

Brussels, 25 March 2026
(OR. en, es, fr)

7034/1/26
REV 1
PV CONS 13
JAI 299
COMIX 64
PARLNAT

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Justice and Home Affairs)
5 and 6 March 2026

THURSDAY, 5 MARCH 2026

HOME AFFAIRS

1. **Adoption of the agenda** 6670/26

The Council adopted the agenda set out in document 6670/26.

2. **Approval of "A" items**
a) **Non-legislative list** 6671/26

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)** 6673/26

Foreign Affairs

1. **Mercosur bilateral safeguard Regulation**  6466/26 + ADD 1 +
Adoption of the legislative act ADD 2 REV 1
approved by Coreper, Part 2, on 25.2.2026 PE-CONS 56/25
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, with Hungary voting against and Belgium and Austria abstaining (legal basis: article 207(2) TFEU).

Statements by the Commission, Latvia and Hungary are set out in the Annex.

Economic and Financial Affairs

2. **Bank Recovery and Resolution Directive (BRRD)**  6476/26
Adoption of the Council's position at first reading and of the 15445/25 + ADD 1
statement of the Council's reasons EF
approved by Coreper, Part 2, on 25.2.2026

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Estonia abstaining (legal basis: Article 114 TFEU).

3. **Deposit Guarantee Scheme Directive (DGSD)** 1C 6477/26
15484/25 + ADD 1
EF
Adoption of the Council's position at first reading and of the statement of the Council's reasons
approved by Coreper, Part 2, on 25.2.2026

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Estonia abstaining (legal basis: Article 53(1) TFEU).

4. **Single Resolution Mechanism Regulation (SRMR)** 1C 6475/26
15389/25 + ADD 1
EF
Adoption of the Council's position at first reading and of the statement of the Council's reasons
approved by Coreper, Part 2, on 25.2.2026

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Estonia abstaining (legal basis: Article 114 TFEU).

Agriculture

5. **Regulation on cross-border enforcement of rules against unfair trading practices (UTPs)** 1C 6389/26
PE-CONS 57/25
AGRI
Adoption of the legislative act
approved by Coreper, Part 1, on 25.2.2026

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 43(2) TFEU).

Environment

6. **European Climate Law amendment** 1C 6256/26 + ADD 1
REV 1
PE-CONS 5/26
CLIMA
Adoption of the legislative act
approved by Coreper, Part 1, on 25.2.2026

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 Czech Republic, Hungary, Poland and Slovakia voting against and Belgium abstaining (legal basis: article 192(1) TFEU).

Statements by France, Hungary, Malta, Poland, Finland and the Commission are set out in the Annex.

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

Non-legislative activities

- | | | |
|----|--|---------|
| 3. | Overall state of the Schengen area | |
| | a) Schengen barometer | 6206/26 |
| | b) Implementation of the Schengen Council cycle priorities:
incentivising voluntary returns
<i>Exchange of views</i> | 6471/26 |
| 4. | Implementation of interoperability: revised post-2026 roadmap
<i>Approval</i> | 6446/26 |

OTHER HOME AFFAIRS ISSUES

Legislative deliberations

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

- | | | |
|----|---|---------|
| 5. | Any other business | |
| | a) Current legislative proposals
<i>Information from the Presidency</i> | 6312/26 |

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

- | | | |
|----|---|---------|
| 6. | External dimension of migration ^{1 2}
<i>Exchange of views</i> | 6273/26 |
| 7. | Implementation of the Pact on Migration and Asylum ^{1 3}
<i>State of play</i> | 6938/26 |

¹ In the presence of the Schengen Associated Countries.

² In the presence of the European agencies EUAA and Frontex.

³ In the presence of the European agencies EUAA, eu-LISA and Frontex.

- | | | |
|-----|--|--------------------|
| 8. | Conclusions on the EU Drugs Strategic Framework
<i>Approval</i> | 6433/26 |
| 9. | Future of Europol
<i>Exchange of views</i> | 6276/26 |
| 10. | Impact of the current geopolitical environment on the EU internal security: situation in Syria ^{1 4*}
<i>Exchange of views</i> | ☑ 6295/1/26 REV 1 |
| 11. | Any other business | |
| a) | The situation in Ukraine related to temporary protection status
<i>Information from the Commission</i> | 6309/26 |
| b) | EU Agenda on preventing and countering terrorism and violent extremism
<i>Information from the Commission</i> | 6531/26
6763/26 |

FRIDAY, 6 MARCH 2026

JUSTICE

Legislative deliberations

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

- | | | |
|-----|--|---------------------------------|
| 12. | Regulation on the protection of adults
<i>General approach</i> | ☑☑ 6236/26 + COR 1 +
ADD 1-3 |
|-----|--|---------------------------------|

The Council reached a general approach on the proposal for a Regulation on the protection of adults.

Statements by the Czech Republic and Spain, and joint statement by Malta and Portugal are set out in the Annex.

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|-----|--|---------|
| 13. | Any other business | |
| a) | Current legislative proposals
<i>Information from the Presidency</i> | 6312/26 |

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.

⁴ In the presence of the European agencies Europol and Frontex.

* Presentation by EU INTCEN, classified RESTREINT UE/EU RESTRICTED.

Non-legislative activities

- | | | |
|-----|---|-----------------|
| 14. | Russia's war of aggression against Ukraine: fight against impunity ⁵
<i>State of play</i> | 6130/26 |
| 15. | Lawyers' independence in Europe: the EU's role and the Council of Europe Convention ⁶
<i>Exchange of views</i> | 6414/26 |
| 16. | Conclusions on the application of the EU Charter of Fundamental Rights 2026
<i>Approval</i>
<i>Exchange of views</i> ⁶ | 6422/26 + ADD 1 |
| 17. | Any other business | |
| a) | Initiative on Judicial Independence Day
<i>Information from Poland</i> | 6220/26 |
| b) | Revision of the Eurojust Regulation
<i>Information from the Commission</i> | 6374/26 |
| c) | Supporting the independence of the International Criminal Court (ICC) and the rule of law ⁷
<i>Information from France and Slovenia</i> | 6761/26 |



First reading



Restricted item



Item based on a Commission proposal

⁵ In the presence of the European agency Eurojust.

⁶ In the presence of the Fundamental Rights Agency (FRA).

⁷ In the presence of two judges of the International Criminal Court (ICC).

Statements to the legislative "B" item set out in doc. 6670/26

Ad "B" item 12: Regulation on the protection of adults
General approach

STATEMENT BY THE CZECH REPUBLIC

The Czech Republic supports the objectives of the proposal for a Regulation on Protection of Adults as well as the text of the general approach. However, we consider that the final compromise text should have been more ambitious in order to better reflect current challenges and developments in cross-border judicial cooperation, particularly with regard to modernisation, digitalisation and enhancing competitiveness.

In this context, the Czech Republic especially regrets the deletion of Chapter VIII on the establishment and interconnection of protection registers. We consider this chapter to be fully consistent with the above-mentioned objectives and an important tool for improving efficiency and strengthening the cross-border protection of adults.

JOINT STATEMENT BY MALTA AND PORTUGAL

Malta and Portugal reiterate their support for the proposal and its objectives, particularly the strengthening of the autonomy of persons in situations of vulnerability. Nevertheless, they would have preferred a more ambitious compromise text which fully takes into account developments that have taken place since the entry into force of the 2000 Hague Convention, particularly in relation to supported decision making regimes.

In this context, Malta and Portugal would have welcomed a clearer and more explicit distinction between representation, protection and support in the operative part of the text, alongside a reference to exploring other community-based measures before considering institutional placements.

STATEMENT BY SPAIN

Spain shares the objective of the proposal for a Regulation, which is to improve treatment in cross-border cases involving adults with an impairment or insufficiency of their personal faculties.

However, **we cannot support the general approach**. We regret that the text is not sufficiently ambitious, and it is a missed opportunity to improve the right to autonomy for adults in these situations.

Firstly, it does not take sufficient account of the principles contained in the 2006 United Nations Convention on the Rights of Persons with Disabilities. Respect for such individuals' autonomy, their wishes and desires, and the dissemination of support measures are not sufficiently addressed in the text.

Secondly, regulating adult detention raises issues that will make its implementation and interpretation within the margins of legal certainty difficult. The same applies to the planned cost-sharing in cross-border cases. This has a particular impact on countries that receive large numbers of adults, such as Spain.

Statements to the legislative "A" items set out in doc. 6673/26

Ad "A" item 1: Mercosur bilateral safeguard Regulation *Adoption of the legislative act*

STATEMENT BY THE COMMISSION

In the Vision for Agriculture and Food, the Commission announced its plans to pursue a stronger alignment of production standards applied to imported products, notably on animal welfare and pesticides.

On pesticides, the Vision includes the principle that the most hazardous pesticides banned in the EU for health and environmental reasons should not be allowed back to the EU through imported products thus aiming to avoid a competitive disadvantage for EU farmers and the agri-food sector while responding to consumers' expectations. To move this forward, the Commission has launched a study on 25 November 2025 to prepare an impact assessment that will consider the impacts of this approach. In light of the results, and, if appropriate the Commission will propose amendments to the applicable legal framework. The preliminary study is expected to be concluded by summer 2026, and the next steps of the impact assessment will follow. While the EU's existing legislation already protects consumers and ensures all food placed on the market meets our high health and safety standards, the Commission remains committed to pursue closer alignment of production standards that apply to imported products, ensuring a level playing field for our farmers and producers and maintaining consumer protection.

In the meantime, the Commission has proposed under the Food and Safety Simplification Package proposal of 16 December 2025 to amend the current legislation to provide that, for substances that are not approved in the Union and that have certain particularly hazardous properties, Maximum Residue Levels (MRLs) may be set at zero if considered appropriate following the outcome of an impact assessment.

On animal welfare, the Commission has concluded on 17 December 2025 a public consultation on the revision of EU legislation for on-farm animal welfare for certain animals, including on whether and to what extent equivalent animal welfare standards should apply to imports of animals and animal products. Following the impact assessment, the Commission will proceed with relevant proposals.

Regarding import controls, the Commission announced on 9 December 2025 plans to step up and improve the audits carried out directly on the ground in all third countries, including food imports coming from Mercosur countries. The Commission will increase its export related audits in non-EU countries by 50% over the next 2 years, starting from 1 January 2026. The Commission will also step up the monitoring of non-compliant commodities and countries and adapt the frequency of checks to those accordingly. Additionally, the Commission will strengthen the level of controls within the EU, namely at the main entry points. In this regard, the Commission will perform a higher number of checks in Member States, to ensure that controls at the borders comply fully with EU standards, providing support Member States to properly carry out these checks. The Commission will set up a dedicated EU Task Force to make import controls more efficient, which will focus in particular on pesticide residues, food and feed safety and animal welfare and will consider coordinated EU monitoring action on imported products.

STATEMENT BY LATVIA

Latvia supports the Regulation implementing the bilateral safeguard clause of the EU-Mercosur Partnership Agreement and the EU-Mercosur Interim Trade Agreement for agricultural products. Latvia welcomes a swift provisional application of the EU-Mercosur agreement, considering it an important step in strengthening EU's trade diversification interests.

However, Latvia points out that the concerns expressed by EU farmers about the possible risks caused by the EU-Mercosur agreement must be taken seriously. It is essential to ensure that safeguard measures are applied effectively and without delay and that appropriate instruments are in place to provide immediate support to farmers coping with disturbances in agricultural markets. This is particularly important if, as a result of the agreement, imports from Mercosur cause difficulties (serious injury) to agriculture producers across the EU or within one or more Member States, including through loss of market share or reductions in income or prices.

STATEMENT BY HUNGARY

Given the significant sensitivities associated with the EU-Mercosur Partnership Agreement and the Interim Trade Agreement, Hungary deems it necessary to lay down procedures to guarantee the timely and effective implementation of safeguard measures for agricultural products. However, the Commission's proposal implementing the bilateral safeguard clause of the EU-Mercosur Agreement does not provide sufficient protection for smaller Member States, including Hungary.

The proposed regulation does not include the possibility to address market disruptions at regional level, as the Commission will examine the existence of serious injury or threat thereof only at EU level. This creates a situation where Member States with smaller markets, including Hungary, will not be able to enforce their rights under the regulation.

The bilateral safeguard clause included in the EU-Mercosur Agreement and the proposed regulation does not in itself provide adequate protection against cheaper imports from Mercosur countries, therefore additional guarantees are necessary.

Hungary made various proposals to improve the effectiveness of the regulation, however these proposals were not taken into account.

As the proposed regulation does not address our concerns in relation to the EU-Mercosur Agreement and does not provide adequate protection for our agriculture sector, Hungary cannot support the adoption of the regulation without modifications.

Ad “A” item 6: European Climate Law amendment
Adoption of the legislative act

STATEMENT BY FRANCE

France supports the provisional agreement reached in trilogue on 10 December 2025 on the revision of the European Climate Law, which reflects French priorities on climate ambition and European competitiveness and remains fully in line with the agreement reached in the Council by environment ministers on 5 November 2025.

It welcomes this as a major step forward in terms of Europe’s climate policy.

Nevertheless, France would like to draw attention to one aspect concerning the Emissions Trading System (ETS). In this regard, it reiterates the importance, already emphasised in recent months during negotiations, of protecting the integrity and effectiveness of the ETS by excluding the use of international credits for compliance within the trading system. Any clarification in this regard would therefore be welcome.

STATEMENT BY HUNGARY

Hungary cannot support the 90% net emission reduction target, therefore we cannot support the adoption of the legislation. Such a level of ambition is not compatible with the objective to strengthen Europe’s competitiveness and economic resilience. Without realistic and effective enabling conditions, there is a serious risk that European companies will relocate their production and emissions outside the Union, leading to deindustrialisation, job losses and increased dependence on external actors, while at the same time undermining emission reduction efforts.

The proposal is not underpinned by an updated impact assessment that would reflect recent major geopolitical and economic developments. No Member State-level analysis has been presented, which means the differentiated impacts on Member States remain unknown. The situation is therefore similar to the adoption of the Fit for 55 package, the European economy needs to adapt to climate measures, and not vice versa.

Although we support climate ambition, we call for a realistic, down-to-earth approach and we believe the wise choice would be to start from a lower target level, reflecting our economic realities. Our commitment to ambition is also demonstrated by our achievements, Hungary has already achieved 48% net emission reduction compared to 1990, well above the EU average. At the same time, a number of Member States have not made comparable progress, raising the question how the collective target can be met in a fair and balanced way. We all bear responsibility for our citizens. In that sense we urge that Member States who with their votes drew the attention of the Council to the unfeasibility of the 90% target should not be held liable for an eventual failure of the 2040 EU target. Early achievements should be duly recognised in the upcoming framework.

Furthermore, given the significant uncertainties in the LULUCF sector and the rate of uptake of technological carbon removals, it is not appropriate to base binding net emission reduction target on assumptions about sinks.

Although we note some improvements in the compromise text, particularly on the revision/review clause, these changes remain insufficient. There are still many open questions regarding the methodology, implementation and robustness of the framework.

Furthermore, measures such as ETS2 are expected to aggravate the situation by raising costs for households and small businesses, risking social backlash and diminishing public support for climate policy, while it does not lead to significant emission reductions. Although we appreciate the postponement of the introduction of ETS2 by one year, it does not diminish the significant negative impacts it poses on our households and small businesses. Further adjustments would be needed within the upcoming ETS review.

Finally, we regret that the negotiations of such a fundamental file were conducted under considerable time pressure, which is not appropriate for a decision of such long-term strategic importance. A balanced, evidence-based and credible approach is necessary to ensure that the 2040 framework remains realistic, socially acceptable and consistent with Europe's competitiveness objectives.

STATEMENT BY MALTA

Malta remains steadfast in its support for the Union's collective climate goals. However, the implementation of the European Climate Law must reflect a fundamental reality: our unique geographical context and our already low-emissions starting point.

Malta maintains that the Climate Law should distinguish the specific realities of Island Member States to ensure that future climate targets remain fair, proportionate, and consistent with the EU's commitment to a Just Transition.

As a small island nation, our status is not a temporary hurdle but a permanent structural reality that dictates our capacity to decarbonize, often at a different pace than mainland Europe.

To ensure success, any post-2030 framework must be grounded in robust, localized Member state-level impact assessments that recognize these differentiated starting points. Without a calibrated approach that respects national specificities, particularly Malta's reliance on aviation and shipping, where emissions are predominantly international but the resulting costs and compliance pressures are felt domestically, effort allocation risks becoming detached from genuine abatement potential. Such a disconnect would create a burden that is neither cost-effective nor equitable.

Malta welcomes the Climate Law's emphasis on flexibility, this must serve as the operational backbone of the 2040 framework rather than a mere theoretical concept. For small island states, flexibility is the essential bridge between high ambition and practical feasibility. We require a credible pathway that effectively manages overlaps between regulatory instruments to prevent a cumulative burden on the same core sectors.

Finally, a fair contribution requires equitable access to funding. Because current EU financial instruments often favour large-scale infrastructure, small markets and smaller-scale projects are left at a structural disadvantage. Malta calls for tailored finance mechanisms that are truly accessible to small island economies, ensuring our transition is supported by investment that fits our scale.

STATEMENT BY POLAND

Poland welcomes the elements introduced into the European Climate Law during negotiations at our request. Many Polish proposals were included in the final text of the ECL, allowing for a design of the 2040 target that is less burdensome for the economy. In particular, we positively assess:

- **the postponement of the launch of ETS2**, which we consider an unnecessary instrument for Member States such as Poland, which are already effectively decarbonizing the buildings and transport sectors through national policies tailored to the local challenges and realities. The additional time, complemented by the earlier release of the funds from the Social Climate Fund, is aligned with Poland's proven approach, which promotes emissions reductions in a socially acceptable way, based on incentives rather than penalties at the national level.

- **the introduction of strong review clauses**, creating a clear link between the level of climate ambition and the situation of the European industry, energy security, and the rapidly changing geopolitical environment.
- **the possibility to use up to 10% of international offsets** in meeting the EU's 2040 target, which constitutes an important cost-flexibility instrument, particularly for traditional industrial sectors facing high ETS costs. Poland welcomes the European Commission's initiative to enable the use of such offsets within the EU ETS.
- **the announcement to reduce climate burdens for the strategic defense industry**, aimed at maintaining its production capacities in a cost-effective manner under the current high geopolitical uncertainty and direct threat from Russia.

At the same time, Poland underscores that our key demand: adjusting the overall level of ambition to the real capabilities of the EU economies, has not been met. A 90% emissions reduction target by 2040 in the European Union is, in our view, impossible to achieve without seriously undermining the competitiveness of the EU strategic industrial sectors, or even leading to their complete elimination. This entails consequences for security, economic growth, and the labour market. Poland cannot support a level of ambition that harms both the Polish and the EU economies and undermines our competitiveness on the global stage.

Poland will continue to engage actively and constructively in the next stages of the decision-making process on the EU's post-2030 climate policy framework, working closely with the Member States that share our priorities. Our goal remains to ensure that the transition is socially acceptable and fair, while genuinely strengthening the competitiveness, security, and resilience of the European economy.

STATEMENT BY FINLAND

Finland supports the final compromise on the amendment of the European climate law. Finland also strongly supports the intermediate EU-level 2040 climate target of 90 % net emission reductions, which provides long-term investment certainty for our businesses. Clean transition towards 2050 climate neutrality is an opportunity for innovation and economic growth.

The 90 % net emission reduction target needs to be implemented by clear, effective and cost-efficient post-2030 legislative framework.

To this end, Finland is of the view that international credits under Article 6 of the Paris agreement should not be used for ETS compliance. EU ETS needs to steer emission reductions and the up-take of technical solutions driving further emission reductions, such as technical sinks, within the EU. Possibility to use Article 6 credits for compliance in the EU ETS might hinder the achievement of these goals.

STATEMENT BY THE COMMISSION

The Commission recalls that the right of initiative accorded to it under the Treaties includes the right to decide whether or not to submit a legislative proposal and, as the case may be, to determine the subject-matter, objective, content and timeline of such proposal and/or related action. The provisions of the Regulation which request the Commission to prepare proposals must thus be understood as being without prejudice to the Commission's right of initiative under the Treaties.
