



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 21 November 2000 (14.12)
(OR. fr)**

11657/00

LIMITE

**PV/CONS 54
JAI 95**

DRAFT MINUTES ¹

Subject : **2288th meeting of the Council (Justice and Home Affairs), held in Brussels on
28 September 2000**

¹ Information relating to the final adoption of Council acts which may be released to the public is contained in Addendum 1 to these minutes.

CONTENTS

Page

1.	Adoption of the agenda.....	3
2.	Approval of the list of "A" items.....	3
3.	Proposal for a Council Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.....	3
4.	Initiative from the Portuguese Republic with a view to adopting a Council Act on the drawing up, on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention), of a Protocol amending Article 2 and the Annex to that Convention.....	4
5.	Proposal for a Council Directive on minimum standards for the procedure for granting and withdrawing refugee status in the Member States.....	4
6.	Conditions for the reception of asylum seekers.....	4
7.	Draft Council Decision setting up a Provisional Judicial Cooperation Unit.....	4
8.	Draft Framework Decision on the status of victims in criminal proceedings.....	5
9.	Commission proposal on the creation of a European Judicial Network in civil and commercial matters.....	5
10.	Protection of the environment through criminal law: policy debate.....	5
11.	Preparation for the joint JHA/ECOFIN Council.....	5
12.	Other business:	
	(a) Fighting dogs.....	6
	(b) Fight against corruption.....	6

1. Adoption of the agenda
11592/00 OJ/CONS 50 JAI 94

The agenda was adopted as it is set out in 11592/00 OJ/CONS 50 JAI 94, subject to the addition of the item on the "Fight against corruption" under "Other business".

2. Approval of the list of "A" items
11593/00 PTS A 46

The "A" items listed in 11593/00 PTS A 46 were adopted with the exception of items 5 and 16 (parliamentary scrutiny reservation by the Netherlands).

The documents referred to under item 10 should read as follows:

11621/00 ASILE 45 FIN 363
+ **ADD 1 REV 1**
11441/00 ASILE 39 FIN 350
+ COR 1 (el)

Information concerning items 9 and 10 on the list of "A" items is given in Addendum 1 to these minutes.

3. Proposal for a Council Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

The Council held an exchange of views on the matters outstanding and instructed the Permanent Representatives Committee to continue examining these with a view to reaching agreement on the draft Regulation as soon as possible.

4. **Initiative from the Portuguese Republic with a view to adopting a Council Act on the drawing up, on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention), of a Protocol amending Article 2 and the Annex to that Convention**
9426/1/00 EUROPOL 14 REV 1
+ ADD 1

The President concluded that, since agreement had been reached on the texts set out in EUROPOL 14 REV 1 + ADD 1, the texts would remain frozen until the European Parliament had given its Opinion. Upon receipt of the European Parliament Opinion, the texts would be examined by the relevant Council bodies with a view to their adoption at the JHA Council meeting on 30 November 2000.

5. **Proposal for a Council Directive on minimum standards for the procedure for granting and withdrawing refugee status in the Member States**
– **Commission presentation**
11622/00 ASILE 46

The Council noted the Commission's presentation of the proposal for a Council Directive on minimum standards for the procedure for granting and withdrawing refugee status in the Member States, and agreed to instruct the relevant Council bodies to examine the proposal in detail.

6. **Conditions for the reception of asylum seekers**
– **policy debate**
11472/00 ASILE 40
9703/00 ASILE 28

The Council held an exchange of views on the subject based on a Presidency document, and instructed the Permanent Representatives Committee to continue discussions with a view to submitting draft conclusions for adoption by the Council at its meeting on 30 November and 1 December 2000.

7. **Draft Council Decision setting up a Provisional Judicial Cooperation Unit**
11344/1/00 EUROJUST 12 REV 1

The outcome of proceedings is set out in 11344/1/00 EUROJUST 12 REV 1.

8. Draft Framework Decision on the status of victims in criminal proceedings
10387/2/00 COPEN 54 REV 2

The outcome of proceedings concerning this item is set out in 11855/00 COPEN 65.

9. Commission proposal on the creation of a European Judicial Network in civil and commercial matters
– **Presentation of the proposal**
11547/00 JUSTCIV 96

The Commission presented its proposal for a Council Decision on the creation of a European Judicial Network in civil and commercial matters, as set out in 11547/00 JUSTCIV 96.

The Council instructed its bodies to begin examining the proposal as soon as possible.

10. Protection of the environment through criminal law: policy debate
11515/00 JAI 92 DROIPEN 40

All delegations stated their desire for the European Union to have a corpus of legislation in the field of combating crimes against the environment. A majority of them stated that such legislation should take the form of an autonomous instrument, while others felt that this requirement could be met by the 1998 Convention of the Council of Europe, which should be ratified without reservations.

The Commission pointed out that there were provisions on the matter under the first pillar, and that these should be taken into consideration in the discussions under way.

11. Preparation for the joint JHA/ECOFIN Council

The Council noted progress in preparation for the joint JHA/ECOFIN Council meeting scheduled for 17 October 2000 and the practical arrangements.

12. Other business:

(a) Fighting dogs
11518/00 JAI 93

The German delegation commented upon 11518/00 JAI 93, in which it expressed the desire for the Commission to examine ways of ensuring protection from the dangers of fighting dogs.

The Commission stated that it would examine the matter, but specified that at first sight, under the subsidiarity principle, it seemed to be a matter primarily for the Member States.

(b) Fight against corruption

The Netherlands delegation informed the Council that the Global Forum on Fighting Corruption II would be held at The Hague from 28 to 31 May 2001. It thanked the current and future Presidencies for the initiatives taken within the Council bodies in preparation for this important conference.

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In parallel with the Council meeting: Mixed Committee at ministerial level

The outcome of proceedings is set out in 13340/00 JAI 136 COMIX 817.
