



Council of the European Union
General Secretariat

Brussels, 6 December 2022

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COMIX

NOTICE OF MEETING AND PROVISIONAL AGENDA

COUNCIL OF THE EUROPEAN UNION
(Justice and Home Affairs)

Europa building, Brussels

8 and 9 December 2022 (10.00, 9.30)

Format 1+3 (+2 in listening room)

THURSDAY 8 DECEMBER 2022 (10.00)

HOME AFFAIRS

Adoption of the agenda

(poss.) Approval of "A" items

- a) Non-legislative list
- b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

POLITICAL GOVERNANCE OF THE SCHENGEN AREA ('SCHENGEN COUNCIL')

Non-legislative activities

Full application of the Schengen acquis in Bulgaria, Croatia and Romania

- a) Council Decision on the full application of the provisions of the Schengen acquis in Bulgaria and Romania (*)
(Legal basis: Article 4 (2) of the 2005 Act of Accession of Bulgaria and Romania)
(*poss.*) *Adoption*

- b) Council Decision on the full application of the provisions of the Schengen acquis in Croatia (*)
(Legal basis: Article 4 (2) of the 2011 Act of Accession of Croatia)
(*poss.*) *Adoption*

Overall state of the Schengen area

- a) Schengen barometer
b) Schengen Council cycle
c) Internal security: counteracting migrant smuggling
d) Interoperability

State of play

OTHER HOME AFFAIRS ISSUES

Legislative deliberations

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

(*poss.*) Regulation on addressing situations of instrumentalisation in the field of migration and asylum
Partial general approach



Regulation to prevent and combat child sexual abuse
Progress report



Any other business
Current legislative proposals
Information from the Presidency

Non-legislative activities

Russia's aggression against Ukraine ^{1 2}

- a) The situation of Ukrainian refugees in the EU
b) Internal security dialogue
Exchange of views

External dimension of migration and the situation along the main migratory routes ^{1 2}
Exchange of views
Follow-up to extraordinary JHACouncil meeting on 25 November 2022

¹ Exceptionally in the presence of the Schengen Associated States.

² The EU agencies Europol, Frontex and EUAA are invited to this point.

Asylum and migration ¹

State of play

Cooperation between competent authorities dealing with
counter-terrorism ^{1 3}



*State of play presented by the Presidency of the Counter Terrorism
Group (CTG)*

Council Recommendation on the resilience of critical infrastructure
Adoption

Any other business

- a) Prague Process Ministerial Conference (Prague 24 and
25 October 2022)
Information from the Presidency
- b) EU-Western Balkans Ministerial Forum on Justice and Home
Affairs (Tirana, 3-4 November 2022)
Debrief by the Presidency
- c) EU-US Justice and Home Affairs Ministerial Meeting,
Washington (14-15 December 2022)
Information from the Presidency
- d) Wildfire preparedness in the context of the Union Civil
Protection Mechanism
Information from the Commission
- e) Union Civil Protection Mechanism response to the challenges
arising from the war in Ukraine
Information from the Commission
- f) Designation of the Director General of the International
Organisation for Migration (IOM)
Information from Portugal
- g) Work programme of the incoming Presidency
Presentation by the Swedish delegation

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

³ The EU Agency Europol is invited to this point.

Legislative deliberations

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

e-evidence



- a) Regulation on European Production and Preservation Orders for e-evidence
- b) Directive on appointment of legal representatives for gathering evidence

Progress report

Directive on asset recovery and confiscation



Policy debate

Important steps on legislative files



- a) Directive on protection of the environment through criminal law
General approach
- b) Regulation on the digitalisation of judicial cooperation and access to justice
General approach
- c) Directive on the digitalisation of judicial cooperation
General approach

Directive against strategic lawsuits against public participation ("anti-SLAPP Directive")



Policy debate

Any other business

Current legislative proposals

Information from the Presidency

Non-legislative activities

Fight against antisemitism ⁴

Exchange of views

Conclusions on the fight against impunity regarding crimes committed in connection with Russia's war of aggression against Ukraine

Approval

⁴ The Fundamental Rights Agency is invited to this point.

Conclusions on enhancing the capacities of the European Judicial
Cybercrime Network (EJCN)
Approval

EU accession to the European Convention for the Protection of
Human Rights and Fundamental Freedoms (ECHR)
Policy debate

Any other business

- a) EU-Western Balkans Ministerial Forum on Justice and Home
Affairs, Tirana, 3-4 November 2022
Debrief by the Presidency
- b) EU-US Justice and Home Affairs Ministerial Meeting,
Washington, 14-15 December 2022
Information from the Presidency
- c) Conference on whistleblowing (Prague, 26-27 October 2022)
Information from the Presidency
- d) Workshop on digitalisation of justice
(Brussels, 24 October 2022)
Information from the Presidency
- e) Recommendation on procedural rights of suspects and accused
persons subject to pre-trial detention and on material detention
conditions
Information from the Commission
- f) EU 2022 Annual Report on the application of the EU Charter of
Fundamental Rights
Information from the Commission
- g) Work programme of the incoming Presidency
Presentation by the Swedish delegation

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In the margins of the Council of the European Union:

THURSDAY 8 DECEMBER 2022 (10.00)

Meeting of the SCHENGEN MIXED COMMITTEE

POLITICAL GOVERNANCE OF THE SCHENGEN AREA ('SCHENGEN COUNCIL')

Full application of the Schengen acquis in Bulgaria, Croatia and Romania

- a) Council Decision on the full application of the provisions of the Schengen acquis in Bulgaria and Romania
- b) Council Decision on the full application of the provisions of the Schengen acquis in Croatia

Policy debate

Overall state of the Schengen area ⁵

- a) Schengen barometer
- b) Schengen Council cycle
- c) Internal security: counteracting migrant smuggling
- d) Interoperability

State of play

Any other business

Current legislative proposals

Information from the Presidency



First reading



Restricted item



Item based on a Commission proposal

(*)

Item on which a vote may be requested

⁵ The EU agencies Frontex, Europol and eu-LISA are invited to this point.