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'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 on procedural safeguards for children who are suspects or accused persons in criminal proceedings **(first reading)** - Adoption of the legislative act **(LA)**

1. On 28 November 2013 the Commission sent the above proposal[1], based on Article 82(2)(b) TFEU[2] [3], to the Council.

2. The European Economic and Social Committee delivered its opinion on 25 March 2014[4]. The Committee of the Regions was consulted.

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1 17633/13.

2 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.

3 In accordance with Articles 1 and 2 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 the said Protocol, the United Kingdom and Ireland are not taking part in the adoption of this Directive and are not bound by it or subject to its application.

4 OJ C 226, 16.7.2014, p. 63.

3. The European Parliament adopted its position at first reading on the Commission proposal on 9 March 2016. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council[5].

4. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council approve the European Parliament's position, as set out in PE-CONS 2/16, as an 'A' item at a forthcoming meeting, with the Italian delegation abstaining.

   If the Council approves the European Parliament's position, the legislative act will be adopted.

   After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

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[5] 6839/16.