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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft Regulation of the European Parliament and of the Council on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA
(First reading) (LA + S)
- Adoption
(a) of the Council's position
(b) of the statement of the Council's reasons

1. On 10 April 2013 the Commission sent the above proposal ¹, based on Article 88 and point (b) of Article 87(2) TFEU ^{2 3 4}, to the Council.

¹ 8229/13.

² In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, Ireland has notified its wish to take part in the adoption and application of this Regulation.

³ In accordance with Articles 1 and 2 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, and without prejudice to Article 4 of that Protocol, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

⁴ In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

2. The European Data Protection Supervisor delivered his opinion on 31 May 2013 ⁵.
3. The European Parliament adopted its position at first reading on 25 February 2014 ⁶.
4. At its 3433rd meeting on 3 December 2015, the Council (Justice and Home Affairs) reached political agreement on the Council's position at first reading on the above Regulation ⁷.
5. The Permanent Representatives Committee is asked to suggest that the Council:
 - adopt, as an 'A' item at a forthcoming meeting, the Council's position at first reading as set out in 14957/15 and the statement of reasons as set out in 14957/15 ADD 1;
 - order that the statements in the addendum to this note be entered in the minutes of that meeting.

⁵ 10468/13.

⁶ 6745/1/14 REV 1.

⁷ In accordance with the letter of 30 November 2015 sent by the Chair of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs to the Chair of Coreper, the European Parliament should, at second reading, approve the Council's position at first reading without amendment.