



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 November 2013

17051/13

**Interinstitutional File:
2012/0259 (NLE)**

**UD 322
AELE 73**

"I/A" ITEM NOTE

from:	General Secretariat
to	Permanent Representatives Committee/Council
No. Cion prop.:	12605/13 UD 192 SAN 285 COPEN 111 DROIPEN 91
No. previous doc.:	13638/1/13 REV 1 UD 233 SAN 336 COPEN 132 DROIPEN 105
Subject:	Adoption of a Council Decision on the signing, on behalf of the European Union, of the Protocol to Eliminate Illicit Trade in Tobacco Products to the World Health Organisation's Framework Convention on Tobacco Control, with the exception of its provisions on obligations related to judicial cooperation in criminal matters, the definition of criminal offences and police cooperation

1. On 18 July 2013, the Commission submitted to the Council the above proposal, which aims at authorising the signing of the Protocol to Eliminate Illicit Trade in Tobacco Products to the World Health Organisation's Framework Convention on Tobacco Control, with the exception of its provisions on obligations related to judicial cooperation in criminal matters, the definition of criminal offences and police cooperation. The proposal is based on Articles 33, 113, 114 and 207 (4), first subparagraph, in conjunction with Article 218(5) and the second subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union.

2. The Working party on Customs Union examined the draft Decision at its meetings on 2 September, 15 October and 6 November 2013, where an agreement was reached on an amended text prepared by the Presidency. ¹

 3. Since agreement on the text has been reached, the Permanent Representatives Committee could:
 - confirm the agreement reached within the Working Party; and

 - invite the Council to adopt the draft Decision, as set out in doc. 14929/13 UD 262 SAN 392 COPEN 154 DROIPEN 121 (text revised by the legal-linguistic experts), as an item without discussion at one of its forthcoming meetings.
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¹ As laid down in doc. 13638/1/13 REV 1 UD 233 SAN 336 COPEN 132 DROIPEN 105