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2436th Council meeting

- JUSTICE, INTERNAL AFFAIRS AND CIVIL PROTECTION -

Luxembourg, 13 June 2002

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Minister for Local Government and Regional Development

TERRORISM

The Council welcomed the encouraging progress made over recent months in the fight against terrorism. It took note of an assessment of the terrorist threat, a strategic document, the biannual update of the list of terrorist organisations for the purpose of cooperation between law enforcement agencies, and two documents drawn up by Europol relating to national security measures taken since 11 September and on extremist terrorism. The Council also heard a report from the Director of Europol, Mr Jürgen Storbeck, on the activities of the Europol task force composed of anti-terrorist experts.

These documents stress the need to intensify the exchange of information between Member States and to continue elaborating a longer-term strategy to fight the terrorist threat, involving the participation of the Union, the Member States, Europol and the EU's partner countries.

VIOLENCE AGAINST WOMEN – ACTIVITIES OF THE SPANISH PRESIDENCY

The Council was briefed on the activities of the Spanish Presidency on the topic of violence against women and the outcome of the Ministerial Conference on the subject which was held at Santiago de Compostela in February 2002.

The Council also took note of a Study and a Guide to Best Practice concerning violence against women, which were presented by the Spanish Presidency.

The Study was based on the replies given to a wide-ranging questionnaire distributed to Member States, resulting in a report on progress made in Member States on the measures proposed in the Platform for Action of the Fourth World Conference on Women, to mitigate the effects of violence against them and eradicate this problem. It also mapped out criteria for choosing examples of best practice used in the Member States, which have been collated in a Guide to Best Practice. This Guide includes examples of measures implemented in the various Member States in order to mitigate the effects of domestic violence, sexual violence and violence in the workplace and to eradicate it.

ILLEGAL IMMIGRATION AND EXTERNAL BORDERS – Council conclusions

The Council held a detailed discussion on the problems concerning illegal immigration and the management of the external borders of the Member States of the European Union. Among other things this debate revealed the need to follow a balanced and consistent approach to all issues relating to legal immigration, asylum policy and the fight against illegal immigration, as well as the need to set rapidly concrete deadlines for implementing operational deadlines.

Following the debate, the Council:

- took note of a Presidency report on progress in implementing the comprehensive plan to combat illegal immigration and trafficking in human beings in the European Union, which was adopted by the Justice and Home Affairs Council on 27 and 28 February 2002, and
- approved conclusions on the measures to be applied to prevent and combat illegal immigration and trafficking in human beings by sea (see below), and a plan for the management of the external borders.

These three documents will be forwarded as a contribution to the proceedings of the Seville European Council on 21 and 22 June 2002 in this field.

As regards the measures to prevent and combat illegal immigration and the trafficking of human beings by sea, the Council adopted the following conclusions:

"1. INTEGRATED APPROACH

Combating illegal immigration with an integrated approach requires an increased effort from the European Union to prevent it and to approach the phenomenon in an appropriate way, using all the appropriate instruments at its disposal in the framework of EU external relations. In this context, administrative capacity building as well as the adoption of appropriate legislation on asylum and migration issues by third countries concerned are of significant importance. Specific attention should also be paid to the role of candidate countries.

European Union actions on combating illegal immigration will be in accordance with international human rights principles and obligations, and in particular the 1951 Geneva Convention relating to the Status of Refugees, as supplemented by the 1967 New York Protocol.

Combating illegal immigration and smuggling and trafficking in human beings will thus be a priority objective of the European Union, and must be integrated to a greater extent into the European Union's external relations, by the following means:

- 1.1. The fight against illegal immigration must be considered as an important aspect in conjunction with legal and political instruments currently being negotiated or to be negotiated in the future between the European Union and third countries.
- 1.2. A systematic assessment of relations with third countries which do not cooperate in combating illegal immigration, on the basis of a report by the High Level Working Group on Asylum and Migration.

This assessment should be taken into account in relations between the European Union and its Member States and the countries concerned, in all relevant areas.

- 1.3. An early political response by the European Union in the event of the arrival of flows of immigrants entering illegally, consisting of measures regarding the countries of boarding, departure or transit.
- 1.4. Support for third countries that are willing to cooperate with the European Union in:
 - 1.4.1. Control and interception of vessels involved in smuggling and trafficking in human beings.
 - 1.4.2. Readmission of immigrants who have arrived illegally in the European Union from such countries.

The European Union and its Member States, in their respective fields of competence, will consider offering, among others, resources and technical support to countries of boarding, departure or transit, to help them to apply the measures set out in section 3, without prejudice to other European Union policies that tend towards a global and balanced approach to the migratory phenomenon, with a view to joint control of migration flows. The assistance mentioned will be provided in line with the willingness and needs of the authorities in the countries of boarding, departure or transit of the migration flows to cooperate, in particular in readmission, with the European Union.

2. OPERATIONAL MEASURES BY THE EUROPEAN UNION AND ITS MEMBER STATES

Without prejudice to the future outcome of the feasibility study of the Commission, in the framework of the Comprehensive Plan to combat illegal immigration and trafficking in human beings, controls at external sea borders must be reinforced, on the basis of implementation by the European Union and its Member States of the following operational measures:

- 2.1. Systematic cooperation between the Member States and coordination with all the competent Authorities in view of possible joint operations in order to control sea borders and vessels suspected of being involved in smuggling and trafficking in human beings.
- 2.2. Increasing the focus on the work of liaison officers posted in the countries of boarding, departure or transit of immigrants who may illegally enter the European Union.

- 2.3. Improvement of the existing procedure for operating the Early Warning System.
- 2.4. Strengthening of Europol involvement in accordance with the Europol Convention, with the aim of collecting, classifying, analysing and providing the information available on the crimes of smuggling and trafficking in human beings in relation to illegal immigration by sea, including, as appropriate, the development of a database. Cooperation of national police services with Europol should be strengthened.
- 2.5. The creation of joint investigation teams for concerted and effective action against organised networks and groups involved in smuggling and trafficking in human beings.
- 2.6. Use of appropriate measures to identify vessels in risk zones.
- 2.7. Operations both joint and carried on by individual Member States in maritime air patrolling and surveillance.
- 2.8. Adoption of European Union instruments concerning unauthorised entry, transit and residence.
3. **PREVENTIVE MEASURES WHICH SHOULD BE ADOPTED BY THE COUNTRIES OF BOARDING, DEPARTURE OR TRANSIT**

The countries of boarding, departure or transit of the vessels should adopt the measures necessary to prevent and combat smuggling and trafficking in human beings by sea.

Failure of those countries to adopt such measures without good reason may give rise, in particularly serious cases, or for repeated minor incidents, to appropriate early political response, as referred to in point 1.3.

The measures to be adopted by countries of boarding, departure or transit should include the following:

- 3.1. Signing, ratification and application of the United Nations Convention against Transnational Organised Crime of December 2000, the Protocol to Prevent, Suppress and Punish Trafficking in Persons and the Protocol against the Smuggling of Migrants by Land, Sea and Air and other relevant international instruments, in particular the 1951 Geneva Convention relating to the Status of Refugees, as supplemented by the 1967 New York Protocol.
- 3.2. Making the smuggling and trafficking in human beings subject to criminal penalties, also involving confiscation of vessels used in such smuggling or trafficking, in its domestic legislation.
- 3.3. Imposing criminal penalties for conduct relating to the falsification and fraudulent use of travel documents.
- 3.4. Promoting or facilitating the running of awareness-raising campaigns, which will have the support of the European Union or its Member States, aimed at creating awareness of the problems and risks connected with illegal immigration.
- 3.5. An increase in control measures at sea borders for vessels suspected of being involved in smuggling or trafficking in human beings must be complemented by police controls inside national territory, aimed at breaking down networks of smugglers or traffickers in human beings, in line with the international instruments referred to in section 3.1.

- 3.6. Strengthening control measures at their borders, to prevent entry of persons wishing to use their territory as a transit path to move illegally towards European Union Member States, including possible adaptations of their visa system.
- 3.7. Cooperation with the border services of the European Union Member States to exchange information on vessels involved in smuggling and trafficking in human beings.

In this context, it will be necessary to intensify cooperation, so as to allow for the presence on the ground of liaison officers at ports and border posts.

- 3.8. A willingness to accept a readmission obligation in respect of any immigrants who illegally enter the European Union by sea and whose departure from or transit through the country in question can be adequately demonstrated.
- 3.9. Each country concerned should comply with the international maritime obligations for Search and Rescue Operations according to the international law and practice."

**DETERMINING THE MEMBER STATE RESPONSIBLE FOR EXAMINING AN
ASYLUM APPLICATION**

The Council held a discussion on some basic issues identified by the Presidency relating to the proposal for a Council Regulation establishing 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.

The Ministers in particular emphasised the close link between this question and the issue of combating illegal immigration, both of which will be discussed by the European Council meeting in Seville, and also underlined the importance of reaching agreement on this subject in the near future.

The Council instructed the Permanent Representatives Committee to continue its discussions on the basis of the Council's discussion.

POLICE AND JUDICIAL COOPERATION TO COMBAT TERRORISM

The Council agreed on a general approach on a draft Council decision on the implementation of specific measures for police and judicial cooperation to combat terrorism, pending the Opinion of the European Parliament and subject to withdrawal of a number of Parliamentary scrutiny reservations.

The draft, which is the result of an initiative by Spain, is aimed at stepping up, in the areas of police and judicial cooperation in criminal matters, mutual assistance on preventing and combating terrorist acts involving the people, groups and bodies mentioned in the Annex to Council common position 2001/931/CFSP.

EUROPEAN ENFORCEMENT ORDER FOR UNCONTESTED CLAIMS

The Council took note of the presentation by Commissioner Vitorino of a proposal for a Council Regulation creating a European enforcement order for uncontested claims (8465/02).

LEGAL AID

The Council took note of progress achieved in examining the proposal for a Council Directive to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid and other financial aspects of civil proceedings. It confirmed that the scope of the proposal should be restricted to legal aid for cases with cross-border implications and instructed the Permanent Representatives Committee to expedite work on this subject.

**MINIMUM PROVISIONS ON THE CONSTITUENT ELEMENTS OF CRIMINAL ACTS
AND PENALTIES ON DRUG TRAFFICKING**

The Council examined a proposal for a Framework Decision on the minimum provisions on the constituent elements of criminal acts and penalties on drug trafficking.

This proposal is aimed at punishing non legitimate production, manufacture, extraction, preparation, offering, offering for sale, distribution, sale, delivery, brokerage, dispatch, importation or exportation of drugs with maximum penalties of at least between 1 and 3 years of imprisonment. A maximum of at least between 5 and 10 years of imprisonment is foreseen for cultivating drugs for drug production, possessing or purchasing drugs for conducting any of the activities described above or and the manufacture, transport or distribution of precursors in circumstances where the offence involves large quantities of drugs or either involves those drugs which cause the most harm to health or has resulted in significant damage to the health of a number of persons.

The Council noted that, subject to a number of parliamentary scrutiny reservations, a broad political understanding existed on the major part of this text, although further work would need to be undertaken by the Permanent Representative Committee on the issue of penalties, in accordance with national laws, for offences involving small quantities of drugs.

CIVILIAN ASPECTS OF CRISIS MANAGEMENT

The Council was informed by the Presidency of the positive outcome of the Rule of Law Commitment Conference.

The Council also noted the statement by the Rule of Law Commitment Conference. At the Conference, held on 16 May 2002, the Member States indicated their readiness to commit, on a voluntary basis, close to 300 judicial and penitentiary experts to the EU's crisis management efforts. This development buttresses the EU's ability to respond to crises, strengthening as it does the civilian dimension of the common European Security and Defence Policy (ESDP). In 2001, Member States had already pledged to provide a total of 5000 police for crisis management operations.

OTHER BUSINESS

At lunch, Ministers heard an oral presentation by Commissioner Vitorino regarding the biannual update of the scoreboard to review progress on the creation of "Freedom, Security and Justice".

The "scoreboard" is established at regular intervals by the Commission in order to monitor progress in adopting and implementing the series of measures necessary for achieving the objectives set by the Tampere European Council meeting from 15 to 16 October 1999.

MIXED COMMITTEE

The Mixed Committee met at ministerial level alongside the Council. In particular, it noted that a general approach existed on a draft Decision amending Article 40(1) and (7) of the Convention implementing the Schengen Agreement, Council conclusions concerning the new requirements for SIS, and an agreement on the basic principles governing the participation of the United Kingdom and Ireland in the SIS and confirmed the agreement on the content of the plan for the management of external borders.

ITEMS APPROVED WITHOUT DEBATE

The documents whose references are given are available on the Council's Internet site <http://ue.eu.int>. Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements may be obtained by following the procedure indicated above or from the Press Office.

JUSTICE AND HOME AFFAIRS

Combating terrorism*

(6128/02)

The Council adopted a Framework Decision on combating terrorism.

The aim of the Framework Decision is to approximate the definition of terrorist offences in all Member States, including those offences relating to terrorist groups. Furthermore, it provides for penalties and sanctions for natural persons having committed or being liable for such offences.

The Framework Decision respects fundamental rights as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they emerge from the constitutional traditions common to the Member States as principles of Community law.

European arrest warrant*

(7253/02)

The Council adopted a Framework Decision on the European arrest warrant and the surrender procedures between Member States.

The European arrest warrant is a judicial decision issued by a Member State with a view to the arrest and surrender by another Member State of a requested person, for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order. It is executed by the Member States on the basis of the principle of mutual recognition, in accordance with the provisions of the Framework Decision and with due regard for fundamental rights and fundamental legal principles.

An arrest warrant may be issued for acts punishable by the law of the issuing Member State by a custodial sentence or a detention order for a maximum period of at least twelve months or, where a sentence has been passed or a detention order has been made, for sentences of at least four months.

In addition, a list of 32 offences give rise to surrender without verification of the double criminality of the act, provided they are punishable in the issuing Member State by a custodial sentence of a maximum of at least three years.

Joint investigation teams

(14242/01)

The Council adopted a Framework Decision relating to the setting up of joint investigation teams by the competent authorities of two or more Member States for a limited period to carry out criminal investigations.

European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes

(8252/02)

The Council adopted a Decision setting up a European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes.

Each contact point's task is to provide on request any available information that may be relevant in the context of investigations into genocide, crimes against humanity and war crimes and to facilitate cooperation with the competent national authorities.

Europol

The Council:

- decided to authorise the Director of Europol to conclude the draft Agreement between Europol and the World Customs Organisation. The aim of the Agreement is to establish and maintain cooperation between the WCO and Europol in combating serious forms of international organised crime;
- decided to amend the Decision of 27 March 2000 authorising the Director of Europol to enter into negotiations on agreements with Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the FYROM to ensure that the measures taken to protect the euro against counterfeiting in these countries are of an equivalent level to those in force in the Member States (8770/02);
- gave discharge to the Director of Europol to implement the budget for the periods 1 July 1999 to 31 December 1999 and 1 January 2000 to 31 December 2000;
- approved Europol's annual report for 2001;
- approved Europol's work programme for 2003.

Private security*(9770/02)*

The Council adopted a recommendation on cooperation between Member States' national authorities responsible for the private security sector.

The aim of the recommendation is to encourage and facilitate cooperation and collaboration between national authorities responsible for the private security sector with a view to:

- (a) exchanging experience in the handling of information supplied by private security firms in accordance with national law, which is material to public security;
- (b) establishing best practice in the handling of information which is supplied by private security firms and is material to public security and organising, for the abovementioned purposes at least every two years, a meeting of the national authorities responsible for the private security sector.

Protecting the population against bacteriological, chemical, radiological or nuclear terrorist threats

The Council took note of the contribution of the Working Party on Civil Protection to the programme to improve cooperation in the European Union for protecting the population against bacteriological, chemical, radiological or nuclear terrorist threats

The Council also agreed that the joint Council and Commission programme requested by the Ghent European Council should be ready in time for the European Council meeting in Copenhagen on 12 and 13 December 2002 and agreed to broaden the scope of the programme so as to cover nuclear and radiological terrorism as well.

European Crime Prevention Network (EUCPN) – Council conclusions (8591/1/02)

The Council adopted the following conclusions on the first Annual Report of the European Crime Prevention Network (June – December 2001):

"The Council:

1. Welcomes with interest this report and endorses its content, while stressing the importance it continues to attach to the prevention of crime, organised or otherwise, as an integral part of actions to reduce crime and increase safety and well-being for the citizens in the EU Member States. The Council further underlines that the prevention of crime is a necessary and essential component to realise an area of freedom, security and justice.
2. Notes with satisfaction that the EUCPN has, already in the first half year after being decided, established the necessary structures and procedures to be able to fulfil its mission and has therefore already become operational. These measures include:
 - decisions on a first work programme and on the rules of procedure;
 - the recruitment of a Head of Secretariat for the EUCPN, placed in the Commission.
3. Feels confident that the EUCPN in the future will be able to serve as the main vehicle for implementing the EU Crime Prevention Policy, as agreed on by the Council on 15-16 March 2001.
4. Supports the objectives, scope and priority subjects set out in the work programme, outlined in the annual report, and notes with satisfaction that concrete work to implement this programme has already begun. The achievements during 2001 include:
 - the first steps to set up the EUCPN website for the dissemination of knowledge on crime and crime prevention in the EU Member States;
 - the planning of a conference for the exchange of best practices to be held during 2002;
 - pilot work on further developing comparable data on crime, criminal justice and victimisation in EU Member States;
 - the first steps to establish cooperation with other EU bodies in the field.
5. Notes that efforts have been made concerning security at meetings of the European Council and other comparable events (according to the conclusions adopted by the Council on 13 July 2001) to ensure that legitimate demonstrations are not exploited by groups with a violent agenda.
6. Reaffirms the importance of the role and work of the Member States in the development of crime preventive measures and emphasises the value of having several contact points representing different competencies and powers for the Member States.
7. Expresses its appreciation to the Presidencies, that have organised mandatory and other necessary meetings for the EUCPN and its national representatives at its own expense, and to the Commission for its support to the EUCPN. The Council agrees with the EUCPN that the question of financing the EUCPN activities might need to be discussed in the future.

8. Reiterates the importance that the Presidencies plan the work of the EUCPN according to the work programme thereby ensuring the continuity of the work of the EUCPN.
9. Reaffirms the importance of continuing to work towards preventing juvenile crime, urban crime and drug-related crime, as outlined by the Council decision to establish the EUCPN., and supports the chosen top priority subjects, as outlined by the EUCPN in its first work programme.
10. Calls on the EUCPN to actively pursue its operational activities, and to establish realistic and measurable priorities, objectives and criteria for that purpose, particularly in view of the evaluation of the EUCPN to be carried out in 2004. To that end an inventory of best practices should be carried out and, based on the inventory, priority areas should be selected and effectively implemented. The Council welcomes the intention of the future Danish Presidency to organise a conference in October 2002 to begin that work."

United Nations Convention against Corruption

The Council adopted a second common position on the negotiations at the United Nations on the Convention against Corruption.

Eurojust Rules of Procedure

(9499/02)

The Council approved the Eurojust Rules of Procedure. These contain, inter alia, provisions relating to the organisation and functioning of Eurojust, its operational rules and rules on relations with the institutions and bodies created by the Treaties.

Schengen evaluation of France

The Council approved conclusions on the Schengen evaluation of France.

Implementation of the European acquis in the field of Justice and Home Affairs

The Council approved revised and updated reports on the enactment, application and effective implementation of the acquis in Slovenia and Cyprus. It also took note of an update on the work of the Working Party on Collective Evaluation, particularly taking into account progress in the negotiation process with the candidate countries.

In the Joint Action of 29 June 1998 (OJ L 191 of 7.7.98, p. 8) the Council established a mechanism for collective evaluation of the enactment, application and effective implementation by the applicant countries of the acquis of the European Union in the field of Justice and Home Affairs. Article 4, paragraph 1, of the Joint Action calls for the drawing up of evaluation reports on the progress and results of their alignment to the acquis.

To date the Council has, after a first series of country reports on all candidates, been able to take note of a second series of updated, revised versions on a majority of candidates. Following the Council's decision that these reports should be used in the framework of the enlargement process, this was successfully done during the discussions establishing the common EU negotiating positions in 2000-2001 and during the present rounds of discussions thereon.

Common system for an exchange of visa data

In response to the request it received from the Laeken European Council, the Council approved guidelines for the introduction of a common system for an exchange of visa data. It invited the Commission to prepare a feasibility study on setting up the system, taking account of the aspects covered in the guidelines, before March 2003, in accordance with the time limit laid down in the comprehensive plan to combat illegal immigration and trafficking of human beings in the European Union.

The Council asked the Permanent Representatives Committee to look into relevant issues in connection with introducing a common system for an exchange of visa data, in the light of the content of the guidelines and the Commission feasibility study.

Uniform format for residence permits for third-country nationals

(7989/02)

The Council adopted a Regulation laying down a uniform format for residence permits for third-country nationals. The format will meet very high technical standards, in particular as regards safeguards against counterfeiting and falsification.

The United Kingdom is taking part in the adoption and application of this Regulation. Ireland is not taking part in its adoption. Denmark is not taking part in its adoption, but will decide in six months' time whether or not to transpose it into its national law.

ARGO programme

(8406/02)

The Council adopted a Decision adopting an action programme for administrative cooperation in the fields of external borders, visas, asylum and immigration (ARGO programme).

The purpose of this programme, which covers the period from 1 January 2002 to 31 December 2006, is to support and complement the actions undertaken by the Community and the Member States in the implementation of Community legislation in the fields mentioned above and, in particular, to contribute to the following objectives:

- (a) to promote cooperation between national agencies in implementing Community rules with special attention to the pooling of resources and coordinated and homogeneous practices;
- (b) to promote uniform application of Community law in order to harmonise decisions taken by the national agencies of Member States, thereby avoiding malfunctioning likely to prejudice the progressive establishment of an area of freedom, security and justice;
- (c) to improve the overall efficiency of national agencies in the carrying out of their tasks when implementing Community rules;
- (d) to ensure that proper account is taken of the Community dimension in the organisation of national agencies contributing to the implementation of Community rules;
- (e) to encourage transparency of actions taken by national agencies by strengthening their relations with the relevant national and international governmental and non-governmental organisations.

The amount allocated to the ARGO programme is EUR 25 million. This decision on the ARGO programme does not apply to Denmark or to Ireland.

Case T-31/02 – Japan Tobacco versus Commission

The Council decided to intervene in the case "Japan Tobacco v. Commission" to support the Commission's conclusions and to acknowledge that the Commission was entitled, in the case in point, to bring the New York proceedings on behalf of the Community.

Incorporation of drug prevention in school curricula
(5099/3/02)

The Council and the Representatives of the Governments of the Member States, meeting within the Council adopted the following Resolution:

- NOTING that the Community has among its tasks that of contributing to improving public health, preventing human diseases and obviating sources of danger to public health,
- NOTING that the prevention of drug consumption falls within this task,
- NOTING that one of the main targets of the European Union Drugs Strategy (2000-2004), endorsed by the European Council meeting in Helsinki in December 1999, is significantly to reduce the prevalence of drug consumption, as well as new recruitment to it, particularly among young people under 18 years of age,
- NOTING that the EU Action Plan on Drugs, endorsed by the European Council meeting at Santa Maria da Feira in June 2000, calls on the Member States and the Commission to develop consumption prevention programmes for both licit and illicit drugs, also covering the abuse of several drugs at the same time,
- NOTING that the EU Action Plan on Drugs 2000-2004 calls on the Member States to encourage the inclusion in school curricula of the prevention of the licit and illicit drugs consumption and set up programmes to assist parents.
- NOTING that the European Crime Prevention Network, created by a Council decision of 28 May 2001, has among its priorities the prevention of drug related crime.
- RECALLING that the European Commission proposal for a decision of the European Parliament and of the Council adopting a programme of action in the field of public health (2000-2006) includes the development of Strategies and measures on drug dependence as one important lifestyles-health determinant.
- WHEREAS the prevention of drug consumption is most appropriately channelled through health education which is not limited to merely transmitting information but involves a complex process of communication and social interaction, determined by multiple biological and psychosocial factors, through which people develop, transform and change their beliefs, habits and behaviours with regard to health and life,
- WHEREAS school institutions are an unsurpassable setting for the development of programmes to promote and provide health education, within which specific drug prevention should be highlighted,

- WHEREAS the objective of health promotion programmes in schools should be to inform and train students regarding the knowledge, skills and aptitudes that are beneficial for their personal development and interaction with the natural and social environments,
- WHEREAS, the success of health promotion programmes depends upon rigorous and appropriate implementation based on a scientific model and integrated in the school curriculum,
- WHEREAS, the priorities of health promotion programmes should take into account personal and environmental (family, school and social) factors that make for healthy lifestyles, deal with social and health problems linked to people's lifestyles and be based on scientific evidence of the effectiveness of the various methods of health education,
- WHEREAS health promotion programmes, whatever their objectives and contents, should always comprise a chapter devoted to teaching resources, to be chosen on the basis of various parameters and circumstances and teaching resources should, in general, contribute to the development of learning processes and the acquisition of participation and communication skills,
- WHEREAS in addition to the most commonly used resources, the school institution should continuously renew, research, become familiar with and incorporate the latest social education and communication tools available, and it is therefore advisable to appoint an academic working group to supervise and monitor this permanent renewal process, which would work with groups of communications experts to become familiar with, evaluate and analyse the incorporation of new techniques and resources,
- WHEREAS the most qualified professionals for health promotion programmes are teachers themselves, so that special training and technical and material support will be needed,

INVITE THE MEMBER STATES TO CONSIDER:

1. To incorporate health promotion/drug prevention programmes at all schools, so that all students completing all educational levels have received sufficient reliable information that serves them as a reference for the evaluation of all drug related information, and adequate training in the different consequences of drug consumption, and have developed the knowledge and skills to reduce the risks associated with substances consumption. The local circumstances and the specific requirement of the various educational institutions and their target groups have to be taken into account.
2. To promote the development of such programmes and, if necessary, adapt the government resources and organisational structures involved, in order to fully meet the previous objective.
3. To promote teacher training regarding drug education, given the relevant role that teachers play, as the main agents transmitting the contents of health promotion/drug prevention programmes to students.
4. To promote solid bonds between educational institutions, families and the community, in order to foster the preventive effectiveness of the programmes and actions undertaken.

5. To encourage the use of community services to support health promotion/drug prevention programmes.
6. To take advantage of the educational potential of the different health services to support the content of health promotion/drug prevention programmes.
7. To provide the necessary health care and other measures for young drug consumers and to encourage the education of all students, including the drug consumers, in order to avoid their marginalisation.
8. To encourage the development of research to improve the contents and methodology of the health promotion/drug prevention taught in schools.
9. To observe, without prejudice to the distribution of competences within the Member States, the need to allocate financial means relating to teacher training and qualification, research into prevention in schools and materials, so as to adapt them to the requirement set out in the previous paragraphs.
10. To include the information on the incorporation of the drug prevention programmes in the school curricula in the evaluation of the European Union Action Plan on Drugs

Ukraine – negotiation of a readmission agreement

The Council decided to authorise the Commission to negotiate with Ukraine a readmission agreement between the European Community and Ukraine.

European Police College (CEPOL)

The Council took note of the CEPOL annual report for 2001 and its annual work programme for 2003.

EXTERNAL RELATIONS

Liberia – common position (9467/02)

The Council adopted a Common Position amending and extending until 7 May 2003 Common Position 2001/357/CFSP concerning restrictive measures against Liberia.

Common Position 2001/357/CFSP of 7 May 2001 was designed to implement United Nations Security Council Resolution 1343 setting out measures to be imposed against Liberia because of its support for armed rebel groups in the region. On 7 May 2002 the Security Council adopted Resolution 1408 amending and extending the measures imposed by Resolution 1343 until 7 May 2003.

EXTERNAL TRADE**Additional customs duties on imports of certain products originating in the United States of America***(8221/02)*

Following its session on 10 June, where unanimous support was expressed for the Commission's proposal for a regulation establishing additional customs duties on imports of certain products originating in the US, the Council formally adopted the regulation, which will be published and enter into force by 18 June 2002, as required in the WTO Agreement on Safeguards.

Under the regulation, for the products listed in Annex II ("long list"), additional duties will apply from 20 March 2005 or five days after condemnation of the US measures by the WTO Dispute Settlement Body. For the products listed in Annex I of the regulation (the so-called "short" list), the Council will decide by qualified majority on the basis of a Commission proposal on the actual application of the additional duties, including the date of application and the definitive content of this Annex. This decision will be taken on the basis of a report by the Commission, to be presented to the Council before 19 July 2002, on the state of the discussions with the US on trade compensation and product exclusions. If the Commission can report positive developments, a decision should be taken by the Council by 12 October 2002. Failing positive developments, a decision should be taken by the Council by 1 August 2002.

Anti-dumping – recordable compact discs originating in Taiwan*(9542/02)*

The Council adopted a Regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of recordable compact disks originating in Taiwan, with the Danish and Swedish delegations voting against and the United Kingdom delegation abstaining.

EMPLOYMENT AND SOCIAL POLICY**Equal treatment for men and women***(3624/1/02)*

The Council adopted a Directive on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, in accordance with the joint text of 19 April 2002 in conciliation with the European Parliament.

The purpose of the Directive is to bring up to date the provisions of Directive 76/207/EEC, which is now 25 years old, taking account of the case-law of the Court of Justice and of two Directives on non-discrimination adopted in 2000. It will promote implementation of the principle of equality between men and women which is enshrined in the Treaty.

AGRICULTURE**Codification – seeds and plants**

The Council adopted a Directive on the marketing of vegetable seed (8068/02) codifying Directive 70/458/EEC, a Directive on the marketing of seed of oil and fibre plants (8070/02) codifying Directive 69/208/EEC, and a Directive on the marketing of beet seed (8067/02) codifying Directive 66/400/EEC. The Council also adopted a Directive on the common catalogue of varieties of agricultural plant species codifying Directive 70/457/EEC (8063/02) and a Directive on the marketing of seed potatoes codifying Directive 66/403/EEC (8069/02).

This is a common legal procedure without any material implications for the contents of the above texts.

TRANSPARENCY**Public access to Council documents**

(9582/02)

The Council adopted a reply to the second confirmatory application for access to Council documents made by Mr Max LIENEMEYER during 2002 (with votes against by the Danish, Finnish and Swedish delegations).

APPOINTMENTS**Committee of the Regions**

(9056/02)

The Council adopted the Decision appointing Mr Mads LEBECH as an alternate member of the Committee of the Regions to replace Mr John WINTHER for the remainder of his term of office which runs until 25 January 2006.
