"I" ITEM NOTE

from: General Secretariat of the Council

to: Committee of Permanent Representatives

no. Initiative: 17513/09 COPEN 247


1. By letters received by the General Secretariat in December 2009, the Kingdom of Belgium, the Republic of Bulgaria, the Kingdom of Spain, the Republic of Estonia, the French Republic, the Italian Republic, the Republic of Hungary, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Finland and the Kingdom of Sweden presented an initiative for a Directive of the European Parliament and of the Council on the European Protection Order.

2. The Initiative is set out in 17513/09 COPEN 247, which is a text that has been revised by the legal-linguists. The Initiative is accompanied by an explanatory memorandum (ADD 1) and by a detailed statement allowing to appraise compliance with the principles of subsidiarity and proportionality, in accordance with Article 5 of Protocol (No 2) to the Lisbon Treaty (ADD 2).
3. The Initiative is based on Article 82(1)(d) of the Treaty on the Functioning of the European Union and is presented by a group of Member States constituting (at least) a quarter of the Member States of the European Union, in conformity with Article 76(b) TFEU.

4. The text should be forwarded to the European Parliament and to the Commission in the framework of the ordinary legislative procedure set out in Article 294 TFEU.

5. The text should also be forwarded to the National Parliaments of the Member States, in application of Article 2 of Protocol (No 1) and Article 4 of Protocol (No 2) to the Lisbon Treaty, in order to allow an appraisal of the initiative's compliance with the principle of subsidiarity.


7. In view of the above, Coreper is invited to:
   - take note of the Initiative presented by the Kingdom of Belgium, the Republic of Bulgaria, the Kingdom of Spain, the Republic of Estonia, the French Republic, the Italian Republic, the Republic of Hungary, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Finland and the Kingdom of Sweden for a Directive of the European Parliament and of the Council on the European Protection Order, as set out in 17513/09 COPEN 247 + ADD 1 + ADD 2;
   - ensure that the Initiative, as set out in 17513/09 COPEN 247 + ADD 1 + ADD 2, is forwarded to the European Parliament, to the Commission, and to the National Parliaments of the Member States;
   - ensure that the text of the Initiative, as set out in 17513/09 COPEN 247, is published in the Official Journal of the European Union.