

## A. Justice and Home Affairs

The Presidency will be committed to assessing the implementation and proper enforcement of the measures already adopted, and will encourage the Council to contribute to the full implementation of the strategic guidelines for legislative and operational planning within the area of freedom, security and justice as laid down by the June 2014 European Council.

### JUSTICE

#### Justice for Growth

The Presidency will maintain a close link between the policies in the area of justice and home affairs and questions relating to economic growth and stability. To that end, special attention will be devoted to finalising the revision of the Regulation (EC) No 1346/2000 on insolvency proceedings, which includes alternative proceedings to bankruptcy as well as the insolvency of cross-border groups of companies.

The revision of the Regulation (EC) No 861/2007 on the European small claims procedure is also a priority of the Italian Presidency, with a view to increasing the use and efficiency of the procedure provided for in the Regulation.

The Presidency will also continue to take forward work on the European sales law Regulation.

#### Data Protection

The Presidency will strive to ensure coherence of the regulatory framework for protection of personal data across the various policy fields in the justice and home affairs sector. In particular, it will work to ensure a coherent approach on data protection in different legislative proposals under consideration, especially regarding European Police Office (EUROPOL), EUROJUST and European Public Prosecutor's Office (EPPO).

Achieving substantial progress on the Data Protection package is among the priorities of the Italian Presidency.

Particular attention will be given to regulatory frameworks for the exchange of personal data with third countries for reasons of law enforcement and the prevention of serious crime.

#### Civil Law

The Presidency aims to achieve a significant outcome as regards negotiations on a Regulation simplifying the acceptance of certain public documents in the EU and abolishing the authentication requirements relating to these documents. The adoption of this instrument will facilitate the free movement and free establishment of citizens and businesses, while at the same time reducing the cost of authentication.

The Italian Presidency will also continue to take forward work on the jurisdiction, applicable law and recognition and enforcement of decisions regarding the property consequences of the registered partnerships Regulation as well as on the jurisdiction, applicable law and recognition and enforcement of decisions in matters of the matrimonial property regimes Regulation.

#### Criminal Law

The Presidency will focus on achieving progress in the negotiations in the Council on the proposal for a Regulation on the establishment of a EPPO which, in cooperation with the Member States' authorities, will investigate, prosecute and bring to justice the perpetrators of crimes affecting the budget of the European Union. Against this background, the Presidency will also commence negotiations with the European Parliament on the proposal for a Directive on the protection of the EU's financial interests, on the basis of the general approach already established, in order to make progress towards its adoption. Likewise, particular attention will be given to the proposal for a Regulation reforming EUROJUST, inter alia with a view to enabling it to perform the tasks needed to assist the work of the EPPO.

The Presidency will endeavour to make progress on the Commission's legislative proposals in the field of protection of the rights of suspected or accused persons within the framework of criminal proceedings, in order to achieve decisive progress in the implementation of the 2009 Roadmap. In particular the Presidency will bring forward the dialogue with the European Parliament on the proposal for a Directive on procedural safeguards for children suspected or accused of criminal proceedings, and will open discussions in the Council on the proposals for Directives on the presumption of innocence and legal aid.

Criminals and criminal organizations should be deprived of proceeds of any nature deriving from their illicit activities, however acquired; in this perspective the Presidency will promote discussions on how the principle of mutual recognition could be applied to all forms of confiscation based on a judicial decision.

#### Judicial training

The establishment of a European Public Prosecutor's Office, together with the adoption of ever more sophisticated instruments of cooperation among judicial authorities in criminal and civil matters, requires the proper training of judges, prosecutors and other stakeholders in the field of justice. The Presidency will step up the dialogue with the Commission, within the framework of the new Multiannual Financial Framework for Justice, in order to pursue the full implementation of the objectives set out in the communications on judicial training, in full cooperation with the European Judicial Training Network, the structure of which must be reinforced.

#### Detention

Bearing in mind the European Council Stockholm Programme conclusions and the Commission Green Paper on the application of EU criminal justice legislation in the field of detention, the Presidency will promote the strengthening of mutual trust and the enhancement of mutual recognition in the field of detention, supporting the implementation of Council Framework Decisions 2008/909/JHA on the mutual recognition of judgments in criminal matters, 2008/947/JHA on the mutual recognition of judgments and probation decisions and 2008/829/JHA on the mutual recognition of decisions on supervision measures as an alternative to provisional detention.

The Presidency will also promote the exchange of best practices in prison management.

## e-Justice

The Presidency will work towards the finalisation of the work relating to the Commission proposal on e-Justice, which aims to establish a legal framework to facilitate access to justice throughout all the Member States and to facilitate judicial cooperation in civil, criminal and administrative law at European level. Particular attention will be paid to striking a balance between the minimum rules approach and the need to integrate the legal framework for e-Justice.

Moreover, the Italian Presidency will encourage the wide dissemination of the “European Case Law Identifier”(ECLI) and the “European Legislation Identifier” (ELI) in the judicial database throughout the Member States, as well as a closer dialogue with the Supreme Courts Network, in order to increase the number of services on the e-Justice Portal, mostly in connection with civil matters.

## HOME AFFAIRS

### Migration

Bearing in mind that the European Union is subject to structural migratory pressures, the Presidency - partly as a consequence of the deep social and political changes affecting large neighbouring regions - will encourage the Council to update its action, also taking into account the European Commission's communication on the outcome of the work of the "Mediterranean Task Force" established by the JHA Council in October 2013 and welcomed in the European Council's conclusions of October and December 2013. In this context, the Council will promote the implementation of the lines of action of the "Mediterranean Task Force".

The Presidency intends to pursue the monitoring and implementation of the strategies outlined in the “EU action on migratory pressures”, calling on the European Union to focus its attention on the need to coordinate action taken by the Member States with the central role played by the relevant EU Agencies such as the European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX), EUROPOL and the European Asylum Support Office (EASO).

Moreover, it also intends to fully support FRONTEX efforts aimed at concluding operational cooperation agreements with third countries on border control and the fight against irregular immigration, which should promote ownership by the third countries concerned.

The Italian Presidency intends to encourage the further development of dialogue with third countries of origin and transit of migratory flows, in line with the EU Global Approach on Migration and Mobility, through the instrument of Mobility Partnerships, as well as through regional dialogues and processes, such as the Rabat Process. Together with the European Commission and the EEAS, the Presidency will also

launch an initiative to establish a similar dialogue with the countries of Eastern Africa. Dialogue and cooperation with third countries will aim to give concrete support to legal channels of entry at political and economic level, as well as to prevent and combat irregular immigration and all related forms of crime by improving the institutional and operational capacities of the competent authorities of those countries.

The promotion of legal migration aims to contribute to the EU's action for growth and thereby prevent the possible abuse of legal migratory channels which may lead to the undermining of the credibility of the entire European migration system

Labour mobility, especially in the Mediterranean region, needs to be fostered, bearing in mind the positive effects of circular migration, within the framework of a policy of openness towards the third countries of origin.

In this context, the Presidency intends to continue, in particular, its efforts to define a proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, study, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing.

The aim is to enhance the attractiveness of the European Union and promote the so-called "brain circulation", which could contribute to the growth of both the European Union and third countries.

The Presidency intends to strive to improve policies in favour of foreign unaccompanied minors, including children who are asylum seekers and/or victims of trafficking, through the analysis and the development of operational procedures and best practices in terms of reception and identification. In particular, as regards age assessment, the Italian Presidency deems it necessary to identify common European assessment criteria, mutually recognised by the States, through the development of tools which are immediately operational. Finally, taking up the call of the European Parliament, the Presidency intends to propose to the Member States the designation of a national contact point which can act as a liaison with the European Commission to monitor the situation and the actions taken at national level.

Particular attention will also be focused on the continuous integration of third countries' nationals (including those in need of international protection). Based on best practices at EU level, the Presidency will endeavour to raise the level of European achievements in this field, along the lines of the European Agenda on the Integration of Third-Country Nationals.

Bearing in mind that interreligious dialogue is a factor of social cohesion, attention will also be focused on promoting and protecting freedom of religion and belief through social mediation and inter-cultural dialogue.

The Presidency accords priority to an effective and sustainable return policy, which fully respects the rights of migrants and takes into account the specific features of the countries of origin. For this purpose, the Presidency intends to support any initiative aimed at improving practical cooperation with the relevant third countries in this respect, encourage the analysis and exchange of best practices and foster the use of voluntary return systems, through information campaigns supported by the Commission and implemented by Member States.

Under the new strategy for the prevention of and fight against trafficking in human beings in 2012-2016, and bearing in mind the priorities set for the 2014-2017 policy cycle, the Italian Presidency will stimulate the development of coherent action to combat trafficking in human beings, including in the external dimension of the JHA area, with a particular focus on the aspects of prevention, victim protection and law enforcement activities, inter alia through the dissemination of best practices and the establishment of criteria for identifying victims, with particular reference to cases of gender-based violence and child abuse. In this regard, the Presidency intends to promote standard procedures for operators who come into contact with victims in order to systematically identify them and allow the competent authorities to take them into care. Furthermore, the introduction of a mechanism linking the authorities involved in the fight against trafficking and the institutions responsible for the recognition of international protection will be encouraged during the Italian Presidency.

#### Border Control

The Presidency considers it essential to continue efforts towards the further development of integrated border management in order to better control external borders and combat irregular immigration, the smuggling of migrants, trafficking in human beings and other forms of cross-border crime and transnational crime linked to the trafficking in human beings, while fully complying with the EU Charter of Fundamental Rights. The Italian Presidency will also be committed to supporting policies that encourage the legal entry of third-country nationals into the European Union, while ensuring the security of European citizens.

The Presidency intends to support the development of negotiations on the Registered Traveller Programme (RTP) as well as on the Entry/Exit System (EES), also taking into account the outcome of the technical study of the European Commission and eu-LISA. Indeed, the "Smart Border package" aims at facilitating the transit of frequent travellers and monitoring the presence of third-country nationals in the Schengen area. As it represents an important step in strengthening an effective EU integrated border management system, the Presidency intends to continue to enhance developments on several aspects of the package, to undertake an in-depth examination of the questions relating to the cost-benefit issue and to promote further discussion on this matter.

The Presidency will encourage the monitoring of the full implementation of the Schengen Information System (SIS II) and the Visa Information System (VIS).

The Presidency intends to pay particular attention to the strengthening of synergies between the various bodies and systems set up to date, on the basis of their specific remit and scope: such as Frontex, SIS II and EUROSUR, operating within the framework of migration and the movement of persons and, in terms of security, EUROPOL and EUROJUST, working in the field of the prevention and suppression of the criminal offences linked to illegal transits.

With special regard to EUROSUR, the Presidency intends to promote the full implementation of the recently adopted Regulation in order to reduce the risk of the loss of lives at sea and combat the smuggling of migrants, trafficking in human beings, drug trafficking and other forms of cross-border crime.

The Presidency will give its support to the activities of FRONTEX, also with a view to promoting the possible conclusion of technical operational cooperation agreements with third countries on border control and the fight against irregular migration.

#### Asylum

The Presidency intends to engage in promoting the implementation of the Common European Asylum System, as well as in analysing and evaluating the effects of the entry into force of the various regulatory tools in Member States' systems.

Particular attention will be paid to the prevention of the phenomenon of "asylum shopping" and migrants' secondary movements to those Member States with more attractive reception conditions, bearing in mind that the criteria for determining the Member State responsible should be applied according to the hierarchy identified by the Dublin Regulation (EC) No 343/2003 and with due regard for fundamental rights, and in particular the right to family unity.

Attention will also be focused on the complex and unresolved question of the mutual recognition of national decisions on the international protection and free movement of the beneficiaries of protection, including the right to work in any State of the European Union.

Given the particular pressure on the national asylum systems of some Member States, partly because of mixed flows, the Presidency will continue its efforts to promote genuine solidarity at European level, in particular in emergency situations. In addition, it will support the further enhancement of the activities and role of the European Asylum Support Office (EASO).

#### Security for development: fight against crime

The Italian Presidency intends to focus its attention on the security for development issue in order to prevent and abolish the risks relating to economy infiltration.

The strengthening of the policies to combat criminal organisations, whose illegal profits damage the legitimate economy, is therefore at the heart of the Presidency's agenda, with specific reference to improving prevention tools, such as attacking illegal assets, and the traceability and monitoring of financial flows. To that end, the Presidency will encourage the adoption of a wide-ranging and structured approach whose primary objective is to confiscate the proceeds of illegal activities from organised crime.

The Presidency considers the sector of public procurement as a strategic and priority issue for the economic growth of the Union and the individual Member States. Organised crime, which relies on substantial financial resources derived from illegal activities, is able to distort the market and competition mechanisms, also infiltrating the field of public procurement. The Presidency will therefore encourage the prevention and suppression of all forms of criminal infiltration of the economy in this sector, with special attention to countering money-laundering activities in any form.

To that end, the Presidency considers it useful for the groups of experts set up within the Council to analyse in depth the effects of criminal action on the legal economy and to promote the strengthening of police information exchange through Europol and other bodies responsible for international operational cooperation.

A particularly effective action is aimed at developing measures to prevent and combat hate crimes, discrimination, and especially violence against women, according to the most recent models promoted by the international community and the national legislations.

Regarding information exchange and data protection, the Italian Presidency will be engaged in implementing the new Information Management Strategy (I.M.S.) and the Regulation of related points of contact.

In addition, the Italian Presidency deems it necessary to step up efforts in favour of the security of communication routes and, in particular, intends to focus on transport, controls on passengers and vehicles, thefts of copper along railway lines, safety in the transportation of dangerous and nuclear goods and measures to combat sabotage activities.

The Presidency aims to identify specific actions to prevent and counter illicit trafficking in firearms, also in the light of Commission Communication 716/2013 on firearms and the internal security of the EU: protecting citizens and disrupting illegal trafficking.

A special efforts will be made to prevent environmental crime and the counterfeiting of food products and goods in general, as well as the theft of metals.

On the legislative side, the Presidency will advance the work on the new legal basis for EUROPOL and for CEPOL, when the proposal will be presented. The aim is to provide an efficient basis for operational law

enforcement cooperation, as well as law enforcement training, in particular the implementation of the European Law Enforcement Training Scheme (LETS), and streamlining the capacities of these agencies on regional, EU and international levels.

## Drugs

The Presidency will continue to work towards the full implementation of the EU Drugs Strategy 2013-2020 and the related European Action Plan on Drugs 2013-2016.

The Presidency will work on the proposals for new legislation on the control of new psychoactive substances (NPS) so as to have an effective instrument in the fight against this ever-increasing threat. It also considers it a priority to pay particular attention to alternative drug routes, i.e. trafficking via the web, in particular with regard to new psychoactive substances. Furthermore, the Italian Presidency intends to work with Member States to strengthen the system of International Conventions in the field of drugs. The Presidency will continue efforts with regard to the establishment of monitoring systems by Member States on prescription drugs abuse and will also oversee preparations for the 2016 United Nations General Assembly Special Session (UNGASS), in order to ensure a timely preparation of the EU and Member States' position within this framework. As provided for by the EU Strategies and Action Plans, the Presidency will also launch discussions among experts on drug demand indicators. Enhancing dialogue with third countries is also of utmost importance.

## Fight Against Terrorism

The Italian Presidency's efforts in the fight against terrorism will focus on activities aimed at preventing and thwarting threats, while strengthening the European approach to preventive action, as formulated in the EU Counter-Terrorism Strategy.

The Presidency will encourage the European Union to continue to pinpoint critical infrastructures and develop plans for their protection, including transport services as well as power generation and transmission facilities. The Italian Presidency will accord special attention to the use of tools and insidious methods used for terrorist purposes, to terrorist activities conducted by lone actors ("lone wolves") or micro-cells and to improving the prior experience of multinational ad hoc teams.

Attention will be focused on the development of new methods of shared operative analysis, for both prevention and protection purposes, thus increasing the synergy between internal and external aspects.



The Presidency will also be committed to promoting the development of the negotiations on the proposal for a Directive on the use of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime.

Finally, the Presidency will ensure the possible follow-up to the approval of the Council decision on the arrangements for the implementation by the Union of the solidarity clause, including preparedness measures.

## Cybersecurity

On the basis of the Joint Communication “An Open, Safe and Secure Cyberspace”, the Presidency will support the finalisation of the Commission proposal for a Directive aimed at enhancing network and information security across the EU and cybersecurity preparedness and capabilities at national level.

The Presidency will encourage Member States to engage with industry and academia by setting up public/private partnerships, as a key component of national cybersecurity, and cooperate with the Commission, Europol and all relevant stakeholders in supporting the training of Member States to strengthen cyber capabilities to combat cyber threats.

With a view also to the CSDP, the Presidency will ensure the implementation of all aspects of the EU Cyber Strategy. The Italian Presidency will promote training and education in cyber defence, further improving the existing mechanisms for Pooling and Sharing.

With regard to cybercrime, the Presidency intends to promote concrete actions to prevent and combat cyber threats (cybercrime, attacks on critical infrastructure, online bank fraud and scams, child pornography on the Internet and cyber bullying), by strengthening operational cooperation between the police forces and partnership actions between the institutions, information technology and financial sector businesses, the academic world and the relevant NGOs.

The Presidency will fully support the 7th round of mutual evaluation on cooperation on cybercrime.

## Visa Policy

The Commission proposal for amending the visa code will be the main item of discussion between the Council and the Parliament during the Italian Presidency. A streamlining of procedures, with substantial simplification which does not jeopardise security, should be the final outcome, with the aim of encouraging mobility to the EU.

The Italian Presidency will give its utmost attention to visa policy, within the framework of mobility dialogues with third countries. The Presidency will encourage negotiations on visa facilitations aimed at balancing the Union's relations with its neighbours in both the Mediterranean area and the Eastern Partnership. Moreover, strategic priority will be given to the launch of negotiations with China, within the framework of the high-level dialogue on migration and mobility.

#### Civil Protection

The Presidency attaches great importance to civil protection policy. The Decision on a Union Civil Protection Mechanism reforms and strengthens cooperation in this area by opening up new perspectives, particularly in the area of community resilience and disaster risk reduction. Within this framework, the Italian Presidency will focus on the issues of both disaster prevention and response. On the one hand, it will aim to contribute to the implementation of the most important part of the prevention policy introduced by the new Decision, regarding the EU's risk management capability and the sharing of information on risk management. On the other hand, following lessons learnt from recent experiences outside the European Union and the opening of the new Emergency Response and Coordination Centre in Brussels, it will work on how to further strengthen support for the civil protection capacities in respect of humanitarian emergency assistance. In this regard it will table innovative proposals on the joint use of resources, based on complementarity, coherence and efficiency, in both disaster response and disaster risk reduction actions.

#### Customs Cooperation

The Italian Presidency will ensure the proper implementation of the 7th action plan of the Strategy for future customs law enforcement co-operation, for the period from 1 January 2014 to 31 December 2015.

The Presidency will analyse the phenomenon of undervaluation in order to monitor the possible involvement of criminal organisations, to share data and best practices and to assess the needs for specific tools to increase customs cooperation in this field.

Taking into account the current situation as regards excise fraud in the customs context and the identification of available tools, best practices and needs, the Council will work on conclusions aimed at enhancing cooperation between Member States in the field.