

**COVER NOTE**

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from : Secretariat

to : Convention

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Subject : **Summary of proposed amendments regarding the area of freedom, security and justice:**  
**Draft Article 31 (Part One) and draft Articles from Part Two**

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Members will find in the Annex the summary of proposed amendments regarding the area of freedom, security and justice: draft Article 31 (Part One) and draft Articles from Part Two.

**SUMMARY OF PROPOSED AMENDMENTS REGARDING**  
**THE AREA OF FREEDOM, SECURITY AND JUSTICE**  
**DRAFT ARTICLE 31, PART ONE**  
**AND DRAFT ARTICLES FROM PART TWO**

**I. THEMATIC ANALYSIS OF AMENDMENTS – SUMMARY**

The Praesidium's proposal to the Convention is largely based on the final report of Working Group X (CONV 426/02) of 2 December 2002. That proposal contains a draft Article 31 (Part One of the Constitution) and a number of articles from Part Two of the Constitution.

Convention members have tabled 733 amendments. Certain trends of thought emerging from those amendments are set out below.

Many Convention members want Article 31 of Part One deleted; however, others have proposed amendments designed to maintain it as a consistent whole covering different spheres of action in the area of freedom, security and justice.

Some provisions of Part Two apply to the whole area, and so have effects across the board. Many Convention members consider it preferable to place the Article on the role of the European Council, irrespective of its content, in the more general provision in Part One. The same has been argued on occasion for the provision on national parliaments, with the proposal to incorporate it into the Protocol on subsidiarity.

The principle of establishing the evaluation mechanism is not contested by the majority of Convention members but certain proposed improvements could be considered.

The role of the Committee on operational cooperation: amendments have been proposed which are designed to make its basis and its tasks more visible. Several Convention members would like this Committee to cover external border issues too.

Member States' right of initiative in the field of judicial cooperation in criminal matters and police

cooperation has been queried by some Convention members and sometimes contradictory suggestions have been put forward. It has been mooted that the Commission might retain its sole right of initiative but should act on its own initiative or at the request of the Member States.

Judicial control: Convention members seem to be split between keeping a clause which would exclude operations to maintain law and order from the jurisdiction of the Court of Justice, stating that these fall under national law, or providing for application of the general rules on the jurisdiction of the Court of Justice even in this area.

Checks on persons at borders, asylum and immigration: a number of amendments have been tabled which seek to replace the legislative procedure by a Council act adopted unanimously. There has been emphasis on the need to set up a common border guard. On the subject of asylum, some Convention members want the Union's activity confined to laying down minimum standards. On immigration, there have been requests to exclude a right of access to the labour market, whereas others would wish to see that right incorporated.

For the whole area of judicial cooperation in civil matters and in criminal matters, in general, and for police cooperation, a number of Convention members want the unanimity rule to apply to all these provisions. Others are aware that these already reflect the compromises arrived at in Working Group X and wish to see the provisions strengthened in various ways, for example by broadening their scope. With regard to substantive criminal law in particular, some wish to delete this provision while others wish to strengthen it, mainly by adding additional areas of crime.

Criminal procedure: some Convention members have insisted that it should not be possible to adopt minimum standards unless there are cross-border implications.

Eurojust and the European Public Prosecutor's Office: some Convention members would prefer to see Eurojust, which was set up fairly recently, remain in operation and to wait a few years before developing it into the European Public Prosecutor's Office. Others consider that the Constitution should allow a European Public Prosecutor's Office to be established [or should establish it outright]. Some Convention members are prepared for this to be done by the legislative procedure and by a qualified majority, but the majority would tend to advocate acting by unanimous Council decision after obtaining the assent of the European Parliament.

## **II. DETAILED ANALYSIS OF THE AMENDMENTS BY ARTICLE**

### **Article 31: Implementation of the area of freedom, security and justice**

- 1. *The Union shall ensure an area of freedom, security and justice:***
  - by adopting laws and framework laws intended in particular to approximate national laws in the areas listed in Part Two of the Constitution;*
  - by promoting mutual confidence between the competent authorities of the Member States, in particular on the basis of mutual recognition of judicial and extrajudicial decisions;*
  - by operational cooperation between all competent authorities of the Member States for internal security.*
- 2. *Within the area of freedom, security and justice, national parliaments may participate in the evaluation mechanisms foreseen in Article [4, Part Two] of the Constitution, and shall be involved in the political monitoring of Europol's activities in accordance with Article [22, Part Two] of the Constitution.***
- 3. *In the field of police and judicial cooperation in criminal matters, Member States shall have a right of initiative under the arrangements set out in Article [8, Part Two] of the Constitution.***

## **EXAMINATION OF THE AMENDMENTS BY PARAGRAPH**

### **General**

- Many Convention members are proposing that this Article should be deleted, arguing that this is a consequence of merging the pillars, which makes it unnecessary to stipulate specific procedures in Part One. Some argue that the substance of this Article does not refer to instruments but to objectives (Article 3) and the competences of the Union (already described in Article 12).

*Fischer (am.1) + Voggenhuber + 3 Convention members (am.2) + Wittbrodt + 1 Convention member (am.3) + Brok + 31 Convention members (am.4) + Duhamel + 10 Convention members (am.5) + Michel + Convention members (am.6) + Duff + 20 Convention members (am.7) + Kaufmann (am.8) + Andriukaitis + 5 Convention members (am.9).*

### **Paragraph 1**

- Some Convention members want a reference to the different traditions and legal systems to be added to this Article;  
*Santer + 2 Convention members (am.10).*

- Some Convention members are proposing that the Union shall ensure an area of freedom, security and justice "without prejudice to the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of their public security",  
(*de Villepin – am.13 + Lennmarker (am.35)*), who want this idea embodied in a separate paragraph), or

"in accordance with the constitutional rules of the Member States";  
*Fini (am.15)*.

- Some Convention members want the reference to the approximation of national laws removed  
*Kvist (am.22); Hjelm-Wallén and Lekberg (am.24)*;

Another member specifies that there should be approximation only where appropriate;  
*Hain (am.25); Roche (am.14)*;

One Convention member wants "recommendations" in addition to laws and framework laws;  
*Earl of Stockton (am.20)*

and some Convention members have added "regional laws "  
*Chabert + 4 Convention members (am.28)*.

- One Convention member wants to retain the pillar structure in this sector and cooperation through laws and recommendations to take place only where absolutely necessary;  
*Kirkhope (am.11)*.
- Three Convention members propose broadening operational cooperation to include illegal immigration and the management of external borders;  
*Santer + 2 Convention members (am.12)*.
- Some members are proposing that operational cooperation should extend to all national authorities competent for maintaining law and order and for law enforcement; *de Vries (am.18); Hain – (am.25)*.
- One member has asked for the legislative procedure to be explicitly mentioned  
(*Borrell – am.31*).

## **Paragraph 2**

- Some Convention members (in addition to those seeking the deletion of the entire Article) also want this paragraph deleted.  
*Borrell and Carnero (am.31) + Hübner (am.29) + de Vries et de Bruijn (am.18) + Kohout (am.10)*
- Others want national parliaments to have a bigger part not limited to monitoring and evaluating Europol. They would achieve this by inserting "in particular";  
*Costa and Oliveira Martins (am.33); Haenel + 2 Convention members (am.32); Roche (am.14)*.
- Yet others want national parliaments to monitor Eurojust in addition;  
*Fini (am.1); Farnleitner (am.19); and the European Public Prosecutor's Office, Teufel (am.30)*;

- Some Convention members have added "regional parliaments" to national parliaments, *Chabert + 4 Convention members (am.28)*.

### **Paragraph 3**

- Some Convention members want this paragraph deleted; *Svensson (am.34); Lennmarker (am.35); van der Linden + 3 Convention members (am.36)*.
- Other Convention members want the Member States' right of initiative to apply not only to police and judicial cooperation in criminal matters but also to customs cooperation; *de Villepin – (am.13); Hjelm-Wallén (am.24)*

or to border control, asylum and immigration;  
*Farnleitner (am.19)*.

### **Other amendments**

- One Convention member wishes to add a new paragraph, stipulating that all proposals for acts which have implications for the achievement of the area of freedom, security and justice must be scrutinised by the Council bodies responsible for the implementation of Article 31 *de Villepin (am.3)*.
- Another member wants there to be a separate paragraph specifying that the prosecution, trial and sentencing of criminals fall within the exclusive competence of the Member States *Roche (am.14)*.

## **Part Two of the Constitution**

### **Title ...: Area of freedom, security and justice**

#### **Article 1: Definition of the area**

*The Union shall constitute an area of freedom, security and justice with respect for fundamental rights and taking into account the different European legal traditions and systems.*

*It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration and external border control based on solidarity between Member States and fairness towards third-country nationals.*

*The Union shall ensure a high level of safety by measures to prevent and combat crime and promote coordination and cooperation between criminal police and judicial authorities and other competent authorities, as well as by the mutual recognition of judgments in criminal matters and the approximation of criminal laws.*

*The Union shall facilitate access to justice, in particular by the free movement of documents and judgments in civil matters based on the principle of mutual recognition.*

#### **THEMATIC EXAMINATION OF AMENDMENTS**

- There are virtually no amendments which seek the deletion of this Article. Some amendments are identical in content to those tabled for Article 31 of Part One.
- One Convention member wants to reconstitute a "pillar" for this sector (*Kirkhope – am.1.*)
- Some Convention members want an explicit reference to the Charter of Fundamental Rights where the Article states that the area of freedom, security and justice shall respect those rights; *Duhamel + 10 Convention members (am.4); Michel + 5 Convention members (am.6)*
- Others have proposed a reference here to the rule of law. (*Farnleitner – am.11*) or to the principles of national constitutional law (*Muscardini – am.9*)
- Several Convention members propose adding [measures] to prevent and combat racism and xenophobia; *De Rossa (am.18), Carey (am.19); Gabaglio (am.20); Dybkjaer (am.17); Duhamel + 10 Convention members (am.4); Voggenhubber + 1 Convention member (am.5), Michel + 5 Convention members (am.6)*
- Some Convention members propose adding "burden-sharing" after "solidarity"; *Figel + 3 Convention members (am.21); Rupel + 1 Convention member (am.22)*
- Some Convention members specify that the Union's action is concerned with "cross-border" crime; *Azevedo + 1 Convention member (am.27); Hain (am.28); Haenel (am.29); van der Linden + 3 Convention members (am.13)*

- Access to justice: some Convention members want to replace "the Union shall facilitate" by "the Union shall ensure";  
*De Villepin (am.8); Haenel + 1 Convention member (am.29)*  
 Others add the word "real"; *Borrell + 1 Convention member (am.33)*;  
 or refer to the quality of the administration of criminal justice; *Costa + 1 Convention member (am.31)*;  
 or to "efficient procedures"; *de Villepin (am.8)*
- Some Convention members propose replacing "access to justice" by judicial cooperation in civil matters and the harmonisation of civil law, in particular through the free movement of documents and judgments in civil matters;  
*Fischer (am ; 32); Kaufmann (am.3)*
- In this context, one Convention member specifies that the principle of mutual recognition is established by bilateral or multilateral agreements between Member States;  
*Muscardini (am.8)*



## **Article X: Role of the European Council**

**"The European Council shall define the guidelines for legislative and operational action within the area of freedom, security and justice."**

### **THEMATIC EXAMINATION OF AMENDMENTS**

- Delete the entire article, on the grounds either that it is redundant or that it should be incorporated into the forthcoming Article on the European Council (Article 15 of the preliminary draft):
  - *Brok + 32 Convention members (am.4) + de Vries+ de Bruijn (am. 5) + Duff + 20 Convention members (am.6) + Duhamel + 10 Convention members (am.7) + Farnleitner (am.8) + Fischer (am.9) + Hübner (am.11) + Meyer (am.14)+ Michel + 4 (am.15) + Roche (am.18)+ Santer+ 2 Convention members (am.19) + Tiilikainen + 5 Convention members (am.20) + Vassiliou (am.21) + Voggenhuber + 4 Convention members (am.22).*
- Explicit support for keeping the article on the European Council:
  - *Hain + Tomlinson (am.10)*
- Add a new paragraph fleshing out the role and tasks of the European Council, stating, for example, that "the European Council shall, after consultation of the European Parliament and national parliaments, establish a multiannual strategic programme in order to define a general framework of action for the Union as regards legislative and operational cooperation".
  - *Azevedo + Nazaré Pereira (am.2)*
- Add the European Parliament, acting on an equal footing with the European Council, or stipulate that the European Parliament must be consulted beforehand:
  - *Borrell + Lopez-Garrido (am.3)+ Kaufmann (am.12)+ Muscardini (am.16) + Paciotti (am.17)*

### **Article 3: Role of national parliaments**

1. *National parliaments may participate in the evaluation mechanisms contained in Article 4 of the Constitution and shall be involved in the political monitoring of Europol's activities in accordance with Article 22 of the Constitution.*
2. *[Notwithstanding the provisions foreseen in the Protocol on the application of the principles of subsidiarity and proportionality, where at least one quarter of national parliaments issue reasoned opinions on non-compliance with the subsidiarity principle of a Commission proposal submitted in the context of Chapters 3 and 4 of this Title, the Commission shall review its proposal. After such review, the Commission may decide to maintain, amend or withdraw its proposal. The Commission shall give reasons for its decision. This provision shall also apply to initiatives emanating from a group of Member States in accordance with the provisions of Article 8 of this Title.]*<sup>1</sup>

### **THEMATIC EXAMINATION OF AMENDMENTS**

- Whilst not rejecting the substance of Article 3, several Convention members are proposing that it should be incorporated into the Protocol on national parliaments and the Protocol on the application of the principles of proportionality and subsidiarity.
  - *Andiukaitis + 4 Convention members (am.1) + Duff + 20 Convention members (am.8) + Duhamel + 9 Convention members (am.9) + Farnleitner (am.11) + Fischer (am.13) + Vastagh (am.34) + De Villepin (am.35)*
- State that national parliaments "shall participate" and not "may participate" in the evaluation mechanisms"<sup>2</sup>:
  - *Azevedo + Nazaré Pereira (am.2) + Figel + Belohorska + Migas (am.12) + Haenel + 2 Convention members (am.15)*
- Delete the provisions on national parliaments' participation in evaluation mechanisms:
  - *de Vries + de Bruijn (am.7)*
- Reinforce the role of national parliaments by allowing them, for example, to be consulted when the European Council decides on the strategic guidelines for the area of freedom, security and justice, by setting up a joint committee of the relevant European Parliament committees and the national parliamentary committees tasked with monitoring Europol, or by strengthening the mechanism of derogation from the procedure laid down in the Protocol on the application of the principles of proportionality and subsidiarity:

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<sup>1</sup> In a subsequent version of the draft Constitution, this provision should be transferred to the Protocol on the application of the principles of subsidiarity and proportionality (a first draft of which (CONV 579/03) had already been submitted to the Convention when this document was drawn up by the Praesidium).

<sup>2</sup> The Praesidium decided on the wording "may participate" in order to accommodate the fact that the Constitution cannot oblige national parliaments to participate against their wishes or if internal constitutional reasons do not allow it. It was felt that the situation called for flexibility.

- *Duff + 20 Convention members (am.8) + Floch (am.14) + Haenel + 2 Convention members (am.15) + Heathcoat-Amory (am.17) + Kirkhope (am.21) + Lequiller (am.24) + Schlüter (am.30)*
- Several Convention members have doubts about the value of the system provided for in paragraph 2. They see no reason for relaxing – in the area of freedom, security and justice – the early warning system established by the Protocol on the application of the principles of subsidiarity and proportionality:
- *Borrell + 2 Convention members (am.3) + Brok + 32 Convention members (am.4) + Hübner (am.19) + Kaufmann (am.20) + Kohout (am.22) + Kuneva (am.23) + Meyer (am.25) + Michel + 5 Convention members (am.26) + Roche (am.28) + Santer + 3 (am.29) + Teufel (am.31) + Tiilikainen + 5 (am.32) + Van der Linden + 3 Convention members (am.33) + Voggenhuber + 2 Convention members (am.36)*
- Extend the rights accorded to national parliaments to regional parliaments which exercise legislative powers:
- *Chabert (CoR observer) + 5 CoR observers (am.5)*

#### **Article 4: Evaluation mechanisms**

*Without prejudice to Articles [226 to 228] of this Treaty, the Council may adopt arrangements whereby Member States, in collaboration with the Commission, conduct objective and impartial evaluation of the implementation of the Union policies referred to in this Title by Member States' authorities. The European Parliament, as well as national parliaments, shall be informed of the content and results of the evaluation.*

#### **THEMATIC EXAMINATION OF AMENDMENTS:**

- Several Convention members wanted the article deleted or its provisions shortened: (some pointed out that, with the possibility of judicial control, there was no justification for political control)
  - Duff + 20 Convention members (am.4) + Fischer (am.6) + Kaufmann (am.10) + Kohout (am.12) + Michel + 5 Convention members (am.14) + Teufel (am.18) + Tiilikainen + 5 Convention members (am.19)
- Strengthening of the role of the European Parliament, which, like the Council, could lay down the arrangements whereby Member States made an evaluation;
  - Costa + d'Oliveira Martins (am.3) + Duhamel + 8 Convention members (am.5)
- Strengthening of the powers of the Commission (for example: "on the initiative of the Commission"):
  - Hübner (am.9) + Timmermans + 3 Convention members (am.20)
- Include a link with the principle of mutual recognition:
  - Lequiller (am.13) + De Villepin (am.21)
- Reminder that the evaluation must respect the independence of the courts:
  - Hübner (am.9)
- Strengthening of the effects of the evaluations:
  - Lequiller (am.13) + Pacioti (am.15)
- The right of national parliaments to be kept informed should be extended to regional parliaments with legislative powers:
  - Chabert (CoR observer) + 5 CoR observers (am.2)

## **Article 5: Operational cooperation**

*In order to ensure that operational cooperation on internal security is promoted and strengthened within the Union, a standing committee may be set up within the Council. Without prejudice to Article [207 TEC], it shall be responsible for coordinating the action of Member States' competent authorities, including police, customs and civil protection authorities. The representatives of Europol, Eurojust and, where appropriate the European Public Prosecutor's Office, may be involved in the proceedings of this Committee. The European Parliament shall be kept informed of the work of the committee.*

### **THEMATIC EXAMINATION OF AMENDMENTS:**

- Deletion of the article:
  - *Heathcoat-Amory (am.14) + Kirkhope (am.18)*
- Expansion and strengthening of the Committee's role and powers, for example by extending its sphere of action to the preparation of legislative work or stipulating that it should provide operational "and strategic" coordination:
  - *de Vries + de Bruijn (am.6) + Fischer (am.10) + Hjelm-Wallén + 3 Convention members (am.15) + Kuneva (am.19) + Michel + 5 Convention members (am.22) + Santer + 2 Convention members (am.26) + Svensson (am.28) + Tiilikainen + 4 Convention members (am.31) + De Villepin (am.33)*
- The remit of the standing committee on cooperation should also explicitly cover external borders and/or immigration:
  - *Fischer (am.10) + Cushnahan (am.5) + Lopes + Lobo Antunes (am.21) + Santer + 2 Convention members (am.26) + Schlüter (am.27) + Vastagh (am.32) + De Villepin (am.33) + Voggenhuber + 1 Convention member (am.34)*
- Include national parliaments, which, like the European Parliament, should be "kept informed of the work of the committee":
  - *Azevedo + Nazaré Pereira (am.1) + Duff + 20 (am.7) + Haenel + 2 Convention members (am.12) + Queiró (am.23)*
- Strengthening of the control exercised by the European Parliament:
  - *M. Borrell (am.3) + Duff + 20 Convention members (am.7)*
- Strengthening of the role of the European Commission:
  - *Rupel + Lenarcic (am.25)*
- ➤ Rewrite the article without altering the meaning:
  - *Pacioti + 10 Convention members (am.8) + Farnleitner (am.9) + Hübner (am.16) + Lennmarker (am.20) + Roche (am.24) + Tajani (am.2) + Teufel (am.30)*

## **Article 6: Measures concerning public order and internal security**

*"This Title shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of their internal security."*

### **THEMATIC EXAMINATION OF AMENDMENTS:**

- Some Convention members want to replace the word "responsibilities" with "competences of the Member States":  
*Borrell and 1 Convention member (am.1)*
- Some Convention members want to add the words "law enforcement";  
*De Vries + de Bruijn (am.3)*  
  
*"the organisation of competent national authorities":*  
*Hjelm-Wallén + 3 Swedish Convention members (am.4)*
- One Convention member wants it to be made clear that this provision does not imply that the Member States are not bound to comply with Union law  
*Kaufmann (am.8)*

## **Article 7: Administrative cooperation**

*"The Council shall adopt by a qualified majority regulations to ensure cooperation between the relevant departments of the administrations of the Member States in the areas covered by this Title, as well as between those departments and the Commission. It shall act on a Commission proposal, or, in the areas covered by Chapters 3 and 4 of this Title, either on a Commission proposal or on the initiative of a quarter of the Member States and after consulting the European Parliament."*

### **I. THEMATIC EXAMINATION OF AMENDMENTS:**

- Delete the article  
*Kirkhope (am.3)*
- Restrict the article to the chapter on immigration and asylum, or make provision for the Council to act unanimously as regards judicial and police cooperation, or as regards any article  
*Lopes + Lobo Antunes (am.8), Teufel (am.9), Roche (am.12), Heathcoat-Amory (am.16), de Vries + de Bruijn (am.20), Hain + Tomlinson (am.23)*
- Specify that the article concerns administrative (and not operational) cooperation  
*Santer + 3 (am.1), Tiilikainen + 5 (am.22)*
- Council may adopt regulations...  
*Kohout (am.2)*
- Provide for the legislative procedure  
*Kaufmann (am.10), Voggenhuber + 2 (am.18)*
- Provide for other instruments (decisions or framework laws)  
*Michel + 5 ( am.5), Queiró (am.13)*
- Make reference to regional and local authorities  
*Chabert + 5 (am.14)*
- Those proposing amendments to Article 8 (right of initiative) have made amendments so as to align Article 7  
*(see the amendments listed under Article 8).*

## **Article 8: Right of initiative**

*"The acts referred to in Chapters 3 and 4 of this Title shall be adopted:*

- on a proposal from the Commission, or*
- on the initiative of a quarter of the Member States."*

### **THEMATIC EXAMINATION OF AMENDMENTS:**

- Some Convention members want this provision deleted, for various reasons. For some, it is because these areas should remain the sole responsibility of the Member States;  
*Kirkhope (am.1) + Heathcoat-Amory (am.3).*

For others, it is because the Commission should continue to have a monopoly of initiative;  
*Michel + 5 Convention members (am.2); Voggenhuber + 2 Convention members (am.5); Wittbrodt + 1 Convention member (am.6);*

- Other Convention members also want to maintain the Commission's monopoly of initiative but they accept that it should be able to submit a proposal at the request of a Member State; the Commission would have to state the grounds for its decision in the event of a refusal  
*Costa + 1 Convention member (am.7)*
- Some accept the previous proposal but without the requirement that the Commission should state its grounds;  
*Duff + 19 Convention members (am.10); Rupel + 1 Convention member (am.11)*
- Yet others agree that the Commission should be required to submit a proposal at the request of not only a quarter of the Member States but also the European Parliament and the Council;  
*Duhamel + 9 Convention members (am.8)*
- Others accept the previous proposal but suggest a third instead of a quarter of the Member States;  
*Borrell + 1 Convention member (am.9)*
- Some Convention members accept the idea that the Member States should be able to present an initiative, but instead of a quarter of the Member States they propose a minimum of one third of the Member States;  
*Fischer (am.12); van Dijk + 1 Convention member (am.13); Santer + 3 Convention members (am.14); de Vries + 1 Convention member (am.15),*  
  
*Or a fifth;*  
*Figel + 3 Convention members (am.16)*
- One Convention member replaces the right of initiative of the Commission with that of the European Parliament;  
*Earl of Stockton (am.17)*



Another adds the right of initiative of the European Parliament to that of the Commission and a quarter of the Member States;  
*Muscardini (am.18)*;

- One member wants to extend the scope of this provision to Chapter 1 (border control, asylum, immigration);  
*Farnleitner (am.19)*;
- One Convention member suggests a "sunset clause" to the effect that an initiative of a quarter of the Member States will be considered void after 3 months if it is not taken up by the Council;  
*Hübner (am.20)*;
- One Convention member proposes that all acts provided for in Part II should be adopted by the Council alone but that in the areas of judicial cooperation in criminal matters and police cooperation the initiative could lie with the Commission or with a quarter of the Member States;  
*Queiró (am.21)*;

## **Article 9: Judicial control**

*"In exercising its competences regarding the provisions of Chapters 3 and 4 of this Title, the Court of Justice shall have no jurisdiction to review the validity or proportionality of operations carried out by the police or other law-enforcement services of a Member State or the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security, where such action is a matter of national law."*

## **THEMATIC EXAMINATION OF AMENDMENTS:**

- Many Convention members want this article deleted because they consider that the competence of the Court of Justice should apply to this area and that this follows from the Working Group's final report;  
*Farnleitner (am.1); Fischer (am.2); Brok + 32 Convention members (am.3); Duhamel + 9 Convention members (am.3); Wittbrodt + 1 Convention member (am.5); Duff (am.6); Voggenhuber + 2 Convention members (am.7); Michel + 5 Convention members (am.8); Borrell + 1 Convention member (am.9); Heathcoat-Amory (am.10): for other reasons.*
- One Convention member wants to reinstate the derogation concerning the preliminary ruling procedure as set out in the current Article 35 of the TEU for Chapters 3 and 4;  
*Hain (am.1)*
- Another Convention member takes up the previous proposal but extends the preliminary ruling procedure to Chapters 1, 3 and 4; he says that, where the national judge refers a question for a preliminary ruling in proceedings where a person is detained, the Court of Justice should deliver its judgment within three months.  
*de Vries (am.12)*
- Some Convention members want to keep Article 35(5) of the TEU as it is at present, i.e. without the last phrase of draft Article 9 ("where such action is a matter of national law"); they consider that such action is always a matter of national law.  
*De Villepin (am.16); Teufel (am.17); Fini (am.18) Hjelm-Wallén and Lekberg (am.19); Lopes and Lobo Antunes; Queiró (am.21); Schlüter (am.22)*
- Some Convention members have added "regions or local authorities" and "regional law";  
*Chabert + 4 Convention members (am.15)*
- Two Convention members have added an article (Article 9a) concerning external relations  
*De Vries + de Bruijn (am.27)*

## **Article 10: Checks on persons at borders**

**"1. The Union shall develop a policy with a view to:**

- ensuring the absence of any controls on persons, whatever their nationality, when crossing internal borders;**
- carrying out checks on persons and efficient monitoring of the crossing of external borders;**
- the gradual introduction of a common integrated management system for external borders.**

**2. For this purpose, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws or framework laws concerning:**

- conditions of entry for a short stay for nationals of third States, including the visa requirement and exemption from this requirement, the rules, procedures and conditions of issue of permits for crossing external borders, and the uniform format for such permits;**
- the controls to which persons crossing external borders may be subject;**
- the conditions under which nationals of third countries shall have the freedom to travel within the Union for a short period;**
- any measure necessary for the gradual establishment of a common integrated management system for external borders;**
- the absence of any controls on persons, whatever their nationality, when crossing internal borders."**

## **THEMATIC EXAMINATION OF AMENDMENTS:**

- Include an explicit reference to the setting up of a common border-guard corps, with a date of entry into force for example:
  - Fischer (am.12) + Berger + Einem (am.2) + Brok + 36 Convention members (am.3) + Costa + d'Oliveira Martins (am.5) + de Vries + de Bruijn (am.6) + Kuneva (am.19) + Teufel (am.25) + Vastagh (am.27) + Wuermeling (am.30)
- Refusal or reluctance to accept the idea that Article 10 could provide a legal basis for setting up a common border-guard corps:
  - Lennmarker + Kvist (am.20) + Tiilikainen (am.26)
- Inclusion of the safeguard clause provided for in Article 2 of the Schengen Convention authorising a Member State to reinstate internal border controls:
  - Lopes + Lobo Antunes (am.21) + Teufel (am.25) + De Villepin (am.28) + Chabert + 6 Convention members (am.4) (assigning a particular role to the regions or local authorities responsible)

- Include the concept of "free movement of persons" (instead of "absence of any controls at borders"):
  - *Badinter (am.1) + Farnleitner (am.10)*
- Keep the unanimity rule for all or part of the field covered by the article:
  - *Kalniete + 5 (am.16) + Palacio (am.23) + Schlüter (am.24)*
- Include the concept of "economic solidarity" in the integrated management of external borders:
  - *Fini (am.11)*
- Extend the scope of the article to "stateless persons" ("nationals of third States and stateless persons")
  - *Duhamel + 8 Convention members (am.8)*
- Insertion or reiteration of an opt-out for Member States as regards the lifting of border controls/refusal to allow the Union any competence in this area:
  - *Stockton (am.9) + Heathcoat-Amory (am.14) + Kirkhope (am.18)*
- Restricting the scope of the article to controls on persons:
  - *Fischer (am.12)*
- Extending the scope to cover illicit traffic:
  - *De Villepin (am.28)*
- Drafting amendments:
  - *Duff + 20 Convention members (am.7) + Tiilikainen + 5 (am.26) + Wittbrodt + Fogler (am.29)*

## **Article 11: Asylum**

- "1. The Union shall develop a common policy on asylum and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement. This policy shall be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and other relevant treaties.**
- 2. For this purpose, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws or framework laws to establish a common European asylum system comprising:**
- a uniform status of asylum for nationals of third countries, valid throughout the Union;**
  - a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection;**
  - a uniform status of temporary protection for displaced persons in the event of a massive inflow;**
  - a common procedure for granting and withdrawing asylum status or subsidiary or temporary protection status;**
  - criteria and mechanisms for determining which Member State is responsible for considering an application for asylum or subsidiary protection;**
  - standards concerning the reception of applicants for asylum or subsidiary or temporary protection.**
- 3. In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, by a qualified majority, may adopt regulations or decisions comprising provisional measures for the benefit of the Member State(s) concerned. It shall act on a proposal from the Commission after consulting the European Parliament."**

## **THEMATIC EXAMINATION OF AMENDMENTS**

- Rejection of entire Article and any Union competence in this area:
  - Heathcoat-Amory (am.10) + Kirkhope (am.13) + Skaarup (am.19)
- Limit scope of Article to adoption of measures for "minimum standards":
  - Fischer (am.12) + Hjelm-Wallén + 4 Convention members (am.15) + Teufel (am.25) + Wuermeling (am.30)
- Indicate that refugee status does not automatically open up access to the labour market:
  - Teufel (am.25) + Wuermeling (am.30)
- Restrict scope of Article by excluding subsidiary protection:
  - de Vries + de Bruijn (am.2) + Fischer (am.8)

- Introduce safeguard clause in paragraph 3 modelled on the one in Schengen:
  - *Hain + Tomlinson (am.9) + Queiró (am.16)*
- Widen scope of article by introducing concept of "among other things":
  - *van Dijk (am.3)*
- Differentiate between "asylum" and "subsidiary protection"
  - *Brok + 36 Convention members (am.1)*
- Introduce concept of stateless persons:
  - *Duhamel + 9 Convention members + Einem + Berger (am.6)*
- Introduce right to family reunification for refugees:
  - *Vastagh (am.22)*
- Delete paragraph 3 providing for measures in emergency situations:
  - *Fini (am.7) + Voggehuber + 2 Convention members (am.23)*
- Drafting amendments:
  - *Duff + 20 Convention members (am.4) + Michel + 6 Convention members (am.4) + Santer + 2 Convention members (am.18) + Tiilikainen + 5 Convention members (am.21)*

## **Article 12: Immigration**

- "1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.**
- 2. To this end, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws and framework laws in the following areas:**
  - conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunion;**
  - definition of the rights of third-country nationals residing legally in a Member State, including the conditions (governing the freedom of movement) and of residence in other Member States;**
  - illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation;**
  - combating trafficking in persons, in particular women and children.**
- 3. The Union may conclude readmission agreements with third countries for the readmission of third-country nationals residing without authorisation to their countries of origin or provenance.**
- 4. The European Parliament and the Council, in accordance with the legislative procedure, may adopt laws and framework laws providing incentive and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories."**

## **THEMATIC EXAMINATION OF AMENDMENTS**

- Reduce or remove the area covered by European competence:
  - *Stockton (am. 7) + Heathcoat-Amory (am 12) + Kirkhope (am. 16) + Skaarup (am 24) + Speroni (am. 25)*
- Recast Article:
  - *Abitbol (am. 1)*
- Introduce concept of "reception capacities" of Member States:
  - *Farnleitner (am. 8)*
- Reproduce Articles 63 and 64 of current TEC:
  - *Fischer (am. 10)*
- Introduce concept of "burden-sharing":
  - *Fini (am. 9)*

- Extend rights of legally-established third-country nationals:
  - *Timmermans + van den Linden (am. 28) + van Dijk (am. 29)*
- Indicate that "access to the labour market" remains the responsibility of the Member States:
  - *Brok + 32 Convention members+ (am 3) Teufel (am 26)+ Tiilikainen + 5 Convention members (am. 27) + Wuermeling (am.32)*
- Restrict establishment of rights to setting of "minimum standards" and/or delete reference to "combating trafficking":
  - *Hjelm-Wallén + 4 Convention members (am. 13)+ Queiró (am. 21) + Teufel (am. 26)+ Wuermeling (am. 31)*
- Keep unanimity:
  - *Kalniete + 5 Convention members (am. 14)+ Schulter(am. 23)*
- Provide for access to nationality:
  - *Duhamel + 8 Convention members (am. 6)*
- Drafting amendments:
  - *Duff + 20 Convention members (am. 5) + Duhamel + 8 Convention members (am. 6) + Michel + 6 Convention members (am. 17) + Muscardini (am. 19) + De Villepin (am. 30)*



### **Article 13: Principle of solidarity**

*"The policies of the Union set out in this Chapter and their implementation shall be governed by the principle of solidarity and fair sharing of responsibility (including its financial implications) between the Member States. Whenever necessary, the acts of the Union adopted pursuant to the provisions of this Chapter shall contain appropriate measures to give effect to this principle."*

### **THEMATIC EXAMINATION OF AMENDMENTS**

- Delete entire Article:
  - *Fischer (am 4) + Heathcoat-Amory (am.6) + Kirkhope (am. 8)*
- Deletion of reference to "financial solidarity":
  - *de Vries + de Bruijn (am. 1) + Hejlm-Wallén + 4 Convention members (am. 7)*
- Extend or strengthen the scope of the Article:
  - *Fini (am. 3) + Hain + Tomlinson (am. 5) + Schlüter (am. 9) + Tiilikainen + 5 Convention members (am. 10)*

## **Article 14: Judicial cooperation in civil matters**

- 1. *The Union shall develop judicial cooperation in civil matters based on the principle of mutual recognition of judgments and decisions in extrajudicial cases. Such cooperation shall include the adoption of measures for the approximation of national laws having cross-border implications.***
- 2. *To this end, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws and framework laws aiming inter alia to ensure:***
  - *the mutual recognition and enforcement between Member States of judgments and decisions in extrajudicial cases;***
  - *the cross-border service of judicial and extrajudicial documents;***
  - *the compatibility of the rules applicable in the Member States concerning the conflict of laws and of jurisdiction;***
  - *cooperation in the taking of evidence;***
  - *a high level of access to justice;***
  - *the good functioning of civil proceedings, if necessary by promoting the compatibility of the rules on civil procedure applicable in the Member States;***
  - *the development of measures of preventive justice and alternative methods of dispute settlement;***
  - *support for the training of the judiciary and judicial staff.***
- 3. *The Council, on a proposal from the Commission, shall unanimously<sup>1</sup> adopt laws and framework laws concerning family law; it shall act after consulting the European Parliament. The European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws and framework laws concerning parental responsibility.***

## **EXAMINATION OF AMENDMENTS PARAGRAPH BY PARAGRAPH**

### **Paragraph 1**

- One Convention member would like Article 14 to be reworded to produce a separate article on "judicial cooperation in civil and criminal matters" and another article on "judicial cooperation in civil matters".  
*De Villepin (Amd. 1)*

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<sup>1</sup> Once it has considered Part Two in its entirety, it will be for the Convention to take a decision across the board on any exceptions to the qualified majority rule and, consequently, on the voting rules which should apply in this and other Articles of this draft which refer to unanimity.

- Some Convention members would like the phrase concerning the "approximation of national laws" deleted;  
*Kaufmann (Amd. 3), Hain (Amd. 28), Kirkhope (Amd. 29), Earl of Stockton (Amd. 30)*
- A number of Convention members point out that judicial cooperation in civil matters should only be developed where it has cross-border implications;  
*De Vries + 1 Convention member (Amd. 5), Roche (Amd. 6), Hjelm-Wallén + 4 Swedish Convention members (Amd. 7), Haenel (Amd. 9)*
- Some Convention members add a reference to "official deeds" to the principle of mutual recognition of judicial and extra-judicial decisions;  
*Lequiller (Amd. 10), Floch (Amd. 11), Wuermeling (Amd. 12) "öffentlicher Urkunden"*
- Some Convention members add commercial cases;  
*Duff + 19 Convention members (Amd. 24)*
- One Convention member points out that the principle of mutual recognition follows from bilateral or multinational agreements;  
*Muscardini (Amd. 15)*
- Certain Convention members consider that the word "susceptibles" (d'avoir une incidence transfrontalière) implications should be deleted from the French text (does not affect English text);  
*Michel + 5 Convention members (Amd. 16), Fischer (Amd. 21), Wuermeling (Amd. 8), Teufel (Amd. 32)*

## **Paragraph 2**

- Some Convention members would like the words "access to justice" deleted;  
*Wuermeling (Amd. 18), Voggenhuber + 2 Convention members (Amd. 23), Heathcoat-Amory (Amd. 27), Kirkhope (Amd. 29), Earl of Stockton (Amd. 30)*
- Others would like paragraph 2 to begin with access to justice;  
*Michel + 5 Convention members (Amd. 16)*
- Some others would like the words "insofar as there are cross-border implications" to be added;  
*Teufel (Amd. 4)*
- Or the words "including the development of alternative methods of dispute settlement" to be added;  
*Hjelm-Wallén + 4 Convention members*
- Others still would like to add "the compensation of victims in cross-border cases" to be added;  
*Haenel (Amd. 9)*
- And others would like to replace "high level of access to justice" by "appropriate level";  
*De Vries (Amd. 5), Hain (Amd. 28)*
- Or to add "including civil law protection against violation of fundamental rights";  
*Duff + 19 Convention members (Amd. 24)*

- One member wanted the reference to "proper functioning of the internal market" reintroduced into this paragraph;  
*Hain (Amd. 28)*

### **Paragraph 3**

Contradictory amendments have been put forward regarding the Council's competence to adopt laws unanimously on family law and by a qualified majority in accordance with the legislative procedure on matters relating to parental responsibility.

- Some Convention members believe that the Union must adopt laws by a qualified majority, in accordance with the legislative procedure. To this end, family law in general should not be dealt with separately. Some members therefore propose that a reference to family law be included in the list of laws and framework laws which may be adopted by the legislative procedure as set out in paragraph 2;  
*Duff + 19 Convention members (Amd. 24), Farnleitner (Amd. 17), Santer + 3 Convention members (Amd. 22), Voggenhuber + 2 Convention members (Amd. 23)*

And others take a similar approach but would prefer to delete paragraph 3 or amend it in such a way that the legislative procedure applies;

*Michel + 5 Convention members (Amd. 16), Haenel + 1 Convention member (Amd. 9), Fischer (Amd. 21), Meyer (Amd. 25), Duhamel + 10 Convention members (Amd. 26)* (while specifying that the Council may act unanimously concerning aspects of family rights having a cross-border dimension); *Duhamel + 10 Convention members (Amd. 26), Borrell and Carnero (Amd. 36)*

- Other Convention members consider that a qualified majority is required for family law and accept no derogation for parental responsibility (that phrase being deleted in some cases);  
*Teufel (Am 4), de Vries and de Bruijn (Amd. 5), Roche (Amd. 6), Hjelm-Wallén (Amd. 7), Schlüter (Amd. 42), Hain (Amd. 28), Fini (Amd. 31), Lopes (Amd. 33), Queiró (Amd. 34), Brok (Amd. 37)* (with reference to aspects concerning paragraph 1)
- One Convention member specifies that the Council "may" act unanimously;  
*Heathcoat-Amory (Amd. 27)*
- One Convention member proposes that the legislative procedure apply to parental responsibility but that for family law in general the Council should act unanimously after receiving the assent of the European Parliament;  
*Kaufmann (Amd. 3)*
- One Convention member would like the laws and framework laws to relate to the mutual recognition of judicial decisions in matters of family law and parental responsibility only;  
*Wuermeling (Amd. 39)*

## **OTHER AMENDMENTS**

- Some Convention members would like a separate provision regarding initial and further training for judges and judicial staff in civil and criminal matters concerning European law and Member States' law with cross-border implications;  
*Santer (Amd. 43)*
- One Convention member proposes creating a legal basis for the approximation of substantive civil law relating to the contract law, commercial law, law of associations, industrial property law and copyright. Approximation is excluded for other areas in Part I, Article 16;  
*Teufel (Amd. 41), Wuermeling (Amd. 44)* (propose approximation – "framework law" – only for copyright and the creation of the European company).
- One Convention member adds that the laws and framework laws in this field might also relate to certain specific aspects of family law (guardianship, name, rights of access, contract law and law of succession);  
*Fischer (Amd. 40)*

## **Article 15: Judicial cooperation in criminal matters**

- "1. Judicial cooperation in criminal matters in the Union shall be based on the principle of mutual recognition of judicial decisions and shall include the approximation of legislation in the areas referred to in Articles [16] and [17].**
- 2. The European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws and framework laws to:**
- establish rules and procedures for ensuring the recognition throughout the Union of all forms of judgments and judicial decisions;**
  - prevent and settle conflicts of jurisdiction between Member States;**
  - encourage the training of the judiciary and judicial staff;**
  - facilitate all other forms of cooperation between ministries and judicial or equivalent authorities of the Member States in relation to proceedings in criminal matters and the enforcement of decisions."**

## **THEMATIC EXAMINATION OF AMENDMENTS**

- delete all or parts of the Article  
*Kirkhope (am. 1) Stockton (am. 4)*
- stipulate unanimity for the whole Article, or for part of it, or for a transitional period  
*Farnleitner (am. 5), Lopes + Lobo Antunes (am. 12), Teufel (am. 13), Roche (am. 15), Schlüter (am. 16), Queiró (am. 17), Tajani (am. 20), de Vries + de Bruijn (am. 23)*
- stipulate the adoption only of framework laws for some indents of this Article  
*Hain + Tomlinson (am. 26)*
- "may adopt"  
*am. 19 (Heathcoat-Amory)*
- add extradition between the Member States  
*Tiilikainen + 5 Convention members (am. 24)*
- "without prejudice to bilateral or multilateral agreements by the Member States"  
*Muscardini (am. 3)*
- delete administrative cooperation (since already covered by Article 7), or the whole of the last indent  
*de Villepin (am. 7), Figel (am. 11), Hjelm-Wallén + 4 Convention members (am. 18), Heathcoat-Amory (am. 19)*
- Drafting amendments  
*Hübner (am. 6), Santer + 3 Convention members (am. 8), Michel + 5 Convention members (am. 9), Vastagh (am. 10), Teufel (am. 13), Kaufmann (am. 14), Schlüter (am. 16), Heathcoat-Amory (am. 19), Duff + 20 Convention members (am. 21), Fischer (am. 22), Hain + Tomlinson (am. 26)*

## **Article 16: [Criminal procedure]**

*In order to strengthen mutual trust between the competent authorities of Member States and to guarantee the effectiveness of common tools for police and judicial cooperation, the European Parliament and the Council, in accordance with the legislative procedure, may adopt laws and framework laws containing minimum rules concerning:*

- *the admissibility of evidence throughout the Union;*
- *the definition of the rights of individuals in criminal procedure in compliance with fundamental rights;*
- *the rights of victims of crime;*
- *other specific aspects of criminal procedure, which shall be identified in advance by the Council, acting unanimously after receiving the assent of the European Parliament.*

## **THEMATIC EXAMINATION OF AMENDMENTS**

- Some Convention members are opposed to the Council acting by a qualified majority and the legislative procedure applying to minimum rules. They *propose* that the Council should act by unanimity after consulting the Parliament ;  
*Hain (am. 3) ; Roche (am. 5) ; Lopes (am. 6)*
  - or after obtaining the assent of the European Parliament  
*Schlüter (am. 4)*
  - or after obtaining the consent of the national parliaments  
*Heathcoat-Amory (am. 2)*
  - or in accordance with the legislative procedure  
*Farnleitner (am. 7) ; Teufel (am. 8) ; Tajani (am. 9) de Vries (am. 11)*
- One Convention member wanted to replace the entire article with a different text emphasising certain rights which citizens have when they are the subject of criminal proceedings in another Member State. Reference is made inter alia to citizens' rights to legal assistance and interpretation in their own language and access to the diplomatic or consular authorities of their country of origin.  
*Hain (am. 3)*
- Some members consider it necessary to specify that the adoption of minimum rules is justified solely for aspects of procedural criminal law with cross-border effects and insofar as is necessary to guarantee the principle of mutual recognition of judicial decisions in the criminal field.  
*Schlüter (am.4); Roche (am.5); Teufel (am.8); Svensson (am.10); de Vries (am.11); Wuermeling (am.13); Queiró (am.16); Haenel + 1 Convention member (am.17)*
- Some Convention members consider that the Union should legislate solely on the basis of

framework laws in this field.

*Hain (am.3), Schlüter (am.14), Farnleitner (am.7), Teufel (am.8) ; de Villepin (am.14) ; Fischer (am.15) ; Queiró (am.16)*

- Some Convention members, who accept the principle of the legislative procedure applying to the adoption of minimum rules, do not want the Council to identify by unanimity the other specific aspects of criminal procedure.
  - They propose either qualified majority and the legislative procedure;  
*Duff (am. + 1 Convention member (am.21)*
  - or the legislative procedure but with the Council acting by an augmented qualified majority  
*Michel + 5 Convention members (am.19)*
  - or an augmented qualified majority after obtaining the assent of the Parliament;  
*Duhamel + 9 Convention members (am.20)*



## **Article 17 : Substantive criminal law**

*"The European Parliament and the Council, in accordance with the legislative procedure, may adopt framework laws containing minimum rules concerning the definition of incriminations and sanctions:*

- in the areas of particularly serious crime with cross-border dimensions resulting from the nature or impact of the offences or of a special need to prosecute them jointly. These areas of crime are the following: terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime. The Council, on the basis of developments in crime and acting unanimously after obtaining the assent of the European Parliament, may identify other areas of crime that meet the criteria specified in this indent;*
- in areas of crime affecting a common interest which is the subject of a Union policy, if criminal sanctions prove essential to ensure the effective implementation of that policy."*

## **THEMATIC EXAMINATION OF AMENDMENTS**

- delete the Article  
*Kirkhope (am.3)*
- limit the Article to the adoption of recommendations  
*Stockton (am.6)*
- stipulate unanimity for the whole Article, or for part of it, or for a transitional period  
*Wuermeling (am.2), Farnleitner (am.9), Lopes + Lobo Antunes (am.14), Teufel (am.16), Roche (am.18), Schlüter (am.20), Tajani (am.24), de Vries + de Bruijn (am.28)*
- for the second indent, state that the rule of unanimity applies when the Union policy concerned is also governed by that rule  
*Hain + Tomlinson (am.30)*
- stipulate that the identification of other areas of crime (first indent) should be by qualified or superqualified majority rather than by unanimity  
*de Villepin (am. 10), Michel + 5 Convention members (am.12), Berger + Einem) (am.19), Van Lancker (am.21), Duhamel + 8 Convention members (am. 22), Voggenhuber + 2 Convention members (am.26), van der Linden + Timmermans (general am.), Voggenhuber + 3 Convention members (general am.)*
- stipulate that the identification of other areas of crime (first indent) requires ratification by all the Member States  
*Hjelm-Wallén + 3 Convention members (am.1)*
- replace "minimum rules concerning" with "a common basis for"  
*de Villepin (am.10)*

- delete the second indent (adding, in most of these amendments, several other areas of crime to the list contained in the first indent)  
*Hjelm-Wallén + 3 Convention members (am.1), Wuermeling (am.2), Fini (am.5), Teufel (am.16), Roche (am.18), Schlüter (am.20), Heathcoat-Amory (am.23), Tiilikainen + 5 Convention members (am.29)*
- add other areas of crime (particularly crime against the environment, racism and xenophobia) to the list in the first indent (without calling the second indent into question)  
*Lennmarker + Svensson (am.4); Dybkjaer (am.8); de Villepin (am.10), de ROSSA (am.13), Carey (am.15), Kaufmann (am.17), Berger + Einem (am.19), Van Lancker (am.21), Duhamel + 8 Convention members (am.22), Duff + 18 Convention members (am.25), Voggenhuber + 2 Convention members (am.26)*
- introduce a list of areas of crime into the second indent also  
*Hain + Tomlinson (am.30)*
- amend some areas currently appearing in the list in the first indent ("computer crime"; "organised crime")  
*Hain + Tomlinson (am.30)*
- make the list of areas of crime non-exhaustive  
*Van Lancker (am.21), Duhamel + 8 Convention members (am.22), Duff + 18 Convention members (am.25)*
- stipulate that the areas of crime in the first indent may be cross-border, or justifiably need to be prosecuted jointly, or (in the case of one amendment), be directed against the interests of the Union  
*Michel + 5 Convention members (am.12), Van Lancker (am.21), de Vries + de Bruijn (am.28)*
- provide for the possibility of "laws" in the second indent  
*Duff + 18 Convention members (am.25)*
- exclude rules on minimum criminal sanctions  
*Hain + Tomlinson (am.30)*
- drafting amendments  
*Muscardini (am.7); Badinter (am.11); Kaufmann (am.17); Duff + 18 Convention members (am.25), de Vries + de Bruijn (am.28); and several German-speaking members of the Convention on an error in the DE translation ("insbesondere"); and several English-speaking members on the idea of "joint prosecution" (which does not convey the Praesidium's idea correctly)*

## **Article 18: Crime prevention**

***"The European Parliament and the Council, in accordance with the legislative procedure, may adopt 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."***

## **THEMATIC EXAMINATION OF AMENDMENTS**

- stipulate unanimity for this Article  
*Schlüter (am.7), Tajani (am.10)*
- delete "promote"  
*Heathcoat-Amory (am.9)*
- transfer this Article, making it the sole article in a new chapter 2a  
*Michel + 5 Convention members (am.5)*
- stipulate laws and recommendations or opinions (not framework laws), or do not stipulate any legislative instrument  
*Kirkhope (am.1), Stockton (am.2), Wuermeling (am.4)*
- add a new paragraph: obligation to respect crime prevention aspects in all the Union's policies  
*Farnleitner (am.3)*
- mention regional and local authorities  
*Chabert + 5 Convention members (am.8)*
- drafting amendments  
*Farnleitner (am.3), Roche (am.6), Duff + 19 Convention members (am.11)*

## **Article 19: Eurojust**

- "1. Eurojust's mission shall be to ensure coordination and cooperation between national prosecuting authorities in relation to serious crime affecting two or more Member States or requiring a joint prosecution, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.*
- 2. The European Parliament and the Council, in accordance with the legislative procedure, shall determine Eurojust's structure, workings, scope of action and tasks. Those tasks may include:*
- the initiation and coordination of criminal prosecutions conducted by competent national authorities;*
  - the strengthening of judicial cooperation, including by resolution of conflicts of jurisdiction and by close cooperation with the European Judicial Network;*
  - appropriate supervision of Europol's operational activities.*
- The law referred to in the preceding subparagraph shall also determine arrangements for involving the European Parliament and national parliaments in the development of Eurojust's activities.*
- 3. In the prosecutions referred to in this Article, and without prejudice to the following Article, formal acts of judicial procedure shall be adopted by the competent national officials."*

## **THEMATIC EXAMINATION OF THE AMENDMENTS**

- Some members of the Convention are against the idea of the Council acting by a qualified majority. They propose that the Council should act unanimously;  
*Queiró (am.5)*
- after consulting the European Parliament;*  
*Kvist (am.2); Roche (am.3), Lopes (am.4)*
  - or after obtaining the assent of the European Parliament;*  
*Schlüter (am.6)*
  - or in the legislative procedure framework;*  
*De Vries + de Bruijn (am.7); Tajani (am.8), Farnleitner (am.10) (who proposes unanimity only when the European law governs the launching and coordination of criminal prosecutions)*
- One member of the Convention accepts the legislative procedure and the qualified majority in the Council, but proposes the addition of a new paragraph, under which the Council, acting unanimously, may entrust other tasks to Eurojust, where there is a proven need, and taking account of different legal systems and traditions;

*Hain (am.9)*

- Some members of the Convention are against the supervision of Europol activities:  
*Kirkhope (am.1); Roche (am.3); Queiró (am.5); Farnleitner (am.10); Heathcoat-Amory (am.14); Teufel (am.15); Hjelm-Wallén and Lekberg (am.16); Wuermeling (am.17).*

Other would prefer to replace the word "supervision" with "coordination of the investigations conducted by Europol";  
*De Villepin (am.11);*

Or supervision only of Europol's investigative activities:

*Hain (am.9); Fischer (am.8)*, who mentions the need for such supervision to be possible in the Member State concerned;

- Some members of the Convention ask that Eurojust should be endowed with legal personality:  
*Brok + 36 Convention members (am.19); Fogler (am.20)*
- Some members of the Convention add that Eurojust should also have competence for the prevention of fraud to the detriment of the Union's budget:  
*Brok + 36 Convention members (am.19); Fogler (am.20); Tajani (am.8).*
- One member of the Convention was against national parliaments being associated with the evaluation of Eurojust's activities;  
*Berger (am.25)*

## **Article 20: European Public Prosecutor's Office**

- "1. With a view to combating serious crimes having a cross-border dimension, as well as illegal activities affecting the interests of the Union, the Council, acting unanimously after obtaining the assent of the European Parliament, may adopt a European law creating a European Public Prosecutor's Office within Eurojust. The European Public Prosecutor's Office shall be responsible for investigating, prosecuting and bringing to judgment the perpetrators, and their accomplices, of serious crimes affecting several Member States and of offences against the Union's financial interests, as determined by the law provided for in the following paragraph. It shall exercise the functions of prosecutor in the competent courts of the Member States in relation to such offences.***
- 2. The law referred to in the preceding paragraph shall determine the general rules applicable to the European Public Prosecutor's Office, the conditions governing the performance of its functions, the rules of procedure applicable to its activities as well as those governing the admissibility of evidence, and the rules applicable to the judicial review of procedural measures taken by the European Public Prosecutor's Office in the exercise of its functions."***

## **THEMATIC EXAMINATION OF AMENDMENTS**

- A number of Convention members feel there is no valid reason to create a European Public Prosecutor's Office and are opposed;  
*Hain (am.1), de Vries and de Bruijn (am.2); Roche (am.3); Schlüter (am.4); Queiró (am.5); Wuermeling (am.6); Hjelm-Wallén, Lekberg and Lennmarker (am.7); Kirkhope (am.8), Farnleitner (am.9); Tajani (am.10); Heathcoat-Amory (am.11); Muscardini (am.12), (who proposes adding the suggested tasks for the European Public Prosecutor's Office to those of Eurojust);*
- One Convention member proposes the insertion of a paragraph before paragraph 1 providing that the Union should have a European criminal law, with European rules of criminal procedure;  
*Fayot (am.13).*
- One Convention member proposes that the European Public Prosecutor's Office should be "established by those Member States which have declared that they accept its creation".  
*Haenel + 1 Convention member (am.14)*
- Other Convention members are favourable to the creation of a European Public Prosecutor's Office in accordance with the legislative procedure;  
*Costa + 1 Convention member (am.15) (he proposes that any widening of its competences should be decided on by the Council acting unanimously, after obtaining the assent of the European Parliament);*  
*Duff + 19 Convention members (am. 16); Brok + 32 Convention members (am.21), Michel + 5 Convention members; Voggenhuber + 1 Convention member (am.23); Borrell + 2 Convention members (am.30)*
- Some members of the Convention propose that the European Public Prosecutor's Office should

be created x years after the Constitution comes into force:

- 5 years after the Constitution comes into force;  
*Lequiller (am.18) or*
- X years after the Constitution comes into force;  
*De Villepin (am.22)*

- Some Convention members state that the European Public Prosecutor's Office should be created on the basis of Eurojust and not "within" or alongside Eurojust<sup>1</sup>  
*Voggenhuber + 1 member of the Convention (am.23), Michel + 5 members of the Convention (am.19); Kaufmann (am.20); Fischer (am.26); Wuermeling (am.27), Badinter (am.33); Kohout (am.34)*
- On the competences of the European Public Prosecutor's Office, some members of the Convention add the phrase "areas of particularly serious crime with cross-border dimensions resulting from the nature or impact of the offences or of a special need to prosecute them jointly" (which appears in Article 17 above);  
*Duff + 19 Convention members (am.16); Kaufmann (am.20) (who refers to Article 17).*

Others add the defence of the single currency;  
*Teufel (am.24); Wuermeling (am.27).*

Others add the supervision of Europol's investigative activities;  
*Teufel (am.23); Fischer (am.26); Wuermeling (am.27).*

- Some Convention members propose that an organic law should be used to create the European Public Prosecutor's Office;  
*Michel + 5 Convention members (am.19); Kaufmann (am.20)*
- Some Convention members propose that "may adopt" should be changed into "shall adopt";  
*Floch (am.17) (similarly: "a European Prosecutor shall be established") ; Michel + 5 Convention members (am.19), Brok + 32 Convention members (am.21); de Villepin (am.22); Meyer (am.25); Fischer (am.26); Wittbrodt and Fogler (am.28); Borrell + 2 Convention members (am.30).*

## **OTHER AMENDMENTS**

- Some Convention members agree to the creation of a European Public Prosecutor's Office but additionally propose that a court to arbitrate in civil matters should also be created within the Court of Justice. This court would be competent, in the case of disputes on civil matters between two internal courts from different Member States, to determine the applicable law and the competent judge.  
*Berès + 2 Convention members (am.35).*

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<sup>1</sup> This is partly a question of translation. In some versions "within Eurojust" has been translated so as to mean "alongside Eurojust". This would mean that Eurojust and the European Public Prosecutor's Office would continue to co-exist, while the idea is that Eurojust should be made to evolve into a European Public Prosecutor's Office.

## **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 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."***

## **THEMATIC EXAMINATION OF AMENDMENTS**

- limit the scope of this Article (in most amendments, to "police cooperation" or to "police, customs and civil protection authorities"  
*Farnleitner (am.4), Lopes + Lobo Antunes (am.9), Kaufmann (am.11), Roche (am.13), Fischer (am.20), de Vries + de Bruijn (am.21), Tiilikainen + 5 (am.22), Hain + Tomlinson (am.24)*
- delete paragraphs 2 et 3  
*Kirkhope (am.1)*
- delete the third indent of paragraph 2, or state that this is "administrative" cooperation, or replace it with additional more specific indents, or with a clause allowing the Council to identify other areas subject to the legislative procedure  
*Teufel (am.10); Roche (am.3), Hjelm-Wallén + 4 (am.16), Heathcoat-Amory (am.17), Fischer (am.20), Hain + Tomlinson (am.24)*
- delete paragraph 3  
*Kaufmann (am.11)*
- replace paragraph 3 by a list with several indents  
*Fischer (am.20)*
- stipulate unanimity for the whole Article  
*Santer + 3 (am.6), Lopes + Lobo Antunes (am.9), Queiró (am.14), de Vries + de Bruijn (am. 21)*
- extend the scope of the general legislative procedure (qualified majority + codecision) to the whole of paragraph 3, or to a part of it (operational cooperation unless it affects public order) or



stipulate an augmented qualified majority

*de Villepin (am.5), Michel + 5 Convention members (am.7), Duff + 16 Convention members (am.18), Vogenhuber + 2 Convention members (am.19), van der Linden + Timmermans (general am.), Vogenhuber + 3 Convention members (general am.)*

- "may adopt" instead of "shall adopt"  
*Heathcoat-Amory (am.17)*
- add border guards  
*Vastagh (am.8); Muscardini (am.3) (in a separate article)*
- provide for the possibility of also adopting measures other than laws and framework laws, in paragraph 2  
*Hjelm-Wallén + 4 Convention members (am.16)*
- provide for "regulations" instead of laws/framework laws in paragraph 3  
*Duhamel + 10 Convention members (am.12), Duff + 16 Convention members (am.18), Borrell + 2 Convention members (am.23)*
- provide for the legislative procedure in paragraph 3  
*Vogenhuber + 2 Convention members (am.19)*
- reference to data protection  
*Vassiliou (am.2), Vogenhuber + 2 Convention members (am.19)*
- "without prejudice to bilateral or multilateral agreements by the Member States"  
*Teufel (am.10), Heathcoat-Amory (am.17)*
- drafting amendments  
*Teufel (am.10), Timmermans + 3 Convention members (am.15), Fischer (am.20), Tiilikainen + 5 Convention members (am.22), Hain + Tomlinson (am.24)*

## **Article 22: Europol**

- "1. Europol's mission is to support and strengthen action by the Member States' police authorities and their mutual cooperation in preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime which affect a common interest covered by a Union policy.**
- 2. The European Parliament and the Council, in accordance with the legislative procedure, shall determine Europol's structure, operation, field of action and tasks. These tasks may include:**
  - the collection, storage, processing, analysis and exchange of information forwarded by the authorities of the Member States or third countries or bodies;**
  - the coordination, organisation and implementation of investigative and operational actions carried out jointly with the Member States' services or in the context of joint investigative teams.**

***The law referred to in the previous paragraph also lays down the procedures for scrutiny of Europol's activities by the European Parliament, together with the national parliaments.***

- 3. Any operational action by Europol must be carried out in liaison with and in agreement with the services of the Member State(s) whose territory is concerned. The application of coercive measures is the exclusive responsibility of the competent national authorities."**

## **THEMATIC EXAMINATION OF AMENDMENTS**

- unanimity should be required for all of part of the article  
*Santer + 3 Convention members (am.5), Lopes + Lobo Antunes (am.12), Teufel (am.14), Roche (am.16), Queiró (am. 18), de Vries + de Bruijn (am.24)*
- it should be possible for the Union to establish other police cooperation agencies  
*Michel + 5 Convention members (am.7)*
- in paragraph 1, Europol's potential fields of action should be restricted by deleting "terrorism and forms of crime ... Union policy"  
*Hain + Tomlinson (am.27)*
- the list of potential tasks in paragraph 2 should be left open-ended  
*Michel + 5 Convention members (am.7)*
- the tasks listed in paragraph 2 should be made *actual* tasks for Europol (not just potential tasks)  
*Brok + 30 Convention members (am.13), Fogler (am.20), Hain + Tomlinson (am.27)*  
*(although these tasks should be limited)*
- the second indent in paragraph 2 should be amended so as to restrict Europol's potential tasks (in particular, merely supporting Member States' authorities)

*Farnleitner (am.6), Roche (am.16), Tiilikainen + 5 Convention members (am.27), Hain + Tomlinson (am.27)*

- "joint scrutiny" by the European Parliament and national parliaments or similar wording, or more explicit wording for national parliaments  
*Haenel + 2 Convention members (am.4), Costa + d'Oliveira Martins (am.10), Hjelm-Wallén + 5 (am.21)*
- paragraph 3 should be deleted, or less tight limits placed on Europol's development in that paragraph  
*de Villepin (am.3), Farnleitner (am.6), Roche (am.16), Duff + 19 Convention members (am.23)*
- tighter limits should be placed on Europol's development in paragraph 3  
*Wuermeling (am.1)*
- it should be possible, acting unanimously, to extend Europol's tasks beyond those in paragraphs 2 and 3  
*Ficher (am.25)*
- a reference to Interpol should be included  
*Stockton (am.11)*
- reference should be made to regional and local authorities  
*Chabert + 5 Convention members (am.19)*
- a new, parallel article establishing "Eurobord" (common border guard) is proposed  
*Berger + Einem (am.17) (see also (am.3) Vastagh (under Article 23))*
- drafting amendments  
*de Villepin (am.3), Azevedo + Pereira (am.8), Fini (am.9), Kaufmann (am.15), Hjelm-Wallén + 5 Convention members (am.21), de Vries + de Bruijn (am.24)*

## **Article 23: Operations on the territory of another Member State**

*"The Council, acting unanimously, shall adopt laws and framework laws laying down the conditions and limitations under which the competent authorities of the Member States referred to in Articles 13 and 15 may operate in the territory of another Member State in liaison and in agreement with the authorities of that State. It shall take its decision following consultation of the European Parliament."*

### **THEMATIC EXAMINATION OF AMENDMENTS**

- the article should be deleted  
*Stockton (am.5), Krikhope (am.7)*
- correction of the reference to Article 13, which should be to Article 21  
(many such amendments; this was a typographical error in the Praesidium text)
- a reference to Article 14 should be included  
*Teufel (am.9)*
- the reference to Articles 13 and 15 should be replaced by an alternative wording: "in the areas of internal security, illegal immigration and border control"  
*Santer + 3 (am.4)*
- the legislative procedure (i.e. the Council, by a qualified majority, by way of codecision) or an augmented qualified majority should be required  
*Borrell + 2 (am.2), Michel + 5 Convention members (am.6), Duhamel + 9 Convention members (am.11), Duff + 17 Convention members (am.13), van der Linden + Timmermans (general am), Voggenhuber + 3 Convention members (general am.)*
- the European Parliament's assent should be required  
*Kaufmann (am.10), Heathcoat-Amory (am 12) (??)*
- "shall adopt" should be replaced by "may adopt"  
*Heathcoat-Amory (am.12)*
- only framework laws should be adopted  
*de Vries + de Bruijn (am.15), Hain + Tomlinson (am.17)*
- two paragraphs should be added  
*Muscardini (am.16)*

**LISTE DES AMENDEMENTS A L'ARTICLE 31, PARTIE I.**

1. FISCHER
2. VOGGENHUBER + 2 CONVENTIONNELS
3. FOGLER
4. BROK + 31 CONVENTIONNELS
5. DUHAMEL + 9 CONVENTIONNELS
6. MICHEL + 5 CONVENTIONNELS
7. DUFF +
8. KAUFMANN
9. ANDRIUKAITIS
10. KOHOUT
11. KIRKHOPE
12. SANTER + 2 CONVENTIONNELS
13. DE VILLEPIN
14. ROCHE
15. FINI
16. AZEVEDO
17. GABAGLIO
18. DE VRIES ET DE BRUIJN
19. FARNEILTER
20. THE EARL OF STOCKTON
21. WUERMELING
22. KVIST
23. MUSCARDINI
24. HJELM-WALLÉN ET LEKBERG
25. HAIN
26. LUIS QUEIRÓ
27. HEATHCOAT-AMORY
28. CHABERT + 4 CONVENTIONNELS
29. HÜBNER
30. TEUFEL

31. *BORRELL ET CARNERO U LÓPEZ GARRIDO*
32. *HAENEL + 2 CONVENTIONNELS*
33. *COSTA ET D'OLIVEIRA MARTINS*
34. *SVENSSON*
35. *LENNMARKER*
36. *VAN DER LINDEN + 2 CONVENTIONNELS*

**LISTE DES AMENDEMENTS A L'ARTICLE 1, PARTIE II.**

1. *KIRKHOPE*
2. *DUFF + 20 CONVENTIONNELS*
3. *KAUFMAN*
4. *DUHAMEL + 9 CONVENTIONNELS*
5. *VOGGENHUBBER + 1 CONVENTIONNELS*
6. *MICHEL + 5 CONVENTIONNELS*
7. *THE EARL OF STOCKTON*
8. *DE VILLEPIN*
9. *MUSCARDINI*
10. *ROCHE*
11. *FARNEITNER*
12. *DE VRIES ET DE BRUIJN*
13. *VAN DER LINDEN +3 CONVENTIONNELS*
14. *WUERMELING*
15. *HEATHCOAT-AMORY*
16. *FINI*
17. *DYBKJAER*
18. *DE ROSSA*
19. *CAREY*
20. *GABAGLIO*
21. *FIGEL + 3 CONVENTIONNELS*
22. *RUPPEL ET LENARCIC*
23. *QUEIRÓ*
24. *HJELM-WALLÉN ET LEKBERG*
25. *KUNEVA*
26. *TEUFEL*
27. *AZEVEDO*
28. *HAIN*
29. *HAENEL ET ATHANASIU*
30. *VASTAGH*
31. *COSTA ET D'OLIVEIRA MARTINS*
32. *FISCHER*
33. *BORREL ET CARNERO*
34. *BADINTER*

## **LISTE DES AMENDEMENTS POUR L' ARTICLE X**

1. *ANDRIUKAITIS, GRICIUS, MARTIKONIS, JUSYS, SIVICKAS, MALDEIKIS*
2. *AZEVEDO, NAZARE PEREIRA*
3. *BORRELL, CARNERO, LOPEZ-GARRIDO*
4. *BROK; SANTER; STYLIANIDIS; SZAJER; TEUFEL; TUSEK; VAN DER LINDEN; ALMEIDA GARRETT; ALTMAIER; AZEVEDO; CUSHNAHAN; DEMETRIOU; FARNLEITNER; FOGLER FRENDON; GIANNAKOU; KELAM; KELEMEN; KORHONEN; KRASTS; KROUPA; KUTZKOVA; LENNMARKER; MAIJ-WEGGEN; MLADENOV; NAZARE-PEREIRA; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZIELENIEC; ZILE*
5. *DE VRIES, DE BRUIJN*
6. *DUFF, DINI, HELMINGER, RUPEL, KREITZBERG, GRICIUS, HASOTTI, KACIN, AKÇAM MALDEIKIS, DYBKJAER, VAN EEKELEN, MACLENNAN OF ROGART, UZUN MATSAKIS, VASSILIOU, SZENT-IVANYI, ECKSTEINÇKOVACS, OZAL, SIVICKAS.*
7. *DUHAMEL, EINEMM., FAYOT, MCAVANM, MARINHO, VAN LANCKER, BERES, BERGER, CARNERO, PACIOTTI, THORNING-SCHMIDT*
8. *FARNLEITNER*
9. *FISCHER*
10. *HAIN, TOMLINSON*
11. *HÜBNER*
12. *KAUFMANN*
13. *KIRKHOPE*
14. *MEYER*
15. *MICHEL, DE GUCHT, DI RUPO VAN LANCKER, CHEVALIER NAGY*
16. *MUSCARDINI*
17. *PACIOTTI*
18. *ROCHE*
19. *SANTER, HELMINGER, FAYOT*
20. *THILIKAINEN, PELTOMÄKI, KILJUNEN, VANHANEN, KORHONEN, HELLE*
21. *VASSILIOU*
22. *VOGGENHUBER, LICHTENBERGER, MACCORMICK, NAGY*



**LISTE DES AMENDEMENTS A L'ARTICLE 3, PARTIE II.**

1. *ANDRIUKAITIS, GRICIUS, MARTIKONIS, JUSYS, SIVICKAS,*
2. *AZEVEDO NAZARE PEREIRA*
3. *BORRELL, CARNERO, LOPEZ-GARRIDO*
4. *BROK; SANTER; STYLIANIDIS; SZAJER; TEUFEL; TUSEK; VAN DER LINDEN;  
ALMEIDA GARRETT; ALTMAIER; AZEVEDO; CUSHNAHAN; DEMETRIOU;  
FARNLEITNER; FOGLER FRENDON; GIANNAKOU; KELAM; KELEMEN; KORHONEN;  
KRASTS; KROUPA; KUTZKOVA; LENNMARKER; MAIJ-WEGGEN; MLADENOV;  
NAZARE-PEREIRA; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZIELENIEC;  
ZILE*
5. *CHABERT, DAMMEYER, DEWAELE, DU GRANRUT, MARTINI, VALCARCEL SISO,*
6. *COSTA, D'OLIVEIRA MARTINS*
7. *DE VRIES, DE BRUIJN*
8. *DUFF, DINI, HELMINGER, RUPEL, KREITZBERG, GRICIUS, HASOTTI, KACIN,  
AKÇAM, MALDEIKIS, DYBKJAER, VAN EEKELEN, MACLENNAN OF ROGART, UZUN,  
MATSAKIS, VASSILIOU, SZENT-IVANYI, ECKSTEINÇKOVACS, OZAL, SIVICKAS*
9. *DUHAMEL, EINEMM., FAYOT, MCAVANM., MARINHO, VAN LANCKER, BERES,  
BERGER., CARNERO, PACIOTTI, THORNING-SCHMIDT*
10. *THE EARL OF STOCKTON*
11. *FARNLEITNER*
12. *FIGEL, BELOHORSKA, MIGAS*
13. *FISCHER*
14. *FLOCH*
15. *HAENEL, ATHANASIU, BADINTER*
16. *HAIN, LORD TOMLINSON*
17. *HEATHCOAT-AMORY*
18. *HJELM-WALLEN, PETERSSON, LEKBERG, KVIST, SVENSSON*
19. *HÜBNER*
20. *KAUFMANN*
21. *KIRKHOPE*
22. *KOHOUT*
23. *KUNEVA*
24. *LEQUILLER,*
25. *MEYER*
26. *MICHEL, DE GUCHT, DI RUPO, VAN LANCKER, CHEVALIER, NAGY*
27. *QUEIRO*

28. *ROCHE*
29. *SANTER, HELMINGER, FAYOT, SCHMIT*
30. *SCHÜLTER*
31. *TEUFEL*
32. *THILIKAINEN, PELTOMÄKI, KILJUNEN, VANHANEN, KORHONEN, HELLE*
33. *VAN DER LINDERN, TIMMERMANS, VAN EEKELEN, VAN DIJK*
34. *VASTAGH*
35. *DE VILLEPIN.*
36. *VOGGENHUBER, LICHTENBERGER, NAGY*

**LISTE DES AMENDEMENTS A L'ARTICLE 4, PARTIE II.**

1. *BORREL, CARNER, LOPEZ-GARRIDO*
2. *CHABERT, DAMMEYER, DEWAELE, DU GRANRUT, MARTINI, VALCARCEL SISO,*
3. *COSTA, D'OLIVEIRA MARTINS*
4. *DUFF, DINI, HELMINGER, RUPEL, KREITZBERG, GRICIUS, HASOTTI, KACIN, AKÇAM, DYBKJAER, VAN EEKELEN, LORD MACLENNAN OF ROGART, UZUN, MATSAKIS, VASSILIOU, ISTVAN SZENT-IVANYI, ECKSTEIN-KOVACS, OZAL, SIVICKAS*
5. *DUHAMEL, EINEMM., FAYOT, MCAVANM, MARINHO, VAN LANCKER, BERES, BERGER, CARNERO, PACIOTTI, THORNING-SCHMIDT*
6. *FISCHER*
7. *HAIN*
8. *HEATHCOAT-AMORY*
9. *HÜBNER*
10. *KAUFMANN*
11. *KIRKOPE*
12. *KOHOUT*
13. *LEQUILLER,*
14. *MICHEL, DE GUCHT, DI RUPO VAN LANCKER, CHEVALIER NAGY*
15. *PACIOTTI*
16. *QUEIRO*
17. *ROCHE*
18. *TEUFEL*
19. *TIILIKAINEN, KILJUNEN, VANHANEN, PELTOMÄKI, KORHONEN, HELLE*
20. *TIMMERMANS, VAN DER LINDEN, VAN EEKELEN, VAN KIJK*
21. *DE VILLEPIN*

**LISTE DES AMENDEMENTS A L'ARTICLE 5, PARTIE II.**

1. AZEVEDO, PEREIRA
2. BELHORSKA
3. BORRELL
4. CHABERT, DAMMEYER, DEWAELE, DU GRANRUT, MARTINI, VALCARCEL SISO,
5. CUSHNAHAN
6. DE VRIES, DE BRUIJN
7. DUFF, DINI, HELMINGER, RUPEL, KREITZBERG, GRICIUS, HASOTTI, KACIN, AKÇAM, DYBKJAER, VAN EEKELEN, LORD MACLENNAN OF ROGART, UZUN, MATSAKIS, VASSILIOU, ISTVAN SZENT-IVANYI, ECKSTEIN-KOVACS, OZAL, SIVICKAS
8. DUHAMEL, EINEMM., FAYOT, MCAVANM, MARINHO, VAN LANCKER, BERES, BERGER, CARNERO, PACIOTTI, THORNING-SCHMIDT
9. FARNLEITNER
10. FISCHER
11. GABAGLIO
12. HAENEL, ATHANASIU, BADINTER
13. HAIN, TOMLINSON
14. HEATHCOAT-AMORY
15. HJELM-WALLEN, PETERSSON, LEKBERG, KVIST, SVENSSON
16. HÜBNER
17. KAUFMANN
18. KIRKHOPE
19. KUNEVA
20. LENMARKER
21. LOPES, LOBO ANTUNES
22. MICHEL, DE GUCHT, DI RUPO VAN LANCKER, CHEVALIER NAGY
23. QUEIRO
24. ROCHE
25. RUPE, LENARCIC
26. SANTER, HELMINGER, FAYOT
27. SCHLÜTER
28. SVENSSON
29. TAJANI

30. *TEUFEL*
31. *TIILIKAINEN, PELTOMÄKI, VANHANEN, KORHOEN, HELLE*
32. *VASTAGH*
33. *DE VILLEPIN*
34. *VOGGENHUBER, LICHTENBERGER,*

**LISTE DES AMENDEMENTS A L'ARTICLE 6, PARTIE II.**

1. *BORRELL ET CARNERO*
2. *WUERMELING*
3. *DE VRIES ET DE BRUIJN*
4. *HELM-WALLÉN + 3 CONVENTIONNELS*
5. *HAIN*
6. *HEATHCOAT-AMORY*
7. *QUEIRÓ*
8. *KAUFMANN*

## **LISTE DES AMENDEMENTS DE L'ARTICLE 7, PARTIE II**

1. *SANTER + 3 CONVENTIONNELS*
2. *KOHOUT*
3. *KIRKHOPE*
4. *FIGEL + 3 CONVENTIONNELS*
5. *MICHEL + 5 CONVENTIONNELS*
6. *FARNLEITNER*
7. *EARL OF STOCKTON*
8. *LOPES + LOBO ANTUNES*
9. *TEUFEL*
10. *KAUFMANN*
11. *BORRELL + 2 CONVENTIONNELS*
12. *ROCHE*
13. *QUEIRO*
14. *CHABERT + 5 CONVENTIONNELS*
15. *DUHAMEL + 10 CONVENTIONNELS*
16. *HEATCOAT-AMORY*
17. *DUFF + 19 CONVENTIONNELS*
18. *VOGGENHUBER + 2 CONVENTIONNELS*
19. *FISCHER*
20. *DE VRIES + DE BRUIJN*
21. *HAIN + TOMLINSON*
22. *TIILIKAINEN + 5 CONVENTIONNELS*

**LISTE DES AMENDEMENTS A L'ARTICLE 8, PARTIE II.**

1. *KIRKHOPE*
2. *MICHEL + 5 CONVENTIONNELS*
3. *HEATHCOAT-AMORY*
4. *LENNMARKER ET SVENSSON*
5. *VOGGENHUBBER + 2 CONVENTIONNELS*
6. *WITTBRODT + 1 CONVENTIONNEL*
7. *COSTA + 1 CONVENTIONNEL*
8. *DUHAMEL + 9 CONVENTIONNELS*
9. *BORRELL ET CARNERO*
10. *DUFF + 19 CONVENTIONNELS*
11. *RUPEL + 1 CONVENTIONNEL*
12. *FISCHER*
13. *VAN DIJK + 1 CONVENTIONNEL*
14. *SANTER + 3 CONVENTIONNELS*
15. *DE VRIES ET DE BRUIJN*
16. *FIGEL + 3 CONVENTIONNELS*
17. *THE EARL OF STOCKTON*
18. *MUSCARDINI*
19. *FARNLEITNER*
20. *HÜBNER*
21. *QUEIRÓ*
22. *HAIN*



**LISTE DES AMENDEMENTS A L'ARTICLE 9, PARTIE II.**

1. *FARNLEITNER*
2. *FISCHER*
3. *BROK + 32 CONVENTIONNELS*
4. *DUHAMEL + 9 CONVENTIONNELS*
5. *FOGLER*
6. *DUFF + 19 CONVENTIONNELS*
7. *VOGGENHUBBER + 2 CONVENTIONNELS*
8. *MICHEL + 5 CONVENTIONNELS*
9. *BORREL ET CARNERO*
10. *HEATHCOAT-AMORY*
11. *HAIN*
12. *DE VRIES ET DE BRUIJN*
13. *HÜBNER*
14. *VASSILIOU*
15. *CHABERT + 4 CONVENTIONNELS*
16. *DE VILLEPIN*
17. *TEUFEL*
18. *FINI*
19. *HJELM-WALLÉN*
20. *LOPES ET LOBO ANTUNES*
21. *QUEIRÓ*
22. *SCHLÜTER*
23. *KOHOUT*
24. *BADINTER*
25. *FIGEL*
26. *ROCHE*
27. *DE VRIES ET DE BRUIJN*

**LISTE DES AMENDEMENTS A L'ARTICLE 10, PARTIE II.**

1. *BADINTER*
2. *BERGER, EINEM*
3. *BROK; SANTER; STYLIANIDIS; SZAJER; TEUFEL; TUSEK; VAN DER LINDEN; ALMEIDA GARRETT; ALTMAIER; AZEVEDO; CUSHNAHAN; DEMETRIOU; FARNLEITNER; FOGLER FRENDON; GIANNAKOU; KELAM; KELEMEN; KORHONEN; KRASTS; KROUPA; KUTZKOVA; LENNMARKER; MAIJ-WEGGEN; MLADENOV; NAZARE-PEREIRA; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZIELENIEC; ZILE*
4. *CHABERT, DAMMEYER, DEWAELE, DU GRANRUT, MARTINI, VALCARCEL SISO*
5. *COSTA*
6. *DE VRIES, DE BRUIJN.*
7. *DUFF, DINI, HELMINGER, RUPEL, KREITZBERG, GRICIUS, HASOTTI, KACIN, AKÇAM, DYBKJAER, VAN EEKELEN, LORD MACLENNAN OF ROGART, UZUN, MATSAKIS, VASSILIOU, ISTVAN SZENT-IVANYI, ECKSTEIN-KOVACS, OZAL, SIVICKAS*
8. *DUHAMEL, EINEMM., FAYOT, MCAVANM, MARINHO, VAN LANCKER, BERES, BERGER, CARNERO, PACIOTTI, THORNING-SCHMIDT.*
9. *THE EARL OF STOCKTON*
10. *FARNLEITNER*
11. *FINI*
12. *FISCHER*
13. *HAIN, TOMLINSON.*
14. *HEATHCOAT-AMORY*
15. *HJELM-WALLEN, PETERSSON, LEKBERG, SVENSSON*
16. *KALNIETE, ZILE, LIEPINA, PIKS, KRISJANIS KARINS, KRASTS*
17. *KAUFMANN*
18. *KIRKHOPE*
19. *KUNEVA*
20. *LENMARKER, KVIST*
21. *LOPES, LOBO ANTUNES*
22. *MUSCARDINI*
23. *PALACIO*
24. *SCHLÜTER*
25. *TEUFEL*
26. *HJELM-WALLEN, PETERSSON, LEKBERG, KVIST, SVENSSON*

27. *VASTAGH*
28. *DE VILLEPIN*
29. *WITTBRODT, FOGLER*
30. *WUERMELING*

**LISTE DES AMENDEMENTS A L'ARTICLE 11, PARTIE II.**

1. BROK; SANTER; STYLIANIDIS; SZAJER; TEUFEL; TUSEK; VAN DER LINDEN; ALMEIDA GARRETT; ALTMAIER; AZEVEDO; CUSHNAHAN; DEMETRIOU; FARNLEITNER; FOGLER FRENDON; GIANNAKOU; KELAM; KELEMEN; KORHONEN; KRASTS; KROUPA; KUTZKOVA; LENNMARKER; MAIJ-WEGGEN; MLADENOV; NAZARE-PEREIRA; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZIELENIEC; ZILE
2. DE VRIES, DE BRUIJN
3. VAN DIJK
4. DUFF, DINI, HELMINGER, RUPEL, KREITZBERG, GRICIUS, HASOTTI, KACIN, AKÇAM, DYBKJAER, VAN EEKELEN, LORD MACLENNAN OF ROGART, UZUN, MATSAKIS, VASSILIOU, ISTVAN SZENT-IVANYI, ECKSTEIN-KOVACS, OZAL, SIVICKAS
5. DUHAMEL, EINEMM., FAYOT, MCAVANM, MARINHO, VAN LANCKER, BERES,
6. EINEM, BERGER
7. FINI
8. FISCHER
9. HAIN, TOMLINSON
10. HEATHCOAT-AMORY
11. HJELM-WALLEN, PETERSSON, LEKBERG, SVENSSON
12. KAUFMANN
13. KIRKHOPE
14. MICHEL, DE GUCHT, DI RUPO, VAN LANCKER, CHEVALIER, NAGY
15. MUSCARDINI
16. QUEIRO
17. QUEIRO
18. SANTER, HELMINGER, FAYOT
19. SKAARUP
20. TEUFEL
21. TIILIKAINEN, PELTOMÄKI, KILJUNEN, VANHANEN, KORHONEN, HELLE
22. VASTAGH
23. VOGGENHUBER, LICHTENBERGER, MACCORMICK
24. WITTBRODT, FOGLER
25. WUERMELING
26. WUERMELING

**LISTE DES AMENDEMENTS A L'ARTICLE 12, PARTIE II.**

1. *ABITBOL*
2. *BORRELL, CARNERO, LOPEZ-GARRIDO*
3. *BROK; SANTER; STYLIANIDIS; SZAJER; TEUFEL; TUSEK; VAN DER LINDEN; ALMEIDA GARRETT; ALTMAIER; AZEVEDO; CUSHNAHAN; DEMETRIOU; FARNLEITNER; FOGLER FRENDON; GIANNAKOU; KELAM; KELEMEN; KORHONEN; KRASTS; KROUPA; KUTZKOVA; LENNMARKER; MAIJ-WEGGEN; MLADENOV; NAZARE-PEREIRA; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMELING; ZIELENIEC; ZILE*
4. *DE VRIES, DE BRUIJN*
5. *DUFF, DINI, HELMINGER, RUPEL, KREITZBERG, GRICIUS, HASOTTI, KACIN, AKÇAM, DYBKJAER, VAN EEKELEN, LORD MACLENNAN OF ROGART, UZUN, MATSAKIS, VASSILIOU, ISTVAN SZENT-IVANYI, ECKSTEIN-KOVACS, OZAL, SIVICKAS*
6. *DUHAMEL, EINEMM., FAYOT, MCAVANM, MARINHO, VAN LANCKER, BERES,*
7. *THE EARL OF STOCKTON*
8. *FARNLEITNER*
9. *FINI*
10. *FISCHER*
11. *HAIN, TOMLINSON*
12. *HEATHCOAT-AMORY*
13. *HJELM-WALLEN, PETERSSON, LEKBERG, LENMARKER, KVIST, SVENSSON*
14. *KALNIETE, ZILE, LIEPINA, PIKS, KRISJANIS KARINS, KRASTS*
15. *KAUFMANN*
16. *KIRKHOPE*
17. *MICHEL, DE GUCHT, DI RUPO, VAN LANCKER, CHEVALIER, NAGY*
18. *MICHEL, DE GUCHT, DI RUPO, VAN LANCKER, CHEVALIER, NAGY*
19. *MUSCARDINI*
20. *QUEIRO*
21. *QUEIRO*
22. *QUEIRO*
23. *SCHLÜTER*
24. *SKAARUP*
25. *SPERONI*
26. *TEUFEL*

27. *TIILIKAINEN, PELTOMÄKI, KILJUNEN, VANHANEN, KORHOEN, HELLE*
28. *TIMMERMANS, VAN DEN LINDEN*
29. *VAN DIJK*
30. *DE VILLEPIN*
31. *WUERMELING*
32. *WUERMELING*
33. *WUERMELING*

**LISTE DES AMENDEMENTS A L'ARTICLE 13, PARTIE II.**

1. *DE VRIES, DE BRUIJN*
  2. *FIGEL, BELOHORSKA, MIGAS, ZALA*
  3. *FINI*
  4. *FISCHER*
  5. *HAIN, TOMLINSON*
  6. *HEATHCOAT-AMORY*
  7. *HJELM-WALLEN,PETERSSON, LEKBERG, KVIST, SVENSSON*
  8. *KIKHOPE*
  9. *SCHLÜTER*
  10. *THILIKANEN, PELTOMÄKI, KILJUNEN, VANHANEN, KORHONEN, HELLE*
  11. *DE VILLEPIN*
-

**LISTE DES AMENDEMENTS A L'ARTICLE 14, PARTIE II.**

1. *DE VILLEPIN*
2. *KOHOUT*
3. *KAUFMANN*
4. *TEUFEL*
5. *DE VRIES ET DE BRUIJN*
6. *ROCHE*
7. *HJELM WALLÉN + 4 CONVENTIONNELS*
8. *WUERMELING*
9. *HAENEL*
10. *LEQUILLER*
11. *FLOCH*
12. *WUERMELING*
13. *CHABERT + 5 CONVENTIONNELS*
14. *HÜBNER*
15. *MUSCARDINI*
16. *MICHEL + 5 CONVENTIONNELS*
17. *FARNLEITNER*
18. *WUERMELING*
19. *AZEVEDO*
20. *QUEIRO*
21. *FISCHER*
22. *SANTER + 3 CONVENTIONNELS*
23. *VOGGENHUBBER + 2 CONVENTIONNELS*
24. *DUFF + 19 CONVENTIONNELS*
25. *MEYER*
26. *DUHAMEL + 9 CONVENTIONNELS*
27. *HEATHCOAT-AMORY*
28. *HAIN*
29. *KIRKHOPE*
30. *THE EARL OF STOCKTON*
31. *FINI*
- 32.
33. *LOPES ET LOBO ANTUNES*



- 34. *QUEIRÓ*
- 35. *LENNMARKER*
- 36. *BORRELL ET CARNERO*
- 37. *BROK + 2 CONVENTIONNELS*
- 38. *BELOHORSKÁ*
- 39. *WUERMELING*
- 40. *FISCHER*
- 41. *TEUFEL*
- 42. *SCHLÜTER*
- 43. *SANTER + 3 CONVENTIONNELS*
- 44. *WUERMELING*
- 45. *DUHAMEL + 9 CONVENTIONNELS*

## **LISTE DES AMENDEMENTS DE L'ARTICLE 15, PARTIE II**

1. *KIRKHOPE*
2. *WUERMELING*
3. *MUSCARDINI*
4. *EARL OF STOCKTON*
5. *FARNLEITNER*
6. *HÜBNER*
7. *DE VILLEPIN*
8. *SANTER+ 3 CONVENTIONNELS*
9. *MICHEL+ 5 CONVENTIONNELS*
10. *VASTAGH*
11. *FIGEL*
12. *LOPES + LOBO ANTUNES*
13. *TEUFEL*
14. *KAUFMANN*
15. *ROCHE*
16. *SCHLÜTER*
17. *QUEIRO*
18. *HJELM-WALLEN+ 4 CONVENTIONNELS*
19. *HEATCOAT-AMORY*
20. *TAJANI*
21. *DUFF + 20 CONVENTIONNELS*
22. *FISCHER*
23. *DE VRIES + DE BRUIJN*
24. *TIILIKAINEN + 5 CONVENTIONNELS*
25. *HAIN + TOMLINSON*

**LISTE DES AMENDEMENTS A L'ARTICLE 16, PARTIE II.**

1. *KIRKHOPE*
2. *HEATHCOAT-AMORY*
3. *HAIN*
4. *SCHLÜTER*
5. *ROCHE*
6. *LOPES ET LOBO ANTUNES*
7. *FARNLEITNER*
8. *TEUFEL*
9. *TAJANI*
10. *SVENSSON*
11. *DE VRIES ET DE BRUIJN*
12. *CHABERT + 5 CONVENTIONNELS*
13. *WUERMELING*
14. *DE VILLEPIN*
15. *FISCHER*
16. *QUEIRÓ*
17. *HAENEL*
18. *WUERMELING*
19. *MICHEL + 5 CONVENTIONNELS*
20. *DUHAMEL + 9 CONVENTIONNELS*
21. *DUFF + 19 CONVENTIONNELS*
22. *HJELM-WALLÉN*
23. *KAUFMANN*

**LISTE DES AMENDEMENTS A L'ARTICLE 17, PARTIE II.**

1. *HJELM-WALLEN + 3 CONVENTIONNELS*

2. *WUERMELING*

3. *KIRKHOPE*

4. *LENNMAKER + SVENSSON*

5. *FINI*

6. *EARL OF STOCKTON*

7. *MUSCARDINI*

8. *DYBKJAER*

9. *FARNLEITNER*

10. *DE VILLEPIN*

11. *BADINTER*

12. *MICHEL + 5 CONVENTIONNELS*

13. *DE ROSSA*

14. *LOPES + LOBO ANTUNES*

15. *CAREY*

16. *TEUFEL*

17. *KAUFMANN*

18. *ROCHE*

19. *BERGER + EINEM*

20. *SCHLÜTER*

21. *VAN LANCKER*

22. *DUHAMEL + 8 CONVENTIONNELS*

23. *HEATHCOAT-AMORY*

24. *TAJANI*

25. *DUFF + 18 CONVENTIONNELS*

26. *VOGGENHUBER + 2 CONVENTIONNELS*

27. *FISCHER*

28. *DE VRIES*

29. *TIILIKAINEN + 5 CONVENTIONNELS*

30. *HAIN + TOMLINSON*

**LISTE DES AMENDEMENTS A L'ARTICLE 18, PARTIE II.**

1. *KIRKHOPE*
2. *EARL OF STOCKTON*
3. *FARNLEITNER*
4. *WUERMELING*
5. *MICHEL + 5 CONVENTIONNELS*
6. *ROCHE*
7. *SCHLÜTER*
8. *CHABERT + 5 CONVENTIONNELS*
9. *HEATCOAT-AMORY*
10. *TAJANI*
11. *DUFF + 19 CONVENTIONNELS*

**LISTE DES AMENDEMENTS A L'ARTICLE 19, PARTIE II.**

1. KIRKHOPE
2. KVIST
3. ROCHE
4. LOPES ET LOBO ANTUNES
5. QUEIRÓ
6. SCHLÜTER
7. DE VRIES ET DE BRUIJN
8. TAJANI
9. HAIN
10. FARNLEITNER
11. DE VILLEPIN
12. MICHEL + 5 CONVENTIONNELS
13. KAUFMANN
14. HEATHCOAT-AMORY
15. TEUFEL
16. HJELM-WALLÉN ET LEKBERG
17. WUERMELING
18. FISCHER
19. BROK + 36 CONVENTIONNELS
20. FOGLER
21. FINI
22. MUSCARDINI
23. WUERMELING
24. KOHOUT
25. BERGER ET EINEM

**LISTE DES AMENDEMENTS A L'ARTICLE 20, PARTIE II.**

1. HAIN
2. DE VRIES ET DE BRUIJN
3. ROCHE
4. SCHLÜTER
5. QUEIRÓ
6. WUERMELING
7. HJELM-WALLÉN + 4 CONVENTIONNELS
8. KIRKHOPE
9. FARNLEITNER
10. TAJANI
11. HEATHCOAT-AMORY
12. MUSCARDINI
13. FAYOT
14. HAENEL ET ATHANASIU
15. COSTA ET D'OLIVEIRA
16. DUFF + 19 CONVENTIONNELS
17. FLOCH
18. LEQUILLER
19. MICHEL + 5 CONVENTIONNELS
20. KAUFMANN
21. BROK + 32 CONVENTIONNELS
22. DE VILLEPIN
23. VOGGENHUBBER + 1 CONVENTIONNELS
24. TEUFEL
25. MEYER
26. FISCHER
27. WUERMELING
28. FOGLER
29. DUHAMEL + 9 CONVENTIONNELS
30. BORRELL + 2 CONVENTIONNELS
31. VASTAGH
32. LOPES ET LOBO ANTUNES



33. *BADINTER*

34. *KOHOUT*

**LISTE DES AMENDEMENTS A L'ARTICLE 21, PARTIE II.**

1. *KIRKHOPE*
2. *VASSILIOU*
3. *MUSCARDINI*
4. *FARNLEITNER*
5. *DE VILLEPIN*
6. *SANTER + 3 CONVENTIONNELS*
7. *MICHEL + 5 CONVENTIONNELS*
8. *VASTAGH*
9. *LOPES + LOBO ANTUNES*
10. *TEUFEL*
11. *KAUFMANN*
12. *DUHAMEL + 10 CONVENTIONNELS*
13. *ROCHE*
14. *QUEIRO*
15. *TIMMERMANS + 3 CONVENTIONNELS*
16. *HJELM-WALLEN + 4 CONVENTIONNELS*
17. *HEATCOAT-AMORY*
18. *DUFF + 16 CONVENTIONNELS*
19. *VOGGENHUBER + 2 CONVENTIONNELS*
20. *FISCHER*
21. *DE VRIES + DE BRUIJN*
22. *TIILIKAINEN + 5 CONVENTIONNELS*
23. *BORRELL + 2 CONVENTIONNELS*
24. *HAIN + TOMLINSON*

**LISTE DES AMENDEMENTS A L'ARTICLE 22, PARTIE II.**

1. *WUERMELING*
2. *KIRKHOPE*
3. *DE VILLEPIN*
4. *HAENEL + 2 CONVENTIONNELS*
5. *SANTER + 3 CONVENTIONNELS*
6. *FARNLEITNER*
7. *MICHEL + 5 CONVENTIONNELS*
8. *AZEVEDO + PEREIRA*
9. *FINI*
10. *COSTA + D'OLIVEIRA MARTINS*
11. *EARL OF STOCKTON*
12. *LOPES + LOBO ANTUNES*
13. *BROK + 32 CONVENTIONNELS*
14. *TEUFEL*
15. *KAUFMANN*
16. *ROCHE*
17. *BERGER + EINEM*
18. *QUEIRO*
19. *CHABERT + 5 CONVENTIONNELS*
20. *WITTBRODT + FOGLER*
21. *HJELM-WALLEN + 5 CONVENTIONNELS*
22. *HEATCOAT-AMORY*
23. *DUFF + 19 CONVENTIONNELS*

*24. DE VRIES + DE BRUIJN*

*25. FISCHER*

*26. VOGGENHUBER + 2 CONVENTIONNELS*

*27. TIILIKAINEN + 5 CONVENTIONNELS*

*28. HAIN + TOMLINSON*

**LISTE DES AMENDEMENTS A L'ARTICLE 23, PARTIE II.**

1. *FINI*
  2. *BORRELL + 2 CONVENTIONNELS*
  3. *VASTAGH*
  4. *SANTER + 3 CONVENTIONNELS*
  5. *STOCKTON*
  6. *MICHEL + 5 CONVENTIONNELS*
  7. *KIRKHOPE*
  8. *FARNLEITNER*
  9. *TEUFEL*
  10. *KAUFMANN*
  11. *DUHAMEL + 9 CONVENTIONNELS*
  12. *HEATCOAT-AMORY*
  13. *DUFF + 17 CONVENTIONNELS*
  14. *FISCHER*
  15. *DE VRIES + DE BRUIJN*
  16. *MUSCARDINI*
  17. *HAIN + TOMLINSON*
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