COUNCIL OF THE EUROPEAN UNION

Brussels, 21 September 2006

11939/06

LIMITE

PV/CONS 43
JAI 390

DRAFT MINUTES

Subject: 2746th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 24 July 2006

1 Information relating to the final adoption of Council acts which may be released to the public may be found in Addendum 1 to these minutes.
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### 1. Adoption of the agenda

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### 2. Approval of the list of "A" items

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### 3. Hague programme review

#### a) Report on the implementation of The Hague Programme in 2005 ("Scoreboard+")

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#### b) Evaluation of EU Policies on Freedom, Security and Justice

#### c) Implementing The Hague Programme: the way forward

#### d) The extension of the competence of the Court of Justice foreseen by Article 67(2) TEC

### 4. Global approach to migration

#### a) EU preparations for the UN High-level dialogue on International Migration and Development

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#### c) Situation in the Mediterranean Region/Africa especially with regard to illegal immigration, update on Frontex operations

### 5. Management of migration flows

#### a) Communication from the Commission on Policy Plan on Legal Migration

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#### b) Communication from the Commission on Common Policy on Illegal Immigration

### 6. Consultation concerning the possibility of initiating negotiations on visa facilitation and readmission agreements with Moldova

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### 7. AOB

#### Situation in Lebanon: Internally displaced persons

(request from Sweden)

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1. **Adoption of the agenda**  
11742/06 OJ/CONS 46 JAI 380 COMIX 659

The Council adopted the above agenda.

2. **Approval of the list of "A" items**  
11743/06 PTS A 40

The Council approved the "A" items listed in 11743/06.

Addendum 1 to these minutes gives information on items 2, 3, 4 and 24 on that list.

Moreover, the documents in items 23 et 24 should read as follows:

**Item 23.**  
11285/06 COMER 119 CHINE 21 OC 515  
+ **COR 1 (lt)**  
11286/06 COMER 120 CHINE 22 OC 516

**Item 24.**  
11400/06 FISC 102 OC 527  
+ ADD 1  
11025/06 FISC 98 OC 501  
+ COR 1  
+ COR 2 (hu)  
+ COR 3 (fr)  
+ COR 4 (sv)  
+ COR 5  
+ **COR 6 (fi)**  
+ **COR 7 (sv)**  
+ REV 2 (de)  
+ REV 2 COR 1 (de)  
+ REV 2 COR 2 (de)  
+ REV 3 (pl)  
+ REV 3 COR 1 (pl)  
+ REV 4 (el)  
+ REV 5 (lv).
3. Hague programme review  
(public debate)

a) Report on the implementation of The Hague Programme in 2005 ("Scoreboard +")  
11228/06 JAI 355 CATS 138 ASIM 56 JUSTCIV 162
   + ADD 1
   + ADD 2

b) Evaluation of EU Policies on Freedom, Security and Justice  
11223/06 JAI 354 CATS 137 ASIM 55 JUSTCIV 161
   + ADD 1

c) Implementing the Hague Programme: the way forward  
11222/06 JAI 353 CATS 136 ASIM 54 JUSTCIV 160

d) The extension of the competence of the Court of Justice foreseen by Article 67(2) TEC  
11356/06 COUR 37 JUR 285 JUSTCIV 165 ASIM 57

- presentation by the Commission; information from the Presidency on procedure and handling

The Commission presented the four above mentioned Communications. The Presidency indicated that the Communication on "Implementing the Hague Programme : the way forward" will be discussed in depth at the informal meeting of the JHA Ministers in Tampere on 20/21 September 2006 and then by the JHA Council in October and December 2006 so that as to report to the European Council . The Communication on evaluation will be discussed at the JHA Council on 5/6 October 2006 with a view to reaching conclusions at the JHA Council on 4/5 December 2006. The Communication on the extension of the competence of the European Court of Justice will be first examined by the relevant working group of the Council and then considered by the Council.
4. **Global approach to migration**  
(*public debate*)

a) EU preparations for the UN High-level dialogue on International Migration and Development  
   - information item
   - information item
c) Situation in the Mediterranean Region/Africa especially with regard to illegal immigration, update on Frontex operations  
   - orientation debate, presentations by the Commission and Frontex

The Commission and the Executive Director of FRONTEX informed the Council on the current state of play of the implementation of the Global Approach to Migration which was adopted in December 2005.

The Council welcomed the agreement, at the General Affairs Council on 17 July, of the EU position for the preparation of the UN High Level Dialogue on Migration and Development, as well as the successful outcome of the Euro-African Ministerial Conference on Migration and Development, which took place in Rabat on 10-11 July, and which resulted in an agreed Declaration and Action Plan.

The Council discussed the situation in the Mediterranean Region and Africa with regard to illegal immigration. It welcomed the measures taken by the Commission, FRONTEX and Member States, in particular relating to coastal patrolling, migratory routes and surveillance of maritime borders. The Council nevertheless stressed the need to continue to develop operational cooperation and to take account of all the African migratory routes. The Council reiterated that the EU is fully committed to strengthening cooperation with all its African partners; it took note of the organisation of an EU-African Ministerial conference and underlined the role of development in this context.

The Council asked its preparatory bodies to keep the developing situation in the Mediterranean area and Africa under review with a view to assessing action to be taken and responding as appropriate.
5. **Management of migration flows**  
*(public debate)*

a) Communication from the Commission on Policy Plan on Legal Migration  
   5052/06 MIGR 1 SOC 1 ECOFIN 1  
   + ADD 1 (en)  

b) Communication from the Commission on Common Policy on Illegal Immigration  

- presentation by the Commission and first exchange of views

The Council took note of the presentation by the Commission of its Communication on a  
Policy Plan on Legal Migration and on a Common Policy on Illegal Immigration. The  
Council welcomed the two Communications which address the two dimensions of the  
migratory phenomenon, and invited its relevant preparatory bodies to take work on them  
forward.

6. **Consultation concerning the possibility of initiating negotiations on visa facilitation**  
*and readmission agreements with Moldova*  
11825/06 VISA 191 RELEX 499 COWEB 166

The Council invited the Commission to undertake consultations with Member States, within  
the relevant Council preparatory bodies foreseen by paragraph 11 of the common approach  
on visa facilitation, on the possible initiating negotiations on visa facilitation and  
readmission agreements with Moldova. The Commission evaluation report should be  
submitted in advance of the JHA October Council.

7. **AOB**  
   - **Situation in Lebanon: Internally displaced persons**  
   (request from Sweden)

Ministers had an exchange of views on the situation in the Lebanon.