

Basic information	
1998/0903(CNS) CNS - Consultation procedure Judicial cooperation on criminal matters: good practice in mutual legal assistance Repealed by 2014/0339(COD) Subject 7.40.04 Judicial cooperation in criminal matters	Procedure completed

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE	Civil Liberties and Internal Affairs	BUFFETAUT Stéphane (I-EDN)	18/03/1998
	Committee for opinion		Rapporteur for opinion	Appointed
	JURI	Legal Affairs, Citizens' Rights		
Council of the European Union	Council configuration		Meetings	Date
	General Affairs		2111	1998-06-29
	Justice and Home Affairs (JHA)		2099	1998-05-28

Key events			
Date	Event	Reference	Summary
10/12/1997	Legislative proposal published	13300/1997	Summary
29/01/1998	Committee referral announced in Parliament		
30/03/1998	Vote in committee		
30/03/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0122/1998	
29/06/1998	Act adopted by Council after consultation of Parliament		
29/06/1998	End of procedure in Parliament		
07/07/1998	Final act published in Official Journal		

Technical information

Procedure reference	1998/0903(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Amendments and repeals	Repealed by 2014/0339(COD)
Legal basis	Treaty on European Union (after Amsterdam) M K.3-p2 Rules of Procedure EP 050
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/09692

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0122/1998 OJ C 138 04.05.1998, p. 0015	30/03/1998	
Text adopted by Parliament, 1st reading/single reading		T4-0217/1998 OJ C 138 04.05.1998, p. 0200-0211	03/04/1998	Summary
Council of the EU				
Document type		Reference	Date	Summary
Legislative proposal		13300/1997	10/12/1997	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act
Justice and Home Affairs act 1998/0427 OJ L 191 07.07.1998, p. 0001-0003

Judicial cooperation on criminal matters: good practice in mutual legal assistance

1998/0903(CNS) - 03/04/1998 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Stéphane BUFFETAUT (I-EDN, F) on the joint action on good practice in mutual legal assistance in criminal matters Parliament approved the draft joint action which it noted was non-binding. For this reason it proposed various amendments seeking to improve judicial assistance on the practical level. It therefore called for: - speeding up of the deposit with the Council Secretariat of the statements of good practice in executing requests for legal assistance (six months and not one year); - compliance by the Member States with the minimum requirements of these declarations and the following of the minimum procedures laid down; - the drawing up by each Member States of an annual report on compliance with

its undertakings, containing summaries and statistics on the execution of requests for assistance received and indicating any anticipated improvements. This report would be made available to the European Judicial Network; - the drawing up of an annual report by the European Judicial Network. This report would deal with the situation and functioning of mutual judicial assistance in criminal matters at European level and would make recommendations based on evaluations of the national reports drawn up by the Member States. This annual report would be forwarded to the Council before 1 July each year and made available to the Member States (who could make comments on it) and to the Commission and the European Parliament for information.

Judicial cooperation on criminal matters: good practice in mutual legal assistance

1998/0903(CNS) - 10/12/1997 - Legislative proposal

OBJECTIVE: Draft joint action on good practice in mutual legal assistance in criminal matters. CONTENT: the draft joint action seeks to respond to the need to speed up procedures for legal assistance in matters related to organised crime and to reduce the times for transmitting and replying to requests. The joint action therefore proposes that each Member State deposit a statement of good practice. The format for the statement is not specified but the joint action provides for undertakings: - to provide the requesting authorities with the name of the person having responsibilities for executing the request; - to give priority to urgent requests; - to ensure that requests are given the same treatment as similar requests in the requested Member State. It is also proposed that the Member States undertake to acknowledge all requests received and to send the requesting authority a report in the event of serious delay. The statement of good practice would also include an undertaking to submit requests for assistance as soon as the need for assistance is ascertained, in order to allow the requested authorities enough time to execute them. In an emergency, the reasons for the urgency would need to be set out, in order to help the requested authority allocate a suitable level of priority to the request. Each Member State would have the facility to add other undertakings to its statement. The Member States would also need to monitor that they were complying with their undertakings, providing an adequate service and improving their services. Each year the Member States would draw up an annual report on the results of this monitoring.