

12762/03 (Presse 278)

2529th Council meeting

- JUSTICE AND HOME AFFAIRS -

Brussels, 2-3 October 2003

President : **Mr Giuseppe PISANU**
Minister for the Interior

Mr Roberto CASTELLI
Minister for Justice

of the Italian Republic

Internet: <http://ue.eu.int/>
E-mail: press.office@consilium.eu.int

For further information call 32 2 285 95 48 – 32 2 285 63 19

12762/03 (Presse 278)

CONTENTS¹

PARTICIPANTS.....	4
 ITEMS DEBATED	
FOLLOW-UP TO THESSALONIKI	6
MINIMUM STANDARDS ON PROCEDURES IN MEMBER STATES FOR GRANTING AND WITHDRAWING REFUGEE STATUS	7
IMMIGRATION LIAISON OFFICERS NETWORK (ILO).....	9
MULTINATIONAL AD HOC TEAMS FOR EXCHANGING INFORMATION ON TERRORISTS.....	11
AGREEMENT BETWEEN EUROPOL AND THE RUSSIAN FEDERATION.....	13
JURISDICTION, RECOGNITION AND ENFORCEMENT OF JUDGEMENTS IN MATRIMONIAL MATTERS AND IN MATTERS OF PARENTAL RESPONSIBILITY.....	15
DECISION RELATING TO THE RATIFICATION OF THE 1996 HAGUE CONVENTION.....	16
EXECUTION OF CONFISCATION ORDERS IN THE EUROPEAN UNION	17
OTHER BUSINESS	19
– Afghanistan and drugs	19
– Draft Council Resolution on a more coherent contract law	19
– Training of police officers in Iraq.....	19
MIXED COMMITTEE.....	20
– Application of the “ne bis in idem” principle.....	20
– Follow-up to Thessaloniki	20

¹

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

ITEMS APPROVED WITHOUT DEBATE*JUSTICE AND HOME AFFAIRS*

– Schengen: Amendment to the Convention*	I
– Customs cooperation	I
– Explosives – <i>Council conclusions</i>	I
– Strategy on Prevention and Control of Organised Crime	II
– Drug trafficking	II
– Euro counterfeiting	II
– Arrest Warrant - <i>Council conclusions</i>	II
– Collective Evaluation: Acceding countries and thematic reports	III
– European Police College (CEPOL)	III
– Europol – Negotiations with Malta, Lithuania and Latvia	III

APPOINTMENTS

– Committee of the Regions	III
----------------------------------	-----

PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Patrick DEWAELE
Ms Laurette ONKELINX

Deputy Prime Minister and Minister for the Interior
Deputy Prime Minister and Minister for Justice

Denmark:

Mr Bertel HAARDER
Ms Lene ESPERSEN

Minister for Refugees, Immigration and Integration
Minister for Justice

Germany:

Mr Otto SCHILY
Ms Brigitte ZYPRIES

Federal Minister for the Interior
Federal Minister for Justice

Greece:

Mr Giorgos FLORIDIS

Minister for Public Order

Spain:

Mr Carlos BASTARRECHE SAGÜES

Ambassador, Permanent Representative

France:

Mr Dominique PERBEN
Mr Pierre SELLAL

Keeper of the Seals, Minister for Justice
Ambassador, Permanent Representative

Ireland:

Mr Michael McDOWELL

Minister for Justice, Equality and Law Reform

Italy:

Mr Giuseppe PISANU
Mr Roberto CASTELLI

Minister for the Interior
Minister for Justice

Luxembourg:

Mr Luc FRIEDEN

Minister for Justice, Minister for the Treasury and the Budget

Netherlands:

Mr Jan Piet Hein DONNER
Ms Rita VERDONK

Minister for Justice
Minister for Aliens' Affairs and Integration

Austria:

Mr Dieter BÖHMDORFER
Mr Ernst STRASSER

Federal Minister for Justice
Federal Minister for the Interior

Portugal:

Ms Maria Celeste CARDONA
Mr Luís PAIS DE SOUSA

Minister for Justice
State Secretary to the Minister for the Interior

Finland:

Mr Johannes KOSKINEN
Mr Kari RAJAMÄKI

Minister for Justice
Minister for the Interior

Sweden:

Mr Thomas BODSTRÖM
Ms Charlotte SVENSSON

Minister for Justice
State Secretary at the Ministry of Foreign Affairs

United Kingdom:

Lord Geoffrey FILKIN
Ms Caroline FLINT

Parliamentary Secretary, Department for Constitutional Affairs
Parliamentary Under-Secretary of State, Home Office

* * *

Commission:

Mr António VITORINO

Member

The Governments of the Acceding States were represented as follows:

Czech Republic :

Mr Pavel TELIČKA

Ambassador, Permanent Representative

Estonia :

Mr Ken–Marti VAHER

Minister for Justice

Cyprus :

Mr Dorus THEODOROU

Minister for Justice and Public Order

Mr Andreas CHRISTOU

Minister for the Interior

Latvia :

Mr Aivars AKSENOKS

Minister for Justice

Lithuania :

Mr Vytautas MARKEVICIUS

Minister for Justice

Mr Virgilijus Vladislova BULOVAS

Minister for the Interior

Hungary :

Ms Mónika LAMPERT

Minister for the Interior

Mr Péter BÁRÁNDI

Minister for Justice

Malta:

Mr Tonio BORG

Minister of Justice and Home Affairs

Poland :

Mr Sylwester KROZAK

State Secretary

Mr Paweł DAKOWSKI

Under-Secretary of State in the Ministry for the Interior and Administration

Slovakia :

Mr Daniel LIPŠIC

Minister for Justice

Slovenia :

Mr Rado BOHINC

Minister for Home Affairs

Mr Ivan BIZJAK

Minister for Justice

ITEMS DEBATED**FOLLOW-UP TO THESSALONIKI**

The Council had an in-depth exchange of views on the follow-up to be given to the Thessaloniki European Council Conclusions.

The Presidency took note of the broad agreement of the delegations on the importance attached to the development of a common policy on legal and illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents, and in particular:

- of the wide agreement regarding the creation of an Agency for the management of external borders and of the intention of the Commission to present the necessary proposal at the beginning of November 2003;
- of the common agreement on the inclusion of biometric identifiers in travel documents and on the necessity of reaching an agreement, as soon as possible, on the two proposals from the Commission dealing with biometric identifiers in uniform format for visas and in uniform format for residence permits for third-countries nationals;
- of the convergence regarding the return policy and the invitation to the Commission to present the appropriate proposals relating to the Community financing of return operations.

The question of the possible setting up of an immigration European quota system will be examined when the study to be carried out by the Commission, which is expected in Spring 2004, is available.

MINIMUM STANDARDS ON PROCEDURES IN MEMBER STATES FOR GRANTING AND WITHDRAWING REFUGEE STATUS

The Council examined the draft Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status.

The Council focused its debate on the provisions regarding safe countries of origin: the notion of such countries, the setting up of a procedural mechanism for the drawing up of a minimum common list of safe countries of origin and the possibility of allowing national designations of such countries.

The Council agreed to set up a minimum common list of safe third countries of origin that will be binding for all Member States. There will be individual examination of all applications for asylum. Member States may also introduce national lists of other safe countries.

All delegations but one agreed on the following way to designate safe countries of origin:

“A country is considered as a safe country of origin where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is generally and consistently neither persecution as defined in Article 11 of Council Directive .../... [*Proposal for a Council Directive on minimum standards for the qualification and status of third country nationals and stateless persons as refugees or as persons who otherwise need international protection*] nor serious harm as defined in Article 15 of the said Council Directive.

In making this assessment, account shall be taken inter alia of the extent to which protection is provided against persecution or mistreatment through:

- a) the relevant laws and regulations of the country and the manner in which they are applied;
- b) observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention;
- c) respect of the non-refoulement principle according to the Geneva Convention;
- d) provision for a system of effective remedies against violations of these rights and freedoms.

As regards the voting rules for the setting up of the list of safe third countries of origin, the Council noted a clear preference to establishing it by qualified majority after consultation with the European Parliament.

Finally, the Commission agreed to work on the establishment of such a list, with a view to approving it at the same time that the Directive, if possible.

It is recalled that on 5 June 2003, the JHA Council took note of a statement from several Member States calling for the incorporation into the proposal of the drawing up and review of a minimum common list of safe countries of origin.

The deadline set by the European Council for reaching a political agreement on this matter is the end of 2003.

IMMIGRATION LIAISON OFFICERS NETWORK (ILO)

The Council, pending the opinion of the European Parliament and the lifting of some parliamentary reservations, reached a general approach on the Regulation creating an immigration liaison officers network (ILO).

According to the Regulation, an "immigration liaison officer" means a representative of one of the Member States, posted abroad by the immigration service or other competent authorities in order to establish and maintain contacts with the authorities of the host country with a view to contributing to the prevention and combating of illegal immigration, the return of illegal immigrants and the management of legal migration.

Each Member State will ensure that its immigration liaison officers establish and maintain direct contacts with the competent authorities in the host country and any appropriate organisation within the host country, with a view to facilitating and expediting the collection and exchange of information.

Immigration liaison officers will collect information for use either at the operational level, or at a strategic level, or both. Such information will in particular concern issues such as:

- flows of illegal immigrants originating from or transiting through the host country;
- routes followed by those flows of illegal immigrants in order to reach the territories of the Member States;
- their "modus operandi", including the means of transport used, the involvement of intermediaries, etc.;
- the existence and activities of criminal organisations involved in the smuggling of immigrants;
- incidents and events that may be or become the cause for new developments with respect to flows of illegal immigrants;

- methods used for counterfeiting or falsifying identity documents and travel documents;
- ways and means of assisting the authorities in host countries in preventing illegal immigration flows originating from or transiting through their territories;
- ways and means of facilitating the return and repatriation of illegal immigrants to their countries of origin;
- legislation and legal practices relevant to the issues referred to above;
- information transmitted via the early warning system.

Immigration liaison officers shall also be entitled to render assistance in establishing the identity of third country nationals and in facilitating their return to their country of origin.

It is recalled that the discussions regarding the creation of an immigration liaison officers (ILO) network started on 28 May 2001, when the Council adopted conclusions establishing a network of immigration liaison officers to ensure a coordinated response to the problem of illegal flows of migrants through the Western Balkan region and to work with and assist countries in that region.

On 28-29 November 2002 the JHA Council adopted Conclusions on the Improvement of the Immigration Liaison Officers Network. These conclusions pointed out that the Council would review the improvements to the ILO network before the end of 2003, taking into consideration the implementation of the recommendations set out in these conclusions.

MULTINATIONAL AD HOC TEAMS FOR EXCHANGING INFORMATION ON TERRORISTS

The Council was informed by the Presidency about the on-going operational project “Multinational ad hoc teams for exchanging Information on terrorists”.

It is recalled that the setting up of such teams was decided upon by the JHA Council of 25-26 April 2002 under the Spanish Presidency. These should consist of specialists from the authorities responsible for fighting terrorism and be entrusted with the specific task of carrying out investigations into alleged members of terrorist groups and support networks. They should also be able to conduct somewhat atypical inquiries for preventive and pre-judicial purposes, with a view to gathering and exchanging information.

The Italian Presidency drew the attention of Member States in particular to the need for the teams to become fully operational.

With a view to enabling this, and taking into account the fact that the national laws of EU Member States differ considerably, the Presidency proposed that, during an initial phase, it would be necessary to collect the "best practices" adopted by Member States in connection with pre-judicial activities.

At the same time, Member States should indicate the Central Services that have been designated as Contact Points for the establishment of multinational ad hoc teams, and supply any useful details (telephone and fax numbers, e-mail) in order to speed up the procedure.

Once all the necessary data have been acquired, "an operational handbook for multinational teams" will be drawn up in the medium/long term. The Presidency hoped that it would contribute, from an operational viewpoint, to the smooth running of the teams.

As far as the operational project is concerned, Europol should play a considerable role. Europol officers could assist multinational ad hoc teams, in conformity with the Europol Convention, provided their participation has been requested.

Following the information given by the Presidency, the Council mandated its preparatory bodies to pursue the work on the project with a view to making the teams operational as soon as possible.

AGREEMENT BETWEEN EUROPOL AND THE RUSSIAN FEDERATION

The Council reached political agreement on the draft Agreement between Europol and the Russian Federation.

The purpose of this Agreement is to enhance cooperation on combating the serious forms of transnational criminal activities between the Russian Federation and the Member States of the European Union acting through Europol.

The Agreement does not include the exchange of personal data. The exchange of personal data should be carried out on the basis of a separate agreement between the Parties.

According to the text of the draft Agreement, Europol and Russia will cooperate in the area of prevention, detection, suppression and investigation of crimes, in particular with respect to the following offences:

- a) against life and health of persons;
- b) related to terrorism and its financing;
- c) related to illicit trafficking in narcotic drugs, psychotropic substances and precursors;
- d) related to illicit trafficking in works of art,
- e) related to illicit trafficking in firearms, ammunition, explosives and poisonous substances, nuclear and radioactive materials;
- f) related to property, including fraud and the theft of and illegal trafficking in motor vehicles;
- g) related to money laundering;
- h) related to illegal migration, trafficking in human beings and prostitution and exploitation of prostitution by third persons.

Cooperation will be implemented in the following ways:

- 1) exchange of strategic and technical information of mutual interest including information on:
 - forms, methods and means of committing crimes;
 - new types of narcotic and psychotropic substances discovered in illicit trafficking, the technologies and the materials used to produce such substances, as well as new methods for the examination and identification of such substances;
 - channels for transferring illegally acquired funds;
 - crime situation and development reports, threat assessments;
 - new forms and methods of combating crime;
 - administrative and legal measures to develop main trends of law enforcement activities;
 - modern forensic police methods and investigating procedures;
 - advanced forms and methods of personnel training;
 - centres of excellence;
 - methods of information processing and analysis;
 - criteria for the evaluation of law enforcement activities;
- 2) exchange of law enforcement experience including the organisation of scientific and practice-oriented conferences, internships, consultations and seminars;
- 3) exchange of legislation, manuals, technical literature and other law enforcement materials;
and
- 4) training.

JURISDICTION, RECOGNITION AND ENFORCEMENT OF JUDGEMENTS IN MATRIMONIAL MATTERS AND IN MATTERS OF PARENTAL RESPONSIBILITY

The Council reached a political agreement on the whole draft Regulation on jurisdiction, recognition and enforcement of judgements in matrimonial matters and in matters of parental responsibility².

This Regulation constitutes an important step to the objective of creating an area of freedom, security and justice, in which the free movement of persons is ensured. The Regulation shall apply, whatever the nature of the Court of tribunal, in civil matters relating to divorce, legal separation or marriage annulment as well as in matters relating to parental responsibility.

This Regulation stipulates which courts of the Member States have jurisdiction in matters relating to the dissolution of the marriage or on parental responsibility. This means for instance that, if a spouse, living in one Member State wants to sue the other spouse, having his or her habitual residence in another Member State, the rules established by the Regulation will apply. Likewise, if a parent or any other holder of parental responsibility wishes to regulate the rights or duties relating to the person or the property of a child, jurisdiction will be determined in accordance with the Regulation.

Such judgements will be recognised and enforced in all Member States in accordance with the rules laid down by the Regulation. In particular, any enforceable judgement on rights of access that have been certified by a judge shall be automatically recognised and enforceable in any Member State without the need for a declaration of enforceability and without any possibility of opposing its recognition.

² The Regulation will be adopted formally after being revised by the Legal Linguistic Experts of the Council.

Of particular importance are the rules on child abduction. The Regulation provides for complementary rules in order to obtain the return of a child to his or her habitual residence in cases where the child has been abducted in another Member State. Moreover, the return of such a child to his or her habitual residence will take place without the need for a declaration of enforceability and without any possibility of opposing its recognition where the judge of origin has delivered a certificate.

The Regulation provides for cooperation between the central authorities in matters of parental responsibility.

This Regulation will enter into force on 1st August 2004 and shall apply from 1st March 2005.

DECISION RELATING TO THE RATIFICATION OF THE 1996 HAGUE CONVENTION

The Council noted that the technical debates on this draft Decision are well advanced. However, the Council decided to wait for the opinion of the European Parliament, which should be delivered in October 2003. The Council took note of the wish to adopt this Decision in November 2003.

EXECUTION OF CONFISCATION ORDERS IN THE EUROPEAN UNION

The Council examined some key provisions of the Draft Framework Decision on the application of the principle of mutual recognition to confiscation orders, in particular those concerning disposal of confiscated property (Article 14), and a proposal by Germany for a new Article on fundamental rights.

Regarding the disposal of confiscated property, the Council reached agreement on Article 14, as follows:

- “1. Money which has been obtained from the execution of the confiscation order shall be disposed of by the executing State as follows:
- if the amount obtained from the execution of the confiscation order is below EUR 10 000, or the equivalent to that amount, the amount shall accrue to the executing State,
 - in all other cases, 50% of the amount which has been obtained from the execution of the confiscation order shall be transferred by the executing State to the issuing State.
2. Property other than money, which has been obtained from the execution of the confiscation order, shall be disposed of in one of the following ways, to be decided by the executing State:
- The property may be sold. In that case, the proceeds of the sale are disposed of in accordance with paragraph 1.
 - The property may be transferred to the issuing State. If the confiscation order covers an amount of money, the property may only be transferred to the issuing State when that State has given its consent.
 - When it is not possible to apply any of the previous indents, the property may be disposed of in another way in accordance with the national law of the executing State.

3. Notwithstanding paragraph 2, the executing State shall not be required to sell or return specific items covered by the confiscation order which constitute cultural objects forming part of the national heritage of that State.
4. Paragraphs 1, 2 and 3 only apply unless otherwise agreed between the issuing State and the executing State.”

Concerning the German proposal (introduction of a new Article containing grounds for opposing the recognition and execution of confiscation orders on the basis of fundamental rights), delegations were divided on it. The Council instructed its preparatory bodies to further examine this proposal in the light of the comments made by delegations.

The Presidency also informed the Council that it wished to reach agreement on the draft confiscation orders by the end of the year.

It is recalled that the purpose of this Framework Decision is to establish the rules under which a Member State shall recognise and execute in its territory a confiscation order issued by a court of another Member State. Its aim is to ensure that all Member States have effective rules concerning the confiscation of proceeds from crime.

According to the draft Framework Decision, a confiscation order shall mean a final penalty or measure imposed by a court following proceedings in relation to a criminal offence or offences, resulting in the definitive deprivation of property.

OTHER BUSINESS

– ***Afghanistan and drugs***

The Council was informed by the United Kingdom delegation on the problems linked to the trafficking of drugs in Afghanistan.

– ***Draft Council Resolution on a more coherent contract law***

The Council took note of the Council Resolution on "A More Coherent European Contract Law" (*doc. 12652/03*), adopted by the "Competitiveness Council" on 22 September 2003. Owing to the nature of the matters relating to this Resolution, the JHA Council considered that this topic should be placed on its agenda so that it could be informed on the ongoing discussion process and on the progress made in the area of European Contract Law.

– ***Training of police officers in Iraq.***

The German delegation informed the Council about the possibility for Member States to participate in the training of the Iraqi police officers.

*

*

*

MIXED COMMITTEE

In the margins of the Council, the Mixed Committee at Ministerial Level (EU + Iceland and Norway) met in the context of the Schengen arrangements under the chairmanship of Mr CASTELLI, Minister for Justice of Italy.

– *Application of the “ne bis in idem” principle*

Discussions covered some provisions of the draft Framework Decision on the application of the “ne bis in idem” principle or the prohibition of double jeopardy, i.e. that no-one should be prosecuted or tried twice for the same criminal behaviour.

The debate focused on the possibility of making the application of the “ne bis in idem” principle dependent on the execution of the penalty imposed (Article 2 of the draft Framework Decision).

Broad consensus was reached on the question of “lis pendens” (Article 3) which establishes indicative criteria for determining the competent state.

Finally, the Mixed Committee discussed possible exceptions to the application of the principle, in particular the territorial and security exceptions.

The aim of this Framework Decision is to provide the Member States with common legal rules relating to the “ne bis in idem” principle in order to ensure uniformity in both the interpretation of those rules and their practical implementation.

– *Follow-up to Thessaloniki*

The Mixed Committee was informed of the results of the discussion held in the Council concerning the item “follow-up to Thessaloniki”.

ITEMS APPROVED WITHOUT DEBATE

JUSTICE AND HOME AFFAIRS

Schengen: Amendment to the Convention*

The Council adopted a Decision amending the provisions of Article 40(1) and (7) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (*doc. 9429/02 + doc. 11212/1/03 ADD 1*).

In doing so, officers of one of the Member States who are keeping a person under surveillance in their country as part of a criminal investigation into an extraditable criminal offence because he is suspected of involvement in an extraditable criminal offence or, as a necessary part of a criminal investigation, because there is serious reason to believe that he can assist in identifying or tracing such a person, shall be authorised to continue their surveillance in the territory of another Member State where the latter has authorised cross-border surveillance in response to a request for assistance made in advance with supporting reasons. Conditions may be attached to the authorisation.

Customs cooperation

The Council adopted a Resolution on a strategy for customs cooperation (*doc. 10856/03*) and took note of a Report on joint customs operations in 2002 (*doc. 10035/1/03*).

Explosives – Council conclusions

The Council endorsed conclusions and recommendations regarding the acquisition, storage and transportation of explosives, as follows:

- “1. Twelve Member States consider that the current security measures concerning the storage and transport of explosives are adequate. The introduction of new measures in this area is not necessary.
2. A general recommendation on the appropriateness of reinforcing safety measures in relation to warehouses and the transport of explosives could nevertheless be considered from the point of view of risks of theft linked to the activities of terrorist organisations in particular.
3. If necessary, more specific measures could be examined on a case-by-case basis, namely:
 - Installation of reinforced doors with time-delayed opening mechanisms for large-capacity warehouses.

- Increased use of police patrols in the surveillance of warehouses. Increase in the remote surveillance of warehouses in order to prevent commando actions with hostage-taking.
- Unannounced inspections to verify the implementation of security measures.
- Stiffer penalties in the event of security breaches.

4. In the broader area of protection, other measures could also be considered:

- Measures relating to the transportation of explosives: special security plans, escorts, location of transport vehicles in real time.
- Measures relating to the manufacture of explosives: introduction of markers to facilitate the olfactory or electronic detection of substances. Improvement of chemical and mechanical markers to optimise traceability.”

Strategy on Prevention and Control of Organised Crime

The Council took note of the Report on the measures and steps taken with regard to the implementation of the recommendations of the European Union Strategy for the Beginning of the New Millennium on Prevention and Control of Organised Crime. It decided to forward it to the European Parliament for information.

Drug trafficking

The Council took note of the report on the second round of evaluation - Law enforcement and its role in fighting drug trafficking and decided to forward it and its annex to the European Parliament for information.

Euro counterfeiting

The Council adopted a Recommendation on measures to protect the euro against counterfeiting (*doc. 6927/5/03*)

Arrest Warrant - Council conclusions

The Council adopted conclusions on the application of the European arrest warrant and its relationship with Council of Europe legal instruments (*doc. 12413/03*).

Collective Evaluation: Acceding countries and thematic reports

The Council took note of and endorsed the contents of a Presidency Note containing an update of the work of the Working Party on Collective Evaluation, notably the proposals for future activities contained therein; a Working Party's contribution to the monitoring process: "Accession: Monitoring checklists outlining the remaining shortcomings in JHA in the 10 Acceding States" and three thematic papers: on Asylum and immigration, Drugs trafficking and External border control.

European Police College (CEPOL)

The Council took note and endorsed the 2002 CEPOL's annual report. (*doc. 10010/03*) and endorsed 2004 CEPOL's work programme (*doc. 10149/03*).

Europol – Negotiations with Malta, Lithuania and Latvia

The Council, on the basis of the report submitted to it by the Europol Management Board, decided that no obstacles exist for the Director of Europol to start negotiations with Malta leading to an agreement including the transmission of personal data by Europol to Malta.

The Council also authorised the Director of Europol to conclude agreements with Lithuania and Latvia. The purpose of these Agreements is to enhance the cooperation in the combating of serious forms of international crimes.

APPOINTMENTS

Committee of the Regions

The Council adopted Decisions appointing:

- Ms Sandra SPECKERT as an alternate member of the Committee of the Regions in place of Ms Karola JAMNIG-STELLMACH for the remainder of her term of office, which ends on 25 January 2006 (*doc. 12870/03*);
- Mr Carlos Javier FERNÁNDEZ CARRIEDO as an alternate member of the Committee of the Regions in place of Mr José Luis GONZÁLEZ VALLVÉ for the remainder of his term of office, which ends on 25 January 2006 (*doc. 12864/03*);
- Mr Joan HUGUET I ROTGER as an alternate member of the Committee of the Regions in place of Mr Antoni GARCÍAS I COLL for the remainder of his term of office, which ends on 25 January 2006 (*12866/03*);

- Mr Jaume MATAS I PALOU as member of the Committee of the Regions in place of Mr Francesc ANTICH I OLIVER for the remainder of his term of office, which ends on 25 January 2006 (*12868/03*) ;
- Mr Javier MORALES FEBLES as an alternate member of the Committee of the Regions in place of Mr Francisco AZNAR VALLEJO for the remainder of his term of office, which ends on 25 January 2006 (*doc. 12881/03*);
- Mr Miguel Ángel REVILLA ROIZ, as member of the Committee of the Regions in place of Mr José Joaquín MARTÍNEZ SIESO for the remainder of his term of office, which ends on 25 January 2006 (*doc. 12919/03*);
- Ms Dolores GOROSTIAGA SAIZ as an alternate member of the Committee of the Regions in place of Mr Juan José FERNANDEZ GOMEZ for the remainder of his term of office, which ends on 25 January 2006 (*doc. 12920/03*);
- The following are hereby appointed members of the Committee of the Regions for the remainder of the term of office, which ends on 25 January 2006.
- Mr G.J. JANSEN, as member of the Committee of the Regions in place of Ms JACOBS for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12997/03*);
- Mr P.A. BIJMAN as member of the Committee of the Regions in place of Mr VAN KLAVEREN for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12997/03*);
- Mr J.P.J. LOKKER as member of the Committee of the Regions in place of Mr VERBURG for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12997/03*);
- Mr H. BLEKER as an alternate member of the Committee of the Regions in place of Mr BOERTJENS for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12997/03*);
- Mr M.J.A. EURLINGS as an alternate member of the Committee of the Regions in place of Ms KALLEN-MORREN for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12997/03*);
- Mr O. HOES as an alternate member of the Committee of the Regions in place of Mr VAN NISTELROOIJ for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12997/03*);
- Mr Adán MARTÍN MENIS, as member of the Committee of the Regions in place of Mr Román RODRÍGUEZ RODRÍGUEZ for the remainder of his term of office, which ends on 25 January 2006 (*doc.12867/03*);

- The following are hereby appointed members of the Committee of the Regions for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12950/03*):

1. Ms YENNIMATA, Fofi	Chief Executive of the extended province of Athens-Piraeus President of the Greek Union of Provinces
2. Mr HATZOPOULOS, Christos	Chief Executive of the extended province of Evros-Rodopi
3. Mr TATSIS, Constantinos	Chief Executive of the extended province of Xanthi-Drama-Kavala
4. Mr SGOUROS, Yannis	Prefect of Athens
5. Mr STAMATIS, Dimitrios	Prefect of Aitolia and Akarmania
6. Mr KOUKOULOPOULOS, Paris	Mayor of Kozani President of the Union of Urban and Rural Municipalities
7. Ms BAKOYANNIS, Theodora	Mayor of Athens
8. Mr KARAVOLAS, Andreas	Mayor of Patras
9. Mr TZANIKOS, Panayotis	Mayor of Marousi
10. Mr KAMARAS, Pavlos	Mayor of Pevki-Attica
11. Mr PALEOLOGOS, Christos	Municipal Counsellor Municipality of Livadia
12. Mr TZATZANIS, Constantinos	Municipal Counsellor Municipality of Piraeus

- The following are hereby appointed alternate members of the Committee of the Regions for the remainder of the term of office, which ends on 25 January 2006 (*doc. 12950/03*):

1. Mr MACHIMARIS, Georgios	Prefect of Corfu
2. Mr MACHERIDIS, Yannis	Prefect of the Dodecanese
3. Mr LAMBRINOUDIS, Polidoros	Prefect of Chios
4. Mr KATSAROS, Loukas	Prefect of Larisa
5. Mr SPARTSIS, Ioannis	Prefect of Imathia
6. Mr KOURAKIS, Yannis	Mayor of Heraklion, Crete
7. Mr KOUTSOULIS, Georgios	Mayor of Kalamata
8. Mr IKONOMIDIS, Panayotis	Mayor of Arta
9. Mr PREVEZANOS, Dimitris	Mayor of Skiathos
10. Mr KOTRONIAS, Yorgos	Mayor of Lamia
11. Mr YEORGAKIS, Theodoros	Mayor of Heliopolis, Attica
12. Mr KLAPAS, Miltiadis	Mayor of Preveza