ADDENDUM to DRAFT MINUTES ¹

Subject: 2626th meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS), held in Brussels on 2 and 3 December 2004

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

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

"A" items: (list: 15393/04 PTS A 61 + ADD 1)

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


13739/04 JUSTCIV 155

The Council adopted the above Regulation. (Legal basis: Article 57(2) of the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic).


13086/04 ASILE 57 + COR 1 (nl)

The Council adopted the above Decision. (Legal basis: Article 63(2)(b)).

Statements

1. Re Article 3

"The Council and the Commission recall the Council Conclusions of 2 November 2004 on improving access to durable solutions. The Council, taking into account the outcome of these deliberations with regard to resettlement, invites the Commission to present a proposal for a modification of the European Refugee Fund within a year."
Meanwhile, national programs requesting funding from the European Refugee Fund which include resettlement aspects, can only be accepted if they relate to groups of persons under international protection as defined by the instruments of the EU.

2. Re Article 4

"Belgium states that it will allocate the funds available from the European Refugee Fund to new actions in order to enable the European process for the harmonisation of asylum systems, which is currently under way, to improve the quality of reception, integration and return of target groups.

Belgium considers that the target groups which were eligible to benefit from assistance from the first European Refugee Fund will continue to be eligible for support from the second European Refugee Fund, more specifically with regard to actions relating to asylum seekers, integration and employment initiatives."

Item 24. Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms

The Council approved the amendments contained in the European Parliament's Opinion and adopted the proposed act as amended. (Legal basis: Article 179(1) of the Treaty establishing the European Community).

3. Statement by the Council and the Commission re Article 1(1)

"The Council and the Commission note and will take account of the fact that Article 1(1) of this Regulation, amending Article 2(2)(h) of Council Regulation No 975/1999, in no way prejudices the position that the European Union might adopt regarding the establishment of groupings of democratic countries within the United Nations system, specialised agencies or regional organisations."

PE-CONS 3680/04 EF 33 ECOFIN 283 DRS 27 CODEC 926
+ COR 1 (de)
+ REV 1 (sl)
+ REV 2 (lt)
+ REV 3 (lv)

The Council approved the amendments contained in the European Parliament's Opinion and adopted the proposed act as amended. (Legal basis: Articles 44 and 95 of the Treaty establishing the European Community).

4. Statement regarding Article 7 and Recital 17

"The Council notes that the current rules on the law applicable to non contractual obligations need to be examined further with regard to corporate liability in the situations covered by Article 6 of Directive 2003/71/EC and Article 7 of the present Directive."

5. Statement by the Spanish and United Kingdom delegations

"The UK and Spanish delegations consider that, without prejudice to Article 24 of this Directive, in case of designation of a Gibraltarian authority, the arrangements agreed between both countries relative to Gibraltar authorities in the context of EU and EC instruments and related treaties (7998/00) shall apply."