

AMENDMENT FORM

Suggestion for amendment of: Part III, Article 169

By Mr : Dick Roche

Status : - Member

Article III–169 (ex Article 19)

1. Eurojust's mission shall be 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 prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.
2. A European law shall determine Eurojust's structure **and procedures**.
3. **A European law of the Council shall determine Eurojust's** workings, scope of action and tasks. Those tasks may include:
 - (a) the ~~initiation and~~ coordination of **judicial cooperation in individual cases** ~~criminal prosecutions conducted by competent national authorities~~, particularly those relating to offences against the financial interests of the Union;
 - (b) the strengthening of judicial cooperation, including by **facilitating** resolution of conflicts of jurisdiction and by close cooperation with the European Judicial Network.

The Council shall act unanimously after consulting the European Parliament.

4 A European law shall also determine arrangements for involving the European Parliament and Member States' national parliaments in the evaluation of Eurojust's activities.

~~3. In the prosecutions referred to in this Article, and without prejudice to [Article III–170], formal acts of judicial procedure shall be adopted by the competent national officials.~~

Explanation

While the legislative procedure may be used to determine Eurojust's structure and procedure, unanimity in the Council is the appropriate decision-making procedure in determining its tasks and scope of action. Eurojust should not have a direct role in prosecutions, therefore paragraph 3 is not necessary .