

## AMENDMENT FORM

Suggestion for amendment of Article : 16 (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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### Article 16: [Criminal procedure]

~~In order to strengthen mutual trust between the competent authorities of Member States and to guarantee the effectiveness of common tools for police and judicial cooperation, the European Parliament and the Council, in accordance with the legislative procedure, may adopt laws and framework laws containing minimum rules concerning:~~

2. In order to promote mutual recognition of decisions by judicial authorities in criminal matters and to strengthen the effectiveness police and judicial cooperation in serious criminal cases with a cross-border character, the European Parliament and, with unanimity, the Council, in accordance with the legislative procedure, shall adopt framework laws containing minimum rules concerning:

– the admissibility of evidence throughout the Union;

~~– the definition of the rights of individuals in criminal procedure in compliance with fundamental rights;~~

~~- legal safeguards for persons accused in criminal matters;~~

– the rights of victims of crime;

– other specific aspects of criminal procedure, where necessary to combat serious criminal offences with a cross-border character, which shall be identified in advance by the Council, acting unanimously after receiving the assent of the European Parliament.

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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.