



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 16 November 2012**

**16290/12**

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**Interinstitutional File:  
2011/0154 (COD)**

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**NOTE**

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From : Presidency  
To : JHA Counsellors

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Subject : Proposal for a Directive of the European Parliament and of the Council on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest [First reading]  
- Information from the Presidency

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In view of the proceedings at the 3rd Trilogue on 8 November 2012, the Presidency met on 14 November 2012 with rapporteur Mrs Oana Antonescu in order to discuss the progress of the file. During the meeting, Mrs Antonescu expressed that the negotiating team of the European Parliament is not ready at present to continue with the negotiations on the file, requiring more time to examine all documentation and to establish its position on the various issues.

In light of this, the 4th Trilogue – which was scheduled for 22 November 2012 – as well as the meetings in the Council that were planned on this file, will not take place. Instead, a meeting between the Parliaments' negotiating team, the Commission and the Presidency will be organised to take stock of the progress made so far. The Presidency intends to submit a report to the JHA Council in December in order to inform delegations about the state of play of the file and about the work that has been carried out during its term in office.