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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on asset recovery and confiscation (first reading) - Adoption of the legislative act

1. On 25 May 2022 the Commission submitted its proposal¹, based on Articles 82(2), 83(1), 83(2) and 87(2) TFEU, to the Council.
2. The European Data Protection Supervisor delivered its opinion on 19 July 2022².
3. The European Economic and Social Committee delivered its opinion on 14 December 2022³.
4. On 13 March 2024 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 Council⁴.

¹ 9598/22 + ADD 1 to ADD 3.

² OJ C 425, 8.11.2022, p. 2.

³ OJ C 100, 16.3.2023, p. 105.

⁴ 7509/24.

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council^{5 6} approve the European Parliament's position, as set out in PE-CONS 3/24, as an "A" item at a forthcoming meeting.
6. If the Council approves the European Parliament's position, the legislative act will be adopted.

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

⁵ In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.

⁶ In accordance with Articles 1 and 2 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Directive and is not bound by it or subject to its application.