EUROPEAN PARLIAMENT

2004 *2009*

Committee on Civil Liberties, Justice and Home Affairs

PROVISIONAL
2007/0080(CNS)

29.5.2007

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DRAFT REPORT

on the recommendation for adoption of a Council decision concerning the accession of Bulgaria and Romania to the Convention of 29 May 2000, 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
(COM(2007)0213 – C6-0000/2007 – 2007/0080(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Genowefa Grabowska

Symbols for procedures

*	Consultation procedure *majority of the votes cast*
**I	Cooperation procedure (first reading) *majority of the votes cast*
**II	Cooperation procedure (second reading) *majority of the votes cast, to approve the common position* *majority of Parliament's component Members, to reject or amend the common position*
***	Assent procedure *majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty*
***I	Codecision procedure (first reading) *majority of the votes cast*
***II	Codecision procedure (second reading) *majority of the votes cast, to approve the common position* *majority of Parliament's component Members, to reject or amend the common position*
***III	Codecision procedure (third reading) *majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the recommendation for adoption of a Council decision concerning the accession of Bulgaria and Romania to the Convention of 29 May 2000, 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 (COM(2007)0213 – C6-0000/2007 – 2007/0080(CNS))

(Consultation procedure)

The European Parliament,

– having regard to the Commission recommendation (COM(2007)0213)[1],

– having regard to Article 3(4) of the Act of Accession of Bulgaria and Romania, pursuant to which the Council consulted Parliament (C6-0000/2007),

– having regard to Rules 93 and 51 of its Rules of Procedure,

– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A6-0000/2007),

1. Approves the Commission recommendation;

2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;

3. Calls on the Council to consult Parliament again if it intends to amend the Commission recommendation substantially;

4. Instructs its President to forward its position to the Council and Commission.

[1] Not yet published in OJ.

EXPLANATORY STATEMENT

The 2005 Act of Accession of Bulgaria and Romania[1] provides for a simplified system for accession of Bulgaria and Romania to the conventions (and protocols) concluded by the Member States on the basis of Article 34 of the Treaty on European Union.

Annex I to the above-mentioned Act of Accession gives the list of the seven conventions and protocols concerned in the Justice and Home Affairs area, including the Convention of 29 May 2000, 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 and its Protocol of 16 October 2001, established by the Council in accordance with Article 34 of the Treaty on European Union, to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union.

Taking into account the above-mentioned simplified system, it is not anymore necessary to negotiate and conclude specific accession protocols. In order to make the above-mentioned Convention and its related protocol enter into force for Bulgaria and Romania, the Council should only adopt a decision determining the date on which the Convention and its protocols shall enter into force, after having consulted the European Parliament[2].

The rapporteur therefore proposes to adopt the Council decision without amendments.

[1] OJ 2005, L 157, p.203
[2] According to Article 3(3) and 3(4) of the 2005 Act of Accession of Bulgaria and Romania, OJ 2005, L 157, p.203