COUNCIL OF THE EUROPEAN UNION

Brussels, 5 November 2007

13016/07

LIMITE

PV/CONS  45
JAI      460
COMIX    799

DRAFT MINUTES

Subject: 2818th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 18 September 2007

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

12705/07 OJ/CONS 45 JAI 444 COMIX 777

The Council adopted the agenda as set out in 12705/07.

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

12706/07 PTS A 37

The Council approved the "A" items listed in 12706/07 with the exception of item 15 which was withdrawn from the list.

Information relating to items 23, 30, 31, 32, 33, 38, 39 and 40 on the list is set out in **Addendum 1** to these minutes.

The documents in items 5, 6, 7, 8, 9, 10, 11, 12, 13, 31 and 40 should read as follows:

**Item 5:**

1220/1/07 REV 1 MIGR 73 COWEB 149  
12196/07 MIGR 69 COWEB 140  
+ COR 1

**Item 6:**

1220/1/07 REV 1 MIGR 73 COWEB 149  
12197/07 MIGR 70 COWEB 141  
+ COR 1

**Item 7:**

1220/1/07 REV 1 MIGR 73 COWEB 149  
12199/07 MIGR 71 COWEB 143  
+ COR 1  
+ **COR 2** (es)

**Item 8:**

1220/1/07 REV 1 MIGR 73 COWEB 149  
12202/07 MIGR 72 COWEB 145  
+ COR 1  
+ **COR 2** (da)  
+ REV 1 (pl)

**Item 9:**

12218/07 VISA 247 COWEB 151  
12198/07 VISA 242 COWEB 142  
+ REV 2 (el)
Item 10:  
12219/07 VISA 248 COWEB 152  
12201/07 VISA 243 COWEB 144  
+ REV 2 (el)

Item 11:  
12220/07 VISA 249 COWEB 153  
12203/07 VISA 244 COWEB 146  
+ COR 1 (cs)  
+ COR 2 (sk)  
+ COR 3 (sl)  
+ REV 2 (mt)  
+ REV 3 (da)  
+ REV 4 (el)

Item 12:  
12221/07 VISA 250 COWEB 154  
12204/07 VISA 245 COWEB 147  
+ REV 2 (el)

Item 13:  
12224/07 VISA 251 COWEB 155  
12205/07 VISA 246 COWEB 148  
+ REV 1 mt)  
+ REV 3 (el)

Item 31:  
12030/07 PECHE 240  
+ ADD 1  
+ ADD 1 COR 1 (sv)  
12031/07 PECHE 241  
+ REV 1 (lt)  
+ REV 2 (nl)  
+ REV 3 (fi)  
+ REV 5 (sv)  
+ REV 6 (da)

Item 40:  
9500/07 CODEC 506 TRANS 157  
PE-CONS 3623/07 TRANS 175 CODEC 556  
+ COR 1 (fr)  
+ REV 1 (fi)  
12480/07 CODEC 878 TRANS 258

3. **Third report on visa waiver reciprocity**  
12881/07 VISA 281 AUS 8 AMLAT 79 ASIE 68 CDN 20 ISR 12 NZ 12 USA 60 COMIX 790

The Commission presented the report on visa reciprocity. The Council took note of the report and instructed the relevant preparatory bodies of the Council to examine it further.
4. **Modified draft Council Regulation amending Regulation (EC) 1030/2002 laying down a uniform format for residence permits for third country nationals**

   12725/1/07 REV 1 VISA 273 COMIX 780  
   12775/07 VISA 276 COMIX 782  

   The Council adopted, subject to parliamentary scrutiny reservations by the Netherlands and the United Kingdom, a general approach on the text set out in 12725/1/07 REV 1.

5. **Draft Council conclusion on further reinforcing the EU Southern Maritime Borders**

   12712/1/07 REV 1 ASIM 61 FRONT 94 COMIX 778  

   The Council adopted the draft Conclusions in 12712/1/07 REV 1.

6. **"European Day against the Death Penalty"**

   12007/1/07 REV 1 JAI 396 COSCE 8 COHOM 73 COEST 232  

   This item was not discussed during the formal session.

7. **Amendment of the provisions of the Statute of the Court of Justice instituting an emergency preliminary ruling procedure**

   Presentation  
   11824/07 JUR 281 COUR 37 JUSTCIV 203 ASIM 57 JAI 384  
   11759/07 JUR 278 COUR 36 JUSTCIV 200 ASIM 56 JAI 377  
   + REV 1 (en)  

   The President of the Court of Justice presented the Court's proposals for amendments of the Statute, as well as the draft amendments to its rules of procedure, with a view to instituting an emergency preliminary ruling procedure.

   The Council referred this issue to the Working Party on the Court of Justice.
8. **Strengthening the principle of mutual recognition on non-custodial decisions at pre-trial and post-trial stages**
(public deliberation pursuant to Article 8 (3))

- **Framework Decision on the European Supervision Order**
  = Orientation debate
  12494/1/07 REV 1 COPEN 123
  12157/07 COPEN 117
  10662/07 COPEN 91
  + ADD 1
  + ADD 2
  + ADD 3
  + ADD 4
  12367/06 COPEN 91
  + ADD 1
  + ADD 2

- **Initiative of the Federal Republic of Germany and of the French Republic with a view to adopting a Council Framework Decision on the recognition and supervision of suspended sentences, alternative sanctions and conditional sentences**
  = Progress report
  12495/07 COPEN 124

As regards the proposal for a Framework Decision on the European Supervision Order, the Council held an orientation debate on the basis of a note from the Presidency (12494/1/97 REV 1 COPEN 123). Following this debate, the Council instructed its President to prepare a revised version of the text, in consultation with the Commission services, in order for it to be submitted to the Council bodies for further examination.

As regards the draft Framework Decision on "probation", the Council took note of the Progress report submitted by the Presidency (12495/07 COPEN 124).
9. **Any Other Business**

   - **Information on the prevention of the terrorist attacks in Germany**

   The German Minister of the Interior gave information on the detection and detention of terrorist Islamic cells in Germany in recent weeks.

   - **European PNR**

   This item was not discussed during the formal session.