Council of the European Union

Brussels, 25 June 2025
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DRAFT MINUTES

COUNCIL OF THE EUROPEAN UNION
(Justice and Home Affairs)

12 and 13 June 2025

THURSDAY 12 JUNE 2025

JUSTICE

1. Adoption of the agenda 9621/25

The Council adopted the agenda set out in document 9621/25.

2. Approval of "A" items 9611/25
a) Non-legislative list

The Council adopted all "A" items listed in the document above, including all linguistic COR and REV documents presented for adoption. Statements to these items are set out in the Addendum.

b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union) 9613/25

Justice and Home Affairs

1. Council Regulation on strengthening the security of identity cards and of residence documents SC 8865/25 8375/25
Adoption of the legislative act FRONT
approved by Coreper, Part 2, on 11.06.2025

The Council unanimously adopted the Regulation, having consulted the European Parliament.

2. Regulation on insolvency proceedings to replace its Annexes A and B 1C 8878/25 JUSTCIV
General approach
approved by Coreper, Part 2, on 21.5.2025

The Council reached a general approach on the proposal for a Regulation on insolvency proceedings to replace its Annexes A and B

3. Regulation to prevent and combat child sexual abuse 1C 9277/25 JAI
Progress report
approved by Coreper, Part 2, on 4.06.2025

The Council took note of the progress report.

Economic and Financial Affairs

4. Regulation amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions as regards requirements for securities financing transactions under the net stable funding ratio
Adoption of the legislative act
approved by Coreper, Part 2, on 4.06.2025

1C 9322/25
PE-CONS 14/25
EF

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 (legal basis: Article 114 TFEU).

Foreign Affairs

5. Regulation on the modification of customs duties of certain agriculture goods and fertilisers from Russia and Belarus
Adoption of the legislative act
approved by Coreper, Part 2, on 4.06.2025

1C 9323/1/25 REV 1
PE-CONS 5/25
POLCOM

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 (legal basis: Article 207(2) TFEU), with Hungary voting against and Belgium and Bulgaria abstaining.

Agriculture

6. Decision on the equivalence of seed produced in the Republic of Moldova and in Ukraine
Adoption of the legislative act
approved by Coreper, Part 1, on 4.06.2025

1C 9324/1/25 REV 1
PE-CONS 9/25
AGRILEG

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 (legal basis: Article 43(2) TFEU), with Hungary voting against and Poland abstaining.

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

3. Regulation on protection of adults
Partial general approach

1C 9260/25 + ADD 1-3
+ ADD 3 COR 1

The Council reached a partial general approach on the proposal for a Regulation on protection of adults.Statements by Estonia, Malta, and Spain are set out in the Annex

4. Directive harmonising certain aspects of insolvency law 1 C 9257/25 + COR 1 + ADD 1-5
General approach

The Council reached a general approach on the proposal for a Directive harmonising certain aspects of insolvency law.

Statements by Belgium, Czech Republic, Hungary, and Spain, and a joint statement by France and Portugal are set out in the Annex

5. **Any other business**

a) Current legislative proposals 9219/25
Information from the Presidency

The Council took note of the information provided by the Presidency on the state of play of different legislative proposals in the field of Justice.

Non-legislative activities

6. EU accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) 8994/25
State of play

7. European Public Prosecutor's Office (EPPO) [1] 8942/25 + COR 1
State of play

8. Russia's war of aggression against Ukraine: fight against impunity [2] 9377/25
State of play

9. The fight against drug trafficking and organised crime: strengthening judicial cooperation with third countries [2] 8913/25 8814/25
State of play

10. Any other business

a) Ministerial meeting between the United States and the European Union on Justice and Home Affairs (Warsaw, 2-3 June 2025) 9107/25
Debrief by the Presidency

b) EU-US negotiations on an e-evidence agreement 8489/25
Information from the Commission

[1] In the presence of the European Chief Prosecutor.
[2] In the presence of the European agency Eurojust.

c)	Access to data: retention of electronic communication data *Information from the Presidency*	8490/25
d)	Bolstering EU democratic resilience: the importance of promoting a shared European memory and resisting historical revisionism *Information from Lithuania*	9222/25
e)	United States sanctions against International Criminal Court judges *Information from Slovenia*	9987/25
f)	Work programme of the incoming Presidency *Presentation by Denmark*	9625/25

FRIDAY 13 JUNE 2025

HOME AFFAIRS

POLITICAL GOVERNANCE OF THE SCHENGEN AREA ('SCHENGEN COUNCIL')

Non-legislative activities

11.	Overall state of the Schengen area	8235/25
	a) Commission State of Schengen Report 2025	+ ADD 1+2
	b) Priorities for the Schengen Council Cycle 2025-2026	9380/1/25 REV 1
	Exchange of views	
12.	Implementation of interoperability *State of play*	9314/25

OTHER HOME AFFAIRS ISSUES

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

13. Any other business

a) Regulation on a progressive start of operations of the Entry/Exit System 1 C 9515/25

The Council took note of the information provided by the Presidency on the state of play of the proposal for a Regulation on a temporary derogation from certain provisions of Regulation (EU) 2017/2226 and Regulation (EU) 2016/399 as regards a progressive start of operations of the Entry/Exit System.

b) Current legislative proposals 9329/25
Information from the Presidency

The Council took note of the information provided by the Presidency on the state of play of different legislative proposals in the field of Home Affairs.

Non-legislative activities

14. Implementation of the reformed Common European Asylum System (CEAS) [3] [4]
State of play

15. Future legal status of displaced persons from Ukraine
a) Council implementing Decision extending temporary protection as introduced by Implementing Decision (EU) 2022/382 C 9933/25 + ADD 1
(Legal basis: Article 4(2) of Council Directive 2001/55/EC of 20 July 2001)
Political agreement C
b) Council Recommendation on a coordinated approach to the transition out of temporary protection 9447/25
State of play

16. External dimension of migration: Libya 9744/25
State of play

[3] Exceptionally in the presence of the Schengen Associated Countries.
[4] In the presence of the European agencies EUAA and Frontex.

17. European Internal Security Strategy[3] [5] — 9267/25
Exchange of views

18. Access to data for effective law enforcement [6] — 9208/25
Exchange of views

19. The impact of the current geopolitical environment on EU's internal security [3] [7]
    a) Ukraine [8] — 9396/25
    b) Moldova [8] — 9396/25
    c) Syria — 9268/25
State of play

20. Countering security challenges: assessment by the European domestic intelligence services[3] [9]
State of play

21. Conclusions on the EMPACT cycle 2026-2029 — 9207/25
Approval

22. Any other business

    a) The fight against drug trafficking and organised crime — 8913/25
    Information from the Presidency

    b) High-level meeting of the EU-CELAC coordination and cooperation mechanism on drugs (Warsaw, 8 May 2025) — 8357/25
    Information from the Presidency

    c) Ministerial meeting between the United States and the European Union on Justice and Home Affairs (Warsaw, 2-3 June 2025) — 9107/25
    Debrief by the Presidency

    d) Brdo Process ministerial meeting, Brdo pri Kranju, 27 and 28 March 2025 — 9740/25
    Information from Slovenia

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5 In the presence of the European agencies Cepol, EUDA, eu-LISA, Europol, Eurojust and Frontex.
6 In the presence of the European agencies Europol and Eurojust.
7 In the presence of the European agencies Europol and Frontex.
8 In the presence of the Vice Prime Minister, Minister of National Unity of Ukraine and the Minister of Interior of Moldova.
9 In the presence of the European agency Europol and the Director General of the Internal Security Agency (ABW) of the Republic of Poland.

e) Work programme of the incoming Presidency — 9614/25
Presentation by Denmark

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❶ First reading

✋ Restricted item

Ⓒ Item based on a Commission proposal

ANNEX

Statements to the legislative "B" items set out in doc. 9621/25

Ad "B" item 3: Regulation on protection of adults
Partial general approach

STATEMENT BY MALTA

"Malta supports the objectives which this Proposal aims to achieve, in particular to strengthen the right to autonomy of persons in a situation of vulnerability. However, Malta believes that the proposed text could have been more ambitious to better safeguard the rights of such persons. Malta recalls that all Member States, as well as the Union itself, are parties to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which is based on respect for the autonomy of persons, their self-determination, and the provision of support through relevant measures which respect the will and preferences of the affected person. Malta regrets that, as a result of the approach taken and the language used so far, the proposed text would not yet complement operation of the HCCH 2000 Protection of Adults Convention in a manner which secures and promotes the rights contained in the UNCRPD."

STATEMENT BY SPAIN

"Spain shares the objectives pursued by the proposal for a Regulation to improve treatment in cross-border cases involving adults with an impairment or insufficiency of their personal faculties. However, we cannot support the proposed partial approach. We consider that the proposed text is not sufficiently ambitious and should have gone further, taking into account the principles contained in the United Nations Convention on the Rights of Persons with Disabilities, which, since its adoption in 2006, has been based on respect for people's autonomy, their self-determination, and the establishment of support measures, including informal measures, respecting the will and wishes of persons with disabilities."

STATEMENT BY ESTONIA

"Estonia supports the general objective of the initiative to provide cross-border protection for adults who are unable to protect their own interests, in order to ensure the free movement of persons and enhance the protection of fundamental rights of adults.
However Estonia does not agree with the obligation for Member States to create protection registers and link them to a central European system as required by the regulation under Article 1(h). In our case this is not proportionate to the associated costs. As such Estonia supports the partial general approach in Chapters I-V [1-5], with the exception of said obligatory protection registers that will be further discussed under Chapter VIII [8] of the Regulation."

Ad "B" item 4: **Directive harmonising certain aspects of insolvency law**
General approach

STATEMENT BY THE CZECH REPUBLIC

"While the Czech Republic fully supports the objectives of the Directive harmonising certain aspects of insolvency law to strengthen the Capital Markets Union (CMU), some substantive reservations of the Czech Republic to the text of the proposal remain. We therefore consider it necessary to return to discussions at expert level. We also firmly believe that some of our concerns will be addressed in the trilogues with the EP.
A key shortcoming of the proposal for the Czech Republic is insufficient creditor protection.
For example, creditors are not adequately protected against debtor's dishonesty when using the pre-pack mechanism, which can lead to misuse of this procedure. In particular Article 23b should require honesty of the debtor and it should be possible to terminate the pre-pack proceedings because of the debtor's dishonest intention. Creditors are also not sufficiently protected by Article 26.
In Article 2, when applying the best-interest-of-creditors test, the next-best-alternative scenario should always be considered. In Article 3a and Title VII, the principle of minimum harmonisation should be linked also to the possibility of providing higher level of protection to creditors.
Article 19 should allow to restrict the debtor's disposition rights more, in order to enhance the protection of creditors in a pre-pack procedure. In Article 22a, a certain degree of financial distress of the entrepreneur should be required to ensure proper creditor protection. Also, clarification of the monitor's role and accountability is essential to adequately protect creditors.

The Czech Republic also considers it important to provide that in emergency situations the provisions of Title IV governing pre-pack procedures may be derogated from.
The purpose is to ensure that creditors are protected from a rushed sale of the business when the market conditions are disturbed.
We consider the above-mentioned shortcomings to be substantial. With that the Czech Republic abstains from the vote on the adoption of the Directive."

STATEMENT BY HUNGARY

"Hungary supports the fundamental objectives of the Directive such as the establishment of more effective and better harmonised insolvency procedural rules, equal treatment of insolvency proceedings and ensuring a level playing field and better access to national registers in order to increase the competitiveness of the European Union and its Member States. However, with regard to the general approach on the Directive, Hungary intends to abstain from voting, considering that further negotiations on the general approach would be necessary to ensure that a more well-founded and coherent text is adopted and thus to ensure that the Directive truly supports the strengthening of the Investment and Savings Union and the promotion of competitiveness."

STATEMENT BY FRANCE AND PORTUGAL

"France and Portugal reiterate their support to the compromise text, which is an important step towards the completion of the Capital Markets Union in line with the conclusions of the European Council of 20 March 2025.
However, they regret that the Council did not take this opportunity to harmonise insolvency law for small enterprises and thus deplore the deletion of Title VI on the winding-up of micro-enterprises. They consider that such a simplified procedure would represent a concrete lever to strengthen the Capital Markets Union, improve the economic environment for small structures, and foster a culture of rebound for European entrepreneurs. It would be in line with a more accessible and effective European law.
Thus, France and Portugal express the wish that the issue of micro-enterprises be re-examined before the European Parliament, in order to pursue efforts towards an ambitious harmonisation, adapted to European economic realities."

STATEMENT BY SPAIN

"Spain considers that progress on the legal insolvency framework is important to make our companies more competitive. However, we regret that the text reintroduces the legal concept of the creditors' committee, which was repealed a long time ago because of its inefficiency and high costs. We, like other Member States, have other creditor protection mechanisms that are more efficient and performing very well.

The text of Title IV of the pre-pack mechanism is not sufficiently ambitious; we should have gone further with the mechanisms to protect against abuses committed in creditor fraud. More ambition is also needed in the mechanisms that allow for continuity in the productive unit's activity, in order to keep the business fabric operational."

STATEMENT BY BELGIUM

"Belgium fully supports the objective of the proposed directive. More harmonised insolvency rules will strengthen the Capital Market Union.

Belgium also supports the protection of the creditors.

However, we are convinced that the objective of protecting the creditors is more important than the means to achieve this, such as a creditors' committee provided for in Title VII.

Belgium is a strong supporter of harmonisation, but not in a rigid way. We put the focus on the objective, not on the means.

We believe that a good functioning national system, a system that is more swift, efficient and less costly, and that provides for the same guarantees for the creditors as proposed in the text, must be recognised as equivalent by the text.

Where national legislation already provides for the protection of creditors, the provision of a creditors' committee should remain optional.

That is why Belgium regrets that equivalent national systems protecting the interests of the creditors are not recognised by the text and Title VII provides for the creditors' committee being mandatory for Member States.

We consider the above-mentioned shortcomings to be substantial.

With that Belgium abstains from the vote on the adoption of the Directive."