Basic information

2009/0189(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Iceland/Norway agreement: mutual assistance in criminal matters. 2000 Convention and 2001 Protocol thereto **Subject** 7.40.04 Judicial cooperation in criminal matters **Geographical area** Iceland Norway	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	MORAES Claude (S&D)	02/09/2010

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	3172	2012-06-07
Education, Youth, Culture and Sport	2993	2010-02-15

European Commission

Commission DG	Commissioner
Justice and Consumers	REDING Viviane

Key events

Date	Event	Reference	Summary
17/12/2009	Preparatory document	COM(2009)0704	Summary
01/02/2010	Legislative proposal published	05306/2010	Summary
25/02/2010	Committee referral announced in Parliament		
26/01/2012	Vote in committee		
30/01/2012	Committee report tabled for plenary, 1st reading/single reading	A7-0020/2012	Summary
13/03/2012	Decision by Parliament	T7-0066/2012	Summary
13/03/2012	Results of vote in Parliament		
07/06/2012	Act adopted by Council after consultation of Parliament		

07/06/2012	End of procedure in Parliament		
14/06/2012	Final act published in Official Journal		

Technical information

Procedure reference	2009/0189(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 082-p1 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/02079

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE450.927	04/01/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0020/2012	30/01/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0066/2012	13/03/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	14938/2003	03/12/2003	
Legislative proposal	05306/2010	01/02/2010	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2009)0704	17/12/2009	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act
Decision 2012/0305 OJ L 153 14.06.2012, p. 0001 Summary

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

2009/0189(NLE) - 30/01/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs unanimously adopted the report by Claude MORAES (S&D, UK), and recommended that the European Parliament give its consent to 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.

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

2009/0189(NLE) - 13/03/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 641 votes to 10, with 21 abstentions, a legislative resolution on the draft Council decision 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.

Parliament gave its consent to the conclusion of the Agreement.

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.

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

2009/0189(NLE) - 01/02/2010 - Legislative proposal

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 European Union and the 2001 Protocol thereto.

PROPOSED ACT: Council Decision.

CONTENT: this proposal aims to conclude, on behalf of the Union, 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 European Union and the 2001 Protocol thereto.

The Agreement was signed on 19 December 2003 but it has not yet been formally concluded. For details of the content of the Agreement, please refer to Council document 14938/2003.

With the entry into force of the **Treaty of Lisbon** 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 (TFEU) which states that the Council shall adopt a decision concluding the agreement, **after obtaining the consent of the European Parliament**.

Territorial application: in accordance with the Protocol on the Position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, these Member States have notified their wish to take part in the adoption and application of this Decision. Denmark will not be bound by the Agreement.

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

2009/0189(NLE) - 17/12/2009 - Preparatory document

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.

PROPOSED ACT: Council Decision.

CONTENT: the objective of the above-mentioned Agreement is to improve judicial cooperation in criminal matters between the Member States of the EU and Iceland and Norway by applying certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between Member States of the European Union and the 2001 Protocol to Iceland and Norway. The Agreement was signed in 2003, but has not been concluded and has not entered into force.

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.

Procedure: following the entry into force of the Lisbon Treaty on 1 December 2009, the procedures to be followed for the conclusion of the Agreement are governed by Article 218 of the Treaty on the Functioning of the European Union. The Agreement was signed already 6 years ago and therefore it should now be concluded as soon as possible. It is for this reason that the Commission proposes to conclude the Agreement. It recommends that the Council, after obtaining the consent of the European Parliament, adopt a decision concluding the Agreement. It should be noted that in accordance with Article 218(6)(a) of the Treaty on the Functioning of the European Union, it is provided that in the case of agreements covering fields to which the ordinary legislative procedure applies, the Council shall adopt a decision concluding the agreement, **after obtaining the consent of the European Parliament**.

Territorial application: the UK and Ireland will take part in the adoption of the Decision. Denmark will not be bound by the Agreement.