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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 REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/... **(first reading)**  
- Adoption of the legislative act

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1. On 12 December 2017 the Commission sent the above proposal<sup>1</sup>, based on Article 16(2), Article 74, Article 78(2)(e), Article 79(2)(c), Article 82(1)(d), Article 85(1), Article 87(2)(a) and Article 88(2) TFEU<sup>234</sup>, to the Council.

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<sup>1</sup> 15729/17 + COR 1.

<sup>2</sup> In accordance with Articles 1 and 2 of Protocol No 22, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

<sup>3</sup> In accordance with Article 3 of Protocol No 21, the United Kingdom has notified its wish to take part in the adoption and application of this Regulation.

<sup>4</sup> In accordance with Articles 1 and 2 of Protocol No 21 and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

2. The European Economic and Social Committee delivered its opinion on 23 May 2018<sup>5</sup>.
3. The European Data Protection Supervisor delivered its opinion on 16 April 2018<sup>6</sup>.
4. On 13 June 2018 the Commission amended its proposal<sup>7</sup>.
5. The European Economic and Social Committee delivered its opinion on the amended proposal on 17 October 2018<sup>8</sup>.
6. On 16 April 2019 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council<sup>9</sup>.
7. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council:
  - approve the European Parliament's position, as set out in PE-CONS 31/19, as an "A" item at a forthcoming meeting, with the United Kingdom abstaining;
  - decide that the statement in the addendum to this note be entered in the minutes of that meeting.

If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

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<sup>5</sup> OJ C 283, 10.8.2018, p. 48.

<sup>6</sup> OJ C 233, 4.7.2018, p. 12.

<sup>7</sup> 10190/18.

<sup>8</sup> OJ C 62, 15.2.2019, p. 309.

<sup>9</sup> 7751/19.