

AMENDMENT FORM

Suggestion for amendment of Article : 14 (part II of the Constitution)

Suggestion for protocol :

**By Ms / Mr : G.M de Vries
 T.J.A.M. de Bruijn**

Status : Members

Article 14 : [Judicial cooperation in civil matters]

1. 4.—The Union shall develop, in so far as necessary for cross border cooperation, judicial cooperation in civil matters based on the principle of mutual recognition of judgments and decisions in extrajudicial cases. Such cooperation shall include the adoption of measures for the approximation of national laws having cross-border implications.

2. To this end, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws and framework laws aiming, inter alia to ensure:

- the mutual recognition and enforcement between Member States of judgments and decisions in extrajudicial cases;
- the cross-border service of judicial and extrajudicial documents;
- the compatibility of the rules applicable in the Member States concerning the conflict of laws and of jurisdiction;
- cooperation in the taking of evidence;
- a high appropriate level of access to justice;
- the good functioning of civil proceedings, if necessary by promoting the compatibility of the rules on civil procedure applicable in the Member States;

- the development of measures for alternative methods of dispute settlement;
- ~~support for the training of the judiciary and judicial staff.~~

3. The Council may adopt measures for the education and training of judges and judicial staff of the Member States in the field of judicial cooperation in civil matters.

4. As far as the measures referred to in the previous second paragraph concern family law, the Council shall act unanimously on a proposal from the Commission and after consulting the European Parliament.

~~3. The Council, on a proposal from the Commission, shall unanimously adopt laws and framework laws concerning family law; it shall act after consulting the European Parliament. The European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws and framework laws concerning parental responsibility.~~

Explanation (if any) :

