



EUROPEAN COMMISSION

Brussels, 22/03/2010
C/2010/1879

Dear President,

The Commission would like to thank the French Senate for its reply of 18 December 2009 to the Green Paper on obtaining evidence in criminal matters from one Member State to another and securing its admissibility {COM(2009)624} adopted by the Commission on 11 November 2009.

The consultation launched by the Green Paper forms part of an impact assessment that the Commission is currently conducting with the purpose of identifying the best way to proceed in order to improve cooperation on obtaining evidence in criminal matters. Since this impact assessment has not yet been concluded, the Commission cannot at this stage provide any detailed comments to the reply from the French Senate.

However, the Commission welcomes the support from the French Senate to the general objective which is to replace the existing legal regime on obtaining evidence in criminal matters by a single instrument based on the principle of mutual recognition and to introduce common standards for gathering such evidence. The Commission has also taken note of the remarks made by the French Senate about the importance of ensuring the proportionality of the measures to be taken in order to achieve this objective.

The Commission will carefully analyse the reply from the French Senate and as far as possible take it into account when analysing the possible ways to proceed in order to improve cooperation on obtaining evidence in criminal matters.

I look forward to continuing this fruitful exchange of information.

Yours sincerely,

Maroš Šefčovič

Vice-President of the European Commission

Monsieur Hubert HAENEL
Président de la Délégation pour l'Union européenne
Sénat de la République de France