



Council of the  
European Union

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**'I/A' ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft Directive of the European Parliament and of the Council on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings (**first reading**)  
- Adoption of the legislative act (**LA + S**)  
= statement

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**Statement by Poland**

Poland does not support the so-called “compromise” presented for adoption at the Council meeting on 13 October 2016. We feel that an appropriate compromise taking due account of the interests of both Member States and suspected and accused persons was expressed in the general approach text adopted by the Council in February 2015. The present draft is in fact an unwarranted concession to the European Parliament and made by it without regard to the overall impact of this document and its internal consistency. Poland cannot in particular support the extension of the draft directive beyond its intended scope of temporary legal aid, the exclusion of specific provisions relating to less serious offences and the obligation to provide legal aid in the state issuing an EAW.