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'I' ITEM NOTE

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

Subject: Draft Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters **(first reading)**
- Decision to use the written procedure for the adoption of the Council's position at first reading and of the statement of the Council's reasons

1. On 31 May 2018 the Commission sent its proposal¹, based on Article 81 TFEU^{2 3}, to the Council.
2. The European Economic and Social Committee delivered its opinion on 17 October 2018⁴.
3. The European Parliament adopted its position at first reading on 13 February 2019⁵.

¹ 9620/18.

² In accordance with Article 3 of Protocol No 21 to the TFEU, Ireland have notified their wish to take part in the adoption and application of this Regulation.

³ In accordance with Articles 1 and 2 of Protocol No 22 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.

⁴ OJ C 62, 15.2.2019, p. 56–62.

⁵ 6218/19.

4. On 22 July 2020, the Permanent Representatives Committee confirmed a political agreement on the Council's position at first reading on the above draft Regulation⁶.
5. Due to the special circumstances, the Permanent Representatives Committee is invited to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision (EU) 2020/1253⁷, that the Council uses the written procedure for the adoption of its position at first reading on the draft Regulation of the European Parliament and the Council amending Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters, as set out in document 9889/20 and the Statement of reasons, as set out in document 9889/20 ADD 1.

⁶ In accordance with the letter of 30 September 2020 sent by the Chair of the European Parliament's Committee on Legal Affairs to the Chair of COREPER, the European Parliament should, at second reading, approve the Council's position at first reading without amendment.

⁷ Council Decision (EU) 2020/1253 of 4 September 2020 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, and extended by Decisions (EU) 2020/556, (EU) 2020/702 and (EU) 2020/970, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 294, 8.9.2020, p. 1–2).