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3336th Council meeting

Justice and Home Affairs

Luxembourg, 9 October 2014

President **Angelino ALFANO**
Minister for the Interior of Italy

P R E S S

Main results of the Council

Taking action to better manage migratory flows

Ministers had a discussion on action to better manage migratory flows, on the basis of a paper presented by the Presidency.

The Council concluded that the guiding principles for achieving a strategic and operational approach towards better managing migration flows are:

- (1) Action in cooperation with third countries*
- (2) Reinforced management of external borders and FRONTEX*
- (3) Action at member states' level - reception and fingerprinting.*

The paper defines a sustainable approach to responding to migratory pressure in a structured manner, going beyond the immediate emergency measures. Such an approach could be used as a blueprint to address possible future challenges and could be adapted to the specific needs of any emerging situation.

Angelino ALFANO, Italian Minister for the Interior and President of the Council said: "I'm very happy to announce that the Presidency paper will be formally adopted as Council conclusions tomorrow. That means that we have speeded up the process and it shows that we are united in taking action on this".

Task Force Mediterranean

The Council was briefed by the Commission, FRONTEX and European Asylum Support Office (EASO) on the latest operational developments in the context of the Task Force Mediterranean (TFM). It welcomed the progress achieved so far in the key areas identified and the active involvement of all stakeholders in this process.

The Council acknowledged that the situation in the Mediterranean is of great concern to all member states. The timely implementation of the initiatives identified by the Task Force, with the active contribution of all the stakeholders involved, is key to assisting member states under particular migratory pressure in addressing the challenges they are currently facing.

In this context, the Council welcomed the announcement by the Commission and FRONTEX on the launch, by the first of November, of the EU-funded TRITON operation, aimed at reinforcing border surveillance in the waters close to the Italian shores.

Foreign fighters

The Council had an in-depth discussion on the issue of foreign fighters, as requested by the European Council in August 2014, on the basis of a document prepared by the Presidency in cooperation with the Counter-Terrorism Coordinator.

Angelino ALFANO, Italian Minister for the Interior and President of the Council said: "Ministers agreed on the urgency of making progress on the EU PNR directive and called on the European Parliament to adopt its position to start negotiations with the Council and finalise the work as soon as possible."

The Council also agreed that the checks at external borders should be improved without further delay under the existing legal framework and on certain specific actions that will help to speed up the implementation of the measures already agreed in this field.

* * *

*A joint declaration establishing a **mobility partnership** between the Hashemite Kingdom of **Jordan** and the European Union and its member states is expected to be signed in the margins of the Council.*

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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

Belgium:

Mr Melchior WATHELET

Deputy Prime Minister and Minister for the Interior and
Equal Opportunities
Director general European Affairs

Mr François ROUX

Bulgaria:

Mr Hristo IVANOV

Deputy Prime Minister for Justice, Home Affairs and
Security and Minister for Justice
Deputy Minister for the Interior

Mr Philip GOUNEV

Czech Republic:

Ms Kateřina FLAIGOVÁ

Head of Section of the International Relations of the
Ministry of Interior
Deputy Minister, Ministry of Justice

Mr Petr JÄGER

Denmark:

Ms Karen HÆKKERUP

Minister for Justice

Germany:

Mr Thomas DE MAIZIÈRE

Mr Heiko MAAS

Mr Reinhard SILBERBERG

Federal Minister for the Interior
Federal Minister for Justice and Consumer Protection
Permanent Representative

Estonia:

Mr Andres ANVELT

Mr Matti MAASIKAS

Minister for Justice
Permanent Representative

Ireland:

Ms Frances FITZGERALD

Mr Dara MURPHY

Minister for Justice and Equality
Minister of State with Special Responsibility for European
Affairs and Data Protection

Greece:

Mr Vassilios KIKILIAS

Ms Alexandra PAPADOPOULOU

Minister for Public Order and Protection of the Citizen
Permanent Representative

Spain:

Mr Francisco MARTÍNEZ VAZQUÉZ

Mr Fernando ROMÁN GARCÍA

Secretary of State of Home Affairs
State Secretary for Justice

France:

Mr Bernard CAZENEUVE

Ms Christiane TAUBIRA

Minister for the Interior
Keeper of the Seals, Minister for Justice

Croatia:

Mr Orsat MILJENIĆ

Mr Mato ŠKRABALO

Minister for Justice
Permanent Representative

Italy:

Mr Angelino ALFANO

Mr Andrea ORLANDO

Minister for the Interior
Minister for Justice

Cyprus:

Mr Socratis HASIKOS

Mr Ionas NICOLAOU

Minister for the Interior
Minister for Justice and Public Order

Latvia:

Mr Rihards KOZLOVSKIS

Mr Jānis IESALNIEKS

Minister for the Interior
Parliamentary Secretary, Ministry of Justice

Lithuania:

Mr Dailis Alfonsas BARAKAUSKAS
Mr Juozas BERNATONIS

Minister for the Interior
Minister for Justice

Luxembourg:

Mr Jean ASSELBORN

Minister for Foreign and European Affairs, Minister for
Immigration and Asylum
Minister for Justice

Mr Félix BRAZ

Hungary:

Mr Sándor PINTÉR
Mr Barna BERKE

Minister for the Interior
State Secretary for Cooperation in European and
International Affairs, Ministry of Justice

Malta:

Mr Emanuel MALLIA
Mr Owen BONNICI

Minister for Home Affairs and National Security
Minister for Justice, Culture and Local Government

Netherlands:

Mr Fred TEEVEN

Minister for Immigration
(also charged with Security and Justice issues)
Minister for Security and Justice

Mr Ivo OPSTELTEN

Austria:

Ms Johanna MIKL-LEITNER
Mr Wolfgang BRANDSTETTER

Federal Minister for the Interior
Federal Minister for Justice

Poland:

Mr Piotr STACHAŃCZYK
Mr Wojciech WĘGRZYN

State Secretary, Ministry of the Interior
Deputy State Secretary, Ministry of Justice

Portugal:

Mr Fernando ALEXANDRE

Secretary of State Assistant to the Minister of Internal
Administration
Permanent Representative

Mr Domingos FEZAS VITAL

Romania:

Mr Robert-Marius CAZANCIUC
Mr Bogdan TOHĂNEANU

Minister for Justice
State Secretary, Ministry of Internal Affairs

Slovenia:

Ms Vesna GYÖRKÖS ŽNIDAR
Mr Goran KLEMENČIČ

Minister for the Interior
Minister for Justice

Slovakia:

Ms Marián SALOŇ
Mr Tomáš BOREC

State Secretary at the Ministry of the Interior
Minister for Justice

Finland:

Ms Päivi RÄSÄNEN
Ms Anna-Maja HENRIKSSON

Minister for the Interior
Minister for Justice

Sweden:

Mr Anders AHNLID

Permanent Representative

United Kingdom:

Mr Shailesh VARA

Parliamentary Under Secretary of State, Minister for the
Courts and Legal Aid, Ministry of Justice
Secretary of State for the Home Department

Ms Theresa MAY

Commission:

Ms Martine REICHERTS
Ms Cecilia MALMSTRÖM

Member
Member

ITEMS DEBATED

HOME AFFAIRS

Implementation of the EU priorities in combatting serious and organised international crime

The Council took note and welcomed the results and lessons learnt from the large scale law enforcement operation (Operation Archimedes) which took place between the 15 and 23 September 2014 (for more information see [background note](#)).

Following this presentation, Ministers held a policy debate on the member states' role and input in the EU's fight against serious and organised crime, and in particular the setting of crime priorities and possibilities to effectively bring together resources at EU level.

Foreign fighters

The Council had an in-depth discussion on the issue of foreign fighters, as requested by the European Council in August 2014, on the basis of a document prepared by the Presidency in cooperation with the Counter-Terrorism Coordinator.

The aim of the discussion was to give political guidance on two topics where further progress must be achieved: the finalisation of the work on the EU PNR directive and the controls at external borders of the Schengen Area.

Regarding the EU PNR Ministers agreed on the urgency of making progress on this file and called on the European Parliament to adopt as soon as possible its position to start negotiations with the Council. The aim is to finalise the work before the end of the year, as requested by the European Council in August 2014.

Regarding the checks at external borders, the Council agreed to improve without further delay these checks under the existing legal framework.

The Council also agreed on a number of specific actions that will help to speed up the implementation of the already agreed measures. These actions do not only relate to the work at EU level so far, they also include the conclusions of the work of the Ministers of Interior of the member states most affected by the foreign fighters phenomenon.

The Council will come back to this issue at its next meeting in December.

For more information see [background note](#).

Taking action to better manage migratory flows

Over lunch, Ministers had a discussion on taking action to better manage migratory flows on the basis of a paper presented by the Presidency.

The paper defines a sustainable approach to responding to migratory pressure in a structured manner, going beyond the immediate emergency measures. Such an approach could be used as a blueprint to address possible future challenges and could be adapted to the specific needs of any emerging situation.

After the discussion, the Council concluded that the guiding principles for achieving a strategic and operational approach towards better managing migration flows are:

- (1) Action in cooperation with third countries
- (2) Reinforced management of external borders and FRONTEX
- (3) Action at Member States' level - reception and fingerprinting.

These priorities should be implemented, through operational actions, by all players involved without delay and under the coordination of the Commission, in close coordination with the EEAS and the Council.

The Commission and the EEAS will report to the Council in December on the implementation of the above-mentioned principles.

Task Force Mediterranean

The Council was briefed by the Commission, FRONTEX and EASO on the latest developments concerning the operational actions within the context of the Task Force Mediterranean (TFM) and welcomed the progress achieved so far in the key areas listed in the Commission's communication showing the active involvement of all stakeholders in this process.

The Council acknowledged that the situation in the Mediterranean is of great concern to all member states, as there are indications that the current trend will continue and the situation even risks deteriorating further. The timely implementation of the initiatives identified by the Task Force, with the active contribution of all the stakeholders involved, is key to assisting member under particular migratory pressure in addressing the challenges they are currently facing

In this context, the Council welcomed the announcement by the Commission and FRONTEX to launch, by the end of this year, the EU-funded TRITON operation, aimed at reinforcing border surveillance in the waters close to the Italian shores.

It also invited the Commission to continue to inform the Council and its preparatory bodies on the implementation of the relevant actions in order to deal with the main challenges related to asylum and migration issues.

The Task Force Mediterranean was set up following the JHA Council of 7-8 October 2013 in order to identify the tools which the EU has at its disposal and which could be used in a more effective way to avoid tragic events such as those that occurred off the coast of Lampedusa.

Other business

Under other business, the Council was informed about the state of play of the directive on the conditions of entry and residency of third-country nationals for the purpose of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing.

The Presidency informed ministers on the outcome of the Conference on a Renewed EU Internal Security Strategy, organised by the Commission and the Presidency, which took place in Brussels on 29 September 2014.

The Hungarian delegation invited ministers to the inauguration of CEPOL's new headquarters which will take place on November 2014 in Budapest.

MIXED COMMITTEE

Task Force Mediterranean

The committee was briefed by the Commission, FRONTEX and EASO on the latest developments concerning the operational actions within the context of the Task Force Mediterranean.

See item above

Revised Greek Action Plan on Asylum and Migration Management

The Council took note of information on the implementation of the revised Greek national action plan on asylum and migration.

Other business

Under other business, the committee was informed about the state of play of a number of legislative proposals, including:

- the draft regulation on the recast of the Union Code on Visas;
- the draft directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data.

The committee took note of information from the UK delegation on the application of Article 10 of Protocol 36 to the Treaties.

OTHER ITEMS APPROVED

JUSTICE AND HOME AFFAIRS

COSI report

The Council transmitted to the European Parliament and to the national Parliaments the report on the proceedings of the Standing Committee on operational cooperation on internal security (COSI) for the period January 2013 - June 2014.

The COSI activities over the reporting period were mainly concentrated on the implementation of the first two-years) of the EU Policy Cycle (2012-2013) and the setting up and implementation of the next cycle (2014-2017).

In 2010 the Council decided to establish a multi-annual policy cycle ([15358/10](#)) addressing serious international and organised crime in order to tackle the most important criminal threats in a coherent and methodological manner through improved cooperation between the relevant services of the member states, EU institutions and EU agencies, as well as relevant third countries and organisations.

CEPOL- FYROM working arrangements

The Council approved the working arrangement between the European Police College (CEPOL) and the Ministry of Interior of the Former Yugoslav Republic of Macedonia ([12640/1/14 REV 1](#)) concerning training courses for police officers which aim in particular to enhance efficiency of law enforcement agencies in the fight against cross-border crime , in accordance with decision 2005/681/JHA on the establishment of the European Police College (CEPOL)¹.

CEPOL- Bosnia and Herzegovina working arrangements

The Council approved the working arrangement between the European Police College (CEPOL) and the Ministry of Security of Bosnia and Herzegovina (12639/14) concerning training courses for police officers, aiming in particular to improve cooperation and enhance efficiency of law enforcement agencies in the fight against cross-border crime , in accordance with decision 2005/681/JHA on the establishment of the European Police College (CEPOL)².

¹ OJ L 256, 1.10.2005.

² OJ L 256, 1.10.2005.

Risk managing capability

The Council adopted conclusions on risk managing capability ([13375/14](#)), which is defined in decision 1313/2013 on a Union Civil Protection Mechanism³ as the ability of a member state or its regions to reduce, adapt to or mitigate risks (impacts and likelihood of a disaster).⁴

Automated data exchange (VRD) with Malta

The Council adopted a decision on the launch of automated data exchange with regard to Vehicle Registration Data (VRD) in Malta ([13056/14](#)). The evaluation procedure required by decision 2008/616/JHA (*OJ L 210, 6.8.2008*) concluded that the general provisions on data protection are fully implemented by the Republic of Malta and this country is therefore entitled to receive and supply personal data as from the date of the entry into force of this decision.

SISNET accounts 2013

The General Secretariat of the Council has drawn up the revenue and expenditure account and balance sheet of SISNET, following auditing of the accounts by the Court of Auditors.

Belgium, Denmark, Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland and Sweden, as well as Iceland and Norway, meeting within the Council, gave a discharge to the Secretary-General in respect of the SISNET budget's implementation for the year 2013, in accordance with Council Decision 2000/265/EC⁵ on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council of contracts concluded in his name, on behalf of certain member states, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, 'SISNET'.

Stolen and Lost Travel Documents database

The Council adopted conclusions on strengthening the use of Interpol's Stolen and Lost Travel Documents (SLTD) database ([13525/14](#)), which currently contains about 43 million records from 163 countries, including 28 million records from EU member states.

³ OJ L 347 of 20.12.2013.

⁴ See also: Risk Assessment and Mapping Guidelines for Disaster Management ([17833/10](#))

⁵ OJ L 85, 6.4.2000.

TRADE POLICY

EU-Western Balkans - Preferential rules of origin

The Council adopted decisions aimed at replacing the current rules of origin contained in the Stabilisation and Association agreements with Albania ([9971/14](#)), Montenegro ([12028/1/14 REV 1](#)), Serbia ([12029/14](#)) and the former Yugoslav Republic of Macedonia ([9953/14](#)), by the rules of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin.

This Convention aims to replace the protocols on rules of origin currently in force among the countries of the pan-Euro-Mediterranean area, which include Western Balkan countries, with a single legal act.

For more information see press release [PRES/12/135 26/03/2012](#).

DEVELOPMENT COOPERATION

Centre for the Development of Enterprise

The Council approved the EU position within the ACP-EU Committee of Ambassadors with regard to the closure of the Centre for the Development of Enterprise (CDE). The EU will support the authorisation of the Executive Board of the CDE to take all appropriate measures for the orderly closing of the CDE by 31 December 2016. The CDE was set up in the framework of the partnership between the EU and the African, Caribbean and Pacific Group of States.

Trade, Development and Cooperation Agreement with South Africa

The Council approved the signature and provisional application of an additional protocol to the Trade, Development and Cooperation Agreement with South Africa, to take account of the accession of Croatia to the EU.