

## AMENDMENT FORM

### Suggestion for amendment of Part Two, Article 3:

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

**on behalf of the EPP Convention Group**

**Status: Members and Alternates**

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*Text of the Praesidium*

*Proposed Amendments*

#### **Part Two: of the Constitution**

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**Title ...: Area of freedom, security and justice**

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#### **Article 3: [Role of national parliaments]**

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1. National parliaments may participate in the evaluation mechanisms contained in Article 4 of the Constitution and shall be involved in the political monitoring of Europol's activities in accordance with Article 22 of the Constitution.

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2. [ Notwithstanding the provisions foreseen in the Protocol on the application of the principles of subsidiarity and proportionality, where at least one quarter of national parliaments issue reasoned opinions on non-compliance with the subsidiarity principle of a Commission proposal submitted in the context of Chapters 3 and 4 of this Title, the Commission shall review its proposal. After such review, the Commis-

~~2. [ Notwithstanding the provisions foreseen in the Protocol on the application of the principles of subsidiarity and proportionality, where at least one quarter of national parliaments issue reasoned opinions on non-compliance with the subsidiarity principle of a Commission proposal submitted in the context of Chapters 3 and 4 of this Title, the Commission shall review its proposal. After such review, the Commis-~~

sion may decide to maintain, amend or withdraw its proposal. The Commission shall give reasons for its decision. This provision shall also apply to initiatives emanating from a group of Member States in accordance with the provisions of Article 8 of this Title.] ~~sion may decide to maintain, amend or withdraw its proposal. The Commission shall give reasons for its decision. This provision shall also apply to initiatives emanating from a group of Member States in accordance with the provisions of Article 8 of this Title.]~~

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***Explanation:***

As an alternative, these provisions could be laid down in the Protocol on the role of national parliaments and, if necessary, in specific provisions of Part two, e.g. Draft Article 22 on EUROPOL (see also the footnotes in Document 614/03).

The proposed threshold of one fourth of national parliaments might lead to an automatism to delay the legislative process. Therefore the threshold contained in the Protocol on subsidiarity should be applied here as well. Para 2 could thus be deleted.