



Council of the
European Union

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DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Agriculture and Fisheries)
19 November 2018

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1. **Adoption of the agenda** 14117/18

The Council adopted the agenda set out in 14117/18.


2. **Approval of "A" items**

a) **Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)** 14125/18

Justice and Home Affairs

1. **Schengen Information System (SIS): SIS Return Regulation**  13761/18 + ADD 1
Adoption of the legislative act PE-CONS 34/18
approved by Coreper, Part 2, on 14.11.2018 SIRIS

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. In accordance with the relevant Protocols annexed to the Treaties, the Danish, Irish and United Kingdom delegations did not participate in the vote. (Legal basis: Article 79(2)(c) TFEU). Statements related to these items are set out in the Annex.

2. **Schengen Information System (SIS): SIS Border Checks Regulation**  13762/18
Adoption of the legislative act PE-CONS 35/18
approved by Coreper, Part 2, on 14.11.2018 SIRIS

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. In accordance with the relevant Protocols annexed to the Treaties, the Danish, Irish and United Kingdom delegations did not participate in the vote. (Legal basis: Articles 77(2)(b) and (d) and Article 79(2)(c) TFEU).

3. **Schengen Information System (SIS):
SIS Police Cooperation Regulation**
Adoption of the legislative act
approved by Coreper, Part 2, on 14.11.2018



13763/18
PE-CONS 36/18
SIRIS

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. In accordance with the relevant Protocols annexed to the Treaties, the Danish delegation did not participate in the vote. (Legal basis: Articles 82(1) second subparagraph point (d), Article 85(1), Articles 87(2)(a) and 88(2)(a) TFEU).

b) Non-legislative list

14124/18

The Council adopted the "A" items listed in 14124/18 including COR and REV documents presented for adoption.

Non-legislative activities

FISHERIES

3. **Council Regulation fixing for 2019 and 2020 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks**



13601/1/18 REV 1

(Legal basis proposed by the Commission: Article 43.3 of the TFEU)

Political agreement

The Council reached a unanimous political agreement on fishing opportunities for certain deep-sea stocks for 2019 and 2020 on the basis of a Presidency compromise.

The Council will adopt this Regulation, following finalisation by the legal/linguistic experts, at one of its forthcoming meetings. The Regulation will apply from 1 January 2019.

The Council addressed the following non-legislative discussion items (4-5)

AGRICULTURE

4. Market situation
Information from the Commission
5. Current challenges in the field of plant protection
Exchange of views

13891/18

13896/18

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

6. **Post 2020 CAP reform package** **1****C** 14198/18
14197/18
14012/18
- a) **Regulation on financing, management and monitoring of the CAP**
- b) **Regulation on common market organisation (CMO) of agricultural products**
- Policy debate*
- Progress report*

The Council took note of two Presidency progress reports (14197/18 & 14012/18) on the proposals for Regulations on the financing, management and monitoring of the CAP and on the common market organisation (CMO) of agricultural products. In the context of these proposals, the Council held a policy debate on the basis of a number of questions (14198/18) put together by the Presidency to steer the debate. The Council also took note of the outcome of the Bratislava conference on Risk Valuation and Management (14123/18)

Non-legislative activities

The Council addressed the non-legislative discussion items 7 and 8

7. Task Force Rural Africa (TFRA) 14023/1/18 REV 1
Exchange of views

Any other business

Agriculture

8. a) Outcomes of the international conference "Risk Valuation and Risk Management Tools in the Agri-Food Sector" (Bratislava, 17–18 October 2018) 14123/18
Information from the Slovak delegation

Fisheries

- b) Implementation of the European Maritime and Fisheries Fund (EMFF) 13721/18
Information from the Commission

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- 1** First reading
- C** Item based on a Commission proposal
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Statements to the legislative "A" items set out in 14125/18

Ad "A" item 1: Schengen Information System (SIS): SIS Return Regulation
Adoption of the legislative act

STATEMENT BY THE COUNCIL
on synergies between SIS and other information systems

"The Council considers that making the best use of data already available in relevant information systems at European level for the purposes of the Schengen Information System could facilitate the work of the Member States' competent authorities and reduce administrative burden.

Synergies between the Schengen Information System and the future Entry/Exit System, for instance, would facilitate and speed up the exchange of information in the event of hits, in particular, but not limited to, return alerts in SIS concerning third-country nationals crossing the external borders of a Member State: automated hit reporting mechanism between these systems could have significant benefits.

The Council therefore invites the European Commission to explore as soon as possible synergies between the Schengen Information System and other relevant EU information systems in the area of justice and home affairs, in particular Eurodac and the future Entry/Exit System, further to the synergies currently discussed in the context of interoperability."

STATEMENT BY BELGIUM

"Belgium welcomes the confirmation of the political agreement that has been found on the three instruments regarding SIS. The Schengen Information System of the third generation will improve the functioning of the system and will contribute to enhancing the internal security in the Member States.

The ambitious goals and the new functionalities of the SIS need to be implemented in the Member States. This will result in a considerable amount of preparatory work. Specifically in the case of the SIS-return regulation, this means for Belgium that it should be prepared to enter approximately 35.000 return decisions in the Schengen Information System each year. As this is a totally new functionality, Belgium, would have preferred to have more time to implement this new obligation. It also regrets the current provisions on the entry into operations, whereby the COM will have to set a date after three years of entry into force of the regulations, when the underlying conditions are fulfilled. If those conditions are not fulfilled within the three years' deadline, COM will need to present a legislative proposal to amend this provision. Belgium believes that a more flexible solution to deviate from the intended start of operations if the conditions are not fulfilled on time, would have been preferable, taking into account also the experiences and lessons learned with the entry into operations of previous IT-Systems in the field of asylum and migration (in particular SIS II)."