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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	12125/21
No. Cion doc.:	9467/21 + ADD1
Subject:	Council Decision authorising the opening of negotiations with Japan for the amendment of the Agreement between the European Union and Japan on mutual legal assistance in criminal matters - Adoption

On 1 June 2021, the Commission presented a Recommendation for a Council Decision authorising the opening of negotiations to amend the Agreement between the European Union and Japan on mutual legal assistance in criminal matters, together with draft negotiation directives (9467/21 + ADD 1).

After examination of the text at meetings on 21 June, 9 July and 20 September 2021, the COPEN Working Party agreed with the text, as set out in 12125/21, at its meeting on 1 October 2021 (WK 11802/21). In its work, the COPEN Working Party took account of the opinion delivered by the European Data Protection Supervisor (EDPS) (10983/21).

Lawyer-linguists have had to review the text of the Council Decision before it is sent to the Commission. The text as verified by the lawyer-linguists is set out in [12141/21](#). The negotiation directives as agreed by the Working Party are set out in [ADD 1](#) to that document.

The Commission has presented a statement and a declaration for the minutes of Coreper and for the minutes of the Council, see [ADD 1](#) to this note.

In the light of the above, the [Permanent Representatives Committee](#) is invited to

- decide to enter in its minutes the Commission statement and declaration contained in the addendum to this note;

- recommend that the [Council](#)
 - = adopts the text of the Council Decision authorising the opening of negotiations with Japan for the amendment of the Agreement between the European Union and Japan on mutual legal assistance in criminal matters, as set out in [12141/21](#), and the accompanying negotiation directives, as set out in [12141/21](#) ADD 1;

 - = decides to enter in its minutes the Commission statement and declaration contained in the addendum to this note.
