

AMENDMENT FORM

Suggestion for amendment of Article III-170: European Public Prosecutor's Office

By Member Mr Göran Lennmarker

Article III-170

~~1. In order to combat serious crime having a cross-border dimension, as well as crimes affecting the interests of the Union, a European law of the Council may establish a European Public Prosecutor's Office from Eurojust. The Council shall act unanimously after approval by the European Parliament.~~

~~2. The European Public Prosecutor's Office shall be responsible for investigating, prosecuting and bringing to judgment, where appropriate in liaison with Europol, the perpetrators of and accomplices in serious crimes affecting more than one Member State and of offences against the Union's financial interests, as determined by the European law provided for in paragraph 1. It shall exercise the functions of prosecutor in the competent courts of the Member States in relation to such offences.~~

~~3. The European law referred to in paragraph 1 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 it in the performance of its functions.~~

Explanation:

There is no established need for a European Prosecutor. All crimes, including crimes having a cross-border dimension and crimes affecting the interests of the Union, must be dealt with by national prosecutors. The cooperation within the third pillar has also led to the adoption of several instruments that will improve the combating of serious crimes with cross-border dimensions. Furthermore, the cooperation within Eurojust has just begun and it is not possible to foresee or establish the need for a European Prosecutor before Eurojust has functioned a few years and can be evaluated. The Article should therefore be deleted.