

## AMENDMENT FORM

**Suggestion for amendment of Article : III-171**

**By Mr Hain**

**Status : Member**

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1. *Okay.*

2. To this end, a European law or framework law may establish measures ~~concerning~~ facilitating:

- (a) the collection, storage, processing, analysis and exchange of relevant information;
- (b) support for the training and exchange of staff, and co-operation on equipment and research;
- (c) the common evaluation of particular investigative techniques in relation to the detection of serious forms of ~~organised~~ crime.

3. *Okay.*

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### **Explanation (if any) :**

*In the second section, 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 direct 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.*

*Working Group X’s final report underlined that the existing wording of Article 30 (d) TEU is satisfactory (which refers to common “evaluation” of these techniques). Moreover, the explanatory text accompanying the Praesidium’s revised note states that the additional indent on common investigative techniques is “already included in Article 30(1) TEU”. The UK is content with a return to the wording of Article 30(1)(d) TEU and the amendment achieves this. As currently drafted, however, the revised article would provide wide-ranging competence to approximate criminal procedural law on investigative measures. Any such provision would be completely unacceptable.*