

AMENDMENT FORM

Suggestion for amendment of Article 20: (Title Area of freedom, security and justice, Part II of the Treaty)

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Status : **Tiilikainen, Kiljunen, Vanhanen - Members**
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[Article 20: European Public Prosecutor's Office] [deleted]

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 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:

We are opposed to the idea of establishing a European Public Prosecutor. Eurojust has just recently started its work, so we do not have enough experience to say whether there is any need for a Union level enforcement authority. In addition, the mutual recognition approach is founded on respect for our diverse legal systems, and the powers of direction which would be given to a European Public Prosecutor are not compatible with that principle.

We believe that the creation of new law enforcement bodies at EU level should only take place where there is a clear need and should be subject to unanimity