

## ROADMAP

Title of the initiative: **Communication from the Commission " *Delivering an area of freedom, security and justice for Europe's citizens: Action Plan Implementing the Stockholm Programme*"**

Type of initiative (CWP/Catalogue/Comitology): CWP

Lead DG/contact person/details: DG JLS

Expected date of adoption of the initiative (month/year): April 2010

Date of modification:

Version No: 2

### Initial IA screening & planning of further work

#### **A. Context and problem definition**

(i) What is the political context of the initiative? (ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

In June 2009, the Commission adopted the Communication "An area of freedom, security and justice serving the citizen" setting the Commission's priorities for a new multiannual programme in the area of Justice freedom and security that builds on the progress made so far and learns the lessons of the current weaknesses in order to make an ambitious push forward.

Based on the Communication of the Commission and the resolutions of the European Parliament,

the European Council adopted the "Stockholm Programme – An open and secure Europe serving and protecting the citizens" on 11 December 2009. The new multiannual programme defines the priorities for the next five years, take up the challenges of the future, and make the benefits of the area of freedom, security and justice more tangible to the all citizens.

The Stockholm Programme calls for proposing an Action Plan that will implement the Programme by setting out precise actions to be taken.

What are the main problems identified?

2009 was the end of the last multi-annual programme in the justice and home affairs area. A new multi-annual programme for the Union was needed. In line with article 68 of the TFEU, the European Council defining the strategic guidelines for legislative planning, adopted the Stockholm Programme that builds on the progress made so far and learns the lessons of the current weaknesses in order to make an ambitious push forward. In order to transform the political mandates and priorities in concrete actions for the Union, an Action Plan is required.

Who is affected?

EU institutions, Member States, EU citizens

(i) Is EU action justified on grounds of subsidiarity? (ii) Why can the objectives of the proposed action not be achieved sufficiently by Member States (necessity test)? (iii) As a result of this, can objectives be better achieved by action by the Community (test of EU Value Added)?

This Communication defines essentially the actions from the Stockholm Programme for which the Commission is entitled and has been requested to act, in full respect of subsidiarity. The Stockholm Programme is a multi-annual plan for the Union, not only for the Commission, therefore it is expected that the Action Plan from the Commission is complemented by actions from the Member states in their area of competence.

Regarding the actions referred to in the Communication, for each of them individually the appropriate analysis of subsidiarity and potential impacts will have to be performed.

## **B. Objectives of EU initiative**

What are the main policy objectives?

The aim of the Action Plan is to ensure that the Stockholm Programme is translated into concrete results for the citizen. It provides first a short introductory communication highlighting the Commission's priorities for the next term, fully profiting from the opportunities offered by the Lisbon Treaty; and transforming the Stockholm programme into a more focussed political message, and further lists of concrete actions and a timetable for adoption by the Commission. This should lead citizens benefiting from a tangible European area of justice freedom and security.

Do the objectives imply developing EU policy in new areas or in areas of strategic importance?

This Communication falls within the boundaries and objectives set by the 2009 Communication from the Commission, the Stockholm Programme adopted by the European Council and the resolutions of the EP.

## **C. Options**

(i) What are the policy options? (ii) What legislative or 'soft law' instruments could be considered? (iii) Would any legislative initiatives go beyond routine up-date of existing legislation?

The preferred option of publishing an Action Plan was compared to the option of not doing so. It has been decided to present this Action Plan as it is necessary to highlight the commitment of the Commission in the steps it intends to take to implement the Stockholm Programme.

Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

Some actions proposed by this Communication also contribute to the EU2020 strategy.

Explain how the options respect the proportionality principle

The Communication is proportionate to the objectives of the Stockholm Programme. Regarding the actions referred to in the Communication, for each of them individually the appropriate analysis of respect of the proportionality principle will have to be performed.

## **D. Initial assessment of impacts**

What are the significant impacts likely to result from each policy option (cf. list of impacts in the Impact Assessment Guidelines pages 32-37), even if these impacts would materialise only after subsequent Commission initiatives?

The impact of the action plan itself will be to ensure a better implementation of the Stockholm programme and support its monitoring. It will thus help ensure the success of the actions it contains, which are expected to make it easier for citizens to exercise their rights, enhance freedom, security and justice.

Could the options have impacts on the EU-Budget (above 5 Mio €) and/or should the IA also serve as the ex-ante evaluation, required by the Financial Regulation?

No

Could the options have significant impacts on (i) simplification, (ii) administrative burden or on

(iii) relations with third countries?

No

### **E. Planning of further impact assessment work**

When will the impact assessment work start?

An impact assessment is not planned for the action plan itself, as its impact is chiefly to enhance the effectiveness of the actions it contains. These individual actions will be subject to impact assessment where relevant.

(i) What information and data are already available? (ii) Will this impact assessment build on already existing impact assessment work or evaluations carried out? (iii) What further information needs to be gathered? (iv) How will this be done (e.g. internally or by an external contractor) and by when?

(v) What type and level of analysis will be carried out (cf. principle of proportionate analysis)?

N/A

Which stakeholders & experts have been/will be consulted, how and at what stage?

N/A