

AMENDMENT FORM

Suggestion for amendment of Article : 19 (part II of the Constitution)

Suggestion for protocol :

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

Status : **Members**

Article 19: [Eurojust]

1. Eurojust's mission shall be to ensure coordination and cooperation between national prosecuting authorities in relation to serious, in particular organised crime affecting two or more Member States or the interest of European Union, requiring a joint prosecution, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.
2. The European Parliament and with unanimity the Council shall, in accordance with the legislative procedure, determine Eurojust's structure, workings, scope of action and tasks. Those tasks may include:
 - the coordination of criminal prosecutions conducted by competent national authorities;
 - the strengthening of judicial cooperation, including by advising on 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 chapeau of this paragraph 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. All formal decisions concerning criminal prosecutions as referred to in this Article are reserved to~~

the competent national authorities.

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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.

