

Brussels, 22 April 2026  
(OR. en)

6787/26  
PV CONS 9  
AGRI 144  
PECHE 70  
*PARLNAT*

**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
**(Agriculture and Fisheries)**  
23 February 2026

## 1. Adoption of the agenda

The Council adopted the agenda set out in document 6298/26.


## 2. Approval of "A" items

- a) **Non-legislative list** 6386/26

The Council adopted all "A" items listed in the document above, including all linguistic COR and REV documents presented for adoption.

- b) **Legislative list** (Public deliberation in accordance with Article 16(8) of the Treaty on European Union) 6387/26


### Agriculture

1. **Regulation amending Regulation as regards certain market rules and sectoral support measures in the wine sector and for aromatised wine products**  6064/26 + ADD 1 PE-CONS 65/25  
*Adoption of the legislative act*  
approved by the SCA, on 16.02.2026

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 42, first subparagraph, and Article 43(2) and Article 118, first paragraph, TFEU).

A statement by the Commission is set out in the Annex.


### Justice and Home Affairs

2. **Regulation amending Regulation (EU) 2024/1348 as regards the application of the 'safe third country' concept**  6177/1/26 REV 1 + REV 1 ADD 1 PE-CONS 68/25 JAI  
*Adoption of the legislative act*  
approved by Coreper, Part 2, on 18.02.2026

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 with Spain, France and Portugal voting against (legal basis: Article 78(2), point (d) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark did not participate in the vote.

Statements by Spain and France are set out in the Annex.


## **Justice and Home Affairs**

- 3. Regulation establishing a list of safe countries of origin at Union level**  6176/1/26 REV 1 + ADD 1  
*Adoption of the legislative act*  
approved by Coreper, Part 2, on 18.02.2026  
PE-CONS 67/25  
+ COR 1 (et)  
JAI

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, with Belgium and Hungary abstaining (legal basis: Article 78(2), point (d) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark did not participate in the vote.

A statement by Hungary is set out in the Annex.

## **Transport**

- 4. Decision empowering Austria to amend its existing bilateral road transport agreement with Switzerland authorising cabotage operations in road passenger transport services by coach and bus**  5974/26 + COR 1  
*General approach*  
approved by Coreper, Part 1, on 18.02.2026  
TRANS

The Council reached a general approach on the Decision empowering Austria to amend its existing bilateral road transport agreement with Switzerland authorising cabotage operations in road passenger transport services by coach and bus.

## **Legislative deliberations**

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

- 3. Post-2027 Common Agricultural Policy proposals**  5875/26  
*Policy debate*

Items 3 and 5 a) i) were taken together.

The Council held a policy debate on the proposed Commission recommendations for the post-2027 CAP.

The Council also took note of the information from France on behalf of France, Portugal and Spain, supported by Austria, Belgium, Bulgaria, Croatia, Czechia, Hungary, Ireland, Italy, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, and of delegations' reactions.

## Non-legislative activities

4. **Report on the evaluation of the Unfair Trading Practices Directive** ☐ 5306/26  
16217/25  
*Presentation by the Commission*  
*Exchange of views*

The Council took note of the presentation by the Commission and held an exchange of views on the report on the evaluation of the UTP Directive.

## Any other business

5. Agriculture and Fisheries
- a) **Current legislative proposal (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)** ☐☐
- i) **Request to transfer provisions from the draft NRPP regulation to the draft CAP regulation, the draft CFP regulation and the draft CMO regulation** 6356/26  
*Information from France, Portugal and Spain*

Item 5 a) i) was taken together with item 3.


### Agriculture

- b) **Application of CAP Control Framework under the 2023-2027 CAP Strategic Plans** ☐ 6354/26  
*Information from Latvia, Denmark, Estonia, Finland, Lithuania and Sweden*

The Council took note of the information provided by Latvia, on behalf of Denmark, Estonia, Finland, Latvia, Lithuania and Sweden, and supported by Austria, Belgium, Bulgaria, Croatia, Czechia, France, Germany, Hungary, Ireland, Luxembourg, Poland, Portugal, Romania, Slovakia, Slovenia and Spain. The Council also took note of delegations' reactions.

- c) **European reinsurance facility for natural catastrophes in agriculture**  6505/26  
*Information from Portugal*

The Council took note of the information provided by Portugal and of delegations' reactions.

- d) **Difficulties that the EU pig sector is facing - the need for an exceptional aid**  6418/3/26 REV 3  
*Information from Romania*

The Council took note of the information provided by Romania, supported by Hungary, Malta, Poland and Slovakia. The Council also took note of delegations' reactions.

- a) **(continuation) Current legislative proposal (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)**   17056/1/25 REV 1

- ii) **A call for measures ensuring the availability of conventional crop protection solutions and securing viability of food production** 6470/26  
*Information from Estonia*


- iii) **Concerns regarding the European Commission's proposal to include the sowing of treated seeds within the definition of the use of plant protection products** 6465/26  
*Information from Poland*

Items 5 a) ii) and iii) were taken together.




The Council took note of the information provided by Estonia, supported by Czechia, Latvia, Lithuania, Portugal and Romania, and of delegations' comments.

The Council also took note of the information provided by Poland, supported by Czechia, Latvia, Lithuania, Portugal, Romania and Sweden, and of delegations' comments.

Fisheries

- e) **Rigorous defence of EU fisheries essential in pivotal Coastal States mackerel consultations**  6562/26  
*Information from Ireland*

The Council took note of the information provided by Ireland, supported by Belgium, Germany, Portugal, Spain and Sweden. The Council also took note of delegations' comments.

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-  First reading
-  Item based on a Commission proposal
-  Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)
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Statements to the legislative "A" items set out in doc. 6387/26

**Ad "A" item 1:**                      **Regulation amending Regulation as regards certain market rules and sectoral support measures in the wine sector and for aromatised wine products**  
*Adoption of the legislative act*

**STATEMENT BY THE COMMISSION**

“The Commission will use its best endeavours to present in the year 2026 to the relevant expert group or committee:

- 1) a draft implementing act amending Regulation (EU) 2018/274 related to the possibility to extend the application of the simplified procedure for granting replanting authorisations laid down in Article 9 of that Regulation;
- 2) a draft amendment to Commission Delegated Regulation (EU) 2019/33, to define the Union system for identification on the package or the label of grapevine products of the electronic means referred to in Article 119(4) and (5) of Regulation (EU) 1308/2013;
- 3) a draft amendment to Commission Delegated Regulation (EU) 2019/934 to include, in the definition of “coupage” (‘blending’) the possibility to blend de-alcoholised or partially de-alcoholised wines with still wines to produce partially de-alcoholised wines;
- 4) a draft delegated act laying down the conditions for the grubbing up of abandoned vineyards referred to in new Article 62(6) of Regulation (EU) 1308/2013.”

**Ad "A" item 2:**                      **Regulation amending Regulation (EU) 2024/1348 as regards the application of the ‘safe third country’ concept**  
*Adoption of the legislative act*

**STATEMENT BY SPAIN**

- “Spain is committed to the implementation of the European Pact on Migration and Asylum. This Pact represents a historic milestone in the development of a comprehensive EU policy and legal framework for asylum and migration management. Regulation (EU) 2024/1348 establishing a common procedure for international protection (APR) constitutes a key component of that legal framework.
- Spain does not support this proposal to amend the APR for four reasons, relating to legislative, legal, external relations and operational aspects.

- Firstly, the Regulation undermines the integrity of the Pact. It involves an amendment to the European Pact on Migration and Asylum even before it begins to apply in June 2026. This amendment is being introduced before we have been able to ascertain whether the new legal framework as a whole and, in particular, the new provisions on the safe third country concept already included in the APR as agreed on at the end of 2023, function properly. Moreover, it involves an amendment to one of the elements that proved particularly sensitive in reaching an overall agreement, namely the safe third country concept. Lastly, this proposal cannot be assessed in isolation, but rather in close connection with the proposal for a Return Regulation and the return hubs envisaged therein. Spain remains critical of such repatriation centres in third countries.
- Secondly, Spain raises legal concerns regarding the inclusion in the text of the possibility of concluding non-binding arrangements in this area. Such arrangements do not make it possible to ensure respect for the rights and obligations of applicants who will be transferred to a third country. There is no guarantee that effective protection will be afforded to those applicants in accordance with Union and international law. Furthermore, if such arrangements are not binding, the question arises of how Member States and third countries could be obliged to comply with them. By explicitly providing for the possibility for the Union itself to conclude non-binding arrangements or agreements with third countries in this area, all of the Member States are assuming a high level of responsibility and an unacceptable risk. In addition, there is a high risk of litigation owing to potential breaches of the principle of non-refoulement enshrined in the Charter of Fundamental Rights of the European Union and in the European Convention on Human Rights. The legal risks also extend to the possible impact on the rules for determining responsibility. In this respect, it cannot be excluded that transfers between Member States under the Asylum and Migration Management Regulation may be suspended, given the possibility that national courts may consider that persons cannot be transferred to countries that have signed such agreements.
- Thirdly, the conclusion of agreements of this nature by the Union or by other Member States with third countries neighbouring Spain has a direct impact on Spain's bilateral relations with those countries. The text provides for a prior information mechanism for Member States sharing a common border. However, this wording would exclude key neighbouring countries for Spain, with which other Member States could conclude agreements without having informed and consulted Spain.
- Fourthly, at operational level, Spain has serious doubts about its effectiveness and efficiency. The fact that the connection criterion is optional raises questions regarding the sustainability of the mechanism. In the absence of a family, social or economic link, Spain wonders what incentive a transferred person would have not to attempt to return to the Union when their prospects in an unknown third country are limited. Moreover, if some Member States apply the connection criterion and others do not, it would lead to a fragmented system rather than a common one. The cost-benefit of such a measure is also questionable. No minimally objective cost-benefit analysis has been carried out. However, similar existing examples have already demonstrated their high cost and limited results.
- In the light of the above, Spain **OPPOSES** the adoption of this Regulation as proposed.”

## STATEMENT BY FRANCE

“France is voting against the adoption of the Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the ‘safe third country’ concept. In changing the application of the concept of safe third country in the way in which it does, this text poses significant operational, legal and political risks both for Member States which choose not to apply the connection criterion and for Member States which do not make such a choice and, a fortiori, will not be able to do so.

By removing the connection criterion as a mandatory requirement and allowing, in its place, the possibility of concluding agreements or arrangements with third countries, the text calls into question the delicate balances struck in the framework of the Pact on Migration and Asylum and, as such, poses a risk to the implementation of the latter:

- it may lead to an increase in secondary movements, a risk it was not possible to assess in advance of the presentation of the legislative revision due to the absence of a prior impact assessment;
- it may interfere with transfers between Member States under the Dublin mechanism, and consequently under Regulation (EU) 2024/1351 of 14 May 2024 on asylum and migration management;
- this results in particular from the possibility of concluding ‘arrangements’, which, being non-binding in nature, will not allow the Member State to have all the guarantees needed in order to ensure that the asylum seeker will benefit, in the third country to which the Member State responsible intends to return him or her, from the level of protection required by the concept of safe third country, notably effective access to such protection.

Lastly, France reiterates its opposition to such agreements or arrangements resulting in financing by the EU, in particular through the external action funds.”

**Ad "A" item 3:**            **Regulation establishing a list of safe countries of origin at Union level**  
*Adoption of the legislative act*

## STATEMENT BY HUNGARY

“Hungary reiterates its serious reservations regarding the Pact on Migration and Asylum. In the context of the EU list of safe countries of origin, Hungary has consistently advocated that eligible candidate countries should be automatically included on the EU list. We are convinced that inclusion should happen automatically, without imposing additional conditions on candidate countries in order for them to remain on the list.

Hungary therefore regrets that the compromise text would, de facto, impose stricter conditions on the eligible candidate countries than on other third countries listed in the Annex.

Hungary considers that the specific listing of eligible candidate countries would have provided the most robust legal solution, avoiding further complications and treating the eligible candidate countries equitably.

In view of the above, Hungary abstains.”