

# EU/Japan agreement: mutual legal assistance in criminal matters

2009/0188(NLE) - 02/02/2010 - Legislative proposal

**PURPOSE:** to conclude the Agreement between the European Union and Japan on mutual legal assistance in criminal matters.

**PROPOSED ACT:** Council Decision.

**CONTENT:** in February 2009, the Council authorised the Presidency, assisted by the Commission, to open negotiations for an Agreement between the EU and Japan on mutual legal assistance in criminal matters. The Agreement was signed on 30 November and 15 December 2009, subject to its conclusion.

The aim of this proposal is to conclude, on behalf of the Union, the Agreement between the European Union and Japan on mutual legal assistance in criminal matters.

With the entry into force of the Treaty of Lisbon on 1 December 2009, the procedures to be followed by the Union in order to conclude the Agreement are governed by Article 218 of the Treaty on the Functioning of the European Union.

Accordingly, the Council proposes the conclusion of the Agreement between the EU and Japan on mutual legal assistance in criminal matters. (For the text of the Agreement and its summary please refer to document 15915/2009.)

**Territorial application:** in accordance with the Protocol on the Position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, these Member States have notified their wish to take part in the adoption and application of this Decision. Denmark, on the other hand, is not taking part in the adoption of the Decision and is not bound by it or subject to its application.