



**COUNCIL OF
THE EUROPEAN UNION**

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COMIX 646**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS: CORRIGENDUM

Subject : Initiative of the French Republic with a view to adopting a Council Act establishing, in accordance with Article 34 of the Treaty on European Union, the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union

Cover page, under "Subject"

For: "Initiative of the French Republic with a view to adopting a Council Act establishing, in accordance with Article 34 of the Treaty on European Union, the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union"

Read: "Council Act establishing, in accordance with Article 34 of the Treaty on European Union, the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union"

Page P/CONV/AMMC/en 10 shall be replaced by the attached page.

ARTICLE 10

Forwarding refusals to the Council and involvement of Eurojust

1. If a request is refused on the basis of:

- Article 2(b) of the European Mutual Assistance Convention or Article 22(2)(b) of the Benelux Treaty, or
- Article 51 of the Schengen Implementation Convention or Article 5 of the European Mutual Assistance Convention, or
- Article 1(5) or Article 2(4) of this Protocol,

and the requesting Member State maintains its request, and no solution can be found, the reasoned decision to refuse the request shall be forwarded to the Council for information by the requested Member State, for possible evaluation of the functioning of judicial cooperation between Member States.

2. The competent authorities of the requesting Member State may report to Eurojust, once it has been established, any problem encountered concerning the execution of a request in relation to the provisions referred to in paragraph 1 for a possible practical solution in accordance with the provisions laid down in the instrument establishing Eurojust.