

## AMENDMENT FORM

Suggestion for amendment of Article : 15 (part II of the Constitution)

Suggestion for protocol :

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

Status : Members

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Chapter 3: Police and Judicial cooperation in criminal matters

### 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 of judicial authorities in criminal matters and shall include the approximation of legislation in the areas referred to in Articles [16] and [17].
2. The European Parliament and, with unanimity, the Council shall, in accordance with the legislative procedure, 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 of judicial authorities in criminal matters;
  - prevent and settle conflicts of jurisdiction between Member States;
  - ~~encourage the training of the judiciary and judicial staff~~;
  - 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 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 criminal matters.

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**Explanation (if any) :**

In the near future the Netherlands will send a contribution to the Convention on the topic of Union legislation in the field of criminal and civil law. This contribution will indicate the areas of criminal and civil law which are well suited for legislation at Union-level and which areas need to be left to national legislation, as well as decision making modalities in the Council.