Basic information

1997/2045(INI) INI - Own-initiative procedure	Procedure completed
Judicial cooperation in Europe **Subject** 7.40 Judicial cooperation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	BONTEMPI Rinaldo (PSE)	05/02/1997

Committee for opinion	Rapporteur for opinion	Appointed
CONT Budgetary Control	THEATO Diemut R. (PPE)	22/07/1997
INST Institutional Affairs	FRISCHENSCHLAGER Friedhelm (ELDR)	02/07/1997

Key events

Date	Event	Reference	Summary
14/03/1997	Committee referral announced in Parliament		
05/02/1998	Vote in committee		Summary
05/02/1998	Committee report tabled for plenary	A4-0058/1998	
12/03/1998	Debate in Parliament		
13/03/1998	End of procedure in Parliament		
06/04/1998	Final act published in Official Journal		

Technical information

Procedure reference	1997/2045(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed

Committee dossier	LIBE/4/08723

Documentation gateway				
European Parliament				
Document type	**Committee**	**Reference**	**Date**	**Summary**
Committee report tabled for plenary, single reading		A4-0058/1998 OJ C 104 06.04.1998, p. 0005	05/02/1998	
Text adopted by Parliament, single reading		T4-0165/1998 OJ C 104 06.04.1998, p. 0262-0267	13/03/1998	Summary

Judicial cooperation in Europe

1997/2045(INI) - 13/03/1998 - Text adopted by Parliament, single reading

In adopting the report by Mr Rinaldo BONTEMPI (PSE, I) on judicial cooperation in criminal matters in the European Union, Parliament stressed the need to develop such cooperation with a view to combating organized crime more effectively. The Union's objective of creating an area of freedom, security and justice and attaining full free movement of persons would be impossible to achieve without establishing a common European legal and judicial area. Parliament welcomed in this connection the amendments made by the Amsterdam Treaty to Articles K.3 and K.6 of the Treaty. With reference to the provisions of Article K.12 of the Amsterdam Treaty (closer judicial cooperation in criminal matters), Parliament called on the Member States and the Commission to examine the possibility of applying these provisions in order to resolve major issues. Parliament's involvement in the legislative process relating to these matters was inadequate, and there was a need for greater democratic control. Parliament was concerned that the Amsterdam Treaty did not lay down as mandatory the jurisdiction of the Court of Justice to make preliminary rulings in criminal matters. With regard to conventions, Parliament called on national governments and parliaments to make every effort to speed up ratification procedures for conventions on judicial cooperation within the EU, and condemned the fact that conventions allowed the Member States to include reservations and derogations. It called, in particular, on the EU Member States to abandon or review the principle of dual criminality. It endorsed the requests and proposals contained in the 'Geneva Appeal'. It was in favour of agreements between European States on direct communication between magistrates responsible for an investigation, the setting of firm and prompt deadlines for complying with letters rogatory and action to forward evidence in criminal procedures. It called on governments and the Presidency to give fresh impetus to the work of drawing up a new convention on judicial assistance in criminal matters, which had been in progress since 1996. With regard to approximation of laws and protection of the Union's financial interests, Parliament called for provision to be made for joint indictments for some of the most serious crimes. It supported effective measures to combat the laundering of the proceeds of any kind of crime. The definition of 'corruption' should extend to any act of abuse committed by a public office-holder, regardless of nationality. All serious tax violations should constitute crimes, on condition that the term 'violations' was harmonized. With regard to third countries, Parliament called on the Commission to explore all possibilities of extending the Grotius and Phare programmes or other programmes under way to assist the applicant countries. In the long term, it called for funds to be made available for the Falcone programme so that in future it could incorporate countries outside the Union (Russia, Belarus, Ukraine). Parliament called on the Commission and Council to organize during the current year a joint conference with the national parliaments and the European Parliament on judicial cooperation and the strategies to improve the effectiveness of legal and judicial systems.