

AMENDMENT FORM

Suggestion for amendment of Article 31:

By: BROK; SANTER; STYLIANIDIS; SZAJER; TUSEK; VAN DER LINDEN; ALMEIDA GARRETT; ALTMAIER; AZEVEDO; BREJC; CUSHNAHAN; DEMETRIOU; FOGLER; FRENDON; KAUPPI; KELAM; KELEMEN; KORHONEN; KRASTS; KROUPA; KUT-ZKOVA; MAIJ-WEGGEN; MLADENOV; NAZARE-PEREIRA; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZIELENIEC; ZILE

on behalf of the EPP Convention Group

Status: Members and Alternates

Text of the Praesidium

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

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 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 Constitution, and shall be involved in the political monitoring of Europol's activities in accordance with Article [Article 22, Part Two] of the Constitution.

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

Proposed Amendments

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Explanation:

The Community method must be applied to all fields of Union action. Therefore, there is no need for keeping separate procedures for the current third pillar in Part One of the Constitution. If the Convention plenary so decides, exceptions to the general rule in Article 25 para 1 could be laid down in Part Two of the Constitution and be subject to an evolutionary clause. Content of Article 31 is already integrated in other parts of the Constitution, e.g. Role of National Parliaments in Art. 22, part 2. See EPP Group amendment to Articles 24-33.