

AMENDMENT FORM

Suggestion for amendment of: Part III, Article 170

By Mr : Dick Roche

Status : - Member

~~Article III 170 (ex Article 20)~~

~~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 acting 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

It is quite clear that there was no consensus in this matter at the Convention and I do not support inclusion of this Article in the new Constitutional Treaty.