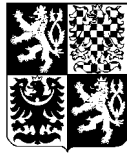


THE PARLIAMENT OF THE CZECH REPUBLIC

SENATE



7th term

523rd RESOLUTION

OF THE SENATE

delivered on the 20th meeting held on 23rd June 2010

on Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions: Delivering an area of freedom, security and justice for Europe's Citizens - Action Plan Implementing the Stockholm Programme

The Senate

I. Considers

it crucial that the realization of commitments arising from the Action Plan Implementing the Stockholm Programme corresponds in a balanced manner to the priorities resulting from the political agreement of the European Council held in December 2009;

II. 1. Is fully in accordance

with the position of the Czech government on the idea of creation of a comprehensive EU framework for data protection, while stressing the existence of parallel complex national protection based on constitutional rules of the Member States, and at the same moment points out the potential implications of such a step in relation to national consideration of international agreements of the EU (for example PNR), that are currently considered to be mixed agreements and are thus to be ratified by the national parliaments;

2. Reminds its reservations

expressed already in its resolution on Communication from the Commission to the European Parliament and the Council: An area of freedom, security and justice serving the citizen (Senate Press K 052/07) to the possibility of granting to the third country citizens legally residing in the EU of the rights similar to those of the EU citizens; while aware of the need of just approach to the third country citizens, the Senate holds the view, that the particular rights should be determined by the length and the type of the residence;

3. Holds the view

that it is necessary to wait with the considerations on the establishment of the European public prosecutor until the impacts of the recent changes of competences of Eurojust are evaluated;

4. Is still of the opinion,

that even in a long term perspective the Frontex agency should not serve as a base for European Border Police and the protection of borders should stay within the competence of the Member States;

5. Points out,

in accordance with its previous resolution on Proposal for a Council Decision establishing the European Police Office (Senate Press M 09/06), that the envisaged regulation on Europol should not include exercise of competences of operative or executive character on the territories of the Member States;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

2. Authorises

the President of the Senate to forward this resolution to the European Commission.

Přemysl Sobotka
sign manual
President of the Senate

Pavel Trpák
sign manual
Senate Verifier