

AMENDMENT FORM

Suggestion for amendment of Article : Title ...: Area of freedom, security and justice, 21

Suggestion for protocol :

By / Mr : Hain With the support of Lord Tomlinson, substitute

Status : - Member -

Article 21: [Cooperation with regard to internal security]

1. The Union shall establish co-operation involving all the Member States' authorities with responsibility for ~~internal security law enforcement~~, including police, customs and other specialised services in relation to the prevention, detection and investigation of criminal offences.
 2. To this end, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws and framework laws ~~concerning facilitating~~:
 - the collection, storage, processing, analysis and exchange of relevant information;
 - ~~the training, and~~ exchange of staff, ~~and co-operation on~~ equipment and research;
 - ~~any other measure not referred to in the following paragraph, that encourages~~ administrative co-operation between the authorities referred to in this Article.
 3. Okay.
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Explanation (if any) :

Chapter 4 : *The term “police co-operation” is too narrow, excluding for example customs authorities. We prefer to use the broader term “law enforcement” co-operation, which we have also proposed inter alia for article 5. This is consistent with the recommendation that EU operational co-operation should bring together all relevant authorities.*

Article 21(1) : *This amendment reverts to the language found in Article 30(1)(a) TEU, which makes what is at issue much clearer. If Article 6 were to use the language of national security, the reference here to “internal security” would be less confusing.*

Article 21(2) : *The insertion of the word “facilitating” makes it clear that legislation in the field of law enforcement co-operation is designed to support co-operation rather than constrain Member States’ law enforcement authorities. Measures under this paragraph should not force Member States to exchange staff or supply information, but should create a framework within such exchanges can take place.*

Article 21(3) : *Unanimity is essential here in line with the Working Group X report’s recommendation. There may, however, be scope for amalgamating this provision with article 23.*