

**AMENDMENT FORM**

**Suggestion for amendment of Article : 18**

**Suggestion for protocol :**

**By Mr : Farnleitner**

**Status : - Member**

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**New chapter 5 : Crime prevention**

**Article [18]: [Crime prevention]**

1. The European Parliament and the Council, in accordance with the legislative procedure, **promote and support the action of Member States in the field of crime prevention, and** may adopt European laws **and framework laws** ~~to promote and support the action of Member States in the field of crime prevention,~~ excluding any approximation of Member States' legislative and regulatory provisions not permitted by other provisions in the Constitution.
  2. **The European Parliament and the Council, when adopting European laws and European framework laws under other provisions in the Constitution, shall take into account crime prevention aspects.**
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**Explanation (if any) :**

This article should be moved to a new chapter “Crime Prevention” as it refers both to police and judicial cooperation, and therefore should not be inserted under the judicial cooperation only.

The change in the first para. reflects the fact that action in the field of prevention is not primarily a matter of adopting European laws or European framework laws.

The proposed second paragraph should underline the horizontal challenge of crime prevention. When adopting a legal act crime prevention aspects should be taken into account in order to ensure that the rules do not invite or facilitate criminal activities or other abuse (cf also the Resolution of 21 Dec. 1998 on the prevention of organised crime with reference to the establishment of a comprehensive strategy for combating it (OJ C 408, 1)).