

AMENDMENT FORM

Suggestion for amendment of Article 15: (Title Area of freedom, security and justice, Part II of the Treaty)

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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, in accordance with the legislative procedure, shall adopt laws and framework laws to:
 - establish rules and procedures for ensuring the **mutual** recognition throughout the Union of all forms of judgments and judicial decisions;
 - ~~prevent and~~ settle conflicts of jurisdiction between Member States;
 - encourage the training of the judiciary and judicial staff;
 - **facilitating extradition 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.

Explanation:

As there are no disadvantages for having more than one competent Member State in a particular case, it is not necessary to prevent conflicts of jurisdiction in the sense of establishing rules on exclusive jurisdiction at the Union level. The aim should rather be to resolve such conflicts with the help of Union legislation.

Facilitating extradition between Member States should be listed as a category of measures available to the Union in the field of judicial co-operation in criminal matters, as indeed is already the case under the current Article 31 TEU.