I

(Information)

COUNCIL

Communication by the Secretary-General of the European Union under Article 30(2) of the Convention, established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union

(2000/C 197/02)

On 29 May 2000, on the signing of the Convention, established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union, the Grand Duchy of Luxembourg made the following Declaration under Article 23(7) of the Convention:

'In accordance with the provisions of Article 23 of the Convention, established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union, signed in Brussels on 29 May 2000, (hereinafter "the Convention"), the Government of the Grand-Duchy of Luxembourg hereby declares that, where personal data are communicated by the Grand-Duchy of Luxembourg under this Convention to another Member State, the Grand-Duchy of Luxembourg may, subject to the provisions of Article 23(1)(c) of the Convention, in the circumstances of a particular case, require that, unless the Member State concerned has obtained the consent of the data subject, the personal data may only be used for the purposes referred to in Article 23(1)(a) and (b) of the Convention with the prior consent of the Grand-Duchy of Luxembourg in respect of proceedings for which the Grand-Duchy of Luxembourg could have refused or limited the transmission or use of the personal data in accordance with the provisions of this Convention or the instruments referred to in Article 1 of the Convention.

If in the circumstances of a particular case the Grand-Duchy of Luxembourg refuses to give its consent following a request by a Member State in application of the provisions of paragraph 1, it will indicate the reasons for its decision in writing.'