

AMENDMENT FORM

Suggestion for amendment of Part Two, Article 20:

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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 20: European Public Prosecutor's Office]

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1. With a view to combating serious crimes having a cross-border dimension, as well as illegal activities affecting the interests of the Union, the Council, acting unanimously after obtaining the assent of the European Parliament, may adopt a European law creating a European Public Prosecutor's Office within Eurojust. The European Public Prosecutor's Office shall be responsible for investigating, prosecuting and bringing to judgment the perpetrators, and their accomplices, of serious crimes affecting several Member States and of offences against the Union's financial interests, as determined by the law provided for in the following

1. With a view to combating serious crimes having a cross-border dimension, as well as illegal activities affecting the interests of the **Union, the European Parliament and the Council**, **in accordance with the legislative procedure** ~~acting unanimously after obtaining the assent of the European Parliament, may~~ **shall** adopt a European law creating a European Public Prosecutor's Office within Eurojust. The European Public Prosecutor's Office shall be responsible for investigating, prosecuting and bringing to judgment the perpetrators, and their accomplices, ~~of serious crimes~~

paragraph. It shall exercise the functions of prosecutor ~~affecting several Member States and~~ of offences in the competent courts of the Member States in relation to such offences. against the Union's financial interests, as determined by the law provided for in the following paragraph. It

2. The law referred to in the preceding paragraph shall determine the general rules applicable to the European offences. competent courts of the Member States in relation to such

Public Prosecutor's Office, the conditions governing the performance of its functions, the rules of procedure applicable to its activities as well as those governing the admissibility of evidence, and the rules applicable to the judicial review of procedural measures taken by the European Public Prosecutor's Office in the exercise of its functions. 2. The law referred to in the preceding paragraph shall determine the general rules applicable to the European Public Prosecutor's Office, the conditions governing the performance of its functions, the rules of procedure applicable to its activities as well as those governing the admissibility of evidence, and the rules applicable to the judicial review of procedural measures taken by the European Public Prosecutor's Office in the exercise of its functions.

Explanation:

There is a need for a European Prosecutor in order to efficiently combat cross-border crime in the Union. Therefore the Union's institutions should be committed to legislate accordingly, making use of the general legislative procedure of codecision and QMV.

The responsibility of the Prosecutor's office should encompass the protection of financial interests of the Union. A general responsibility for all serious crimes affecting several Member States would too much extend responsibilities in current stage of cooperation in criminal matters.