

## AMENDMENT FORM

### Suggestion for amendment of Article 31

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Status: Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<b><u>Article 31: Implementation of the area of freedom, security and justice</u></b>  1. The Union shall ensure an area of freedom, security and justice: <ul style="list-style-type: none"><li>– by adopting laws and framework laws intended in particular to approximate national laws in the areas listed in Part Two of the Constitution;</li><li>– 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.</li><li>– by operational cooperation between all competent authorities of the Member States for internal security.</li></ul> 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.	<b><u>Article 31: Implementation of the area of freedom, security and justice</u></b>  1. The Union shall ensure an area of freedom, security and justice: <ul style="list-style-type: none"><li>– by adopting laws and framework laws intended in particular to approximate national laws in the areas listed in Part Two of the Constitution;</li><li>– by <del>promoting</del> <u>aiming to achieve mutual confidence between the competent authorities of the Member States, in particular on the basis of</u> mutual recognition of judicial and extrajudicial decisions <u>based on mutual confidence between the competent authorities of the Member States.</u></li><li>– by operational cooperation between all competent authorities of the Member States for internal security.</li></ul> <del>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.</del>
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	<del>3.2.</del> <u>2.</u> In the field of police and judicial

Constitution.	cooperation in criminal matters, Members States shall have a right of initiative under the arrangement set out in Article [8, Part Two] of the Constitution.
<b>Explanation:</b> <u>Article 31 is aimed at emphasising the specificity of the area of freedom, security and justice. Therefore i would suggest that it only refers to the most imoportant distinguishing features of this area such as the specific instruments of implementation and the right of initiative of Member States. The reference to national parliaments should be made in Part II of the Treaty. Paragraph 1 should aim at listing the instruments of implementation such as laws and framework laws, mutual recognition of decisions and operational cooperation.</u>	