

# The impact of the Amsterdam Treaty on justice and home affairs issues

## Volume 2: ANNEXES

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Report for the Directorate General for Research, European Parliament

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## **ANNEX A**

### **Title VI of the Maastricht Treaty: Cooperation in the fields of Justice and Home Affairs**

#### **TITLE VI**

#### **PROVISIONS ON COOPERATION IN THE FIELDS OF JUSTICE AND HOME AFFAIRS**

#### **Article K**

Cooperation in the fields of justice and home affairs shall be governed by the following provisions.

#### **Article K.1**

For the purposes of achieving the objectives of the Union, in particular the free movement of persons, and without prejudice to the powers of the European Community, Member States shall regard the following areas as matters of common interest:

- (1) asylum policy;
- (2) rules governing the crossing by persons of the external borders of the Member States and the exercise of controls thereon;
- (3) immigration policy and policy regarding nationals of third countries:
  - (a) conditions of entry and movement by nationals of third countries on the territory of Member States;
  - (b) conditions of residence by nationals of third countries on the territory of Member States, including family reunion and access to employment;
  - (c) combating unauthorized immigration, residence and work by nationals of third countries on the territory of Member States;
- (4) combating drug addiction in so far as this is not covered by (7) to (9);
- (5) combating fraud on an international scale in so far as this is not covered by 7 to 9;
- (6) judicial cooperation in civil matters;
- (7) judicial cooperation in criminal matters;
- (8) customs cooperation;
- (9) police cooperation for the purposes of preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime, including if necessary certain aspects of customs cooperation, in connection with the organization of a Union-wide system for exchanging information within a European Police Office (Europol).

#### Article K.2

1. The matters referred to in Article K.1 shall be dealt with in compliance with the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 and the Convention relating to the Status of Refugees of 28 July 1951 and having regard to the protection afforded by Member States to persons persecuted on political grounds.

2. This Title shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

#### Article K.3

1. In the areas referred to in Article K.1, Member States shall inform and consult one another within the Council with a view to coordinating their action. To that end, they shall establish collaboration between the relevant departments of their administrations.

2. The Council may:

- on the initiative of any Member State or of the Commission, in the areas referred to in Article K.1(1) to (6);

- on the initiative of any Member State, in the areas referred to in Article K.1(7) to (9):

- (a) adopt joint positions and promote, using the appropriate form and procedures, any cooperation contributing to the pursuit of the objectives of the Union;

- (b) adopt joint action in so far as the objectives of the Union can be attained better by joint action than by the Member States acting individually on account of the scale or effects of the action envisaged; it may decide that measures implementing joint action are to be adopted by a qualified majority;

- (c) without prejudice to Article 220 of the Treaty establishing the European Community, draw up conventions which it shall recommend to the Member States for adoption in accordance with their respective constitutional requirements.

Unless otherwise provided by such conventions, measures implementing them shall be adopted within the Council by a majority of two-thirds of the High Contracting Parties.

Such conventions may stipulate that the Court of Justice shall have jurisdiction to interpret their provisions and to rule on any disputes regarding their application, in accordance with such arrangements as they may lay down.

#### Article K.4

1. A Coordinating Committee shall be set up consisting of senior officials. In addition to its coordinating role, it shall be the task of the Committee to:

- give opinions for the attention of the Council, either at the Council's request or on its own initiative;

- contribute, without prejudice to Article 151 of the Treaty establishing the European Community, to the preparation of the Council's discussions in the areas referred to in Article K.1 and, in accordance with the conditions laid down in Article 100d of the Treaty establishing the European Community, in the areas referred to in Article 100c of that Treaty.

2. The Commission shall be fully associated with the work in the areas referred to in this Title.

3. The Council shall act unanimously, except on matters of procedure and in cases where Article K.3 expressly provides for other voting rules.

Where the Council is required to act by a qualified majority, the votes of its members shall be weighted as laid down in Article 148(2) of the Treaty establishing the European Community, and for their adoption, acts of the Council shall require at least 54 votes in favour, cast by at least eight members.

#### Article K.5

Within international organizations and at international conferences in which they take part, Member States shall defend the common positions adopted under the provisions of this Title.

#### Article K.6

The Presidency and the Commission shall regularly inform the European Parliament of discussions in the areas covered by this Title.

The Presidency shall consult the European Parliament on the principal aspects of activities in the areas referred to in this Title and shall ensure that the views of the European Parliament are duly taken into consideration.

The European Parliament may ask questions of the Council or make recommendations to it. Each year, it shall hold a debate on the progress made in implementation of the areas referred to in this Title.

#### Article K.7

The provisions of this Title shall not prevent the establishment or development of closer cooperation between two or more Member States in so far as such cooperation does not conflict with, or impede, that provided for in this Title.

#### Article K.8

1. The provisions referred to in Articles 137, 138, 139 to 142, 146, 147, 150 to 153, 157 to 163 and 217 of the Treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this Title.

2. Administrative expenditure which the provisions relating to the areas referred to in this Title entail for the institutions shall be charged to the budget of the European Communities.

The Council may also:

- either decide unanimously that operational expenditure to which the implementation of those provisions gives rise is to be charged to the budget of the European Communities; in that event, the budgetary procedure laid down in the Treaty establishing the European Community shall be applicable;

- or determine that such expenditure shall be charged to the Member States, where appropriate in accordance with a scale to be decided.

Article K.9

The Council, acting unanimously on the initiative of the Commission or a Member State, may decide to apply Article 100c of the Treaty establishing the European Community to action in areas referred to in Article K.1(l) to (6), and at the same time determine the relevant voting conditions relating to it. It shall recommend the Member States to adopt that decision in accordance with their respective constitutional requirements.

## **ANNEX B**

This Annex includes the following:

1. Title VI of the Treaty on European Union: Provisions on Police and Judicial Cooperation in Criminal Matters plus Title VII of the Treaty on European Union: Provisions on Closer Cooperation
2. TITLE VII (ex Title VIa) TEU: Provisions on Closer Cooperation
3. Title IV of the Treaty establishing the European Communities: Visas, Asylum, Immigration and other policies related to Free Movement of Persons
4. The Schengen Protocol: TEU and TEC

1.

### **TITLE VI of the Treaty on European Union Provisions on Police and Judicial Cooperation in Criminal Matters ARTICLE 29 (ex Article K.1)**

Without prejudice to the powers of the European Community, the Union's objective shall be to provide citizens with a high level of safety within an area of freedom, security and justice by developing common action among the Member States in the fields of police and judicial cooperation in criminal matters and by preventing and combating racism and xenophobia.

That objective shall be achieved by preventing and combating crime, organised or otherwise, in particular terrorism, trafficking in persons and offences against children, illicit drug trafficking and illicit arms trafficking, corruption and fraud, through:

- closer cooperation between police forces, customs authorities and other competent authorities in the Member States, both directly and through the European Police Office (Europol), in accordance with the provisions of Articles 30 and 32;
- closer cooperation between judicial and other competent authorities of the Member States in accordance with the provisions of Articles 31(a) to (d) and 32;
- approximation, where necessary, of rules on criminal matters in the Member States, in accordance with the provisions of Article 31 (e).

### **ARTICLE 30 (ex Article K.2)**

1. Common action in the field of police cooperation shall include:

(a) operational cooperation between the competent authorities, including the police, customs and other specialised law enforcement services of the Member States in relation to the prevention, detection and investigation of criminal offences;

(b) the collection, storage, processing, analysis and exchange of relevant information, including information held by law enforcement services on reports on suspicious financial transactions, in particular through Europol, subject to appropriate provisions on the protection of personal data;

(c) cooperation and joint initiatives in training, the exchange of liaison officers, secondments, the use of equipment, and forensic research;

(d) the common evaluation of particular investigative techniques in relation to the detection of serious forms of organised crime.

2. The Council shall promote cooperation through Europol and shall in particular, within a period of five years after the date of entry into force of the Treaty of Amsterdam:

(a) enable Europol to facilitate and support the preparation, and to encourage the coordination and carrying out, of specific investigative actions by the competent authorities of the Member States, including operational actions of joint teams comprising representatives of Europol in a support capacity;

(b) adopt measures allowing Europol to ask the competent authorities of the Member States to conduct and coordinate their investigations in specific cases and to develop specific expertise which may be put at the disposal of Member States to assist them in investigating cases of organised crime;

(c) promote liaison arrangements between prosecuting/investigating officials specialising in the fight against organised crime in close cooperation with Europol;

(d) establish a research, documentation and statistical network on cross-border crime.

#### ARTICLE 31 (ex Article K.3)

Common action on judicial cooperation in criminal matters shall include:

(a) facilitating and accelerating cooperation between competent ministries and judicial or equivalent authorities of the Member States in relation to proceedings and the enforcement of decisions;

(b) facilitating extradition between Member States;

(c) ensuring compatibility in rules applicable in the Member States, as may be necessary to improve such cooperation;

(d) preventing conflicts of jurisdiction between Member States;

(e) progressively adopting measures establishing minimum rules relating to the constituent elements of criminal acts and to penalties in the fields of organised crime, terrorism and illicit drug trafficking.

#### ARTICLE 32 (ex Article K.4)

The Council shall lay down the conditions and limitations under which the competent authorities referred to in Articles 30 and 31 may operate in the territory of another Member State in liaison and in agreement with the authorities of that State.

#### ARTICLE 33 (ex Article K.5)

This Title shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

ARTICLE 34 (ex Article K.6)

1. In the areas referred to in this Title, Member States shall inform and consult one another within the Council with a view to coordinating their action. To that end, they shall establish collaboration between the relevant departments of their administrations.

2. The Council shall take measures and promote cooperation, using the appropriate form and procedures as set out in this Title, contributing to the pursuit of the objectives of the Union. To that end, acting unanimously on the initiative of any Member State or of the Commission, the Council may:

- (a) adopt common positions defining the approach of the Union to a particular matter;
- (b) adopt framework decisions for the purpose of approximation of the laws and regulations of the Member States. Framework decisions shall be binding upon the Member States as to the result to be achieved but shall leave to the national authorities the choice of form and methods. They shall not entail direct effect;
- (c) adopt decisions for any other purpose consistent with the objectives of this Title, excluding any approximation of the laws and regulations of the Member States. These decisions shall be binding and shall not entail direct effect; the Council, acting by a qualified majority, shall adopt measures necessary to implement those decisions at the level of the Union;
- (d) establish conventions which it shall recommend to the Member States for adoption in accordance with their respective constitutional requirements. Member States shall begin the procedures applicable within a time limit to be set by the Council.

Unless they provide otherwise, conventions shall, once adopted by at least half of the Member States, enter into force for those Member States. Measures implementing conventions shall be adopted within the Council by a majority of two-thirds of the Contracting Parties.

3. Where the Council is required to act by a qualified majority, the votes of its members shall be weighted as laid down in Article 205(2) of the Treaty establishing the European Community, and for their adoption acts of the Council shall require at least 62 votes in favour, cast by at least 10 members.

4. For procedural questions, the Council shall act by a majority of its members.

ARTICLE 35 (ex Article K.7)

1. The Court of Justice of the European Communities shall have jurisdiction, subject to the conditions laid down in this Article, to give preliminary rulings on the validity and interpretation of framework decisions and decisions, on the interpretation of conventions established under this Title and on the validity and interpretation of the measures implementing them.

2. By a declaration made at the time of signature of the Treaty of Amsterdam or at any time thereafter, any Member State shall be able to accept the jurisdiction of the Court of Justice to give preliminary rulings as specified in paragraph 1.

3. A Member State making a declaration pursuant to paragraph 2 shall specify that either:

- (a) any court or tribunal of that State against whose decisions there is no judicial remedy under national law may request the Court of Justice to give a preliminary ruling on a question raised in a case pending before it and concerning the validity or interpretation of an act



referred to in paragraph 1 if that court or tribunal considers that a decision on the question is necessary to enable it to give judgement, or

(b) any court or tribunal of that State may request the Court of Justice to give a preliminary ruling on a question raised in a case pending before it and concerning the validity or interpretation of an act referred to in paragraph 1 if that court or tribunal considers that a decision on the question is necessary to enable it to give judgment.

4. Any Member State, whether or not it has made a declaration pursuant to paragraph 2, shall be entitled to submit statements of case or written observations to the Court in cases which arise under paragraph 1.

5. The Court of Justice shall have no jurisdiction to review the validity or proportionality of operations carried out by the police or other law enforcement services of a Member State or the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

6. The Court of Justice shall have jurisdiction to review the legality of framework decisions and decisions in actions brought by a Member State or the Commission on grounds of lack of competence, infringement of an essential procedural requirement, infringement of this Treaty or of any rule of law relating to its application, or misuse of powers. The proceedings provided for in this paragraph shall be instituted within two months of the publication of the measure.

7. The Court of Justice shall have jurisdiction to rule on any dispute between Member States regarding the interpretation or the application of acts adopted under Article 34(2) whenever such dispute cannot be settled by the Council within six months of its being referred to the Council by one of its members. The Court shall also have jurisdiction to rule on any dispute between Member States and the Commission regarding the interpretation or the application of conventions established under Article 34(2)(d).

#### ARTICLE 36 (ex Article K.8)

1. A Coordinating Committee shall be set up consisting of senior officials. In addition to its coordinating role, it shall be the task of the Committee to:

- give opinions for the attention of the Council, either at the Council's request or on its own initiative;
- contribute, without prejudice to Article 207 of the Treaty establishing the European Community, to the preparation of the Council's discussions in the areas referred to in Article 29.

2. The Commission shall be fully associated with the work in the areas referred to in this Title.

#### ARTICLE 37 (ex Article K.9)

Within international organisations and at international conferences in which they take part, Member States shall defend the common positions adopted under the provisions of this Title.

Articles 18 and 19 shall apply as appropriate to matters falling under this Title.

ARTICLE 38 (ex Article K.10)

Agreements referred to in Article 24 may cover matters falling under this Title.

*ARTICLE 24 (ex Article J.14)*

*When it is necessary to conclude an agreement with one or more States or international organisations in implementation of this Title, the Council, acting unanimously, may authorise the Presidency, assisted by the Commission as appropriate, to open negotiations to that effect. Such agreements shall be concluded by the Council acting unanimously on a recommendation from the Presidency. No agreement shall be binding on a Member State whose representative in the Council states that it has to comply with the requirements of its own constitutional procedure; the other members of the Council may agree that the agreement shall apply provisionally to them.*

*The provisions of this Article shall also apply to matters falling under Title VI.*

ARTICLE 39 (ex Article K.11)

1. The Council shall consult the European Parliament before adopting any measure referred to in Article 34(2)(b), (c) and (d). The European Parliament shall deliver its opinion within a time-limit which the Council may lay down, which shall not be less than three months. In the absence of an opinion within that time-limit, the Council may act.
2. The Presidency and the Commission shall regularly inform the European Parliament of discussions in the areas covered by this Title.
3. The European Parliament may ask questions of the Council or make recommendations to it. Each year, it shall hold a debate on the progress made in the areas referred to in this Title.

ARTICLE 40 (ex Article K.12)

1. Member States which intend to establish closer cooperation between themselves may be authorised, subject to Articles 43 and 44, to make use of the institutions, procedures and mechanisms laid down by the Treaties provided that the cooperation proposed:
  - (a) respects the powers of the European Community, and the objectives laid down by this Title;
  - (b) has the aim of enabling the Union to develop more rapidly into an area of freedom, security and justice.
2. The authorisation referred to in paragraph 1 shall be granted by the Council, acting by a qualified majority at the request of the Member States concerned and after inviting the Commission to present its opinion; the request shall also be forwarded to the European Parliament.

If a member of the Council declares that, for important and stated reasons of national policy, it intends to oppose the granting of an authorisation by qualified majority, a vote shall not be taken. The Council may, acting by a qualified majority, request that the matter be referred to the European Council for decision by unanimity.

The votes of the members of the Council shall be weighted in accordance with Article 205(2) of the Treaty establishing the European Community. For their adoption, decisions shall require at least 62 votes in favour, cast by at least 10 members.

3. Any Member State which wishes to become a party to cooperation set up in accordance with this Article shall notify its intention to the Council and to the Commission, which shall give an opinion to the Council within three months of receipt of that notification, possibly accompanied by a recommendation for such specific arrangements as it may deem necessary for that Member State to become a party to the cooperation in question. Within four months of the date of that notification, the Council shall decide on the request and on such specific arrangements as it may deem necessary. The decision shall be deemed to be taken unless the Council, acting by a qualified majority, decides to hold it in abeyance; in this case, the Council shall state the reasons for its decision and set a deadline for reexamining it. For the purposes of this paragraph, the Council shall act under the conditions set out in Article 44.

4. The provisions of Articles 29 to 41 shall apply to the closer cooperation provided for by this Article, save as otherwise provided for in this Article and in Articles 43 and 44.

The provisions of the Treaty establishing the European Community concerning the powers of the Court of Justice of the European Communities and the exercise of those powers shall apply to paragraphs 1, 2 and 3.

5. This Article is without prejudice to the provisions of the Protocol integrating the Schengen acquis into the framework of the European Union.

#### ARTICLE 41 (ex Article K.13)

1. Articles 189,190, 195,196 to 199,203,204,205(3),206 to 209,213 to 219,255 and 290 of the Treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this Title.

2. Administrative expenditure which the provisions relating to the areas referred to in this Title entail for the institutions shall be charged to the budget of the European Communities.

3. Operational expenditure to which the implementation of those provisions gives rise shall also be charged to the budget of the European Communities, except where the Council acting unanimously decides otherwise. In cases where expenditure is not charged to the budget of the European Communities it shall be charged to the Member States in accordance with the gross national product scale, unless the Council acting unanimously decides otherwise.

4. The budgetary procedure laid down in the Treaty establishing the European Community shall apply to the expenditure charged to the budget of the European Communities.

#### ARTICLE 42 (ex Article K.14)

The Council, acting unanimously on the initiative of the Commission or a Member State, and after consulting the European Parliament, may decide that action in areas referred to in Article 29 shall fall under Title IV of the Treaty establishing the European Community, and at the same time determine the relevant voting conditions relating to it. It shall recommend the Member States to adopt that decision in accordance with their respective constitutional requirements.

2.

**TITLE VII** (ex Title VIa)

Provisions on Closer Cooperation

ARTICLE 43 (ex Article K. 15)

1. Member States which intend to establish closer cooperation between themselves may make use of the institutions, procedures and mechanisms laid down by this Treaty and the Treaty establishing the European Community provided that the cooperation:

(a) is aimed at furthering the objectives of the Union and at protecting and serving its interests;

(b) respects the principles of the said Treaties and the single institutional framework of the Union;

(c) is only used as a last resort, where the objectives of the said Treaties could not be attained by applying the relevant procedures laid down therein;

(d) concerns at least a majority of Member States;

(e) does not affect the "acquis communautaire" and the measures adopted under the other provisions of the said Treaties;

(f) does not affect the competencies, rights, obligations and interests of those Member States which do not participate therein;

(g) is open to all Member States and allows them to become parties to the cooperation at any time, provided that they comply with the basic decision and with the decisions taken within that framework;

(h) complies with the specific additional criteria laid down in Article 11 of the Treaty establishing the European Community and Article 40 of this Treaty, depending on the area concerned, and is authorised by the Council in accordance with the procedures laid down therein.

2. Member States shall apply, as far as they are concerned, the acts and decisions adopted for the implementation of the cooperation in which they participate. Member States not participating in such cooperation shall not impede the implementation thereof by the participating Member States.

ARTICLE 44 (ex Article K. 16)

1. For the purposes of the adoption of the acts and decisions necessary for the implementation of the cooperation referred to in Article 43, the relevant institutional provisions of this Treaty and of the Treaty establishing the European Community shall apply. However, while all members of the Council shall be able to take part in the deliberations, only those representing participating Member States shall take part in the adoption of decisions. The qualified majority shall be defined as the same proportion of the weighted votes of the members of the Council concerned as laid down in Article 205(2) of the Treaty establishing the European Community. Unanimity shall be constituted by only those Council members concerned.

2. Expenditure resulting from implementation of the cooperation, other than administrative costs entailed for the institutions, shall be borne by the participating Member States, unless the Council, acting unanimously, decides otherwise.

ARTICLE 45 (ex Article K.17)

The Council and the Commission shall regularly inform the European Parliament of the development of closer cooperation established on the basis of this Title.

3.

#### **TITLE IV (ex Title IIIa)**

#### **Visas, Asylum, Immigration and other Policies related to Free Movement of Persons**

ARTICLE 61 (ex Article 73i)

In order to establish progressively an area of freedom, security and justice, the Council shall adopt:

(a) within a period of five years after the entry into force of the Treaty of Amsterdam, measures aimed at ensuring the free movement of persons in accordance with Article 14, in conjunction with directly related flanking measures with respect to external border controls, asylum and immigration, in accordance with the provisions of Article 62(2) and (3) and Article 63(1)(a) and (2)(a), and measures to prevent and combat crime in accordance with the provisions of Article 31(e) of the Treaty on European Union;

(b) other measures in the fields of asylum, immigration and safeguarding the rights of nationals of third countries, in accordance with the provisions of Article 63;

(c) measures in the field of judicial cooperation in civil matters as provided for in Article 65;

(d) appropriate measures to encourage and strengthen administrative cooperation, as provided for in Article 66;

(e) measures in the field of police and judicial cooperation in criminal matters aimed at a high level of security by preventing and combating crime within the Union in accordance with the provisions of the Treaty on European Union.

ARTICLE 62 (ex Article 73j)

The Council, acting in accordance with the procedure referred to in Article 67, shall, within a period of five years after the entry into force of the Treaty of Amsterdam, adopt:

(1) measures with a view to ensuring, in compliance with Article 14, the absence of any controls on persons, be they citizens of the Union or nationals of third countries, when crossing internal borders;

(2) measures on the crossing of the external borders of the Member States which shall establish:

(a) standards and procedures to be followed by Member States in carrying out checks on persons at such borders;

(b) rules on visas for intended stays of no more than three months, including:

- (i) the list of third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement;
- (ii) the procedures and conditions for issuing visas by Member States;
- (iii) a uniform format for visas;
- (iv) rules on a uniform visa;

(3) measures setting out the conditions under which nationals of third countries shall have the freedom to travel within the territory of the Member States during a period of no more than three months.

#### ARTICLE 63 (ex Article 73k)

The Council, acting in accordance with the procedure referred to in Article 67, shall, within a period of five years after the entry into force of the Treaty of Amsterdam, adopt:

(1) measures on asylum, in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and other relevant treaties, within the following areas:

- (a) criteria and mechanisms for determining which Member State is responsible for considering an application for asylum submitted by a national of a third country in one of the Member States,
- (b) minimum standards on the reception of asylum seekers in Member States,
- (c) minimum standards with respect to the qualification of nationals of third countries as refugees,
- (d) minimum standards on procedures in Member States for granting or withdrawing refugee status;

(2) measures on refugees and displaced persons within the following areas:

- (a) minimum standards for giving temporary protection to displaced persons from third countries who cannot return to their country of origin and for persons who otherwise need international protection,
- (b) promoting a balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons;

(3) measures on immigration policy within the following areas:

- (a) conditions of entry and residence, and standards on procedures for the issue by Member States of long term visas and residence permits, including those for the purpose of family reunion,
- (b) illegal immigration and illegal residence, including repatriation of illegal residents;

(4) measures defining the rights and conditions under which nationals of third countries who are legally resident in a Member State may reside in other Member States.

Measures adopted by the Council pursuant to points 3 and 4 shall not prevent any Member State from maintaining or introducing in the areas concerned national provisions which are compatible with this Treaty and with international agreements.

Measures to be adopted pursuant to points 2(b), 3(a) and 4 shall not be subject to the five year period referred to above.

ARTICLE 64 (ex Article 73l)

1. This Title shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

2. In the event of one or more Member States being confronted with an emergency situation characterised by a sudden inflow of nationals of third countries and without prejudice to paragraph 1, the Council may, acting by qualified majority on a proposal from the Commission, adopt provisional measures of a duration not exceeding six months for the benefit of the Member States concerned.

ARTICLE 65 (ex Article 73m)

Measures in the field of judicial cooperation in civil matters having cross-border implications, to be taken in accordance with Article 67 and insofar as necessary for the proper functioning of the internal market, shall include:

(a) improving and simplifying:

- the system for cross-border service of judicial and extrajudicial documents;
- cooperation in the taking of evidence;
- the recognition and enforcement of decisions in civil and commercial cases, including decisions in extrajudicial cases;

(b) promoting the compatibility of the rules applicable in the Member States concerning the conflict of laws and of jurisdiction;

(c) eliminating obstacles to the good functioning of civil proceedings, if necessary by promoting the compatibility of the rules on civil procedure applicable in the Member States.

ARTICLE 66 (ex Article 73n)

The Council, acting in accordance with the procedure referred to in Article 67, shall take measures to ensure cooperation between the relevant departments of the administrations of the Member States in the areas covered by this Title, as well as between those departments and the Commission.

ARTICLE 67 (ex Article 73o)

1. During a transitional period of five years following the entry into force of the Treaty of Amsterdam, the Council shall act unanimously on a proposal from the Commission or on the initiative of a Member State and after consulting the European Parliament.

2. After this period of five years:

- the Council shall act on proposals from the Commission; the Commission shall examine any request made by a Member State that it submit a proposal to the Council;

- the Council, acting unanimously after consulting the European Parliament, shall take a decision with a view to providing for all or parts of the areas covered by this Title to be governed by the procedure referred to in Article 251 and adapting the provisions relating to the powers of the Court of Justice.

3. By derogation from paragraphs 1 and 2, measures referred to in Article 62(2)(b) (i) and (iii) shall, from the entry into force of the Treaty of Amsterdam, be adopted by the Council acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

4. By derogation from paragraph 2, measures referred to in Article 62(2)(b) (ii) and (iv) shall, after a period of five years following the entry into force of the Treaty of Amsterdam, be adopted by the Council acting in accordance with the procedure referred to in Article 251.

#### ARTICLE 68 (ex Article 73p)

1. Article 234 shall apply to this Title under the following circumstances and conditions: where a question on the interpretation of this Title or on the validity or interpretation of acts of the institutions of the Community based on this Title is raised in a case pending before a court or a tribunal of a Member State against whose decisions there is no judicial remedy under national law, that court or tribunal shall, if it considers that a decision on the question is necessary to enable it to give judgment, request the Court of Justice to give a ruling thereon.

2. In any event, the Court of Justice shall not have jurisdiction to rule on any measure or decision taken pursuant to Article 62(1) relating to the maintenance of law and order and the safeguarding of internal security.

3. The Council, the Commission or a Member State may request the Court of Justice to give a ruling on a question of interpretation of this Title or of acts of the institutions of the Community based on this Title. The ruling given by the Court of Justice in response to such a request shall not apply to judgements of courts or tribunals of the Member States which have become *res judicata*.

#### ARTICLE 69 (ex Article 73q)

The application of this Title shall be subject to the provisions of the Protocol on the position of the United Kingdom and Ireland and to the Protocol on the position of Denmark and without prejudice to the Protocol on the application of certain aspects of Article 14 of the Treaty establishing the European Community to the United Kingdom and to Ireland.

4.

### THE SCHENGEN PROTOCOL

Protocol annexed to the Treaty on European Union and to the Treaty establishing the European Community

### PROTOCOL INTEGRATING THE SCHENGEN ACQUIS INTO THE FRAMEWORK OF THE EUROPEAN UNION

HIGH CONTRACTING PARTIES,



NOTING that the Agreements on the gradual abolition of checks at common borders signed by some Member States of the European Union in Schengen on 14 June 1985 and on 19 June 1990, as well as related agreements and the rules adopted on the basis of these agreements, are aimed at enhancing European integration and, in particular, at enabling the European Union to develop more rapidly into an area of freedom, security and justice,

DESIRING to incorporate the above mentioned agreements and rules into the framework of the European Union,

CONFIRMING that the provisions of the Schengen acquis are applicable only if and as far as they are compatible with the European Union and Community law,

INTO ACCOUNT the special position of Denmark,

TAKING INTO ACCOUNT the fact that Ireland and the United Kingdom of Great Britain and Northern Ireland are not parties to and have not signed the above mentioned agreements; that provision should, however, be made to allow those Member States to accept some or all of the provisions thereof,

RECOGNISING that, as a consequence, it is necessary to make use of the provisions of the Treaty on European Union and of the Treaty establishing the European Community concerning closer cooperation between some Member States and that those provisions should only be used as a last resort,

TAKING INTO ACCOUNT the need to maintain a special relationship with the Republic of Iceland and the Kingdom of Norway, both States having confirmed their intention to become bound by the provisions mentioned above, on the basis of the Agreement signed in Luxembourg on 19 December 1996,

HAVE AGREED UPON the following provisions, which shall be annexed to the Treaty on European Union and to the Treaty establishing the European Community,

#### Article 1

The Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland and the Kingdom of Sweden, signatories to the Schengen agreements, are authorised to establish closer cooperation among themselves within the scope of those agreements and related provisions, as they are listed in the Annex to this Protocol, hereinafter referred to as the "Schengen acquis". This cooperation shall be conducted within the institutional and legal framework of the European Union and with respect for the relevant provisions of the Treaty on European Union and of the Treaty establishing the European Community.

#### Article 2

1. From the date of entry into force of the Treaty of Amsterdam, the Schengen acquis, including the decisions of the Executive Committee established by the Schengen agreements which have been adopted before this date, shall immediately apply to the thirteen Member States referred to in Article 1, without prejudice to the provisions of paragraph 2 of this Article. From the same date, the Council will substitute itself for the said Executive Committee.

The Council, acting by the unanimity of its Members referred to in Article I, shall take any measure necessary for the implementation of this paragraph. The Council, acting unanimously, shall determine,

in conformity with the relevant provisions of the Treaties, the legal basis for each of the provisions or decisions which constitute the Schengen acquis.

With regard to such provisions and decisions and in accordance with that determination, the Court of Justice of the European Communities shall exercise the powers conferred upon it by the relevant applicable provisions of the Treaties. In any event, the Court of Justice shall have no jurisdiction on measures or decisions relating to the maintenance of law and order and the safeguarding of internal security.

As long as the measures referred to above have not been taken and without prejudice to Article 5(2), the provisions or decisions which constitute the Schengen acquis shall be regarded as acts based on Title VI of the Treaty on European Union.

2. The provisions of paragraph 1 shall apply to the Member States which have signed accession protocols to the Schengen agreements, from the dates decided by the Council, acting with the unanimity of its Members mentioned in Article I, unless the conditions for the accession of any of those States to the Schengen acquis are met before the date of the entry into force of the Treaty of Amsterdam.

#### Article 3

Following the determination referred to in Article 2(1), second subparagraph, Denmark shall maintain the same rights and obligations in relation to the other signatories to the Schengen agreements, as before the said determination with regard to those parts of the Schengen acquis that are determined to have a legal basis in Title IIIa of the Treaty establishing the European Community.

With regard to those parts of the Schengen acquis that are determined to have legal base in Title VI of the Treaty on European Union, Denmark shall continue to have the same rights and obligations as the other signatories to the Schengen agreements.

#### Article 4

Ireland and the United Kingdom of Great Britain and Northern Ireland, which are not bound by the Schengen acquis, may at any time request to take part in some or all of the provisions of this acquis.

The Council shall decide on the request with the unanimity of its members referred to in Article 1 and of the representative of the Government of the State concerned.

#### Article 5

1. Proposals and initiatives to build upon the Schengen acquis shall be subject to the relevant provisions of the Treaties.

In this context, where either Ireland or the United Kingdom or both have not notified the President of the Council in writing within a reasonable period that they wish to take part, the authorisation referred to in Article 5a of the Treaty establishing the European Community or Article K. 12 of the Treaty on European Union shall be deemed to have been granted to the Member States referred to in Article 1 and to Ireland or the United Kingdom where either of them wishes to take part in the areas of cooperation in question.

2. The relevant provisions of the Treaties referred to in the first subparagraph of paragraph 1 shall apply even if the Council has not adopted the measures referred to in Article 2(1), second subparagraph.

## Article 6

The Republic of Iceland and the Kingdom of Norway shall be associated with the implementation of the Schengen acquis and its further development on the basis of the Agreement signed in Luxembourg on 19 December 1996. Appropriate procedures shall be agreed to that effect in an Agreement to be concluded with those States by the Council, acting by the unanimity of its Members mentioned in Article 1. Such Agreement shall include provisions on the contribution of Iceland and Norway to any financial consequences resulting from the implementation of this Protocol.

A separate Agreement shall be concluded with Iceland and Norway by the Council, acting unanimously, for the establishment of rights and obligations between Ireland and the United Kingdom of Great Britain and Northern Ireland on the one hand, and Iceland and Norway on the other, in domains of the Schengen acquis which apply to these States.

## Article 7

The Council shall, acting by a qualified majority, adopt the detailed arrangements for the integration of the Schengen Secretariat into the General Secretariat of the Council.

## Article 8

For the purposes of the negotiations for the admission of new Member States into the European Union, the Schengen acquis and further measures taken by the institutions within its scope shall be regarded as an acquis which must be accepted in full by all States candidates for admission.

## Schengen Acquis

1. The Agreement, signed in Schengen on 14 June 1985, between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders.
2. The Convention, signed in Schengen on 19 June 1990, between the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, implementing the Agreement on the gradual abolition of checks at their common borders, signed in Schengen on 14 June 1985, with related Final Act and common declarations.
3. The Accession Protocols and Agreements to the 1985 Agreement and the 1990 Implementation Convention with Italy (signed in Paris on 27 November 1990), Spain and Portugal (signed in Bonn on 25 June 1991), Greece (signed in Madrid on 6 November 1992), Austria (signed in Brussels on 28 April 1995) and Denmark, Finland and Sweden (signed in Luxembourg on 19 December 1996), with related Final Acts and declarations.
4. Decisions and declarations adopted by the Executive Committee established by the 1990 Implementation Convention, as well as acts adopted for the implementation of the Convention by the organs upon which the Executive Committee has conferred decision making powers.

## ANNEX C

### Introduction

This listing of the post-Maastricht justice and home affairs *acquis* has been translated from French by Statewatch/SEMDOC (this version is © Statewatch/SEMDOC which is responsible for any errors).

Updated versions will be available on the SEMDOC website.

### Comments

1. When undertaking its compilation it came to our attention that a number of measures - many concerning immigration and asylum - have been removed from updated versions of the *acquis* passed to national governments between 1993-1996.

2. The justice and home affairs *acquis* (third pillar) contains “measures” as distinct from first pillar “legislative” decisions (Regulation and Directives). As a result of the Amsterdam Treaty “measures” will continue to be agreed under the TEU Title VI, while “legislative” decisions will be made under TEC Title IV.

3. For researchers we offer the following observations: a) it is not always clear which decisions will be added to the *acquis* and it is best not to second-guess the Council until the *acquis* is officially updated; b) the document references, under “Subject” (eg: doc 9949/93 ASIM 6) may well not correspond to those on the same subject when the measure is discussed in the Council’s working parties - the references given in this *acquis* are often quite different to the references in the working parties - this is because the final version is the one prepared by the EU’s legal services and linguists.

4. Only 118 of the 346 measures listed here have been published in the Official Journal. Some have been put out in press releases - but these are not readily available and do not have the document references, making them harder to locate.

Copies of all the measures in this list are available from Statewatch/SEMDOC, PO Box 1516, London N16 0EW, UK  
e-mail: [office@statewatch.org](mailto:office@statewatch.org)

**SUMMARY OF TEXTS ADOPTED IN THE FIELD OF JUSTICE AND HOME AFFAIRS - TITLE VI (POST-MAASTRICHT)**

**November - December 1993**

<b>SUBJECT</b>	<b>ADOPTION</b>	<b>PUBLICATION</b>
<p>1. State of ratifications of the Dublin Convention.</p> <p>doc. 9949/93 ASIM 6</p>	<p>29/30.11.1993 JHA Council (1710) Pt. A 1</p>	
<p>2. Note relating to the admission and reception of displaced persons from Former Yugoslavia.</p> <p>docs. WGI 1514 REV 3 WGI 1475 REV 4</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 2</p>	<p>Press release 10550/93 (Presse 209)</p>
<p>3. Implementation of draft "External borders" Convention - conclusion no. 26.</p> <p>doc. WGI 1696</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 3</p>	
<p>4. Minutes of TREVI Ministerial meetings held in Copenhagen</p> <p>- 2.6.93: doc. 9693/93 ENFOPOL 3ab</p> <p>- 29.6.93: doc. 9691/93 ENFOPOL 1</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 4</p>	
<p>5. Declaration on the financing of terrorism.</p> <p>Annex to doc. 10088/93 ENFOPOL 38</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 5</p>	

<p>6. a) Resolution on the interception of telecommunications.</p> <p>doc. 10090/93 ENFOPOL 40</p> <p>b) Resolution on radio communications.</p> <p>doc. 10089/93 ENFOPOL 39</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 6</p>	
<p>7. Resolution on training of instructors.</p> <p>doc. 10091/93 ENFOPOL 41</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 7</p>	
<p>8. Recommendation on the fight against money laundering.</p> <p>doc. 9839/93 ENFOPOL 30</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 8</p>	
<p>9. Declaration on motorcycle gangs.</p> <p>Annex to doc. 10083/93 ENFOPOL 33</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 9</p>	
<p>10. Recommendation on the responsibility of organisers of sporting events.</p> <p>doc. 10375/93 ENFOPOL 45</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 10</p>	<p>Press release 10550/93 (Presse 209) Annex V and decision to send to EP</p>
<p>11. Recommendation on environmental crimes</p> <p>(doc. 9840/93 ENFOPOL 31)</p> <p>Annex to doc. 10362/93 ENFOPOL 43</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 11</p>	<p>Press release 10550/93 (Presse 209) Annex VI and decision to send to EP</p>
<p>12. Conclusions on racism and xenophobia.</p> <p>doc. 10373/93 JHA 7</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 12</p>	<p>Press release 10550/93 (Presse 209) Annex I and decision to send to EP</p>
<p>13. Declaration on extradition.</p>	<p>29/30.11.93 JHA Council (1710) Pt. A 14</p>	<p>Press release 10550/93 (Presse 209) Annex II</p>

doc. 10376/93 ENFOPOL 46		
14. Conclusions concerning vehicle crime.  doc. 9841/93 ENFOPOL 32	29/30.11.93 JHA Council (1710) Pt. A 15 (ADD 1)	
15. Conclusions concerning international organised crime.  Annex I to doc. 9908/2/93 CRIMORG 1 REV 2 + ADD 1	29/30.11.93 JHA Council (1710) Pt. B 22	Official communication to EP (Letter no. 5917/18 of 13.7.1994 form 0793/ib)
16. Resolution on international-level fraud - protection of the financial interests of the European Union.  Annex to doc. 10335/93 JUSTPEN 12	29/30.11.93 JHA Council (1710) Pt. B 26	Press release 10550/93 (Presse 209) Annex III and decision to send to EP
17. Recommendations relating to the setting-up of the European Drugs Unit (EDU) and to the equipping of the project.  doc. 10363/1/93 ENFORC 12 REV 1	22.12.93 Research Council (1716) Pt. A 10 (ADD 2)	Press release 11395/93 (Presse 251)

**SUMMARY OF TEXTS ADOPTED IN THE FIELD OF JUSTICE AND HOME AFFAIRS - TITLE VI (POST-MAASTRICHT)**

**1994**

SUBJECT	ADOPTION	PUBLICATION
<p>18. Control of EUROPOL budget.</p> <p>doc. 11072/2/93 ENFOPOL 61 REV 2</p>	<p>7/8.2.94 General Affairs Council (1730) Pt. A 8</p>	
<p>19. Report from the Presidency on work in progress on drawing up the convention on the creation of Europol.</p> <p>doc. 9756/4/93 ENFORC 2 REV 4</p>	<p>7/8.2.94 General Affairs Council (1730) Pt. A 9</p>	<p>Press release 4426/94 (Presse 16)</p>
<p>20. Documents passed to EP for information.</p> <p>doc. 4365/94 CK4 10</p> <p>a) Action plan for Justice and Home Affairs.</p> <p>doc. 10655/93 JHA 11</p> <p>b) Priority work programme for 1994.</p> <p>doc. 10684/93</p>	<p>7/8.2.94 General Affairs Council (1730) Pt. A 10</p>	
<p>21. 1994 Programme of joint surveillance operations on air and sea traffic.</p> <p>docs. 11519/93 ENFOCUSTOM 7 4563/94 ENFOCUSTOM 4</p>	<p>21/22.2.94 General Affairs Council (1733) Pt. A 5</p>	
<p>22. Application of article</p>	<p>21/22.2.94 General Affairs</p>	



<p>K.6 (call for EP opinion) to the draft decision based on Article K.3 of the treaty establishing the convention on the crossing of external borders of the Member States.</p> <p>- Letter to the EP President.</p> <p>doc. 4834/94 ASIM 36</p>	<p>Council (1733) Pt. A 6</p>	
<p>23. Guidelines on the conclusion of readmission agreements with third countries.</p> <p>doc. 5913/94 ASIM 67</p>	<p>6.5.94 Development Council (1754) Pt. A 7</p>	
<p>24. Training module in the operational analysis of crime (Recommendation).</p> <p>doc. 5914/94 ENFOPOL 46</p>	<p>6.5.94 Development Council (1754) Pt. A 8</p>	<p>Press Release 6449/94 (Presse 83)</p>
<p>25. Implementation of Title VI: application of article K.3 § 2.c (Conventions).</p> <p>docs. 6919/94 CK4 43 6488/94 CK4 37</p>	<p>30/31.5.94 Agriculture Council (1761) Pt. A 6</p>	
<p>26. Report on work in progress in the field of asylum provisions adopted at Maastricht.</p> <p>doc. WGI 1654 REV 1</p>	<p>20.6.94 JHA Council (1771) Luxembourg Pt. A 1</p>	<p>Press release 7760/94 (Presse 128)</p>
<p>27. Procedure for drawing up reports on joint assessments of the situation in third countries.</p> <p>Annex to doc. 7472/94 CIREA 17</p>	<p>20.6.94 JHA Council (1771) Luxembourg Pt. A 6</p>	
<p>28. Recommendations</p>	<p>20.6.94 JHA Council (1771)</p>	

<p>regarding the fight against trafficking in human beings.</p> <p>Annexes I and II to doc. 7480/96 ENFOPOL 76</p>	<p>Luxembourg Pt. A 9</p>	
<p>29. Evaluation of the terrorist threat.</p> <p>doc. 7419/94 JHA 9</p>	<p>20.6.94 JHA Council (1771) Luxembourg Pt. A 12</p>	
<p>30. Interim report to the Council on money laundering.</p> <p>doc. 7383/94 ENFOPOL 75</p>	<p>20.6.94 JHA Council (1771) Luxembourg Pt. A 13</p>	
<p>31. Transmission to EP of documents on international organised crime (pt. B 22 29/30.11.93 Council)</p> <p>- Council recommendations and report of the ad-hoc working group.</p> <p>doc. 7420/94 JHA 10</p>	<p>20.6.94 JHA Council (1771) Luxembourg Pt. A 14</p>	
<p>32. EDU/Europol - Nomination of Mr. STORBECK as co-ordinator of the Europol Drugs Unit, extension of the mandate of Mr. BRUGGEMANN as interim deputy co-ordinator until the end of 1994.</p>	<p>20.6.94 JHA Council (1771) Luxembourg Pt. B 7</p>	<p>Press release 7660/94 (Presse 128)</p>
<p>33. 1994 Joint maritime surveillance operation - "Piranha".</p> <p>doc. 7744/94 ENFOCUSTOM 23</p>	<p>11.7.94 ECOFIN Council (1777) Pt. A 18</p>	
<p>34. Racism and xenophobia: Consultative</p>	<p>18/19.7.94 General Affairs Council (1778) Pt. A 6</p>	<p>Press release 8480/94 (Presse 146)</p>

<p>Commission.</p> <p>docs. 8461/94 JHA 29 8462/94 JHA 30</p>		
<p>35. Consultation of EP on</p> <ul style="list-style-type: none"> <li>- the draft act of the Council of the EU establishing the Convention on the Protection of the European Communities' Financial Interests (Commission initiative).</li> <li>- the draft Council decision relating to a joint action concerning the Protection of the Financial Interests of the European Communities on the basis of Article K.3 of the TEU (UK initiative).</li> </ul> <p>doc. 8852/94 CK4 66 8852/1/94 CK4 66 REV 1 (en)</p>	<p>28.9.94 Industry Council (1786) Pt. A 2</p>	
<p>36. Conclusions concerning readmission arrangements by the Member States for persons who are illegally in the territory of a Member State, but who have a residence permit for another Member State (article 8 paragraph 2 of draft convention relating to crossing of external borders).</p> <p>doc. 9425/94 CK4 70 + COR 1 (en)</p>	<p>31.10.94 General Affairs Council (1796) Luxembourg Pt. A 12</p>	
<p>37. Consultative Commission on Racism and Xenophobia - budgetary matters.</p>	<p>28.11.94 General Affairs Council (1860) Pt. A 4</p>	

doc. 11341/94 FIN 613 RAXEN 26		
<p>38. Report on measures in the fight against drugs and organised crime, in particular:</p> <p>doc. 9931/4/94 ENFOPOL 134 REV 4 + COR 1 (en)</p> <p>- Introduction of mandatory installation of electronic immobilisers for motor vehicles as one of the protection measures.</p> <p>doc. 9125/3/94 ENFOPOL 112 REV 3</p>	30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 1	Press release 11321/94 (Presse 252)
<p>39. Recommendations on the exchange of information when large demonstrations or gatherings are taking place.</p> <p>doc. 9600/94 ENFOPOL 123 + COR 1</p>	30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 2	
<p>40. Broadening and deepening of relations with third countries, particularly with the CCEE:</p> <p>- exchange of information in the field of international sporting events.</p> <p>doc. 8742/94 ENFOPOL 97 + COR 1</p>	30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 2	
<p>41. Recommendations on training of police instructors.</p> <p>doc. 8743/94 ENFOPOL 98</p>	30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 2	
42. Report to the Council	30.11./1.12.94 JHA Council	Press release 11321/94

<p>relating to measures concerning data protection in the EIS, CIS and EUROPOL conventions.</p> <p>doc. 110882/94 JHA 48</p>	<p>(1808) Luxembourg Pt. A 4</p>	<p>(Presse 252)</p>
<p>43. Conclusions concerning the implementation of Article 5 TEU:</p> <p>- Expression of joint positions at international organisations and conferences.</p> <p>doc. 8225/94 CK4 57</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 5</p>	
<p>44. Release of 1991 report on relations between Community law and criminal law.</p> <p>doc. 10828/94 JUSTPEN 88</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 6</p>	<p>Press release 11321/94 (Presse 252)</p>
<p>45. Analysis of the potential threat from terrorism: permanent inventory of terrorist acts and evaluation of the terrorist threat.</p> <p>doc. 1042/94 ENFOPOL 155</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 8</p>	<p>Press release 11321/94 (Presse 252)</p>
<p>46. Conclusions on the declaration relating to police cooperation which appears in the final act of the TEU (declaration no. 32).</p> <p>Annex to doc. 10594/94 CK4 88</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 9</p>	
<p>47. Conclusions concerning a contribution to the definition of a strategic plan of the Union to</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 11</p>	

<p>combat customs fraud in the internal market.</p> <p>doc. 10092/2/94 ENFOCUSTOM 37 REV 2</p>		
<p>48. Report on the activities of EDU/EUROPOL between 1st January and 30th June 1994.</p> <p>docs. 11118/94 EUROPOL 125 8984/1/94 87 REV 1</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. A 12</p>	
<p>49. EDU/EUROPOL personnel</p> <p>-Modification of ministerial agreement (extension of management team from 3 to 5 persons).</p> <p>-Nomination from 1.1.95 of two deputy co-ordinators and two members of the management team, for three years or until the entry into force of the Convention.</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. B 4</p>	
<p>50. Decision (no. 94/795/JHA) concerning the joint action adopted by the Council on the basis of Article K 3 paragraph 2 point b) of the TEU concerning free movement provisions for students from third countries residing in a Member State.</p> <p>doc. 10902/94 JHA 51 + COR 1</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. B 6</p>	<p>OJ L 327 19.12.94</p>
<p>51. Conclusions of the JHA Council concerning relations with third countries in the field of</p>	<p>30.11./1.12.94 JHA Council (1808) Luxembourg Pt. B 12</p>	

justice and home affairs.  doc. 11608/94 JHA 72		
52. Report to Council on the implementation of the December 1993 action plan in the field of Justice and Home Affairs.  Doc 11607/94 JHA 71	30.11./1.12.94 JHA Council (1808) Luxembourg Pt. B 21	
53. Resolution on the judicial protection of the financial interests of the Communities.  doc. 11605/94 JHA 70	6.12.94 Employment and Social Affairs Council (1813) Pt. A 2	OJ C 355 14.12.94
54. Regulation (EEC) no. 3294/94 of the Council amending regulation (EEC) no. 302/93 of the Council creating a European monitoring centre on drugs and drug addiction.  docs. 11975/94 CORDROGUE 47 11970/94 CORDROGUE 46	22.12.94 Health Council (1823) Pt. A 28	OJ L 341 30.12.94

The following measures appeared on the “acquis” that was sent to national governments in December 1997. They do not appear in the latest version of the acquis.

<b>SUBJECT</b>	<b>ADOPTION</b>	<b>PUBLICATION</b>
a. Conclusions concerning the possible application of article K.9 of the Treaty on European Union to asylum policy.  Annex to doc. 7468/94 ASIM 110	20.6.94 JHA Council (1771) Pt. A 2  Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155	Press release 7760/94 (Presse 128)  OJ C 274 19.9.96
b. Means of proof in the	20.6.94 JHA Council (1771)	OJ C 274 19.9.96

<p>framework of the Dublin Convention.</p> <p>Annexe to doc. 7469/94 ASIM 111</p>	<p>Pt. A 3</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	
<p>c. Form of a laissez-passer for the transfer of an asylum applicant from one Member State to another.</p> <p>Annexe to doc. 7470/94 ASIM 112</p>	<p>20.6.94 JHA Council (1771) Pt. A 4</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	OJ C 274 19.9.96
<p>d. Guidelines for producing joint reports on third countries.</p> <p>Annexe to doc. 7471/94 CIREA 16</p>	<p>20.6.94 JHA Council (1771) Pt. A 5</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	OJ C 274 19.9.96
<p>e. Circulation and confidentiality of joint reports on the situation in certain third countries.</p> <p>Annexe to doc. 7473/94 CIREA 18</p>	<p>20.6.94 JHA Council (1771) Pt. A 7</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	OJ C 274 19.9.96
<p>f. Second activity report of CIREA.</p> <p>Annexe to doc. 7474/94 CIREA 19</p>	<p>20.6.94 JHA Council (1771) Pt. A 8</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	OJ C 274 19.9.96
<p>g. Standard form for determining the State responsible for examining an application for asylum.</p> <p>doc. 7387/94 ASIM 109</p>	<p>20.6.94 JHA Council (1771) Pt. A 10</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	OJ C 274 19.9.96
<p>h. List of honorary consuls empowered to issue visas who, as a transitional measure, will be allowed</p>	<p>20.6.94 JHA Council (1771) Pt. A 11</p> <p>Formal adoption: 23.7.96</p>	OJ C 274 19.9.96



<p>to issue uniform visas. (This concerns the honorary consuls of Denmark and Holland which will benefit from this derogation from the rule which excludes honorary consuls from the competence of issuing uniform visas.)</p> <p>doc. 7419/94 JAI 9</p>	<p>Agriculture Council (Pt. A 25) cf. pt. 155</p>	
<p>i. Resolution on the limitation on admission of third country nationals to the territory of the Member States for employment.</p> <p>Annexe to doc. 7705/94 ASIM 117</p>	<p>20.6.94 JHA Council (1771) Pt. B 3</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>Press release 7760/94 (Presse 128)</p> <p>OJ C 274 19.9.96</p>
<p>j. Council Conclusions on the Commission communication on immigration and asylum policy.</p> <p>Annexe to doc. 7465/94 JAI 14</p>	<p>20.6.94 JHA Council (1771) Pt. B 4</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>Press release 7760/94 (Presse 128)</p> <p>OJ C 274 19.9.96</p>
<p>k. Council conclusions on the organisation and development of the Centre for Information, Discussion and Exchange on the crossing of Frontiers and Immigration (CIREFI).</p> <p>Annexe to doc. 10884/94 JAI 50</p>	<p>30.11-1.12.94 JHA Council (1808) Pt. A 3</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>Press release 11321/94 (Presse 252)</p> <p>OJ C 274 19.9.96</p>
<p>l. Council Recommendation concerning the adoption of a standard travel document for the expulsion of third country nationals.</p> <p>Annexe to doc. 10721/94 JAI 43</p>	<p>30.11-1.12.94 JHA Council (1808) Pt. A 7</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>OJ C 274 19.9.96</p>

<p>m. Council Recommendation concerning a specimen bilateral readmission agreement between a Member State and a third country.</p> <p>doc. 10880/94 JAI 46</p>	<p>30.11-1.12.94 JHA Council (1808) Pt. A 10</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>OJ C 274 19.9.96</p>
<p>n. Council Resolution on the limitations on the admission of third country nationals to the Member States for the purpose of pursuing activities as self-employed persons.</p> <p>Annexe to doc. 11219/94 JAI 63</p>	<p>30.11-1.12.94 JHA Council (1808) Pt. A 13</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>Press release 11321/94 (Presse 252) Annexe II</p> <p>OJ C 274 19.9.96</p>
<p>o. Council Resolution on the admission of third country nationals to the Member States for study purposes.</p> <p>Annexe to doc. 11218/94 JAI 62</p>	<p>30.11-1.12.94 JHA Council (1808) Pt. B 10</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>Press release 11321/94 (Presse 252) Annexe I</p> <p>OJ C 274 19.9.96</p>

**SUMMARY OF TEXTS ADOPTED IN THE FIELD OF JUSTICE AND HOME AFFAIRS - TITLE VI (POST-MAASTRICHT)**

**1995**

SUBJECT	ADOPTION	PUBLICATION
<p>55. Council resolution on the legal interception of telecommunications.</p> <p>doc. 10571/1/94 ENFOPOL 150 REV 1 + REV 2 (f) + REV 3 (dk) + REV 4 (nl)</p>	<p>17.1.95 by written procedure (telex no. 5116 of 21.12.94, no. 65 of 9.1.95 and no. 216 of 18.1.95)</p>	
<p>56. EURODAC - Broadening of consultancy mandate.</p> <p>doc. 5188/95 ASIM 54</p>	<p>9/10.3.95 JHA Council (1831) Pt. A 1</p>	
<p>57. Joint Action of 10.3.95 adopted by Council on the basis of Article K.3 of TEU concerning the Europol Drugs Unit.</p> <p>docs. 5345/95 CK4 16 5346/95 CK4 17 + COR 1 (en) + REV 1 (s)</p>	<p>9/10.3.95 JHA Council (1831) Pt. A 2a</p>	<p>OJ L 62 20.3.95</p>
<p>58. Report on EUROPOL/EDU activities between 1st Jan. and 31st Dec. 1994 - Transmission of report to EP.</p> <p>doc. 5369/95 EUROPOL 28</p>	<p>9/10.3.95 JHA Council (1831) Pt. A 2b</p>	
<p>59. EDU/EUROPOL work programme (January - June 1995).</p> <p>doc. 4534/2/95 EUROPOL 9 REV 2</p>	<p>9/10.3.95 JHA Council (1831) Pt. A 2c</p>	
<p>60. Communication from</p>	<p>9/10.3.95 JHA Council</p>	

<p>the Commission concerning an EU action plan in the field of combating drugs - Opinion of the JHA Council.</p> <p>doc. 9870/5/94 ENFOPOL 128 REV 5</p>	<p>(1831) Pt. A 3a</p>	
<p>61. Strategy for combating the illegal trafficking of narcotic drugs.</p> <p>doc. 4339/3/95 ENFOPOL 13 REV 3 + COR 1</p>	<p>9/10.3.95 JHA Council (1831) Pt. A 3b</p>	
<p>62. Report on the state of organised crime in the EU.</p> <p>doc. 10166/4/94 ENFOPOL 144 REV 4</p>	<p>9/10.3.95 JHA Council (1831) Pt. A 3c</p>	
<p>63. Customs strategy at external borders. - Organisation of joint control operations at the external borders of the Union for 1995.</p> <p>docs. 5122/95 ENFOCUSTOM 8 4894/95 ENFOCUSTOM 7</p>	<p>9/10.3.95 JHA Council (1831) Pt. A 4</p>	
<p>64. Act establishing the Convention on simplified extradition procedures between the Member States of the EU.</p> <p>docs. 5238/95 JUSTPEN 27 5130/95 JUSTPEN 25 + COR 1 (gr) + COR 2 (dk) + COR 3 (d) + COR 4 (gr) + COR 5 (dk) + COR 6 (en) + COR 7 (l) + COR 8 (gr) + COR 9 (p) + COR 10 (nl) 5130/1/95 JUSTPEN 25 REV 1 (fin) 5130/2/95 JUSTPEN 25 REV 2 (s) + COR 1 (s)</p>	<p>9/10.3.95 JHA Council (1831) Pt. B 7</p>	<p>OJ C 78 30.3.95</p>

Convention signed by the 15 Member States in Brussels on 10.3.95.		
65. Final report on racism and xenophobia - Contribution of JHA Council.  doc. 5374/95 JHA 6	9/10.3.95 JHA Council (1831) Pt. A B 9	
66. Relations with the associated CCEE in the field of justice and home affairs - Preparation for the Ministerial meeting (JHA) with the associated CCEE - 20/21.6.95.  doc. 6966/1/95 JAI 15 REV 1	29.5.95 General Affairs Council (1874) Pt. A 3	
67. Racism and Xenophobia. - Final report of the Consultative Commission on the fight against racism and xenophobia.  docs. 7278/95 RAXEN 27 + COR 1 (dk) 7279/95 RAXEN 28	29.5.95 General Affairs Council (1874) Pt. A 4	Press release 7481/95 (Presse 153)
68. Council Regulation (EC) no. 1683/95 establishing a uniform format for visas.  docs. 7012/95 ASIM 153 5365/1/95 ASIM 71 REV 1	29.5.95 General Affairs Council (1874) Pt. A 5	OJ L 164 14.7.95
69. Paper on the joint approach to the drawing up of a Convention on the recognition and enforcement of foreign judgements in civil and commercial matters in the	19.6.95 ECOFIN Council (1856) PT. A 5	

<p>context of the Hague Conference.</p> <p>doc. 8164/95 JUSTCIV 36</p>		
<p>70. Racism and Xenophobia: Extracts from conclusions of a seminar relating to the fight against racist and xenophobic violence (Paris 11/12 April 1995).</p> <p>docs. 847/95 ENFOPOL 53 7029/1/95 ENFOPOL 40 REV 1</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 1</p>	<p>Press release 8133/95 (Presse 194)</p>
<p>71. Terrorism: Approval of draft document concerning the evaluation of the internal and external threat posed by terrorism for the Member States of the EU (draft document of the Presidency of 15.5.95 was not distributed in the meeting, given the sensitivity of the subject).</p> <p>doc. 7808/95 ENFOPOL 52</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 2</p>	
<p>72. Customs cooperation: Report on the "Piranha" joint surveillance operation.</p> <p>docs. 7892/95 ENFOCUSTOM 23 6410/1/95 ENFOCUSTOM 13 REV 1</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 3</p>	<p>Press release 8133/95 (Presse 94)</p>
<p>73. Europol Drugs Unit: Final report on the 1994 budget.</p> <p>doc. 7179/1/95 EUROPOL 56 REV 1</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 4</p>	<p>Press release 8133/95 (Presse 94)</p>
<p>74. EUROPOL drugs unit: Budget for 1995</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 4</p>	<p>Press release 8133/95 (Presse 94)</p>

<p>- Conclusion of the meeting of experts on budgetary and financial matters held in the Hague 29/30.5.95.</p> <p>doc. 7180/1/95 EUROPOL 57 REV 1</p>		
<p>75. EUROPOL Drugs Unit: Draft budget for 1996 - Conclusion of the meeting of experts on budgetary and financial matters held in the Hague 29/30.5.95.</p> <p>doc. 7181/1/95 EUROPOL 58 REV 1</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 4</p>	<p>Press release 8133/95 (Presse 94)</p>
<p>76. Customs cooperation with the CCEE - Proposals aimed at strengthening cooperation.</p> <p>docs. 8031/95 ENFOCUSTOM 24 7212/1/95 ENFOCUSTOM 15 REV 1</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 9</p>	<p>Press release 8133/95 (Presse 94)</p>
<p>77. Conclusions on the first work programme of the European Monitoring Centre on Drugs and Drug Addiction (1995-1997).</p> <p>docs. 8001/95 CORDROGUE 30 5759/95 CK4 18</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 10</p>	<p>Press release 8133/95 (Presse 94)</p>
<p>78. Conclusions of the informal meeting of the national drugs coordinators.</p> <p>doc. 8208/95 CORDROGUE 31</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 11</p>	<p>Press release 8133/95 (Presse 94)</p>
<p>79. Draft revised agenda for the meeting of interior and justice ministers and the Commission with the interior and justice</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 12</p>	

<p>ministers of the associated CCEE and the Baltic states.</p> <p>doc. 8195/95 JHA 22</p>		
<p>80. Improved use of the instruments under Title VI of the TEU.</p> <p>doc. 8221/95 JHA 26 JUR 158</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 13</p>	
<p>81. Consultative Commission on racism and xenophobia - extension of mandate until the end of 1995.</p> <p>doc. 8964/95 RAXEN 33 + COR 1</p>	<p>24.7.95 Budget Council (1866) Pt. A 24</p>	<p>Press release 9012/95 (press 226)</p>
<p>82. Act of Council drawing up the convention, on the basis of Article K 3 of the TEU, establishing a European Police Office (the EUROPOL Convention)</p> <p>docs. 7037/5/95 EUROPOL 54 REV 5 + COR 1 + COR 2 (en) + COR 3 (fi) + COR 4 (dk) 7037/6/95 EUROPOL 54 REV 6 (s) 8341/95 EUROPOL (consolidated text)</p> <p>Convention signed on 26.7.95 by representatives of the member states.</p>	<p>26.7.95 Written procedure telex no. 3110 20.7.95 and no. 3236 31.7.95</p>	<p>Press release 9091/95 (press 229) OJ C 316 27.11.95</p>
<p>83. Act of Council establishing the Convention on the protection of the financial interests of the European Communities.</p> <p>doc. 7339/2/95 JUSTPEN 76 REV 2 + COR 1 (s) + COR 2 (en, dk, fi, s) + COR 3 (fi) + COR 4 (s) + COR 5 (dk) + COR 6 (fi) + COR 7 (s) + COR 8 + COR 9 (s)</p>	<p>26.7.95 Written procedure telex no. 3111 20.7.95 and no. 3231 31.7.95</p>	<p>Press release 9091/95 (press 229) OJ C 316 27.11.95</p>



<p>This Convention was signed on 26.7.95 by representatives of the member states.</p>		
<p>84. Act of the Council establishing the Convention of the use of Information Technology for Customs purposes [CIS Convention].</p> <p>doc. 7822/1/95 ENFOCUSTOM 19 JUR 143 REV 1 + COR 1</p>	<p>26.7.95 Written procedure telex no. 3112 20.7.95 and no. 3235 31.7.95</p>	<p>Press release 9091/95 (press 229) OJ C 316 27.11.95</p>
<p>85. Agreement on the provisional application between some member states of the EU of the convention, established on the basis of Article K 3 of the TEU, on the use of information technology for customs purposes.</p> <p>doc. 7822/1/95 ENFOCUSTOM 19 JUR 143 REV 1 + COR 1 (fi)</p>	<p>26.7.95 Conference of the representatives of the governments of the Member States</p>	<p>OJ C 316 27.11.95</p>
<p>86. Financing of title VI.</p> <p>Doc 9919/95 JHA 37</p> <p>- Joint Action adopted by the Council on the basis of Article K 3 of the TEU, relating to measures for the implementation of Article K.1 of the treaty (95/401/J11).</p> <p>doc. 8196/95 JHA 23</p> <p>- Council decision relating to the implementation of the joint measures for the implementation of Article K.1 of the TEU (95/402/JHA).</p>	<p>25/26.9.95 JHA Council (1868) Pt. A 1</p>	<p>Press release 9977/95 (Presse 262) OJ L 238 6.10.95</p>

doc. 8197/2/95 JHA 24 REV 2		
<p>87. Europol Drugs Unit</p> <p>- Work programme for second half of 1995.</p> <p>Doc 10002/95 EUROPOL 91</p> <p>- Report on activities in the first half of 1995.</p> <p>Doc 10001/95 EUROPOL 92</p>	25/26.9.95 JHA Council (1868) Pt. A 2	
<p>88. Regulation no. 2317/95 (EC) of the Council, determining the third countries whose nationals require a visa when crossing the external borders of the Member States.</p> <p>docs. 10043/95 ASIM 253 9632/95 ASIM 240 + COR 1 (f, i, nl, en, gr, es, p, fi) + COR 2</p> <p>NOTE: Regulation was annulled by decision of the Court of Justice, 10.6.97, but the provisions therein were maintained until the adoption of a new measure.</p>	25/26.9.95 JHA Council (1868) Pt. A 3	Press release 9977/95 (Presse 262) Annex II OJ L 234 3.10.95
<p>89. Resolution (95/C 262/01) of the Council on the sharing of costs relating to the reception and temporary residence of displaced persons.</p> <p>Docs 10038/95 ASIM 252 + EXT 1 (fi, s) 8515/95 ASIM 204 + COR 1 (dk) + REV 1 (s) + REV 1 COR 1 (s)</p>	25/26.9.95 JHA Council (1868) Pt. A 4	Press release 9977/95 (Presse 262) Annex II OJ C 262 7.10.95

<p>90. Action Plan of the Member States of the EU and of the CCEE, including the Baltic states, in the field of judicial cooperation in the fight against international organised crime.</p> <p>doc. 10042/95 JUSTPEN 125 + COR 1</p>	<p>25/26.9.95 JHA Council (1868) Pt. A 5, transferred to point B and adopted.</p>	<p>Press release 9977/95 (Presse 262)</p>
<p>91. Revised agenda for the meeting of Justice and Interior Ministers and the Commission with the Justice and Interior Ministers of the associated CCEE and the Baltic states.</p> <p>doc. 10014/95 JHA 41</p>	<p>25/26.9.95 JHA Council (1868) Pt. A 6</p>	
<p>92. Terrorism: - Conclusions of the Presidency.</p>	<p>25/26.9.95 JHA Council (1868) Pt. B 8</p>	<p>Press release 9977/95 (Presse 262)</p>
<p>93. Publication in the OJ of the agreement of 26.7.95 on the provisional application, between certain states of the EU, of the Convention , established on the basis of Article K 3 of the TEU, on the use of information technology for customs purposes.</p> <p>doc. 10868/95 ENFOCUSTOM 40</p>	<p>26.10.95 Fisheries Council (1877) Pt. A 3</p>	
<p>94. Resolution (95/C 327/04) on the protection of witnesses who cooperate in the fight against organised crime.</p>	<p>23.11.95 JHA Council (1885) Pt. A 1</p>	<p>Press release 11720/95 (Presse 332) OJ C 327 7.12.95</p>

doc. 8166/1/95 JUSTPEN 88 REV 1 + EXT 1 (fi, s)		
95. Publication of acts adopted in the field of immigration and asylum.  doc. 11699/95 ASIM 313 + COR 1 REV 1	23.11.95 JHA Council (1885) Pt. A 2 (Coreper II 12.10.95)	Press release 11720/95 (Presse 332) OJ C 274 19.9.96
96. EURODAC: User requirements study.  doc. 11746/95 ASIM 308	23.11.95 JHA Council (1885) Pt. A 4	Press release 11720/95 (Presse 332)
97. Europol Drugs Unit  a) Summary report on activities in the first half of 1995.  doc. 11397/95 EUROPOL 109  b) Programme of activities for the first half of 1996.  doc. 11640/95 EUROPOL 113	23.11.95 JHA Council (1885) Pt. A 5	Press release 11720/95 (Presse 332)
98. EUROPOL - Rules of procedure of the management Board.  doc. 11637/95 EUROPOL 110	23.11.95 JHA Council (1885) Pt. A 6	Press release 11720/95 (Presse 332)
99. Conclusions of the seminar on racism and xenophobia (Toledo, 6-8.11.95)  doc. 11727/95 ENFOPOL 148	23.11.95 JHA Council (1885) Pt. A 7	Press release 11720/95 (Presse 332)
100. Legal surveillance of telecommunications systems operating beyond national borders.  Docs 11779/1/95 ENFOPOL 150 REV 1 418/2/95 ENFOPOL 1 REV 2	23.11.95 JHA Council (1885) Pt. A 9	Press release 11720/95 (Presse 332)

<p>101. Explanatory report on the Convention on simplified extradition procedures between the Member States of the EU.</p> <p>doc. 11283/95 JUSTPEN 150</p>	<p>23.11.95 JHA Council (1885) Pt. A 11</p>	<p>Press release 11720/95 (Presse 332)</p>
<p>102. Conclusions on extradition.</p> <p>doc. 11712/95 JUSTPEN 157</p>	<p>23.11.95 JHA Council (1885) Pt. A 12</p>	<p>Press release 11720/95 (Presse 332)</p>
<p>103. Gomera Declaration on terrorism.</p> <p>docs. 11472/95 ENFOPOL 135 11075/1/95 ENFOPOL 119 REV 1</p>	<p>23.11.95 JHA Council (1885) Pt. A 15</p>	<p>Press release 11720/95 (Presse 332)</p>
<p>104. Recommendation (96/C 5/01) of the Council on the harmonisation of methods in the fight against immigration and illegal employment and the improvement of methods of control.</p> <p>docs. 12400/1/95 ASIM 334 REV 1 12096/95 ASIM 328 + COR 1 (d) + COR 2 (fi)</p>	<p>22.12.95 Fisheries Council (1899) Pt. A 41</p>	<p>Press release 13047/95 (Presse 378) OJ C 5 10.1.96</p>
<p>105. Recommendation (96/C 5/02) of the Council on consultation and cooperation in the execution of expulsion measures.</p> <p>Docs 12401/1/95 ASIM 334 REV 1 12097/95 ASIM 329 + COR 1 (dk) + COR 2 (d) + COR 3 (fi)</p>	<p>22.12.95 Fisheries Council (1899) Pt. A 42 (ADD 1)</p>	<p>Press release 13047/95 (Presse 378) OJ C 5 10.1.96</p>
<p>106. Decision (96/C 11/01) of the Council relating to the monitoring of acts</p>	<p>22.12.95 Fisheries Council (1899) Pt. A 64</p>	<p>Press release 13047/95 (Presse 378) OJ C 11 16.1.96</p>

<p>already adopted in relation to the admission of third country nationals.</p> <p>Docs 12862/95 ASIM 340 12637/95 ASIM 336</p>		
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The following measures appeared on the “acquis” that was sent to national governments in December 1997. They do not appear in the latest version of the acquis.

SUBJECT	ADOPTION	PUBLICATION
<p>a. Statistics on racist, xenophobic and anti-Semitic crimes.</p> <p>doc. 7848/95 ENFOPOL 54 RESTREINT</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 1</p>	<p>Press release 8133/95 (Presse 194)</p>
<p>b. Council Resolution on minimum guarantees for asylum procedures.</p> <p>docs. 5585/95 ASIM 78 5585/1/95 ASIM 78 REV 1</p>	<p>20/21.6.95 JHA Council (1859) Pt. A 5</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>Press release 8133/95 (Presse 194)</p> <p>OJ C 274 19.9.96</p>
<p>c. Council Recommendation on principles to be followed in the drawing up of protocols on the implementation of readmission agreements.</p> <p>doc. 8202/95 ASIM 195</p>	<p>24.7.95 Budget Council (1866) Pt. A 23</p> <p>Formal adoption: 23.7.96 Agriculture Council (Pt. A 25) cf. pt. 155</p>	<p>Press release 9012/95 (Presse 226)</p> <p>OJ C 274 19.9.96</p>
<p>d. Council Decision on the monitoring of the implementation of texts adopted concerning the admission of third-country nationals.</p> <p>doc. 11591/95 ASIM 312</p>	<p>23.11.95 JHA Council (1855) Pt. A 3</p> <p>Formal adoption: 22.12.95 Fisheries Council (cf. pt. 129)</p>	<p>Press release 11720/95 (Presse 332)</p>

<p>e. Council Recommendation on concerted action and cooperation in carrying out expulsion measures.</p> <p>doc. 11767/95 ASIM 314</p>	<p>23.11.95 JHA Council (1855) Pt. A 8</p> <p>Formal adoption: 22.12.95 Fisheries Council (cf. pt. 129)</p>	<p>Press release 11720/95 (Presse 332)</p>
<p>f. Council Decision on an alert and emergency procedure for burden sharing with regard to the admission and residence of displaced persons on a temporary basis.</p> <p>doc. 11498/95 ASIM 309</p>	<p>23.11.95 JHA Council (1855) Pt. A 10</p> <p>Formal adoption: 4.3.96 Environment Council (cf. pt. 134)</p>	<p>Press release 11720/95 (Presse 332)</p>
<p>g. Council Recommendation relating to local consular cooperation regarding visas.</p> <p>doc. 11784/95 ASIM 316</p>	<p>23.11.95 JHA Council (1855) Pt. A 13</p> <p>Formal adoption: 4.3.96 Environment Council (cf. pt. 135)</p>	<p>Press release 11720/95 (Presse 332)</p>
<p>h. Council Resolution on the status of third country nationals residing on a long term basis in the territory of the EU.</p> <p>doc. 11783/95 ASIM 315</p>	<p>23.11.95 JHA Council (1855) Pt. A 14</p> <p>Formal adoption: 4.3.96 Environment Council (cf. pt. 136)</p>	<p>Press release 11720/95 (Presse 332)</p>

**SUMMARY OF TEXTS ADOPTED IN THE FIELD OF JUSTICE AND HOME AFFAIRS - TITLE VI (POST-MAASTRICHT)**

**1996**

SUBJECT	ADOPTION	PUBLICATION
<p>107. Letter to international standardisation bodies on the legal interception of telecommunications.</p> <p>doc. 12798/95 ENFOPOL 166</p>	<p>22.1.96 ECOFIN Council (1900) Pt. A 14</p>	
<p>108. Consultative Commission against racism and xenophobia - extension of mandate.</p> <p>doc. 13072/95 RAXEN 60</p>	<p>22.1.96 ECOFIN Council (1900) Pt. A 15</p>	
<p>109. Supervision of Europol Drugs Unit activities.</p> <p>doc. 4808/96 EUROPOL 13</p>	<p>26/27.2.96 General Affairs Council (1903) Pt. A 7</p>	<p>Presse release 4720/96 (Presse 33)</p>
<p>110. Report on the Europol computer system.</p> <p>doc. 12869/95 EUROPOL 123</p>	<p>26/27.2.96 General Affairs Council (1903) Pt. A 8</p>	<p>Presse release 4720/96 (Presse 33)</p>
<p>111. Council decision on an alert and emergency procedure for the sharing of costs arising from the reception, and temporary residence, of displaced persons.</p> <p>docs. 5135/96 ASIM 23 12107/95 ASIM 333</p>	<p>4.3.96 Environment Council (1905) Pt. A 9</p>	<p>Presse release 5309/96 (Presse 45) OJ L 63 13.3.96</p>
<p>112. Council recommendation on local consular cooperation</p>	<p>4.3.96 Environment Council (1905) Pt. A 10</p>	<p>Presse release 5309/96 (Presse 45) OJ C 80 18.3.96</p>



<p>regarding visas.</p> <p>docs. 5136/96 ASIM 24 12668/95 ASIM 337 + COR 1 REV 1 (en)</p>		
<p>113. Council resolution on the status of third country nationals who are long term resident in the territories of the Member States.</p> <p>docs. 5137/96 ASIM 25 12104/95 ASIM 330 + COR 1 (fi) + COR 2 (en)</p>	<p>4.3.96 Environment Council (1905) Pt. A 11</p>	<p>Presse release 5309/96 (Presse 45) OJ C 80 18.3.96</p>
<p>114. Common position, defined by the Council on the basis of Article K.3 of the TEU, concerning the harmonised application of the definition of the term "refugee" in the sense of Article 1 of the Geneva Convention.</p> <p>docs. 5138/96 ASIM 26 + EXT 1 (fi, s) 12105/95 ASIM 331 + COR 1 (en) + COR 2 (fi)</p>	<p>4.3.96 Environment Council (1905) Pt. A 12</p>	<p>Presse release 5309/96 (Presse 45) OJ L 63 13.3.96</p>
<p>115. Joint action adopted by the Council on the basis of Article K.3 of the TEU on the regulation of airport transit arrangements.</p> <p>docs. 4008/1/96 ASIM 1 REV 1 12106/95 ASIM 332 + COR 1 (s)</p>	<p>4.3.96 Environment Council (1905) Pt. A 13</p>	<p>Presse release 5309/96 (Presse 45) OJ L 63 13.3.96</p>
<p>116. Conclusions of the Council on readmission clauses to be inserted into future mixed agreements.</p> <p>docs. 5457/96 ASIM 37 4272/96 ASIM 6 + COR 1 (gr, p, s)</p>	<p>4.3.96 Environment Council (1905) Pt. A 14</p>	<p>Presse release 5309/96 (Presse 45)</p>

<p>117. Customs strategy at external borders. - Organisation of joint control operations at the external borders of the Union for 1996.</p> <p>docs. 5423/96 ENFOCUSTOM 5 4146/2/96 ENFOCUSTOM 1 REV 2</p>	<p>19/20.3.96 JHA Council (1909) Pt. A 1</p>	<p>Presse release 5727/96 (Presse 63)</p>
<p>118. Revised agenda for the meeting of 20.3.96 of the Justice and Home Affairs ministers and the European Commission with the Justice and Home Affairs ministers of the associated CCEE.</p> <p>doc. 5659/96 JHA 17</p>	<p>19/20.3.96 JHA Council (1909) Pt. A 1</p>	<p>Presse release 5727/96 (Presse 63)</p>
<p>119. Joint action (96/277/JHA) on a framework for the exchange of liaison magistrates, to facilitate the improvement of judicial cooperation between the Member States of the European Union.</p> <p>docs. 6206/96 JUST 8 6150/96 JUST 7</p>	<p>22.4.96 General Affairs Council (1915) Pt. A 19</p>	<p>Presse release 6561/96 (Presse 98) OJ L 105 27.4.96</p>
<p>120. Recommendation (96/C 131/01) of the Council concerning guidelines for preventing and containing potential disorder at football matches.</p> <p>docs. 6142/96 ENFOPOL 64 6034/96 ENFOPOL 61</p>	<p>22.4.96 General Affairs Council (1915) Pt. A 19</p>	<p>Presse release 6561/96 (Presse 98) OJ C 131 3.5.96</p>
<p>121. Future relations with</p>	<p>13/14.5.96 General Affairs</p>	<p>Presse release 7073/96</p>

<p>Russia: action plan.</p> <p>doc. 6440/96 NIS 48 PESC 99 CK4 10</p>	<p>Council (1922) Pt. A 1</p>	<p>(Presse 130)</p>
<p>122. The fight against terrorism. - Assessment of the internal and external threat.</p> <p>doc. 7389/96 ENFOPOL 92</p>	<p>4.6.96 JHA Council (1933) Pt. A 3</p>	
<p>123. Europol Drugs Unit</p> <p>- Coordinator's report for 1995.</p> <p>doc. 4520/1/96 EUROPOL 9 REV 1</p> <p>- Final budget report for 1995.</p> <p>docs. 7895/96 EUROPOL 33 6932/2/96 EUROPOL 26 REV 2</p>	<p>4.6.96 JHA Council (1933) Pt. A 7</p>	
<p>124. Joint action adopted by the Council on the basis of Article K.3 of the TEU concerning action against racism and xenophobia.</p> <p>docs. 8887/96 JUSTPEN 100 8008/96 JUSTPEN 81 + COR 1 (nl) + REV 1 (s) + REV 2 (p) + REV 3 (s)</p>	<p>15.7.96 General Affairs Council (1943) Pt. A 2</p>	<p>Presse release 8913/96 (Presse 208) OJ L 185 24.7.96</p>
<p>125. Publication of acts and other texts adopted in the field of asylum and immigration.</p> <p>docs. 9082/96 ASIM 105 7716/96 ASIM 81 + COR 1 (f, d, nl, en, dk, gr, p, fi, s) + COR 2 (en) + REV 1 (s)</p>	<p>23.7.96 Agriculture Council (1944) Pt. A 25</p>	<p>OJ C 274 19.9.96</p>
<p>126. Act of Council of</p>	<p>23.7.96 Agriculture Council</p>	<p>OJ C 299 9.10.96 &amp;</p>

<p>23.7.96, establishing, on the basis of Article K.3 of the TEU, the protocol concerning the interpretation by the Court of Justice of the European Communities of the Convention establishing the European Police Office (Europol).</p> <p>doc. 8113/1/96 JUR 183 COUR 8 REV 1 + COR 1 (fi) + ADD 1</p> <p>Protocol signed on 24.7.96</p>	<p>(1944) Pt. A 20</p>	<p>OJ C 100 27.3.97 (declaration by the Kingdom of Sweden).</p>
<p>127. Consultative Commission on racism and xenophobia. - Proceedings of the Florence European Council (extension of mandate).</p> <p>doc. 9290/96 RAXEN 33</p>	<p>25.7.96 Budget Council (1945) Pt. A 35</p>	
<p>128. Council recommendation on the fight against the illegal employment of third country nationals.</p> <p>docs. 9201/96 ASIM 109 9185/96 ASIM 108 + COR 1 (s)</p>	<p>27.9.96 TELECOM Council (1949) Pt. A 11</p>	<p>Presse release 10259/96 (Presse 247) OJ C 304 14.10.96</p>
<p>129. Act of the Council drawing up the Protocol to the Convention on the protection of the European Communities' financial interests.</p> <p>docs. 9730/2/96 JUSTPEN 118 REV 2 8586/2/96 JUSTPEN 96 REV 2 + COR 1 (fi) + COR 2 (nl) 8586/3/96 JUSTPEN 96 REV 3 (gr).</p>	<p>27.9.96 TELECOM Council (1949) Pt. A 15</p>	<p>Presse releases 10259/96 (Presse 247) &amp; 10261/96 (Presse 249) OJ C 313 23.10.96</p>

<p>This Protocol was signed by the 15 Member States at the informal JHA Council in Dublin 27.9.96</p>		
<p>130. Convention on extradition between the Member States of the EU.</p> <p>docs. 8943/96 JUSTPEN 101 + ADD 1 8724/96 JUSTPEN 99 + COR 1 (gr) + COR 2 (s) 8724/1/96 JUSTPEN 99 REV 1 (f, d, nl, en, dk) + COR 1 (en) 8724/2/96 JUSTPEN 99 REV 2 (p) 8724/3/96 JUSTPEN 99 REV 3 (l) 8724/4/96 JUSTPEN 99 REV 4 (fi) 8724/5/96 JUSTPEN 99 REV 5 (ga)</p> <p>Convention signed by the 15 Member States during the informal JHA Council in Dublin, 27.9.96.</p>	<p>27.9.96 TELECOM Council (1949) Pt. A 16</p>	<p>Presse releases 10259/96 (Presse 247) &amp; 10262/96 (Presse 250) OJ C 313 23.10.96</p>
<p>131. Illegal trafficking in works of art (conclusions of meeting of experts on 18-20.10.95).</p> <p>doc. 7333/96 ENFOPOL 96</p>	<p>14.10.96 ECOFIN Council (1954) Pt. A 1</p>	
<p>132. Facilitating the fight against the counterfeiting of currency in the Member States of the EU.</p> <p>docs. 7332/96 ENFOPOL 90 7167/1/95 ENFOCUSTOM 14 REV 1</p>	<p>14.10.96 ECOFIN Council (1954) Pt. A 2</p>	
<p>133. Joint Action of 14.10.96, adopted by the Council on the basis of Article K.3 of the TEU, concerning a common orientation structure for the initiatives of the</p>	<p>14.10.96 ECOFIN Council (1954) Pt. A 3</p>	<p>OJ L 268 19.10.96</p>

<p>Member States of the EU in the field of liaison officers.</p> <p>docs. 7522/96 ENFOPOL 95 7520/96 ENFOPOL 94 + COR 1 (s)</p>		
<p>134. Europol Drugs Unit - Work programme: July-December 1996.</p> <p>doc. 7334/96 EUROPOL 29</p>	<p>14.10.96 ECOFIN Council (1954) Pt. A 4</p>	
<p>135. Council decision relating to measures for the implementation of Article K.1 of the TEU.</p> <p>docs. 8336/1/96 JHA 41 REV 1 + COR 1 8074/96 JHA 40</p>	<p>14.10.96 ECOFIN Council (1954) Pt. A 5</p>	<p>OJ L 268 19.10.96</p>
<p>136. Europol Drugs Unit - Draft budget for 1997.</p> <p>doc. 9026/96 EUROPOL 40</p>	<p>14.10.96 ECOFIN Council (1954) Pt. A 6</p>	
<p>137. Council resolution establishing priorities for cooperation in the field of justice and home affairs for the period 1.7.96 to 30.6.98.</p> <p>docs. 9291/96 JHA 48 9043/96 JHA 46 9043/1/96 JHA 46 REV 1 (s) + COR 1 (f, d, nl, dk, gr, es, p, fi)</p>	<p>14.10.96 ECOFIN Council (1954) Pt. A 7</p>	<p>OJ C 319 26.10.96</p>
<p>138. Joint Action, adopted by the Council on the basis of Article K.3 of the TEU, relating to the creation and the maintenance of a directory of competent counter-terrorist authorities and specialists aimed at facilitating counter-terrorism</p>	<p>15.10.96 Environment Council (1956) Pt. A 6</p>	<p>OJ L 273 25.10.96</p>

<p>cooperation between EU Member States.</p> <p>docs. 8339/96 ENFOPOL 102 7763/96 ENFOPOL 98</p>		
<p>139. Joint position on pre-frontier training and assistance assignments.</p> <p>docs. 9176/96 ASIM 107 + COR 1 8095/96 ASIM 89 8095/1/96 ASIM 89 REV 1 (s)</p>	<p>25.10.96 Internal Market Council (1957) Pt. A 15</p>	<p>OJ L 281 31.10.96</p>
<p>140. Publication in the Official Journal of the European Communities of the resolution of 17.1.95 on the legal interception of telecommunications.</p> <p>docs. 10527/96 ENFOPOL 153 9847/96 ENFOPOL 137</p>	<p>25.10.96 Internal Market Council (1957) Pt. A 16</p>	<p>OJ C 329 4.11.96</p>
<p>141. Financing of Title VI:</p> <p>doc. 10731/96 JHA 65 FIN 471</p> <p>- Joint Action, adopted by the Council on the basis of Article K.3 of the TEU, establishing an exchange programme for judicial officials (“GROTIUS” programme).</p> <p>doc. 9992/1/96 JHA 55 FIN 409 REV 1 + COR 1 (d)</p> <p>- Joint Action, adopted by the Council on the basis of Article K.3 of the TEU, establishing a training programme of exchange and cooperation in relation to identity documents (“SHERLOCK” programme).</p>	<p>28.10.96 General Affairs Council (1958) Pt. A 8</p>	<p>OJ L 287 8.11.96</p>







<p>Convention signed on 29.11.96 by the representatives of governments of the member states.</p>		
<p>144. Joint action, adopted by the Council on the basis of Article K.3 TEU, relating to cooperation between customs authorities and business organisations in the fight against drugs.</p> <p>docs. 10324/96 ENFOCUSTOM 39 10142/96 ENFOCUSTOM 36 10142/1/96 ENFOCUSTOM 36 REV 1 (fi)</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 3</p>	<p>OJ L 322 12.12.96</p>
<p>145. Joint action, adopted by the Council on the basis of Article K.3 TEU, on the creation and maintenance of a directory of experts in the field of combating internationally organised crime, aimed at facilitating cooperation between EU Member States.</p> <p>docs. 11003/96 CK4 43 10810/96 CK4 39</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 4</p>	<p>OJ L 342 31.12.96</p>
<p>146. Council Resolution on the drawing up of agreements between police and customs authorities in regard to the fight against drugs.</p> <p>docs. 11004/96 ENFOPOL 168 ENFOCUSTOM 48 10782/96 ENFOPOL 160 ENFOCUSTOM 46</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 5</p>	<p>OJ C 375 12.12.96</p>
<p>147. Joint Customs Surveillance Operations</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 6</p>	

<p>- Revised procedures for future operations.</p> <p>docs. 10998/96 ENFOCUSTOM 47 10607/96 ENFOCUSTOM 42</p>		
<p>148. Assessment of the internal and external terrorist threat to the EU Member States.</p> <p>doc. 11277/96 ENFOPOL 179</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 7</p>	
<p>149. Drug purity indicator system.</p> <p>docs. 11274/96 ENFOPOL 178 10466/1/96 ENFOPOL 152 REV 1</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 8</p>	
<p>150. Letter to third countries participating in the informal international seminar on the legal surveillance of telecommunications concerning:</p> <ul style="list-style-type: none"> <li>- Council resolution of 17.1.95 relating to the legal interception of telecommunications (OJ C 329 4.11.96)</li> <li>- International support in favour of the specifications annexed to the resolution.</li> </ul> <p>doc. 11282/96 ENFOPOL 180</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 9</p>	
<p>151. Joint action adopted by the Council on the basis of Article K.3 TEU, relating to the exchange of information on determining the chemical properties of drugs, aimed at improving cooperation between the Member States in combating illegal drug</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 10</p>	<p>OJ L 322 12.12.96</p>

<p>trafficking.</p> <p>docs. 11259/96 ENFOPOL 177 11100/96 ENFOPOL 174</p>		
<p>152. Explanatory report on the Convention relating to simplified extradition procedures between the Member States of the EU.</p> <p>docs. 11106/96 JUSTPEN 139 7296/96 JUSTPEN 66 + COR 1 (en, dk, p) + COR 2 (i)</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 11</p>	<p>OJ C 375 12.12.96</p>
<p>153. Judicial cooperation with the CCEE.</p> <p>- Witness protection in the fight against organised crime.</p> <p>- Implementation of the action plan in the fight against international organised crime.</p> <p>docs. 11384/96 JUSTPEN 142 CCEE 166 10402/96 JUSTPEN 131</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 12</p>	
<p>154. Joint action, adopted by the Council on the basis of Article K.3 TEU, establishing an exchange programme for those responsible for initiatives against trafficking in human beings and the sexual exploitation of children ("STOP" programme)</p> <p>docs. 11148/96 CK4 49 11341/96 CK4 51 11341/1/96 CK4 51 REV 1 (s)</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 13</p>	<p>OJ L 322 12.12.96</p>
<p>155. Witness protection</p>	<p>28/29.11.96 JHA Council</p>	

<p>- Report on the implementation of the 1995 resolution.</p> <p>doc. 11162/2/96 JUSTPEN 140 REV 2</p>	<p>(1971) Pt. A 14</p>	
<p>156. Combating drug tourism.</p> <p>doc. 12047/96 ENFOPOL 202</p> <p>- Council resolution on measures in the fight against drugs tourism within the EU.</p> <p>doc. 11879/96 ENFOPOL 196</p> <p>- Report on drug tourism based on the response of Members States to the questionnaire of the Irish Presidency.</p> <p>doc. 11649/96 ENFOPOL 188 + COR 1</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 15</p>	<p>OJ C 375 12.12.96</p>
<p>157. Combating the illicit growth and production of drugs.</p> <p>- Report on measures taken by the Member States to regulate the legal growth and production of drugs and to combat illegal growth and production.</p> <p>doc. 10822/96 ENFOPOL 163</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 16</p>	
<p>158. Acts of the Council establishing, on the basis of Article K.3 of the TEU, the protocols on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities:</p>	<p>28/29.11.96 JHA Council (1971) Pt. A 17</p>	<p>OJ C 151 20.5.97</p>

<p>doc. 12079/96 JUR 356 COUR 23</p> <p>- of the Convention on the protection of the financial interests of the European Communities.</p> <p>doc. 11899/96 JUR 348 COUR 21 + COR 1 (d) + COR 2 (en) + REV 1 (ga)</p> <p>- of the Convention on the use of information technology for customs purposes.</p> <p>doc. 11900/96 JUR 349 COUR 22 + REV 1 (fi) + REV 2 (ga)</p> <p>Convention signed on 29.11.96 by the representatives of governments of the member states.</p>		
<p>159. Monitoring centre on racism and xenophobia. - Conclusions of the Council.</p> <p>doc. 12473/96 EMCR 1</p>	<p>6.12.96 General Affairs Council (1977) Pt. A 18</p>	
<p>160. Declaration on organised crime, drawn up following the informal Council meeting (Rome 26.1.96).</p> <p>Annex to doc. 5834/96 JHA 20 + EXT 1 (fi, s)</p>	<p>12.12.96 Transport Council (1979) Pt. A 15</p>	
<p>161. Measures aimed at intensifying the fight against organised crime. - Note from the Presidency to the European Council.</p>	<p>12.12.96 Transport Council (1979) Pt. A 23</p>	

docs. 12522/1/96 CK4 59 REV 1 11564/4/96 CK4 53 REV 4		
162. Achievements in the field of Justice and Home Affairs during 1996. - Report to the European Council.  docs. 12523/96 JHA 81 11118/4/96 JHA 68 REV 4	12.12.96 Transport Council (1979) Pt. A 24	
163. Report to the European Council on drugs.  docs. 12524/96 CORDROGUE 93 10884/5/96 CORDROGUE 91 REV 5	12.12.96 Transport Council (1979) Pt. A 25	
164. Joint action, adopted by the Council on the basis of Article K.3 TEU, extending the mandate of the European Drugs Unit.  docs. 11002/96 EUROPOL 55 10592/96 EUROPOL 52 10592/1/96 EUROPOL 52 REV 1 (s)	16.12.96 Culture Council (1981) Pt. A 1	OJ L 342 31.12.96
165. Council decision on the monitoring of acts adopted by the Council in the fields of illegal immigration, readmission, illegal employment of third country nationals and cooperation in carrying out expulsions.  docs. 11414/96 ASIM 154 + COR 1 11413/96 ASIM 153 + COR 1 (s)	16.12.96 Culture Council (1981) Pt. A 2	OJ L 342 31.12.96
166. Joint Action adopted by the Council on the basis of Article K.3 TEU relating to a uniform residence permit.	16.12.96 Culture Council (1981) Pt. A 3	OJ L 7 10.1.97

docs. 12848/96 ASIM 177 12336/96 ASIM 172 + COR 1 (s) + COR 2 (fi) + COR 3 (fi)		
167. Resolution on measures aimed at combating and dismantling the illicit growth and production of drugs in the EU.  docs. 12846/96 ENFOPOL 225 11880/96 ENFOPOL 197	16.12.96 Culture Council (1981) Pt. A 4	OJ C 389 23.12.96
168. Joint Action, adopted on the basis of Article K.3 TEU, relating to the harmonisation of legislation and practice between the Member States of the EU. aimed at combating drug addiction and drug trafficking.  docs. 12650/96 ENFOPOL 214 12647/96 ENFOPOL 213 + COR 1 (s) + COR 2 (nl) 12647/1/96 ENFOPOL 213 REV 1 (fi, s)	16/17.12.96 Agriculture Council (1980) Pt. A 15	OJ L 342 31.12.96
169. Joint Action, adopted on the basis of Article K.3 of the TEU, establishing a joint exchange programme for training and cooperation between law enforcement authorities ("OISIN" programme).  docs. 12860/96 JHA 83 FIN 642 12570/96 JHA 82 FIN 623	Fisheries Council (1983) Pt. A 46	OJ L 7 10.1.97
170. Joint Action, adopted on the basis of Article K.3 of the TEU, relating to the participation of the Member States of the EU.	Fisheries Council (1983) Pt. A 47	No publication (implemented under the OISIN programme)



<p>in a strategic operation prepared by the Customs Cooperation Council (CCC) to combat drugs trafficking on the 'Balkan route'.</p> <p>docs. 11273/2/96 ENFOCUSTOM 49 REV 2 9099/2/96 ENFOCUSTOM 20 REV 2 + COR 3</p>		
<p>171. Council Resolution on sentencing for serious drugs trafficking offences.</p> <p>docs. 12886/96 JUSTPEN 156 12371/96 JUSTPEN 151 + COR 1 REV 1 (p) + REV 1 (s)</p>	<p>Fisheries Council (1983) Pt. A 48</p>	<p>OJ C 10 11.1.97</p>
<p>172. Council Resolution on judicial cooperation in the fight against organised crime.</p> <p>docs. 12728/96 JUSTPEN 153 8299/96 JUSTPEN 90 8299/1/96 JUSTPEN 90 REV 1 (s)</p>	<p>Fisheries Council (1983) Pt. A 49</p>	<p>OJ C 10 11.1.97</p>

The following two measures appeared on the "acquis" that was sent to national governments in December 1997. The texts (a) and (b) were approved and then "frozen" until the entry into force of the Europol Convention - however, they do not appear in the latest version of the acquis.

SUBJECT	ADOPTION	PUBLICATION
<p>a. Draft Financial regulation applicable to the financial regulation of Europol.</p> <p>docs. 5845/96 EUROPOL 21 5460/96 EUROPOL 18</p>	<p>19-20.3.96 JHA Council (1909) Pt. B 9b</p>	<p>Press release 5727/96 (Presse 63)</p>
<p>b. Europol</p>	<p>19-20.3.96 JHA Council</p>	<p>Press release 5727/96</p>

<p>- rights and obligations of liaison officers.</p> <p>doc. 5459/96 EUROPOL 17 + EXT 1 (fi, s) + COR 1 (d) + COR 2 (en)</p>	<p>(1909) Pt. B 9c</p>	<p>(Presse 63)</p>
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**SUMMARY OF TEXTS ADOPTED IN THE FIELD OF JUSTICE AND HOME AFFAIRS - TITLE VI - AFTER MAASTRICHT.**

**1997**

SUBJECT	ADOPTION	PUBLICATION
<p>173. EDU / EUROPOL</p> <p>a) Adoption of notes relative to the Europol Drugs Unit.</p> <p>doc. 11467/96 EUROPOL 65</p> <p>- Europol computer system: report to JHA Council</p> <p>doc. 11084/96 EUROPOL 57</p> <p>- Draft EDU / Europol work programme for 1997</p> <p>doc. 11085/1/96 EUROPOL 58 REV 1</p> <p>- Activity report for EDU / EUROPOL for period 1.1 to 30.6.96</p> <p>doc. 11086/96 EUROPOL 59</p> <p>- Discharge for EDU coordinator concerning the implementation of the EDU budget (1995)</p> <p>doc. 11127/96 EUROPOL 60</p> <p>- Draft amended supplementary budget for 1996 (VAT reimbursement)</p> <p>doc. 11128/96 EUROPOL 61</p>	<p>20.1.97 General Affairs Council (1984) Pt. A 7</p>	

<p>b) Principles governing the protection of EUROPOL confidentiality</p> <p>docs. 11468/1/96 EUROPOL 66 REV 1 11143/96 EUROPOL 62</p>		
<p>174. Joint Action adopted by the Council on the basis of Article K.3 TEU, relating to the fight against trafficking in human beings and against the sexual exploitation of children.</p> <p>docs. 5297/97 CK4 3 + COR 1 (fi, d, l, en, dk, gr) 12372/1/96 CK4 58 REV 1 + COR 1 (nl) + COR 2 (s)</p>	<p>24/25.2.97 General Affairs Council (1989) Pt. A 14</p>	<p>OJ L 63 4.3.97</p>
<p>175. Report to Council on joint customs operations in 1996.</p> <p>doc. 6096/1/97 ENFOCUSTOM 12 REV 1</p>	<p>21/22.4.97 Agriculture Council (2000) Pt. A 19</p>	
<p>176. Report of the European Council high-level group on organised crime.</p> <p>docs. 7482/2/97 JHA 15 REV 2 7421/97 JHA 14</p>	<p>28.4.97. JHA Council (2002) Pt. B 2</p>	<p>OJ C 251 15.8.97</p>
<p>177. Conclusions on the application of the Dublin Convention.</p> <p>docs. 8202/97 ASIM 100 8140/97 ASIM 99 + COR 1 (s) 8140/1/97 ASIM 99 REV 1 (fi)</p>	<p>26/27.5.97 JHA Council (2008) Pt. A 1</p>	<p>OJ C 191 23.6.97</p>
<p>178. Reports on the activities of CIREA - 1994 and 1995 - 1996</p> <p>doc. 5357/1/97 CIREA 5 REV 1 +</p>	<p>26/27.5.97 JHA Council (2008) Pt. A 2</p>	<p>OJ C 191 23.6.97</p>

COR 1		
<p>179. Decision (97/340/jha) on the exchange of information concerning assistance for the voluntary return of third country nationals.</p> <p>docs. 6598/97 ASIM 97 6503/97 ASIM 43</p>	26/27.5.97 JHA Council (2008) Pt. A 3	OJ L 147 5.6.97
<p>180. Explanatory report on the convention relating to the protection of the financial interests of the European Communities.</p> <p>docs. 7710/97 JUSTPEN 38 5266/97 JUSTPEN 2 + COR 1 + COR 2 REV 1 (d) + COR 3</p>	26/27.5.97 JHA Council (2008) Pt. A 4	OJ C 191 23.6.97
<p>181. Report to the Council on the Europol computer system.</p> <p>doc. 7390/1/97 EUROPOL 19 REV 1</p>	26/27.5.97 JHA Council (2008) Pt. A 5	
<p>182. Act of the Council establishing - the convention relating to the service in the Member states of the EU of extrajudicial documents in civil or commercial matters - protocol on the ECJ interpretation of the above.</p> <p>docs. 7869/1/97 JUSTCIV 41 REV 1 7136/1/97 JUSTCIV 27 REV 1 + COR 1 (nl) + COR 2 (es) + COR 3 (nl) + COR 4 (s) + COR 5 (s) 7136/2/97 JUSTCIV 27 REV 2 (dk) 7162/97 JUSTCIV 29 + COR 1 (ga) + COR 2 (dk) + COR 3 (s) 7162/1/97 JUSTCIV 29 REV 1 (nl) + COR 1 (nl) + COR 2 (nl)</p>	26/27.5.97 JHA Council (2008) Pt. A 6	<p>OJ C 261 27.8.97</p> <p>OJ C 261 27.8.97</p>

<p>Convention and protocol signed by the representatives of the governments of the Member States on 26.5.97</p>		
<p>183. Explanatory report on the convention relating to extradition between the Member States of the EU.</p> <p>docs. 7870/97 JUSTPEN 40 7135/97 JUSTPEN 26 + COR 1 (p) 7135/1/97 JUSTPEN 26 REV 1 (s)</p>	<p>26/27.5.97 JHA Council (2008) Pt. A 7</p>	<p>OJ C 191 23.6.97</p>
<p>185. Explanatory report on the convention on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the convention on the law applicable to contractual obligations, opened for signature in Rome 19.6.80, as well as to the first and second protocols concerning its interpretation by the ECJ.</p> <p>docs. 7868/97 JUSTCIV 40 7072/97 JUSTCIV 24</p>	<p>26/27.5.97 JHA Council (2008) Pt. A 8</p>	<p>OJ C 191 23.6.97</p>
<p>186. Texts adopted in the field of immigration and asylum sent, or to be sent, to the CCEE and to Cyprus.</p> <p>docs. 6573/2/97 ASIM 45 REV 2</p>	<p>26/27.5.97 JHA Council (2008) Pt. A 9</p>	
<p>187. Joint Action adopted by the Council on the basis of Article K.3 TEU, on cooperation in the field of public order and safety.</p> <p>docs. 8164/97 ENFOPOL 117</p>	<p>26/27.5.97 JHA Council (2008) Pt. A 10</p>	<p>OJ L 147 5.6.97</p>

8012/97 ENFOPOL 11 + COR 1 (i, nl, es) + COR 2 (s)		
188. Coordinator's report on EDU activities in 1996.  docs. 8236/97 EUROPOL 31 6711/97 EUROPOL 14	26/27.5.97 JHA Council (2008) Pt. A 11	
189. EDU Budget for 1998.  doc. 7422/3/97 EUROPOL 20 REV 3	26/27.5.97 JHA Council (2008) Pt. A 12	
190. Evaluation mechanism for establishing, at the EU level, a situation report on organised crime.  doc. 6204/2/97 ENFOPOL 35 REV 2	26/27.5.97 JHA Council (2008) Pt. A 13	
191. Rules of procedure for the Committee set up under Article 18 of the Dublin Convention of 15.6.90.  doc. 8057/1/97 JUR 169 ASIM 97 REV 1	26/27.5.97 JHA Council (2008) Pt. A 14	
192. Guide to effective practice for the control of persons at external borders.  doc. 8271/97 ASIM 105 + COR 1	26/27.5.97 JHA Council (2008) Pt. A 17	
193. EUROPOL  - Rules applicable to analysis files  doc. 6100/4/97 EUROPOL 10 REV 4  - Staff regulations  doc. 6034/2/97 EUROPOL 8 REV	26/27.5.97 JHA Council (2008) Pt. A 18	

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<p>194. Convention relating to the fight against corruption involving officials of the European Communities or of the Member States of the EU.</p> <p>docs. 8092/97 JUSTPEN 45 8075/97 JUSTPEN 44 + COR 1</p> <p>Convention signed by representatives of the governments of the Member States on 26.5.97</p>	<p>26/27.5.97 JHA Council (2008) Pt. B 9</p>	<p>OJ C 195 25.6.97</p>
<p>195. Regulation (EC) no. 1035/97 of the Council creating a European monitoring centre on racism and xenophobia.</p> <p>docs. 8330/97 EMCR 15 + ADD 1 + ADD 2 8329/97 EMCR 14</p>	<p>2.6.97 General Affairs council (2011) Pt. A 14</p>	<p>OJ L 151 10.6.97 p.1</p>
<p>196. Decision of the representatives of the governments of the Member States establishing the location of the European monitoring centre on racism and xenophobia.</p> <p>doc. 8624/97 EMCR 16</p>	<p>2.6.97 Conference of the Representatives of the Governments of EU Member States</p>	<p>OJ C 194 25.6.97</p>
<p>197. Resolution on the prevention and control of football hooliganism based on the exchange of experiences, stadium bans and media policy.</p> <p>docs. 8253/97 ENFOPOL 123 8246/97 ENFOPOL 121 + COR 1</p>	<p>9.6.97 ECOFIN Council (2014) Pt. A 10</p>	<p>OJ C 193 24.6.97</p>



(fi) + COR 2 (nl)		
<p>198. Resolution on the exchange of results of DNA analysis.</p> <p>docs. 8254/97 ENFOPOL 124 8247/97 ENFOPOL 122 + COR 1 (s)</p>	9.6.97 ECOFIN Council (2014) Pt. A 11	OJ C 193 24.6.97
<p>199. Resolution on a handbook for joint customs surveillance operations.</p> <p>docs. 8255/97 ENFOCUSTOM 30 8248/97 ENFOCUSTOM 28</p>	9.6.97 ECOFIN Council (2014) Pt. A 12	OJ C 193 24.6.97
<p>200. Joint Action adopted by the Council on the basis of Article K.3 of the TEU, on the refining of targeting criteria, methods of selection and the collection of customs and police information.</p> <p>docs. 8256/97 ENFOCUSTOM 31 8248/97 ENFOCUSTOM 29</p>	9.6.97 ECOFIN Council (2014) Pt. A 13	OJ L 159 17.6.97
<p>201. Interim report of the Presidency of the European Council on drug-related activities.</p> <p>doc. 8520/2/97 CORDROGUE 32 REV 2</p>	9.6.97 ECOFIN Council (2014) Pt. A 21	
<p>202. Joint Action adopted by the Council on the basis of Article K.3 TEU on the exchange of information to evaluate the risk of and to control new synthetic drugs.</p> <p>doc. 8984/97 CORDROGUE 41 + COR 1 (s) + COR 2 (nl)</p>	16.6.97 Written procedure (telexes no. 2645, 16.6.97 and no. 2706, 17.6.97)	OJ L 167 25.6.97

<p>203. Act of Council establishing, on the basis of Article K.3 TEU and of Article 41 para. 3 of the EUROPOL Convention, the protocol on the privileges and immunities for EUROPOL, the members of its agencies, for its co-directors and of its agents.</p> <p>docs. 8798/97 EUROPOL 37 8035/97 EUROPOL 30 + COR 1 + COR 2 + COR 3 (fi).</p> <p>Protocol signed by the permanent representatives of the Member States on 19.6.97</p>	<p>19.6.97 Environment Council (2017) Pt. A 1</p>	<p>OJ C 221 19.7.97</p>
<p>204. Act of Council drawing up the second protocol to the convention relating to the protection of the financial interests of the European Communities.</p> <p>docs. 8926/1/97 JUSTPEN 53 REV 1 8614/97 JUSTPEN 51 + COR 1 (d) + COR 2 (dk) + COR 3 (gr)</p> <p>Protocol signed by the permanent representatives of the Member States on 19.6.97</p>	<p>19.6.97 Environment Council (2017) Pt. A 2</p>	<p>OJ C 221 19.7.97</p>
<p>205. Act of the Council drawing up the second protocol to the convention on the protection of the financial interests of the European Communities. - Declaration of the European Commission</p> <p>docs. 9171/97 JUSTPEN 55</p>	<p>25.6.97 Agriculture Council (2018) Pt. A 12</p>	

9172/97 JUSTPEN 56		
<p>206. Council resolution on unaccompanied minors from third countries.</p> <p>docs. 8671/97 ASIM 117 + COR 1 (f, i, dk, gr, es, s) 8745/97 ASIM 119 8746/1/97 ASIM 119 REV 1 (s) 8746/2/97 ASIM 119 REV 2 (fi)</p>	26.6.97 General Affairs Council (2019) Pt. A 9	OJ C 221 19.7.97 p.23
<p>207. Council decision on the monitoring and implementation of acts adopted in the field of asylum.</p> <p>docs. 8882/97 ASIM 123 8590/97 ASIM 113 + COR 1 (fi)</p>	26.6.97 General Affairs Council (2019) Pt. A 10	OJ L 178 7.7.97
<p>208. Council decision relating to the rules applicable to national experts seconded to the General Secretariat of the Council in the context of implementing the action plan on the fight against organised crime.</p> <p>docs. 8950/97 JAI 23 8949/97 JAI 22 + COR 1 (d) + COR 2</p>	26.6.97 General Affairs Council (2019) Pt. A 11	
<p>209. Explanatory report - on to the Convention established on the basis of Article K.3 TEU, relating to the service in the Member states of the EU of extrajudicial matters in civil or commercial matters - on the protocol on the ECJ interpretation of the above Convention.</p> <p>docs. 8554/97 JUSTCIV 49</p>	26.6.97 General Affairs Council (2019) Pt. A 12	OJ C 261 27.8.97

<p>8162/97 JUSTCIV 46 8162/1/97 JUSTCIV 46 REV 1 (s) 8163/97 JUSTCIV 47</p>		
<p>210. Joint Action adopted by the Council on the basis of Article K.3 TEU, on the financing of specific projects for the benefit of displaced persons who have found temporary protection in the Member States and of asylum seekers (favouring voluntary repatriation - 1997)</p> <p>docs. 9668/97 ASIM 145 FIN 277 9580/97 ASIM 142 FIN 276</p>	<p>22.7.97 General Affairs Council (2024) Pt. A 15</p>	<p>OJ L 205 31.7.97</p>
<p>211. Joint Action adopted by the Council on the basis of Article K.3 TEU, envisaging the financing of specific projects for the benefit of asylum seekers and refugees (improving reception conditions - 1997)</p> <p>docs. 9688/97 ASIM 145 FIN 277 9581/97 ASIM 143 FIN 276</p>	<p>22.7.97 General Affairs Council (2024) Pt. A 15</p>	<p>OJ L 205 31.7.97</p>
<p>212. Publication of the Dublin Convention in the Official Journal of the European Communities.</p> <p>doc. 9738/97 ASIM 148</p>	<p>22.7.97 General Affairs Council (2024) Pt. A 16</p>	<p>OJ C 254 19.8.97</p>
<p>213. Decision no. 1/97 of the committee established by Article 18 of the Dublin Convention of 15.6.90 concerning provisions for the implementation of the Convention.</p>	<p>Written procedure (telex 3452 4.9.97) completed 9.9.97 (telex 3510)</p>	

doc. DUBLIN CONV 2403/97		
<p>214. Decision no. 2/97 of the committee established by Article 18 of the Dublin Convention of 15.6.90, establishing the Committee's rules of procedure.</p> <p>doc. DUBLIN CONV 2404/97</p>	Written procedure (telex no. 3452 of 4.9.97) completed 9.9.97 (no. telex 3510)	OJ L 281 14.10.97
<p>215. Joint position on the negotiations in the Council of Europe and the OECD in regard to the fight against corruption.</p> <p>docs. 10588/97 JUSTPEN 77 10580/97 JUSTPEN 74 + REV 1 (I) + COR 1 (fi) + COR 2 (p) + COR 3 (fi) + COR 4 (s) + COR 5 (fi)</p>	6.10.97 General Affairs Council (2029) Pt. A 16	OJ L 279 13.10.97
<p>216. Consequences of the annulment, by the Court of Justice of regulation (EC) no. 2317/95 of the Council, determining the third countries whose nationals require a visa when crossing the external borders of the Member States.</p> <p>- Reconsultation of the European Parliament.</p> <p>doc. 10819/97 ASIM 178 + COR 1 (i, en, p, s)</p>	6.10.97 General Affairs Council (2029) Pt. A 17	
<p>217. Council opinion on the draft triennial programme (1998-2000) of the European Observatory on drugs and drug addiction (EMCDDA).</p> <p>doc. 10987/1/97 CORDROGUE 64</p>	20.10.97 Agriculture Council (2034) Pt. A 16	

SAN 107 FIN 34 REV 1		
<p>218. Second joint position on the negotiations in the Council of Europe and the OECD regarding the fight against corruption.</p> <p>docs. 11014/97 JUSTPEN 85 10796/97 JUSTPEN 82</p>	13.11.97 Industry Council (2043) Pt. A 2	OJ L 320 21.11.97
<p>219. The fight against drugs: cooperation mechanisms for Latin America and the Caribbean.</p> <p>doc. 9946/1/97 CORDROGUE 58 REV 1</p>	13.11.97 Industry Council (2043) Pt. A 3	
<p>220. EUROPOL</p> <p>a) Rules governing the external relations of Europol with bodies linked to the EU</p> <p>doc. 8031/5/97 EUROPOL 26 REV 5</p> <p>b) Rules governing the external relations of Europol with third states and bodies not linked to the EU</p> <p>doc. 8034/6/97 EUROPOL 29 REV 6</p> <p>c) Rules concerning the transmission of personal data by Europol to third countries and third parties.</p> <p>doc. 8032/8/97 EUROPOL 27 REV 8</p> <p>d) Recommendations regarding the budget.</p>	<p>4.12.97 JHA Council (2055) Pt. A 1</p> <p>4.12.97 JHA Council (2055) Pt. A 1</p> <p>4.12.97 JHA Council (2055) Pt. A 1</p> <p>5.12.97 JHA Council (2055) Pt. A 5</p>	

doc. 12051/1/97 EUROPOL 62 REV 1 + COR 1 (d) + COR 2 (d)		
221. Preparatory work for the revision of the Brussels and Lugano Conventions.  doc. 12308/97 JUSTCIV 86	4.12.97 JHA Council (2055) Pt. A 3	
222. Project-based action against transnational organised crime. - Practical guidelines.  docs. 12366/97 CRIMORG 19 10110/2/97 CRIMORG 3 REV 2 + ADD 1	4.12.97 JHA Council (2055) Pt. A 4	
223. Joint action establishing evaluation procedures for the international undertakings in the fight against organised crime.  docs. 12726/97 CRIMORG 27 + ADD 1 + ADD 1 COR 1 (en) 12709/97 CRIMORG 26 + COR 1 (fi)	5.12.97 JHA Council (2055) Pt. A 6	OJ L 344 15.12.97
224. Resolution on marriages of convenience.  docs. 12346/97 ASIM 222 12337/97 ASIM 221	4.12.97 JHA Council (2055) Pt. A 7	OJ C 382 16.12.97
225. Report to the European Council on drugs.  docs. 13161/97 CORDROGUE 83 12254/2/97 CORDROGUE 74 REV 2	8.12.97 General Affairs Council (2057) Pt. A 6	
226. Report of the Council to the European Council on achievements in the field of justice and home affairs in 1997.	10.12.97 Transport Council (2059) Pt. A 15	

docs. 13291/1/97 JHA 42 REV 1 13191/1/97 JHA 40 REV 1		
227. Adoption, in the official languages of the Communities, of a resolution establishing priorities for cooperation in the field of justice and home affairs for the period from 1.1.98 to the date of the entry into force of the Amsterdam Treaty.  docs. 12828/97 JAI 33 12746/97 JAI 29 + COR 1 (fi)	18.12.97 Fisheries Council (2063) Pt. A 28	OJ C 11 15.1.98
228. Decision nominating the coordinator, the deputy coordinators and the other members of the Europol Drugs Unit's management team.  docs. 12528/97 CK4 44 12469/97 EUROPOL 65 + COR 1 REV 1	18.12.97 Fisheries Council (2063)	
229. Act of Council, establishing, on the basis of Article K.3 TEU, the convention relating to mutual assistance between customs administrations (Naples II Convention).  docs. 12450/97 ENFOCUSTOM 66 12781/97 ENFOCUSTOM 70 + COR 1 (f, en, s)  Convention signed on 18.12.97 by the permanent representatives.	18.12.97 Fisheries Council (2063)	OJ C 24 23.1.98
230. Explanatory report on the protocol to the	19.12.97 Fisheries Council (2063)	OJ C 11 15.1.98



<p>convention relating to the protection of the financial interests of the European Communities.</p> <p>docs. 13290/97 JUSTPEN 116 12625/97 JUSTPEN 108 + COR 1</p>		
<p>231. Report on work on legal data-processing.</p> <p>doc. 11675/97 JURINFO 14</p>	<p>19.12.97 Fisheries Council (2063)</p>	

**SUMMARY OF TEXTS ADOPTED IN THE FIELD OF JUSTICE AND HOME AFFAIRS - TITLE VI - AFTER MAASTRICHT.**

**1998**

SUBJECT	ADOPTION	PUBLICATION
<p>232. EU Action plan on the influx of migrants from Iraq and the neighbouring region.</p> <p>doc. 5573/98 ASIM 13 EUROPOL 12 PESC 27 COMEM 4 COSEE 4</p>	<p>26.1.98 General Affairs Council (2066) Pt. B 11</p>	
<p>233. Council decision relating to the sharing of costs of the preparation of film masters for uniform residence permits.</p> <p>docs. 6010/98 ASIM 34 5972/98 ASIM 32 + COR 1 (p)</p>	<p>19.3.98 JHA Council (2075) Pt. A 1</p>	<p>OJ L 99 31.3.98</p>
<p>234. Exchange of information in the field of asylum and immigration.</p> <p>docs. 6012/98 ASIM 35 10295/2/97 ASIM 162 REV 2 7341/6/97 ASIM 73 REV 6 + COR 1 (f)</p>	<p>19.3.98 JHA Council (2075) Pt. A 2</p>	
<p>235. Conclusions concerning the 40 recommendations of the G8 on organised crime, the 25 recommendations concerning terrorism and the 10 principles relating to combating crime using advanced technology.</p> <p>doc. 6446/98 CK4 13</p>	<p>19.3.98 JHA Council (2075) Pt. A 3</p>	

<p>236. Joint action setting up a programme of training, exchanges and cooperation in the field of asylum policy, immigration and the crossing of external borders. ("Odysseus" programme).</p> <p>docs. 6328/98 ASIM 55 6009/98 ASIM 33 FIN 34 + COR 1 (s)</p>	<p>19.3.98 JHA Council (2075) Pt. A 4</p>	<p>OJ L 99 31.3.98</p>
<p>237. Missing persons and unidentified corpses.</p> <p>docs. 6274/98 ENFOPOL 33 8990/97 ENFOPOL 138 + COR 1</p>	<p>19.3.98 JHA Council (2075) Pt. A 5</p>	
<p>238. Report on joint customs surveillance operations in 1997.</p> <p>docs. 6339/98 ENFOCUSTOM 12 5317/1/98 ENFOCUSTOM 4 REV 1</p>	<p>19.3.98 JHA Council (2075) Pt. A 6</p>	
<p>239. Europol Drugs Unit a) Activity report for 1997.</p> <p>docs. 6369/98 EUROPOL 32 5587/98 EUROPOL 14 + COR 1 (en, dk, es, p)</p> <p>b) Work programme for 1998.</p> <p>doc. 5739/1/98 EUROPOL 18 REV 1</p>	<p>19.3.98 JHA Council (2075) Pt. A 7</p>	
<p>240. Europol a) Interim solution for the computer system.</p> <p>doc. 11220/1/97 EUROPOL 56 REV 1</p> <p>b) Regulations for the receipt by Europol of information from third parties and third countries.</p>	<p>19.3.98 JHA Council (2075) Pt. A 8</p>	

<p>doc. 6660/98 EUROPOL 38</p> <p>c) Confidentiality regulations.</p> <p>doc. 5694/2/98 EUROPOL 17 REV 2 + COR 1</p>		
<p>241. Joint action setting up a programme of training, exchanges and cooperation for persons involved in the fight against organised crime ("Falcone" programme).</p> <p>docs. 6796/98 CRIMORG 39 6708/98 CRIMORG 38 + COR 1 (dk)</p>	<p>19.3.98 JHA Council (2075) Pt. A 9</p>	<p>OJ L 99 31.3.98</p>
<p>242. Transparency of Council activities under Title VI of the TEU - Conclusions of the Council.</p> <p>doc. 6407/98 JAI 6</p>	<p>19.3.98 JHA Council (2075) Pt. 3</p>	
<p>243. Joint action for the financing of specific projects for displaced persons who have temporary protection in the Member States or who are asylum seekers.</p> <p>- Joint action for the financing of specific projects for asylum seekers and refugees.</p> <p>docs. 6691/98 ASIM 70 FIN 52 6420/98 ASIM 57 FIN 47 J/L 6421/98 ASIM 58 FIN 48 J/L + COR 1 (s)</p>	<p>Formal: 27/28.3.98 General Affairs Council (2085) Pt. 15</p>	<p>OJ L 138 9.5.98</p> <p>OJ L 138 9.5.98</p>
<p>244. Annual evaluation of the terrorist threat.</p>	<p>25.5.98 (Formal) General Affairs Council (2099) Pt. 1</p>	

doc. 7607/1/98 ENFOPOL 51 REV 1		
245. Financing of terrorism.  doc. 6141/2/98 ENFOPOL 29 REV 2	idem Pt. 2	
246. Report on the implementation of resolution of 9.6.97 on the exchange DNA analysis results.  doc. 7471/98 ENFOPOL 47 + COR 1 (en)	idem Pt. 3	
247. Report on the implementation of resolution of 9.6.97 on the prevention and control of football hooliganism based on the exchange of experience, bans from stadiums and media policy.  doc. 7813/98 ENFOPOL 60	idem Pt. 4	
248. Conclusions of the Council on encryption and law enforcement.  doc. 8116/1/98 ENFOPOL 69 REV 1	idem Pt. 5	
249. Report on the implementation of the joint action of 26.5.97 relating to cooperation in the field of security and public order.  doc. 7857/98 ENFOPOL 64 7386/98 ENFOPOL 45 (J/L)	idem Pt. 6	
250. Council report on the	idem Pt. 7	

<p>implementation of the joint action of 1996 on action against racism and xenophobia.</p> <p>doc. 7808/1/98 JUSTPEN 44 REV 1 + COR 1 (en)</p>		
<p>251. Council recommendation concerning the provision of equipment for the detection of false documents at entry points to the EU.</p> <p>docs. 8695/98 ASIM 135 8594/98 ASIM 132 + COR 1 J/L (en, i, dk, p) + COR 2 (s)</p>	idem Pt. 8	OJ C 189 17.6.98
<p>252. Explanatory report on the Convention drawn up on the basis of Article K.3 TEU on mutual assistance and cooperation between customs administrations.</p> <p>docs. 8336/98 ENFOCUSTOM 27 8337/98 ENFOCUSTOM 28 + COR 1 (d) J/L</p>	idem Pt. 10	OJ C 189 17.6.98
<p>253. Internal regulations of the committee created under Article 16 of the Convention on the use of information technology for customs purposes (CIS Convention).</p> <p>doc. 5913/2/98 ENFOCUSTOM 8 REV 2</p>	idem Pt. 11	
<p>254. Report on the implementation of resolution of 29.11.96 on the establishment of agreements between police and customs in the fight</p>	idem Pt. 12	

<p>against drugs.</p> <p>doc. 7304/98 ENFOCUSTOM 22 ENFOPOL 46 CRIMORG 51</p>		
<p>255. Convention on the recognition and enforcement of judgements in matrimonial matters. - Protocol on the interpretation by the Court of Justice of the European Communities of the Convention on the recognition and enforcement of judgements in matrimonial matters.</p> <p>doc. 8861/98 JUSTCIV 53</p>	<p>idem Pt. 13</p>	<p>OJ C 221 16.7.98</p>
<p>256. - Explanatory reports on:</p> <p>The Convention on the mutual recognition and enforcement of judgements in matrimonial matters.</p> <p>doc. 8199/98 JUSTCIV 49 + CORRIGENDA (see JUSTCIV 54) J/L</p> <p>The protocol on the interpretation by the Court of Justice of the European Communities of the Convention on the mutual recognition and enforcement of judgements in matrimonial matters.</p> <p>doc. 8880/98 JUSTCIV 54 + ADD 1 I/A</p>	<p>idem Pt. 14</p>	<p>OJ C 221 16.7.98</p>

8200/98 JUSTCIV 50 REV 1 (p) J/L		
257. Council communication on a uniform format for residence permits.  docs. 8663/98 ASIM 134 10683/1/97 ASIM 173 REV 1 J/L	idem Pt. 15	OJ C 193 19.6.98
258. Pre-accession pact on organised crime between the Member States of the EU and the candidate countries of central and eastern Europe and Cyprus.  doc. 8331/98 CRIMORG 72 CCEE 65	Text approved by JHA Council 28.5.98.	OJ C 220 15.7.98
259. Draft list of the acquis of the EU and its Member States in the field of Justice and Home Affairs, (as at 30.3.98).  doc. 6473/3/98 JHA 7 ELARG 51 REV 3	COREPER (Part II) 3.6.98	
260. Report on work in progress in the fight against organised crime for the Cardiff European Council.  docs. 7303/4/98 CRIMORG 45 REV 4 9178/98 CRIMORG 90	8/9.6.98 General Affairs Council (2104) Pt. 12	
261. Report including the principal elements of a post-1999 anti-drugs strategy for the EU, on activities undertaken in the field of drugs and related questions under the UK Presidency, for the	idem Pt. 13	



<p>European Council.</p> <p>doc. 7930/2/98 CORDROGUE 26 SAN 80 PESC 118 ENFOPOL 70 REV 2</p>		
<p>262. Act of the Council establishing the Convention on driving disqualifications.</p> <p>docs. 9154/98 JUSTPEN 63 + COR 1 8383/2/98 JUSTPEN 54 REV 2 + COR 1 (d) + COR 2 (es) + COR 3 (dk) + COR 4 (s) J/L</p>	<p>16/17.6.98 Environment Council (2106)</p>	<p>OJ C 216 10.7.98</p>
<p>263. Report on legal data processing work in the first half of 1998.</p> <p>doc. 8287/98 JURINFO 8 + COR 1 (f, i, dk, gr, p, fi) + COR 2 (s)</p>	<p>29.6.98 General Affairs Council (2911) Pt. 18</p>	
<p>264. Joint action establishing a collective evaluation mechanism for the adoption, application and effective implementation by candidate states of the EU acquis in the field of justice and home affairs.</p> <p>docs. 9753/98 JHA 22 ELARG 62 9586/98 JHA 21 ELARG 61 (J/L)</p>	<p>idem Pt. 19</p>	<p>OJ L 191 7.7.98</p>
<p>265. Joint action on good practice in mutual legal assistance in criminal matters.</p> <p>docs. 9480/98 CRIMORG 101 + COR 1 + COR 2 9139/1/98 CRIMORG 87 REV 1 + REV 2 (s) + REV 3 (d, p)</p>	<p>idem Pt. 20</p>	<p>OJ L 191 7.7.98</p>
<p>266. Joint Action on the creation of a European judicial network.</p>	<p>idem Pt. 21</p>	<p>OJ L 191 7.7.98</p>

docs. 9481/98 CRIMORG 102 + COR 1 + COR 2 9140/1/98 CRIMORG 88 REV 1 + COR 1 (s) J/L		
267. Participation of the Europol Drugs Unit at meetings of CIREFI.  doc. 9595/98 CIREFI 46 EUROPOL 66	idem Pt. 22	
268. Common principles for the exchange of CIREFI data.  doc. 9987/98 CIREFI 48	13/14.7.98 General Affairs Council (2113) Pt. 23	
269. EUROPOL: Budget for 1999  doc. 11135/98 EUROPOL 100	24.9.98 JHA Council (2116) Pt. A 1	
270. Report on activities of Europol Drugs Unit (1.198- 30.6.98) - six-month report.  docs. 10954/98 EUROPOL 97 10140/1/98 EUROPOL 72 REV 1	24.9.98 JHA Council (2116) Pt. A 2	
271. Exercise of the functions of the director of EUROPOL after the entry into force of the Europol Convention.  docs. 11272/98 EUROPOL 103 10569/3/98 EUROPOL 77 REV 3	24.9.98 JHA Council (2116) Pt. A 3	
272. Transfer of the strategic management of TECS [the Europol Computer System] project to the Management Board of Europol.	24.9.98 JHA Council (2116) Pt. A 4	

docs. 10970/98 EUROPOL 98 10602/98 EUROPOL 78		
273. Europol computer system (TECS) - Progress report.  docs. 10724/1/98 EUROPOL 83 REV 1 11197/98 EUROPOL 101	24.9.98 JHA Council (2116) Pt. A 5	
274. Explanatory report on the convention on corruption.  doc. 9016/1/98 JUSTPEN 61 REV 1	24.9.98 JHA Council (2116) Pt. 3	
275. EUROPOL - Preparatory work for the entry into force of the Europol Convention.  doc. 10950/2/98 EUROPOL 96 REV 2	Text approve by the JHA Council 24.9.98	
276. Pre- accession pact on organised crime between the Member States of the EU and the candidate states of East and Central Europe and Cyprus - Expert Group [PAPEG].  doc. 10903/1/98 CRIMORG 129 PECOS 112 REV 1	Approved by COREPER 30.9.98	
277. Council Conclusions on child pornography.	Approved by the General Affairs Council 6.10.98	Press release 322 (11602/98)
278. EUROPOL - Formal acts of Europol administration council, 1st and 15th Oct. 1998 - letter from President of Europol Management Board to the President of the EU Council.	Adopted by the Consumer Council 3.11.98 Pt. A 16	OJ C 26 30.1.99

<p>docs. 12082/98 EUROPOL 110 12081/1/98 EUROPOL 109 REV 1</p> <p>- Act of the Council establishing the rules on the external relations of Europol with third countries and bodies not linked to the EU.</p> <p>doc. 10889/98 EUROPOL 94</p> <p>- Act of the Council drawing up the rules on the receipt of information from third parties by Europol.</p> <p>doc. 10887/98 EUROPOL 92</p> <p>- Act of the Council adopting the regulations on the confidentiality of Europol data.</p> <p>doc. 10884/98 EUROPOL 89</p> <p>- Act of the Council adopting the rules applicable to Europol analysis files.</p> <p>doc. 10882/98 EUROPOL 87</p>		<p>OJ C 26 30.1.99</p> <p>OJ C 26 30.1.99</p> <p>OJ C 26 30.1.99</p> <p>OJ C 26 30.1.99</p>
<p>279. Joint action on money laundering, the identification, tracing and seizure of the instruments and proceeds of organised crime.</p> <p>docs. 11881/1/98 CRIMORG 156 REV 1 11387/98 CRIMORG 137 + COR 1 (p), COR 2 (d), COR 2 REV 1 (d), COR 3 (f, d, i, nl, en, dk, gr, es, p fi) 11387/1/98 CRIMORG 137 REV 1 (s) + COR 1 (s)</p>	<p>3.12.98 JHA Council (2146) Pt. A 1</p>	<p>OJ L 333 9.12.98</p>

<p>280. New visa regulations - response to letter from the President of the European Parliament dated 13.7.98. (doc. 10642/98 EP-L ASIM 187 VISA 15)</p> <p>doc. 12487/98 ASIM 226 VISA 27 + REV 1 (f)</p>	<p>3.12.98 JHA Council (2146) Pt. A 2</p>	
<p>281. Integration of the CCEE and Cyprus into the exchange of statistical data through CIREFI.</p> <p>doc. 1241/98 CIREFI 61</p>	<p>3.12.98 JHA Council (2146) Pt. A 3</p>	
<p>282. Adoption, in the official languages of the Communities, of the Council decision on the procedure for the issue of the uniform residence permit.</p> <p>docs. 12383/98 ASIM 223 VISA 24 11469/98 ASIM 202 VISA 20 + COR 1 (nl, es, p)</p>	<p>3.12.98 JHA Council (2146) Pt. A 4</p>	<p>OJ L 333 9.12.98</p>
<p>283. Proposals for improving the methodology for the collection of statistical data on xenophobically, racially or anti-semitically motivated crimes and offences.</p> <p>doc. 12132/1/98 ENFOPOL 111 REV 1 + COR 1 (en)</p>	<p>3.12.98 JHA Council (2146) Pt. A 5</p>	
<p>284. Judicial Cooperation in civil matters. a) Revision of the Brussels Convention 1968 and the 1988 Lugano Convention. - Progress report.</p>	<p>3.12.98 JHA Council (2146) Pt. A 6</p>	

<p>doc. 12201/1/98 JUSTCIV 120 REV 1</p> <p>b) Draft convention on the law applicable to extra-contractual obligations (Rome II) - Progress report.</p> <p>doc. 11506/1/98 JUSTCIV 118 REV 1</p>		
<p>285. Joint action on the creation of a European Image Archiving System for false documents (FADO).</p> <p>docs. 13515/98 ASIM 252 FAUXDOC 19 + ADD 1 12838/98 ASIM 233 FAUXDOC 16 + COR 1 (en)</p>	<p>3.12.98 JHA Council (2146) Pt. A 7</p>	<p>OJ L 333 9.12.98</p>
<p>286. Explanatory report on the Convention on corruption involving officials of the European Communities or officials of the Member States of the EU.</p> <p>docs. 12810/1/98 JUSTPEN 104 REV 1 11542/98 JUSTPEN 95 + COR 1 (p)</p>	<p>3.12.98 JHA Council (2146) Pt. A 8</p>	<p>OJ C 391 15.12.98</p>
<p>287. EUROPOL Budget - Discharge accorded to the coordinator of the EDU for the execution of the EDU budget.</p> <p>doc. 12632/1/98 EUROPOL 113 REV 1</p>	<p>3.12.98 JHA Council (2146) Pt. A 9</p>	
<p>288. EUROPOL work programme for 1999.</p> <p>doc. 12642/1/98 EUROPOL 114 REV 1</p>	<p>3.12.98 JHA Council (2146) Pt. A 10</p>	

<p>289. EUROPOL personnel statute.</p> <p>docs. 10883/3/98 EUROPOL 88 REV 3 12081/2/98 EUROPOL 109 REV 2</p>	<p>3.12.98 JHA Council (2146) Pt. A 11</p>	<p>OJ C 26 30.1.99</p>
<p>290. Council decision instructing Europol to deal with offences committed or likely to be committed in the field of terrorism which threaten life, public safety or the freedom of persons or goods.</p> <p>docs. 12643/2/98 EUROPOL 115 REV 2 12913/98 EUROPOL 118</p>	<p>3.12.98 JHA Council (2146) Pt. A 12</p>	<p>OJ C 26 30.1.99</p>
<p>291. Report of the Council on the implementation of the resolution adopted on 20.12.96 on individuals who cooperate with the judicial process system in the fight against organised crime.</p> <p>doc. 9258/3/98 CRIMORG 96 REV 3</p>	<p>3.12.98 JHA Council (2146) Pt. A 13</p>	
<p>292. Elements of an EU strategy in the fight against crime using advanced technology.</p> <p>doc. 11893/2/98 CRIMORG 157 REV 2 + REV 3 (s)</p>	<p>3.12.98 JHA Council (2146) Pt. A 14</p>	
<p>293. Financing of the EDU and Europol activities in 1999.</p> <p>doc. 13476/1/98 EUROPOL 120 REV 1</p>	<p>3.12.98 JHA Council (2146) Pt. A 15</p>	
<p>294. Addition to the definition of the crime of</p>	<p>3.12.98 JHA Council (2146) Pt. A 16</p>	<p>OJ C 26 30.1.99</p>

<p>trafficking in human beings which appears in the annex set out in Article 2 of the Europol Convention. - Council decision.</p> <p>docs. 12367/2/98 EUROPOL 111 REV 2 12902/98 EUROPOL 117</p>		
<p>295. Convention on the use of information technology for customs purposes and regulation (EC) of the Council no. 515/97 of 13.3.97 - Identification of the type of information to be introduced into the databases.</p> <p>doc. 12861/98 ENFOCUSTOM 63</p>	<p>3.12.98 JHA Council (2146) Pt. A 17</p>	
<p>296. EUROPOL's role in the fight against the counterfeiting of currency and falsification of the means of payment.</p> <p>doc. 10708/4/98 EUROPOL 80 REV 4 + COR 1 (en)</p>	<p>3.12.98 JHA Council (2146) Pt. A 19</p>	
<p>297. Recommendation on arms trafficking.</p> <p>docs. 11071/2/98 ENFOPOL 101 REV 2 12875/98 ENFOPOL 121</p>	<p>7.12.98 General Affairs Council (2148) Pt. A 17</p>	
<p>298. Follow-up report on organised crime for the Vienna European Council.</p> <p>docs. 13879/98 CRIMORG 196 11571/4/98 CRIMORG 141 REV 4</p>	<p>7.12.98 General Affairs Council (2148) Pt. A 18</p>	
<p>299. Council and Commission action plan on</p>	<p>7.12.98 General Affairs Council (2148) Pt. A 19</p>	



<p>the best way to implement the provisions of the Amsterdam Treaty in relation to the creation of an area of freedom, security and justice.</p> <p>docs. 13843/98 JHA 40 13844/98 JHA 41</p>		
<p>300. Report to the Vienna European Council on drugs and related matters.</p> <p>docs. 13884/98 CORDROGUE 79 12334/1/98 CORDROGUE 65 CODRO 5 SAN 156 PESC 272 ENFOPOL 117 REV 1</p>	<p>7.12.98 General Affairs Council (2148) Pt. A 20</p>	
<p>301. Council resolution relating to the prevention of organised crime with a view to the establishment of a global strategy for fighting organised crime.</p> <p>docs. 14058/98 CRIMORG 200 13172/98 CRIMORG 180 + COR 1 (s)</p>	<p>21.12.98 Environment Council (2153) Pt. A 27</p>	<p>OJ C 408 29.12.98</p>
<p>302. Joint action on making participation in a criminal organisation in the Member States of the EU an offence.</p> <p>docs. 13912/98 CRIMORG 199 ENFOPOL 128 JUSTPEN 115 + COR 1 7586/98 CRIMORG 52 + ADD 1, ADD 1 COR 1 (p), COR 1 (nl), COR 2 (p), COR 3 (d)</p>	<p>21.12.98 Environment Council (2153) Pt. A 28</p>	<p>OJ L 351 29.12.98</p>
<p>303. Report on legal data processing work in the second half of 1998.</p> <p>doc. 12189/98 JURINFO 25 + COR 1 (en)</p>	<p>21.12.98 Environment Council (2153) Pt. A 46</p>	

<p>304. Joint action on corruption in the private sector.</p> <p>docs. 14019/98 JUSTPEN 116 + COR 1 13909/98 JUSTPEN 114 + REV 1 (d, s), REV 1 COR 1 (s), COR 1 (f), COR 2 (p), COR 3 (fi)</p>	<p>22.12.98 Research Council (2154) Pt. A 15</p>	<p>OJ L 358 31.12.98</p>
<p>305. Customs information system (CIS) in the third pillar - Technological requirements.</p> <p>doc. 12195/98 ENFOCUSTOM 56</p>	<p>22.12.98 Research Council (2154) Pt. A 16</p>	

**SUMMARY OF TEXTS ADOPTED IN THE FIELD OF JUSTICE AND HOME AFFAIRS - TITLE VI - AFTER MAASTRICHT.**

**1999**

SUBJECT	ADOPTION	PUBLICATION
<p>306. Act of Council setting out the financial regulations applicable to the Europol budget.</p> <p>docs. 13899/1/98 EUROPOL 121 REV 1 10885/98 EUROPOL 90 + COR 1 + COR 2</p>	<p>18.1.99 ECOFIN Council (2156) Pt. A 7</p>	<p>OJ C 25 30.1.99</p>
<p>307. Mandate of the high level group on asylum and migration; elaboration of the action plans concerning the principle countries of origin and of transit of asylum seekers and migrants.</p> <p>doc. 5264/2/99 JHA 1 AG 1 REV 2</p>	<p>25.1.99 General Affairs Council (2158) Pt. A 26</p>	
<p>308. Global aid plan of EU/Latin America in relation to the fight against drugs, especially concerning inter-regional cooperation with the Caribbean.</p> <p>docs. 5553/99 CORDROGUE 10 13269/3/98 CORDROGUE 75 CODRO 7 REV 3</p>	<p>8.2.99 ECOFIN Council (2160) Pt. A 9</p>	
<p>309. Explanatory report on the second protocol to the Convention on the protection of the financial</p>	<p>12.3.99 JHA Council (2166) Pt. A 1</p>	<p>OJ C 91 31.3.99</p>

<p>interests of the European Communities.</p> <p>docs. 12062/4/98 JUSTPEN 98 REV 4 12062/5/98 JUSTPEN 98 REV 5 (d) 6280/99 JUSTPEN 8 + COR 1 (s), COR 2 (d), COR 3 (dk) 6493/99 JUSTPEN 11 + COR 1</p>		
<p>310. EUROPOL: rules governing the Europol pension fund.</p> <p>docs. 5397/99 EUROPOL 2 + COR 1 6312/99 EUROPOL 9</p>	<p>12.3.99 JHA Council (2166) Pt. A 2</p>	
<p>311. EUROPOL: extension of mandate of the management team of the Europol drugs Unit.</p> <p>docs. 6194/1/99 EUROPOL 6 REV 1 6313/99 EUROPOL 10</p>	<p>12.3.99 JHA Council (2166) Pt. A 3</p>	
<p>312. EUROPOL: Act of the Council setting out the rules on the transmission of personal data by Europol to third countries and third bodies.</p> <p>docs. 10888/99 EUROPOL 93 + COR 1, COR 2, COR 3(l, nl, en, gr, es, p, fi, s), COR 3 REV 1 (p), COR 4 (nl), COR 5 (nl) 6311/99 EUROPOL 8</p>	<p>12.3.99 JHA Council (2166) Pt. A 4</p>	<p>OJ C 88 30.3.99</p>
<p>313. EUROPOL: Activity report for 1998.</p> <p>docs. 6190/2/99 EUROPOL 4 REV 2 6315/99 EUROPOL 12</p>	<p>12.3.99 JHA Council (2166) Pt. A 5</p>	
<p>314. Protocol drawn up on the basis of Article K.3</p>	<p>12.3.99 JHA Council (2166) Pt. A 6</p>	<p>OJ C 91 31.3.99</p>

<p>TEU, on the application of money laundering provisions in the Convention on the use of information technology for customs purposes and the inclusion of the registration number of the mode of transport.</p> <p>docs. 13435/98 ENFOCUSTOM 71 + COR 1 (es) 13434/98 ENFOCUSTOM 70</p>		
<p>315. Council regulation (EC) no. 574/1999, setting out the third countries whose nationals require a visa when crossing the external borders of the Member States.</p> <p>docs. 6045/99 VISA 11 + COR 1 6044/99 VISA 10 + ADD 1</p>	<p>12.3.99 JHA Council (2166) Pt. A 8</p>	<p>OJ L 72 18.3.99</p>
<p>316. Telecommunications system of the European Judicial Network.</p> <p>doc. 5630/1/99 CRIMORG 14 REV 1</p>	<p>15.3.99 ECOFIN Council (2167) Pt. A 10</p>	
<p>317. Competence of the Council authorities in the field of justice and home affairs after the entry into force of the Amsterdam Treaty.</p> <p>doc. 6166/2/99 CK4 12 REV 2</p>	<p>Approved by COREPER 17.3.99</p>	
<p>318. Council decision on the rules applicable to national experts seconded to the General Secretariat of the Council ( Directorate-General for</p>	<p>22.3.99 General Affairs Council (2168) Pt. A 11</p>	

<p>Justice and Home Affairs) in relation to the implementation of the protocol integrating the Schengen Acquis into the framework of the European Union.</p> <p>docs. 6506/99 JHA 17 EVAL 19 6424/99 JHA 16 EVAL 18</p>		
<p>319. Joint position, defined by the Council on the basis of Article K.3 of the TEU, concerning the UN draft convention on organised crime.</p> <p>docs. 5997/99 CRIMORG 24 + COR 1 5816/99 CRIMORG 18 + COR 1 (p), COR 2 (fi), REV 1 (d)</p>	<p>29.3.99 Transport Council (2169) Pt. A 11</p>	<p>OJ L 87 31.3.99</p>
<p>320. Joint position, of 26.4.99, concerning a joint action, adopted by the Council on the basis of Article K.3 of the TEU, setting up projects and measures aimed at providing concrete support for the reception and voluntary repatriation of refugees, displaced persons and asylum seekers, including emergency aid to people who have fled due to recent events in Kosovo.</p> <p>docs. 7365/99 JHA 29 7441/99 JHA 30 7476/99 JHA 32</p>	<p>26.4.99 General Affairs Council (2173) Pt. A 6</p>	<p>OJ L 114 1.5.99</p>
<p>321. Negotiation directives for the conclusion of an agreement with Iceland and Norway envisaged in Article 6 paragraph 2 of the</p>	<p>29.4.99 General Affairs Council (2173) Pt. A 6</p>	

<p>Schengen Protocol.</p> <p>doc. 6243/1/99 SCHENGEN 12 REV 1</p>		
<p>322. Act of the Council carrying the nominations for the director and assistant directors of Europol.</p> <p>docs. 6710/1/99 EUROPOL 15 REV 1 7154/99 EUROPOL 17</p>	<p>29.4.99 Industry Council (2174) Pt. A 15</p>	
<p>323. Adoption of the Council Recommendation relating to the provision of equipment for detecting false documents for the visa services abroad and for domestic visa services responsible for issuing and extending visas.</p> <p>docs. 7499/99 VISA 23 7296/99 VISA 19 + COR 1 (s)</p>	<p>29.4.99 Industry Council (2174) Pt. A 19</p>	<p>OJ C 140 20.5.99</p>
<p>324. Council decision on the extension of Europol's mandate in relation to the counterfeiting of currency and falsification of the means of payment.</p> <p>docs. 6314/1/99 EUROPOL 11 REV 1 6320/1/99 EUROPOL 13 REV 1</p>	<p>29.4.99 Industry Council (2174) Pt. A 22</p>	
<p>325. Act no. 1/99, 22.4.99, of the Europol Joint Supervisory Body, laying down its rules of procedure.</p> <p>docs. 7527/99 EUROPOL 20 7195/99 EUROPOL 18</p>	<p>29.4.99 Industry Council (2174) Pt. A 23</p>	

<p>326. Decision authorising Secretary-General of the Council in the context of integration of the Schengen acquis into framework of the European Union to act as representative of certain Member States for the purposes of concluding contracts relating to the installation and functioning of the "Help Desk Server" of the Management Unit and of the Sirene Network Phase II and to manage such contracts.</p> <p>docs. 7460/99 SCHENGEN 28 + Telex no. 1954 of 29.4.99</p>	<p>3.5.99 Written Procedure</p>	<p>OJ L 123 13.5.99</p>
<p>327. Decision on the establishment of a Financial Regulation governing the budgetary aspects of the management by the Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the "Help Desk Server" of the Management Unit and of The Sirene Network Phase II.</p> <p>docs. 7655/99 SCHENGEN 34 + COR 1 + Telex no. 1954 of 29.4.99 and no. 2026 of 30.4.99</p>	<p>3.5.99 Written Procedure</p>	<p>OJ L 123 13.5.99</p>
<p>328. Council decision relating to certain methods concerning the application of the agreement concluded by the Council</p>	<p>17.5.99 General Affairs Council (2177) Pt. A 15</p>	



<p>and the Republic of Iceland and the Kingdom of Norway concerning the association of these states with the implementation, application and the development of the Schengen acquis.</p> <p>docs. 8020/99 SCHENGEN 38 7818/1/99 SCHENGEN 37 REV 1</p>		
<p>329. Decision on the conclusion of an agreement with the Republic of Iceland and the Kingdom of Norway concerning the association of these states with the implementation, application and the development of the Schengen acquis.</p> <p>docs. 8059/1/99 SCHENGEN 44 REV 1 7417/99 SCHENGEN 26 + COR 1 (f, d, l, nl, en, dk, gr, p fi, s), COR 2 (en), COR 3 (gr) + ADD 1 REV 1</p>	<p>17.5.99 General Affairs Council (2177) Pt. A 16</p>	
<p>330. Council decision concerning the Joint Supervisory Authority set up under Article 115 of the Convention on the application of the Schengen agreement of 14.6.85, relating to the gradual removal of controls at common borders signed on 19.6.90</p> <p>docs. 8060/99 SCHENGEN 45 7673/1/99 SCHENGEN 35 REV 1</p>	<p>20.5.99 Research Council (2179) Pt. A 3</p>	
<p>331. Decision relating to the definition of the Schengen acquis with a</p>	<p>20.5.99 Research Council (2179) Pt. A 4</p>	

<p>view to its integration into the EU.</p> <p>docs. 8055/99 SCHENGEN 40 8054/99 SCHENGEN 39 + COR 1 (fi)</p>		
<p>332. Council decision on the allocation of the legal bases in respect to the integration of the Schengen acquis.</p> <p>docs. 8057/99 SCHENGEN 42 8056/99 SCHENGEN 41 + COR 1 (fi)</p>	<p>20.5.99 Research Council (2179) Pt. A 5</p>	
<p>333. Final report on the telecommunications system of the European Judicial Network.</p> <p>doc. 7258/2/99 CRIMORG 38 REV 2</p>	<p>27.5.99 JHA Council (2184) Pt. A 1</p>	
<p>334. Counter terrorism: Europol report.</p> <p>doc. 7514/1/99 EUROPOL 19 REV 1</p>	<p>27.5.99 JHA Council (2184) Pt. A 2</p>	
<p>335. Council resolution on combating international organised crime with fuller cover of the routes used.</p> <p>docs. 7881/99 ENFOPOL 34 7805/99 ENFOPOL 32</p>	<p>27.5.99 JHA Council (2184) Pt. A 4</p>	
<p>336. Resolution on the creation of an early warning system for the transmission of information on illegal immigration and facilitator networks.</p> <p>docs. 7965/99 CIREFI 20 MIGR 33 8204/99 CIREFI 23 MIGR 38 + ADD 1</p>	<p>27.5.99 JHA Council (2184) Pt. A 5</p>	

<p>337. Initiative of the Federal Republic of Germany on the adoption by the Council of a decision concerning the improvement of the exchange of information in the field of combating the use of forged travel documents.</p> <p>docs. 8505/99 FAUXDOC 8 + ADD 1 8457/99 FAUXDOC 7</p>	<p>27.5.99 JHA Council (2184) Pt. A 6</p>	<p>OJ C 176 22.6.99</p>
<p>338. Eurodac - implementing rules.</p> <p>doc. 8140/99 EURODAC 5</p>	<p>27.5.99 JHA Council (2184) Pt. A 7</p>	
<p>339. Report to the Council on joint customs surveillance operations in 1998.</p> <p>docs. 8317/99 ENFOCUSTOM 25 5519/99 ENFOCUSTOM 3 + COR 1</p>	<p>27.5.99 JHA Council (2184) Pt. A 8</p>	
<p>340. Draft joint position on the negotiations relating to the draft convention on cyber-crime, held in the Council of Europe.</p> <p>docs. 8532/99 CRIMORG 58 8533/99 CRIMORG 59 + COR 1 (dk) + REV 1 (d)</p>	<p>27.5.99 JHA Council (2184) Pt. A 9</p>	
<p>341. Global action plan on drugs involving the EU, Latin America and the Caribbean.</p> <p>doc. 8359/1/99 CORDROGUE 28 REV 1</p>	<p>27.5.99 JHA Council (2184) Pt. A 10</p>	
<p>342. Council resolution</p>	<p>28.5.99 JHA Council (2184)</p>	

<p>aimed at strengthening criminal sanctions to protect against counterfeiting in view of the forthcoming circulation of the Euro.</p> <p>docs. 8815/99 JUSTPEN 38 8331/99 JUSTPEN 35 + REV 1 (s) + COR 1 (dk)</p>	false B	
<p>343. Report on legal data processing work during the first half of 1999.</p> <p>doc. 7111/99 JURINFO 6</p>	31.5.99 General Affairs Council (2186) Pt. A 9	
<p>344. Letter to third countries concerning the use of a standard travel document in carrying out expulsions of nationals of these countries.</p> <p>doc. 7665/99 MIGR 27</p>	31.5.99 General Affairs Council (2186) Pt. A 12	
<p>345. Council resolution concerning a handbook for fostering, at the international level, police cooperation and measures aimed at controlling violence and disorder linked to international football matches.</p> <p>docs. 8743/99 ENFOPOL 38 8358/99 ENFOPOL 37</p>	21.6.99 General Affairs Council (2192) Pt. A 17	
<p>346. Report on the progress of the work of the high level working group immigration and asylum.</p> <p>doc. 9197/99 JHA 46 GA 20</p>	21.6.99 General Affairs Council (2192) Pt. A 18	

## Annex D

### Comparison: Vienna Action Plan and Tampere Conclusions

Vienna Action Plan clauses are in regular print  
Tampere conclusions are in *italics*  
comparisons are made in **bold**.

#### Overall asylum and migration policy

33. The measures to be drawn up must take due account of the fact that the areas of asylum and immigration are separate and require separate approaches and solutions.

*10. The separate but closely related issues of asylum and migration call for the development of a common EU policy to include the following elements.*

**The Tampere conclusions now stress the relationship between asylum and migration policies.**

34. An overall migration strategy should be established in which a system of European solidarity should figure prominently. The experiences gained and progress achieved through cooperation in the Schengen framework should prove particularly pertinent as regards short term residence (up to three months), the fight against illegal immigration as well as the controls at external borders.

An overall priority should be to improve the exchange of statistics and information on asylum and immigration. This exchange should include statistics on asylum and immigration, information on the status of third country nationals and national legislation and policy on the basis of the Commission's Action Plan.

35. In order to complete the area of free movement, it is crucial for there to be a swift and comprehensive extension of the principles of the free movement of persons in accordance with the Protocol integrating the Schengen acquis into the framework of the EU.

**The Tampere conclusions make no further reference to exchange of information or extending the principles of free movement.**

36. The following measures should be taken within two years after the entry into force of the Treaty :

a) Measures in the fields of asylum and immigration

Assessment of countries of origin in order to formulate a country specific integrated approach.

38. The following measures should be taken within five years after the entry into force of the Treaty :

a) Measures in the fields of asylum and immigration

Identification and implementation of the measures listed in the European migration strategy

#### *1. Partnership with countries of origin*

*11. The European Union needs a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit. This requires combating poverty, improving living conditions and job opportunities, preventing conflicts and consolidating democratic states and ensuring respect for human rights, in particular rights of minorities, women and children. To that end, the Union as well as Member States are invited to*

*contribute, within their respective competence under the Treaties, to a greater coherence of internal and external policies of the Union. Partnership with third countries concerned will also be a key element for the success of such a policy, with a view to promoting co-development.*

*12. In this context, the European Council welcomes the report of the High Level Working Group on Asylum and Migration set up by the Council, and agrees on the continuation of its mandate and on the drawing up of further Action Plans. It considers as a useful contribution the first action plans drawn up by that Working Group, and approved by the Council, and invites the Council and the Commission to report back on their implementation to the European Council in December 2000.*

**The Tampere conclusions have followed up the general principle of assessment of third states from the Vienna Plan, to include the adoption of detailed Action Plans and a comprehensive external migration policy. The Vienna schedule of two years to draw up a policy and five years to implement it has been superceded.**

### **Asylum Policy**

36. The following measures should be taken within two years after the entry into force of the Treaty :

b) Measures in the field of asylum

i) Effectiveness of the Dublin Convention: continued examination of the criteria and conditions for improving the implementation of the Convention and of the possible transformation of the legal basis to the system of Amsterdam (Article 63(1)(a) TEC).

A study should be undertaken to see to what extent the mechanism should be supplemented inter alia by provisions enabling the responsibility for dealing with the members of the same family to be conferred upon one Member State where the application of the responsibility criteria would involve a number of States and by provisions whereby the question of protection when a refugee changes his country of residence can be resolved satisfactorily.

ii) The implementation of Eurodac

iii) Adoption of minimum standards on procedures in Member States for granting or withdrawing refugee status (Article 63(1) (d) TEC) with a view, inter alia, to reducing the duration of asylum procedures. In this context, a special attention shall be paid to the situation of children.

iv) Limit "secondary movements" by asylum seekers between Member States.

v) Defining minimum standards on the reception of asylum seekers with a particular attention to the situation of children (Article 63(1) (b) TEC).

vi) Undertake a study with a view to establishing the merits of a single European asylum procedure.

Measures to be taken as quickly as possible in accordance with the provisions of the Treaty of Amsterdam:

37. a) Minimum standards for giving temporary protection to displaced persons from third countries who cannot return to their country of origin (Article 63(2)(a) TEC).

b) Promoting a balance of effort between Member States in receiving and bearing the consequences of receiving displaced persons (Article 63(2)(b) TEC).

38. The following measures should be taken within five years after the entry into force of the Treaty :

b) Measures in the field of asylum

i) Adoption of minimum standards with respect to the qualification of nationals of third countries as refugees

ii) Defining minimum standards for subsidiary protection to persons in need of international protection (Article 63(2) (a) second part).

*II. A Common European Asylum System*

*13. The European Council reaffirms the importance the Union and Member States attach to absolute respect of the right to seek asylum. It has agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention, thus ensuring that nobody is sent back to persecution, i.e. maintaining the principle of non-refoulement.*

*14. This System should include, in the short term, a clear and workable determination of the State responsible for the examination of an asylum application, common standards for a fair and efficient asylum procedure, common minimum conditions of reception of asylum seekers, and the approximation of rules on the recognition and content of the refugee status. It should also be completed with measures on subsidiary forms of protection offering an appropriate status to any person in need of such protection. To that end, the Council is urged to adopt, on the basis of Commission proposals, the necessary decisions according to the timetable set in the Treaty of Amsterdam and the Vienna Action Plan. The European Council stresses the importance of consulting UNHCR and other international organisations.*

*15. In the longer term, Community rules should lead to a common asylum procedure and a uniform status for those who are granted asylum valid throughout the Union. The Commission is asked to prepare within one year a communication on this matter.*

*16. The European Council urges the Council to step up its efforts to reach agreement on the issue of temporary protection for displaced persons on the basis of solidarity between Member States. The European Council believes that consideration should be given to making some form of financial reserve available in situations of mass influx of refugees for temporary protection. The Commission is invited to explore the possibilities for this.*

*17. The European Council urges the Council to finalise promptly its work on the system for the identification of asylum seekers (Eurodac).*

**There is no change to the Vienna Action Plan timetable as regards asylum issues. The Commission is now tasked with proposing the relevant legislative proposals, and with preparing the study on a Common European Asylum Procedure, referred to in the Vienna Plan as the 'Single European Asylum Procedure'. The principle of agreeing the Common European Asylum Procedure has now been accepted, and the Tampere conclusions spell out the implications of this Procedure. The prospect of a financial reserve in connection with temporary protection adds to the Vienna Action Plan.**

**Migration and Visa/Borders Policy**

36. The following measures should be taken within two years after the entry into force of the Treaty :

c) Measures in the field of immigration

- i) Instrument on the lawful status of legal immigrants.
- ii) Establish a coherent EU policy on readmission and return.
- iii) Combat illegal immigration (Article 63(3)(b) TEC) through, inter alia, information campaigns in transit countries and in the countries of origin.

In line with the priority to be given to controlling migration flows, practical proposals for combating illegal immigration more effectively need to be brought forward swiftly.

d) Measures in the fields of external borders and free movement of persons:

i) Procedure and conditions for issuing visas by Member States (resources, guarantees of repatriation or accident and health cover) as well as the drawing up of a list of countries whose nationals are subject to an airport transit visa requirement (abolition of the current grey list).

ii) Define the rules on a uniform visa (Article 62 (iv) TEC)

iii) Draw up a Regulation on countries:

- whose nationals are exempt from any visa requirement in the Member States of the European Union;
- whose nationals are subject to a visa requirement in the Member States of the European Union (Article 62(2)(b)(i) TEC).

iv) Further harmonising Member States' laws on carriers' liability.

38. The following measures should be taken within five years after the entry into force of the Treaty :

c) Measures in the field of immigration

i) Improvement of the possibilities for the removal of persons who have been refused the right to stay through improved EU co-ordination implementation of readmission clauses and development of European official (Embassy) reports on the situation in countries in origin.

ii) Preparation of rules on the conditions of entry and residence, and standards on procedures for the issue by Member States of long-term visas and residence permits, including those for the purposes of family reunion (Article 63(3)(a) TEC).

The question of giving third-country nationals holding residence permits the freedom to settle in any Member State of the Union will shortly be discussed by the relevant working party.

iii) Determination of the rights and conditions under which nationals of third countries who are legally resident in a Member State may reside in other Member States (Article 63(4) TEC).

Within the competent Council bodies discussions could be held, taking account of the consequences for social equilibrium and the labour market, on the conditions under which, like Community nationals and their families, third country nationals could be allowed to settle and work in any Member State of the Union.

In these two last fields, although the Amsterdam Treaty does not request action to be accomplished in a five year period, efforts should be made towards an improvement of the situation in due time.



d) Measures in the fields of external borders and free movement of persons :

i) Extension of the Schengen representation mechanisms with regard to visas:

A discussion could be initiated on the possibility of establishing an arrangement between the Member States, which will improve the possibility of preventing visa applicants from abusing the foreign representations of one or more Member States in order to gain access to another Member State, which at the time of application was the actual intended country of destinations.

ii) Attention will be given to new technical developments in order to ensure -as appropriate- an even better security of the uniform format for visas (sticker).

### *III. Fair treatment of third country nationals*

*18. The European Union must ensure fair treatment of third country nationals who reside legally on the territory of its Member States. A more vigorous integration policy should aim at granting them rights and obligations comparable to those of EU citizens. It should also enhance non-discrimination in economic, social and cultural life and develop measures against racism and xenophobia.*

*19. Building on the Commission Communication on an Action Plan against Racism, the European Council calls for the fight against racism and xenophobia to be stepped up. The Member States will draw on best practices and experiences. Co-operation with the European Monitoring Centre on Racism and Xenophobia and the Council of Europe will be further strengthened. Moreover, the Commission is invited to come forward as soon as possible with proposals implementing Article 13 of the EC Treaty on the fight against racism and xenophobia. To fight against discrimination more generally the Member States are encouraged to draw up national programmes.*

*20. The European Council acknowledges the need for approximation of national legislations on the conditions for admission and residence of third country nationals, based on a shared assessment of the economic and demographic developments within the Union, as well as the situation in the countries of origin. It requests to this end rapid decisions by the Council, on the basis of proposals by the Commission. These decisions should take into account not only the reception capacity of each Member State, but also their historical and cultural links with the countries of origin.*

*21. The legal status of third country nationals should be approximated to that of Member States' nationals. A person, who has resided legally in a Member State for a period of time to be determined and who holds a long-term residence permit, should be granted in that Member State a set of uniform rights which are as near as possible to those enjoyed by EU citizens; e.g. the right to reside, receive education, and work as an employee or self-employed person, as well as the principle of non-discrimination vis-à-vis the citizens of the State of residence. The European Council endorses the objective that long-term legally resident third country nationals be offered the opportunity to obtain the nationality of the Member State in which they are resident.*

### *IV. Management of migration flows*

*22. The European Council stresses the need for more efficient management of migration flows at all their stages. It calls for the development, in close co-operation with countries of origin and transit, of information campaigns on the actual possibilities for legal immigration, and for the prevention of all forms of trafficking in human beings. A common active policy on visas and false documents should be further developed, including closer co-operation between EU consulates in third countries and, where necessary, the establishment of common EU visa issuing offices.*

23. *The European Council is determined to tackle at its source illegal immigration, especially by combating those who engage in trafficking in human beings and economic exploitation of migrants. It urges the adoption of legislation foreseeing severe sanctions against this serious crime. The Council is invited to adopt by the end of 2000, on the basis of a proposal by the Commission, legislation to this end. Member States, together with Europol, should direct their efforts to detecting and dismantling the criminal networks involved. The rights of the victims of such activities shall be secured with special emphasis on the problems of women and children.*

24. *The European Council calls for closer co-operation and mutual technical assistance between the Member States' border control services, such as exchange programmes and technology transfer, especially on maritime borders, and for the rapid inclusion of the applicant States in this co-operation. In this context, the Council welcomes the memorandum of understanding between Italy and Greece to enhance co-operation between the two countries in the Adriatic and Ionian seas in combating organised crime, smuggling and trafficking of persons.*

25. *As a consequence of the integration of the Schengen acquis into the Union, the candidate countries must accept in full that acquis and further measures building upon it. The European Council stresses the importance of the effective control of the Union's future external borders by specialised trained professionals.*

26. *The European Council calls for assistance to countries of origin and transit to be developed in order to promote voluntary return as well as to help the authorities of those countries to strengthen their ability to combat effectively trafficking in human beings and to cope with their readmission obligations towards the Union and the Member States.*

27. *The Amsterdam Treaty conferred powers on the Community in the field of readmission. The European Council invites the Council to conclude readmission agreements or to include standard clauses in other agreements between the European Community and relevant third countries or groups of countries. Consideration should also be given to rules on internal readmission.*

**The Tampere conclusions implicitly detail the content of the planned instrument on the lawful status of legal immigrants. They add substantial detail to the planned policy on readmission and return, in particular referring to Community readmission agreements rather than EU coordination of implementation of readmission. Tampere also calls for the rapid adoption of legislation on admission, based on Commission proposals, replacing the Vienna intention of beginning work within five years. However, there is no new reference to free movement of third-country nationals who are already resident.**

**The Vienna intention of adopting information campaigns is reiterated by Tampere. The Vienna goal of combating illegal migration is implemented by Tampere, in particular as regards the adoption of legislation imposing sanctions on exploiters and traffickers by end 2000, based on a Commission proposal. There is only a general reference to visa policy in Tampere, so the Vienna timetable regarding adopting rules on the procedure and conditions for issuing visas, airport transit visas, rules on a uniform visa, the visa sticker and visa list rules remains unaffected. Tampere does not refer to the Vienna goal of developing reports on countries of origin; nor does Tampere add to the Vienna goal of adopting carriers' liability legislation. The Tampere prospect of joint visa consulates is a considerable development on the Vienna idea of a mechanism to discourage multiple visa applications. The Tampere goal of assisting third states to implement readmission and anti-trafficking obligations is new.**

## B. A GENUINE EUROPEAN AREA OF JUSTICE

28. *In a genuine European Area of Justice individuals and businesses should not be prevented or discouraged from exercising their rights by the incompatibility or complexity of legal and administrative systems in the Member States.*

### Civil Cooperation

#### II. Judicial cooperation in civil matters

39. The aim is to make life simpler for European citizens by improving and simplifying the rules and procedures on cooperation and communication between authorities and on enforcing decisions, by promoting the compatibility of conflict of law rules and rules on jurisdiction and by eliminating obstacles to the good functioning of civil proceedings in a European judicial area. It will be necessary to improve the coordination of Europe's courts and the awareness of Member States' laws, particularly in cases with important human dimensions, having an impact on the every-day life of the citizens.

#### Measures to be taken within two years

40. The following measures should be taken within two years after the entry into force of the Treaty:

- a) Finalisation, if it has not been completed, of work on the revision of the Brussels and Lugano Conventions
- b) Drawing up a legal instrument on the law applicable to non-contractual obligations (Rome II)
- c) Begin revision, where necessary, of certain provisions of the Convention on the Law applicable to Contractual Obligations, taking into account special provisions on conflict of law rules in other Community instruments (Rome I)
- d) Examine the possibility of extending the concept of the European judicial network in criminal matters to embrace civil proceedings.

Highly individualized contact points in each Member State could permit greater awareness of Member States' laws and ensure better coordination of proceedings in cases with important human dimensions (cross-border parental disputes, for example).

#### Measures to be taken within five years

41. The following measures should be taken within five years after the entry into force of the Treaty:

- a) Examine the possibilities to draw up a legal instrument on the law applicable to divorce (Rome III):

After the first step on divorce matters taken with Brussels II in the field of jurisdiction and the recognition and enforcement of judgments, the possibilities to agree on rules determining the law applicable in order to prevent forum shopping needs to be explored on the basis of an in-depth study.

- b) Examine the possibility of drawing up models for non-judicial solutions to disputes with particular reference to transnational family conflicts. In this context, the possibility of mediation as a means of solving family conflicts should be examined.

c) Examine the possibility of drawing up a legal instruments on international jurisdiction, applicable law, recognition and enforcement of judgments relating to matrimonial property regimes and those relating to succession.

In elaborating such instruments, the connection between matrimonial property and rules relating to succession should be taken into account. Work already undertaken within the framework of the Hague Conference of Private International Law should be taken into account.

d) Identifying the rules on civil procedure having cross-border implications which are urgent to approximate for the purpose of facilitating access to justice for the citizens of Europe and examine the elaboration of additional measures accordingly to improve compatibility of civil procedures.

This could include the examination of the rules on deposition of security for litigation costs and expenses of the defendant in a civil procedure, the granting of legal aid as well as other possible obstacles of an economic nature.

e) Improving and simplifying cooperation between courts in the taking of evidence.

f) Examine the possibility of approximating certain areas of civil law, such as creating uniform private international law applicable to the acquisition in good faith of corporal movables.

#### *V. Better access to justice in Europe*

*29. In order to facilitate access to justice the European Council invites the Commission, in co-operation with other relevant fora, such as the Council of Europe, to launch an information campaign and to publish appropriate "user guides" on judicial co-operation within the Union and on the legal systems of the Member States. It also calls for the establishment of an easily accessible information system to be maintained and up-dated by a network of competent national authorities.*

*30. The European Council invites the Council, on the basis of proposals by the Commission, to establish minimum standards ensuring an adequate level of legal aid in cross-border cases throughout the Union as well as special common procedural rules for simplified and accelerated cross-border litigation on small consumer and commercial claims, as well as maintenance claims, and on uncontested claims. Alternative, extra-judicial procedures should also be created by Member States.*

*31. Common minimum standards should be set for multilingual forms or documents to be used in cross-border court cases throughout the Union. Such documents or forms should then be accepted mutually as valid documents in all legal proceedings in the Union.*

*32. Having regard to the Commission's communication, minimum standards should be drawn up on the protection of the victims of crime, in particular on crime victims' access to justice and on their rights to compensation for damages, including legal costs. In addition, national programmes should be set up to finance measures, public and non-governmental, for assistance to and protection of victims.*

#### *VI. Mutual recognition of judicial decisions*

*33. Enhanced mutual recognition of judicial decisions and judgements and the necessary approximation of legislation would facilitate co-operation between authorities and the judicial protection of individual rights. The European Council therefore endorses the principle of mutual recognition which, in its view, should become the cornerstone of judicial co-operation in both civil and criminal matters within the Union. The principle should apply both to judgements and to other decisions of judicial authorities.*

34. *In civil matters the European Council calls upon the Commission to make a proposal for further reduction of the intermediate measures which are still required to enable the recognition and enforcement of a decision or judgement in the requested State. As a first step these intermediate procedures should be abolished for titles in respect of small consumer or commercial claims and for certain judgements in the field of family litigation (e.g. on maintenance claims and visiting rights). Such decisions would be automatically recognised throughout the Union without any intermediate proceedings or grounds for refusal of enforcement. This could be accompanied by the setting of minimum standards on specific aspects of civil procedural law.*

35. *With respect to criminal matters, the European Council urges Member States to speedily ratify the 1995 and 1996 EU Conventions on extradition. It considers that the formal extradition procedure should be abolished among the Member States as far as persons are concerned who are fleeing from justice after having been finally sentenced, and replaced by a simple transfer of such persons, in compliance with Article 6 TEU. Consideration should also be given to fast track extradition procedures, without prejudice to the principle of fair trial. The European Council invites the Commission to make proposals on this matter in the light of the Schengen Implementing Agreement.*

36. *The principle of mutual recognition should also apply to pre-trial orders, in particular to those which would enable competent authorities quickly to secure evidence and to seize assets which are easily movable; evidence lawfully gathered by one Member State's authorities should be admissible before the courts of other Member States, taking into account the standards that apply there.*

37. *The European Council asks the Council and the Commission to adopt, by December 2000, a programme of measures to implement the principle of mutual recognition. In this programme, work should also be launched on a European Enforcement Order and on those aspects of procedural law on which common minimum standards are considered necessary in order to facilitate the application of the principle of mutual recognition, respecting the fundamental legal principles of Member States.*

#### *VII. Greater convergence in civil law*

38. *The European Council invites the Council and the Commission to prepare new procedural legislation in cross-border cases, in particular on those elements which are instrumental to smooth judicial co-operation and to enhanced access to law, e.g. provisional measures, taking of evidence, orders for money payment and time limits.*

39. *As regards substantive law, an overall study is requested on the need to approximate Member States' legislation in civil matters in order to eliminate obstacles to the good functioning of civil proceedings. The Council should report back by 2001.*

**The Tampere conclusions leave almost all the Vienna Action Plan proposals intact, but calls for speeding up work on a few issues and adding many new ones. The intact parts of the Vienna plan relate to the first Brussels Convention, Rome I, II and III instruments, the European Judicial Network, and matrimonial property and succession. Tampere amends the Vienna proposals on legal aid and simplified litigation, extra-judicial settlements (implicitly incorporating the Vienna reference to mediation) procedural rules and substantive civil law. The new developments at Tampere include the possibility of information exchange and user guides, multilingual forms, simplified recognition and enforcement (going beyond the 1999 revisions to the Brussels Convention), rules concerning cross-border seizure of evidence and assets, and the mutual recognition of evidence.**

## Police and Criminal law

### C. Police and judicial cooperation in criminal matters

42. The aim is to give citizens a high level of protection as provided for in the Treaty of Amsterdam and to promote the rule of law. This implies greater cooperation between the authorities responsible for applying the law with due regard for legal certainty. It also implies giving practical form to a judicial area in which judicial authorities cooperate more effectively, more quickly and more flexibly. Encourage an integrated approach, through close co-operation, of judicial, police and other relevant authorities in preventing and combating crime, organised or otherwise.

Measures to be taken within two years

#### I. Police cooperation

43. The following measures should be taken within two years after the entry into force of the Treaty:

##### 1. As regards Europol cooperation:

###### a) Improve Europol cooperation in the following areas:

i) Examine the feasibility of setting up a database of pending investigations, within the framework of the provisions of the Europol Convention, allowing to avoid any overlap between investigations and to involve several European competent authorities in the same investigation, thus combining their knowledge and expertise.

###### ii) direct Europol's documentary work towards operational activity.

Wherever possible, its analyses should lead to operational conclusions.

iii) Make the fight against illegal immigration networks one of the priorities of operational cooperation, particularly by using the national units as a network of national contact points responsible for dealing with them.

iv) Combat terrorism: reinforce exchanges of information and the coordination of competent authorities of Member States in the fight against crimes committed or likely to be committed in the course of terrorist activities, using Europol in particular.

v) Extend the competencies of Europol to other activities, as necessary (e.g. falsification of Euro and other means of payments).

b) Draw up an adequate legal instrument extending Europol's powers to the activities referred to in Article 30(2) TEU and focusing Europol's work on operational cooperation. An important subject is the place and the role of judicial authorities in their relations with Europol.

One of the priorities stated by the Treaty is to determine the nature and scope of the operational powers of Europol, which will have to be able to "ask the competent authorities of the Member States to conduct and coordinate [their] investigations" and also to act within the framework of "operational actions of joint teams".

c) Examine Europol access to SIS or EIS investigation data.

d) Develop the role for Europol concerning the exchange of information in order to implement the Pre-Accession Pact on organised crime.

(b) other police cooperation measures

44. The other police and customs cooperation measures comprise:

a) The common evaluation of particular investigative techniques in relation to the detection of serious forms of organised crime (Article 30(1)(d) TEU).

b) Consideration of the arrangements under which a law enforcement service from one Member State could operate in the territory of another (Article 32 TEU) taking into consideration the Schengen acquis.

Consideration should be given to two points in particular:

- the determination of the conditions and limitations under which the competent law enforcement authorities of one Member State may operate in the territory of another Member State, in liaison and in agreement with the latter.

- in return, what types of operation - and under what arrangements - is each Member State willing to accept in its own territory?

The creation of a collective framework for this type of operation is one of the priorities of police cooperation. This framework can be a flexible one.

c) The development and expansion of operational cooperation between law enforcement services in the Union and the strengthening of technical police cooperation.

The joint action carried out in particular by the Member States' customs administrations should be used where appropriate as a model and should be expanded in cooperation with national police forces and gendarmeries and in close conjunction with the judicial authorities. In the medium term, Europol could serve as a back-up for these future initiatives, which it will be possible to activate under what the Amsterdam Treaty has established as "decisions for any other purpose consistent with" the objectives of Title VI of the TEU.

d) The development of the annual report on organized crime with a view to defining common strategies.

Harmonisation of the analysis parameters will have to be ensured so that the data collected can be compared.

e) In the field of customs law enforcement co-operation, the implementation of the CIS and Naples II Conventions.

Europol's powers must be taken into account when points (a) to (e) are implemented.

## II. Judicial cooperation in criminal matters

45. The following measures should be taken within two years after the entry into force of the Treaty:

a) Implement effectively and, where appropriate, further develop the European judicial network

The effective implementation of the European judicial network is a priority matter. It will bring about a practical improvement in cooperation and needs to be equipped with modern tools to enable efficient cooperation. Consideration ought to be given now to making it more operational.

b) Finalise the Convention on Mutual Assistance in Criminal Matters as well as an additional Protocol to the Convention and implement them as soon as possible.

The possibility should be examined to foresee the simplification of the procedures and the limitation of ground for refusal of assistance.

c) Facilitate extradition between Member States by ensuring that the two existing conventions on extradition adopted under the TEU are effectively implemented in law and in practice.

d) Strengthen and develop fight against money laundering.

e) Facilitate and accelerate cross-border cooperation between the competent ministries and judicial or equivalent authorities of the Member States.

f) Initiate a process with a view to facilitating mutual recognition of decisions and enforcement of judgments in criminal matters.

g) Examine the role and the place of the judicial authorities in the framework of a further development of Europol in accordance with the Amsterdam Treaty, with a view to improving the efficiency of the institution.

h) Consideration of the arrangements under which judicial or equivalent authorities from one Member State may operate in the territory of another Member State (Article 32 TEU).

Consideration should be given to two points in particular:

- the determination of the conditions and limitations under which the competent judicial and/or prosecutorial authorities of one Member State may operate in the territory of another Member State, in liaison and in agreement with the latter.

- in return, what types of operation - and under what arrangements - is each Member State willing to accept in its own territory?

The creation of a collective framework for this type of operation is one of the priorities of judicial cooperation. This framework could be a flexible one.

### III. Approximate the Member States' rules on criminal matters

46. The following measures should be taken within two years of the entry into force of the Treaty:

a) Identify the behaviour in the field of organized crime, terrorism and drug trafficking, for which it is urgent and necessary to adopt measures establishing minimum rules relating to the constituent elements and to penalties and, if necessary, elaborate measures accordingly.

Prime candidates for this examination could include, insofar as they relate to organized crime, terrorism and drug trafficking, offenses such as trafficking in human beings and sexual exploitation of children, offenses against drug trafficking law, corruption, computer fraud, offenses committed by terrorists, offenses committed against the environment, offenses committed by means of the Internet and money laundering in connection with those forms of crime. Parallel work in international organisations like the Council of Europe have to be taken into consideration.

b) Examine the possibility to approximate, where necessary, national legislation on counterfeiting (protection of the Euro), fraud and counterfeiting involving means of payment other than currency.



#### IV. Horizontal problems

47. The following measures should be taken within two years of the entry into force of the Treaty:

- a) Examine the possibilities for harmonised rules on data protection.
- b) Finalise, if it has not been completed, evaluate the implementation and consider a follow up to the Plan of Action on Organised Crime, approved by the European Council at Amsterdam.
- c) Continue the process of mutual evaluation under the Joint Action adopted by the Council on 5 December 1997.
- d) Continue and develop the work started under the action plan on organised crime on the question of safe havens and fiscal paradises.

#### Measures to be taken within five years

##### I. Police cooperation

48. The following measures should be taken within five years after the entry into force of the Treaty:

- (a) as regards cooperation within the framework of Europol:
  - i) Promote liaison arrangements between prosecuting/investigating officials specialising in the fight against organised crime in close cooperation with Europol (Article 30(2)(c), TEU).
  - ii) Establish a research and documentation network on cross-border crime (Article 30(2)(d), TEU).
  - iii) Improve the statistics on cross-border crime (Article 30(2)(d), TEU).
  - iv) Set up a system for the exchange of information and analysis on money laundering.
  - v) Examine whether and how Europol could have access to the Customs Information System.
  - vi) In cooperation with Europol, elaborate and implement an information strategy in order to make the work and powers of Europol known to the public
  - vii) Study the possibility of setting up a system of exchanging fingerprints electronically between Member States
- (b) other police cooperation measures
  - i) Encourage general policy and operational cooperation between the competent authorities, including the police, customs and other specialised law enforcement services and the judicial authorities of the Member States in relation to the prevention, detection and investigation of criminal offenses (Article 30(1)(a), TEU).

In this context it would be useful to develop and enhance existing bilateral and regional cross-border cooperation, for instance by continuing and extending on a similar basis the experiments with joint police stations.

It would also be desirable to continue the development of customs risk analysis techniques and the improvement of customs control methods such as the implementation of the container control action plan et de réfléchir sur les nouveaux vecteurs de fraude, dont Internet.

ii) Organise the collection, storage, processing, analysis and exchange of relevant information, including information held by law enforcement services on reports on suspicious financial transactions, in particular through Europol, subject to appropriate provisions on the protection of personal data (Article 30(1)(b), TEU).

iii) Promote cooperation and joint initiatives in training, the exchange of liaison officers, secondment, the use of equipment, and forensic research (Article 30(1)(c), TEU).

## II. Judicial cooperation in criminal matters

49. The following measures should be taken within five years of the entry into force of the Treaty:

a) Consider whether substantive and formal improvements can still be made to extradition procedures including rules to reduce delays.

The issue of extradition in relation to procedures in absentia, with the full respect of fundamental rights granted by the European convention of Human rights, might also be examined in this context.

b) Further facilitate cross-border cooperation between ministries and judicial authorities in the field of criminal proceedings.

c) Examine the feasibility of improved cross-border cooperation on the transfer of proceedings and the enforcement of sentences.

d) Study the feasibility of extending and possibly formalising the exchange of information on criminal records.

e) Prevent conflicts of jurisdiction between Member States, by, for instance, examine the possibility of registering whether there are proceedings against the same persons on the same offenses pending in different Member States.

Establish measures for the coordination of criminal investigations and prosecutions in progress in the Member States with the aim of preventing duplication and contradictory rulings, taking account of better use of the ne bis in idem principle.

## III. Approximation of the rules on criminal matters

50. The following measures should be taken within five years of the entry into force of the Treaty:

a) Ensure compatibility of the rules applicable between Member States insofar as necessary to improve judicial cooperation. A reflection should also be started on possibilities for avoiding that abuse of judicial remedies can affect or delay co-operation.

Efficient procedural standards should be sought that will improve mutual assistance in criminal matters while complying with the requirements of fundamental freedoms. Consideration should be begun in the field of telecommunication interception and also on civil actions relating to criminal offenses. In that connection, compensation for the victims of crime must be an avenue not to be neglected.

b) Improve and approximate, where necessary, national provisions governing seizures and confiscation of the proceeds from crime, taking account of the rights of third parties in bona fide.

c) Continued elaboration of measures establishing minimum rules relating to the constituent elements of behaviour and to penalties in all fields of organized crime, terrorism and drug trafficking.

#### IV. Horizontal problems

51. The following measures should be taken within five years of the entry into force of the Treaty:

a) Identify which specific forms of crime which can be best combatted by a general EU approach, such as computer crime, in particular child pornography on the Internet, racism and xenophobia, drugs trafficking and the approximation of offenses in that area, taking into account work in other international organisations.

b) Develop cooperation and concerted measures on matters relating to crime prevention.

c) Address the question of victim support by making a comparative survey of victim compensation schemes and assess the feasibility of taking action within the Union.

d) Effectively implement the Pre-Accession Pact on Organized Crime

#### C. A UNIONWIDE FIGHT AGAINST CRIME

*40. The European Council is deeply committed to reinforcing the fight against serious organised and transnational crime. The high level of safety in the area of freedom, security and justice presupposes an efficient and comprehensive approach in the fight against all forms of crime. A balanced development of unionwide measures against crime should be achieved while protecting the freedom and legal rights of individuals and economic operators.*

#### VIII. Preventing crime at the level of the Union

*41. The European Council calls for the integration of crime prevention aspects into actions against crime as well as for the further development of national crime prevention programmes. Common priorities should be developed and identified in crime prevention in the external and internal policy of the Union and be taken into account when preparing new legislation.*

*42. The exchange of best practices should be developed, the network of competent national authorities for crime prevention and co-operation between national crime prevention organisations should be strengthened and the possibility of a Community funded programme should be explored for these purposes. The first priorities for this co-operation could be juvenile, urban and drug-related crime.*

#### IX. Stepping up co-operation against crime

*43. Maximum benefit should be derived from co-operation between Member States' authorities when investigating cross-border crime in any Member State. The European Council calls for joint investigative teams as foreseen in the Treaty to be set up without delay, as a first step, to combat trafficking in drugs and human beings as well as terrorism. The rules to be set up in this respect should allow representatives of Europol to participate, as appropriate, in such teams in a support capacity.*

44. The European Council calls for the establishment of a European Police Chiefs operational Task Force to exchange, in co-operation with Europol, experience, best practices and information on current trends in cross-border crime and contribute to the planning of operative actions.

45. Europol has a key role in supporting unionwide crime prevention, analyses and investigation. The European Council calls on the Council to provide Europol with the necessary support and resources. In the near future its role should be strengthened by means of receiving operational data from Member States and authorising it to ask Member States to initiate, conduct or coordinate investigations or to create joint investigative teams in certain areas of crime, while respecting systems of judicial control in Member States.

46. To reinforce the fight against serious organised crime, the European Council has agreed that a unit (EUROJUST) should be set up composed of national prosecutors, magistrates, or police officers of equivalent competence, detached from each Member State according to its legal system. EUROJUST should have the task of facilitating the proper coordination of national prosecuting authorities and of supporting criminal investigations in organised crime cases, notably based on Europol's analysis, as well as of co-operating closely with the European Judicial Network, in particular in order to simplify the execution of letters rogatory. The European Council requests the Council to adopt the necessary legal instrument by the end of 2001.

47. A European Police College for the training of senior law enforcement officials should be established. It should start as a network of existing national training institutes. It should also be open to the authorities of candidate countries.

48. Without prejudice to the broader areas envisaged in the Treaty of Amsterdam and in the Vienna Action Plan, the European Council considers that, with regard to national criminal law, efforts to agree on common definitions, incriminations and sanctions should be focused in the first instance on a limited number of sectors of particular relevance, such as financial crime (money laundering, corruption, Euro counterfeiting), drugs trafficking, trafficking in human beings, particularly exploitation of women, sexual exploitation of children, high tech crime and environmental crime.

49. Serious economic crime increasingly has tax and duty aspects. The European Council therefore calls upon Member States to provide full mutual legal assistance in the investigation and prosecution of serious economic crime.

50. The European Council underlines the importance of addressing the drugs problem in a comprehensive manner. It calls on the Council to adopt the 2000-2004 European Strategy against Drugs before the European Council meeting in Helsinki.

#### *X. Special action against money laundering*

51. Money laundering is at the very heart of organised crime. It should be rooted out wherever it occurs. The European Council is determined to ensure that concrete steps are taken to trace, freeze, seize and confiscate the proceeds of crime.

52. Member States are urged to implement fully the provisions of the Money Laundering Directive, the 1990 Strasbourg Convention and the Financial Action Task Force recommendations also in all their dependent territories.

53. The European Council calls for the Council and the European Parliament to adopt as soon as possible the draft revised directive on money laundering recently proposed by the Commission.

54. With due regard to data protection, the transparency of financial transactions and ownership of corporate entities should be improved and the exchange of information between the existing financial intelligence units (FIU) regarding suspicious transactions expedited. Regardless of secrecy provisions applicable to banking and other commercial activity, judicial authorities as well as FIUs

*must be entitled, subject to judicial control, to receive information when such information is necessary to investigate money laundering. The European Council calls on the Council to adopt the necessary provisions to this end.*

*55. The European Council calls for the approximation of criminal law and procedures on money laundering (e.g. tracing, freezing and confiscating funds). The scope of criminal activities which constitute predicate offences for money laundering should be uniform and sufficiently broad in all Member States.*

*56. The European Council invites the Council to extend the competence of Europol to money laundering in general, regardless of the type of offence from which the laundered proceeds originate.*

*57. Common standards should be developed in order to prevent the use of corporations and entities registered outside the jurisdiction of the Union in the hiding of criminal proceeds and in money laundering. The Union and Member States should make arrangements with third country offshore-centres to ensure efficient and transparent co-operation in mutual legal assistance following the recommendations made in this area by the Financial Action Task Force.*

*58. The Commission is invited to draw up a report identifying provisions in national banking, financial and corporate legislation which obstruct international co-operation. The Council is invited to draw necessary conclusions on the basis of this report.*

**The Tampere conclusions on criminal law and policing cross over in part with those on judicial cooperation (see above). A large number of the provisions of the Vienna Plan are unaffected by Tampere. Tampere adds money laundering to Europol's powers and lays out in more detail and more definitively the Vienna requirements to consider extending operational powers to Europol within two years. The Tampere agreements on Eurojust, a European Police College and an operational task force of Police Chiefs are all new. The Tampere focus on money laundering adds much to the Vienna conclusions on this issue. In particular, the obligation to cooperate between administrations is made more specific. There is considerable cross-over between Tampere and Vienna on the areas of substantive criminal law which could be harmonized.**

**The Tampere prospect of expedited extradition of certain categories of fugitive (see judicial cooperation section) adds to the Vienna prospect of *in absentia* extraditions. The detailed Tampere conclusions regarding mutual recognition of judgments (see judicial cooperation section), including recognition of evidence and cross-border measures regarding seizing assets and evidence, build up some brief suggestions in the Vienna conclusions. Finally, the Tampere conclusions on crime victims (see judicial cooperation section) add much to the vague suggestions on this topic in the Vienna Plan.**

## **External Relations**

### **E. RELATIONS WITH THIRD COUNTRIES AND INTERNATIONAL ORGANISATIONS**

**22. The advances introduced by the Amsterdam Treaty will also enhance the Union's role as a player and partner on the international stage, both bilaterally and in multilateral fora. As a result, and building on the dialogue that it has already started in Justice and Home Affairs cooperation with an increasing number of third countries and international organisations and bodies (e.g. Interpol, UNHCR, Council of Europe, G8 and the OECD), this external aspect of the Union's action can be expected to take on a new and more demanding dimension. Full use will need to be made of the new instruments available under the Treaty. In particular, the communautarisation of the matters relating to asylum, immigration and judicial cooperation in civil matters permit the Community -to the extent permitted by the established case law of the European Court of Justice related to the external competence of the Community- to exercise its influence internationally in these matters. In**

those subjects which remain in Title VI of TEU, the Union can also make use of the possibility for the Council to conclude international agreements in matters relating to Title VI of the Treaty, as well as for the Presidency, assisted by the Secretary General of the Council and in full association with the Commission, to represent the Union in these areas.

#### **D. STRONGER EXTERNAL ACTION**

*59. The European Council underlines that all competences and instruments at the disposal of the Union, and in particular, in external relations must be used in an integrated and consistent way to build the area of freedom, security and justice. Justice and Home Affairs concerns must be integrated in the definition and implementation of other Union policies and activities.*

*60. Full use must be made of the new possibilities offered by the Treaty of Amsterdam for external action and in particular of Common Strategies as well as Community agreements and agreements based on Article 38 TEU.*

*61. Clear priorities, policy objectives and measures for the Union's external action in Justice and Home Affairs should be defined. Specific recommendations should be drawn up by the Council in close co-operation with the Commission on policy objectives and measures for the Union's external action in Justice and Home Affairs, including questions of working structure, prior to the European Council in June 2000.*

*62. The European Council expresses its support for regional co-operation against organised crime involving the Member States and third countries bordering on the Union. In this context it notes with satisfaction the concrete and practical results obtained by the surrounding countries in the Baltic Sea region. The European Council attaches particular importance to regional co-operation and development in the Balkan region. The European Union welcomes and intends to participate in a European Conference on Development and Security in the Adriatic and Ionian area, to be organised by the Italian Government in Italy in the first half of the year 2000. This initiative will provide valuable support in the context of the South Eastern Europe Stability Pact.*

**This section of the Tampere conclusions builds considerably upon the brief references to external relations in the Vienna Plan.**