



9951/15
(OR. en)

PRESSE 40
PR CO 32

OUTCOME OF THE COUNCIL MEETING

3396th Council meeting

Justice and Home Affairs

Luxembourg, 15 and 16 June 2015

Presidents **Dzintars RASNAČS**
Minister for Justice of Latvia
Rihards KOZLOVSKIS
Minister for the Interior of Latvia

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

ITEMS DEBATED

JUSTICE

Data protection

The Council reached a general approach on the general data protection regulation that establishes rules adapted to the digital era. The twin aims of this regulation are to enhance the level of personal data protection for individuals and to increase business opportunities in the Digital Single Market.

A general approach means that the Council has a political agreement on the basis of which it can now begin negotiations with the European Parliament with a view to reaching overall agreement on new EU data protection rules. A first trilogue with the Parliament is planned for 24 June 2015.

The incoming Luxembourg presidency indicated that, in parallel to the negotiations on the regulation, work on the data protection directive in the law enforcement area would be accelerated with the aim to find a general approach in October.

For more information see [press release](#)

[Data protection reform](#)

Free movement of public documents

The Council reached a [general approach](#) on the draft regulation on promoting the free movement of citizens and businesses by simplifying the requirements for presenting certain public documents in the European Union. This general approach will constitute the basis for negotiations with the European Parliament with a view to reaching overall agreement on the final text of the future regulation.

The proposed regulation, as amended by the Council, aims at simplifying the procedures for cross-border use of public documents related to civil status matters between the member states, i.e. allowing for circulation of such documents without the requirement of legalisation or similar formality, thereby contributing towards the creation of a citizens' Europe.

European Public Prosecutor's Office

The Council broadly expressed conceptual support for the [text](#) of the first 16 articles on the proposal regarding the setting up of a European Public Prosecutor's Office (EPPO). These articles include the most important provisions of the regulation, namely all the rules on the organisation and the functioning of the Office.

Moreover, the Council welcomed the advances made on the other articles (articles 17 to 33) which have been discussed during the Latvian presidency but on which more work is still needed at expert level.

The proposed regulation aims to help combat crimes against the Union's financial interests by introducing a European Public Prosecutor's Office with competence in that area. The legal basis and the rules for setting up the EPPO are laid down in article 86 of the Treaty on the Functioning of the European Union (TFEU). The proposed regulation will be adopted in accordance with a special legislative procedure: the Council will decide unanimously after obtaining the consent of the European Parliament.

HOME AFFAIRS

Migratory issues

The Council discussed the different aspects of the Agenda on Migration and its implementation package. Most delegations welcomed its comprehensive and cross-cutting nature, as well as its mix of immediate actions to address the current crises and the proposed long-term measures that should lead to the establishment of a true European migration policy.

As regards the concrete proposal on relocation, ministers stressed that on the basis of the principle of solidarity they were all ready to make an effort to help member states under a particular migratory pressure. Several delegations stressed the necessity to strike the right balance between solidarity and responsibility.

Ministers invited the Council's preparatory bodies to continue these discussions with the aim of achieving full implementation as soon as possible. The presidency and the Commission will report to the European Council on the results of these discussions.

The Council took note of the information provided by the presidency, the European Commission and the European External Action Service on the state of play of the implementation of the orientations set out in the statement adopted by the European Council on 23 April. As requested, the presidency and the Commission will also inform the European Council on this issue.

[Finding solutions to migratory pressures](#)

Fight against terrorism

The Council discussed the implementation of the measures set out in the counter-terrorism statement issued by EU heads of state or government in February following the terrorist attacks on European soil.

Ministers took stock of the progress achieved in the implementation of measures and discussed and exchanged ideas on how to take the agreed priorities forward on the basis of a report from the presidency and from the EU Counter-Terrorism Coordinator.

Moreover, the European Commission presented its European Agenda on Security, issued on 28 April 2015, which includes counter-terrorism as a priority and supports a number of the directions given by the heads of state or government.

[Response to foreign fighters](#)

Renewed European Union Internal Security Strategy

The Council adopted [conclusions](#) on the Renewed European Union Internal Security Strategy 2015-2020.

Any other business

The Council was informed about the state of play of a number of legislative proposals, including:

- the directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data;
- the regulation amending the regulation establishing a European Small Claims Procedure;
- the directive on the strengthening of certain aspects of the presumption of innocence and of the right to be present at trial in criminal proceedings;
- the directive on procedural safeguards for children suspected or accused in criminal proceedings;
- the regulation establishing a European Union Agency for Law Enforcement Training (Cepol), repealing and replacing Council decision 2005/681/JHA;
- the directive on provisional legal aid for suspects or accused persons deprived of liberty and legal aid in European arrest warrant proceedings;
- the directive on the fight against fraud to the Union's financial interests by means of criminal law;
- the directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing (recast);
- the regulation on the European Union Agency for Law Enforcement Cooperation and Training (Europol) and repealing decisions 2009/371/JHA and 2005/681/JHA;

The Council took note of information from the presidency on the outcome of the EU-US JHA ministerial meeting that took place in Riga on 2-3 June.

The Slovenian delegation informed the Council about the outcome of the Justice and Home Affairs ministerial conference of the Brdo Process and South-East European Cooperation Process that took place in Budva (Montenegro) on 16 and 17 April 2015.

The Austrian delegation informed the Council about the outcome of the Salzburg Forum ministerial conference that took place in St. Pölten (Austria) on 4 and 5 May 2015 and of the international ministerial conference of foreign and interior ministers on "Tackling Jihadism Together" that took place in Vienna on 20 March 2015.

The Luxembourg ministers informed the Council about the upcoming Luxembourg EU presidency's priorities in the area of Justice and Home Affairs, with regard to which the presidency intends to work intensively in cooperation with the European Commission and the European Parliament.

The Luxembourg Minister of Justice thanked the Latvian presidency for the work accomplished. It is the firm intention of the Luxembourg presidency to conclude the data protection reform before the end of this year. Negotiations with the European Parliament on the data protection regulation will start this month. In parallel to these negotiations, work in the Council on the data protection directive in the law enforcement area will be accelerated with the aim to find a general approach in October 2015.

The regulation setting up the European Public Prosecutor's Office, the directive on the protection of the financial interests of the EU and the reform of Eurojust are important issues for the Luxembourg presidency. The directives on procedural safeguards in criminal matters, the judicial cooperation in family law and the free movement of public documents will also be a priority. For the Luxembourg presidency it is also important to give a political signal in favour of the continuation of the accession process of the EU to the European Convention of Human Rights.

The Luxembourg Minister for Migration and Asylum highlighted the work that the Luxembourg presidency intends to carry out as regards the Commission's proposal for a European Agenda on Migration. The Agenda on Migration will be handled as a package and work will be sequenced according to short-term, medium-term and long-term priorities. In the context of the current migratory pressure, the proposed instruments on relocation and resettlement will be dealt with as a matter of urgency, in parallel to the work on return/readmission.

The Luxembourg Minister for Internal Security stressed the importance of the fight against terrorism with special emphasis on foreign terrorist fighters and establishing an effective EU PNR system, the fight against organised crime and the practical implementation of the Internal Security Strategy 2015-2020 as important topics for the home affairs area in the upcoming six months.

OTHER ITEMS APPROVED

JUSTICE AND HOME AFFAIRS

e-Justice

The Council endorsed a set of [guidelines](#) for the implementation of the Multiannual European e-Justice Action Plan 2014-2018.

e-Justice - cross-border videoconferencing

The Council adopted a set of recommendations ([9206/15](#) + [COR 1](#)) to offer concrete guidelines for the member states to improve the use of videoconferencing technology in the area of justice.

Ever since the first European e-Justice Action Plan 2009-2013, the use of videoconferencing technology has been one of the key issues in the modernisation of justice at EU level. It was also included in the Multiannual European e-Justice Action Plan 2014-2018 adopted in June 2014 in the list of priority projects to be considered for implementation in the 2014-2018 period.

Genocide, crimes against humanity and war crimes

The Council adopted conclusions ([15584/2/14 REV 2](#)) on the fight against impunity for the crime of genocide, crimes against humanity and war crimes within the European Union and its member states.

Europol - General report 2014

The Council endorsed the general [report](#) on Europol's activities in 2014 and forwarded it to the European Parliament for information.

Protection against theft

The Council adopted [conclusions](#) concerning the introduction of mandatory standardised marking of construction machinery and agricultural and forestry vehicles in order to better protect them against theft

Hague Convention on the Civil Aspects of International Child Abduction

The Council adopted two decisions authorising certain member states to accept, in the interest of the European Union, the accession of [Andorra](#) and [Singapore](#) to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Mobility Partnership EU-Belarus

The Council confirmed the agreement on the Joint Declaration establishing a Mobility Partnership between Belarus and the European Union and its participating member states.

Mobility Partnerships are established in those cases where they can bring added value both to the EU and the third country concerned on the management of migration flows.

Belarus is among the third countries with which the EU intends to develop cooperation in the area of migration. Mobility Partnerships have already been established with a majority of countries belonging to the Eastern Partnership (namely Armenia, Azerbaijan, Georgia and the Republic of Moldova).
