









Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2022/0245(NLE)	Preparatory phase in Parliament
EU/Japan agreement on mutual legal assistance in criminal matters: modification of Annexes I, II and III		
Subject 7.40.04 Judicial cooperation in criminal matters		
Geographical area Japan		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 MELO Nuno	30/11/2022
		Shadow rapporteur	
		 BARLEY Katarina	
		 KELLER Fabienne	
		 REINTKE Terry	
		 CHAGNON Patricia	
		 KANKO Assita	
		 DALY Clare	
Council of the European Union European Commission	Commission DG Justice and Consumers	Commissioner REYNDERS Didier	

Key events			
25/08/2022	Preparatory document	COM(2022)0418	Summary

Technical information	
Procedure reference	2022/0245(NLE)

Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 082-p1; Treaty on the Functioning of the EU TFEU 218-p6a
Stage reached in procedure	Preparatory phase in Parliament

Documentation gateway

Preparatory document		COM(2022)0418	25/08/2022	EC	Summary
----------------------	--	-------------------------------	------------	----	---------

EU/Japan agreement on mutual legal assistance in criminal matters: modification of Annexes I, II and III

PURPOSE: to approve the amendment of Annexes I, II and III to the Agreement between the European Union and Japan on mutual legal assistance in criminal matters.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Agreement between the European Union and Japan aims to establish more effective cooperation between the European Union and Japan on mutual legal assistance in criminal matters. Under the Agreement, at the request of the requesting state the requested state is required to provide mutual legal assistance in connection with investigations, prosecutions and other proceedings (including judicial proceedings) in criminal matters.

The Agreement between the European Union and Japan on mutual legal assistance in criminal matters was concluded by Council Decision 2010/616/EU and entered into force on 2 January 2011.

The annexes to the Agreement list the Central Authorities of the Contracting Parties (Annex I); the authorities competent to originate requests for mutual legal assistance pursuant to the Agreement (Annex II); and the languages accepted (Annex III). In accordance with Article 30 of the Agreement, Contracting Parties to the Agreement may modify the annexes by mutual consent without amending the Agreement.

It is necessary to take account of certain amendments made by the national authorities of the Member States and to ensure that the European Public Prosecutor's Office is recognised as a competent authority to originate, send, receive and respond to requests for mutual legal assistance under the Agreement.

CONTENT: this proposal includes a modified text of Annexes I, II and III to the Agreement between the European Union and Japan on Mutual Assistance in Criminal Matters, which establish:

- the list of the Central Authorities of the Contracting Parties (Annex I);
- the authorities competent under the laws of the States to originate requests for mutual legal assistance pursuant to the Agreement (Annex II);
- the languages accepted (Annex III).

The annexes also include a new body of the Union - the European Public Prosecutors Office.