EU/USA agreement on the judicial cooperation in criminal matters and extradition

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Following a Presidency report on the negotiations which had been held with the USA on the draft Agreement on judicial cooperation on criminal matters and on extraditions, the Council instructed its relevant bodies to continue the examination of the draft Agreement with a view to reaching an agreement on the package at one of its forthcoming sessions. It is recalled that on 25 April 2002, the JHA Council approved a negotiation mandate to the Presidency and on 27 June 2002 COREPER established an Ad hoc Expert Group, which is to follow the negotiations and assist the Presidency during the negotiations. Several negotiation meetings between the USA and the EU have taken place until now on the EU/USA Agreement on judicial cooperation in criminal matters and on extradition and the negotiations are proceeding as planned. The preliminary discussion on all subjects covered by the negotiation mandate have been completed so far. The Council considers it essential to ensure that a agreement between the USA and the EU adds value to the existing cooperation between the USA and the Member States of the EU, which is based on bilateral agreements. This agreement will have two Contracting parties : the EU and the USA, which thus different from the contracting parties of the bilateral treaties on extradition and mutual legal assistance that exist between the Member States and the USA. This future EU-USA Agreement will therefore in no way modify these bilateral agreements, but it will supplement them. Some of the subjects contained in the negotiation mandate include the new forms of legal assistance, which modern technology has made possible, such as the exchange of information on bank accounts and video conferencing.