



**COUNCIL OF
THE EUROPEAN UNION**

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(OR. fr)**

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"I/A" ITEM NOTE

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

Subject: Proposal for a Directive of the European Parliament and of the Council on the freezing and confiscation of proceeds of crime in the European Union
(first reading)
– Adoption of the legislative act **(LA)**

1. On 13 March 2012 the Commission sent the above proposal¹, based on Articles 82(2) and 83(1) TFEU, to the Council^{2 3 4}.
2. The European Economic and Social Committee delivered its opinion on 11 July 2012⁵. The Committee of the Regions delivered its opinion on 10 October 2012⁶.

¹ 7641/12.

² In accordance with Article 3 and Article 4a(1) of Protocol No 21, Ireland has provided notification that it wishes to take part in the adoption and application of this Directive.

³ In accordance with Articles 1 and 2 and Article 4a(1) of Protocol No 21, and without prejudice to Article 4 of that Protocol, the United Kingdom is not taking part in the adoption of this Directive and is not bound by it or subject to its application.

⁴ In accordance with Articles 1 and 2 of Protocol No 22, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.

⁵ OJ C 299, 4.10.2012, p. 128.

⁶ OJ C 391, 18.12.2012, p. 134.

3. In accordance with the provisions of the Joint Declaration on practical arrangements for the codecision procedure¹, informal contacts were initiated between the Council, the European Parliament and the Commission with the aim of reaching agreement at first reading.
4. The European Parliament adopted its position at first reading on 25 February 2014, making one amendment to the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council².
5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council approve the European Parliament's position, as set out in PE-CONS 121/13, as an "A" item at a forthcoming meeting, with the Polish delegation voting against.

If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

¹ OJ C 145, 30.6.2007, p. 5.

² 6744/14.