

AMENDMENT FORM

Suggestion for amendment of Article : 31 (3)

By Mr : **R. van der Linden** (member)
 F. Timmermans (member)
 M. Giannakou (member)

Status : - Member - Alternate

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.~~

Explanation (if any) :

Giving the member states a right of initiative will undermine the exclusive right of initiative of the European Commission. To avoid this from happening subsection 3 has to be deleted. Logically resulting from this is the deleting of “on the initiative of a quarter of the Member States” in article 7 and 8 of the Title Area of freedom, security and justice, Part II of the Treaty).