ADDENDUM TO DRAFT MINUTES

Subject: 2561st meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS), held in Brussels on Thursday, 19 February 2004

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

"A" items: (list: 6290/01 PTS A 4)

5. **Council Regulation on the creation of an immigration liaison officers network**
   15813/03 CIREFI 60 FRONT 178 COMIX 749

The Council adopted the above Regulation. (Legal bases: Articles 63(3)(b) and 66 of the Treaty establishing the European Community).

1. **Statement by the Council**

   "The Council invites the Commission to make all necessary proposals with respect to the feasibility of, and options for, establishing a secured electronic network for purposes of information-sharing between the participants in the immigration liaison officers network."

2. **Statement by the Commission on recital 12**

   "Recital 12 restates the legal position in accordance with Article 8(2) of Council Decision 2000/365/EC and Article 6(2) of Council Decision 2002/192/EC. It is therefore of a declaratory nature."

6. **Council Decision and Council Regulation on procedures for amending the SIRENE manual**
   5361/04 SIRIS 11 COMIX 43 OC 22
   + COR 1
   5362/04 SIRIS 12 COMIX 44 OC 23
   + COR 1 (en,fr,it,da,el,es,pt,fi,sv)

The Council adopted the abovementioned Decision (legal bases: Articles 30(1)(a) and (b), 31(a) and (b) and 34(2)(c) of the Treaty on European Union) and Regulation (legal basis: Article 66 of the Treaty establishing the European Community).
18. Council Decision concerning the adoption of a supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community

The Council adopted the above Decision. (Legal basis: Article 7 of the Treaty establishing the European Atomic Energy Community).


The Council adopted the above Regulation. (Legal basis: Article 308 of the Treaty establishing the European Community).

22. Regulation of the European Parliament and of the Council establishing a programme for financial and technical assistance to third countries in the areas of migration and asylum (AENEAS)

The Council approved the amendments in the European Parliament's opinion and decided to adopt the proposed act as amended. (Legal bases: Articles 179(1) and 181a of the Treaty establishing the European Community).
PE-CONS 3688/03 TELECOM 159 JAI 349 PESC 703 CODEC 1654

The Council adopted the abovementioned Regulation, with the United Kingdom delegation abstaining. (Legal basis: Article 95 of the Treaty establishing the European Community).

3. Statement by the United Kingdom delegation on the legal basis

"The United Kingdom considers that Article 308 of the Treaty is the correct legal base for the Regulation establishing the European Network and Information Security Agency, rather than Article 95 of the Treaty.

However, as we support the substantive policy outcome represented by the compromise text agreed today, the United Kingdom will abstain from voting when the Council adopts its political agreement."

4. Statement by the Danish delegation on the legal basis

"Denmark agrees that Article 308 is the most appropriate legal base for the Regulation establishing the European Network and Information Security Agency, rather than Article 95 of the Treaty.

However, as we support the substantive policy outcome represented by the compromise text agreed today and the urgency of a joint European effort in the field of network and information security Denmark will vote in favour of the proposal when the Council adopts its political agreement."

5. Statement by the Commission

"In line with its communication of December 2002 on the operating framework for the European regulatory agencies, the Commission would reiterate its proposal for a small-scale Management Board, composed of six members appointed by the Commission, six appointed by the Council and three representatives of interested parties without voting rights.

In this instance, however, because of the specific tasks assigned to the European Network and Information Security Agency and the pressing need for its establishment, the Commission will not stand in the way of first reading-agreement between co-legislators.

The Commission would point to the exceptional nature of the course taken and reaffirms its eagerness to see the above general operating framework applied."