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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 **(first reading)**
- Adoption of the legislative act

1. On 23 September 2020 the Commission submitted its proposal¹, based on Articles 78(2), point (e), 79(2), points (a), (b) and (c) TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 25 February 2021².
3. The Committee of the Regions delivered its opinion on 19 March 2021³.
4. On 10 April 2024 the European Parliament adopted its position at first reading on the Commission proposal⁴. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.

¹ 11213/20 + ADD 1 and ADD 2.

² OJ C 155, 30.4.2021, p. 58.

³ OJ C 175, 7.5.2021, p. 32.

⁴ 8590/24.

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council⁵ ⁶ approve the European Parliament's position, as set out in PE-CONS 21/24, as an "A" item at a forthcoming meeting, with Hungary, Poland and Slovakia voting against and Austria, the Czech Republic and Malta abstaining.
6. The statements for the minutes of the Council meeting are set out in the Addendum to this note.
7. 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*.

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- 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 Regulation and is not bound by it or subject to its application. Given that Parts III, V and VII of this Regulation constitute amendments within the meaning of Article 3 of the Agreement between the European Community and the Kingdom of Denmark on the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in Denmark or any other Member State of the European Union and 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention (OJ L 66, 8.3.2006, p. 38), Denmark is to notify the Commission of its decision whether or not to implement the content of such amendments at the time of the adoption of the amendments or within 30 days hereafter.
 - 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 Regulation and is not bound by it or subject to its application.