



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 June 2013

11576/13

**JAI 564
COMIX 398**

OUTCOME OF PROCEEDINGS

from: The Mixed Committee at the level of Senior Officials
on: 13 June 2013
Subject: Outcome of proceedings of the Mixed Committee at the level of Senior Officials
on 13 June 2013

- **Draft Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (EUROSUR) [First reading]**
 - = **Examination of outstanding issues**
 - 10591/13 FRONT 68 CODEC 1343 COMIX 353**
 - 10309/13 FRONT 65 CODEC 1282 COMIX 344**

The Presidency concluded that there was sufficient support for the EUROSUR draft Regulation set out in doc.10309/13, as amended by doc. 10591/13, except for the amendment to Article 10(2)(ba), subject to agreement on a Council declaration based on a suggestion made by FR. If delegations would support unanimously the Council declaration, the Presidency would on that basis confirm agreement with the European Parliament.

The CLS explained that the Council declaration on EUROSUR cannot be understood as precluding any EU rules in the field of search and rescue at sea, in particular after the judgment of the Court of Justice on 5 September 2012, European Parliament v Council (C-355/10).

DE indicated that it intends to abstain and ES and EL indicated that they intend to vote against.

The text of the Council declaration was subsequently agreed and is set out in doc. 11023/13 FRONT 80 CODEC 1479 COMIX 381. The text of the Draft Regulation as agreed by Coreper is set out in doc. 11367/13 FRONT 88 CODEC 1562 COMIX 392.
