



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 December 2013

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NOTE

from:	General Secretariat of the Council
to:	Delegations
Subject:	Summary of the meeting of the Civil Liberties, Justice and Home Affairs Committee of the European Parliament, held in Brussels on 5 December 2013

The meeting was chaired by Mr Aguilar (S&D, ES).

Items 1, 2, 3 and 4 on the agenda

Adoption of the agenda, Chair's announcements, adoption of the minutes, state of play in the on-going interinstitutional negotiations on legislative procedures

The agenda was adopted with the following changes: the votes on Surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation was postponed to the next LIBE meeting. The minutes of 3 and 17 October were adopted. Ms Macovei gave a debriefing on the outcome of negotiations with

the Council regarding the Directive on the freezing and confiscation of proceeds of crime, to which Coreper had already confirmed its agreement. She stressed that negotiations with the Council had been very difficult and that it was a particular shame that Member States had insisted on the provision that assets could not be confiscated in the case of death. Overall the result was acceptable.

Item 5 on the agenda

Combating Violence Against Women

2013/2004(INL)

Rapporteur for the opinion: Ms Angelilli (PPE) PA – PE524.504v01-00

Responsible: FEMM – Antonia Parvanova (ALDE) PR – PE522.850v01-00

DT – PE516.665v01-00

Ms Angelilli presented her draft opinion, highlighting the fact that violence against women was under-estimated due to low reporting of incidents and that policy was hence lagging behind. She proposed in her draft opinion that violence against women should be identified as a further area of particularly serious crime pursuant to Article 83(1) TFEU in order to adopt minimum standards with regard to the definition of criminal offences and penalties. The chair said that this issue remained of serious concern and should have EU added value.

The opinion was well received by members. During the discussion the following issues were raised: the need to work together on this issue locally, nationally and at EU level, respecting the principle of subsidiarity, the need to distinguish between measures combating the consequences of violence against women and actual measures that combat such violence in the first place, the possibility for the EU as such to join the Istanbul convention, the lack of common EU-wide definitions for criminal law purposes and the lack of a common methodology in assessing the phenomenon, the need to highlight unacceptable cultural excuses for justifying violence against women, forced marriages, FGM, etc.

The rapporteur concluded that for the time being only three Member States had signed the Istanbul convention and that comparable and up-to-date data should be provided by Eurostat on the issue of violence against women.

Item 6 on the agenda

EU Roadmap against homophobia and discrimination on the grounds of sexual orientation and gender identity

2013/2183(INI)

Rapporteur: Ulrike Lunacek (Greens)

PR – PE521.599v01-00

AM – PE524.494v01-00

Responsible: LIBE –

Opinions: FEMM – Minodora Cliveti (S&D)

PA – PE519.816v01-00

AM – PE522.836v01-00

The rapporteur explained that discussion with shadows had been progressing well and that 23 out of the 40 amendments tabled had actually been co-signed by five political groups. She has been working on some remaining concerns raised by EPP, ECR and GUE in particular in relation to the subsidiarity principle. She would be unable to accept some amendments from EPP members as they could be misinterpreted.

During the discussion the MEPs raised the following issues: the need to avoid giving any impression that there was a hierarchy of rights, the need to send a strong message to the Commission so that it would finally come up with a comprehensive proposal for a policy that would protect the fundamental rights of LGBT people.

Item 7 on the agenda

European Public Prosecutor's Office

LIBE/7/13509

Rapporteur: Salvatore Iacolino (PPE)

The rapporteur explained that coordinators had agreed that an interim report would be prepared (Article 81). He stressed that the proposal was a step forward in EU institutional architecture and would have an important role to fulfil. He was aware of reservations expressed by some national parliaments; however, in his view the proposed structure was proportionate and respected the subsidiarity principle. The EP should make its position clear to the Commission and the Council before the end of the legislature. He announced that Commissioner Reding would be discussing this proposal with LIBE on 16 December. He proposed the following timetable: opinion of the legal service to be ready by Christmas; deadline for amendments 17 December; vote in LIBE on 12 February; plenary vote in March.

All groups agreed that more clarifications were necessary on numerous details of the proposal discussed, namely finding the right balance between Eurojust, Europol and Olaf activities, as well as on criminal procedure and jurisdiction issues. The ALDE coordinator was particularly critical of the Commission, which in her view had gone beyond the limits set in Article 86 and touched upon elements of national criminal procedures. The issue of legal basis and the legislative procedure would be addressed by the EP legal service opinion. The GUE coordinator also proposed to look at other options, such as enhanced cooperation.

The Commission representative explained that the Commission had issued a communication in which it addressed some of the concerns raised, including those flagged by national parliaments. He welcomed the interim report and stressed that additional issues of concern could be tackled directly during negotiations on the proposal.

Deadline for tabling amendments: 10 January 2014, 12.00

Items 8 on 9 the agenda

***** Electronic vote *****

**Implementation of national Roma strategies
2013/2924(RSP)**

Responsible: LIBE –

The draft resolution was adopted with 40 votes in favour (one vote against and two abstentions).

The European Investigation Order in criminal matters

*****I 2010/0817(COD)**

Rapporteur: **Mr Melo (PPE)** **PR – PE478.493v02-00**
AM – PE480.869v01-00
DT – PE478.536v01-00
DT – PE478.537v01-00

Responsible: LIBE –

The draft report (confirmation vote) was adopted with 40 votes in favour (one vote against and no abstentions).

Next meeting :

- *16 December 2013, 15.00 – 18.30 (Brussels)*
- *17 December 2013, 9.00 – 12.30 and 15.00 – 18.30 (Brussels)*