

AMENDMENT FORM

Suggestion for amendment of article 19

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Status: Alternate

Article 19: Eurojust

1. Eurojust's mission ~~shall be to ensure~~ **is to support and strengthen** 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 Europol.
2. The ~~European Parliament and the~~ Council, **acting unanimously after obtaining the assent of the European Parliament**, ~~in accordance 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~~ **cooperation with** Europol's **on** 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.

Explanation:

The future Union action in the field of criminal matters implies that the Union may adopt common rules on criminal procedure and substantive criminal law.

Therefore, the essential parts of the future Union legislation in this field should be adopted with unanimity in the form of framework laws.

The proposed wording clarifies that Eurojust have no competence to instruct national authorities in the Member States to initiate or refrain from initiating criminal cases and is furthermore in line with the present wording of art. 22.

The second indent in paragraph 2 is amended, as adopting resolutions of conflict of jurisdiction ought not to be transferred to Union competence.

Europol and Eurojust should be maintained as equivalent bodies. Therefore, the third indent in paragraph 2 is amended.

The amendment in paragraph 3 is a consequence of deleting the following article concerning the European Prosecutor.