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REV 1

LIMITE

JAI 40

REPORT

from: COUNCIL

to : EUROPEAN COUNCIL

Subject: **Achievements in the field of Justice and Home Affairs in 1997**

1. INTRODUCTION

- 1.1. At its meeting on 10 and 11 December 1993 the European Council asked the Council to submit for the first time in 1994 and subsequently every year a report on achievements in the field of Justice and Home Affairs.

This report is based on the work programmes of the Netherlands and Luxembourg Presidencies and on the results achieved since the last report (11118/5/96 JAI 68 REV 5).

- 1.2. Work in the field of Justice and Home Affairs has focused on topics deriving from:

- (1) the action plan adopted in the Resolution of 14 October 1996 laying down the priorities for cooperation for the period from 1 July 1996 to 30 June 1998;
- (2) the conclusions of the Dublin and Amsterdam Summits;
- (3) the work of the High-Level Group on Organized Crime;
- (4) the need to begin work in preparation for the implementation of the future Amsterdam Treaty.

- 1.3. The action plan of 14 October 1996 (OJ No C 319, 26.10.1996) defined the priorities in the JHA field for 1997 and 1998. Work was based on that plan, which has been updated at the end of the year to cover the period from 1 January 1998 until the entry into force of the Amsterdam Treaty.

- 1.4. The Dublin and Amsterdam European Councils in turn gave the JHA bodies precise terms of reference in fields such as Europol (ratification of the Convention by all Member States by the end of 1997), the effort to combat drugs and the fight against organized crime.
- 1.5. In the last-named field the Amsterdam European Council, by approving the report from the High-Level Group on Organized Crime, including the timetable for the various tasks to be achieved, gave a priority ranking to that field of activities.
- 1.6. Lastly, as regards the Amsterdam Treaty, integration of the Schengen "acquis" into the European Union framework led to the initiation of preparatory work with a view to the entry into force of the future Amsterdam Treaty.

2. ASYLUM, IMMIGRATION, CROSSING OF EXTERNAL BORDERS AND VISAS

2.1. Asylum

1. The Dublin Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities entered into force on 1 September 1997. In order to ensure that the Convention is implemented uniformly and efficiently, the Council approved the rules of procedure of the Committee set up under Article 18 of the Dublin Convention and certain other provisions. Those acts were formally adopted by the Article 18 Committee on 9 September 1997; furthermore, the joint handbook for the application of the Dublin Convention is currently undergoing adoption in accordance with the same procedure.
2. In the context of implementation of the Dublin Convention and in accordance with the brief from the JHA Council on 23 November 1995, a draft Convention concerning the establishment of "Eurodac" for the collection, storage, exchange and comparison of fingerprints of applicants for asylum was examined. At its meeting on 4 and 5 December 1997 the Council confirmed the agreement reached at technical level on some Articles of the draft Convention. At the same time, agreement was noted on the technical specifications of the Eurodac system.
3. In the field of asylum the Council placed emphasis on practical cooperation between the Member States' competent authorities, notably in the CIREA context.

It also adopted the reports on CIREA's activities in 1994, 1995 and 1996 (decision taken on 26 May 1997).

4. As the Council felt the need to verify the implementation of acts adopted relating to asylum, it took a Decision to that effect on 26 June 1997.
5. The Council began examining the proposal for a joint action on the temporary protection of displaced persons which had been submitted to it by the Commission.

2.2. Migration

1. In view of the high numbers of displaced third-country nationals resident in Member States of the European Union, notably as a result of the armed conflict in former Yugoslavia, the Council adopted on 26 May 1997 a Decision on the exchange of information concerning assistance for the voluntary repatriation of such persons.
2. Faced with an increasing number of unaccompanied minors who are nationals of third countries, the Council adopted on 26 June 1997 a Resolution aimed on the one hand at securing adequate protection for such minors and on the other at limiting their numbers. The Resolution is directed both at asylum-seekers and at those not seeking refugee status.
3. On 5 December 1997 the Council adopted a Resolution on marriages of convenience, a means increasingly used by third-country nationals to enter the European Union and/or acquire the right to reside there.
4. The Council also took note of the draft Convention on rules for the admission of third-country nationals to the Member States, submitted to it by the Commission.

2.3. External borders

In the context of the structured dialogue and with a view to improving cooperation with the CCEE in the field of asylum and immigration, the Council decided, on 26 May 1997, to send those countries a guide (working document) to effective practices for checks on persons at the external borders.

2.4. CIREA-CIREFI

CIREA and CIREFI have continued to exchange information on asylum and immigration respectively.

CIREA has examined the situation in several third States/regions from which asylum-seekers emanate. The UNHCR was invited to participate in that examination so that he could give his own analysis.

CIREFI has continued the exchange of information and its research into legal and illegal immigration.

Furthermore, the follow-up to be given to the evaluation of CIREFI's and CIREA's activities and working methods carried out in 1996 is under examination by the K.4 Committee with a view to enabling CIREFI and CIREA better to attain the objectives assigned to them.

The two bodies in question also continued their contacts with third countries:

- on 20 and 23 May 1997 a CIREFI meeting with the CCEE was held in the framework of the structured dialogue;
- on 24 June 1997 a CIREFI meeting was organized with experts from the USA and Canada in the framework of the transatlantic dialogue;
- furthermore, in December CIREFI held a meeting with experts from the CCEE, Cyprus, the USA and Canada on immigration networks used for sexual exploitation;
- lastly, two meetings were held, in the framework of the transatlantic dialogue, with experts from CIREA and experts from the USA and Canada, one under the Netherlands Presidency, the other under the Luxembourg Presidency.

2.5. Visas and residence permits

1. In view of the annulment by the Court of Justice of Council Regulation (EC) No 2317/95 determining the third countries whose nationals must be in possession of visas when crossing the external borders of the Member States, the Council decided, on 6 October 1997, to consult the European Parliament anew, chiefly on the basis of the text of the annulled Regulation.
2. In December 1997 the Council adopted a Decision on the technical specifications of the uniform residence permit to which the Council had already given its agreement in 1996 (joint action of 16 December 1996).
3. Furthermore, the exchange of practical information on visas continued within the relevant Council working party.

2.6. False documents

The exchange of technical information and the elaboration of mechanisms and tools for cooperation in combating illegal immigration was continued within the relevant Council working party. In particular, a coded reference system to alleviate the language problems encountered by European specialists in document falsification and a guide to the detection of false and falsified documents for officials carrying out checks at borders were drawn up. A Handbook of Genuine Documents of the Member States of the European Union, intended for the same officials, was finalized.

In addition, work was focused on the establishment of a common system for the archiving and transmission of images of genuine documents and of false or falsified documents.

2.7. Odysseus programme

The Council examined the draft joint action introducing a programme of training, exchanges and cooperation in the field of asylum, immigration and the crossing of external borders submitted by the Commission. The "Odysseus" cooperation programme provides for funding of ECU 14 million for the period 1997-2001. The Council recorded the agreement of all delegations on the objectives of the programme and instructed its subordinate bodies to prepare a solution to remove the obstacles to its final adoption and to enable it to be implemented.

3. POLICE, CUSTOMS AND JUDICIAL COOPERATION

3.1. Fight against organized crime

As a follow-up to the conclusions of the meeting of the European Council of Dublin on 13/14 December 1996, the European Council of Amsterdam adopted, on proposal of the High-Level Group on Organized Crime and after discussions in the JHA Council, an Action Plan to combat organized crime. With a view to implementing the Action Plan, it was decided to set up a Multidisciplinary Group on organized crime. This Group's task will be to further European cooperation in the field of combating organized crime. In order to implement this Action Plan the Council reached the following results:

- (1) Draft Joint Action establishing a mechanism for evaluating the application and implementation at the national level of international undertakings in the fight against organized crime

The Joint Action – proposed by the Presidency – was adopted by the Council in December 1997.

It aims at setting up a system of peer evaluation of the Member States in order to monitor the implementation at national level of international undertakings in the fight against organized crime.

Its main features include setting up evaluation teams composed of national experts who will visit the Member States. Agreement was reached on the general principles of the mechanism, the topics to be evaluated and the order in which the Member States shall be evaluated.

- (2) Draft Joint Action on making it a criminal offence to participate in a criminal organization in the Member States of the European Union

Major progress has been reached concerning the above mentioned joint action. The Council has asked the Coreper to resolve the last outstanding issues in order for the document to be adopted as soon as possible.

The aim of the draft joint action – proposed by the Presidency – is to make it a criminal offence in all Member States to participate in a criminal organization. The draft defines a criminal organization and requires an active contribution by the offender to the activities of the organization.

- (3) Proposal for a Council Decision on a joint action establishing a programme of exchanges, training and cooperation for persons responsible for action to combat organized crime (Falcone programme)

The Falcone programme (proposed by the Commission and the Presidency) aims at facilitating – by way of granting subsidies – exchanges, training and cooperation for persons responsible for combating organized crime. The programme would run for the period 1998 to 2001 and would be given ECU 10 million for its implementation.

- (4) Project-based approach

The Council endorsed the general principles as set out in a working document submitted by the United Kingdom delegation, providing for the introduction of a project-based approach in the fight against organized crime. It focuses in particular on how to make the entities involved work together.

- (5) Follow-up to the annual report on organized crime in 1996

The Council took note of the annual report on organized crime in 1996. The report describes how organized crime has developed in the Union and draws conclusions for future work.

- (6) Draft Joint Action on the setting up of the European Judicial Network

The Justice and Home Affairs Council of 4-5 December 1997 reached political agreement on the principle to create a European Judicial Network. One issue remains outstanding.

The Network involves the designation of one or more contact points in the Member States with a view to facilitating judicial cooperation between the Member States, particularly in action to combat forms of serious crime. The contact points shall provide legal and practical information necessary to enable an effective request for judicial cooperation or to improve judicial cooperation in general.

- (7) Secondment to the Council Secretariat of national experts specializing in the fight against organized crime

On 26 June 1997, the Council decided to establish in its General Secretariat a team of eight national experts and practitioners to assist future Presidencies in carrying out the plan to step up the fight against organized crime, adopted by the European Council at the Amsterdam Summit.

3.2. Fight against drugs in 1997

- 3.2.1. Efforts relating to drugs focused on the implementation of the instruments adopted in 1996, in particular the Joint Action of 17 December 1996 on the approximation of legislation and practices between Member States of the European Union with a view to tackling drug addiction and preventing and combating drug trafficking. The major event was the adoption in June 1997 of the Joint Action on the introduction of an early warning system on synthetic drugs. That mechanism, due to commence on 1 January 1998, makes it possible for the control measures applicable to psychotropic substances in the Member States also to apply to new synthetic drugs. The Europol Drugs Unit, the EDMC and the Commission each has a specific role as regards the exchange of information and risk evaluation.

In February 1997 Coreper set up a Horizontal Working Party on Drugs to coordinate the Union's activities relating to drugs, especially cross-pillar activities.

An informal meeting of the Ministers for Health, Justice and Home Affairs was held on 4 December 1997 and highlighted the need for an integrated approach to drugs problems.

- 3.2.2. Instruments were adopted in 1997 in the field of cooperation between police forces, customs and judicial activities (Joint Action of 9 June 1997 for the refining of targeting criteria, selection methods and collection of customs and police information) and of cooperation at the external borders (Council Resolution on a handbook for joint customs surveillance operations).

- 3.2.3. The fight against drugs is becoming increasingly important in the relations of the European Union with third countries or groups of third countries, in particular:

* *the Caribbean/Latin America*

Caribbean

Implementation of the action plan against drugs in the Caribbean has been resolutely initiated by the Member States and the Commission in close cooperation with the States of the region and the United States on the basis of studies carried out by the Commission and the Member States.

Latin America

Recommendations contained in the report from the mission to Latin America in 1996 were examined by Council bodies in 1997. Significant progress has been made in defining the details of the cooperation arrangements for Latin America and the Caribbean.

* *Central Asia*

The conclusions of the exploratory mission organized by the Commission with the assistance of experts from the Member States, further to an initiative launched in Dublin by France and the United Kingdom, were forwarded to the Council for examination.

As regards international meetings, the preparation for the Special Session of the United Nations General Assembly in June 1998 in New York received great attention. Coordinated positions were adopted at preparatory meetings in 1997 in the framework of the UNDCP in Vienna.

3.3. EDU/EUROPOL

3.3.1. In view of the Dublin European Council's request that the Europol Convention be ratified by the end of 1997, the Council's work has been based on preparation for Europol's start-up. To that end political agreement was reached on texts relating to files created for the purposes of analysis and Staff Regulations. On 19 June 1997 the Protocol on the Privileges and Immunities of Europol, of the members of its agencies, of its Assistant Directors and of its staff was signed. Work on the protection of Europol's confidentiality and the rules of procedure of the joint supervisory body has made progress.

At the Council meeting on 4 and 5 December 1997 agreement was reached on three texts relating to Europol's external relations. Meanwhile, preparations for the setting up of the computer system, which is currently at stage 2, are continuing.

At the Council meeting on 4 and 5 December 1997 it was agreed to amend in accordance with the procedure laid down in Article 43(3) of the Europol Convention the definition of trafficking in human beings in order to give Europol an adequate brief to combat such trafficking.

3.3.2. EDU activities

In the framework of its powers which were extended in 1996 to encompass trafficking in human beings, the EDU developed and widened its activities in 1997. Amongst these, mention should be made of the development of the drug purity indicator system, the determination of chemical characteristics, the LOGO project, the handbooks on drug production and growing, initiatives relating to the Balkan route and to Latin American organizations engaged in trafficking and work in hand on illegal motorcycle gangs.

3.4. Judicial cooperation in civil matters

- 3.4.1.** On 26 May 1997 the Council adopted the Convention on the service of judicial and extrajudicial documents in civil or commercial matters. That Convention aims at improving and speeding up the transmission of documents between the Member States by enabling their transmission directly between Member States' decentralized authorities, such as courts and process servers, using modern equipment such as fax machines.

The Council simultaneously adopted a Protocol conferring jurisdiction upon the Court of Justice to interpret the above Convention.

- 3.4.2.** At its meeting on 4 and 5 December 1997 the Council reached political agreement on the basic elements of the draft "Brussels II" Convention concerning jurisdiction, recognition and enforcement of judgments in matrimonial matters and parental responsibility on the occasion of matrimonial proceedings.

The aim of the draft Convention, which will be an instrument of major importance to European citizens, is to determine the courts in the Member States which have jurisdiction for examining applications on matters covered by the Convention, and to facilitate recognition and enforcement of judgments in other Member States. The Council gave instructions that the last outstanding technical aspects regarding the draft should be finalized so that the Convention could be adopted and signed in the first half of 1998 once Parliament had been consulted.

- 3.4.3.** At the same meeting the Council approved a work programme for revision of the Brussels Convention of 1968 and the Lugano Convention of 1988 concerning jurisdiction and the enforcement of judgments in civil and commercial matters. It was decided to set up two working parties, one composed of representatives of the Member States, and another having an enlarged composition, i.e. including representatives from those EFTA countries which are Contracting Parties to the Lugano Convention (Switzerland, Norway and Iceland) as well as other participants.

- 3.4.4.** Finally, the Council launched discussions on the necessity and possibility of drawing up a European Enforcement Order and on a Convention on the law applicable to extra-contractual obligations (Rome II).

Here the Commission placed before the Council a communication entitled: "Towards greater efficiency in obtaining and enforcing judgments within the European Union".

3.5. Judicial cooperation in criminal matters

3.5.1. Draft Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union

The Netherlands delegation presented in June a draft Convention containing articles on a number of topics.

The Council considered some questions concerning that instrument's scope at its December 1997 meeting. It agreed that the Convention should be limited to the topics already addressed in the draft, on the understanding that certain other matters were to be included in a Protocol to the Convention to be drawn up before 1 July 1999.

3.5.2. Draft Convention on driving disqualifications

The Council discussed this draft Convention for the first time in December 1997. Some issues are still outstanding; the Council has instructed the relevant bodies to continue work in order to come up with a solution as soon as possible.

3.5.3. Protection of the European Communities' financial interests

The Council drew up the Second Protocol to the Convention on the Protection of the European Communities' Financial Interests on 19 June 1997.

It decided to publish the explanatory report on the Convention in May 1997.

Work is now in hand to draw up explanatory reports on the Protocols to the Convention.

3.5.4. Corruption

The Council established on 26 May 1997 a Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union. An explanatory report on that Convention is currently being drawn up.

Acting on the basis of Article K.5 of the TEU, the Council further drew up two joint positions concerning negotiations in the OECD on the combating of corruption.

Lastly, the Working Party on Criminal and Community Law is currently working on a draft joint action, presented by the Luxembourg delegation in July 1997, on making corruption in the private sector a criminal offence.

3.5.5. Extradition

At its meeting on 26 May 1997 the Council decided to publish the explanatory report on the Convention relating to extradition between the Member States of the European Union.

3.6. Police cooperation

3.6.1. Law and order and security

By the Joint Action of 26 May 1997 the Council stepped up cooperation between police forces at gatherings in the broadest sense of the term. Key features of that Joint Action are cooperation between national coordination centres, the secondment of liaison officers, exchange of information and the organization of annual meetings between heads of central authorities responsible for law and order and security. On the subject of preventing and controlling football hooliganism the Resolution of 9 June 1997 provides for exchange of experience, exclusion from stadiums and an appropriate media policy.

3.6.2. Police techniques: exchange of DNA analysis results

DNA analysis results are extremely important for investigating crime. With a view to facilitating the exchange of such results, the Resolution of 9 June 1997 calls not only for the establishment of national DNA databases, but also for the standardization of DNA technology and legal safeguards.

3.7. Customs cooperation

3.7.1 Convention on mutual assistance and cooperation between customs authorities (Naples II)

The adoption of the Act drawing up the Convention and the signing of the Convention are scheduled for 18 December 1997. This Convention replaces the "Naples I" Convention of 1967. The customs administrations, as defined in the Convention, are to prevent and investigate infringements of national customs regulations, and to prosecute and punish infringements of Community and national customs provisions.

The Convention also provides for special forms of cooperation involving cross-border action for the prevention and prosecution of certain infringements. Such action includes hot pursuit, cross-border surveillance, controlled deliveries, covert investigations and the establishment of joint special investigation teams. The text of the Convention will be forwarded to the Member States for ratification.

3.7.2. Risk analysis

On 9 June 1997 the Council adopted a Joint Action for the refining of targeting criteria, selection methods, etc. and collection of customs and police information. This Joint Action constitutes a major instrument for the efficient planning of law enforcement measures in combating drug trafficking.

3.7.3. Joint customs surveillance operations

In order to strengthen controls at the Union's external borders and improve the effectiveness of the fight against illicit trade in sensitive goods, particularly drug trafficking, the Council adopted on 9 June 1997 a Resolution concerning a handbook for joint customs surveillance operations. In 1997 the Member States conducted various joint surveillance operations targeting air, sea and land traffic.

4. HORIZONTAL QUESTIONS

4.1. Relations with the European Parliament

- 4.1.1. The Presidency has consulted the European Parliament on most of the measures with a legislative character submitted by either the Commission or a Member State. That approach was endorsed at the Mondorf informal meeting, with Ministers emphasizing that that consultation should preferably take place when the Council began its examination. In this connection, the Presidency made more than ten consultation requests to Parliament.
- 4.1.2. The European Parliament has been regularly informed of work in areas coming under Title VI of the Treaty. In particular, on several occasions the Presidency provided information to the Committee on Civil Liberties and Internal Affairs as well as to the Committee on Legal Affairs and Citizens' Rights. The Council also replied to a number of written and oral questions put by the European Parliament.

4.2. Financing of activities under Title VI of the TEU

4.2.1. New programmes

On 22 July 1997 the Council adopted two Joint Actions aimed at making it possible in 1997 to finance projects for, respectively, the voluntary repatriation of displaced persons ⁽¹⁾ and improving admission facilities for asylum seekers and refugees ⁽²⁾.

The Council also examined the Odysseus and Falcone programmes referred to in points 2.7 and 3.1 above.

4.2.2. Existing programmes

The main financial measures taken in 1997 involved the implementation of the four programmes adopted in 1996 in the legal (Grotius ⁽³⁾) and police and customs (OISIN ⁽⁴⁾) spheres, on combating the traffic in human beings (STOP ⁽⁵⁾) and on document forgery (Sherlock ⁽⁶⁾).

The number of projects financed and the amounts committed in 1997 totalled

- Grotius	45 projects financed and ECU 2 million committed
- OISIN	62 projects financed and ECU 2,5 million committed
- STOP	25 projects financed and ECU 1,5 million committed
- Sherlock	5 projects financed and ECU 0,5 million committed.

4.3. Relations with third countries and international organizations

Relations with third countries developed considerably in 1997 in accordance with the guidelines agreed in 1996 under the Irish Presidency. The Troika, in close cooperation with the Commission and with the support of the Council General Secretariat, played an important role in developing and managing contacts with third countries. The list of third countries set out below does not claim to be exhaustive. An effort has also been made to avoid duplicating information given in other chapters.

⁽¹⁾ Joint Action adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the financing of specific projects in favour of displaced persons who have found temporary protection in the Member States and asylum-seekers, OJ No L 205, 31.7.1997, p.3.

⁽²⁾ Joint Action adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the financing of specific projects in favour of asylum-seekers and refugees, OJ No L 205, 31.7.1997, p.5.

⁽³⁾ OJ No L 287, 8.11.1996, p.3.

⁽⁴⁾ OJ No L 7, 10. 1.1997, p.5.

⁽⁵⁾ OJ No L 322, 12.12.1996, p.7.

⁽⁶⁾ OJ No L 287, 8.11.1996, p.7.

4.3.1. Preparation for accession

– CCEE

The structured dialogue focused on the issue of asylum in the first half of 1997 and judicial cooperation in the second half. Other meetings with the CCEE covered cooperation on drugs matters (implementation of the structured dialogue recommendations under the Irish Presidency) and checks at borders within the CIREFI and terrorism contexts. The CCEE attended a substantial number of seminars, including one on the rule of law on 23 and 24 June 1997 in Noordwijck.

The Presidency organized 6 essentially informative meetings at Troika level with JHA Counsellors from the applicant countries, on justice and home affairs proceedings.

The Multidisciplinary Working Party on Organized Crime referred to in 3.1 above also began work on the draft Pre-accession Pact on cooperation to combat crime to be defined jointly with the applicant CCEE (see recommendation 3 of the Action Plan to combat organized crime).

– Cyprus

Within the framework of the structured dialogue, meetings with the Cypriot delegation and the K.4 Committee Troika were held in May and December 1997 in close cooperation with the Commission and with the support of the Council General Secretariat. At the ministerial meetings in May and November 1997, information from the Cypriot delegation on the situation with respect to asylum and judicial cooperation was incorporated into the factual document drawn up by the Commission. The Cypriot delegation attended seminars.

4.3.2. Norway – Iceland

The Council Presidency met with representatives of Norway and Iceland in the context of preparing for the agreements which the Council has to conclude with both these countries, on the basis of Article 6 of the Protocol annexed to the Amsterdam Treaty, integrating the Schengen acquis into the framework of the European Union.

4.3.3. Transatlantic Dialogue

– United States

Within the Transatlantic Dialogue framework, high-level meetings were held on 10 January and 19 February 1997 in The Hague and on 9 July 1997 in Luxembourg. A work programme was adopted covering several Presidencies. Ministerial meetings took place in April and November 1997 in Washington. At these meetings the European Union was represented by the Commission and the Presidency, with the support of the Council General Secretariat.

In 1997, cooperation covered the following issues in particular:

- drugs and organized crime (further cooperation with the Caribbean, implementation of the precursors agreement, synthetic drugs)
- asylum/immigration (CIREFI/CIREA meeting)
- cybercrime (Multidisciplinary Working Party in November 1997)
- terrorism (bombing convention)
- judicial cooperation (extradition and mutual assistance in criminal matters).

In addition, United States experts have taken part in a significant number of seminars and have been invited to make a fact-finding visit to the EDU headquarters in the Hague.

- **Canada**

Meetings were held in March 1997 involving the Presidency, the Commission and the Council General Secretariat concerning the implementation of the political declaration and the action plan of December 1996. In November, the Presidency held talks in Ottawa with the Canadian authorities. The Canadian delegation was invited to participate in a number of seminars of mutual interest.

4.3.5. Euro/Mediterranean dialogue

Further to the conclusions of the ministerial meeting on 15 and 16 April 1997 in Valetta (second Euro/Mediterranean ministerial meeting), it was agreed that, in the framework of the MEDA programme, seminars would be arranged on organized crime, drug trafficking, car theft and illegal immigration.

4.3.6. Other countries

Talks took place between the Presidency and representatives of Morocco and Turkey.

4.3.7. International organizations

Talks were held at K.4 Committee Troika level with the Council of Europe, Interpol and the HCR. The Presidency also had contacts with the Hague Conference.

The Member States of the European Union and the Commission coordinated their positions at meetings of international organizations (e.g. United Nations Drugs Commission, the OECD, United Nations Crime Prevention Commission). The Union was also represented by the Presidency and/or the Commission at international fora such as, inter alia, the Visby Group (Task Force on organized crime in the Baltic Sea region).

4.4. Integration of the Schengen acquis into the framework of the European Union

Three initiatives have been taken to prepare for the integration of the cooperation known as the "Schengen Agreements" into the European Union.

A first Working Party has begun the work of defining, in accordance with the relevant provisions of the Amsterdam Treaty, the legal basis for each of the provisions making up the Schengen acquis.

A second Working Party has begun examining questions in connection with the conclusion by the European Union and the European Community of the Agreements with the Republic of Iceland and the Kingdom of Norway on the basis of Article 6 of the Protocol integrating the Schengen acquis into the framework of the European Union.

Finally, on the basis of a report drawn up by the Council General Secretariat, a Working Party is to examine the problems raised by the integration of the Schengen Secretariat into the General Secretariat of the Council of the Union.

4.5. Influx of immigrants from Iraq

On 4 and 5 December the JHA Council held an in-depth discussion on the mass influx of asylum seekers and illegal immigrants, particularly from Northern Iraq. It agreed to draw up, as regards the justice and home affairs sphere, an action plan to deal with this situation while complying with the principle of non-refoulement and the other principles of the Geneva Convention. The various aspects of the problem (external relations, humanitarian aid, etc.) will be examined further by the competent authorities, in particular the General Affairs Council.

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LIMITE

JAI 42

NOTE POINT "I/A"

du : Secrétariat Général du Conseil

au : Coreper/Conseil

n° doc. préc. : 13191/97 JAI 40

Objet : Réalisations dans le domaine "Justice et Affaires intérieures" au cours de l'année 1997

Suite aux discussions que les Conseillers JAI ont eues le 9 décembre 1997, le Coreper est invité à recommander au Conseil de

- prendre note du rapport tel qu'il figure dans le document 13191/97 JAI 40 ; et
 - décider de transmettre le rapport au Conseil européen afin qu'il puisse en prendre acte.
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