Council of the
European Union

Brussels, 29 April 2026
(OR. en, de, hr, hu, sk, sl)

8406/26
PV CONS 22
RELEX 538
*PARLNAT*

**DRAFT MINUTES**

COUNCIL OF THE EUROPEAN UNION
(Foreign Affairs)

21 April 2026

**1. Adoption of the agenda**

The Council adopted the agenda set out in document 7936/26.

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

**a) Non-legislative list** 7938/26

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 ADD 1 to this document.

**b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)** 7939/26

## Justice and Home Affairs

**1. Directive on combating corruption** 1 C 7901/1/26 REV 1 + REV 1 ADD 1
*Adoption of the legislative act* PE-CONS 1/26
approved by Coreper, Part 2, on 15.4.2026 COPEN

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 82(1), point (d), and Article 83(1) and (2) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark did not participate in the vote.

A statement by Germany is set out in the Annex.

## Agriculture

**2. Regulation on plants obtained by certain new genomic techniques and their food and feed products** 1 C 7616/2/26 REV 2 + ADD 1
*Adoption of the Council's position at first reading and of the statement of the Council's reasons* 17037/25 + ADD 1 + ADD 1 COR 1
approved by Coreper, Part 1, on 15.4.2026 AGRI

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 Croatia, Hungary, Austria, Romania, Slovenia and Slovakia voting against and Belgium, Bulgaria and Germany abstaining (legal basis: Article 43, Article 114 and Article 168(4), point (b), TFEU).

Statements by Austria, Croatia, Hungary, Slovakia, Slovenia and the Commission are set out in the Annex.

3. **Regulation on the production and marketing of forest reproductive material** 1C 7617/26+ ADD 1
17102/25 + ADD 1
AGRI
*Adoption of the Council's position at first reading and of the statement of the Council's reasons*
approved by Coreper, Part 1, on 15.4.2026

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 Germany, Austria and Slovakia voting against and Slovenia abstaining (legal basis: Article 43(2) TFEU).

Statements by Slovakia and Slovenia are set out in the Annex.

**Transport**

4. **Regulation on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010** 1C 8021/1/26 REV 1
+ REV 1 ADD 1
16833/25 + ADD 1
+ ADD 1 COR 1
TRANS
*Adoption of the Council's position at first reading and of the statement of the Council's reasons*
approved by Coreper, Part 1, on 15.4.2026

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 (legal basis: Article 91 TFEU).

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

**Non-legislative activities**

3. Current affairs

4. Russia's war of aggression against Ukraine[1*]
*Exchange of views*

5. Situation in the Middle East*
*Exchange of views*

6. South Caucasus*
*Exchange of views*

[1] In the presence of the Minister of Foreign Affairs of Ukraine (via videoconference).
[*] Without electronic devices.

7. Sudan
*Exchange of views*

8. Any other business

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| a) | Russian attack on UNESCO heritage in Lviv, in light of the Venice Biennale 2026<br>*Information from Latvia* | 8179/26 |
| b) | Belarus' actions against the European Humanities University<br>*Information from Lithuania* | 8322/26 |
| c) | Visit of the Belgian Minister of Foreign Affairs to the Western Balkans region<br>*Information from Belgium* | 8324/26 |

## Statements to the legislative "A" items set out in doc. 7939/26

**Ad "A" item 1:** **Directive on combating corruption**
*Adoption of the legislative act*

**STATEMENT BY GERMANY**

'With reference to Article 4 of the Directive on combating corruption, Germany declares that the term 'in the course of economic, financial, business or commercial activities' in Article 4 of the Directive on combating corruption, replacing Council Framework Decision 2003/568/JHA and the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and amending Directive (EU) 2017/1371 of the European Parliament and of the Council, should be interpreted as referring to operations in relation to the purchase of goods or commercial services.'

**Ad "A" item 2:** **Regulation on plants obtained by certain new genomic techniques and their food and feed products**
*Adoption of the Council's position at first reading and of the statement of the Council's reasons*

**STATEMENT BY AUSTRIA**

'In principle, Austria recognises the possible potential of new genomic techniques (NGT). They are, however, also associated with potential risks.

Austria welcomes the fact that it is still possible to opt out of the cultivation of category 2 NGT plants. However, key concerns raised repeatedly by Austria have not been addressed in the final text. These concerns are set out below.

– In Austria's view, not carrying out a risk assessment for category 1 NGT plants and products is contrary to both the precautionary principle and the Cartagena Protocol.

– Furthermore, Austria is of the opinion that consumers have a right to information and freedom of choice. The absence of a labelling requirement for products from category 1 NGT plants (with the exception of plant reproductive material) significantly limits that freedom of choice and we therefore consider it unacceptable.

– Austria expressly welcomes the proposed ban on the use of NGT plants and their products in organic farming. However, this raises the question of how it can be implemented without the labelling of products from category 1 NGT plants, including animal feed, without incurring substantial additional costs for those in the agricultural sector.

– The possibility for NGT plants to be patented raises concerns that this could have a negative impact on small and medium-sized breeding companies, potentially forcing them out of the market. In Austria's view, the transparency provisions regarding patents included in the final text neither address the fundamental concerns surrounding this issue nor provide legal certainty.

– Austria believes that the equivalence criteria set out in Annex I do not have a scientific basis. Despite concerns having been expressed repeatedly, no scientific justification has been provided to date as to why those criteria should be equivalent to conventional breeding. Austria would also like to point out that Annex I deviates significantly from the Council's negotiating mandate with regard to the equivalence criteria, in particular concerning the fact that genetic modifications in introns and regulatory sequences are exempt from the established upper limit. In Austria's view, this would have required further discussion prior to the final vote on the text.

In light of the above, Austria cannot agree to the adoption of the Regulation.'

**STATEMENT BY CROATIA**

'The Republic of Croatia reiterates its position that the proposal for a Regulation of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625 should be duly considered from three main standpoints: agriculture, environment and health. It is also necessary to take account of public opinion and to ensure adequate protection for consumers and their right to 'freedom of choice'.

The Republic of Croatia supports a decision-making process based on scientific knowledge and the assessment of potential benefits. At the same time, it is necessary to safeguard a high level of protection of human health, animal health and the environment, while protecting sustainable agriculture and food production.

The Republic of Croatia would like to highlight the following fundamental concerns, which it also raised during the negotiations on the text:

1. In accordance with the principle of subsidiarity, Member States should be allowed to decide to restrict or prohibit the cultivation of NGT plants on their territory.

2. The precautionary principle is not adequately guaranteed in respect of consumer protection, labelling and the traceability of all NGT products.

3. There are no measures in place to prevent potential environmental contamination by NGT plants and no compensation mechanisms in case of harm, especially in relation to organic production.

Therefore, the Republic of Croatia cannot support the adoption of the Regulation on plants obtained by certain new genomic techniques and their food and feed as these elements have not been satisfactorily addressed.'

**STATEMENT BY HUNGARY**

'Hungary considers innovation in agriculture important, including the use of new technologies capable of addressing key challenges such as climate change, food security and sustainability. With regard to new genomic techniques, we recognise the need to establish a clear, transparent and robust legal framework to ensure that the use of organisms created by these new techniques does not pose a risk to the environment, human and animal health, and takes due account of the interests of both consumers and producers.

During the discussion on the draft over the past three years, Hungary has taken the view that the draft is conceptually flawed, as it does not take into account the newly created properties of the plants and/or their potential risks when separating plants into categories NGT1 and NGT2, but only discriminates on a molecular basis, based on the type, extent and number of modifications. Hungary has always expressed concerns about the draft and has consistently called for the inclusion of the following key elements in the regulatory proposal:

– Consideration of the precautionary principle and the use of a case-by-case approach, ensuring that all NGT plants undergo a scientific risk assessment before being placed on the market;

– Mandatory labelling of all NGT products to ensure traceability and guarantee consumers' right to make an informed choice;

– Ensuring compliance with Hungary's international treaty obligations;

– Consideration of the principle of subsidiarity, ensuring Member States' freedom of choice for all NGT plants;

As the final text of the draft does not adequately address the concerns we have raised, Hungary cannot support its adoption.'

**STATEMENT BY SLOVAKIA**

'We appreciate the progress made in drafting the Regulation, yet, due to the fact that the Slovak Republic still has reservations regarding Category 1 NGT plants, particularly because the draft Regulation does not allow for the labelling of Category 1 NGT plants and their products across the entire production chain, thereby limiting the consumer's right to make an informed decision, the Slovak Republic has decided to vote against the draft Regulation.'

**STATEMENT BY SLOVENIA**

'Slovenia considers that the agreement on the proposal for a Regulation on plants obtained by certain new genomic techniques and their food and feed does not adequately address a number of key issues, in particular concerning risk assessment, labelling, traceability, the availability of analytical methods, and Member States' autonomy in decision-making and in respect of conditions of production.

Slovenia underlines that the current lack of appropriate control tools, together with the possibility of unintended genetic modifications, necessitates the application of the precautionary principle and a thorough risk assessment to prevent potential adverse effects on human or animal health, on the environment or on agricultural production.

In view of the above, Slovenia cannot support the agreement and is unable to agree to the proposed Regulation in its present form, and wishes to emphasise that innovation must be introduced in a responsible manner, on the basis of sound scientific evidence, and in a way that protects the environment and preserves freedom of choice.'

**STATEMENT BY THE COMMISSION**

'The European Commission reiterates its full commitment to protecting the functioning of the internal market and the plant breeding sector, in particular small and medium-sized enterprises (SMEs).
To this end, in accordance with the provisions of the compromise agreement, the Commission recalls the following measures included in the text to be adopted by the Council as its position at first reading:

1. The Commission will closely monitor the impact of the NGT regulation on SMEs in the European seed sector, with the objective to avoid that the development of NGT plants, and in particular their patenting, leads to negative impacts on the plant breeding market, such as the exclusion of SMEs.
2. The Commission will oversee the drawing up of a code of conduct which will be ready as soon as possible and no later than 6 months before entry into application of the regulation.
3. The Commission will assess the functioning of licensing platforms and their use by the seed sector, to ensure transparency on patents and facilitated access to licences for SMEs under fair and reasonable conditions.
4. The Commission will ensure that SMEs have access to support and guidance on patent matters relating to plants, in order to balance the relations between different players in the plant breeding market.

5. The Commission will fulfil all its reporting obligations, which include a report on the implementation of the regulation every 5 years (Article 32(1)), an assessment of the impact of the regulation (Article 32(3)), an assessment of the impact of NGT plant patenting practices (Article 31(4)), and a report on the functioning of the code of conduct every 5 years (Article 30(7)).
6. As part of its assessment under Article 31(4), the Commission will consider the appropriateness of updating or supplementing its interpretative notice 2016/C 411/03 on certain articles of Directive 98/44/EC on the legal protection of biotechnological inventions. In particular, the Commission will assess whether it would be appropriate and legally feasible to further precise and clarify the patentability criteria for inventions relating to plant genetic information, the concept of essentially biological processes and the conditions for compulsory cross-licensing set out in Article 12 of that Directive, without prejudice to the legal framework provided for in the Directive and in full compliance with the international commitments of the EU.
7. In the event that the system is not functioning smoothly, in particular as regards SMEs, the Commission will consider, where appropriate, the establishment of mandatory conditions or safeguards as part of the review clause provided for in Article 31(10), in full compliance with the international commitments of the EU.'

**Ad "A" item 3:** **Regulation on the production and marketing of forest reproductive material**
*Adoption of the Council's position at first reading and of the statement of the Council's reasons*

**STATEMENT BY SLOVAKIA**

'Slovakia supports the aim of the draft Regulation to contribute to strengthening the sustainability, adaptive capacity and resilience of the European Union's forests by improving the quality and availability of forest reproductive material, while also promoting related innovations, particularly in the context of climate change. We therefore view this proposal as necessary.

However, as regards the possible impacts of the final compromise proposal that emerged from the inter-institutional negotiations on the competitiveness of the EU's forestry sector, Slovakia maintains its position that the inclusion of forest reproductive material in the scope of the Official Controls Regulation (OCR) raises fundamental questions regarding the proportionality of such a solution given the size and specificities of the forest reproductive material sector. As an example of this specific situation in the forestry sector, we would note the following: Unlike in the veterinary, food, and agricultural sectors, the consequences of using unsuitable reproductive material in forest regeneration may only become apparent later, often after many years.

At the same time, we believe that such a solution could disproportionately increase the administrative and financial burden on both the competent authorities and professional operators, and necessitate significant changes to the legal and institutional framework at the national level, with a particular impact on small Member States.'

**STATEMENT BY SLOVENIA**

'Slovenia considers that while the agreement reached in the trilogue negotiations on the proposal for a Regulation on forest reproductive material has brought some improvements, a number of important issues have not been adequately addressed.

In particular, Slovenia underlines the need for clearer and more robust provisions on uniform application of the rules across the internal market in order to avoid divergence in implementation between Member States, which could undermine fair competition and traceability. Particular attention should be paid to the role of competent authorities in issuing official certificates, and to the possibility for Member States to maintain effective national control mechanisms, taking into account the sector-specific circumstances.

Slovenia also underlines that the approach to official controls requires further fine-tuning to appropriately reflect the specific characteristics of the forest sector. While the introduction of a risk-based approach may offer greater flexibility, it must be underpinned by adequate safeguards to ensure a uniform level of control across the Union and to avoid unequal treatment of operators.

Furthermore, Slovenia has concerns about the provisions on the quality of forest reproductive material, in particular in relation to certain deficiencies being allowed - including the presence of pests - provided that no adverse effect on quality is demonstrated. In this context, Slovenia considers it essential to strengthen the safeguards relating to biosafety, forest health and prevention of long-term risks, especially given the irreversible nature of the impact on forest ecosystems.

Notwithstanding these concerns, Slovenia acknowledges that the agreement does contain some positive elements, in particular the voluntary nature of national contingency plans, the condition of participation in the OECD scheme on forest reproductive material applicable to imports from third countries, and the inclusion of a five-year transitional period.

In the light of the above, Slovenia underlines that further improvements to the text are needed to ensure a high level of protection of forest genetic resources, legal certainty for operators, and a level playing field in the internal market, while fully taking into account the specific characteristics of the forest sector; therefore, Slovenia will abstain from voting.'

**Ad "A" item 4:** **Regulation on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010**
*Adoption of the Council's position at first reading and of the statement of the Council's reasons*

**STATEMENT BY THE COMMISSION**

'The Commission has stated its intention to assess the synergies that exist between the tasks and competences of the European Union Agency for Railways (ERA) established in the framework of its current mandate under Regulation (EU) 2016/796 of the European Parliament and of the Council and the requirements for implementation of this Regulation with a view to seek ERA's support in activities related to the preparatory work for secondary legislation and to performance monitoring. The Commission notes in this respect that data collected and monitored by ERA within its current mandate, as well as ERA's tools of analysis, can also be used to monitor the capacity use, to assess the railway sector performance, and to support the preparation of secondary legislation, thereby avoiding duplications of data collection, storage, and tools for analysis, in a spirit of simplification and better regulation.'