



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 3 December 2013**

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**Interinstitutional File:  
2013/0260 (NLE)**

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**17054/1/13  
REV 1**

**UD 323  
AELE 74**

**"I/A" ITEM NOTE**

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from:	General Secretariat
to	Permanent Representatives Committee/Council
No. Cion prop.:	12606/13 UD 193 SAN 286 COPEN 112 DROIPEN 92
No. previous doc.:	13637/3/13 REV 3 UD 232 SAN 335 COPEN 131 DROIPEN 104
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, as regards its provisions on obligations related to judicial cooperation in criminal matters, the definition of criminal offences and police cooperation

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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, as regards 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 82(1), 83 and 87 (2), in conjunction with Article 218(5) 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. <sup>1</sup>
3. Since agreement on the text has been reached, the Permanent Representatives Committee could:
- confirm the agreement reached within the Working Party;
  - invite the Council to adopt the draft Decision, as set out in doc. 14711/13 + COR 1 UD 257 SAN 391 COPEN 153 DROIPEN 120 (text revised by the legal-linguistic experts), as an item without discussion at one of its forthcoming meetings;
  - invite the Council to enter the statements laid down in doc. 14711/13 + ADD 1 UD 257 SAN 391 COPEN 153 DROIPEN 120 into its minutes.
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<sup>1</sup> As laid down in doc. 13637/3/13 REV 3 UD 232 SAN 335 COPEN 131 DROIPEN 104