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Eingelangt am 20/07/11

**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 23 March 2011 (29.03)
(OR. fr)**

**17362/10
ADD 1**

**PV CONS 67
JAI 1037
COMIX 807**

ADDENDUM to DRAFT MINUTES

Subject: **3051st meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS), held in Brussels on 2 and 3 December 2010**

PUBLIC DELIBERATIONS¹

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LEGISLATIVE DELIBERATIONS

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

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¹ 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).

"A" ITEMS

1. Draft Amending Budget 10/2010

= Information to National Parliaments
17071/2/10 REV 2 PARLNAT 156 FIN 662 INST 544

The Council decided, in accordance with Article 3(3) of its Rules of Procedure, to shorten the eight-week period as well as the ten-day period laid down in Article 4 of Protocol No 1 on the role of National Parliaments in the European Union and approved a communication on the subject to be sent to national parliaments.

The United Kingdom delegation abstained and made the following statement:

"The UK notes the important new provisions which the Lisbon Treaty has introduced in respect of the role of national parliaments, including notably Protocol number 1, and the importance of its proper implementation in this first full year following the entry into force of the Lisbon Treaty. Given the seriousness with which the UK government and national parliament view this measure, the UK regrets that it has not been possible to comply in these cases with the provisions contained within that Protocol, and expresses its clear expectation that the 8 week deadline of the Protocol will continue to be observed in all but the most exceptional and urgent cases."

2. Draft Budget 2011:

= Information to National Parliaments
17070/2/10 REV 2 PARLNAT 155 FIN 663 INST 548

The Council decided, in accordance with Article 3(3) of its Rules of Procedure, to shorten the eight-week period as well as the ten-day period laid down in Article 4 of Protocol No 1 on the role of National Parliaments in the European Union and approved a communication on the subject to be sent to national parliaments.

The Danish and United Kingdom delegations abstained. The United Kingdom delegation made the following statement:

"The UK notes the important new provisions which the Lisbon Treaty has introduced in respect of the role of national parliaments, including notably Protocol number 1, and the importance of its proper implementation in this first full year following the entry into force of the Lisbon Treaty. Given the seriousness with which the UK government and national parliament view this measure, the UK regrets that it has not been possible to comply in these cases with the provisions contained within that Protocol, and expresses its clear expectation that the 8 week deadline of the Protocol will continue to be observed in all but the most exceptional and urgent cases."

AGENDA ITEMS

4. **Belgian Presidency programme on asylum and migration**

- **Legal migration**
- **Illegal migration**
- **Asylum**

17223/10 ASIM 120

The Council had an exchange of views on the state of play in these fields - on the basis of a note drafted by the Presidency, which includes an undertaking by the next four presidencies to continue work on these issues.

5. **Proposal for a Directive of the European Parliament and of the Council on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA**

- Information on the progress of discussions with the European Parliament
16945/10 DROIPEN 138 MIGR 129 CODEC 1382
+ COR 1 (en)
17201/10 DROIPEN 143 MIGR 131 CODEC 1411

The Council took note of the agreement reached at first reading.

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

- General approach
16958/10 DROIPEN 139 JAI 998 CODEC 1386
+ COR 1

The outcome of proceedings is set out in 17583/10.

7. **Initiative by the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Estonia, the Kingdom of Spain, the Republic of Austria, the Republic of Slovenia and the Kingdom of Sweden for a Directive of the European Parliament and of the Council regarding the European investigation order in criminal matters**

- State of play
16868/10 COPEN 266 EJM 68 EUROJUST 135 CODEC 1369

The Council noted that discussions on the draft Directive would continue taking into account the document presented by the Presidency.

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

- General approach

16858/1/10 REV 1 DROIPEN 137 COPEN 265 CODEC 1368

The Council examined the text of the draft Directive. Following that examination, the Presidency concluded that the draft instrument had garnered broad support among ministers and that negotiations could be opened with the European Parliament on that basis with a view to reaching agreement on the proposed Directive.

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

- General approach

17045/10 JUSTCIV 213 JAI 1007

17046/1/10 REV 1 JUSTCIV 214 JAI 1008

The Council:

- (a) agreed on a general approach to the text of the Regulation as set out in 17045/10;
- (b) noted that the Regulation would be formally adopted once the European Parliament had adopted its report and after finalisation of the text by the Council's legal and linguistic experts;
- (c) agreed on the text of the declaration in Annex I to the note (17046/10) so that it could be adopted when the Regulation was adopted; and
- (d) noted the declarations of the Commission, Malta and Finland (Annexes II, III and IV to 17046/1/10 REV 1).

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