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

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The Council took note of the position of Member States concerning the text of the Agreements between the European Union and the United States of America on extradition and on mutual legal assistance. The Presidency also informed delegations that the Justice and Home Affairs Council should take the decision authorising the Presidency to sign the draft Agreements at its next meeting on 5-6 June 2003, with a view to sign them in the context of the EU-US Summit which will be held on 25 June 2003 in Washington. It is recalled that, at its meeting on 28 February 2003, the Council decided to suspend negotiations on the draft text of the Agreements on mutual legal assistance and on extradition with the USA, in order to enable delegations to examine the texts at national level. Since the Council meeting, the Presidency has, in accordance with the Council decision, carried out negotiations with the USA on the text of the draft Explanatory Notes that will have to be agreed after the signing of the Agreements. A meeting with the US delegation was held on 3 and 4 April 2003 for that purpose. The agreement should supplement (not replace) bilateral agreements between the US and Member States of the EU, and should add value to such bilateral agreements and provide for the necessary guarantees for the protection of human rights and fundamental freedoms and respect the constitutional principles of the Member States.