



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 27 January 2010 (04.02)
(OR. fr)**

**16826/09
ADD 1**

**PV/CONS 65
JAI 889**

ADDENDUM TO DRAFT MINUTES¹

Subject: **2979th** meeting of the Council of the European Union (**JUSTICE AND
HOME AFFAIRS**), held in Brussels on 30 November and 1 December 2009

¹ The information from the Council minutes which is given in this addendum is not confidential and may therefore be released to the public.

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Agenda items released to the public concerning the final adoption of Council acts

"A" items (list: 16577/09 PTS A 56)

When finally adopting the "A" items relating to legislative acts, the Council agreed to enter the following in these minutes:

10. Council Framework Decision on Accreditation of forensic service providers carrying out laboratory activities

15905/09 JAI 830 ENFOPOL 290

The Council adopted the above Framework Decision (Legal basis: Article 30(1)(a) and (c) and Article 34(2)(b) of the Treaty on European Union).

1. Statement by the Federal Republic of Germany

on Article 3 of the Council Framework Decision on Accreditation of forensic service providers carrying out laboratory activities

"To determine the scope of the Council Framework Decision on Accreditation of forensic service providers carrying out laboratory activities, the concepts of "laboratory" and "laboratory activities" are defined by recital 15 and Article 3(a) and (b).

The Federal Republic of Germany understands this exclusively to mean classic forensic laboratories with scientifically trained staff. Facilities or departments in which there are no scientific staff and in which activities similar to laboratory activities (e.g. cyanoacrylate fuming or the Ninhydrin immersion bath process) are carried out only occasionally are not, in our opinion, laboratories within the meaning of the Framework Decision and thus exempt from the obligation of accreditation."

2. Commission statement

"The Commission considers that in so far as the Framework Decision on Accreditation of forensic service providers carrying out laboratory activities relates to services within the meaning of Article 50 of the Treaty establishing the European Community, it should be adopted in accordance with that Treaty.

The Commission reserves the right to take the measures it considers appropriate."

11. Council Decision setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA

15137/09 CRIMORG 164 ENFOPOL 271

The Council adopted the above Decision (Legal basis: Article 30(1), Article 31 and Article 34(2)(c) of the Treaty on European Union).

3. Statement by the Netherlands

- "• The Netherlands can support the compromise tabled.
- The Netherlands considers it very important that crime prevention should be tackled robustly in the European context as well.
- The EUCPN can play an important role here; the changes proposed in the compromise, such as embedding the secretariat more solidly, give an impetus for this purpose.
- Also in the light of the resolution adopted in the European Parliament, the Netherlands would urge that the EUCPN should direct its activities at the prevention of organised crime as well.
- Consideration could be given here to exchanging experience and know-how and initiating research into the social conditions in which organised crime can be committed successfully in areas such as the drugs trade, people trafficking and arms smuggling."

21. Council Framework Decision on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings

8535/09 COPEN 71

+ REV 1 (de)

+ REV 2 (lv)

The Council adopted the above Framework Decision (Legal basis: Articles 31(1)(c) and (d) and 34(2)(b) of the Treaty on European Union).

4. Council statement

"With a view to improving the efficient administration of criminal justice, and taking into account the ever-growing complexity of cross-border criminal activity, the Council will examine when appropriate the possibility of taking further action with a view to facilitating cooperation in situations where criminal proceedings are being conducted in two or more Member States in respect of the same or related facts involving different persons, or in respect of the same criminal organisation, taking into account the roles of Eurojust and of the European Judicial Network. In the meantime, the Council encourages Member States to contact each other and exchange information through their competent authorities in such situations, in accordance with any national law and procedure, European Union law or international law."

30. Council Decision on the use of information technology for customs purposes

14065/09 ENFOCUSTOM 98 EUROPOL 78 EUROJUST 56

+ COR 1

+ COR 2 (sl)

+ REV 1 (lt)

+ REV 1 COR 1 (lt)

+ REV 3 (fi)

+ REV 4 (bg)

+ REV 5 (sk)

The Council adopted the above Decision (Legal basis: Articles 30(1)(a) and 34(2)(c) of the Treaty on European Union).

54. Council Regulation amending Regulation (EC) No 2115/2005 establishing a recovery plan for Greenland halibut in the framework of the Northwest Atlantic Fisheries Organisation

14955/09 PECHE 294
+ COR 1 (lv)

The Council adopted the above Regulation (Legal basis: Article 37 of the Treaty establishing the European Community).

"B" items (agenda: 16575/09 OJ CONS 65 JAI 871 COMIX 885)

8. Council Regulation amending Regulation (EC) No 539/2001 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

15521/09 VISA 384 COWEB 252 COMIX 824

The Council adopted the above Regulation (Legal basis: Article 62(2)(b)(i) of the Treaty establishing the European Community).

5. Joint statement by the European Parliament and the Council

"The European Union strongly supports the goal of the abolishment of the visa regime for all the countries of the Western Balkans.

The European Parliament and the Council recognise that the former Yugoslav Republic of Macedonia, Montenegro and Serbia fulfil all conditions for visa liberalisation. This has allowed for the adoption of the amendments to Regulation (EC) No 539/2001 in due time to allow those three countries to join the visa-free regime by 19 December 2009.

The European Parliament and the Council express the hope that Albania and Bosnia and Herzegovina will also qualify for visa liberalisation soon. To that end, the European Parliament and the Council urge those two countries to make all efforts to comply with all the benchmarks set out in the Commission's roadmaps.

The European Parliament and the Council invite the Commission to present a legislative proposal for amending Regulation (EC) No 539/2001 as soon as it has assessed that each country meets the benchmarks set out in the Commission's roadmaps, with a view to achieving visa liberalisation for citizens of those countries as soon as possible.

The European Parliament and the Council will examine a proposal for amending Regulation (EC) No 539/2001 concerning Albania and Bosnia and Herzegovina as a matter of urgency."
