

Brussels, 10 DEC. 2010  
C/2010/ 7860

Dear President,

*The Commission thanks the Swedish Parliament for its opinion of 23 June 2010 on the Commission's Action Plan implementing the Stockholm Programme {COM(2010) 171} and would like to address the main concerns submitted in this opinion.*

*The Council mandated the Commission to come forward with an Action Plan which would translate the aims and priorities of the Stockholm Programme into concrete actions. The Commission considers that it has fulfilled this mandate and that the Action Plan implementing the Stockholm Programme is fully in line with both the spirit and the substance of the Stockholm Programme. Although the Action Plan provides a detailed overview of the planned initiatives and their timing, it should not be seen as an agenda that is fixed once and for all. The titles and timing included in the Action Plan are indicative and do not pre-empt the content of the initiatives. The Commission will table initiatives as necessary and appropriate, taking into account Member States' concerns. The timing proposed in the Action Plan is therefore indicative, based on reasonable estimates taking into account the necessary preparation time and the maturity of the debates on the various issues.*

*As regards the concerns expressed on disaster management, the Commission agrees on the importance of improving disaster management within the EU and on the need to examine ways in which to implement the solidarity clause. To this end, the Commission is reflecting on the best ways to ensure that the EU can cope with disasters or other events which need an urgent response such as terrorist threats or a sudden afflux of persons in need of international protection. With regard to cooperation with third countries and the European Neighbourhood Policy and the eastern partnership in particular, the Commission wishes to stress that its objective is to share the values of the area of freedom, security and justice with partner countries. Another aim is to strengthen the Union's capacity to act as a significant partner in cooperation with third countries as well as at the regional/international level in the field of migration, asylum, border management and security, including in partnership with third countries in implementing the Global Approach to Migration. This can only be achieved through genuine partnership and in the interest of both the EU and the third countries concerned.*

Mr Per Westerberg  
President of the Riksdag  
Sveriges Riksdag  
SE – 100 12 STOCKHOLM

*The Commission confirms that the Action Plan, in line with the Stockholm Programme, puts the European citizen at the heart of action in the area of freedom, security and justice. The EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms will reinforce the obligation of the Union, including its institutions, to ensure that in all its areas of activity, fundamental rights are actively promoted. Together with the rights set out in the Charter of Fundamental Rights, it lays the basis for the creation of a uniform European fundamental and human rights system.*

*As far as security measures and rights of the citizens are concerned, the Action Plan implementing the Stockholm Programme aims to ensure the internal security of the EU whilst safeguarding the needs and rights of citizens, including the fundamental right to data protection. The Commission is currently considering the best ways to ensure the same level of personal data protection in all EU policies in Member States, including in the area of police and judicial cooperation in criminal matters and in external relations. An impact assessment study is ongoing and extensive consultation already started in 2009. The Communication on information management in the area of freedom, security and justice adopted on 20 July 2010, will seek to clarify the main features of Europe's information exchange instruments and set out those core principles that should underpin the development and evaluation of any future initiative in the field of internal security.*

*The new TFTP agreement and the future new negotiation mandate on PNR aim to ensure an area of freedom and security for the people of Europe while providing a high level of protection of the fundamental rights of the individuals, among which the right to the protection of personal data keeps an important place especially in the exchange with third countries. We are aware of the important data protection implications in the context of these initiatives and we attribute the utmost attention to the respect of the data protection principles as reflected in the relevant EU instruments and the Charter of the Fundamental Rights. We believe that data protection compliance is essential for the implementation of any proposal in order to effectively ensure an area of freedom and security that will gain the respect of the citizens of the European Union and the people who live and work in it.*

*Regarding the assessment of new legislation, the Commission confirms that new legislative proposals or proposals amending existing legislation will be the subject to an impact assessment or will be based on evaluation of the existing legislation. This ensures the respect of the principles of subsidiarity and proportionality which are key elements in order to ensure an efficient functioning of the EU.*

*I hope that these clarifications satisfactorily address the concerns expressed in your submission.*

*Yours sincerely,*

