

## AMENDMENT FORM

### Suggestion for amendment of Article 21: (Title Area of freedom, security and justice, Part II of the Treaty)

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

1. The Union shall ~~establish~~ **further develop** cooperation involving all the Member States' **law enforcement** 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 European Parliament and the Council, in accordance with the legislative procedure, 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 unanimously adopt laws and framework laws concerning operational cooperation between the authorities referred to in this Article. It shall act after consulting the European Parliament.
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#### **Explanation:**

As cooperation involving all the Member States' authorities with responsibility for internal security already exists and is functioning, the word “establish” should be changed to “further develop”. No specific authorities should be mentioned in the Article as the list may be restrictive. It is up to the national legislation to define its competent law enforcement authorities. According to Article 7 regulations to ensure cooperation between the relevant departments of national administrations as well as between those departments and the Commission shall be adopted by qualified majority, while Article 21, paragraph 3, prescribes that laws and framework laws concerning operational cooperation between authorities responsible for internal security shall be adopted unanimously. The relation between Article

7 and Article 21, paragraph 3, is not clear. It should be clarified that Article 7 concerns non-operational cooperation.