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Eingelangt am 20/07/11

**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 23 March 2010**

**14772/10  
ADD 1**

**PV/CONS 49  
JAI 828**

**ADDENDUM to DRAFT MINUTES**

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Subject: **3034th** meeting of the Council of the European Union (**JUSTICE AND HOME AFFAIRS**), held in Luxembourg on 7 and 8 October 2010

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## PUBLIC DELIBERATION ITEMS<sup>1</sup>

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### "A" ITEMS list (doc. 14356/10 PTS A 76)

- Item 1. Initiative of the Kingdom of Belgium, the Federal Republic of Germany, the Republic of Estonia, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Austria, the Portuguese Republic, Romania, the Republic of Finland and the Kingdom of Sweden for a Directive of the European Parliament and of the Council on the rights to interpretation and to translation in criminal proceedings .....4
- Item 2. Regulation on administrative cooperation and combating fraud in the field of value added tax (Recast) .....4

### AGENDA (doc. 14354/10 OJ CONS 48 JAI 793 COMIX 624)

- Item 3. Proposal for a Directive of the European Parliament and of the Council on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer .....5
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<sup>1</sup> Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

Item 8. Initiative presented by the Kingdom of Belgium, the Republic of Bulgaria, the Kingdom of Spain, the Republic of Estonia, the French Republic, the Republic of Hungary, the Italian Republic, the Republic of Poland, the Republic of Portugal, Romania, the Republic of Finland and the Kingdom of Sweden on the European Protection Order ..... 6

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## "A" ITEMS

- 1. Initiative of the Kingdom of Belgium, the Federal Republic of Germany, the Republic of Estonia, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Austria, the Portuguese Republic, Romania, the Republic of Finland and the Kingdom of Sweden for a Directive of the European Parliament and of the Council on the right to interpretation and translation in criminal proceedings**

PE-CONS 27/10 DROIPEN 68 COPEN 143 CODEC 604

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 82(2) of the TFUE)

### Statement by the Council

"The Council notes that according to Article 7(1), the Member States have to implement this Directive into their national legal orders within a period which ends 36 months after publication of the Directive in the Official Journal. The Council encourages the Member States to implement the Directive as soon as possible, before the end of the said period. The Council acknowledges that the period of 36 months for implementation of this Directive does not constitute a precedent for the period of implementation that has to be agreed upon in respect of the other measures that are to be adopted on the basis of the "Roadmap for strengthening procedural rights of suspected and accused persons in criminal proceedings"<sup>1</sup>.

- 2. Council Regulation on administrative cooperation and combating fraud in the field of value added tax (Recast)**

12193/10 FISC 72

- + COR 1 (pl)
- + COR 2 (de)
- + COR 3 (fr)
- + REV 1 (es)
- + REV 2 (nl)

The Council adopted the above Regulation (Legal basis: Article 113 of the Treaty on the Functioning of the European Union).

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<sup>1</sup> OJ C 295, 4.12.2009, p. 1.

## **Statements by the Council and the Commission**

### **I. Re Chapter VIII**

"The Council states that the provisions in this Chapter also cover the "multilateral controls" to which article 2 of Decision 1482/2007/EC of 11/12/07 (Fiscalis Decision 2013) refers."

### **II. Re Chapter X**

"The Commission commits itself to ensure at short notice to call the first meeting of the EUROFISC group.

The Commission will also provide technical and logistic support to EUROFISC and in particular:

It shall provide technical support in order to guarantee the flow of information by fast and safe electronic means (CCN/CSI network, or any other future computer network). It shall call EUROFISC working field meetings as requested by EUROFISC working field coordinators, as well as the meetings of the EUROFISC Group."

"The Council states that EUROFISC will take advantage of the transfer of experience and knowledge from EUROCANET and AUTOCANET, mechanisms developed by the Belgian tax administration for multilateral cooperation."

## **AGENDA ITEMS**

### **3. Proposal for a Directive of the European Parliament and of the Council on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer**

- Commission presentation  
12211/10 MIGR 67 SOC 462 DRS 27 CODEC 691  
+ ADD 1  
+ ADD 2

The Commission presented the proposal and the Council had a first exchange of views.

### **4. Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment**

- Commission presentation  
12208/10 MIGR 66 SOC 461 CODEC 689  
+ ADD 1  
+ ADD 2

The Commission presented the proposal and the Council had a first exchange of views.

**5. Common European Asylum System (CEAS)**

- State of play  
13703/10 ASILE 64 CODEC 844

The Presidency reported on progress towards the establishment of the CEAS with particular reference to the legislative proposals under discussion and Ministers had an exchange of views.

**6. Proposal for a Directive of the European Parliament and of the Council on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA**

- Policy debate  
14279/10 DROIPEN 106 JAI 787 CODEC 932

The Council reached a partial general approach. Reservations are maintained by a few delegations. This will not hinder future discussions

**7. Proposal for a Directive of the European Parliament and of the Council on the right to information in criminal proceedings**

- Commission presentation  
12564/10 DROIPEN 83 COPEN 162 CODEC 727  
+ ADD 1  
+ ADD 2

The Commission presented its proposal for a Directive on the right to information in criminal proceedings. The Council took note of the presentation.

**8. Initiative presented by the Kingdom of Belgium, the Republic of Bulgaria, the Kingdom of Spain, the Republic of Estonia, the French Republic, the Republic of Hungary, the Italian Republic, the Republic of Poland, the Republic of Portugal, Romania, the Republic of Finland and the Kingdom of Sweden on the European Protection Order**

- Presidency briefing

The Presidency informed the Council on the state of play of the procedure regarding the above directive.

**9. Proposal for a Council Regulation implementing enhanced cooperation in the area of the law applicable to divorce and legal separation**

- State of play

The Council took note of an oral state of play made by the Presidency.

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