

(Acts adopted pursuant to Title VI of the Treaty on European Union)

COUNCIL ACT

of 29 May 2000

establishing in accordance with Article 34 of the Treaty on European Union the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union

(2000/C 197/01)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 31(a) and 34(2)(d) thereof,

Having regard to the initiative of the Member States,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas:

(1) For the purposes of achieving the objectives of the Union the rules on mutual assistance in criminal matters between the Member States of the European Union should be improved and a Convention, as set out in the Annex hereto, should be established to that end.

(2) Some of the provisions of the Convention fall within the scope of Article 1 of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis*⁽²⁾.

(3) This is the case with Articles 3, 5, 6, 7, 12 and 23, and, to the extent relevant to Article 12, with Articles 15 and 16, and, to the extent relevant to the Articles referred to, with Article 1.

(4) The procedures set out in the Agreement concluded by the Council of the European Union with the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*⁽³⁾ have been observed in respect of these provisions.

(5) When the adoption of this Act is notified to the Republic of Iceland and the Kingdom of Norway in accordance with Article 8(2)(a) of the aforementioned Agreement, those two States will be informed in particular of the contents of Article 29 on entry into force for Iceland and Norway and will be invited to submit, at the time they inform the Council and the Commission of the fulfilment of their constitutional requirements, the relevant statements under Article 24 of the Convention,

HAS DECIDED that the Convention, the text of which is given in the Annex and which has been signed today by the Representatives of the Governments of the Member States of the Union, is hereby established,

(1) Opinion delivered on 17 February 2000 (not yet published in the Official Journal).

(2) OJ L 176, 10.7.1999, p. 31.

(3) OJ L 176, 10.7.1999, p. 36.

RECOMMENDS that it be adopted by the Member States in accordance with their respective constitutional requirements,

INVITES the Member States to begin the procedures applicable for that purpose before 1 January 2001.

Done at Brussels, 29 May 2000.

For the Council

The President

A. COSTA
