

AMENDMENT FORM

Suggestion for amendment of Part Two, Title.... Article 15: [Judicial cooperation in criminal matters]

By Mr Dick Roche

Status : Member

Article 15: [Judicial cooperation in criminal matters]

1. Judicial cooperation in criminal matters in the Union shall be based on the principle of mutual recognition of judicial decisions and shall include the approximation of legislation in the areas referred to in Articles [16] and [17].
2. ~~The European Parliament and the Council, acting unanimously after consulting the~~ **European Parliament** ~~in accordance with the legislative procedure,~~ shall adopt laws and framework laws to:
 - establish rules and procedures for ensuring the recognition throughout the Union of all forms of judgments and judicial decisions;
 - prevent and settle conflicts of jurisdiction between Member States;
 - facilitate all other forms of cooperation between ministries and judicial or equivalent authorities of the Member States in relation to proceedings in criminal matters and the enforcement of decisions.
3. **The European Parliament and the Council in accordance with the legislative procedure, shall adopt laws and framework laws to encourage the education training of the judiciary and judicial staff in matters relating to judicial cooperation.**

Explanation (if any) :

In our view, unanimity is the appropriate decision-making procedure for the more fundamental aspects of judicial cooperation.

Presumably the Article is not intended to imply that the Union should adopt laws to encourage the training of the judiciary in all matters.

The relationship between the second indent of paragraph 2 and the second indent of Article 19.2 (Eurojust's role in conflicts of jurisdiction) is not clear.