

Thursday 7 June 2012

Justice and Home Affairs Council - home affairs issues

Home Affairs ministers are expected to adopt a general approach on Schengen governance, regarding in particular:

- a proposal amending regulation 562/2006 (the Schengen Borders Code) in order to provide for common rules on the **temporary reintroduction of border control at internal borders in exceptional circumstances** ([14359/11](#));
- a proposal for a regulation on the establishment of an **evaluation and monitoring mechanism** to verify the application of the Schengen acquis (the Schengen Evaluation Mechanism) ([14358/11](#)).

This legislative package is the Commission's response to the European Council conclusions of 23-24 June 2011 ([EUCO 23/11](#)) which called for "a mechanism to be introduced in order to respond to exceptional circumstances putting the overall functioning of Schengen cooperation at risk, without jeopardising the principle of free movement of persons".

In this context, ministers will have a political discussion on the implementation of a common framework for genuine and practical **solidarity towards member states facing particular pressures due to mixed migration flows** ([7485/12](#)), with a particular focus on the support to Greece in the areas of border, asylum and migration management.

Ministers will also take note of the state of play on the establishment of a **common European asylum system**, which is based on a number of legislative proposals aiming at greater harmonisation of national asylum systems and higher levels of protection. The elements of this package still under discussion are the directives on asylum procedures ([11207/11](#)) and reception conditions ([11214/11](#)), the regulation on "Eurodac" (a fingerprint database) and the so-called Dublin regulation, which determines the member state responsible for examining an application for international protection. Also in its conclusions of June 2011, the European Council confirmed that negotiations on the various elements of the CEAS should be concluded by 2012.

Furthermore, ministers will take note of a discussion paper on the **EU Counter Terrorism Strategy**, presented by the EU Counter-Terrorism Coordinator.

The Mixed Committee (the EU plus Norway, Iceland, Liechtenstein and Switzerland), meeting in the margins of the Council, will also hold a political debate on **Schengen governance**, based on a report from the Commission on the functioning of the Schengen cooperation and the application of the Schengen acquis. It will also review the state of play on the implementation of the **Schengen Information System (SIS II)**.

Event

Meeting of the Justice and Home Affairs Council (Home Affairs items) - Conference centre Kirchberg (press entrance: 2 rue Fort Thüngen), Luxembourg (10.00).

The presidency will hold a press briefing in the Council press room in Brussels on Wednesday 6 June at 13.45. A press conference will take place at the end of the meeting.

Contacts

Press officer: Jochen Müller, tel. + 32 477 97 42 24, jochen.mueller@consilium.europa.eu
Danish presidency: Preben Aamann, tel. + 32 2 233 09 31, preaam@um.dk

Friday 8 June 2012

Justice and Home Affairs Council - justice issues

Justice ministers will adopt a general approach regarding two proposals:

- for a directive on the **right of access to a lawyer in criminal proceedings** and on the right to communicate upon arrest with consular authorities and with a third person, such as a relative or an employer ([11497/11](#)). The proposed directive is part of a Roadmap on criminal procedural rights, agreed by the Council in November 2009, which sets out a series of proposals aiming to establish common minimum standards on the rights of suspects and accused persons in criminal proceedings;
- for a regulation on the **jurisdiction and the recognition and enforcement of judgments in civil and commercial matters**, which is a overhaul of the so-called "Brussels I" regulation ([44/2001](#)), presented by the Commission in December 2010 ([18101/10](#) + [ADD 1](#) + [ADD 2](#)). Its purpose is to make the free circulation of court decisions in civil and commercial matters easier, faster and cheaper to citizens, in line with the principle of mutual recognition and the Stockholm Programme guidelines.

The Council is expected to reach political agreement on a decision regarding the adoption of a Multiannual Framework for the **European Union Agency for Fundamental Rights** for 2013-2018 ([18645/11](#)), determining the thematic areas for the Agency's activities. In accordance with the Stockholm Programme, the European institutions should make full use of the expertise of the Agency, and where appropriate, consult it on the development of policies and legislation with implications for fundamental rights.

The Council will also adopt a general approach (not including financial provisions) on two proposals for regulations establishing for the period 2014 to 2020:

- **the Justice programme** ([17278/11](#)), a funding programme aiming to contribute to the development of the European area of justice, in particular through furthering judicial cooperation in civil and criminal matters and financing actions with European added value;
- **the Rights and Citizens programme** ([17273/11](#)), which is the successor of three existing programmes: Fundamental Rights and Citizenship, Daphne III and the sections "Antidiscrimination and Diversity" and "Gender Equality" of the Programme for Employment and Social Solidarity (PROGRESS). Its general objective is to contribute to the further development of an area where equality and the rights of persons are promoted, protected and effectively implemented.

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Contacts

Press officer: Joaquin Nogueroles, tel. + 32 473 85 49 91,
joaquin.nogueroles@consilium.europa.eu

Danish presidency: Preben Aamann, tel. + 32 2 233 09 31, preaam@um.dk