



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 11 May 2009**

**8496/09**

**LIMITE**

**PV/CONS 20  
JAI 200**

**DRAFT MINUTES <sup>1</sup>**

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Subject : **2936th** meeting of the Council of the European Union (**JUSTICE and  
HOME AFFAIRS**), held in Luxembourg on 6 April 2009

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<sup>1</sup> Information which may be released to the public concerning the final adoption of Council acts is given in Addendum 1 to these minutes.

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1. **Adoption of the agenda**

8329/09 OJ/CONS 19 JAI 189 COMIX 279

The Council adopted the agenda as set out in 8329/09 with the addition of item (i) Violent animal rights activists under Any Other Business, at the request of the Netherlands delegation. Item 9 was withdrawn from the agenda.

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

8331/09 PTS A 16

The Council approved the "A" items listed in 8331/09.

Information relating to items 4, 5 and 20–27 is set out in Addendum 1 to these minutes.

The documents in items 5, 6, 22 and 24 should read as follows:

**Item 5:** 8706/3/08 REV 3 EUROPOL 47

+ REV 3 COR 1 (fi)

+ **REV 3 COR 2**

+ **REV 3 COR 3 (it)**

+ REV 4 (da)

+ **REV 4 COR 1 (da)**

8142/1/09 REV 1 EUROPOL 21

+ **REV 1 COR 1 (cs)**

**Item 6:** 8089/09 EUROPOL 17 JAIEX 19 ISR 2

+ COR 1 (**en**)

5785/09 EUROPOL 8

+ ADD 2

**Item 22:** PE-CONS 3737/08 ENV 1042 ENER 480 IND 238 COMPET 596 MI 576

ECOFIN 642 TRANS 496 AVIATION 308 CODEC 1906

+ COR 1 (fi)

+ COR 2 (ro)

+ REV **2** (de)

8033/09 CODEC 430 ENV 247 ENER 98 IND 31 COMPET 168 MI 123

ECOFIN 244 TRANS 123 AVIATION 53

+ ADD 1 REV 1

**Item 24:** PE-CONS 3739/08 ENV 1044 ENER 482 IND 240 CODEC 1908  
+ COR 1 (hu)  
+ **COR 2 (nl)**  
+ REV 1 (pt)  
+ REV 2 (ro)  
8036/09 CODEC 432 ENV 249 ENER 100 IND 33  
+ COR 1  
+ ADD 1  
+ ADD 1 COR 1

3. **Draft Council Framework Decision on prevention and settlement of conflicts of jurisdiction in criminal proceedings**

- General approach  
8278/09 COPEN 67

The Council reached agreement on a general approach. The outcome of the discussion on this item is set out in 8338/09 COPEN 69.

4. **Proposal for a Council Framework Decision on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA**

- Introduction of proposal  
8150/09 DROIPEN 16 MIGR 36 CRIMORG 50  
+ ADD 1 (en)  
+ ADD 2

The Council took note of the presentation of the proposed instrument by the Commission and held a first exchange of views.

5. **Proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA**

- Introduction of proposal  
8151/09 DROIPEN 17 MIGR 37  
+ ADD 1 (en)  
+ ADD 2

The Council took note of the presentation of the proposed instrument by the Commission and held a first exchange of views.

6. **Presidency Conclusions on the Conference on the standing of vulnerable victims in criminal proceedings, Prague 17/18 March 2009**

7855/1/09 REV 1 DROIPEN 14

The Council took note of the conclusions presented by the Presidency.

7. **Draft Council Decision appointing the Director of Europol**

– Adoption

The Council decided to appoint Mr Robert Wainwright as the new Director of Europol from 16 April 2009 to 15 April 2013 (6648/09 EUROPOL 12).

8. **Proposal for a Council Directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State**

8145/1/09 REV 1 MIGR 35 SOC 215

The Council had an exchange of views on the proposal and instructed its preparatory bodies to pursue its consideration with a view to addressing it again at one of its forthcoming meetings.

9. **ESRIF Final Report**

– Presentation by the Chair of ESRIF  
8001/09 JAI 174

This item was withdrawn from the agenda and postponed to a subsequent Council meeting.

**10. Decision on the authorisation to Europol to enter into negotiations with the Russian Federation with a view to concluding an operational cooperation agreement**

8173/09 EUROPOL 22 JAIEX 20

The Council discussed a possible authorisation for Europol to enter into negotiations with Russia with a view to concluding an operational cooperation agreement, allowing for the exchange of personal data. It agreed to include this issue on the agenda of the next Ministerial Troika EU–Russia meeting which will take place in May in Kaliningrad.

**11. Any Other Business**

**(a) EU-US Extradition and Mutual Legal Assistance Agreements**

- State of play of ratifications

The Greek and Belgian delegations informed the Council of their efforts to have the Agreements ratified by their Parliaments.

**(b) Financial crisis : What can be done in the area of justice?**

- Exchange of national experiences

The Presidency and a number of Member States informed the Council of their national experiences concerning the measures taken in the area of justice against the financial and economic crisis.

**(c) E-Justice-overview of EU Funds Available**

- Information by the Commission

The Council took note of the Commission's information on financing possibilities in the context of e-Justice and agreed to keep the matter under consideration.

**(d) Conference on Succession and Wills in a European context, 20/21 April 2009, Prague**

- Information by the Presidency

The Council :

- took note that the Presidency will organise a Conference on Succession and Wills which will be held in Prague on 20 and 21 April 2009;
- asked the Commission to submit, as soon as possible, the proposal for a Regulation on Succession and Wills.

**(e) Public Hearing "European Conscience and Crimes of Totalitarian Communism : 20 Years After", held on 18 March 2009**

- Information by the Presidency

The Presidency gave information to the Council on the public hearing held on 18 March 2009 in cooperation with MEPs and the Institute for the Study of Totalitarian Regimes.

**(f) Information on the visit of Vice-President Barrot and Czech Minister of Interior Langer to the US (16/17 March 2009)**

The Presidency and the Commission briefed the Council on the Schengen related issues dealt with during the visit of Vice-President Barrot and Minister Langer to the United States on 16-17 March 2009. This item was discussed during the session of the Mixed Committee at Ministerial level.



**(g) Third Global Forum on Migration and Development**

- Information by the Greek Minister  
6497/09 ASIM 17 DEVGEN 37

The Greek delegation provided information on the Global Forum on Migration and Development, to be held in November 2009 in Athens.

**(h) Information on the G8 Justice and Home Affairs Ministerial Meeting (Rome, 28-30 May 2009)**

The Italian Ministers informed the Council of the projects which are going to be discussed at the next JHA Ministerial meeting of the G8 which will be held in Rome on 28-30 May 2009.

**(i) Violent animal rights activists**  
(at the request of the Netherlands)

The Council took note of the information given by the Netherlands delegation on the issue of violent animal rights activists. The NL delegation underlined the transnational character of this issue, which requires enhanced exchange of information and should be discussed in Europol.

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