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NOTE

from : K.4 Committee

to : Permanent Representatives Committee

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Subject: Draft conclusions of the JHA Council on relations with third countries in the fields of Justice and Home Affairs

The Council of the European Union,

recalling the tradition of contacts with certain third countries in the earlier context of intergovernmental cooperation,

anxious to strengthen its relations with third countries under Title VI of the TEU,

aware that such a development is necessary for the greater effectiveness of the European Union's cooperation action in these fields,

bearing in mind the specific links already existing in various areas between the European Union and a number of third countries,

concerned to develop complementarity between the policies implemented in the framework of the CFSP and JHA,

desirous of explaining to the third countries concerned its intentions in this regard,

believing that some variation in the level and nature of such contacts according to the partner concerned is justified on the basis of the interests of both sides,

wishing to define flexible general principles for each Presidency to apply when discharging its overall responsibility for the organization of work,

has adopted these conclusions:

I. Role of the K.4 Committee

The Council instructs the Article K.4 Committee to act as the Presidency's special partner in organizing contacts with third countries.

It will, in particular, take the decisions to hold the meetings referred to at point III.

II. Third countries concerned

The Council considers that, without prejudice to the enlargement of the European Union, contacts should be continued with those countries with which, under Trevi, such contacts were traditional: the United States, Canada, Switzerland and Morocco.

The Council also considers it important to step up its contacts with the CCEE.

Contacts will also be maintained with other countries which are applicants for membership of the European Union, bearing in mind the conclusions of the Corfu European Council.

The Council also agrees to develop contacts with the Baltic States.

The above list of countries is intended to be neither exhaustive nor definitive. It should not preclude occasional or regular contacts taking place depending on circumstances and the interests of the Union and the third countries concerned: the Presidency will propose such contacts, where appropriate, to the K.4 Committee.

In order to avoid a proliferation of meetings, third countries may be grouped together on the basis of their affinities or the similarity of their situations or their relations with the Union: the United States and Canada, the CCEE, other third countries applying for membership of the Union, the Baltic States.

III. Level and frequency

The Council considers that the choice as to level and frequency should be dictated by efficiency and the needs of both sides.

However, it intends to demonstrate its interest in such relations by organizing one meeting at political level during each Presidency. That meeting could be held, depending on circumstances, with all Member States of the Union or with the Troika, on the occasion of a JHA Council meeting or on other occasions (e.g. a conference, an informal ministerial meeting or an Association Council).

If such meetings take place with the Troika, the Presidency will keep the Council informed of the preparatory work and the outcome.

Meetings may also be organized at Article K.4 Committee or at Steering Group level.

Meetings of experts may also be organized. As a rule, these will bring together the Member States of the Union and the third country or countries concerned. Such meetings will take place, in particular, in the CIREA and CIREFI, which will be the fora preferred when the main aim of cooperation is that the parties keep each other regularly informed.

The frequency of such meetings will be determined by need and will take account of these groups' internal tasks, which must take precedence.

IV. Topics

The Council considers that all the topics covered by Title VI could be discussed.

It is for the Presidency, liaising with the Article K.4 Committee, to identify topics of mutual interest or which are of particular interest to the Union or its partners for proposed inclusion on the agenda for the meetings.

V. Dublin Group

The Council agrees, without prejudice to the consequences of the Union's forthcoming enlargement, not to make any change at this stage in the composition or operation of the Dublin Group, which, in the field of combating drugs, brings together the United States, Canada, Japan, Australia, Sweden, Norway and the United Nations, in addition to the Twelve.