COUNCIL OF THE EUROPEAN UNION

Brussels, 3 June 2003

9118/03

LIMITE

PV/CONS 27
JAI 129

DRAFT MINUTES¹

Subject 2504th meeting of the Council of the European Union (JUSTICE, HOME AFFAIRS AND CIVIL PROTECTION) held in Brussels on 8 May 2003

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**

   8921/03 OJ/CONS 25 JAI 122

   The Council adopted the above agenda, with the addition under A.O.B. of the following item:

   - Information by the Netherlands on its contribution to the Convention concerning judicial cooperation.

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

   8922/03 PTS A 21

   The Council approved the "A" items as contained in document 8922/03.

   **Addendum 1** to these minutes gives information on items 9 and 13 on that list.

   The documents for item 3 should read as follows:

   6763/03 ENFOCUSTOM 8
   + COR 1 (fr,de,it,nl,da,el,pt,ga)
   + COR 2 (fi)
   + COR 3 (fr,de,it,nl,en,es,pt,fi,sv,ga)
   + COR 4 (de,it,nl,el,fi,ga)
   + COR 5 (fi)

   7861/1/03 ENFOCUSTOM 16 OC 131 REV 1.

3. **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**

   8858/03 ASILE 28
   + ADD 1

   The Council examined the outstanding issues of this proposal relating in particular on the rights to be granted to beneficiaries of refugee status and of subsidiary protection status.

   The Council invited the Permanent Representatives Committee to continue examination of the proposal with a view to reaching a political agreement within the time limit decided by the Seville European Council (June 2003).

   The outcome of proceedings is set out in document 8919/03 ASILE 29.
4. **Proposal for a Council Directive concerning the status of third-country nationals who are long-term residents**

   9025/03 MIGR 35
   8572/03 MIGR 28

The Council, with a view to reaching a general approach within the time limit decided by the Seville European Council (June 2003), examined outstanding questions on the above proposal and reached broad agreement on the first part of the draft Directive.

In this context, the Council welcomed the commitment by the Commission to table within one year a proposal for a Directive on the extension of long-term resident status to refugees and persons under subsidiary protection.

The Council also held a political debate on the question of mobility of third-country nationals who have acquired long-term resident status. Delegations generally favoured the idea of mobility for long-term residents, but felt it should be subject to certain conditions.

The Council invited the Permanent Representatives Committee to continue its work on this proposal with a view to reaching political agreement at its next meeting on 5/6 June 2003.

5. **Follow-up to Seville, in view of Thessaloniki (integrated management of external borders, combating of illegal immigration, repatriation, asylum, cooperation with third countries)**

   6023/4/03 JAI 27 ASILE 8 MIGR 8 FRONT 9 VISA 25 REV 4

The Council took note of the updated version of the road map for the follow-up to the conclusions of the European Council in Seville. This road map will serve as input for drafting a report to be presented at the next meeting of the Council in view of its submission to the European Council in Thessaloniki.

The Council also heard a presentation by Commissioner Vitorino concerning the results of the Commission feasibility study carried out by the Commission on the Visa Information System (VIS). He announced that the final report would be submitted to Council shortly with a view to holding a first debate on the technical and financial issues at the Council meeting in June.
Commissioner Vitorino also indicated that the Commission is preparing a report to the Thessaloniki European Council regarding the development of a common policy on illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents.

6. **Negotiations with Switzerland on participation in the Schengen acquis and asylum measures**

   8506/03 AELE 12 JAI 106 ECOFIN 108 RESTREINT

   The Council held a brief discussion on the ongoing negotiations with Switzerland on participation in the Schengen acquis and asylum measures. This issue will be followed up by the Permanent Representatives Committee.

7. **Agreements between the European Union and the United States of America on judicial co-operation in criminal matters and on extradition**

   8295/1/03 CATS 20 USA 29 REV 1

   The Council took note of the position of Member States concerning the text of the Agreements between the European Union and the United States of America on extradition and on mutual legal assistance, notably with regard to constitutional procedures necessary in several Member States.

   The Presidency informed delegations that it was hoped that at its next meeting in June the Council would take the decision authorising the Presidency to sign the Agreements to enable signature to take place at the EU-US Summit in Washington on 25 June 2003.

8. **Proposal for a Council Framework Decision on the application of the principle of mutual recognition to financial penalties**

   8889/03 COPEN 43 + COR 1(en)

   The Council reached a general approach on the above Framework Decision, subject to parliamentary scrutiny reservations by some delegations and the opinion of the European Parliament.
The Council will formally adopt the Framework Decision at one of its forthcoming meetings following lifting of the parliamentary reservations and examination of the opinion from the European Parliament and revision of the text by the legal-linguistic experts. The text resulting from the proceedings of the Council is contained in document 9653/03 COPEN 50.

9. Europol: Appointment of two Europol Deputy Directors

9083/03 EUROPOL 28
8617/03 EUROPOL 21
8423/03 EUROPOL 13

The Council adopted the Council Act appointing two Deputy Directors of Europol, as contained in document 9083/03 EUROPOL 28.

10. Any other business

Information concerning the Ministerial G8 meeting on 5/6 May 2003

The Council heard an oral presentation by France on the discussion held at the G8 Member States' Ministerial meeting in Paris on 5 May 2003 to review progress made in the fight against terrorism and organised crime.

Notification to the Council of Europe in application of Article 28(3) of the Extradition Convention of 13.12.1957

The Council took note of the presentation by Commissioner Vitorino of the proposal for a Council common position on notifying the Council of Europe, pursuant to Article 28(3) of the European Convention on Extradition of 13 December 1957, of the application by the Member States, as between themselves, of the European Arrest Warrant.

Information by the Netherlands on its contribution to the Convention

The Dutch Minister for Justice, Mr. Donner, informed the Council about his Government's contribution to the work of the European Convention concerning judicial cooperation in the European Union.