

AMENDMENT FORM

Suggestion for amendment of Article 5 (Title Area of freedom, security and justice, Part II of the Treaty)

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Article 5: [Operational cooperation]

In order to ensure that operational cooperation on internal security is promoted and strengthened within the Union, a standing committee may be set up within the Council. Without prejudice to Article [207 TEC], it shall be responsible for **facilitation of strategic coordination ng of the operational** action of Member States' competent authorities **in the field of internal security**, ~~including police, customs and civil protection authorities.~~ The representatives of Europol, Eurojust and, where appropriate ~~the European Public Prosecutor's Office~~ **any other body established under this Title**, may be involved in the proceedings of this Committee. The European Parliament shall be kept informed of the work of the committee.

Explanation:

The consequences of Article 5, establishing a permanent committee of internal security in the framework of the Council, might not be that advantageous or bring any added value. We would have therefore preferred the deletion of this Article. However, recognising that there may be a need to address the facilitation of operational cooperation between the Member States, the above changes have been made to the Article and the following comments are added to clarify our understanding of the functioning of Article 5.

A new standing committee should convene a meeting only in cases where common measures concerning a large number of the Member States are needed. It should take decisions on e.g. planning of operative long-term action, on-going operational projects, current trends in cross-border crime, measures on border management, major catastrophe or any other internal security

related phenomena which requires EU-wide rapid action. No specific authorities should be mentioned in the Article as the list may be restrictive. It is up to the national legislation to define which authorities are competent in the field of internal security. These authorities can be law enforcement authorities (police, customs, border guard) and civil protection authorities.

The reference to a European Public Prosecutor's Office should be deleted (ref. our comments to Art. 20). However, the possibility for a participation of other JHA bodies should be left open.