

AMENDMENT FORM

Suggestion for amendment of article 16

By Mr Poul Schlüter

Status: Alternate

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 Union shall develop judicial cooperation in criminal matters having cross-border implications based on the principle of mutual recognition of judicial decisions in criminal matters. The Council, acting unanimously after obtaining the assent of the European Parliament, may adopt framework laws containing minimum rules concerning aspects of criminal procedure to the extent necessary to ensure mutual recognition of judicial decisions in criminal matters.

- ~~- 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.~~
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Explanation:

The future Union action in the field of criminal matters implies that the Union may adopt common rules on criminal procedure and substantive criminal law.

Therefore, the essential parts of the future Union legislation in this field should be adopted with unanimity in the form of framework laws.

Furthermore, the proposed wording simply states that any aspect of criminal procedure can be

harmonized, if justified by cross border implications.

The proposed structure corresponds to the structure in art. 14.