DRAFT MINUTES¹

Subject: 2574th meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS) held in Brussels on 30 March 2004

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

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Adoption of the agenda</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>Approval of the list of &quot;A&quot; items</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>Draft Framework Decision on the application of the principle of mutual recognition to confiscation orders</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>Proposal for a Council Directive on compensation to crime victims</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>Follow-up to the European Council declaration on terrorism</td>
<td>4</td>
</tr>
<tr>
<td>6</td>
<td>Proposal for a Council Directive on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection</td>
<td>4</td>
</tr>
<tr>
<td>7</td>
<td>Amended proposal for a Council Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>Proposal for a Council Directive on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service</td>
<td>5</td>
</tr>
<tr>
<td>9</td>
<td>Communication from the Commission to the Council and the European Parliament on the presentation of a proposal for a Directive and two proposals for Recommendations on the admission of third-country nationals to carry out scientific research in the European Community</td>
<td>5</td>
</tr>
<tr>
<td>10</td>
<td>Appointment of the Director of Europol</td>
<td>5</td>
</tr>
<tr>
<td>11</td>
<td>AOB</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>– Action Plan on organised crime with Russia</td>
<td></td>
</tr>
<tr>
<td></td>
<td>– Preparations for EURO 2004 (Portugal)</td>
<td></td>
</tr>
</tbody>
</table>
1. **Adoption of the agenda**  
7735/04 OJ/CONS 20 JAI 92

The Council adopted the above agenda, with the addition under A.O.B. of the following items:
- Action plan on organised crime with Russia
- Preparations for Euro 2004 (Portugal).

2. **Approval of the list of "A" items**  
7736/04 PTS A 15  
+ ADD 1

The Council approved the "A" items as contained in 7736/04 PTS A 15 + ADD 1.

Addendum 1 to these minutes gives information on items 10, 23 and 28 to 40 on that list.

The document references for items 32, 34, 36 and 40 should read as follows:

**Item 32:** 7004/04 CODEC 302 EDUC 44 JEUN 13 SOC 108 CULT 22  
7359/04 CULT 21 CODEC 368  
+ COR 1 *(en,fr,de,it,nl,da,el,es,fi,sv)*

**Item 34:** 7511/04 SAN 51 CODEC 394  
+ ADD 1  
PE-CONS 3624/04 SAN 38 CODEC 255 OC 180  
+ REV 1 (fr)  
+ REV 2 (sv)  
+ REV 2 COR 1 (sv)

**Item 36:** 7281/04 CODEC 356 ENV 152 IND 33 TRANS 119 ENER 85  
AGRI 67 CONSOM 21 ATO 30  
+ ADD 1  
PE-CONS 3622/04 ENV 95 IND 22 TRANS 71 ENER 54 AGRI 41  
CONSOM 10 ATO 22 CODEC 220  
+ COR 1 (fr)  
+ COR 2 (pt)  
+ COR 3 (fi)  
+ COR 4 (da)
3. **Draft Framework Decision on the application of the principle of mutual recognition to confiscation orders**
   7760/04 COPEN 36

The Council examined the questions set out in the above document, reaching agreement on both the definition of "objects" in Article 2(d) and on the provision on transmission of confiscation orders in Article 4(1).

The Council invited the Permanent Representatives Committee to continue work on the other outstanding questions with a view to reaching a general approach on the above dossier at its next meeting.

The outcome of the discussions in the Council on these questions is set out in 8019/04 COPEN 42.

   7752/04 JUSTCIV 49

The Council

- reached a global agreement on the proposal of a Directive on compensation to crime victims, as set out in 7752/04 JUSTCIV 49, and took note of the Parliamentary scrutiny reservations from the German and United Kingdom delegations;
- called for the formal adoption, before 1 May 2004, of this Directive, as requested by the European Council on 25 and 26 March 2004.
5. **Follow up to the European Council Declaration on Terrorism**

The Council took note of the Presidency presentation of the Declaration adopted by the European Council on 25 March (see 7906/04) and of planned future work in the area.

Mr de Vries, recently appointed counter-terrorism co-ordinator, participated in the debate and explained his intended role and mandate. He is invited to report to the European Council in June 2004.

6. **Proposal for a Council Directive on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection**

7728/04 ASILE 18

The outcome of proceedings of the Council is set out in 7944/04 ASILE 21 OC 310.

7. **Amended proposal for a Council Directive on minimum standards on procedures in member States for granting and withdrawing refugee status**

7729/04 ASILE 19

The Council held an orientation debate on the basis of questions submitted by the Presidency and charged the Permanent Representatives Committee to pursue work on this proposal, in order to allow the Council to reach agreement within the time-limit set out by the Treaty (before 1 May 2004).

8. **Proposal for a Council Directive on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service**

7589/04 MIGR 16

+ COR 1

The Council reached a general approach on the above Directive, subject to a parliamentary reservation from the Netherlands delegation. The text resulting from the proceedings of the Council is contained in 8013/04 MIGR 22.
9. Communication from the Commission to the Council and the European Parliament on the presentation of a proposal for a Directive and two proposals for Recommendations on the admission of third-country nationals to carry out scientific research in the European Community

Commissioner Vitorino presented the Commission's communication (see 7815/04 MIGR 18 VISA 57 RECH 65 COMPET 46).

The Council instructed its preparatory bodies to examine the proposals with a view to their adoption as soon as possible.

10. Appointment of Director of Europol

The Ministers held a first exchange of views over lunch. The Presidency will continue contacts with delegations to prepare the file for the meeting of the JHA Council in April 2004.

11. A.O.B.

- Action Plan on organised crime with Russia

This item was discussed over lunch.

- Preparations for Euro 2004

The Portuguese Minister outlined the measures taken in Portugal in view of the European football championship.