

AMENDMENT FORM

Suggestion for amendment of Part Two, Article 19:

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on behalf of the EPP Convention Group

Status: Members and Alternates

Text of the Praesidium

Proposed Amendments

Part Two: of the Constitution

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Title ...: Area of freedom, security and justice

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Chapter 3: Judicial cooperation in criminal matters

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Article 19: [Eurojust]

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1. Eurojust's mission shall be to ensure coordination and cooperation between national prosecuting authorities in relation to serious crime affecting two or more Member States or requiring a joint prosecution, on the basis of operations conducted and information supplied by the Member States' authorities and by Euro-pol.

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2. The European Parliament and the Council, in accordance with the legislative procedure, shall determine Eurojust's structure, workings, scope of action and tasks. Those tasks may include:

Insert new para 2:

2. Eurojust shall have legal personality.

~~2-~~3. The European Parliament and the Council, in ac-

- the initiation and coordination of criminal prosecutions conducted by competent national authorities;
 - the strengthening of judicial cooperation, including by resolution of conflicts of jurisdiction and by close cooperation with the European Judicial Network;
 - appropriate supervision of Europol's operational activities.
- cordance with the legislative procedure, shall determine Eurojust's structure, workings, scope of action and tasks. Those tasks may include:
- the initiation and coordination of criminal prosecutions conducted by competent national authorities;
 - the strengthening of judicial cooperation, including by resolution of conflicts of jurisdiction and by close cooperation with the European Judicial Network;
 - appropriate supervision of Europol's operational activities.

The law referred to in the preceding subparagraph shall also determine arrangements for involving the European Parliament and national parliaments in the development of Eurojust's activities.

3. In the prosecutions referred to in this Article, and without prejudice to the following Article, formal acts of judicial procedure shall be adopted by the competent national officials.

Add bullet point

- *prevention of fraud to the detriment of the Union budget.*

The law referred to in the preceding subparagraph shall also determine arrangements for involving the European Parliament and national parliaments in the development of Eurojust's activities.

~~3.~~ **4.** In the prosecutions referred to in this Article, and without prejudice to the following Article, formal acts of judicial procedure shall be adopted by the competent national officials.

Explanation:

New para 2:

Cf Art 1 of the Council decision of 28 February 2002 setting up Eurojust with a view to reinforce the fight against serious crime, OJ.2002 L23/1.

Para 2 (new 3)

OLAF competences should be given to Eurojust, in order to avoid double structures and to provide OLAF with the necessary legal basis for investigations. OLAF should be incorporated in the structure of Eurojust.