

AMENDMENT FORM**Suggestion for amendment of Article : 14****Suggestion for protocol :****By Mr : Farnleitner****Status : - Member**

Chapter 2: Judicial cooperation in civil matters**Article 14 : Judicial cooperation in civil matters**

1. The Union shall develop 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 **European** laws and **European** 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 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 of preventive justice and alternative methods of dispute settlement;
 - **encouragement** for the training of the judiciary and judicial staff;
 - **cooperation on cross-border aspects of family law**
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Explanation (if any) :

The proposed para. 3, not like para. 2, has no explicit reference to para. 1. Therefore, one could argue that para. 3 aims not at judicial cooperation concerning family law (like int. jurisdiction, conflict of law rules or access to justice in this area), but the harmonisation of material family law (like marriage law, divorce, the matrimonial property regime etc.).

There is no need for a specific legislative procedure regarding cross-border aspects of family law.