



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 28 January 2014

5576/14

Interinstitutional File:
2013/0083 (NLE)

UD 20
GENVAL 4
CRIMORG 3
ENFOPOL 14
MI 64
COARM 17

"I/A" ITEM NOTE

from:	General Secretariat
to	Permanent Representatives Committee/Council
No. Cion prop.:	7933/13 GENVAL 19 CRIMORG 49 ENFOPOL 90 MI 242 + COR 1 + COR 2
No. previous doc.:	12165/13 UD 178 GENVAL 49 CRIMORG 99 ENFOPOL 235 MI 626 COARM 112
Subject:	Adoption of a Council Decision on the conclusion, on behalf of the European Union, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

1. On 22 March 2013, the Commission submitted to the Council the above proposal, which aims at:
 - approving, on behalf of the European Union, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime;

- authorising the President of the Council to designate the person empowered to deposit, on behalf of the European Union, the instrument of approval¹.

The proposal is based on Articles 114 and 207(4) first subparagraph in conjunction with Art. 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

2. At its meeting on 18 June 2013, the Working Party on Customs Union reached an agreement on an amended version of this proposal, as set out in doc. 12321/13.
3. On 25 June 2013, the UK Representation to the EU communicated to the President of the Council the United Kingdom's formal notification, in accordance with Art. 3(1) of the Protocol No 21 to the Treaties on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, that it intends to take part in the adoption and application of the Council Decision.
3. On 23 September 2013, in accordance with Article 218(6) of the TFEU, the Council² decided to transmit the draft decision, as laid down in doc. 12324/13 UD 187 GENVAL 52 CRIMORG 101 ENFOPOL 241 MI 642 COARM 116 to the European Parliament for its consent. On 10 December 2013, the Parliament voted its consent to the conclusion of the agreement.
4. The Permanent Representatives Committee could therefore invite the Council to:
 - confirm the agreement reached by the Working Party;
 - adopt the Council Decision as set out in doc. 12324/13 UD 187 GENVAL 52 CRIMORG 101 ENFOPOL 241 MI 642 COARM 116 (text finalised by the legal/linguistic experts) as an item without discussion at one of its forthcoming meetings.

¹ In accordance with Council Decision 2001/748/EC (OJ L 280 of 24.10.2001, p.5), the Protocol was signed on 16 January 2002, subject to its conclusion at a later date.

² Doc. 12165/13 UD 178 GENVAL 49 CRIMORG 99 ENFOPOL 235 MI 626 COARM 112