



**Report to Parliament on the Application of Protocols
19 and 21 to the Treaty on European Union and
the Treaty on the Functioning of the European Union (TFEU)
(‘the Treaties’) in Relation to EU Justice and Home Affairs
(JHA) Matters (1 December 2009 - 30 November 2010)**

Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty

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Ashton commitments on Parliamentary scrutiny of the opt-in

On 9 June 2008 the Rt Hon Baroness Ashton, as then Leader of the House of Lords under the previous Government, made a statement setting out commitments by the Government to Parliament in respect of the scrutiny of decisions to be taken by the Government in accordance with Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice to the Treaty on European Union ('the TEU') and the Treaty on the Functioning of the European Union ('the TFEU') ('the Justice and Home Affairs opt-in Protocol') on whether the UK should take part in the adoption and application of a proposal or initiative presented to the Council pursuant to Title V of Part Three of the TFEU ('a JHA opt-in decision'). These commitments were designed to ensure that the views of the Scrutiny Committees should inform the Government's decision-making process.

This included a pledge that the Government would "table a Report in Parliament each year and make it available for debate, both looking ahead to the Government's approach to EU Justice and Home Affairs policy and forthcoming dossiers, including in relation to the opt-in, and providing a retrospective annual report on the UK's application of the opt-in Protocol".

The Coalition Government have maintained this commitment, and this is the first such Report. It covers the 12 months since the coming into effect of the Lisbon Treaty on 1 December 2009. For completeness the report also covers the application of Protocol 19 ('the Schengen opt-out Protocol') to the Treaties, which also gives the UK the right to choose in which measures to participate.

The JHA opt-in Protocol and Schengen opt-out Protocol

The UK's participation in EU measures on Justice and Home Affairs (JHA) is principally governed by Protocols 19 and 21 to the Treaty on European Union and the Treaty on the Functioning of the European Union:

- a. JHA (Title V) opt-in Protocol 21: the entering into force of the Lisbon Treaty means that the UK, and separately Ireland, may choose, within three months of a proposal or initiative being presented to the Council pursuant to Title V of Part Three of the TFEU (the part of the Treaty governing Justice and Home Affairs matters), whether it wishes to participate in the adoption and application of any such proposed measure. If the UK notifies the President of the Council of its intention to participate within that three month period, there is no possibility of opting out later. If the measure is adopted, the UK would be bound, the European Court of Justice (ECJ) will have jurisdiction over it and the Commission will have the power to infract in respect of any failure to properly implement the measure. If the UK does not opt in by the three month point, it is still entitled to a seat at the negotiating table, but has no vote and, as a result, has significantly reduced negotiating weight with which to shape the proposal. However, the UK may, at any stage after a measure has been adopted, indicate its wish to participate, though the Commission has to approve and the Commission and Council can impose conditions.

- b. Schengen 'opt-out' Protocol 19: since the entry into force of the Lisbon Treaty Article 4 to Protocol (No 19) to the TEU and TFEU, on the Schengen acquis integrated into the Framework of the European Union, provides that the UK (and Ireland respectively) may request to take part in some or all provisions of the Schengen acquis. The UK already participates in some parts of the acquis as recorded in Council Decision 2000/365/EC (OJ L 131, 1.6.2000, p. 43–47) i.e. the police and judicial cooperation elements of Schengen (the UK does not participate in the frontier control elements). Article 5 of the Protocol provides that the UK is deemed to opt in to measures building on parts of the acquis in which it participates unless, within three months of the publication of the proposal or initiative, it notifies the Council that it does not wish to take part in the measure - 'an opt-out'. If the UK does not opt out within that three-month period, it is automatically bound. If the UK opts out, the Commission and Council can decide to eject the UK from all or part of the rest of Schengen to the extent considered necessary if such non-participation seriously affects the practical operability of the system, but the Protocol states explicitly that it must seek to retain the UK's widest possible participation.

UK Government approach to European Justice and Home Affairs

The United Kingdom is a positive participant in the European Union - active and activist, and committed to ensuring that all the nations of Europe are equipped to face the challenges of the 21st century. It is all the more important in the current economic climate that the EU works together constructively in those areas where it can make a difference to its citizens' lives.

This Government recognises that cooperation on Justice and Home Affairs can deliver key benefits, helping us to tackle cross border crime and to make it easier for British citizens to do business across borders. Such cooperation can also help enhance the UK's security. It also increases certainty in legal disputes both for business (which is essential for the City) and families (for example about child custody across borders). It can also provide opportunities for practical cooperation and capacity-building work on immigration, organised crime and judicial cooperation.

The Government has undertaken that all JHA proposals will be assessed on a case-by-case basis. We will put the national interest and the benefits to our citizens and businesses at the heart of our decision-making. We will consider each decision under the Protocols with a view to maximising our country's security, protecting civil liberties, preserving the integrity of our criminal justice and common law systems, and controlling immigration.

The Government will not opt into a proposal concerning a European Public Prosecutor and has no intention of joining Schengen measures that could weaken UK border controls.

The Government strongly believes in the importance of practical cooperation on asylum policy within the EU. Equally, we do not judge that adopting a common EU asylum policy is right for Britain. We believe there are many issues in this area where all EU Member States have much to gain by working together. We will be active in promoting effective cooperation and will consider participation in legislative proposals on their merits, in consultation with our European partners and relevant EU institutions, and taking account of any views expressed by Parliament.

Protecting the application of the Protocols

The Government is working to ensure that the processes for exercising the UK's rights under the Protocols are clear and understood by both the EU Institutions and other Member States, and that these rights are not infringed. Encroachment on these rights can adversely impact our domestic arrangements for Parliamentary scrutiny and has the potential to set a precedent which might limit our flexibility on JHA in the future.

The Government takes the view that the JHA opt-in Protocol applies to a wide variety of measures – directives, regulations and international agreements – within a large range of policy areas. Some of these measures contain only elements that fall under the scope of the Protocol. If such elements are pursuant to Title V Part Three of the TFEU, then they would trigger the opt-in Protocol.

Parliamentary Scrutiny

A decision to opt in to a new legislative proposal must be communicated in writing to the President of the Council within 3 months of the date on which the proposal is presented to the Council by the Commission. Following publication of a proposal the Government is committed to the following Parliamentary Scrutiny process: to provide an Explanatory Memorandum (EM) to the Scrutiny Committee of each House within 10 days of publication; to take into account the views of the Scrutiny Committees on whether the UK should opt in to a proposal or not (provided these are put forward within 8 weeks of the proposal's publication); and not to notify the Council of opt-in decisions in that 8 week period.

Code of Practice

Baroness Ashton's statement also included a commitment to produce a Code of Practice which should set out the Government's commitment to effective scrutiny of opt-in decisions. Officials from both Departments are working with the Parliamentary Committee Clerks on preparing such a Code of Practice which in due course will be presented to the Parliamentary Scrutiny Committees for approval. Once approved, the Code will form an Annex to the existing Cabinet Office scrutiny guidance.

JHA opt-in decisions and Schengen opt-out decisions over the past 12 months

Attached at **Annex 1** is a table of all JHA opt-in decisions and Schengen opt-out decisions taken during the 12 month period starting with the entry into force of the Lisbon Treaty on 1 December 2009. These decisions are listed in chronological order with decisions taken by the previous Government differentiated in italics.

The UK notifies the Council of its opt-in to JHA elements of certain third country agreements (i.e. agreements between the EU and another non-EU country such as Korea). There is a three-stage process for such agreements with an opt-in decision at each stage agreement of: negotiating mandate, signature, and conclusion. For the purposes of this report such agreements are counted as a single opt-in decision, with the final decision on UK participation in such agreements being the one which counts toward the total.

Over the past year the current Government and its predecessor have taken 23 decisions on UK participation in EU JHA legislative proposals, 20 of them under the JHA opt-in Protocol and 3 under the Schengen opt-out Protocol. In total the UK has opted in to 12 proposals under the JHA opt-in Protocol and has not opted in to 8. The UK has chosen not to opt out of the 3 proposals under the Schengen opt-out Protocol. Whilst decisions are taken collectively by Government it is worth noting that these proposals fall to a wide range of Departments beyond the Home Office and Ministry of Justice.

Of the above totals the current Government's decisions break down as follows: 13 decisions, 11 of them under the JHA opt-in Protocol and 2 under the Schengen opt-out Protocol. Of these, the Government has opted in to 6 proposals under the JHA opt-in Protocol and has not opted in to 5. The Government has chosen not to opt out of the 2 proposals under the Schengen opt-out Protocol.

We should note that, although technically outside the scope of this Report, the UK has additionally, on 1 December 2010, opted in to the negotiating mandates for the three third country Passenger Name Records Agreements between the EU and Australia, Canada and the US. These decisions do not bind us to participating in the final Agreements. Further opt-in decisions will be needed to sign and conclude these Agreements.

Decisions of particular prominence this year included the decision in July to opt in to the final Agreement to bring into force the EU-US Terrorist Finance Tracking Programme (TFTP) – an important tool to combat terrorism and terrorist financing. An initial Agreement was rejected by the European Parliament earlier in the year, and the final Agreement was preceded by a substantially expedited process of negotiation and therefore a much reduced period in which to decide UK participation, which also fell in the immediate post-election period when the Parliamentary Committees had not been formed.

The Government also opted in to the draft proposal for the European Investigation Order (EIO) in July – due to the timing of this proposal and the intervening General Election the Commons' European Scrutiny Committee was unable to opine on the opt-in decision, consequently the decision to opt in to the EIO was reported to Parliament through a Ministerial Oral Statement.

In June, the Government decided not to opt in to the draft EU Directive on Human Trafficking, with a view to reviewing the position following adoption of the Directive. The House of Lords European Union Committee disputed the decision not to opt in at the outset. Parliament's views will be sought at the time of the review.

In June the Government also took the decision that it wished to participate in the Regulation creating the IT Agency. This was a particularly complex proposal since it included Schengen-building elements and regular (i.e. non-Schengen) Title V TFEU elements. Of the Schengen-building elements, the UK participated in some, by virtue of Council Decision 2000/365, but did not participate in others. A solution was found to allow full UK participation in the IT Agency whereby the UK requested, under Article 4 of the Schengen Protocol, to be allowed to take part in the elements of the Regulation which built upon the part of the Schengen acquis in which the UK did not participate. Article 4 of the Schengen Protocol permits the UK (and Ireland) to apply to join all or part of the Schengen arrangements. The UK was able to take part in the remaining elements of the Regulation by virtue of having opted in under the Title V Protocol (regarding the regular, non-Schengen, Title V elements) and Council Decision 2000/365 (regarding the

Schengen elements in which the UK already participated). However, the Lords' European Union Committee did express concerns about the appropriateness of this solution.

In July the UK opted in to the Mode 4 (immigration) elements of the EU-Korea Free Trade Agreement and signed the rest of the agreement in its own right as a separate contracting party. The Mode 4 commitments in that agreement will not be included in the numerical limits on economic migration which have been announced subsequently. The Lords European Union Committee subsequently wrote to the Government to register its view that the UK opt-in did not apply to the agreement.

The Government has opted in to the Directive on the right to information in criminal proceedings. This is the second measure of the Roadmap for Strengthening Procedural Rights of Suspected or Accused Persons in Criminal Proceedings. The Roadmap was adopted in November 2009, and is now referred to in the Stockholm Programme as the basis for future EU work on procedural rights for defendants in criminal trials. The Government also supported the first measure on the Roadmap which has now been adopted – a Directive on the right to interpretation and translation in criminal proceedings.

Forthcoming dossiers over the next 12 months

Legislative proposals currently subject to Ministerial and Parliamentary consideration with respect to opt-in decisions:

- Proposal for a Directive of the European Parliament and of the Council facilitating cross-border enforcement in the field of road safety (17409/10)
- Proposal for a Directive of the European Parliament and of the Council on Attacks against Information Systems, repealing Council Framework Decision 2005/222/JHA (Cyber Crime) (17500/10)
- Proposal for a Council Decision on the position to be taken by the European Union in EEA Joint Committee concerning an amendment to Annex VI (Social Security) and Protocol 37 to the EEA Agreement (13493/10)
- Amended proposal for a Regulation of the European Parliament and of the Council on the establishment of 'EURODAC' for the comparison of fingerprints for the effective application of Regulation (EC) No [...] [establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person] (Recast version) (14919/10)
- Proposal to repeal and replace Regulation 44/2001 (Brussels I) on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

Looking ahead to 2011, we are expecting the following legislative proposals to be brought forward that are likely to require a decision on UK participation under the JHA opt-in Protocol:

- The signing and conclusion of EU-Australia, EU-Canada, and EU-US Agreements on Passenger Name Records (UK opted into the negotiating mandates on 1 December 2010)

- Mutual recognition of Identification and eAuthentication
- Directive on the use of Passenger Name Records for law enforcement purposes (EU PNR Directive)
- European Terrorist Financing Tracking Programme (European TFTP)
- Legal instrument on European Contract Law
- Regulation on improving the efficiency of the enforcement of judgments in the European Union: cross-border debt recovery
- Proposal of a new legal framework on the confiscation and recovery of criminal assets
- Regulation establishing a procedure for the freezing of funds of persons suspected of terrorist activities inside the EU
- A Directive on the rights of and support to victims of crime
- Proposal for a Regulation on the conflicts of laws in matters concerning matrimonial property rights, including the question of jurisdiction and mutual recognition, and on the property consequences of the separation of couples from other types of unions
- Proposal for a Directive on Access to a Lawyer in criminal procedures
- Legislative proposal on Communication with Relatives, Employers and Consular Authorities in criminal procedures
- Revision of the Framework Decision on financial penalties
- Proposal to amend the current EC Regulation No 593/2008 on the law applicable to contractual obligations (Rome I)
- Criminal Sanctions Directive on Infringement of Intellectual Property Rights

We are also expecting a number of international agreements and measures in other policy areas that may include JHA elements (for example provisions on criminal penalties) and hence would also require decisions under the JHA opt-in Protocol on any such elements. However, until a draft measure is put forward it is not possible to predict whether this would be the case. There also remains the possibility of Member State initiatives.

There are a number of measures and non-legislative initiatives that are listed in the Commission's Work Programme of 2011 which would very likely not require an opt-in decision or Schengen opt-out decision but would require our engagement. The UK will be examining closely a new Proposal for a Council Regulation on the establishment of an evaluation mechanism to verify the application of the Schengen acquis. Non-legislative measures include a Commission communication on European judicial training. We are supportive of such non-legislative solutions as we believe that there is much that can be achieved on JHA issues through practical cooperation between Member States.

Several of the Government's top priorities in the area of EU JHA over the next year will involve at their core the sharing and protection of data. This is a challenging area of policy for the UK, as political opinion within the EU Institutions and its Member States often diverges.

The Government has decided to opt in to Council Decisions setting out the negotiating mandates for the EU-Australia, EU-Canada and EU-US Agreements on Passenger Name Records (PNR). These proposed measures will seek to provide a firm legal basis for the transfer of passenger name record (PNR) data from carriers to these three third countries in order to prevent and combat terrorism and other transnational serious crime, including organised crime. Some other EU Member States and the European Parliament are seeking to restrict the use of this data in ways we believe would adversely impact the functionality of the measures. The UK will be pressing for the maintenance of a degree of flexibility in the use of PNR data in order to maintain its usefulness to law enforcement agencies. We will have to take a further decision to opt in to the final Agreements, which are expected in the summer.

2011 will also see the start of negotiations on an EU Passenger Name Records (PNR) Directive, for which the UK has been a strong proponent. As with the aforementioned third country PNR Agreements, the Government will be seeking to maintain flexibility over the use of this data and to ensure that intra-EU journeys are covered.

The Government will also continue to negotiate a number of Directives to which we have already opted in, with the aim of securing the best possible result for UK interests. One such measure is the European Investigation Order.

In addition, negotiations continue on a number of proposals where, although the UK did not opt in at the start, it remains the Government's objective to amend the text in such a way that will allow UK participation after adoption – for example the proposed Regulation on Succession and Wills. We expect the Human Trafficking Directive, to which the UK did not opt in, to be adopted early in 2011. The Government will then consider whether the final text meets UK objectives, and whether seeking a post-adoption opt in would be appropriate.

Home Office and Ministry of Justice

Annex 1: JHA (Title V) Opt-in and Schengen Opt-out decisions taken between 1 December 2009 and 30 November 2010 (decisions taken by previous Government are in italics).

No	Title	Ref.	Date of Publication	Date of deposit	Date of EM	Decision	Date opt-in notified	Did the Committees agree with the decision?
1	<i>Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and authentic instruments in matters of succession and the creation of a European Certificate of Succession</i>	14722/09	20/10/2009	21/10/2009	02/11/2009	<i>Did not opt in</i>	N/A	HoL: Y HoC: Y
2	<i>Proposal for a Directive of the European Parliament and of the Council on minimum standards on procedures in Member States for granting and withdrawing international protection (Recast)</i>	14959/09	23/10/2009	27/10/2009	05/11/2009	<i>Did not opt in</i>	N/A	HoL: N' HoC: N/A
3	<i>Proposal for a Directive of the European Parliament and of the Council on minimum standards for the qualification and status of third country nationals or stateless persons as beneficiaries of international protection and the content of the protection granted</i>	14863/09	21/10/2009	22/10/2009	05/11/2009	<i>Did not opt in</i>	N/A	HoL: N HoC: N/A
4	<i>Initiative for a Directive of the European Parliament and of the Council on the rights to interpretation and to translation in criminal proceedings (Member States initiative)</i>	16801/09	15/12/2009	17/12/2009	30/12/2009	Opted in	08/03/2010	HoL: Y HoC: Y

¹ However, the European Union Committee's recommendation that the UK opt in to the Procedures and Qualification Directives was rejected by the full House after the debate that took place on 12 January 2010

No	Title	Ref.	Date of Publication	Date of deposit	Date of EM	Decision	Date opt-in notified	Did the Committees agree with the decision?
5	Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto	12164/08 (negotiating mandate)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	HoL: Y HoC: N/A
		16433/08 (signing)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	
		17709/09 (concluding)	18/12/2009	17/01/2010	19/01/2010	Opted in	17/03/2010	
6	Agreement for a simplified extradition arrangement between Member States of the European Union (EU) and Iceland and Norway	(negotiating mandate)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	HoL: Y HoC: Y
		(signing)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	
		17706/09 (concluding)	18/12/2009	05/01/2010	19/01/2010	Opted in	17/03/2010	
7	Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto	(negotiating mandate)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	HoL: Y HoC: N/A
		(signing)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	
		17703/09 (concluding)	18/12/2009	05/01/2010	19/01/2010	Opted in	17/03/2010	

No	Title	Ref.	Date of Publication	Date of deposit	Date of EM	Decision	Date opt-in notified	Did the Committees agree with the decision?
8	<i>Agreement between the European Union and Japan on the mutual legal assistance in criminal matters</i>	10070/5/08 (negotiating mandate)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	HoL: Y HoC: N/A
		15921/09 (signing)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	
		17708/09 (concluding)	18/12/2009	07/01/2010	19/01/2010	Opted in	17/03/2010	
9	<i>Initiative for a Directive of the European Parliament and of the Council on the European Protection Order</i>	17513/09	05/01/2010	07/01/2010	15/01/2010	Opted in	30/03/2010	HoL: N/A HoC: N/A
10	<i>Proposal for a Council Regulation amending Decision 2008/839/JHA on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II)</i>	6213/10	08/02/2010	12/02/2010	22/02/2010	Did not opt out (Schengen)	07/05/2010	HoL: N/A HoC: N/A
11	<i>Proposal for a Directive of the European Parliament and of the Council on the right to interpretation and translation in criminal proceedings (Commission proposal)</i>	8000/10	09/03/2010	16/03/2010	25/03/2010	Did not opt in	N/A	HoL: Y HoC: N/A
12	Arrangement between the European Union and the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation on the participation by those States in the work of the committees which assist the European Commission in the exercise of its executive powers as regards the implementation, application and development of the Schengen acquis.	Negotiating mandate N/A - Pre-1999 association through exchange of letters	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	HoL: Y HoC: N/A
		7687/10 (signing)	18/03/2010	01/04/2010	15/04/2010	Did not opt out (Schengen)	17/06/2010	
		7688/10 (concluding)	18/03/2010	01/04/2010	15/04/2010	Did not opt out (Schengen)	17/06/2010	

No	Title	Ref.	Date of Publication	Date of deposit	Date of EM	Decision	Date opt-in notified	Did the Committees agree with the decision?
13	Amending Proposal for a Regulation (EU) No .../... of the European Parliament and of the Council on establishing an Agency for the operational management of large-scale IT systems in the area of freedom, security and justice	8151/10	30/03/2010	01/04/2010	15/04/2010	Did not opt out (Schengen)	21/06/2010	HoL: Y HoC: Y
14	Proposal for a Directive of the European Parliament and of the Council on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA	8157/10	30/03/2010	30/03/2010	08/04/2010	Did not opt in	N/A	HoL: N HoC: Y
15	Proposal for a Directive of the European Parliament and of the Council on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA	8155/10	30/03/2010	30/03/2010	13/04/2010	Opted in	28/06/2010	HoL: Y HoC: N/A

No	Title	Ref.	Date of Publication	Date of deposit	Date of EM	Decision	Date opt-in notified	Did the Committees agree with the decision?
16	Council Decision on the conclusion of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program (TFTP)	8353/3/10 REV 3 (negotiating mandate)	Not published General approach agreed 26/04/2010 Adopted as "A" point on 10/05/2010	Not deposable	21/04/2010 (unnumbered)	Opted in	Letter signed on 21/04/2010. Submitted to Council Secretariat 22/04/2010	HoL: Y HoC: N/A
		11223/1/10 REV 1 (signing)	25/06/2010	11172/10 deposited on 21/06/2010	24/06/2010	Opted in	24/06/2010	
		11222/1/10 REV 1 + COR 1 + COR 4 (conclusion)	REV 1 and COR 1 published on 24/06/2010 COR 4 published on 12/07/2010	17702/10 deposited on 21/06/2010	24/06/2010	Opted in	12/07/2010	
17	Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part	(negotiating mandate)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	HoL: Y HoC: Y
		8523/10 (signing)	15/04/2010	27/05/2010	28/05/2010	Opted in	12/07/2010	
		8502/10 (concluding)	15/04/2010	25/05/2010	28/05/2010	Opted in	12/07/2010	

No	Title	Ref.	Date of Publication	Date of deposit	Date of EM	Decision	Date opt-in notified	Did the Committees agree with the decision?
18	Initiative of the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Estonia, the Kingdom of Spain, the Republic of Austria, the Republic of Slovenia and the Kingdom of Sweden for a Directive of the European Parliament and of the Council regarding the European Investigation Order in criminal matters	9145/10	29/04/2010	30/04/2010	05/05/2010	Opted in	27/07/2010	HoL: Y HoC: N/A
19	Agreement between the European Union and Georgia on the facilitation of the issuance of visas	9464/10 (negotiating mandate)	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	Pre-Lisbon	HoL: Y HoC: N/A
		9468/10 (signing)	05/05/2010	10/05/2010	26/05/2010	Opted in	05/08/2010	
		9471/10 (concluding)	05/05/2010	10/05/2010	26/05/2010	Opted in	05/08/2010	
20	Proposal for a Council Decision on the position to be adopted on behalf of the Union in the Joint Committee established by the Agreement of 21 June 1999 between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons as regards the replacement of Annex II on the coordination of social security schemes	11630/10	29/06/2010	01/07/2010	21/07/2010	Did not opt in	N/A	HoL: N/A HoC: N/A

No	Title	Ref.	Date of Publication	Date of deposit	Date of EM	Decision	Date opt-in notified	Did the Committees agree with the decision?
21	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 seasonal employment	12208/10	15/07/2010	16/07/2010	28/07/2010	Did not opt in	N/A	HoL: N/A HoC: N/A
22	Proposal for a Directive of the European Parliament and of the Council on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer	12211/10	15/07/2010	16/07/2010	28/07/2010	Did not opt in	N/A	HoL: N/A HoC: N/A
23	Proposal for a Directive of the European Parliament and of the Council on the right to information in criminal proceedings	12564/10	23/07/2010	27/07/2010	27/07/2010	Opted in	22/10/2010	HoL: Y HoC: N/A



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