

AMENDMENT FORM

Suggestion for amendment of: Part III, Article 153

By Mr : Dick Roche

Status : - Member

Article III–153 (ex Article 1)

1. The Union shall constitute an area of freedom, security and justice with respect for fundamental rights, taking into account the different legal traditions and systems of the Member States.
 2. It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration and external border control, based on solidarity between Member States, which is fair towards third-country nationals, including stateless persons.
 3. The Union shall endeavour to ensure a high level of security by measures to prevent and combat crime, racism and xenophobia, and measures for coordination and cooperation between police and judicial authorities and other competent authorities, as well as by the mutual recognition of judgments in criminal matters and the approximation of criminal laws **where necessary**.
 4. The Union shall facilitate access to justice, in particular by the principle of mutual recognition of judicial and extrajudicial decisions in civil matters.
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Explanation

The proposed amendment would bring the Article into line with Article I – 41 in providing for approximation of legislation only where necessary.