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NOTE

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from : Presidency

to : Article K.4 Committee

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No. prev. doc.: 5601/97 USA 1

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Subject: Transatlantic dialogue – Third pillar

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1. The EU and the US take the view that the third pillar offers a starting point for further cooperation and a strengthening of EU-US relations in the framework of the transatlantic dialogue. The SLG meeting in Washington on 28 January established American interest in this area and a desire was expressed to work towards possible specific cooperation initiatives even before the forthcoming EU-US summit on 28 May 1997 (see 5601/97 USA 1). A specific problem that surfaced was the absence of a clear structure and continuity in the dialogue in connection with the third pillar.
2. To take stock of the subjects under discussion and to exchange views on improving the structure of the dialogue a meeting was held on 19 February between the US and the Presidency (Chairman of the K.4 Committee) and attended by representatives of the European Commission and the Council Secretariat.
3. As a contribution to meaningful and clearer discussions with the US on matters relating to the third pillar the Presidency suggests that discussions within the EU on the proposed third pillar topics be organized as follows.

4. To ensure continuity, an attempt should be made, in consultation with the US and with close cooperation between the European Commission and the Council Secretariat, to draw up a work programme covering several successive Presidencies. This could best be done within the Troika so as to involve successive Presidencies in drawing up the programme.

At the end of each Presidency the Troika should assess the situation of the issues included in the work programme. On the basis of progress made and any new issues to be added, a list of priority matters for discussion in the following six months should be drawn up. This list should serve as a guideline for the next Presidency. At the beginning of the next Presidency (within the Troika) there should be a meeting with the US to determine the priorities and draw up a work programme for the following six months. This should give an indication of which subjects are likely to be concluded and of those which require further discussion.

5. The Presidency should ensure that the subjects are scheduled for discussion in the appropriate Working Parties and supervise their progress. If necessary, consultations with the US could take place at working party level. The Article K.4 Committee, together with the Working Party of JHA Counsellors, should be kept regularly informed.

#### Work plan

6. To launch the new procedure the Netherlands Presidency wishes to inform the Member States of the following work plan as discussed with the US. It takes account of the desire to complete certain important subjects before the EU-US summit meeting on 28 May 1997.

7. Negotiations with the US on the following matter have progressed to the point that their completion is expected before the summit on 28 May:

- the agreement with the US on precursors
- the EU-US agreement on cooperation and mutual assistance on customs matters

Discussions on these subjects take place primarily within the first pillar.

8. Additional subjects which should be given consideration under the Netherlands Presidency concern:

\* Drugs

- seeking ways of cooperating with the US in combating drugs in the Caribbean, Latin America and Central Asia. This is an issue which must be brought into line with activities discussed within the second pillar.

\* Asylum and migration

- six-monthly exchanges of information on asylum and immigration issues (CIREA and CIREFI)
- seminar in Texas on asylum and migration.

\* Terrorism

- G-7/P-8 action plan follow-up priorities.

This is a subject which must be harmonized with activities discussed within the second pillar.

\* Synthetic drugs

- joint action to set up an early warning system for synthetic drugs under the aegis of the UN
- follow-up to the Conference on chemical diversion from international commerce in Prague from 11 to 14 February 1997.

\* Extradition

- reciprocal exchange of information regarding the EU Convention on Extradition and US bilateral extradition agreements

- \* Organized crime
  - outcome of the proceedings of the High-Level Group on Organized Crime on cooperation with Europol
  - Cybercrime
  
- \* Law enforcement
  - technical assistance with regard to law enforcement and cooperation in establishing law enforcement academies in different countries or regions

9. The Presidency suggests the above procedure and work programme as regards the third pillar to the K.4 Committee. The Committee should schedule the subjects with the appropriate Working Parties. The results of the Working Parties' discussions should then be submitted to the K.4 Committee with a view to preparations for the summit on 28 May 1997.

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