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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 combatting corruption, replacing Council Framework Decision 2003/568/JHA and the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and amending Directive (EU) 2017/1371 of the European Parliament and of the Council **(first reading)**
- Adoption of the legislative act

1. On 3 May 2023 the Commission submitted its proposal¹, based on Articles 82(1)(d), 83(1) and 83(2) TFEU, to the Council.
2. The European Data Protection Supervisor delivered its opinion on 28 June 2023².
3. The European Economic and Social Committee delivered its opinion on 25 October 2023³.
4. The Committee of the Regions delivered its opinion on 29 November 2023⁴.

¹ 9241/23.

² https://www.edps.europa.eu/system/files/2023-06/23-06-28_combating_corruption_en.pdf

³ OJ C, C/2024/886, 6.2.2024, ELI: <http://data.europa.eu/eli/C/2024/886/oj>.

⁴ OJ C, C/2024/1048, 9.2.2024, ELI: <http://data.europa.eu/eli/C/2024/1048/oj>.

5. On 26 March 2026 the European Parliament adopted its position at first reading on the Commission proposal⁵. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.
6. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council⁶ approve the European Parliament's position, as set out in PE-CONS 1/26, as an "A" item at a forthcoming meeting.
7. The statement for the minutes of the Council meeting is set out in the Addendum to this note.
8. 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 7632/26.

⁶ 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.