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NOTE

From:	Presidency
To:	Delegations
Subject:	Overview of the current legislative proposals under the Polish Presidency

Delegations will find attached the state of play of ongoing legislative files in the area of Justice and Home Affairs in preparation for the meeting of the Justice and Home Affairs Council on 12 and 13 June 2025.

INFORMATION FROM THE PRESIDENCY ON
CURRENT LEGISLATIVE PROPOSALS

HOME AFFAIRS

Legislative proposals in the area of internal security

Regulation on enhancing police cooperation in the fight against migrant smuggling and trafficking in human beings

On 28 November 2023, the Commission proposed a legislative package to counter migrant smuggling. This comprises a directive on criminal law and a Regulation, which enhances police cooperation, as well as Europol's support in the area of migrant smuggling and trafficking in human beings. The proposal for a Regulation was discussed at several LEWP-Police meetings.

On 19 June 2024, Coreper endorsed a negotiating mandate with the European Parliament.

In the European Parliament, LIBE is the lead committee and the rapporteur is Jeroen Lenaers (EPP, NL). A draft report was voted in LIBE on 20 May 2025 and will be submitted for confirmation to the plenary in June. The first trilogue is scheduled for 23 June 2025.

Legislative proposals in the area of asylum, migration, borders and visa

Regulation on situations of instrumentalisation in the field of migration and asylum

On 14 December 2021, the Commission presented its proposal for a Regulation addressing situations of instrumentalisation in the field of migration and asylum. The proposal was discussed in the Council's Asylum Working Party, as well as at JHA Counsellor level in 2022. Coreper did not approve a partial general approach on 7 December 2022. Further discussions on the proposal took place at the informal Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) on 20 April 2023.

In the European Parliament, rapporteur Mr Patryk Jaki (ECR, PL) presented his draft report to the LIBE Committee on 11 September 2023, but the LIBE Committee did not adopt a report. In the new Parliament Mr Jaki is no longer a member of the LIBE Committee.

Meanwhile, the scope of the Crisis and *force majeure* regulation, which was adopted on 14 May 2024, includes situations of instrumentalisation.

In its Work Programme for 2025 the Commission announced its intention to withdraw this proposal.

Decision on provisional emergency measures for the benefit of Latvia, Lithuania and Poland

The Commission presented its proposal for a Council Decision on interim emergency measures for Latvia, Lithuania and Poland on 1 December 2021. The Council's Asylum Working Group began examining the proposal in January 2022. The text was discussed in Coreper in February 2022, but the Member States did not reach an agreement. Negotiations have not resumed since.

In the European Parliament, Ms Cornelia Ernst (GUE/NGL, DE) was appointed rapporteur for the file and LIBE is the lead committee. In the new Parliament Ms Ernst is no longer a member of the LIBE Committee.

In its Work Programme for 2025 the Commission announced its intention to withdraw this proposal.

Regulation amending Regulation (EU) 2024/1348 as regards the establishment of a list of safe countries of origin at Union level

On 16 April 2025, the European Commission tabled a proposal for a regulation amending the Asylum Procedure Regulation (APR) as regards the establishment of a list of safe countries of origin at Union level. The proposal was presented at the Asylum Working Party on 24 April and a first examination was carried out on 16 May 2025. A compromise text from the Polish Presidency will be presented at the next Asylum Working Party on 10 June 2025. The European Parliament has not yet appointed a Rapporteur on this file.

Regulation amending Regulation (EU) 2024/1348 as regards the application of the ‘safe third country’ concept

On 20 May 2025, the Commission tabled a proposal for a regulation amending the Asylum Procedure Regulation as regards the application of the ‘safe third country’ concept. The proposal will be presented at the forthcoming Asylum Working Party on 10 June 2025. The European Parliament has not yet appointed a Rapporteur on this file.

Regulation on establishing a common system for the return of third-country nationals staying illegally in the EU (Return Regulation)

The proposal for a Return regulation, replacing the proposal for a recast of the Return Directive, submitted by the Commission in March 2025, is discussed in the Council’s Working Party on Integration, Migration and Expulsion (IMEX Expulsion). After a detailed presentation and general exchange of views on the proposal, in May IMEX Expulsion Working Party started the examination of the draft Regulation. In the European Parliament, Mr Malik Azmani (Renew, NL) has been appointed as a rapporteur for the file, and LIBE is the lead committee.

Long-Term Residents Directive

On 27 April 2022, the Commission presented a recast of the Directive concerning the status of third-country nationals who are long-term residents (known as the LTR Directive). The current Long-Term Residents Directive dates back to 2003 (Council Directive 2003/109/EC of 25 November 2003).

After several discussions in the Council’s Working Party on Integration, Migration and Expulsion – Admission (IMEX Admission) and by the JHA Counsellors (IMEX – Admission), Coreper adopted a negotiating mandate on 23 November 2023. Two political trilogues took place (30 November 2023 and 16 January 2024). In early March 2024, the interinstitutional negotiations were halted.

In the European Parliament, the LIBE Committee voted for the report by rapporteur Mr Damian Boeselager (Greens/EFA, DE) on 28 March 2023, a result confirmed by the Plenary on 20 April 2023. In the new Parliament, Ms Anna Strolenberg (Greens/EFA, NL) has been appointed as the new Rapporteur for this file. At the meeting on 18 March 2025 the JHA Counsellors did not support the resumption of interinstitutional negotiations with the European Parliament given the

significantly different positions between the co-legislators and the lack of flexibility from the European Parliament.

Regulation establishing an EU Talent Pool

The proposal for a Regulation establishing an EU Talent Pool was presented by the Commission on 15 November 2023 as part of the Skills and Talent Mobility package. Under the Spanish and Belgian Presidencies, the Working Party on Integration, Migration and Expulsion (Admission) discussed the proposal from December 2023 until May 2024. JHA Counsellors (IMEX Admission) discussed the proposal on 30 May 2024 and expressed broad support to the Presidency compromise text. On 13 June 2024, the Council reached a General Approach.

In the European Parliament, Ms Abir Al-Sahlani (Renew, SE) was re-appointed as rapporteur in 2024 and the LIBE Committee is the lead committee. The European Parliament adopted its mandate on 3 April 2025, and the interinstitutional negotiations began on 7 April 2025. Several technical meetings were held in April and May. Further negotiations are expected in June. Both co-legislators have agreed that substantial progress is necessary before a second political trilogue can usefully take place.

Regulation amending Regulation (EU) 2018/1806 as regards the revision of the mechanism to suspend the visa exemption

On 18 October 2023, the Commission presented a proposal aimed at amending Regulation (EU) 2018/1806 as regards the suspension mechanism. On 13 March 2024, Coreper approved the Council mandate.

In the European Parliament, Mr Matjaž Nemec (S&D, SI) was appointed rapporteur and the LIBE Committee is the lead committee. The LIBE committee approved the Parliament mandate on 19 March 2025 and the plenary authorized the start of interinstitutional negotiations on 1 April 2025.

The kick-off trilogue took place on 7 April 2025, followed by several technical meetings and two further political trilogues. The negotiations are ongoing and are expected to be closed under the Polish Presidency.

Regulation establishing an application for the electronic submission of travel data (“EU Digital Travel application”) and amending Regulations (EU) 2016/399 and (EU) 2018/1726 of the European Parliament and of the Council and Council Regulation (EC) No 2252/2004, as regards the use of digital travel credentials

On 8 October 2024, the Commission submitted its proposal for a Regulation establishing an application for the electronic submission of travel data (“EU Digital Travel application”) and amending Regulations (EU) 2016/399 and (EU) 2018/1726 of the European Parliament and of the Council and Council Regulation (EC) No 2252/2004, as regards the use of digital travel credentials.

The objective is establishing a uniform standard for digital travel credentials and a common EU application (EU Digital Travel application) for using them.

The proposal was presented at the meeting of the Frontiers Working Party on 22 November 2024. On 4 February, 19 March, 16 April and 15 May 2025, the proposal was again discussed by the Frontiers Working Party. The proposal was presented to the LIBE Committee in the European Parliament on February 20th. Mr Juan Fernando Lopez Aguilar (S&D, ES) was appointed rapporteur.

The Presidency was working on compromise proposals for parts of the text which were presented at the Frontiers Working Party on 5 June 2025.

Council Regulation on the issuance of and technical standards for digital travel credentials based on identity cards

The proposal for a Regulation on the issuance of and technical standards for digital travel credentials) based on identity cards was submitted by the Commission on 8 October 2024. The proposal is closely linked to the aforementioned *Regulation establishing an application for the electronic submission of travel data as regards the use of digital travel credentials* but must be treated separately as different legal bases apply.

The Commission presented the proposal to the meeting of the Frontiers Working Party on 22 November 2024. Initial efforts are focused on progressing with the aforementioned Regulation. On 21 October 2024, the Council decided to consult the EP on the proposal and asked the EP to submit its opinion as soon as possible.

The proposal was presented to the LIBE Committee in the European Parliament on 20 February 2025. Ms Marieke Ehlers (P/E, NL) was appointed rapporteur.

Regulation on measures against transport operators that facilitate or engage in trafficking in persons or smuggling of migrants in relation to illegal entry into the territory of the European Union

On 23 November 2021, the Commission presented a proposal for a Regulation on measures against transport operators that facilitate or engage in trafficking in persons or smuggling of migrants in relation to illegal entry into the territory of the European Union. The proposal is based on Article 91 and Article 100(2) of the Treaty on the Functioning of the European Union.

The proposal was initially examined by the Working Party of Foreign Relations Counsellors as lead preparatory body. On 9 January 2025, the Polish Presidency announced in Coreper that the file would be reattributed to the Justice and Home Affairs Counsellors, reinforced by other experts where appropriate. Five JHA Counsellors meetings took place from January to May 2025 to examine the proposal and discuss two versions of a Presidency compromise text. On 12 May 2025, a discussion took place in Coreper. Following the political guidance given by Coreper, work continued with a further JHA Counsellors meeting organised on 28 May 2025. The next meeting is scheduled on 17 June 2025.

The European Parliament has not adopted a negotiating mandate during the last Parliament term. Under the new Parliament, the proposal has been referred to the Joint Committee procedure on 13 November 2024, with the LIBE and TRAN committees to present a single report. Each committee appointed a rapporteur: Mr Tomas Tobé (EPP, SE) for LIBE and Mr Sérgio Gonçalves (S&D, PT) for TRAN.

JUSTICE

Regulation on the law applicable to the third-party effects of assignments of claims

The proposal for a Regulation on the law applicable to the third-party effects of assignments of claims was submitted by the Commission on 12 March 2018.

The objective of the proposal is to increase cross-border transactions in claims and, thereby, facilitate access to finance by ensuring greater legal certainty for investors when dealing with cross-border transactions of claims.

The proposal is being dealt with by the Working Party on Civil Law Matters.

The European Parliament adopted its position at first reading on 13 February 2019.

The Council reached a general approach on 7 June 2021.

Interinstitutional negotiations started under the Slovenian Presidency but have been halted since 8 March 2022, when the last technical meeting took place. Letters were subsequently exchanged to find a way forward. JHA Counsellors discussed the file several times with the objective to resume discussions with the Parliament.

In the European Parliament, the file has been assigned to the JURI Committee. Adrián Vázquez Lázara (EPP) has been appointed as the new rapporteur.

In its Work Programme for 2025 the Commission announced its intention to withdraw this proposal.

AI Liability Directive

On 28 September 2022, the Commission presented a proposal for a Directive on adapting non-contractual civil liability rules to artificial intelligence (AI Liability Directive).

The objective of the proposal is a minimum harmonisation of selected aspects of national rules on non-contractual civil liability for AI in order to make it easier for victims of AI-related damage to receive compensation.

The proposal is being dealt with in the Working Party on Civil Law Matters. Discussions on that file were on hold since January 2023, pending an agreement on the closely linked AI Act. A discussion on the impact of the now finalised AI Act and Product Liability Directive on the proposal for an AI Liability Directive took place at Working Party level under Belgian Presidency.

On 11 November 2024, the Hungarian Presidency organised a Working Party meeting to discuss a paper it prepared addressing key aspects of the proposal.

In the European Parliament, JURI is the lead Committee. The rapporteur is Axel VOSS (EPP).

In its Work Programme for 2025 the Commission announced its intention to withdraw this proposal.

Regulation on the cross-border recognition of parenthood

On 7 December 2022, the Commission submitted a proposal for a Regulation on jurisdiction, applicable law, recognition of decisions and acceptance of authentic instruments in matters of parenthood and on the creation of a European Certificate of Parenthood.

The objective of the proposal is to facilitate the cross-border recognition of parenthood within the EU.

The proposal is being dealt with by the Working Party on Civil Law Matters. The Council held an exchange of view on some aspects of the proposal during its meeting of 14 June 2024. Discussions have been continuing in the Working Party under Polish Presidency.

Directive on combating corruption

The Commission submitted its proposal for a Directive on combating corruption on 3 May 2023. The objective of the proposal is to update and harmonise EU rules on the definitions of and penalties for corruption offences, in both the public and private sectors, and includes preventive measures. The proposal is dealt with in the Working Party on Judicial Cooperation in Criminal Matters (COPEN).

The Council reached a general approach on this proposal during its meeting of 14 June 2024.

In the European Parliament, the lead Committee is LIBE. The rapporteur is Raquel Garcia Hermida-Van der Walle (Renew). The LIBE Committee adopted the draft report on 31 January 2024. The Committee decision to enter into interinstitutional negotiations was confirmed by the plenary on 27 February 2024.

Trilogues took place on 28 January, 26 March and 6 May 2025. The next trilogue is scheduled on 16 June.

Regulation on enforcement procedures of the General Data Protection Regulation

On 4 July 2023, the Commission submitted a proposal for a Regulation laying down additional procedural rules relating to the enforcement of Regulation (EU) 2016/679. The objective of the proposal is to clarify and complement existing procedural rules under the GDPR applicable to cooperation between data protection authorities, in order to streamline and speed up enforcement proceedings in cross-border cases. In particular, the proposal provides for the targeted harmonisation of rules in relation to the submission and handling of complaints, the role of the complainant in the procedure, the procedural steps and tools for Data Protection Authorities to reach consensus at an early stage, and the facilitation of dispute resolution proceedings in the European Data Protection Board (EDPB).

The proposal is being dealt with in the Working Party on Data Protection.

The Council reached a general approach on this proposal on 14 June 2024.

In the European Parliament, the lead Committee is LIBE. Sergey Lagodinsky (Greens/EFA) was appointed as rapporteur for the 9th parliamentary term. The LIBE Committee adopted the draft report on 20 February 2024. The European Parliament adopted its position at first reading on 10 April 2024. Markéta Gregorová (Greens/EFA) was appointed as a rapporteur on 20 September 2024.

Trilogues took place on 4 November 2024, 12 December 2024 and 21 May 2025. The next trilogue is planned on 16 June.

Directive amending Directive 2012/29/EU on the rights of victims

On 12 July 2023, the Commission submitted its proposal to amend Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. The objective of the proposal is to address specific shortcomings identified in the existing framework, which require targeted improvements in relation to the exercise of victim's rights, especially as regards: the right to information; protection and specialist support, victims' participation in criminal proceedings and victims' access to compensation.

The proposal is dealt within the Working Party on Judicial Cooperation in Criminal Matters (COPEN).

The Council held an exchange of views on the proposal during its meeting of 4 December 2023 and reached a general approach on 14 June 2024.

In the European Parliament, the lead Committees are LIBE and FEMM. The Committees adopted a draft report on the file on 14 March 2024. The decision to enter interinstitutional negotiations with the Council was confirmed in plenary, on 11 April 2024. The rapporteurs are Javier Zarzalejos (EPP) and Lucia Yar (Renew).

The first trilogues took place on 2 December 2024, 5 February 2025 and 9 April 2025. The next trilogue is planned on 17 June 2025.

Directive on minimum rules to prevent migrant smuggling

On 28 November 2023, the Commission submitted a proposal for a Directive laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946/JHA. The objective of the proposal is to clearly define and effectively sanction the offence of migrant smuggling, in line with the UN Protocol against the Smuggling of Migrants by Land, Sea and Air.

The proposal is being dealt with in the Working Party on Judicial Cooperation in Criminal Matters (COPEN).

The Council held an exchange of views on some aspects of the proposal during its meeting of 5 March 2024 and reached a general approach on 13 December 2024.

In the European Parliament, the lead Committee is LIBE. The rapporteur is Birgit Sippel (S&D).

Directive on child sexual abuse and exploitation

On 6 February 2024, the Commission submitted a proposal for a Directive on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast). The revised rules aim to expand the definitions of offences and to ensure more effective investigation and prosecution and strengthen both prevention of child sexual abuse and sexual exploitation and assistance to victims.

The proposal is dealt with in the Working Party on Judicial Cooperation in Criminal Matters (COPEN).

The Council held an exchange of views on some aspects of the proposal during its meeting of 14 June 2024 and reached a general approach on 13 December 2024.

In the European Parliament, the lead Committee is LIBE. The rapporteur is Jeroen Lenaers (EPP).

Regulation amending article 80(9) of Eurojust Regulation (EU) 2018/1727

On 2 April 2025, the Commission submitted a proposal for a Regulation amending Regulation (EU) 2018/1727 as regards the extension of the timeframe for the establishment of the Eurojust case management system.

The proposal is dealt within the Working Party on Judicial Cooperation in Criminal Matters (COPEN).

On 5 May 2025, the COPEN Working Party reached agreement at technical level on the text of the proposal. A mandate for negotiations with the European Parliament is expected to be reached in Coreper in the coming weeks.

In the European Parliament, the lead Committee is LIBE. The rapporteur is Javier Zarzalejos (EPP).
