

## AMENDMENT FORM

Suggestion for amendment of **Part Two, Title... Article 1: [Definition of the area]**

**By Mr Dick Roche**

**Status : Member**

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### **Article 1: [Definition of the area]**

The Union shall ~~aim to achieve~~ **constitute** an area of freedom, security and justice with respect for fundamental rights and taking into account the different European legal traditions and systems.

~~It The Union~~ shall ensure a high level of safety by measures to prevent and combat crime and promote coordination and cooperation between ~~criminal~~ police and judicial authorities and other competent authorities, as well as by the mutual recognition of ~~judgments~~ **judicial decisions** in criminal matters and the approximation of criminal laws **where necessary**.

The Union shall **adopt measures to ensure mutual recognition of judicial decisions** ~~facilitate access to justice, in particular by the free movement of documents and judgments in civil matters based on the principle of mutual recognition.~~

It shall **work towards** ~~ensure~~ the absence of internal border controls for persons. ~~It and~~ shall frame a common **policies** on: asylum; immigration; and external border control ~~based on solidarity between Member States and fairness towards third country nationals.~~

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### **Explanation (if any) :**

The paragraphs should be reordered as above to reflect the particular importance of the fight against crime.

Policies on asylum, immigration and external border control are separate and this should be clear. There is no need to set out the principles which underpin these policies as they are set out in detail in the relevant articles of Chapter 1.

Ireland's continuing special position in relation border control, asylum and immigration etc aspects of Schengen (arising from the common travel area with the UK) is governed by the relevant Protocol to the Treaty of Amsterdam.