

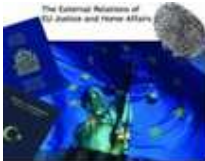


Malta-EU Steering & Action Committee

JUSTICE AND HOME AFFAIRS

Sectoral Committee
Weekly Update
02.07.10

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The Belgian presidency of the Council of the European Union

On 1 July, Belgium took over the Presidency of the Council of the European Union. Belgium's role mainly consists of organising and managing the work of each Council configuration (except the Foreign Affairs Council) through its competent ministers.

Working together with the eighteen-month common work programme set up as a "trio" with Spain and Hungary, Belgium has set out its own priorities which it will pursue throughout its Presidency of the Council of the EU. In the area of Justice and Home Affairs the presidency's priorities are the following:

- continue with the **effective implementation of the Multiannual Stockholm Programme** (2010-2014) using the new institutional and procedural opportunities introduced by the Treaty of Lisbon;
- support the intention of the European Commission to map information systems, particularly those which contain personal data, with a view to organizing an **in-depth examination of information systems architecture** as part of the integrated management of borders;
- reconcile the need for security with the rights and individual freedoms of the European citizen in the **fight against terrorism and organised crime**;
- **launch the negotiations with the Council of Europe** concerning the accession by the EU to the European Convention on Human Rights on the basis of the mandate granted by the Council;
- develop a **European system for the taking of evidence** in matters of judicial cooperation on criminal matters;
- further the **development of a common policy on immigration** based on a global approach, including a vision for the future of legal migration;
- implement a **shared asylum procedure** and a uniform status for persons benefitting from international protection by 2012;
- strengthen **Frontex**;
- **fight against human trafficking**.

During Belgium's Presidency of the Council of the European Union, the Justice and Home Affairs Council is scheduled to hold formal meetings in Brussels on 8th and 9th November and on 2nd and 3rd December. A formal meeting of the JHA Council is also scheduled to be held in Luxembourg on 7th and 8th October. There will be an informal meeting on 15th and 16th July.

Presidency Website

<http://www.eu2010.be/>

Programme of the Belgian Presidency of the EU Council

http://www.eu2010.be/files/bveu/media/documents/Programme_EN.pdf



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Court of Justice of the EU: The Court clarifies certain rules concerning the recognition and enforcement of judgments requiring the return of a child who has been wrongfully removed

In Case C-211/10 *Doris Povse v Mauro Alpago* the Court held that:

- a judgment of the court having jurisdiction which is certified in accordance with Council Regulation (EC) No 2201/2003¹ and which requires the return of the child, is enforceable, even if it is not preceded by a final judgment on rights of custody of the child;
- the enforcement of a certified judgment which requires the return of the child may not be refused on account of a judgment delivered subsequently by a court of the Member State of enforcement. Furthermore, this enforcement can also not be refused on the grounds that it would constitute a serious risk to the best interests of the child on account of a change of circumstances after its delivery.

<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=EN&Submit=rechercher&numaff=C-211/10>

¹ Regulates the jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility