



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 28 February 2012**

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**Interinstitutional File:  
2010/0361 (NLE)**

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**6531/12  
ADD 1**

**AUDIO 19  
MI 102  
TELECOM 31  
CATS 9  
COJUR 6**

**ADDENDUM TO “I/A” ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee (Part 1) / COUNCIL  
No. Cion prop.: 18126/10 AUDIO 56 MI 561 TELECOM 156  
Subject: Proposal for a COUNCIL DECISION on the conclusion, on behalf of the Union,  
of the European Convention on the Legal Protection of Services based on, or  
consisting of, Conditional Access  
*- Request by the Council for the consent of the European Parliament*

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The Council took note of the following statement from the United Kingdom:

*The United Kingdom Government fully supports the principles underlying the Convention,  
and the Decisions authorising the signature and conclusion of the Convention which will  
extend formal cooperation on enforcement of conditional access provisions between  
European countries to include those which have signed the Council of Europe Convention as  
well as those which are Members of the EU.*

*The United Kingdom Government wishes, without in any way diminishing that support, to record its view that, even in the absence of the citation of a legal base in TFEU Title V, the European Union's competence to enter into the JHA obligations in Article 8 of the Convention which concern cooperation in investigations and judicial proceedings (save insofar as those obligations relate to Article 6 of the Convention and are being entered into by the Member States) derives from TFEU Title V and accordingly the United Kingdom will be bound by virtue of the fact that it has exercised its opt-in under Protocol No 21 to the TEU and TFEU.*

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