Council of the European Union

Brussels, 18 September 2017
(OR. fr)

11655/17

Interinstitutional File:
2013/0304 (COD)

CODEC 1309
CORDROGUE 106
DROIPEN 110
JAI 737
SAN 309

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft Directive of the European Parliament and of the Council amending Council Framework Decision 2004/757/JHA in order to include new psychoactive substances in the definition of 'drugs' and repealing Council Decision 2005/387/JHA of the Council **(First reading)** - Adoption of the Council's position at first reading and of the statement of the Council's reasons

1. On 17 September 2013 the Commission sent the Council the above proposal[1], based on Article 83(1) TFEU[2][3][4].

2. The European Parliament adopted its position at first reading on 17 April 2014[5].

1 13865/13.
2 In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland, Ireland has notified its wish to take part in the adoption and application of this Directive.
3 In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland, the United Kingdom is not taking part in the adoption of this Directive 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 Directive and is not bound by it or subject to its application.
5 9046/14.

3. At its 3552th meeting on 20 June 2017, the General Affairs Council reached a political agreement on the Council's position at first reading on the above Directive[1].

4. The Permanent Representatives Committee is invited to suggest that the Council:

   - adopt the Council's position at first reading, as set out in 10537/17 and the statement of reasons as set out in 10537/17 ADD 1, as an 'A' item at a forthcoming meeting, with the Austrian delegation voting against;

   - order that the statement in the addendum to this note be entered in the minutes of that meeting.

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[1] In accordance with the letter 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.