



Brussels, 23 November 2016

CM 4948/16

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JAI
COMIX

COMMUNICATION

NOTICE OF MEETING AND PROVISIONAL AGENDA

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Subject: 3508th meeting of the COUNCIL OF THE EUROPEAN UNION
(Justice and Home Affairs)

Date: 8 and 9 December 2016

Time: 10.00, 9.30

Venue: COUNCIL
JUSTUS LIPSIUS BUILDING
Rue de la Loi 175, 1048 BRUSSELS

A. THURSDAY 8 DECEMBER 2016 (10.00)

JUSTICE

- Adoption of the agenda

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

- (poss.) Approval of the list of "A" items

- **EPPO** : Proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office
= General approach
- **PIF**: Proposal for a Directive of the European Parliament and of the Council on the fight against fraud to the Union's financial interests by means of criminal law (**First reading**)
= Progress report
- **Supply of digital content**: Proposal for a Directive of the European Parliament and of the Council on certain aspects concerning contracts for the supply of digital content (**First reading**)
= Policy debate
- **Any other business**
= Information from the Presidency on current legislative proposals

Non-legislative activities

- Approval of the list of "A" items
- **Criminal Justice in cyberspace**
 - a) **e-evidence**: Implementation of the Council conclusions on improving criminal justice in cyberspace
= Progress report by the Commission
 - b) **Encryption**: Challenges for criminal justice in relation to the use of Encryption - future steps
= Progress report by the Presidency
- **Any other business**
 - a) EU-US JHA Ministerial Meeting on 4 and 5 December 2016
= Information from the Presidency
 - b) EU-Western Balkans Ministerial Conference on Justice and Home Affairs, (Brdo Pri Kranju, Slovenia, 15 and 16 December 2016)
= Information from the Presidency
 - c) Work programme of the incoming Presidency
= Presentation by the Maltese delegation

HOME AFFAIRS

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

- Reform of the Common European Asylum System and Resettlement

- a) **Dublin:** Proposal for a Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) **(First reading)**
- b) **Reception conditions:** Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast) **(First reading)**
- c) **Qualification:** Proposal for a Regulation of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents **(First reading)**
- d) **Procedure:** Proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU **(First reading)**
- e) **Resettlement Framework:** Proposal for a Regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council **(First reading)**
= Progress report
- f) **Eurodac:** Proposal for a Regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of [Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast) **(First reading)**
= Partial general approach/Progress report
- g) **EASO: Proposal** for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 **(First reading)**
= Progress report

- **Entry/Exit System (EES)**
 - a) Proposal for a Regulation of the European Parliament and of the Council establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes and amending Regulation (EC) No 767/2008 and Regulation (EU) No 1077/2011
(First reading)
 - b) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 2016/399 as regards the use of the Entry/Exit System
(First reading)
 - = Progress report

- **Any other business**
 - a) Information from the Presidency on current legislative proposals
 - b) (poss.) **SIS II**
 - i) Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the fields of border controls **(First reading)**
 - ii) Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the fields of police cooperation and judicial cooperation in criminal matters
(First reading)
 - iii) Proposal for a Regulation of the European Parliament and of the Council on the use of the Schengen Information System (SIS) for the return of illegally staying third-country nationals **(First reading)**
 - = Information from the Commission

Non-legislative activities

- **Migration**
 - = Implementation ¹

- **Fight against terrorism and organised crime** ¹
 - a) Cooperation between law enforcement agencies and electronic communication service providers
 - = Joint letter by France and Germany
 - b) Foreign terrorist fighters returnees
 - = Policy options

- **Management of the consequences following terrorist attacks:** strengthening preparedness and response by Civil Protection and enhancing cooperation with emergency and security services
 - = Exchange of views

1. Exceptionally, in the presence of the Schengen Associated States.

- **Any other business**

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= Information from the Presidency
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(Brdo Pri Kranju, Slovenia, 15 and 16 December 2016)
= Information from the Presidency
- c) Work programme of the incoming Presidency
= Presentation by the Maltese delegation

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In the margins of the Council:

Meeting of the MIXED COMMITTEE (FRIDAY 9 DECEMBER 2016 – 09.30)

- **Entry/Exit System (EES)**

- a) Proposal for a Regulation of the European Parliament and of the Council establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes and amending Regulation (EC) No 767/2008 and Regulation (EU) No 1077/2011
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- **Any other business**

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- = Information from the Commission

NB: Please send the Protocol Service a list of your delegates to this meeting as soon as possible, to the email address protocole.participants@consilium.europa.eu

NB: Delegates requiring day badges to attend meetings should consult document 14387/1/12 REV 1 on how to obtain them.