



PARLIAMENT
OF THE CZECH REPUBLIC
Chamber of Deputies
Jan Bauer
Chairman
Committee for European Affairs

Prague, 24th March 2011

Dear Mr. President,

I would like to inform you about the opinion of the Committee for European Affairs of the Chamber of Deputies of the Parliament of the Czech Republic on the Proposal for a Council Decision amending Decision (2008/203/EC) of 28 February 2008 implementing Regulation (EC) No 168/2007 as regards the adoption of a Multiannual Framework for the European Union Agency for Fundamental Rights for 2007 – 2012 /Council No. 17564/10, COM(2010) 708/.

The respective document was included in the agenda of the 11th session of the Committee for European Affairs and was scrutinized on 24th February 2011. According to the Rules of Procedure of the Chamber of Deputies a Director of the Conceptual and institutional Department of European Affairs Section on the Office of the Government was present at the session to introduce the preliminary government's framework position.

After the hearing of the rapporteur's review and after the discussion the Committee has adopted the resolution No. 74 which is enclosed to this letter. According to this resolution the Committee i. a. considers that the possible extension of competence of the Agency to the area of judicial cooperation in criminal matters and police cooperation should be done by amendment of the Founding Act, i. e. Council Regulation (EC) No 168/2007, and not in the manner suggested by the European Commission by amendment of the multi-annual framework, i. e. by amendment of the Council regulation No. 2008/203/EC.

According to the Rules of Procedure of the Chamber of Deputies the resolution of the Committee for European Affairs is deemed to be the opinion of the Chamber of Deputies.

Yours sincerely,

Enclosure

Mr. José Manuel Barroso
President of the European Commission

Brussels

PARLIAMENT OF THE CZECH REPUBLIC
Chamber of Deputies
Committee for European Affairs

Resolution No. 74

11th session on 24th February 2011

Proposal for a Council Decision amending Decision (2008/203/EC) of 28 February 2008 implementing Regulation (EC) No 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007 – 2012 /Council No. 17564/10, COM(2010) 708/.

Enclosure of the Resolution:

Committee for European Affairs

1. takes into account the submitted proposal and the government's general position regarding the document
2. has a restrained position to the proposed extension of the European Union Agency for Fundamental Rights in the area of judicial cooperation in criminal matters and police cooperation
3. welcomes the position of the Legal Service of the European Council regarding the proposal in relation to the doubts concerning the legal basis of the proposal and the possibility of extending the competence of the Agency
4. disagrees with the opinion of the European Commission that only amending the EU primary law and creating new powers of the Union automatically leads to extension of the competence already adopted under the standards of the secondary law
5. considers that the possible extension of the competence of the Agency to the area of judicial cooperation in criminal matters and police cooperation should be done by amendment of the Founding Act, i. e. Council Regulation (EC) No. 168/2007, and not in the manner suggested by the European Commission by amendment of the multi-annual framework, i. e. by amendment of the Council regulation No. 2008/203/EC
6. suspends the discussion of the submitted proposal regarding the above mentioned doubts concerning the legal basis of the submitted proposal and a possibility of extending of the competence of the Agency
7. authorizes the chairman of the committee to inform the European Commission about this resolution