to reach the SIRENE Bureau.

Further recommended improvements have been planned or are being implemented to urgently recruit officers for the vacant posts at the SIRENE Bureau; to prioritise and improve the loading of historical data; to minimise the period where separate queries can be done; to reduce the number of mandatory fields for vehicle or document checks; to enhance the user interface with some user-friendly features and include these also in the future integrated system; to enhance and improve the training of end users, including through quality assurance visits by the SIRENE Bureau.

## **LITHUANIA**

Overall, the SIS was found to operate effectively, showing a good performance with very short response times at all sites visited. Users seemed well trained, aware of the possibilities offered by the SIS and familiar with the system. The well organised SIRENE office functions appropriately and works with an efficient workflow. Close cooperation with all end users, thorough preparatory work on manuals and training ensure that follow-up procedures to hits are well-known and followed. Overall, the efforts to implement the SIS were appreciated and considered to have been satisfactorily done.

All recommended improvements have been implemented in the meantime or are planned to be implemented shortly: limited possibility for end users to opt for a single query; the possibility to query transliterated characters in alerts on objects is now ensured; automatic deletion of SIS alerts on persons from the national registers without intervention of the SIRENE bureau; time for automatic log out has been reduced; a standard form for information exchange between police users and SIRENE Bureau in follow-up to a hit has been introduced and more attention in training will be paid to complex cases and the possibility of wildcard queries.

## **MALTA**

The efforts to implement the SIS and the SIRENE functions were appreciated and considered to have been appropriately done. Positively noted were the technical infrastructure's monitoring and management structure, state of the art technology for workstations and peripherals (police stations), the user-friendliness of applications and the good cooperation between police and government IT services.

Malta has taken steps to introduce the recommended automated case management system at the SIRENE bureau.

As regards the request to organise additional training on the different applications being used, the Maltese authorities consider this an ongoing process.

## **POLAND**

The efforts to implement the SIS and the SIRENE functions were appreciated and considered to have been appropriately done. State of the art technology had been implemented and the technical staff's know-how (also in the -well-structured- SIRENE bureau) was impressive; the SIS was well integrated into the national applications.

All recommended improvements have reportedly been implemented in the meantime: modification of the border guard application to accept transliterated characters, clear display of misused identity in the border guard system and clear distinction between main and alias identity, second line offices at airports have been fitted with terminals that can access the SIS, more training to improve practical use of the system and procedures is being organised.

## **SLOVENIA**

The use and the quality of the mobile solutions, notably of the special unit SUSBC, was considered remarkable. The different organisations involved in using the SIS were well prepared and end-users well trained.

All recommended improvements are currently being implemented: placing of an N.SIS console for operators' use, updating of the physical infrastructure of the Ministry of Interior's data centre to guarantee a proper functioning of the N.SIS in the future, respect of the deletion and archiving rules on SIRENE information when N.SIS sends notifications to the SIRENE workflow system in case alerts are deleted, decrease of the workload, minimisation of the risk of mistakes and improvement of data quality, automatic insertion of Article 100 alerts, entry of stolen vehicle alerts in the SIS, installation of a diesel generator for the SIRENE Bureau, and setting a satisfactory timetable for moving to another data centre.

## **SLOVAKIA**

The IT infrastructure was considered to be well thought out and highly developed; data centres well equipped and managed and end-users well trained and -prepared. The user-friendly central query application is used by all end-users.

All recommended improvements are currently being implemented: information is being provided on the meaning of the red banner on the screen and to end-users so that they know what to do when the system refuses a query if the field "first name" is not filled in.

The fact that only the Border Guard and the Operations Centres of the Police have direct access to the SIS will be altered by the end of the year when all other end-users organisations will follow."

## **Frontex - Annual Report for 2006**

The Council took note of the Frontex Annual Report for 2006 (11691/1/07).

### **Community civil protection mechanism**

The Council adopted a Decision establishing a Community Civil Protection Mechanism and recasting council Decision 2001/792 (10482/07).

The Community Civil Protection Mechanism was created in 2001 to support and facilitate the mobilisation and coordination of civil protection assistance in the event of major emergencies occurring inside or outside the European Union.

The present Decision takes into account lessons learned in past emergencies and a series of European Council declarations outlining policy orientations on the further development of European civil protection cooperation, in particular on the setting up of a rapid response capability based upon the civil protection modules of the Member States.

*For further information, see press release 10267/07 (Presse 125).*

### **Eurojust**

The Council approved an agreement between Eurojust and Croatia with a view of enhancing their co-operation in the combating of serious forms of international crime.

### **Accession of Bulgaria and Romania to four conventions in the JHA field**

The Council adopted four recommendations concerning the accession of Bulgaria and Romania to the following conventions:

- Convention on the use of information technology for customs purposes of 26 July 1995 (12016/07);
- Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union of 29 May 2000 (12012/07);

- Convention on driving disqualifications of 17 June 1998 (12017/07);
- Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union of 26 May 1997 (12019/07).

### **Convention on the Law applicable to contractual obligations**

- Amendment to the 2005 Act of Accession

The Council adopted a Decision amending Annex I to the 2005 Act of Accession. This Decision adds the Convention on the accession of the ten countries entered in the European Union the 1st May 2004, to the Convention on the Law applicable to contractual obligations, opened for signature in Rome on 19 June 1980 2 , and to the First and Second Protocols on its interpretation by the Court of Justice of the European Communities, signed on 14 April 2005.

- Accession of the Republic of Bulgaria and Romania to the Convention on the Law applicable to Contractual Obligations

The Council adopted a Decision concerning the accession of the Republic of Bulgaria and Romania to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980 2. This Decision determines the date of entry into force of the 1980 Convention amended by successive accession conventions and makes necessary adjustments (14293/07).

### **EU-Balkan countries - Visa facilitation and readmission agreements**

The Council adopted decisions on the conclusion of agreements on facilitating the issue of visas to citizens of the EU and Albania (12198/07), Bosnia and Herzegovina (12201/07), the former Yugoslav Republic of Macedonia (12203/07), Montenegro (12204/07) and Serbia (12205/07).

It also adopted decisions on the conclusion of agreements on readmission of persons residing without authorisation with Bosnia and Herzegovina (12196/07), the former Yugoslav Republic of Macedonia (12199/07), Montenegro (12197/07) and Serbia (12202/07).

The purpose of visa agreements is to facilitate, on the basis of reciprocity, the issuance of visas for an intended stay of no more than 90 days per period of 180 days to citizens of the EU and Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia . The fee for processing visa applications from citizens of these countries will be EUR 35. The agreements will not apply to the territory of Denmark, Ireland and the United Kingdom.

The readmission agreements establish, on the basis of reciprocity, rapid and effective procedures for the identification and return of persons who do not, or no longer, fulfil the conditions for entry to, presence in, or residence in the territories of Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia or one of the Member States of the EU, and to facilitate the transit of such persons in a spirit of cooperation. The agreements will not apply to the territory of Denmark.

**EXTERNAL RELATIONS****EU/Tunisia - Euro-Mediterranean agreement**

The Council approved a draft decision to be adopted by the EU/Tunisia association council, aimed at creating a subcommittee on human rights and democracy (14149/07).

Six bilateral subcommittees have already been established within the Euro-Mediterranean agreement with Tunisia since its entry into force in March 1998, providing an institutional framework for implementing and enhancing cooperation.

**COMMON SECURITY AND DEFENSE POLICY****EU military operation in Bosnia and Herzegovina - amendment to the joint action**

The Council adopted a joint action amending joint action 2004/570/CFSP on the EU military operation in Bosnia and Herzegovina (EUFOR Althea) aimed at achieving optimal coordination between EU actors, notably through closer consultation between the EU force commander and the EU special representative and between the EU force commander and the Head of the EU police mission (13866/07).

**POSTAL SERVICES**

**Internal market of Community postal services\***

The Council adopted by a qualified majority<sup>1</sup> its common position on a draft Directive amending Directive 97/67/EC concerning the full accomplishment of the internal market of Community postal services (13593/07, 14244/07 ADD1).

The common position will be sent to the European Parliament for its second reading in the framework of the codecision procedure.

The common position is largely based on the European Parliament's first reading opinion and reflects the outcome of informal contacts between the European Parliament, the Commission and the Council. Therefore, the text now adopted by the Council is likely to be endorsed by the European Parliament at second reading with no changes.

The objectives of the proposal are to achieve an internal market for postal services through the removal of exclusive and special rights in the postal sector and the setting of the full market opening timetable, to safeguard a common level of universal services for users in all EU countries and to set harmonised principles for the regulation of postal services in an open market environment, with the aim of reducing other obstacles to internal market functioning.

The text of the common position provides for full market opening of postal services by 31 December 2010 at the latest. In addition, it provides for the possibility for some Member States<sup>2</sup> (which are identified in the proposal), to postpone the implementation of the Directive by two years (up to 31 December 2012), subject to prior notification to the Commission. It also clarifies criteria and the grounds under which some Member States could benefit from such a postponement. Furthermore, the draft Directive comprises a reciprocity clause, under which Member States that open up their postal markets completely may, for a limited period (from 1 January 2011 until 31 December 2012) refuse to grant authorisation to postal operators operating in a Member State, which maintains the reserved area until the end of 2012.

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<sup>1</sup> The Luxembourg delegation voted against and the Belgian delegation abstained from voting.

<sup>2</sup> The following Member States may postpone implementation until the end of 2012: Cyprus, Czech Republic, Greece, Hungary, Latvia, Lithuania, Luxembourg, Malta, Poland, Romania and Slovakia.

The draft Directive also includes a provision that the Commission will provide assistance to Member States on the implementation of the Directive, including on the calculation of any net cost of the universal service. A new annex on guidance for calculating the net cost, if any, of universal service was agreed to be introduced in the Directive.

## **ENERGY**

### **Nuclear Energy - Republic of Slovenia**

The Council adopted a decision authorizing the Republic of Slovenia to ratify, in interest of the European Community, the Protocol of 12 February 2004<sup>1</sup> amending the Paris Convention of 29 July 1960 on Third Party Liability in the field of Nuclear Energy. (14286/07).

## **APPOINTMENTS**

### **Committee of the Regions**

The Council adopted a decision appointing for the remainder of the current term of office, ending on 25 January 2010:

(a) as members:

as proposed by the Slovak Government

- Mr Andrej ĎURKOVSKÝ, Primátor hlavného mesta SR – Bratislavy,
- Mr František KNAPÍK, Primátor mesta Košice,
- Mr István ZACHARIAŠ, Primátor mesta Moldava nad Bodvou,



and

(b) as alternate members:

as proposed by the Slovak Government

- Mr Ján BLCHÁČ, PhD., Primátor mesta Liptovský Mikuláš,
- Mr Andrej HRNČIAR, Primátor mesta Martin,
- Mr Pavel HAGYARI, Primátor mesta Prešov,

as proposed by the Spanish Government

- Mr Alberto CATALÁN HIGUERAS, Consejero de Relaciones Institucionales y Portavoz del Gobierno, Comunidad Foral de Navarra.

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