Information from the Presidency on current legislative proposals

Procedural rights: Directive on the presumption of innocence
Based on the mandate agreed at the Council in December 2014 and the LIBE Committee orientation of 31 March 2015, five trilogues were held. Agreement has been reached between the European Parliament and the Council on 27 October 2015 in Strasbourg. After the legal-linguist revision of the text, the Council has adopted the Directive on 12 February.

Procedural rights: Directive on procedural safeguards for children
In June 2014, the JHA Council reached a general approach on the proposal for a Directive on procedural safeguards for children. The LIBE Committee adopted its orientation vote in February 2015. After eight trilogues, an agreement has been reached with the Parliament on 15 December, confirmed by the Council on 16 December 2015. Currently the legal-linguist revision of the text is being carried out in view of a formal adoption of the Directive.

Procedural rights: Directive on Legal Aid
On 13 March 2015 the Council (Justice and Home affairs) reached a general approach on the Directive. The LIBE Committee held an orientation vote on the draft Report of the rapporteur at its meeting on 6 May 2015. Four trilogues were held in 2015. The fifth trilogue took place on 18 February. The NL Presidency intends to press on with the work on this file with a view to reaching an agreement for June.

Procedural rights: Directive on legal aid
Under Netherlands Presidency, trilogues on this file took place on 13 January, 18 February and 3 March. A number of outstanding issues were discussed, including the issue of legal aid in European arrest warrant proceedings. The next trilogue is scheduled to take place at the end of March or in April (date to be confirmed). The Presidency aims to advance the negotiations with the European Parliament on this file as much as possible.

Procedural rights: Directive on presumption of innocence
On this file, agreement with the European Parliament was reached under Luxembourg Presidency. Under Netherlands Presidency, the legal-linguist revision of the text has been finalised and the Directive has been formally adopted on 12 February. Signature is scheduled to take place on 9 March 2016; soon after that, the Directive will be published in the Official Journal. The transposition period is 24 months.

Procedural rights: Directive on procedural safeguards for children
Also on this file, agreement with the European Parliament was reached under Luxembourg Presidency. Currently, the legal-linguist revision of the text is being carried out. The experts meeting took place on 19 February, and the final text of the Directive is scheduled to be available in all languages by mid-March 2016. Subsequently, the Directive will be formally adopted and the text published in the Official Journal. The transposition period is 36 months.

Europol Regulation
On 30 November 2015 the LIBE Committee voted and approved the text of the draft regulation as it stood after the interinstitutional negotiations. A political agreement was adopted in COREPER/Council on 2 and 4 December 2015 with respect to the text of the Europol Regulation set out in document 14713/15. The proposed text has been put on the CRP agenda on 3 March 2016 and will be adopted on 10 March 2016 during JHA Council. Once adopted, the Regulation will replace the current Decision and will enter into force as from 1 May 2017.

EU PNR Directive
At the moment, the Directive has been discussed within the lawyer-linguist phase on 9 February. After proper translation in all languages, the Directive will be formally adopted after a plenary vote within the European Parliament.

Data Protection Regulation and Directive
At the ECOFIN of 12 February the JHA Council endorsed the translated texts of the data protection package. At this moment we are in the lawyer-linguist phase. We aim for adoption of the data protection package on the JHA Council of 21 April.

Eurojust Regulation
A partial general approach on the Eurojust Regulation was reached at the Council (JHA) on 12-13 March 2015. The provisions relating to the European Public Prosecutor's Office were at that time excluded from the partial general approach as the draft EPPO Regulation was not sufficiently advanced. They will be returned to at a future date. The Council is now waiting for the EP to table amendments to the proposal.

PIF Directive
The provisions of the Directive will constitute the substantive law to be applied by the European Public Prosecutor's Office. The inclusion or not of VAT fraud in the scope of the Directive is the main outstanding issue; the Presidency is currently looking for a compromise solution to this issue.

ECRIS
The draft directive have been presented by the Commission on 26 January 2016 and work in the Council has started on the 1st of February in a positive way. The Presidency intends to reach a general approach on this file in June.

Smart Borders
During the Luxemburg presidency the examination of the four key issues identified by Coreper in december 2014 was completed: law enforcement access to the EES, practical aspects of the RTP registration process, consequences of the abolition of the stamping of the travel documents and fall-back procedures in case of failure of the system (s). In January, Coreper took note of the findings of the examination in view of the ongoing work for the new legislation on Smart Borders.

Unaccompanied Minors Regulation
The Presidency has held bilateral meetings with several MS on the state of play in the trilogue with EP.