



Council of the  
European Union

Brussels, 11 March 2016  
(OR. en)

6510/16

LIMITE

PV/CONS 9  
JAI 128  
COMIX 150

**DRAFT MINUTES<sup>1</sup>**

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Subject: **3450th** meeting of the Council of the European Union (**JUSTICE AND HOME AFFAIRS**), held in Brussels on 25 February 2016

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<sup>1</sup> Information on Council legislative deliberations, on other cases of Council deliberations open to the public and on public debates may be found in [Addendum 1](#) to these minutes.

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1. **Adoption of the agenda**

6332/1/16 REV 1 OJ/CONS 9 JAI 115 COMIX 132

The Council adopted the above agenda.

HOME AFFAIRS

**LEGISLATIVE DELIBERATIONS**

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

2. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 as regards the reinforcement of checks against relevant databases at external borders [First reading]**

= General approach

6310/1/16 REV 1 FRONT 79 SIRIS 20 CODEC 185 COMIX 127

The Council adopted the general approach on the proposal set out in doc. 6673/16.

Slovenia made a statement which is set out in the Annex.

3. **Proposal for a Regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation (EC) No 863/2007 and Council Decision 2005/267/EC [First reading]**

= Progress report

6309/16 FRONT 78 SIRIS 19 CODEC 184 COMIX 126  
+ COR 1

The Council took note of the outcome of the debate at the meeting of the Mixed Committee at Ministerial level (doc. 6705/16 JAI 178 COMIX 172).

4. **Any other business**

No issues were raised under this item.

## **NON-LEGISLATIVE ACTIVITIES**

### **5. Approval of the list of 'A' items**

6333/16 PTS A 12

+ ADD 1

The Council adopted the "A" items as listed in :

- 1) 6333/16
- 2) 6333/16 ADD 1:
3. – Council Decision amending Decision 2012/642/CFSP concerning restrictive measures against Belarus  
– Council Regulation amending Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus  
– Council Implementing Regulation implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus  
6320/16 CORLX 68 CFSP/PESC 138 RELEX 120 COEST 44 FIN 115  
6178/16 CORLX 62 CFSP/PESC 131 COEST 38 FIN 101  
6193/16 CORLX 66 CFSP/PESC 135 RELEX 115 COEST 42 FIN 105  
6191/16 CORLX 64 CFSP/PESC 133 RELEX 113 COEST 40 FIN 103  
approved by Coreper, Part 2, on 24.02.2016

### **6. Migration: follow-up of European Council Conclusions 18-19 February 2016**

= Exchange of views

The Council took note of the outcome of the debate at the meeting of the Mixed Committee at Ministerial level (doc. 6705/16 JAI 178 COMIX 172).

### **7. Any other business**

No issues were raised under this item.

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**STATEMENTS FOR THE COUNCIL MINUTES**

**Ad "B" item 2:**           **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 as regards the reinforcement of checks against relevant databases at external borders [First reading]**

**STATEMENT BY SLOVENIA**

"The Republic of Slovenia reaffirms its commitment to implement the provisions of the Schengen Border Code (hereinafter the Code) introducing strengthened checks on persons travelling beyond external borders of Member States, especially on those enjoying the right of free movement under Union law. While the purpose of exercising border checks in this manner is expected to deliver an improvement to control of external borders, to increase Member States' internal security and to prevent terrorism, this will also have other consequences.

By this declaration, Slovenia wishes to draw attention to the potential consequences that will follow from consistent implementation of Article 7(2) of the Code.

The Republic of Slovenia, as a country whose territory is one of the most heavily burdened entry and exit areas enabling access to Member States<sup>1</sup>, is fully aware of its responsibility of carrying out border control in the interest of all Member States. In Slovenia's view, checks carried out systematically on all persons making their entry/exit at external borders, including those enjoying the right of free movement under Union Law, without taking into consideration – what we believe to be – justified exemptions, is a disproportionate measure in relation to the pursued objective of the change.

The implementation on the scale as specified in Article 7(2) of the Code will have an adverse effect on passenger flows at external borders as it will also have financial implications for Member States. Slovenia cannot be held ultimately accountable for such outcomes.

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<sup>1</sup>     Relevant statistics:  
–     In 2014: 56.534.196 passengers crossed external Schengen border, of those 29.440.167 EU citizens;  
–     First half of 2015: 25.553.253 passengers, of those 13.264.351 EU citizens.

Moreover, Slovenia emphasizes sufficient time should be provided for the implementation of the amendments of the Code after its adoption and publication in the Official Journal. A new system will require adaptation both in terms of human resources and in terms of technical equipment at the external borders.

Slovenia also calls upon the European Commission to assess in two years' time of the implementation of the Code the impact and make proposals for amendments based on the results of such an assessment."

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