

AMENDMENT FORM

Suggestion for amendment of Article 31

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg national parliament representative.

Status :
- **Member: Hjelm-Wallén and Lekberg**
- **Alternate: Petersson**

Article 31: Implementation of the area of freedom, security and justice¹

1. The Union shall ensure an area of freedom, security and justice:
 - by adopting laws and framework laws ~~intended in particular to approximate national laws~~² in the areas listed in Part Two of the Constitution;
 - by promoting mutual confidence between the competent authorities of the Member States, in particular on the basis of mutual recognition of judicial and extrajudicial decisions.
 - by operational cooperation between all competent authorities of the Member States for internal security.
2. Within the area of freedom, security and justice, national parliaments may participate in the evaluation mechanisms foreseen in Article [4, Part Two] of the Constitution³ ~~and shall be involved in the political monitoring of Europol's activities in accordance with Article [Article 22, Part Two] of the Constitution.~~⁴

¹ Competence in the fields of police and judicial cooperation in criminal matters should primarily belong to the Member States.

² Framework laws, but not laws, are intended to approximate national laws.

³ The solutions in this article should be considered in the light of the respective Constitutional rules in the Member States relating to the internal division of competences between the governments and legislative bodies.

⁴ See comments to Article 22, Part Two.

3. In the field of police and judicial cooperation in criminal matters **and customs cooperation** ⁵, Member States shall have a right of initiative under the arrangements set out in Article [8, Part Two] of the Constitution.

⁵ The Member States must have the same right of initiative in the area of customs cooperation.