



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 29 November 2013**

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**NOTE**

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From :	Presidency
To :	delegations
Subject :	Initiative of the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Estonia, the Kingdom of Spain, the Republic of Austria, the Republic of Slovenia and the Kingdom of Sweden for a Directive of the European Parliament and of the Council regarding the European Investigation Order in criminal matters - Approval of the final compromise text

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**I. INTRODUCTION**

1. In May 2010 seven Member States introduced a proposal for a Directive regarding the European Investigation Order in criminal matters according to Article 76, paragraph 2 TFEU. The Council reached a general approach on this text on 14 December 2011 (except for Article 29.2 and the annex related to Article 29(1) and some recitals).

2. Trilogues with the European Parliament began during the Danish Presidency and have been continued during the Cyprus, Irish and Lithuanian Presidencies. In total 12 trilogues and a number of technical meetings have been conducted.

The United Kingdom has opted in to this instrument in accordance with Protocol 21 to the Treaties. Ireland did not opt in and Denmark does not take part in the adoption of the instrument.

3. At its meeting on 29 October 2013, Coreper approved in principle a package regarding Articles 1-28, including a new ground for refusal based on fundamental rights.

## **II. NEGOTIATIONS**

**DELETED**

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### **III. CONCLUSION**

9. Subject to finalisation of the text by the jurists-linguists of the Council and the European Parliament, Coreper is invited to:

- a) confirm agreement on the text as set out in the Annex;
- b) give the Chairman of the Permanent Representatives Committee a mandate to inform the Chairman of the European Parliament LIBE Committee, by letter that, should the European Parliament adopt its position at first reading in the exact form as set out in the final compromise text, the Council would approve the European Parliament's position and the Directive shall be adopted in the wording which corresponds to the European Parliament's position.

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