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2017/0265 (NLE)
2017/0266 (NLE)

JAI 1075
CT 144
DROIPEN 170
COPEN 366
COSI 294
ENFOPOL 547
COTER 146

'I/A' ITEM NOTE

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

No. prev. doc.: 14424/17; 14425/17
No. Cion doc.: 13424/17+ADD 1; 13425/17+ADD 1;

Subject: Draft Council Decision on the conclusion, on behalf of the European Union, of the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196)
Draft Council Decision on the conclusion, on behalf of the European Union, of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 217)
- Request for the consent of the European Parliament

1. On 18 October 2017, the Commission submitted to the Council two proposals for a Council Decision on the conclusion on behalf of the Union respectively of the Council of Europe Convention on the Prevention of Terrorism ¹, and of its Additional Protocol².
2. On 18 September 2015, the Council adopted Decisions on the signing on behalf of the Union of the two instruments³.

¹ doc. 13424/17 + ADD 1
² doc. 13425/17 + ADD 1
³ OJ L 280, 24.10.2015, p. 22–25

3. The Convention and its Additional Protocol were signed on behalf of the Union on 22 October 2015 in Riga, Latvia.
4. Further to its meeting on 14 October 2017, the Working party on Substantive Criminal Law (DROIPEN) agreed on the text of the Council Decisions on the conclusion of the Convention and its Additional Protocol.
5. In accordance with Protocol (No22) to the Treaties, Denmark does not participate in the adoption of the Council decisions.
6. Ireland is bound by Council Framework Decision 2002/475/JHA⁴ and is therefore taking part in the adoption of the Decisions.
7. The notification period under Article 3 of Protocol (No21) to the Treaties expires on 21 January 2018. The United Kingdom has not yet notified its wish to take part in the draft Decisions. At the end of the notification period, the Council will inform the European Parliament whether the United Kingdom has done so. The standard recital reflecting the position of UK will be included in the draft Decisions to be adopted by the Council.
8. The Permanent Representatives Committee is invited to
 - recommend that the Council decide, as an "A" item at a forthcoming meeting, to forward the draft Decisions on the conclusion of the Council of Europe Convention and its Additional Protocol, and the text of the two instruments, as resulting from the legal-linguistic revision and set out respectively in doc. 14494/17 and doc 14445/17, as well as in doc. 14498/17 and doc. 14447/17, to the European Parliament for consent, and
 - approve the sending of a letter informing the European Parliament, after expiry of the notification period, about the position of the United Kingdom in the adoption of the Decisions.

⁴ Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p.3).