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NOTE

From: Presidency
To: Council

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Subject: Draft Regulation implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office
- Draft Council Declarations

The following two declarations will be inserted in the minutes of the Council on 8-9 June 2017:

1. Declaration by the Council and the Commission on Article 49(6) - Budget

“The Council and the Commission declare that the application of the financing mechanism provided for in Article 11 of the Making Available Regulation 609/2014 does not set a precedent for future possible measures undertaken within the procedure of enhanced cooperation.”

2. Declaration by the Council on Article 59a - Relations with Member States which do not participate in the enhanced cooperation on the establishment of the EPPO

“The Council invites the Commission to submit appropriate proposals in order to ensure effective judicial cooperation in criminal matters between the EPPO and all Member States of the European Union which do not participate in enhanced cooperation on the establishment of the EPPO.

This should in particular concern the rules relating to judicial cooperation in criminal matters and surrender, fully respecting the Union *acquis* in this field as well as the duty of sincere cooperation (Article 4(3) TEU).

The date on which the EPPO should exercise its competence should not be affected by the submission of any proposals from the Commission.”