

## **JUSTICE and HOME AFFAIRS COUNCIL**

### **Thursday 10 and Friday 11 March in Brussels**

The meeting will be chaired by **Klaas DIJKHOFF**, Minister for Migration of the Netherlands and by **Ard VAN DER STEUR**, Minister for Justice of the Netherlands.

On Thursday, Home Affairs ministers will take note of a progress report on the proposal for a **European border and coast guard and** will also discuss the current situation concerning **migration**.

Regarding the **fight against terrorism**, ministers will follow up on the implementation of the Council conclusions of 20 November 2015. Ministers will also have a policy debate regarding the proposal for a directive on **control of the acquisition and possession of weapons** which reviews and completes the current directive 91/477/EEC, taking into account the recent terrorist attacks.

These subjects will also be discussed by the Mixed Committee (the EU plus Norway, Iceland, Liechtenstein and Switzerland), in the margins of the Council.

On Friday, Justice ministers will discuss the adoption of a general approach on the proposal for a **directive on combating terrorism** (the Counter Terrorism Directive).

Ministers will also take note of a progress report on two related directives which are part of the "Digital Single Market Strategy for Europe": a **directive on contracts for the supply of digital content** and a **directive on contracts for the online and other distance sales of goods**.

Finally, they will also look at the state of play and hold a policy debate on some aspects of the regulation establishing a **European public prosecutor's office**.

Over lunch, ministers will also be updated by the Commission on the EU-US Privacy Shield.

#### **Press conferences:**

- **Home Affairs Council** (*Thursday, after lunch +/- 15h00*)
- **Justice Council** (*Friday, after lunch +/- 15h00*)

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Press conferences and public events by video streaming: <http://video.consilium.europa.eu>  
Video coverage in broadcast quality (MPEG4) and photo gallery on: [www.eucouncil.tv](http://www.eucouncil.tv)

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<sup>1</sup> This note has been drawn up under the responsibility of the press office.

## HOME AFFAIRS

### Migration

Home affairs ministers will exchange their views on several migration-related issues, in particular the implementation of the statement agreed at the meeting of the EU Heads of State or Government of 7 March, following their meeting with the Turkish Prime Minister, and any future actions that may be necessary

For more information:

[Council website: Finding solutions to migratory pressures](#)

[Statement of the EU Heads of State or Government, 07/03/2016](#)

### European Border and Coast Guard

The Council will be briefed by the Presidency on the state of play on the proposed regulation establishing a European Border and Coast Guard.

This proposal, which is part of the Borders legislative package, was submitted by the Commission on 15 December 2015, aiming at setting up a European Border and Coast Guard which would be consisting of the European Border Agency (replacing Frontex) and national authorities responsible for border management.

The primary objective of the European Border and Coast Guard would be to ensure and implement, as a shared responsibility, the European integrated border management at the external borders with a view to managing migration effectively and ensuring a high level of security within the EU, while safeguarding EU-internal free movement.

The proposal consists of the European Border and Coast Guard Agency (which would replace Frontex) and national authorities responsible for border management, including coast guards to the extent that they carry out border control tasks, with a shared responsibility for the security and protection of the EU's external borders.

The intention of the Presidency is to reach a political agreement before the end of its term, as requested by the European Council.

For more information:

[Council website: Strengthening the EU's external borders](#)

### Weapons

The Council will hold a policy debate regarding the proposal for a directive on control of the acquisition and possession of weapons, which reviews and completes the current directive 91/477/EEC.

Ministers will discuss some guidelines for the continuation of the work at technical level on the basis of a document submitted by the Presidency. Ministers will be invited to express their choice on different options around the following issues:

- Minimum age for the possession of firearms
- Medical tests for the authorisation to acquire and to possess firearms
- Prohibition of semi-automatic firearms for civilian use
- Exceptional possession of prohibited firearms for cultural and historical reasons
- Online sales

The proposal was submitted by the European Commission on 18 November 2015, taking into account the recent terrorist attacks. It aims at amending Council directive 91/477/EEC on control of the acquisition and possession of weapons, which was originally designed as a measure to balance internal market objectives and security imperatives regarding "civil" firearms.

The current review is a continuation of the 2008 revision and is also aligned to the EU legislation with the provisions on the UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms. While limiting legislative changes to the minimum, the proposal seeks to address certain issues of the legal firearms market in order to meet security challenges.

The amendments tackling risks for public safety and security focus on: improved control of the traffic of firearms, enhanced traceability of firearms, the measures on deactivation and reactivation or conversion of firearms, stricter rules for the acquisition and possession of firearms, ban for civilian use of the most dangerous firearms, and improving the relevant information exchange between member states.

For more information:

[Presidency document for the debate](#)

### **Fight against terrorism**

Ministers will follow up on the implementation of measures regarding counterterrorism, on the basis of a report prepared by the EU Counterterrorism coordinator.

The report presents the state of play, covering progress on all of the measures set out in the conclusions on counter-terrorism agreed by the Members of the European Council on 12 February 2015. It also takes into account the conclusions of the Council of 20 November 2015 (on terrorism and on enhancing the criminal justice response to radicalization leading to terrorism and violent extremism) as well as the conclusions of the European Council of 17 and 18 December 2015.

In addition, the Presidency will inform Ministers on the findings of two terrorism-related conferences held in Amsterdam: one on a comprehensive approach to countering violent extremism (CVE), and a second held at the beginning of March on countering terrorist travel (CTT).

For more information:

[Council website: Response to foreign terrorist fighters and recent terrorist attacks in Europe](#)

# JUSTICE

## **Fight against terrorism**

The ministers will discuss a proposal for a Directive on combating terrorism. Following intensive work at technical level since January, the Council is expected to adopt a general approach with a view to start negotiations with the Parliament in the context of the ordinary legislative procedure.

The aim of the proposal is to strengthen the EU's legal framework in preventing terrorist attacks by criminalising preparatory acts such as training and travel abroad for terrorist purposes, as well as aiding and abetting, inciting or attempting such acts. The proposal also lays out rules to ensure that victims of terrorism receive immediate access to professional support services as well as information on their rights.

The proposal strengthens and updates the existing Framework Decision 2002/475/JHA also in line with existing international standards on combating terrorism :

- The UN Security Council Resolution 2178 (2014) and the Additional Protocol to the Council of Europe (CoE) Convention on the Prevention of Terrorism, aimed at countering the phenomenon of foreign terrorist fighters.
- The Financial Action Task Force (FATF) standards regarding financing of terrorism;

The proposal was tabled by the Commission on 3 December 2015. It was presented in the context of the Renewed EU Internal Security Strategy and following the call of the Council for accelerated action in the aftermath of the Paris attacks of 13 November 2015.

For more information:

[Council website: Response to foreign terrorist fighters and recent terrorist attacks in Europe](#)

## **Digital market strategy**

Ministers will take stock of the work done at technical level on two proposals for Directive : one on the supply of digital content and another one on the online and other distance sales of goods. They will discuss an approach proposed by the presidency for the examination of the two texts.

The proposal for a Directive on certain aspects concerning contracts for the supply of digital content and the proposal for a Directive on certain aspects concerning contracts for the online and other distances sales of goods were presented by the Commission on 9 December 2015.

The proposed Directives aim at a full harmonisation of only certain aspects of sales contracts (rather than the full life-cycle), so that businesses no longer have to adapt their contracts to different rules when selling cross-border and that consumers have key rights guaranteed (conformity of the goods/digital content supplied, remedies in case of non-conformity, etc.). The proposed Directives are limited to business-to-consumer (B2C) contracts.

The two proposals are a key component of the digital market strategy and a priority for the Dutch presidency.

For more information:

[Council website: Digital single market strategy](#)

## European Public Prosecutor's Office

The Council will hold a policy debate on the notion of operational expenditure contained in article 49 draft regulation establishing the European public prosecutor's office (EPPO) and, in particular, whether expenditure incurred by European Delegated Prosecutors when they act within the framework of the tasks of the EPPO should be considered as operational expenditure or be carried by national budgets.

The Presidency will also present more than 25 new or redrafted articles concerning external relations, financial, staff and general provisions to the Council.

The provisions linked to the protection of personal data, which are spread across several articles, have been put aside in view of discussing them in one single context at a later stage.

The proposed regulation is aimed at helping combat crimes against the EU's financial interests by introducing a European Public Prosecutor's Office with competence in that area. The proposed regulation requires the unanimous support in the Council which adopts it after having obtained the consent of the European Parliament. The [proposal](#) was presented by the Commission on 17 July 2013.

In previous meetings, the Council has already reached a provisional agreement on a number of articles at its meetings in [October](#) and [December](#) 2015. Those articles cover all key issues regarding the structure and organisation of the Office, as well as the rules on investigation and prosecution.

For more information:

[Presidency document for the debate](#)

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