

## AMENDMENT FORM

### Suggestion for amendment of Article: III-166

**By: Prof. Danuta Hübner**

**Status: Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p>1. Judicial cooperation in criminal matters in the Union shall be based on the principle of mutual recognition of judgements and judicial decisions and shall include the approximation of the laws and regulations of the Member States in the areas referred to in paragraph 2 and in Article [III–167].</p> <p>A European law or framework law shall establish measures to:</p> <ul style="list-style-type: none"><li>(a) establish rules and procedures aimed at ensuring the recognition throughout the Union of all forms of judgements and judicial decisions;</li><li>(b) prevent and settle conflicts of jurisdiction between Member States;</li><li>(c) encourage the training of the judiciary and judicial staff;</li><li>(d) facilitate cooperation in criminal matters between judicial or equivalent authorities of the Member States in relation to proceedings in criminal matters and the enforcement of decisions.</li></ul> <p>2. In order to facilitate mutual recognition of judgements and judicial decisions and police and judicial cooperation in criminal matters having cross-border implications, a European framework law may establish minimum rules concerning:</p> <ul style="list-style-type: none"><li>(a) mutual admissibility of evidence between Member States;</li><li>(b) the rights of individuals in criminal procedure;</li><li>(c) the rights of victims of crime;</li><li>(d) any other specific aspects of criminal procedure which the Council has identified in advance by a European decision. The Council shall act unanimously after receiving the approval of the European Parliament.</li></ul>	<p>1. Judicial cooperation in criminal matters in the Union shall be based on the principle of mutual recognition of judgements and judicial decisions and shall <u>include be supported by</u> the approximation of the laws and regulations of the Member States in the areas referred to in paragraph 2 and in Article [III–167].</p> <p>A European law or framework law shall establish measures to:</p> <ul style="list-style-type: none"><li>(a) establish rules and procedures aimed at ensuring the recognition throughout the Union of all forms of judgements and judicial decisions;</li><li>(b) prevent and settle conflicts of jurisdiction between Member States;</li><li>(c) encourage the training of the judiciary and judicial staff;</li><li>(d) facilitate cooperation in criminal matters between judicial or equivalent authorities of the Member States in relation to proceedings in criminal matters and the enforcement of decisions.</li></ul> <p>2. In order to facilitate mutual recognition of judgements and judicial decisions and police and judicial cooperation in criminal matters having cross-border implications, a European framework law may establish minimum rules concerning:</p> <ul style="list-style-type: none"><li>(a) mutual admissibility of evidence between Member States;</li><li>(b) the rights of individuals in criminal procedure;</li><li>(c) the rights of victims of crime;</li><li>(d) any other specific aspects of criminal procedure which the Council has identified in advance by a European decision. The Council shall act unanimously after receiving the approval of the European Parliament.</li></ul>

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***Explanation:***

The wording above is a more accurate one.