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COMMISSION STAFF WORKING PAPER

The Area of Freedom, Security and Justice: assessment of the Tampere programme and future orientations - List of the most important instruments adopted

{COM(2004) 401 final}

1. A COMMON EU ASYLUM AND MIGRATION POLICY

MANDATE	FOLLOW-UP	DATE ADOPTED BY COUNCIL	IMPLEMENTATION/ACTION
<u>Partnership with countries of origin</u> The EU needs a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit. The European Council calls for assistance to countries of origin and transit to be developed in order to promote voluntary return. The European Council invites the Council to conclude readmission agreements between the European Community and relevant third countries or groups of countries.	Proposal for a Regulation establishing a programme for financial and technical assistance to third countries in the areas of migration and asylum (AENEAS) Commission communication[1] of December 2002 on Integrating migration issues in the European Union's relations with third countries: 1. Migration and Development 2. Report on the effectiveness of the financial resources available at Community level as regards repatriation of immigrants and those with rejected asylum claims, of management of external borders and asylum and migration projects in third countries Presentation of draft negotiating mandates for readmission agreements with Morocco, Pakistan, Sri Lanka and Russia in February 2000, Hong Kong and Macão in March 2001, Ukraine in March 2002 and Algeria, China and Turkey in October 2002	March 2004[2] Council conclusions in May 2003 asking the Commission to prepare a report on their implementation by 2004 Agreement signed with Hong Kong[3] on 27 November 2002 and with Macão[4] on 13 October 2003 Readmission agreement initialled with Sri Lanka on 30 May 2002; signing scheduled early 2004	Programming scheduled for first half of 2004 In the second quarter of 2004 the Commission is planning to present a communication on a study on legal and illegal immigration in the EU, and a report at the end of 2004 on relations with third countries in the fight against illegal immigration Conclusion and entry into force 1.3.2004
	Negotiations with Albania completed in November 2003[5]		As requested by the Brussels European Council, the

1 COM(2002) 703
2 OJ L 80, 18.3.2004
3 OJ L 17, 24.01.04
4 OJ L 143, 30.4.04

	Negotiations under way for readmission agreements with Russia, Morocco and Ukraine. Negotiations to open with Turkey, China, Pakistan and Algeria in the first half of 2004.		Commission will present a report mid -2004 on the priorities of a common policy on readmission and measures to make a success of such a policy
	Council directive on mutual recognition of decisions on the expulsion of third country nationals (French initiative)	May 2001[8] EP opinion (rejection) March 2001	In 2004 the Commission will present a proposal for a Directive on minimum standards for return procedures and the mutual recognition of expulsion decisions
	Green paper on a Community return policy on illegal residents [6] Commission communication on a Community return policy on illegal residents (October 2002)[7]	In November 2002 the Council adopted a Return programme on the basis of the Commission Green Paper and a programme for the return of refugees to Afghanistan	The Commission will present in 2004 a proposal for a decision establishing a financial instrument for returns
	Commission proposal for a Decision setting out the criteria and practical arrangements for the compensation of the financial imbalances resulting from mutual recognition of expulsion decisions	February 2004[9] EP opinion (rejection) June 2003	
	Council Directive on assistance in cases of transit for the purposes of removal by air (DE initiative)	November 2003[10] EP opinion (rejection) April 2003 and fresh opinion September 2003	

5 COM (2004) 92, 12.2.04
6 COM(2002)175, 10.4.2002
7 COM(2002)564, 14.10.2002
8 OJ L 149, 2.6.2001
9 OJ L 60, 27.2.2004
10 OJ L 321, 6.12.2003

	IT initiative in September 2003 with a view to adopting a Council Directive on assistance in cases of transit through the territory of one or more Member States in the context of removal orders taken by Member States against third country nationals *Council Decision on the organisation of joint flights for removals of third-country nationals illegally present in the territory of two or more Member States*[11] *(IT initiative)*	Will not be adopted by the Council April 2004 (negative EP opinion)	Council will adopt conclusions on assistance for transit through the territory of one or more Member States
The European Council has agreed to work towards establishing a common European asylum system, based on the full and inclusive application of the Geneva convention, thus ensuring that nobody is sent back to persecution, ie maintaining the principle of non-refoulement. The System should include, in the short-term a clear and workable determination of the State responsible for the examination of an asylum application, common standards for a fair and efficient asylum procedure, common minimum conditions of reception of asylum seekers, and the	First Commission report on the common asylum policy, introducing an open co-ordination method, and second report, March 2003, on the common asylum policy and the Agenda for Protection[12] *Austrian initiative for a Council Regulation determining the states which qualify as safe third countries*[13] Council Directive on reception conditions for asylum seekers[14]	 EP opinion (rejection) Sept 2003 January 2003	In 2004 the Commission plans to present a communication on the establishment of a single procedure for examining requests for protection in the Member States. Implementation: no later than 6.2.2005

[11] OJ C 223, 9.9.2003
[12] COM(2001) 710, 28.11.2001; COM(2003) 152, 26.3.2003
[13] OJ C 17, 24.1.2003
[14] Council Directive on minimum standards for the reception of applicants for asylum in Member States (with particular attention to the situation of children) (OJ L 31, 6.2.2003)

approximation of rules on the recognition and content of the refugee status. It should also be completed with measures on subsidiary forms of protection offering an appropriate status to any person in need of such protection.	Dublin Regulation Proposal for a Directive on asylum procedures[15] Qualification Directive[16]	February 2003[17] Political agreement April 2004 (Parliamentary reserves SE, UK, DE). EP to be reconsulted April 2004	Entry into force: 17.3.2003
In the longer term, Community rules should lead to a common asylum procedure and a uniform status for those who are granted asylum valid throughout the Union. The Commission is asked to prepare within one year a communication on this matter. The European Council urges the Council to step up its efforts to reach agreement on the issue of temporary protection for displaced person. The European Council believes that consideration should be given to making some form of reserve available in situations of mass influx of refugees for temporary protection.	Commission Communication in June 2003 "Towards a more accessible, equitable and managed asylum system"[18] Commission communication on asylum[19] Council Directive on temporary protection	Led to conclusions of the European Council of Thessaloniki asking for a report by summer of 2004 July 2001[20]	In response to the Thessaloniki conclusion 26, the Commission will present in June 2004 a communication 'Towards a more orderly and managed entry in the EU of persons in need of international protection" In July 2002 the Commission established an EU network for asylum practitioners (EURASIL) Deadline for implementation: 31.12.2002 A report on the Directive is to be presented early in 2005

[15] (Amended) Proposal for a Directive on common minimum standards on procedures for granting or withdrawing refugee status (COM(2002)326, 18.6.2002)

[16] Council Directive on minimum standards for the qualification and status of third country nationals and stateless persons as refugees or as persons who otherwise need international protection (COM(2001) 510, 12.9.2001

[17] Council Regulation 343/2003 laying down the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (OJ L 50, 25.2.2003)

[18] COM(2003)315

[19] Commission communication "Towards a common asylum procedure and a uniform status, valid throughout the Union, for persons granted asylum" (COM(2002) 755, 22.11.2000)

	Council Decision establishing a European Refugee Fund	September 2000[21]	2000-2003 exercises under way Proposal for a decision on the implementation of the European Refugee Fund for 2005-2010[22]
The European Council urges the Council to finalise promptly its work on Eurodac.	Council Regulation establishing the Eurodac system	December 2000[23] February 2002 (implementing Regulation)[24]	Eurodac began its activities on 15.01.2003. In April 2004 a report is planned evaluating the first year of Eurodac activity
<u>Fair treatment of third country nationals</u> The European Union must ensure fair treatment of third country nationals who reside legally on the territory of its Member States. A more vigorous integration policy should aim at granting them rights and obligations comparable to those of EU citizens.	Council Directive 2000/43/EC on the implementation of the principle of equal treatment of all persons without distinction as to race or ethnic origin Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation	June 2000[25] November 2000[26]	Implementation deadline 19.07.03. The Commission has launched infringement proceedings for failure to notify transpositional measures and is scrutinising measures notified for conformity with the Directive Implementation deadline 2.02.03

[20] OJ L 212, 7.8.2001
[21] OJ L 252, 6.10.2000
[22] COM(2004)102, 12.2.04
[23] OJ L 316, 15.12.2000
[24] OJ L 62, 5.3.2002
[25] OJ L 180, 19.7.2000, p.22
[26] OJ L 303, 2.12.2000

Building on the Commission Communication on an Action Plan against Racism, the European Council calls for the fight against racism and xenophobia to be stepped up.	Council Regulation 1035/97, establishing a European Monitoring Centre on Racism and Xenophobia[27]		Official opening of the Centre on 7.4.02 In August 2003 the Commission adopted a communication on the activities of the Centre, together with proposals to recast Regulation 1035/97 [30]
The Commission is invited to come forward with proposals implementing Article 13 of the EC Treaty on the fight against racism and xenophobia	Council decision establishing a Community Action Programme (2000-2006)combat discrimination, amended in November 2000 Commission proposal for a Council Framework Decision on combating racism and xenophobia [28]	Amended decision adopted in November 2000[29] Council conclusions on the fight against racism, anti-semitism and xenophobia adopted in April 2002	Work programme for 2004 adopted on 21.11.03

[27] OJ L 151, 10.6.97
[28] COM (2001) 664, 28.11.2001
[29] OJ L 303, 2.12.2000
[30] COM(2003) 483, 6.8.2003

Request for rapid decisions by the Council, on the basis of proposals by the Commission, for the approximation of national legislations on the conditions for admission and residence of third country nationals	Council Directive on the right to family reunification Proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities[31] Proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purpose of studies, vocational training or voluntary service[32] Commission proposal for a Directive and two proposals for recommendations on the admission of 3rd country nationals to carry out scientific research in the EU[33]	September 2003[34] Political agreement 30.03.2004 Work in progress	Implementation deadline: 3.10.2005 In 2004 the Commission plans to present a Green Paper on economic migration
The legal status of third country nationals should be approximated to that of Member States' nationals A more vigorous integration policy should aim at granting them rights and obligations comparable to those of EU citizens.	Council Directive concerning the status of third country nationals who are long-term residents Council Regulation 859/2003 extending the provisions of Regulation (EEC) No. 1408/71 to nationals of third countries who are not already covered by these provisions solely on the grounds of their nationality Commission communication on immigration, integration and employment [35]	November 2003[36] June 2003[37] Endorsed by the Thessaloniki Council of June 2003	Deadline for implementation: 23.01.2006 Proposal for a Directive on long-term resident status for refugees and persons enjoying inter-national protection planned for 2004 Commission report on immigration and integration planned for June 2004

[31] COM (2001) 386, 11.7.2001
[32] COM (2002) 548, 7.10.2002
[33] COM(2004) 178, 16.03.2004
[34] OJ L 251, 3.10.2003
[35] COM (2003) 336, 3.6.2003

<u>Management of migration flows</u> The European Council calls for the development of information campaigns on the actual possibilities for legal immigration, and for the prevention of all forms of trafficking in human beings.	Commission communication on a Community immigration policy[38] Commission communication on an open method of co-ordination for the Community immigration policy[39] Commission communication presenting an action plan for the collection and analysis of Community statistics in the field of immigration[40] Commission staff working document on the setting up of a European Migration Observatory/Network presented to the experts from the Member States in July 2002 *Council Directive defining the facilitation of unauthorised entry, movement and residence (FR initiative) and Council Framework decision on the strengthening of the penal framework to prevent the facilitation of unauthorised entry and residence (FR initiative)*	November 2002[41]	Establishment, as requested by the Laeken European Council, of an information exchange system on asylum and immigration Proposal for a Regulation on Community statistics on immigration and asylum in preparation Establishment of national contact points in December 2002 Work plan established in 2003; 2004 work plan in preparation Deadline for implementation: 5.12.2004

[36] OJ L 16, 23.1.2004
[37] OJ L 124, 20.5.2003, p.1
[38] COM(2000) 757, 22.11.2000
[39] COM(2001) 387, 11.7.2001
[40] COM(2003) 179, 15.4.2003
[41] OJ L 328 5.12.2002

	Council framework decision on combating trafficking in human beings Council Directive on short-term residence permits for victims of trafficking in human beings and trafficking in migrants who co-operate with the authorities[42] Proposal for a Council decision authorising the Commission to negotiate a draft European Convention on the fight against trafficking in human beings[43]	July 2002[44] April 2004	Deadline for implementation 1.8.2004
The European Council is determined to tackle at its source illegal immigration, especially by combating those who engage in trafficking in human beings and economic exploitation of migrants.	Commission communication on a common policy on illegal immigration[45]	On 28.2.02 an Action Plan was approved to combat illegal immigration and trafficking in human beings in the EU[46] Council conclusions on the fight against illegal immigration and trafficking in human beings by sea adopted in April 2002	Implementation – one year for short-term measures; three years for medium-term measures

[42] COM (2002) 71, 11.2.2002
[43] SEC (2004) 519, 30.4.2004
[44] OJ L 203, 1.8.2002
[45] COM (2001) 672, 15.11.2001
[46] OJ C 142, 14.6.2002

	Commission communication on illegal immigration[47]	Report endorsed by the Thessaloniki Council of June 2003	
	Commission proposal for a decision establishing an information and co-ordination network (in conjunction with the Iconet early warning system)[48]	Work in progress on improving information exchanges and action against illegal immigration networks	
	Proposal for a Council Regulation to establish a network of immigration liaison officers (Initiative of the Hellenic Republic)	February 2004[50]	Entry into force: 5.1.2004
	Council Directive concerning the harmonisation of financial penalties imposed on carriers transporting into the territory of the Member States third-country nationals lacking the documents necessary for admission (French initiative)	June 2001[51]	Implementation deadline no later than 11.2.2003
	Council Directive on the obligation of carriers to communicate passenger data (Spanish initiative)[49]	April 2004 (negative EP opinion)	

[47] Communication on the development of a common policy on illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents (COM (2003) 323 3.6.2003)
[48] COM (2003) 727
[49] OJ C 82, 5.4.2003
[50] OJ L 64, 2.3.2004
[51] OJ L 187, 10.7.2001

2. POLICY ON INTERNAL AND EXTERNAL BORDERS; VISAS; IMPLEMENTATION OF ARTICLE 62 OF THE EC TREATY; CONVERTING THE SCHENGEN ACQUIS

MANDATE	FOLLOW-UP	DATE ADOPTED BY COUNCIL	IMPLEMENTATION/ACTION
A common active policy on visas and false documents should be further developed, including closer co-operation between EU consulates in 3rd countries and, where necessary, the establishment of common EU visa issuing offices	Council Regulation on visas[52]	March 2001, amended October 2001, and March 2003[53]	Entry into force: 10.4.2001, 1.1.2002 and 1.6.2003 The Commission plans to pre-sent a proposal to modify visa regulation 539/2001 as regards visa reciprocity (adoption expected June 2004).
	Council Regulation on measures for implementing the common consular instruction (Finnish initiative)	April 2001[54]	Entry into force: 24.4.2001
	Council decision on the visa conditions applied by Member States (Swedish initiative)	April 2001[55]	Entry into force:27.4.2001
	Council decision amending Part VII and Annex 12 to the common consular instruction and Annex 14A to the Common Manual (Belgian initiative)	December 2001[56]	Implementation: no later than 1.7.2004

[52] Council Regulation 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those who are exempt from that requirement
[53] OJ L 81, 21.3.2001; OJ L 327, 12.12.2001; OJ L 69, 13.3.2003
[54] Regulation 789/2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications (OJ L 116, 26.4.2001)
[55] OJ L 116, 26.4.2001
[56] OJ L 20, 23.1.2002

	Council decision on the adaptation of Part III of and the creation of Annex 16 to the common consular instruction (uniform visa application form) (Belgian initiative)	April 2002[57]	Implementation: 1.7.2003
	Council decision amending Annex 12 to the common consular instruction and Annex 14A to the common manual (visa fees) (Greek initiative)	June 2003[58]	Implementation: no later than 1.7.2005
	FTD and FRTD Regulation[59]	June 2003	Implementation: date of publication
	Council Regulation on the issue of visas at the border, including to seamen in transit (ES initiative)	February 2003[62]	
	Regulation to facilitate the issue of visas to the Olympic family[60]	July 2003	
	Amendment to visa Regulation 1683/95[61]	February 2002	Entry into force: 24.2.2002 Adoption of specifications required for its application 3.6.2002

[57] OJ L 123, 9.5.2002, p.50
[58] OJ L 152, 20.6.2003
[59] Council Regulation establishing a specific Facilitated Transit Document (FTD), a Facilitated Rail Transit Document (FRTD) and amending the Common Consular Instructions and the Common Manual and a Council Regulation on uniform formats for FTD and FRTD (OJ L 99, 17.4.2003)
[60] Council Regulation relating to measures envisaged to facilitate the procedures for applying for and issuing visas for Members of the Olympic family taking part in the 2004 Olympic and/or Paralympic Games in Athens (OJ L 183, 22.7.2003)
[61] Council Regulation 334/2002, amending Regulation 1683/95, laying down a uniform format for visas for third country nationals (OJ L 53, 23.2.2002)
[62] OJ L 64, 7.3.2003

	Regulation on residence permits[63]	June 2002	Entry into force: 14.6.2002 Adoption of specifications required for its application 14.8.2002
	Proposal for a Council Regulation on the standards for the security features and biometrics of the EU citizens' passport[64]	Presented to Council 19.2.04	
	Regulation on affixing visas to travel documents	February 2002[65]	Entry into force: 23.2.2002 Adoption of specifications required for its application 12.8.2002
The Laeken European Council asked for arrangements for co-operation between services responsible for external border checks to be worked out and for the conditions in which a mechanism or common services to check external borders could be created to be studied	Commission proposal for a Decision establishing the common visa information system (VIS)[66]	Council policy guidelines on the development of VIS adopted February 2004	Proposal for a Regulation to govern all aspects of VIS planned for Sept 2004.
	Council Decision concerning the adaptation of Part VII of the common consular instruction (co-operation with travel agencies) (Belgian and Spanish initiative)	July 2002[71]	Entry into force: 16.7.2002
	Council Regulation on freedom of movement with a long-stay visa (FR initiative)	May 2001[72]	Entry into force: 7.6.2001
	Commission proposal for a Directive on conditions for movement in the Member States[67]	Work in progress	

[63]Council Regulation laying down a uniform format for residence permits for third country nationals (OJ L 157, 15.6.2002, p.1)
[64]COM (2004) 116, 18.2.04
[65]Council Regulation 333/2002 laying down a uniform format for forms for affixing the visa issued by Member States to persons holding travel documents which re not recognised by the Member State drawing up the form (O.J..L 53 23.2.2002)
[66]COM (2004) 99, 12.2.2004
[67]Proposal for a Council Directive relating to the conditions in which third country nationals shall have the freedom to travel in the territory of the Member States for periods not exceeding three months, introducing a specific travel authorisation and determining the conditions of entry and movement for periods not exceeding six months (10.7.01)

	Commission proposal for a Council Regulation on the rules governing the movement of persons across borders (scheduled for adoption by the Commission end May 2004) Commission proposal on stamping of travel documents[68]		
	Commission communication on external borders (May 2002)[69]	In June 2002 the Council adopted a plan for the management of the external borders of the EU	
	Council decision adopting an action programme for administrative co-operation in the fields of external borders, visas, asylum and immigration (ARGO programme) Commission communication on the role of customs in the integrated management of external borders[70]	June 2002[73]	In 2004 first implementation report will be presented by the Commission

[68]Proposal for a Council Regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the common manual to this end (COM (2003) 664, 6.11.2003)
[69]Communication "Towards integrated management of the external borders of the Member States of the European Union" (COM (2002) 233, 7.5.2002
[70] COM(2003) 452
[71]OJ L 187, 16.7.2002, p.44
[72]OJ L 150, 6.6.2001
[73]OJ L 161, 19.6.2002

The European Council calls for closer co-operation and mutual technical assistance between the Member States' border control services, such as exchange programmes and technology transfer, especially on maritime borders.	Commission proposal for a Council Regulation establishing a European Agency for the Management of Operational Co-operation at the External Borders (November 2003)[74] Study on burden-sharing between the EU and the Member States and a feasibility study on improving maritime border controls. A report on the latter study was presented in September 2003 Commission proposal for a Regulation on local border traffic[75]	 Council agreement in principle in November 2003 on a programme of work on maritime borders Work in progress	The Italian Presidency presented the conclusions of a feasibility study on the development of joint actions
	Council Regulation on measures for carrying out border checks and surveillance (Portuguese initiative)[76] *Council Decision amending Article 40(1) and(7) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at the common borders (Belgian,Spanish and French initiative)* *Council Decision and Regulation on the development of the second generation Schengen Information System (Belgian and Swedish initiative)*	April 2001 EP opinion (rejection) March 2001 October 2003[77] December 2001[78]	Entry into force 24.4.2001 Entry into force: 11.10.2003 Entry into force: 14.12.2001 Expiry date: 31.12.2006

[74]COM (2003) 502, 14.8.2003
[75]Proposal for a Council Regulation on the establishment of a regime of local border traffic at the external borders of the Member States and at the temporary external land borders between Member States (COM (2003) 502, 14.8.2003)
[76]Council regulation reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for carrying out border checks and surveillance (OJ L 116, 26.4.2001)
[77]OJ L 260, 11.10.2003
[78]OJ L 328, 13.12.2001

	Proposal for a Council Regulation and Decision on the allocation of specific new functions to the SIS, in particular in the framework of the fight against terrorism (Spanish initiative)[79]	Regulation adopted April 2004	
	Commission Communication on the development of SIS II (December 2001)[80]		First Commission report on progress with SIS II (Feb. 2003)
	Commission communication in Dec 2003 on the development of SIS II and possible synergies with the future VIS		In the second half of 2004 the Commission plans to present proposals for a Regulation and a Decision on SIS II
	Proposal for a Regulation on access to the SIS for the registration of vehicles[81]	1st reading EP March 2004	

[79] OJ L 162, 30.4.2004
[80] Commission communication on the development of the Schengen II information system to take account of the prospect of enlargement and of technical progress (COM (2001) 720, 18.12.2001)
[81] COM(2003) 510, 21.8.2003

3. A GENUINE EUROPEAN AREA OF JUSTICE

MANDATE	FOLLOW-UP	DATE ADOPTED BY COUNCIL	IMPLEMENTATION
<u>Better access to justice in Europe</u> Information campaign and publication of "user guides" on judicial co-operation within the Union and on the legal systems of the Member States.	In 2002 and 2003 the Commission launched information campaigns to inform the general public about access to justice and legal aid, and a campaign is planned for 2004. The Commission, jointly with the Council of Europe has designated 25 October as European Day of Civil Justice. Council decision establishing a European Judicial Network in civil and commercial matters. Council Regulation establishing a general framework for Community activities to facilitate the implementation of a European judicial area in civil matters	May 2001[82] April 2002[83]	Network has been operational since 1.12.2002. A website came on line in March 2003 and will continue to be developed in 2004, particularly to the new Member States
Establishment of minimum standards to ensure an adequate level of legal aid in cross-border cases	Directive on legal aid Commission decision of June 2003 establishing a legal aid applications transmission form[84]	January 2003[85]	Implementation: no later than 30.11.04, except Art. 3(2)(a): 30.5.06

[82] OJ L 174, 27.6.2001
[83] OJ L 115, 1.5.2002
[84] C(2003) 1829, 18.6.2003
[85] OJ L 126, 31.1.2003

Establishment of common procedural rules for simplified and accelerated cross-border litigation on small consumer and commercial claims, as well as maintenance claims, and on uncontested claims. Common minimum standards should be set for multilingual forms or documents to be used in cross-border court cases throughout the Union	Council Regulation on uncontested claims[86] Green paper on maintenance claims[87] Commission Proposal for a Regulation creating a European Order for Payment procedure[88] Green Paper on alternative dispute resolution in civil and commercial law[89]	Adopted April 2004	A Directive on small claims is planned for June 2004 Development of a European code of conduct for mediation, to be launched summer 2004. Proposal for a Directive on alternative dispute resolution planned for 2nd quarter of 2004
Establishment of an easily accessible information system to be maintained and updated by a network of competent national authorities	Launch of three networks for consumers: European Extra-Judicial Network (EEJ Net) for consumers[90] FIN-NET for the extra-judicial settlement of disputes relating to financial services. SOLVIT network for the resolution of problems of poor application of the internal market rules by national administrations		

[86] OJ L 143, 30.4.2004
[87] COM(2004)254, 15.4.2004
[88] COM (2004) 173, 19.3.2004
[89] COM (2002) 196, 19.4.2002
[90] This network is based on Recommendations 98/257/EEC and 2001/310/EEC

Minimum standards should be drawn up on the protection of victims of crime, in particular on crime victims' access to justice and on their rights to compensation for damages, including legal costs. In addition, national programmes should be set up to finance measures, public and non-governmental, for assistance to and protection of victims	*Framework Decision on the status of victims in criminal proceedings (Portuguese initiative)* Directive on compensation to crime victims[91] Proposal for a Directive on access to justice in environmental matters[92]	March 2001[93] April 2004	Implementation deadline: 22.03.02, 22.03.04 or 22.03.06, depending on the Article First Commission report on implementation adopted 3.2.04[94]
<u>Mutual recognition of judicial decisions</u> The European Council endorses the principle of mutual recognition which, in its view, should become the cornerstone of judicial co-operation in both civil and criminal matters within the Union. The principle should apply both to judgements and to other decisions of judicial authorities	Mutual recognition programme[95] Council decision authorising the Member States to sign the Hague Convention of 1996[96]	November 2000 December 2002[97]	Commission proposal for a Council decision authorising the Member States to ratify the Hague Convention[98]

[91] COM (2002) 562, 16.10.2002
[92] COM (2003) 624, 24.10.2003
[93] OJ L 82, 22.3.2001
[94] COM (2004) 54, 3.2.2004
[95] OJ C 12, 15.1.2001
[96] Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children
[97] OJ L 48, 21.1.2003
[98] COM (2003) 348, 17.6.2003

In civil matters the European Council calls upon the Commission to make a proposal for further reduction of the intermediate measures still required to enable the recognition and enforcement of a decision or a judgement in the requested State. These intermediate procedures should be abolished for titles in respect of small consumer or commercial claims and for certain judgements in the field of family litigation and could be accompanied by the setting of minimum standards on specific aspects of civil procedural law	Brussels II bis Regulation[99]	November 2003	Green paper on successions and wills planned for 2004
	Commission proposal for a Council Decision on the signing by the European Community of the Council of Europe Convention on contact concerning children[100]	Work in progress	
	Regulation 1348/2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters[101]		A report on the functioning of the Regulation is planned for June 2004

[99] Council Regulation concerning jurisdiction and the recognition and enforcement of judgements in matrimonial matters and in matters of parental responsibility, repealing Regulation (EC) No. 1347/2000 and amending Regulation (EC) No. 44/2001 in matters relating to maintenance (OJ L 338, 23.12.03)

[100] COM(2002)520, 2.10.2002

[101] OJ L 160, 30.6.2000

With respect to <u>criminal matters</u>, the European Council urges Member States to speedily ratify the 1995 and 1996 EU Conventions on extradition. It considers that the formal extradition procedure should be abolished among the Member States as far as persons are concerned who are fleeing from justice after having been finally sentenced, and replaced by a simple transfer of such persons, in compliance with Article 6 TEU. Consideration should also be given to fast track procedures without prejudice to the principle of fair trial. The European Council invites the Commission to make proposals on this matter in the light of the Schengen Implementing Agreement.	All Member States have ratified the 1996 Convention except France and Italy		
	Framework decision on the European Arrest Warrant[102]	June 2002	Deadline : 31.12.2003. Report on implementation is planned for October 2004
	Commission Communication on Mutual recognition of Final Decisions in criminal matters[103]	Joint Council/Commission programme adopted in Nov. 2000	The Commission will present in 2004 a communication on jurisdiction in the context of mutual recognition of judgements in criminal matters to prevent positive conflicts of jurisdiction between Member States
	Following a Commission Green Paper on procedural safeguards for suspects and defendants in criminal proceedings throughout the EU[104] the Commission presented a proposal for a Framework Decision on certain procedural rights in criminal proceedings throughout the EU[105]		
	Danish initiative for a Council Decision on the reinforcement of co-operation between Member States of the EU as regards disqualification decisions[106]	EP opinion (rejection) December 2002	In June 2004 a communication on disqualifications is planned

[102] Council Framework Decision on the European Arrest Warrant and surrender procedures between Member States (OJ L 190, 18.7.2002)
[103] COM(2000)495, 28.7.2000
[104] COM(2003) 75, 19.2.2003
[105] COM(2004) 328, 28.4.2004
[106] OJ C 23, 19.9.2002

The principle of mutual recognition should also apply to pre-trial orders, in particular to those which would enable competent authorities quickly to secure evidence and to seize assets which are easily moveable; evidence lawfully gathered by one MS's authorities should be admissible before the courts of other MS, taking into account the standards that apply there. The European Council asks the Council and Commission to adopt a programme of measures to implement the principle of mutual recognition; work should also be launched on an European Enforcement Order and on those aspects of procedural law on which common minimum standards are considered necessary to facilitate the application of the principle of mutual recognition, respecting the fundamental legal principles of Member States.	*Greek initiative for a Framework Decision on the application of the "non bis in idem" principle*[107] *Framework decision on the freezing of assets and evidence (Initiative by France, Sweden and Belgium)* Commission proposal for a Framework Decision on the European Evidence Warrant[108] *Initiative by France, Sweden and United Kingdom for a Framework Decision on the application of the principle of mutual recognition to financial penalties*[109] *Danish initiative for a draft framework decision on the enforcement of confiscation orders in the Union*[110] Commission Green Paper on the approximation, mutual recognition and enforcement of criminal sanctions in the EU[111]	July 2003[112] Work in progress Agreement in principle May 2003. Formal adoption by the Council once parliamentary reservations have been lifted (DK/S/IRL) Political agreement April 2004 (Reserve DK)	Deadline for implementation: 2.8.2005

[107] OJ C 100, 26.4.2003
[108] Commission proposal for a Framework decision on the European Evidence Warrant for obtaining objects, documents and data for use in proceedings in criminal matters (COM (2003) 688, 14.11.2003)
[109] OJ C 278, 2.10.2001
[110] OJ C 184, 2.8.2002
[111] COM(2004) 334, 30.4.2004
[112] OJ L 196, 2.8.2003, p45

<u>Greater convergence in civil law</u> The European Council invites the Council and the Commission to prepare new procedural legislation in cross-border cases, in particular on those elements which are instrumental to smooth judicial co-operation and to enhanced access to law, e.g. provisional measures, taking of evidence, orders for money payment and time limits.	*Council Regulation on co-operation between the courts of the Member States in the taking of evidence in civil or commercial matters (German initiative)* Following a preparatory study in April 2002, the Commission is preparing a Green Paper on improvements to the effectiveness of enforcement procedures Commission communication in July 2001 on European contract law[113] Following the Communication of July 2001 the Commission presented a Communication in February 2003 "A more coherent European contract law: an action plan"[114]	May 2001[115] Council Resolution adopted on 22.9.03 supporting the plan	Deadline for implementation: 1.7.2004 (except Arts. 19-21 and 22: 1.7.2001) In the second quarter of 2004 the Commission is planning to present a communication setting out the Commission's conclusions for future work
As regards substantive law, an overall study in requested on the need to approximate Member States' legislation in civil matters in order to eliminate obstacles to the good functioning of civil proceedings. The Council should report back by 2001	Regulation replacing the Brussels Convention	December 2000[116]	Entry into force: 1.3.2002

[113] COM(2001) 398, 11.7.2001
[114] COM(2003)68 12.2.2003
[115] OJ L 174, 27.6.2001
[116] OJ L 12, 16.1.2001

	Decision on the launch of negotiations as part of the Hague Convention with a view to a world convention on jurisdiction and the recognition of judgements in civil and commercial matters.	May 2001	In March 2002 the Council adopted a new negotiating brief for a meeting held in the Hague in April 2002. In November 2003 the Council adopted a recommendation for a decision authorising the EC to open negotiations for a convention on choice-of-forum clauses in the Hague Conference
	Commission proposal in March 2002 for a recommendation for a negotiating brief for an agreement between the Community and the Lugano countries[117]	In October 2002 the Council adopted the negotiating brief	The negotiations conducted by the Commission cannot be concluded before the Court of Justice has given the opinion requested by the Council on the question of Community powers
	Proposal on Rome II Regulation[118]	Work in progress	
	Commission Green Paper on the conversion of the Rome Convention into a Community instrument and its modernisation [119]		The Commission organised a public hearing in January 2004

[117] SEC(2002) 298, 22.3.2002
[118] Proposal for a Regulation on the law applicable to non-contractual obligations (COM(2003) 427, 22.7.2003)
[119] COM(2002)654, 14.1.2003

4. UNIONWIDE FIGHT AGAINST CRIME

MANDATE	FOLLOW-UP	DATE ADOPTED BY COUNCIL	IMPLEMENTATION/ACTION
<u>Preventing crime at the level of the Union</u> The European Council calls for the integration of crime prevention aspects into actions against crime as well as for further development of national crime prevention in the external and internal policy of the Union. Common priorities should be developed and identified in crime prevention in the external and internal policy of the Union and taken into account when preparing new legislation	Commission communication on crime prevention in the EU[120] Commission communication on general crime-prevention in the EU[121] Prevention and control of organised crime: a European Union strategy for the beginning of the new millennium[122] Commission staff working paper in March 2003 on implementation of the European Union strategy for the beginning of the new millennium[123]	In October 2003 the Council adopted the report on measures and action taken to give effect to the recommendations for a European Union strategy for the beginning of the new millennium	
The exchange of best practices should be developed, the network of competent national authorities for crime prevention and co-operation between national crime prevention organisations should be strengthened and the possibility of a Community funded prog-	*Council decision setting up a European crime prevention network (French and Swedish initiative)*	May 2001[124] Adoption in May 2003 of draft con clusions on the 2002 annual report and 2003-04 work programme	Entry into force: 28.5.2001

[120] COM(2000) 786, 29.11.2000
[121] COM(2004) 165, 12.3.2004
[122] OJ C 124, 3.4.2000
[123] SEC(2003) 378, 21.3.2003
[124] OJ L 153, 8.6.2001

ramme should be explored for these purposes. The first prorities could be juvenile, urban and drug-related crime	Council decision establishing a programme of incentives and exchanges, training and co-operation for the prevention of crime (Hippokrates programme) Council decision renewing the Title VI programmes that were expiring. Implementation of the AGIS programme 2003-07	June 2001[125] July 2002[126]	Deadline for implementation: 31.12.2002 The Forum on Prevention of Organised Crime organised a number of workshops, forums and round tables in 2001-2003 Entry into force: 22.7.2002
<u>Stepping up co-operation in the fight against crime</u> The European Council calls for joint investigative teams as foreseen in the Treaty to be set up without delay, as a first step, to combat trafficking in drugs and human beings as well as terrorism To reinforce the fight against serious organised crime, the European Council has agreed that a unit (Eurojust) should be set up.	Council adopted the Mutual Legal Assistance convention in May 2000, Article 13 of which provides for joint teams to be set up[127] *Council decision setting up a provisional Judicial Co-operation Unit (Initiative of P; F, S and B)* *Council decision setting up Eurojust (Initiative of P, F, S and B)*	December 2000[128] February 2002[129] Approval of Eurojust Rules of Procedure and appointment of its President by the Council in June 2003. Inauguration of Eurojust at the Hague in April 2003	Ratification by PT, DK and ES Provisional unit put in place in March 2001 Implementation: no later than 6.9.2003 Commission report on implementation scheduled for 2004

[125] OJ L 186, 7.7.2001
[126] OJ L 203, 1.8.2002
[127] OJ C 197, 12.7.2000
[128] OJ L 324, 21.12.2000
[129] OJ L 63, 6.3.2002

The European Council calls on the Council to provide Europol with the necessary support and resources. In the near future its role should be strengthened by means of receiving operational data from Member States and authorising it to ask Member States to initiate, conduct or co-ordinate investigations or to create joint investigative teams in certain areas of crime, while respecting systems of judicial control in Member States	*Decision extending Europol's mandate to deal with serious forms of international crime listed in the Annex to the Europol Convention (BE/S initiative)*	June 2001[130]	
	Framework decision on joint investigation teams (Initiative of B, F, ES and UK)	June 2002[131]	Implementation deadline: 1.1.2003. Report on implement-tation planned for July 2004
	Joint initiative by B and ES for a Protocol amending the Europol Convention (to include participation in joint investigation teams and right to initiatiate criminal investigations)	November 2002[132]	
	Danish initiative for a Protocol amending the Europol convention	November 2003[133]	
	Decision establishing a secretariat for the Data Protection Supervisory Bodies (Portuguese initiative)	October 2000[134]	

[130] OJ C 362, 18.12.2001
[131] OJ L 162, 20.6.2002
[132] OJ C 312, 16.12.2002
[133] OJ C 2, 6.1.2004
[134] OJ L 271, 24.10.2000

The European Council calls for the establishment of a European Police Chiefs operational Task Force to exchange, in cooperation with Europol, experience, best practices and information on current trends in cross-border crime and contribute to the planning of operative actions	*Initiative of France with a view to adopting a Council Decision setting up a European Judicial Training Network*[135] *Initiative by S amending the Council Act of 12.3.1999 adopting the rules governing the transmission of personal data by Europol to third states and third bodies* Creation in October 2000 of the Police Chiefs' Task Force	February 2002[136]	The Network was established in the form of an Association governed by Belgian law (1919 Act) in June 2003 Implementation: 1.3.2002 The Commission is planning to present a proposal in 2004 for a Framework Decision on the adequacy level for the transfer of personal data In 2004 the Commission plans to present a proposal for a Framework Decision on the extension of police co-operation in the EU's border region
A European Police College for the training of senior law enforcement officials should be established.	*Council Decision on the provisional establishment of the European Police College (CEPOL) (PT initiative)* *Proposal for a Council decision with a view to giving CEPOL legal personality (Irish initiative)*[137] *Proposal for a Council decision, with a view to making Bramshill the permanent seat of CEPOL (UK initiative)*[138]	December 2000[139]	Council agreement in February 2002 on a provisional location of the secretariat (Copenhagen) and on the financing of CEPOL.

[135] OJ C 18, 19.01.2001
[136] OJ C 76, 27.3.2002
[137] OJ C 1, 6.1.2004
[138] OJ C 20, 24.1.2004
[139] OJ L 336, 30.12.2000

Without prejudice to the broader areas envisaged in the Treaty of Amsterdam and the Vienna Action Plan, the European Council considers that, with regard to national criminal law, efforts to agree on common definitions, incriminations and sanctions should be focussed in the first instance on a limited number of sectors of particular relevance, such as financial crime (money laundering, corruption, Euro counterfeiting), drugs trafficking, trafficking in human beings, particularly exploitation of women, sexual exploitation of children, high tech crime and environmental crime	*In 2001 Italy submitted a working paper for a Union strategy against smuggling* Commission communication on enhancing police and customs co-operation in the EU[140] Signature, on behalf of the European Community, of the UN Convention against transnational organised crime (UNTOC) and its supplementing Protocols against trafficking in persons, especially women and children, and the smuggling of migrants by land, air and sea[141] Signature, on behalf of the European Community, of the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components, and ammunition, supplementing the UNTOC[142] Proposal for a Council decision on the signing of the UN Convention against corruption[143] *Framework Decision on combating corruption in the private sector (DK initiative)*	October 2003 the Council adopted a Resolution on a strategy for customs co-operation[144] July 2003[145]	The UNTOC entered into force 29.9.2003; the Trafficking Protocol on 25.12.2003 and the Smuggling Protocol on 28.1.2004 Council decision on the conclusion of the UNTOC and its supplementing protocols against trafficking in persons and smuggling of migrants adopted April 2004[146] Implementation: before 22.7.2005

[140] COM(2004)376, 18.05.04
[141] OJ L 30,1.2.2001
[142] OJ L 280, 24.10.2001
[143] COM (2003) 751, 5.12.2003

	Commission communication on a common policy against corruption[147] Council framework decision on combating terrorism Commission communication on measures to be taken to combat terrorism and other forms of crime, in particular to improve the exchange of information, with a Council decision on the exchange of information and co-operation concerning terrorist offences[148]	 June 2002[149]	 Deadline for implementation: 31.12.02. In 2004 the Commission will present a report on implementation
	Framework decisions on: - The fight against trafficking in human beings - The fight against the sexual exploitation of children and child pornograpy Daphne II Programme to combat violence against children, young persons and women[150]	July 2002[151] December 2003[152] March 2004	

[144] OJ L 247, 2.10.2003
[145] OJ L 192, 31.7.2003
[146] COM(2003) 512, 22.8.2003
[147] COM (2003)317, 28.5.2003
[148] COM(2004) 221, 29.3.2004
[149] OJ L 164, 22.6.02
[150] OJ L 143, 30.4.2004
[151] OJ L 203, 1.9.2002, p.1
[152] OJ L 13, 20.01.2004

	Framework decision on combating serious environmental crime (Danish initiative) (Amended) Proposal for a Directive on the protection of the environment through criminal law[153] Proposal for a Directive on ship-source pollution and on the introduction of sanctions, including criminal sanctions, for pollution offences[154] Proposal for a Council Framework Decision to strengthen the criminal law framework for the enforcement of the law against ship-source pollution[155]	January 2003[156] Work in progress Work in progress	Commission decision to take action in the Court of Justice. Proposal amended following Parliament's opinion
	Council decision on safety at international football matches (Belgian Presidency initiative) *Resolution on the prohibition of access to premises at which international football matches take place in the Member States (IT Presidency initiative)*	April 2002[157] November 2003[158]	Entry into force: 8.5.2002

[153] Amended proposal COM(2002) 544 30.9.2002
[154] COM(2003) 92, 5.3.2003
[155] COM (2003) 227, 2.5.2003
[156] OJ L 29, 5.2.2003
[157] OJ L 121, 8.5.2002
[158] OJ C 281, 22.11.2003

	Commission communication on creating a safer information society[159] Commission communication and proposal for a Framework Decision on safer use of the internet[160] Proposal for a Framework Decision on attacks against information systems[161]	In June 2001 the Council adopted a recommendation on contact points to combat cyber crime[162] Work in progress Agreement in principle in February 2003 (Reserves DK/S/IRL)	The European Forum on cybercrime has been set up.
	Framework Decision on combating fraud and counterfeiting of non-cash means of payment *Framework decision on increasing protection by criminal penalties and other sanctions against counterfeiting in connection with the introduction of the euro (German initiative)* *Framework decision on the protection of the euro against counterfeiting*	May 2001[163] May 2000, amended in December 2001[164] December 2001[165]	Implementation deadline: 2.6.03. Commission report in April 2004 on state of implementation[166]

[159] COM (2000) 890, 26.1.2001
[160] COM (2002) 152, 22.3.2002
[161] COM(2002) 173, 19.4.2002
[162] OJ C 187, 25.6.2001
[163] OJ L 149 2.6.2001
[164] OJ L 329, 14.12.2001(Swedish initiative)
[165] OJ L 329, 14.12.2001
[166] COM(2004) 346, 30.4.2004

	Commission Green paper on the protection under criminal law of the Communities' financial interests and the establishment of a European Public Prosecutor[167]		Follow-up report presented in March 2003[168]
	Commission proposal for a Directive on the criminal-law protection of the Community's financial interests, amended in response to EP opinion[169] Commission communication on an overall fraud prevention strategy[170] Directive on public procurement	 February 2004[171]	Commission plans to present a proposal for a Regulation on mutual administrative assistance to protect the Community's financial interests against fraud or any other illegal activities
<u>Special action against money-laundering</u> Member States are urged to implement fully the provisions of the Money Laundering Directive, the 1990 Strasbourg Convention and the Financial Action Task Force recommendations also in all their dependent territories	All the Member States have ratified the Strasbourg Convention (Amended) Council Directive on prevention of the use of the financial system for the purpose of money-laundering *Council Framework Decision on money-laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds from crime (FR initiative)* Commission communication on preventing and combating organised crime in the financial sector[172] Commission proposal for a Regulation on prevention of money-laundering by means of customs co-operation[173]	 December 2001[174] June 2001[175]	 Deadline: 31.12.2002. Report on transposition adopted by the Commission 5 April 2004[176]

[167] COM (2001) 715, 11.12.2001
[168] COM (2003) 128, 19.3.2003
[169] COM (2001) 272, 23.5.2001; COM(2002) 577, 16.10.2002 (Amended proposal)
[170] COM(2000) 358, 28.6.2000
[171] OJ L 134, 30.4.2004 (Directive provides for excluding tenderers who have been convicted of serious offences (corruption, participation in a criminal organisation, money laundering or fraud against the Community's financial interests

The European Council calls for the Council and the European Parliament to adopt as soon as possible the draft revised directive on money laundering.	*Protocol to the Convention on mutual judicial assistance in criminal matters dealing specifically with financial crime (FR initiative)* *Council Framework Decision on confiscation of crime-related proceeds, instrumentalities and property (Danish initiative)*	October 2001[177] Agreed in principle Dec 2002 (reserves D/S)	
With due regard to data protection, the transparency of financial transactions and ownership of corporate entities should be improved and the exchange of information between the existing financial intelligence units regarding suspicious transactions expedited.	*Decision on co-operation between financial intelligence units in the Member States for the exchange of information (Finnish initiative)* *Initiative by France for the adoption of a Protocol to the Convention on judicial assistance in criminal matters between the Member States of the European Union (concerning the exchange of information on bank accounts and transactions)*	October 2000[178] Convention adopted on 29.5.2000 Protocol to the Convention adopted in October 2001[179]	Entry into force: 17.10.2000 Deadline for ratification: July 2002. The entry into force and implementation of the Protocol are subject to the entry into force and implementation of the Convention

[172] COM(2004) 262, 6.4.2004
[173] COM(2002)328
[174] OJ L 344, 28.12.2001
[175] OJ L 182, 5.7.2001
[176] COM(2004) 230, 5.4.2004
[177] OJ C 326, 21.11.2001
[178] OJ L 271, 24.10.2000
[179] OJ C 326, 21.11.2001

The European Council invites the Council to extend the competence of Europol to money laundering in general, regardless of the type of offence from which the laundered proceeds originate	*Protocol amending the Europol Convention to cover money laundering in general, regardless of the offence from which the proceeds originate (PT initiative)*	November 2000[180]	Ratification by F, P, ES, GR, S and D
The European Council calls for the approximation of criminal law and procedures on money laundering	*Framework decision on the execution in the EU of orders freezing assets or evidence (French, Belgian and Swedish initiative)*	July 2003[181]	Implementation: before 2.8.2005
The Commission is invited to draw up a report identifying provisions in national banking, financial and corporate legislation which obstruct international co-operation. The Council is invited to draw necessary conclusions on the basis of this report.	In 2004 the Commission is planning to present a proposal for a Framework decision on a uniform EU-wide system to combat money-laundering by natural or legal persons using large-scale cash payments to conceal the conversion of criminal proceeds.		

[180] OJ C 358, 13.12.2000
[181] OJ L 196, 2.8.2003

5 CO-OPERATION IN THE FIGHT AGAINST DRUGS

MANDATE	FOLLOW-UP	DATE ADOPTED BY COUNCIL	IMPLEMENTATION/ACTION
The European Council underlines the importance of addressing the drugs problem in a comprehensive manner. It calls on the Council to adopt the 2000-2004 European Strategy against Drugs before the European Council meeting in Helsinki	Proposal for a recast of Council Regulation on the European Monitoring Centre for Drugs and Drug Addiction[182]	Joint Declaration adopted in February 2002[187]	The 10 acceding countries have been observers to the EMCDDA since July 2003; members since 1.5.2004. Negotiations with RO, BG and TR should be pursued
	Commission communication in June 2001 on the implementation of the EU Plan of Action against Drugs[183]		A communication on the final evaluation of the Drugs Action Plan 2000-2004 planned for second half of 2004
	Commission communication on drugs co-ordination in the European Union[184]		
	Council recommendation on the prevention and reduction of risks associated with drug dependence	June 2003[188]	
	Commission proposal for a Framework decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking[185]	Political agreement November 2003. Reserves DK/IRL/NL/S	
	Regulation 273/2004 on drug precursors	February 2004[189]	Entry into force: 18.8.2005 (except Arts 9,14,15 – 18.2.04)
	Commission proposal for a Council Decision amending and replacing the Joint Action of 16.6.1997 on synthetic drugs[186]		

[182] COM(2003) 808, 19.12.2003
[183] COM(2001) 301, 8.6.2001
[184] COM(2003) 681, 12.11.2003
[185] COM (2001) 259, 23.5.2001
[186] COM(2003) 560, 3.10.2003
[187] Joint declaration in association with the Commission and the applicant countries, referring to the launching of negotiations for the applicant countries to participate in the EMCDDA

6. CITIZENSHIP OF THE UNION

MANDATE	FOLLOW-UP	DATE ADOPTED BY COUNCIL	IMPLEMENTATION/ACTION
The European Union has already put in place for its citizens the major ingredients of a shared area of prosperity and peace. The challenge of the Amsterdam Treaty is now to ensure that freedom, which includes the right to move freely throughout the Union, can be enjoyed in conditions of security and justice accessible to all	Directive updating and revising the rules on the right of entry, movement and residence of citizens of the Union[190] Commission communication on the right to vote in elections to the European Parliament[191] Commission communication on measures to be taken to ensure participation of all citizens of the Union in the 2004 elections to the European Parliament in an enlarged Union[192]	March 2004	

[188] OJ L 165, 18.6.2003
[189] OJ L 47, 18.2.2004
[190] Proposal for a Directive on the right of Union citizens and members of their families to travel and reside freely on the territory of the Member States (COM(2001) 257, 23.5.2001)
[191] Communication on the application of Directive 93/109/EC to the June 1999 elections to the European Parliament: right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals
[192] COM(2003) 31, 27.1.2003

7. STRONGER EXTERNAL ACTION

MANDATE	FOLLOW-UP	DATE ADOPTED BY COUNCIL	IMPLEMENTATION/ACTION
The European Council underlines that all competences and instruments at the disposal of the Union, and in particular, in external relations, must be used in an integrated and consistent way to build the area of freedom, security and justice. Full use must be made of the new possibilities offered by the Treaty of Amsterdam for external action and in particular of Common Strategies, as well as Community agreements and agreements based on Article 38 TEU.	Negotiating brief accepted for Albania, and exploratory extending to JHA matters have been held with the FRY. The CARDS programme (2002-06) includes a country-by-country JHA strategy for applying especially to asylum, immigration, organised crime, judicial matters, border management and maintenance of a regional dynamic for the reform of JHA institutions. Implementation of the JHA dimension of the Meda regional programme (adoption of a framework document on 22 April 2002); implementation of the action plan of the High Level Working Group on Asylum and Immigration for Morocco. Central Asia: Action Plan against drugs for Central Asia (CADAP) formally approved by Kazakhstan, Kyrgystan, Tajikistan and Uzbekistan on 2 October 2002. Russia: implementation of the action plan to combat organised crime. Russia: Recommendation for a Council decision authorising the Commission to enter into negotiation with Russia concerning visas [193] Ukraine: implementation of the JHA action plan and scoreboard.	Agreements have been signed with Croatia and the FYROM and are in process of ratification.	

[193] SEC (2004) 463, 22.4.2004

	United States: Agreement for co-operation in criminal matters on the basis of Articles 38 and 24 of the Union Treaty (Council agreed to a negotiating brief in April 2002) Council decision on the conclusion of an Agreement between the European Community and the USA on the processing and transfer of PNR data	June 2003[194] May 2004[195]	Agreement signed on 25.6.2003
	Council decision laying down arrangements for the 1995 Convention on simplified extradition procedures between the Member States of the EU the 1996 Convention relating to extradition between Member States of the EU builds on the Schengen arrangements in accordance with the agreement associating the Republic of Iceland and the Kingdom of Norway with the application, implementation and development of the Schengen arrangements (Swedish initiative) Council of Europe: - Cybercrime Convention; open for signature in November 2001; - Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems: opened for signing in January 2003. - 2nd Protocol to the 1959 Convention: Adoption by the Council of Europe on 20.09.2001 and open for signature on 8.11.2001;	February 2003[197]	

[194] OJ L 181, 19.7.2003
[195] OJ L 183, 20.5.2004
[196] COM (2003) 253, 6.5.2003
[197] OJ L 67, 12.3.2003

	- Community accession to Convention 108 and the additional protocol on data protection: ratification under way by the contracting countries, prior to accession to the Community. - Terrorism - Protocol amending the European Convention against terrorism of 1977: open for signing in May 2003 - Participation in CODEXTER with a view to the elaboration of a worldwide anti-terrorism convention In May 2003 the Commission presented a proposal for a common position on notification to the Council of Europe under Article 28(3) of the Extradition Convention of 1957[196]	Conclusions adopted by the Council in October 2003 on the implementation of the European arrest warrant and its links to Council of Europe instruments.	