

## AMENDMENT FORM

### Suggestion for amendment of Article : 21

**By Members:** Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Peeter Kreitzberg, Mr Puiu Hasotti, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; and **Alternate Members:** Ms Lone Dybkjaer, Mr Willem van Eekelen, Lord Robert MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

**Status :** Members and alternate members.

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### **Article 21: [Cooperation with regard to internal security]**

1. The Union shall establish cooperation involving all the Member States' authorities with responsibility for internal security, including police, customs and other specialised services in relation to the prevention, detection and investigation of criminal offences.
  2. To this end, the *Union* shall adopt laws and framework laws concerning:
    - the collection, storage, processing, analysis and exchange of relevant information;
    - the training and exchange of staff, equipment and research;
    - any other measure not referred to in the following paragraph, that encourages cooperation between the authorities referred to in this Article.
  3. The Council may *adopt regulations* concerning operational cooperation between the authorities referred to in this Article. It shall act *by an enhanced qualified majority* after consulting the European Parliament.
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### **Explanation:**

*As Article 25 of Part One provides, the norm is that the Union passes laws according to the legislative procedure involving the Parliament and the Council. It is not necessary to spell this out every time. The repetition is irritating and lengthy.*

*In the field of internal security policy, the Council is acting in its executive capacity and therefore can only adopt regulations and not laws as set out in the hierarchy of norms in Article 24 of Part One and in accordance with the classification of competences.*

*There is no reason why the Council should be stuck with unanimity in this area. If it wished to do*

*so, it could adopt an enhanced form of QMV.*