



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 12 November 2013
(OR. en)**

**15230/13
ADD 1**

PV/CONS 53

DRAFT MINUTES

Subject: **3268th** meeting of the Council of the European Union (**GENERAL AFFAIRS**) held in Luxembourg on 22 October 2013

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"A" ITEMS (doc. 14932/13)

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

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

Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (EUROSUR) [First reading] (LA+S)

PE-CONS 56/13 FRONT 86 COMIX 390 CODEC 1550

+ REV 1 (de)

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, the Spanish delegation voting against, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. In accordance with the relevant Protocols annexed to the Treaties, the Danish, Irish and the United Kingdom delegations did not participate in the vote (Legal basis: Article 77(2)(d) of the TFEU).

Statement by the Council

"EUROSUR will contribute to improving the protection and the saving of lives of migrants. The Council recalls that search and rescue at sea is a competence of the Member States which they exercise in the framework of international conventions."

Statement by Spain

"Spain endorses the establishment of a European Border Surveillance System (EUROSUR) for the exchange of information and cooperation between the Member States and FRONTEX for the purpose of detecting, preventing and combating illegal immigration and cross-border crime, contributing to ensuring the protection, and saving the lives, of migrants.

Since 2008, Spain has been working on the pilot project designed to improve situational awareness and increase reaction capability at its external borders.

Nevertheless, Spain cannot vote in favour of the text of the Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (PE-CONS 56/13) since, as that Regulation constitutes a development of Schengen, its Article 19 and recital 16 concerning the participation of Ireland and the United Kingdom contravene Protocol No 19 on the Schengen acquis integrated into the framework of the European Union."

Statement by Greece

"Greece is working since 2008 in the pilot project of EUROSUR and has always contributed constructively during the negotiations in the Council, supporting the establishment of a European border surveillance system. Greece will continue its constructive approach during the operational phase of the system, as well.

From the beginning of the discussion, Greece has expressed its concerns regarding Art. 10(2) c) of the text, that indirectly refers to the Schengen Evaluation Mechanism, causes duplication and conflicts of competence between different legislative texts. Nevertheless, Greece is convinced that the operational phase of the system is a matter of priority. At the same time it will allow Member States to share operational information, to improve cooperation and to contribute to the protection and saving of lives of migrants. Thus Greece votes in favour of this Regulation."

NON LEGISLATIVE ACTIVITIES - ADOPTIONS

(in accordance with Article 9(1) of the Council's Rules of Procedure)

13. Council Directive laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption

7445/3/13 REV 3 ATO 30 ENV 202 SAN 218

+ REV 4 (es)

+ REV 5 (nl, sk)

+ REV 6 (mt)

The Council adopted the above Directive (Legal basis: Articles 31 and 32 of the Treaty establishing the European Atomic Energy Community).