EU/Iceland/Norway agreement: mutual assistance in criminal matters. 2000 Convention and 2001 Protocol thereto

2009/0189(NLE) - 07/06/2012 - Final act

PURPOSE: to conclude the Agreement between the EU and Iceland and Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the EU and the 2001 Protocol thereto.

NON-LEGISLATIVE ACT: Council Decision 2012/305/EU on the conclusion of the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto.

BACKGROUND: on 19 December 2002, the Council authorised the Presidency, assisted by the Commission, to open negotiations with Iceland and Norway a view to the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto.

In accordance with Decision 2004/79/EC, the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention was signed on 19 December 2003, subject to its conclusion.

The Agreement has not yet been concluded. With the entry into force of the Lisbon Treaty 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.

It is now necessary to approve the Agreement on behalf of the EU.

CONTENT: under this Decision, the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto is hereby approved on behalf of the Union.

To recall, the purpose of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters is to encourage and modernise cooperation between judicial, police and customs authorities by supplementing the provisions and facilitating the application of the 1959 Council of Europe Convention on Mutual Assistance in Criminal Matters, and its 1978 Protocol, the 1990 Convention applying the Schengen Agreement and the Benelux Treaty of 1962.

The convention is supplemented by a Protocol established by the Council which provides for supplementary measures such as requests for information on banking transactions in order to combat crime in general and organised crime in particular.

Territorial application: the UK and Ireland have notified their wish to take part in the adoption and application of this Decision. Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.

ENTRY INTO FORCE: the Decision shall enter into force on 07.06.2012. The date of entry into force of the Agreement will be published in the Official Journal of the European Union.