

## AMENDMENT FORM

### Suggestion for amendment of Article : 20

**By Members:** Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Peeter Kreitzberg, Mr Agirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; **and Alternate Members:** Ms Lone Dybkjaer, Mr Willem van Eekelen, Lord Robert MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

**Status :** Members and Alternate Members.

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### Article 20: European Public Prosecutor's Office]

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 *Union* 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 crime with cross-border dimensions resulting from the nature or impact of the offences* and of offences against the Union's *common* interests, as determined by the law provided for in the following paragraph. It shall exercise the functions of prosecutor in the competent courts of the Member States in relation to such offences.
  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.
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### **Explanation:**

*Why there should be an exception from the normal legislative procedure in this case is not self-evident.*

*There should surely be an equivalence between the treatment of the European Public Prosecutor on the one hand and Europol on the other.*

*For the sake of consistency, the general definition of the cases where the Prosecutor may be active*

*has been taken from Article 17. The Praesidium's introduction of a new definition 'serious crimes affecting several Member States', albeit potentially synonymous with Article 17, is unnecessarily confusing.*

*Likewise, we adjust the definition of crimes against the common interests of the Union to that of Article 17.*