

4 March 2011

To the European Commission
sg-national-parliaments@ec.europa.eu

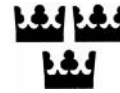
The Riksdag has referred the *Commission Work Programme 2011*, COM(2010) 623, to the Committee on Foreign Affairs for review.

The Committee has presented its review of the work programme to the Chamber in Statement 2010/11:UU11. A decision on the statement was taken on 3 March 2011.

The statement is attached.



Kathrin Flossing
Secretary-General
of the Riksdag



Commission Work Programme 2011

Summary

In this statement, the Committee on Foreign Affairs discusses the Commission Work Programme 2011, which was adopted on 27 October 2010, COM(2010) 623.

The English version of the work programme arrived at the Riksdag on the day following its adoption. The Riksdag's discussion of the Commission proposals did not begin until the Swedish version was received, which was more than six weeks after the work programme had been adopted. This delay has affected the schedule for discussion in the Riksdag. The Committee considers it crucial that work programmes, for example, should in future be forwarded to the Riksdag in a Swedish version following their adoption.

The Commission's Work Programme has been presented at a particularly challenging time for the EU. This applies in both the short and longer terms. The Committee considers that the initiatives taken under the Europe 2020 strategy should be focused on long-term structural growth and aim at increased competitiveness for the European economies and therefore strengthening long-term employment in Europe.

Among the challenges the EU faces, the Committee emphasises in particular the importance of safeguarding an open Europe. There are several aspects to openness. If citizens are to be able to gain an insight into the work of the Union, it is essential that freedom of opinion and freedom of expression are asserted and promoted. In the Committee's view, the Commission should focus in particular on the development of freedom of expression and media freedom in the EU's Member States, as well as in the dialogue with candidate and applicant countries. The Commission should endeavour to ensure a formal and real foundation for independent dissemination of news and opinions. The Commission should likewise urge Member States of the EU which do not have legislation on the right of journalists not to reveal their sources of information to introduce such legislation.

The Committee considers that enlargement of the EU strengthens peace and stability. The EU must keep its doors open, both in the enlargement process and in the eastern partnership and the Mediterranean Cooperation. The Copenhagen criteria must be implemented and maintained at the same time. A strong commitment by the Commission and other parties concerned is needed if enlargement is to succeed.

The Committee on Justice and the Committee on the Labour Market have expressed their views to the Committee on Foreign Affairs. In addition to these expressions of opinion, a number of committees in the Riksdag have expressed views relating to the Commission Work Programme in statements already issued. An annex contains a list of all statements decided upon by the Riksdag committees after the Committee on Foreign Affairs verified its statement on the Commission Work Programme 2010.

With regard to the first two main areas of the Commission Work Programme, *Dealing with the economic crisis* and *Restoring growth for jobs*, the Committee on Foreign Affairs primarily refers to the statements issued by the Riksdag's Committee on Finance which address issues related to the work programme. The Committee also refers to the Committee on the Labour Market's opinion on the Commission Work Programme, which is attached as an annex to this statement. Implementation of the Europe 2020 strategy requires radical reprioritisations in the EU budget for the period after 2013. The Committee considers that the EU should continue to play an active role in the G20, but emphasises at the same time that issues relating to the international financial institutions should be discussed in a substantive way and decided in the institutions' governing bodies.

With regard to initiatives *to pursue the citizens' agenda: freedom, justice and security*, the Committee supports the Committee on Justice's opinion, which is included as an annex to this statement. The Committee on Foreign Affairs considers it crucial that agreement is reached in 2011 on EU accession to the European Convention on Human Rights (ECHR). It should also be possible for the EU to accede to other relevant European conventions. Other initiatives should additionally be taken to strengthen the rule of law and protection for the individual.

Measures *to pull the EU's weight on the global stage* must, in the Committee's view, be based on the provisions of the Treaty of Lisbon on promoting democracy, the rule of law and human rights in the Union's action on the international scene (Article 2(1) of the Treaty). The Union's neighbourhood policy must be developed further and promote reforms and EU integration, as well as containing visa facilitation. Enlargement negotiations must continue at the pace permitted by the countries' preparations. Recent developments in North Africa and the Arab region have led to a greater focus on the development of democracy in these areas. The Committee considers that the EU must monitor this trend and act swiftly to use all the instruments available to strengthen the democratic forces.

The Committee emphasises consensus in development policy. In the Committee's view it is crucial that the modernisation of EU development policy includes greater efforts to promote the rights of women and sexual and reproductive health and rights (SRHR). It is crucial to continue to develop the EU Strategy for the Baltic Sea Region and implement the strategy's action plan. Ratification and implementation of human rights conventions must continue to be an important element in all association agreements, partnership agreements and

cooperation agreements the EU enters into with third countries. In its statement, the Committee presents views on the issue of parliamentary control of the EU's Common Security and Defence Policy (CSDP).

Launching negotiations for a modern EU budget is the fifth and last main area of the Commission Work Programme 2011. The Committee does not consider the ability of the EU budget to adapt to changed circumstances and requirements to have been adequate. Expenditure continues to be heavily dominated by agricultural policy and regional policy. In line with the Europe 2020 Strategy, greater efforts are needed in relation to competitiveness, environmental and climate issues, research and development and strategic investments in infrastructure programmes. EU budget expenditure must be radically reprioritised, and changes must be made without increasing total budget expenditure. EU development policy must have an impact on the new multiannual financial framework after 2013. Reform of the Union's financial instruments for development cooperation should continue and include incorporation of the European Development Fund into the EU budget.

The statement contains a reservation from each of the Social Democratic Party, the Swedish Green Party, the Sweden Democrats and the Left Party.

Table of Contents

Summary	1
The Committee's proposals for decision by for the Riksdag	5
Description of the remit.....	6
The remit and discussion of it	6
Background	6
The principal contents of the document	7
The Committee's review	9
Certain conditions for the national parliaments' review of EU issues	9
The Committee on Foreign Affairs' considerations.....	9
Overarching aspects of the Work Programme	10
The Committee on Foreign Affairs' considerations.....	10
Dealing with the economic crisis	12
The Committee on Foreign Affairs' considerations.....	12
Bringing about sustainable growth and increased employment	13
The Committee on the Labour Market's opinion	13
The Committee on Foreign Affairs' considerations.....	14
Pursuing the citizens' agenda: freedom, justice and security	15
The Committee on Justice's opinion	15
The Committee on Foreign Affairs' considerations.....	16
Pulling the EU's weight on the global stage	17
The Committee on Foreign Affairs' considerations.....	17
Launching negotiations for a modern EU budget.....	20
The Committee on Foreign Affairs' considerations.....	20
Reservations	22
1. Commission Work Programme 2011 – grounds (Social Democratic Party) ..	22
2. Commission Work Programme 2011 – grounds (Swedish Green Party).....	23
3. Commission Work Programme 2011 – grounds (Sweden Democrats).....	24
4. Commission Work Programme 2011 – grounds (Left Party).....	24
<i>Annex 1</i>	
List of proposals discussed	27
<i>Annex 2</i>	
List of statements	28
<i>Annex 3</i>	
The Committee on the Labour Market's opinion	31
<i>Annex 4</i>	
The Committee on Justice's opinion	45

The Committee's proposals by decision by the Riksdag

Commission Work Programme 2011

The Riksdag places the statement on file.

Reservation 1 (Social Democratic Party) – grounds

Reservation 2 (Swedish Green Party) – grounds

Reservation 3 (Sweden Democrats) – grounds

Reservation 4 (Left Party) – grounds

Stockholm, 17 February 2011

On behalf of the Committee on Foreign Affairs

Karin Enström

The following members have taken part in the decision: Karin Enström (Moderate Party), Urban Ahlin (Social Democratic Party), Walburga Habsburg Douglas (Moderate Party), Christian Holm (Moderate Party), Kent Härstedt (Social Democratic Party), Mats Johansson (Moderate Party), Carin Runeson (Social Democratic Party), Fredrik Malm (Liberal People's Party), Olle Thorell (Social Democratic Party), Kerstin Lundgren (Centre Party), Kenneth G. Forslund (Social Democratic Party), Désirée Pethrus (Christian Democrats), Stellan Bojerud (Sweden Democrats), Tommy Waidelich (Social Democratic Party), Ismail Kamil (Liberal People's Party), Valter Mutz (Swedish Green Party) and Jonas Sjöstedt (Left Party).

Description of the remit

The remit and discussion of it

The European Commission adopted its work programme for 2011, COM(2010) 623 – Commission Work Programme 2011 on 27 October 2010. An English version of the work programme was received at the Riksdag on 28 October. The Swedish-language version of the work programme was referred to the Committee on Foreign Affairs by the Chamber for review under Chapter 10 Section 5 of the Riksdag Act on 14 December 2010.

The Committee on Foreign Affairs has afforded other committees an opportunity to express their opinions on the work programme in relation to their particular areas of responsibility. Statements of opinion have been received from the Committee on Justice and the Committee on the Labour Market.

The Committee bases its statement on the five main areas emphasised by the Commission in its work programme:

- Dealing with the economic crisis
- Restoring growth and jobs
- Pursuing the citizens' agenda: freedom, security and justice
- Pulling the EU's weight on the global stage
- Launching negotiations for a modern EU budget

In the European Parliament, the work programme has been referred to the Constitutional Affairs Committee. All other committees in the European Parliament have been afforded an opportunity to express their opinions on the work programme.

A review of the work programme has been initiated and/or concluded in other national parliaments in EU Member States.

On 23 December 2010, the Committee received Background Brief 2010/11: FPM50 Commission Work Programme 2011. According to the background brief, the Swedish Government is largely in favour of the Commission Work Programme. The five main priorities cover many crucial policy areas. The Government will, according to the background brief, have cause to return to all these initiatives as and when the Commission presents proposals.

The Committee on Foreign Affairs had a meeting on 7 February, during a working trip to Brussels, with Cecilia Malmström, the Commissioner for Home Affairs, during which it received information on issues relating to the Commission Work Programme 2011, the Europe 2020 Strategy and the next multiannual financial framework.

Background

The European Commission's Work Programme 2011 is the second work programme during the current Commission's five-year term. It is the first work programme adopted in the framework of the new multiannual programme planning cycle to have been established

in a framework agreement between the European Parliament and the Commission (OJ L 304 20.11.2010 p 47). The framework agreement contains a timetable for the Commission work programme.

The Committee on Foreign Affairs has dual tasks with regard to the European Union. The Committee is, for example, responsible where necessary for the Riksdag's consideration of overarching issues relating to the European Union. In addition, the Committee is responsible under the Riksdag Act for monitoring EU issues within its area of responsibility as a specialised committee.

Pursuant to Chapter 10 Section 5 of the Riksdag Act, the Chamber has referred the Commission Work Programme 2011 to the Committee on Foreign Affairs for review and a written statement. The purpose of a statement is to foster debate on an issue at an early state and to present different views that may be of value in continued consideration of the issue. These statements are to be regarded as preliminary opinions that express the prevailing views in the Riksdag at the time of preparation of the statement. The statements are not legally binding for the positions later adopted by the Riksdag or the Government. However, a statement gives the Government an opportunity to establish whether its views on EU cooperation are endorsed by the Riksdag.

The Work Programme is based on the main political priorities presented by Commission President José Manuel Barroso in a speech at the European Parliament on the state of the European Union on 7 September 2010. On the same day, in accordance with the framework agreement a written account of the elements underlying the preparation of the Commission Work Programme 2011 was published by the Commission President.

The principal contents of the document

The Commission Work Programme 2011 comprises 40 strategic initiatives which the Commission intends to present for adoption during the year.

The new initiatives which the Commission intends to present in 2011 are largely focused on speeding up economic recovery. Some of the proposals are deemed by the Commission to be particularly urgent. According to the Commission, complete agreement should be reached on the new overarching regulatory framework for the financial sector. The Commission also considers that the first European Semester for the coordination of economic policy should be initiated. The Europe 2020 Strategy to create smart, sustainable and integrated growth is highlighted in the Work Programme. The Commission is to present its proposal for the EU's next multiannual financial framework during the course of 2011.

The Commission's work programme is focused on measures to be implemented in 2011 but also contains a framework for evaluating the policy which is pursued. It also identifies areas in which political initiatives need to be developed.

In annexes to the work programme, the Commission indicates 40 strategic initiatives scheduled for adoption in 2011 (Annex 1), an indicative table of 140 initiatives which are under consideration during the Commission's term of office up to 2014 (Annex 2), simplification rolling programme and administrative burden reduction initiatives (Annex 3) and a list of proposals which have been withdrawn (Annex 4).

The Committee's review

Certain conditions for the national parliaments' review of EU issues

The Committee on Foreign Affairs' considerations

Protocol 1 to the Treaty of Lisbon, which is concerned with the role of the national parliaments in the European Union, states that the Commission has to forward its consultation documents (green and white papers and communications) directly to the national parliaments upon publication. The Commission also has to forward the annual legislative programme as well as any other instrument of legislative planning or policy to national parliaments, at the same time as to the European Parliament and the Council.

Consideration of Commission proposals by the Riksdag does not begin until the Swedish-language version has been received by the Riksdag. The Committee finds it regrettable that the Swedish-language version of the Commission Work Programme 2011 did not arrive at the Riksdag until six weeks after the Commission adopted the Work Programme in October 2010. The delay has affected the Riksdag's schedule with regard both to the committee consideration of the Work Programme, resulting in this statement, and to the time for debate and decision in the Chamber regarding the statement.

The Committee considers it crucial, for example, that work programmes which according to the framework agreement between the European Parliament and the Commission have to be decided by the Commission in October, are in future forwarded to the Riksdag in a Swedish-language version following adoption by the Commission. In a corresponding way other national parliaments in the Union should have access without delay to a work programme (for example) in the relevant language version following its adoption by the Commission.

It has become ever more important for parliaments within the EU to exchange information concerning the Union. In order to facilitate the flow of information, the national parliaments, in cooperation with the European Parliament, have created a database and website, Ipex (Interparliamentary EU Information Exchange, www.ipex.eu). Ipex contains information, among other things, on review by national parliaments of decisions taken at EU level. The Swedish Riksdag has assisted in the construction of Ipex.

Each national parliament or chamber has developed its own system for EU review. The Swedish Government Offices draw up what are known as background briefs on EU issues as a basis for the Riksdag's review. This applies to all green and white papers but also to other proposals and communications which the Government deems to be significant. A background brief has to contain a presentation of the implications of the proposal and information on how Swedish rules are affected and on the Government's preliminary position. As stated above, Swedish Government Offices have prepared background brief 2010/11:FPM50 Commission Work Programme 2011. This brief presents a summary of the

Commission's work programme. With regard to the Government's preliminary position, which is to be presented in a background brief and which has clear information value for the Committee, extremely scanty information is provided in the brief mentioned. The Committee considers that a background brief should fulfil a guidance function. The Government's preliminary position should, as far as possible, be developed and be apparent from a background brief.

Overarching aspects of the Work Programme

The Committee on Foreign Affairs' considerations

The Committee on Foreign Affairs notes that the Commission work programme is an important document in order to identify at an early stage issues that appear on the EU agenda in both the shorter and multiannual terms. It is therefore also a document that provides a broad picture of which EU issues the Riksdag may have cause to return to in 2011 and in subsequent years.

Specialised committees in the Riksdag have presented their views on a number of issues related to the Commission's work programmes in statements already decided upon. Annex 2 to this statement contains a list of a total of 25 statements which have been issued by Riksdag committees after the Committee on Foreign Affairs decided in the spring of 2010 on its statement on the Commission Work Programme 2010. This list relates to statements issued after 22 April 2010.

The Commission's Work Programme has been presented at a particularly challenging time for the EU. In the short-term perspective it is important to stabilise the recovery after the economic and financial crisis, and to find solutions which will enable us to emerge sustainably strengthened from the crisis. Implementation of the economic recovery plan for Europe which was approved by the meeting of the European Council in December 2008 and which has since undergone further development must be continued.

The EU must also face up to the economic, social and environmental challenges of a more structural nature. The European economies are becoming increasingly dependent on one another, both within the EU and in relation to the rest of the world. The new EU 2020 Strategy must become a key part of EU policy to emerge from the crisis and steer towards long-term sustainable development in a world of new markets and new competitors. This was emphasised by the Committee on Finance in its spring 2010 statement on the EU's Future Strategy 2020 (Statement 2009/10: FiU29), a view which is shared by the Committee on Foreign Affairs. The Future Strategy may make an important contribution to efforts to boost the EU's growth potential and employment. The initiatives taken under the strategy should be focused on long-term structural growth and aim at increased competitiveness for the European economies and therefore strengthen long-term employment in Europe.

Among the challenges the EU faces, the Committee on Foreign Affairs wishes to highlight the important of safeguarding an open Europe.

The opportunity for citizens to gain an insight into the work of the Union is one of several aspects of openness. The Committee notes that the Treaty of Lisbon includes improvements in this respect, and wishes to emphasise the significance of measures to give practical content to the provisions of the Treaty. The Treaty of Lisbon establishes that the institutions of the Union have to fulfil their duties as openly as possible and contribute to increasing the opportunities of citizens to have an insight into the Union's work. The principle of public access has to apply to documents in all the Union's institutions, bodies and agencies, with certain exceptions for the European Court of Justice, the European Central Bank and the European Investment Bank. This provides increased insight into the Union's activities compared with the situation previously. It is stated in the Treaty that meetings of the Council have to be public when legislative proposals are discussed and adopted. It is further emphasised that the Union's institutions, bodies and agencies have to have open, effective and independent administration. A legal basis for regulations on good administration is being introduced.

An open Europe also means that the Union must be open to the outside world, and openness must be a consistent theme running through its operations. Freedom of opinion and freedom of expression must be asserted and promoted. The Committee notes that concern has recently been expressed in both the European Parliament and the European Council over developments with regard to freedom of expression and media freedom in the EU's Member States and in countries bordering on the EU. In the Commission's view, the Commission should focus in particular on the development of freedom of expression and media freedom in the EU's Member States, as well as in dialogue with candidate and applicant countries. The Committee considers that the Commission should work to ensure a formal and real foundation for independent dissemination of news and opinions. The Commission should likewise press for Member States of the EU which do not have legislation on the right of journalists not to reveal their sources of information to introduce such legislation, in accordance with case law from the European Court of Human Rights and the recommendations of the Committee of Ministers of the Council of Europe.

The Committee considers that the EU must keep its doors open in its contacts with other countries in the enlargement process, in the eastern partnership and in the Mediterranean Cooperation. Enlargement boosts peace and stability in Europe. A strong commitment by the Commission and other parties concerned is needed to enable enlargement to succeed. Enlargement must be credible for everyone taking part in the process. Developments in several places in Europe have highlighted the need to work continuously towards implementing and maintaining the Copenhagen criteria, particularly with regard to respect of democratic freedoms and rights and human rights. Promoting these elements – both in the enlargement process and in the circle of EU Member States – should be a fundamental aspect of all strategies and initiatives launched by the Commission.

Before the committee presents its review of the five main areas of the work programme, there is cause firstly to stress the importance of the principle of subsidiarity being respected and secondly to emphasise the significance of consensus in politics. Fair and sustainable global development can only be achieved by many forces pulling in the same direction. The EU is a global player whose policies are of great significance to the rest of the world, particularly developing countries. Lack of consensus on development in the EU has direct consequences for poor countries and people. It also affects the credibility of the EU as a global player for peace, human rights, democracy and poverty reduction. The Committee considers that the way in which the EU acts in one context must be consistent with the way in which it acts in another. The Commission regards it as a particular challenge for the EU and the Commission to ensure that there is consensus within and between the different policy areas affected, regardless of whether security, trade, agriculture, fisheries, public health or migration policy or global development is concerned.

The Commission must press for the Union and its Member States to fulfil the commitments made on support for the UN's millennium goals and endeavour to improve quality and efficiency in development cooperation. The Committee has recently presented its view on consensus in development policy in Statement 2010/11:UU9 EU Development Policy, which has received the support of the Riksdag. The Committee returns to issues of consensus in policy below under the heading of *Pulling the EU's weight on the world stage*.

Dealing with the economic crisis

The Committee on Foreign Affairs' considerations

The Committee welcomes the fact that, according to its Work Programme 2011, the Commission intends to take a number of other initiatives to stabilise recovery after the economic and financial crisis. The Committee notes that the focus is on completing the reforms in the financial sector and implementing the coordination of economic policy. The Committee on Finance has presented its review of Commission proposals related to these reforms, in June 2010 and subsequently in the statements listed in Annex 2.

The Committee on Foreign Affairs considers that the assessments of the Committee on Finance in these statements – all of which have been debated in the Chamber and have received the support of the Riksdag – are also of relevance to initiatives announced in the Commission Work Programme 2011. The Committee on Foreign Affairs has therefore not found cause to present views in this context beyond those expressed in the statements of the Committee on Finance.

The Commission states in its work programme that the EU will continue its efforts to promote a strong and coordinated global approach, notably through its active participation in the G20. The Committee on Foreign Affairs notes that a large part of the adjustment made by the international financial institutions to face up to the financial and economic crisis has been driven by the G20. The Committee welcomes the results on several of the issues pursued by the G20 in connection with the financial and economic crisis and considers that the EU should continue to

play an active role in the G20. At the same time, the Committee emphasises that issues relating to the international financial institutions must be discussed in a substantive way and be decided in the institutions' governing bodies. This is important from a representation perspective, as virtually every country in the world is directly or indirectly represented on the boards of the institutions, which is not the case in the G20. The EU should, in the Committee's opinion, represent this fundamental view of the sharing of work between the G20 and the international financial institutions.

Bringing about sustainable growth and increased employment

The Committee on the Labour Market's opinion

The Committee on the Labour Market considers that the EU must make full use of its labour potential to meet the dual challenge of an ageing population and a high proportion of people outside the workforce. Employment and labour-market policy is and should remain a national responsibility. However, in the Committee's view, the Member States can find inspiration at European level through the open method of coordination.

In the view of the Committee on the Labour Market, Europe should embrace a more open labour market, both within the Union and in relation to the rest of the world. Steps to facilitate free movement of labour are therefore welcome. The Committee takes a positive view of the contribution of labour immigration to meet the needs of the labour market being highlighted in the flagship initiative 'An agenda for new skills and new jobs'. It would, however, have been desirable for the Commission to have more clearly emphasised the importance of smooth integration of people born abroad to meet the long-term challenges in the area of employment. The Committee on the Labour Market welcomes the Commission planning to submit proposals on a legal instrument regarding measures to ensure that the Member States respect the rights of migrant employees from EU countries in relation to the principle of free movement of workers. It is, the Committee stresses, at the same time an important principle that the Member States are able, within the framework of EU law, to preserve and develop their particular labour-market models.

With regard to the posting of workers, the Committee on the Labour Market considers that the Commission is right to focus the announced legislative initiative on improving the implementation of and compliance with the current Posting of Workers Directive (Directive 96/71/EC).

The Swedish line with regard to the revision of the Working Time Directive has consistently been that the Directive must provide greater provision for the social partners to settle working-time issues in collective bargaining agreements. This should, according to the Committee on the Labour Market, continue to be the basic principle when negotiations within the Community institutions begin. The outcome of ongoing consultations between employee and employer representatives at EU level must, however, first be awaited.

To make Europe a competitive economy with high growth and employment it is necessary, in the view of the Committee on the Labour Market, to increase the employment rate of women. The prioritisations in the Commission's proposal for a strategy on gender equality for 2010–2015 are generally in line with Swedish policy on gender equality. It would, at the same time, be desirable for the Committee to allow a gender-equality perspective more clearly to permeate the key *employment-policy* initiatives, in the view of the Committee on the Labour Market. In addition, the threshold which has to be crossed to enter the labour market should, for example, be lowered for the disabled. With regard to the path into work for young people, the Committee welcomes most of the measures in the flagship initiative 'Youth on the Move' but rejects the proposal made there for special statutory minimum wages for young people. In Sweden it is the social partners who establish pay in collective bargaining agreements.

The Committee on the Labour Market takes a positive view of the Commission announcing several proposals aimed at improving the working environment.

The Committee on Foreign Affairs' considerations

The Commission Work Programme 2011 presents a number of initiatives for implementation of the EU 2020 reform agenda. A key component in this context is the formulation of the multiannual financial framework which is to apply during the period after 2013. The Committee considers that the new financial framework must be designed in such a way as to support the Europe 2020 strategy, which necessitates radically reprioritising EU budget expenditure. Later in this statement the Committee highlights a number of issues which should be considered in the preparations for the next multiannual financial framework.

The Committee on Foreign Affairs notes that in the spring of 2010 the Riksdag decided on a statement on the future strategy Europe 2020 (Statement 2009/10:FiU29). The statement was drawn up by the Committee on Finance after receiving opinions from the Committee on Industry and Trade, the Committee on the Labour Market, the Committee on Transport and Communication, the Committee on Social Insurance and the Committee on Civil Affairs. The statement of the Committee on Finance, which has received the support of the Riksdag, addresses several areas related to measures advocated in the Commission Work Programme 2011 and aiming at implementation of the Europe 2020 reform agenda. The Committee on Foreign Affairs considers the statement of the Committee on Finance still to be valid and in this context emphasises the significance of research for long-term economic development, the importance of economic instruments in environmental policy and the need for the issue of the participation of women in the labour market to be reflected both in the overarching goals for Europe 2020 and otherwise in implementation of the reform agenda.

The Committee on Foreign Affairs has emphasised, above, the importance of preserving an open Europe and in this context concurs with the view of the Committee on the Labour Market that a more open labour market must be embraced. At the same time, as emphasised in the statement, the Member States must be able, under EU law, to preserve and develop their own labour-market models. The Committee on Foreign Affairs backs the view of the Committee on the Labour Market that employment and labour-market policy is and remains a national responsibility, while the Member States

can share experiences and inspire one another to make improvements. In its opinion, the Committee on Foreign Affairs also concurs with the positions of the Committee on the Labour Market in other respects.

With regard to environmental and climate issues, the Committee on Foreign Affairs welcomes the fact that, according to the work programme, the Commission intends to continue to drive international efforts towards an ambitious climate agreement and to devote energy to preparations for the 2012 UN Conference on Environment and Development (Rio+20). A global climate agreement needs to stipulate greater emissions reductions and cover more greenhouse gases than is in the case in existing international agreements.

The Commission has an important part to play in developing EU climate aid and must step up its efforts to climate-proof aid through measures focused for example on adaptation to climate change, access to sustainable energy alternatives, improved management of water resources and sustainable use of ecosystem services. Climate aid should also include measures to strengthen institutional capacity in public administration.

In the Commission's view, if the EU is to be able to play a leading role in global climate negotiations there is a need for the Union to adopt a common position based on the best imaginable scientific findings.

Pursuing the citizens' agenda: freedom, justice and security

The Committee on Justice's opinion

In its opinion, the Committee on Justice notes that the Commission is tackling implementation of the Stockholm Programme through the Work Programme 2011. With regard to a more detailed review of the planned initiatives, however, the Committee chooses to wait until the practical proposals are presented. However, the Committee does present overarching views on the parts of the work programme which relate to the Committee's area of responsibility.

The Committee on Justice is favourably disposed towards the Commission pursuing the citizens' agenda and strengthening their rights, and emphasises the importance of the balance between measures to improve security for citizens and measures to strengthen the rights of the individual. The Committee therefore welcomes the Commission's future proposals on strengthening the rights of victims of crime.

With regard to planned initiatives regarding the EU's border management, the Committee emphasises that it is important to analyse whether a measure is effective before it is implemented. The added value of further measures must be weighed up against the costs of these measures. The Committee also stresses the importance of paying special attention to proportionality and the aspect of need in proposals regarding border management. The Committee on Justice considers that a high level of security in entry and exit control necessitates absolute respect of human rights and international protection. The balance between the right of the individual to privacy and measures to fight crime must also be preserved.

The Committee on Foreign Affairs' considerations

The Treaty of Lisbon puts the interests of citizens at the centre of EU activities and makes European citizenship more concrete. Like the Committee on Justice, the Committee on Foreign Affairs takes a positive view of the Commission's wish to pursue the citizens' agenda and strengthen their rights. As the Committee on Justice emphasises in its opinion, this requires a balance between measures to increase the security of citizens and measures to strengthen the rights of the individual.

The Committee on Foreign Affairs welcomes the Commission's actions to implement the plan of action for the Stockholm Programme (2010–2014). This programme aims to bring about a more secure and open Europe in which the rights and needs of individuals are safeguarded and where the focus is on the individual and the individual's rights. The Committee notes that on 27 October 2010 the Commission presented a report on EU citizenship in which a number of areas were identified in which measures would be needed to convert the individual rights granted at EU level into practical action. The Committee takes a positive view of these efforts going hand in hand with measures to implement the Stockholm Programme.

The Committee on Foreign Affairs notes that the Commission is preparing a number of initiatives on border management and, like the Committee on Justice, emphasises that it is important to analyse whether a measure is effective before it is implemented. The added value of further measures must be weighed up against the costs of these measures. Consideration must also be given to proportionality and the aspect of need in proposals on border management. The Committee on Foreign Affairs considers that a high level of security in entry and exit controls necessitates absolute respect of human rights and international protection. The balance between the right of the individual to privacy and measures to fight crime must also be preserved. With regard to an entry/exit system for third-country nationals, the Committee will return to the significance of continued visa facilitations in the next section.

When the Treaty of Lisbon came into force, an obligation was introduced for the EU to accede to the European Convention on Human Rights (ECHR). In its statement on the Commission Work Programme 2010 (Statement 2009/10:UU17), the Committee welcomed the Commission's prioritisation of accession to ECHR. The Committee considers EU accession to the Convention to be of high symbolic value for the Union, which consequently strengthens its credibility as an advocate of human rights. Accession is also of practical value for individuals in the EU, who gain strengthened protection. It is crucial that agreement is reached in 2011 on EU accession to ECHR and that work is initiated to enable the Union also to accede to other relevant Council of Europe conventions. At the same time it is, in the view of the Committee, important that initiatives other than those set forth in

treaties are taken to strengthen the rule of law and protection for the individual and to seek and utilise synergies between existing mechanisms for monitoring compliance with common standards.

As indicated above, the Committee takes a positive view of the fact that the Commission work programme includes initiatives to promote mobility of labour, including the mobility of young workers.

The Treaty of Lisbon introduced the solidarity clause, Article 222 of the Treaty on the Functioning of the European Union, which states that it has to be possible to mobilise all the instruments at the Union's disposal to prevent terrorist threats in the EU, protect the democratic institutions and the civilian population from any terrorist attack and assist a Member State in the event of a terrorist attack or natural or man-made disaster. The Member State which is the object of such an attack has to be able to request assistance from other Member States. The Committee notes that it is apparent from the work programme that the Commission, together with the High Representative, will continue work on a proposal for implementation of the solidarity clause. The Committee emphasises the importance of openness and scope for a broad debate in this context.

Pulling the EU's weight on the global stage

The Committee on Foreign Affairs' considerations

The Committee considers that measures to increase EU influence on the global stage must be based on the general provisions in the Treaty of Lisbon on the action of the Union on the international scene (Article 21(1)), which has the following introductory wording:

The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.

The EU has to endeavour to forge links and build partnerships with third countries and international organisations – regional and global – which share the fundamental principles mentioned above. Based on its fundamental values, the Union also has to promote multilateral solutions to common problems. The Committee emphasises the importance of the EU being a credible and consensual actor in multilateral forums such as the UN, the OSCE and the Council of Europe.

Greater influence for the European Union on the global stage is dependent on an ability to respond to a number of challenges in the Union and in its vicinity. Great efforts have been made since the autumn of 2008 to deal with the economic crisis and promote sustainable development and greater employment. Both enlargement and European neighbourhood policy are issues which must continue to be prioritised. The Committee takes a positive view of the Commission's intention to revise the Union's

neighbourhood policy and present proposals for continued development of the eastern partnership and the Mediterranean Union. Recent developments in North Africa and the Arab region have led to a greater focus on the development of democracy in these areas. The Committee considers that the EU must monitor this trend and act swiftly and use all the instruments at its disposal to strengthen democratic forces.

In the Committee's view, the EU's neighbourhood policy and eastern partnership are not to be regarded as a substitute for membership for those countries which are concerned and which gradually are able and wish to apply for EU membership. The Union's policy in relation to its neighbouring countries Moldova, Ukraine and Belarus should contain a membership perspective. It is important, in the Committee's view, that the EU should continue, in its policies, to adopt clear positions on democracy and respect for human rights and to cite deficiencies.

The neighbourhood policy must be further developed in order to promote reforms and EU integration for the Union's immediate neighbours in the East. At the same time, cooperation with the partner countries must be differentiated on the basis of individual circumstances. The Committee notes that there is mutual interest in developing cooperation and relations between the EU and the partner countries and welcomes the fact that cooperation entails practical integration between the countries, for example through mobility for nationals of the partnership being promoted through visa facilitations. Consideration should be given to the significance of visa facilitations in drawing up initiatives relating to neighbourhood policy.

The Committee welcomes the progress made towards EU enlargement made during the Swedish Presidency of the EU in the second half of 2009 and thereafter. The Committee considers that the dynamics in the enlargement process must be maintained. Sweden and the EU should, through continued political dialogue and meeting activity and through development cooperation, support candidate countries and potential candidate countries in their particular EU integration processes and endeavours to come closer to the Union. The Union's view is that the negotiations on enlargement with the candidate countries should continue at the pace allowed by the countries' preparations. The Committee considers that Turkish membership of the European Union would be of great significance not just for our common development but also for the global weight and credibility of the Union. It is essential, however, that Turkey implements further practical reforms, in particular in areas such as minority rights, freedom of expression, gender equality and the system of justice.

The importance of consensus in politics has been emphasised by the Committee above. Consensus also enhances effectiveness through the use of knowledge in different areas and different initiatives that can serve to support rather than conflict with each other. The Committee therefore takes a positive view of the opportunities for coordination opened up by the entry into force of the Treaty of Lisbon, the creation of the post of High Representative for Foreign Affairs and Security Policy and the creation of the new 'foreign service'. However, the Committee considers that the EU's development cooperation should continue to supplement the Member States' own efforts. It is important that the EU's development efforts are not given greater weight than those of

the Member States. The Committee also emphasises compliance with the EU's code of conduct on complementarity and the sharing of work in development policy.

The Commission Work Programme indicates that initiatives to modernise EU development policy are planned. The Committee takes a positive view of such an initiative and emphasises that the recommendations in the OECD DAC European Community Peer Review of European Community aid should be taken into account in this context. In the Committee's view it is crucial that measures to promote the rights of women and sexual and reproductive health and rights (SRHR) are highlighted in the modernisation of EU development policy.

The Commission also announces an initiative for modernising humanitarian aid, which is welcomed by the Committee. Greater exchange of information in the area of humanitarian aid is desirable, and the provisions of the Treaty of Lisbon on the coordination of humanitarian aid must be followed at the same time. The recommendations made in the DAC review referred to above should be acted upon in these modernisation efforts.

The Committee notes that territorial cohesion through the Treaty of Lisbon is introduced as an objective for EU cohesion policy. The EU Strategy for the Baltic Sea Region was adopted with the broad support of the European Council in October 2009 and is of great importance, particularly in the area of the environment. Before the strategy was adopted, the Committee issued a statement and expressed its support for introduction of the strategy (Statement 2009/10:UU5). There is an action plan attached to the Strategy for the Baltic Sea Region.

The Committee observes that the Strategy for the Baltic Sea Region is not mentioned in the Commission Work Programme 2011. However, the Committee notes that in its work planning¹ at the beginning of February 2011 the Commission states that a progress report on the Strategy on the Baltic Sea Region is to be submitted in June 2011. In the view of the Committee, it is crucial that the Commission assists towards further developing this strategy. Implementation of the action plan must be taken into account in future decisions on the cohesion policy, which in turn provides a basis for budget proposals in the Multiannual Financial Framework.

The EU's Generalised System of Preferences applies during the period 2006–2015 and is an important mechanism with regard to granting of preferential treatment, i.e. lower customs duties, by the EU for access to the Union's market for goods from developing countries. The Generalised System of Preferences contains a special incentive scheme, Generalised System of Preferences Plus, which is aimed at promoting human rights and good governance. The EU grants benefits under the Generalised System of Preferences Plus to countries which, on the basis of economic criteria, are regarded as being vulnerable and which have ratified and implemented certain international conventions, including conventions on the rights of workers and human rights. It is apparent from the Work Programme 2011 that the Commission intends to present a new Regulation on the EU's generalised system of preferences

¹ Commission actions expected to be adopted / Actions prévues pour adoption par la Commission: 01/01/2011 - 31/12/2011, http://ec.europa.eu/atwork/programmes/docs/forward_programming_2011.pdf.

aimed at maximising the positive effects of the system for sustainable development and the most at-risk countries.

The Committee considers that ratification and implementation of the human rights conventions must continue to represent an important element in the Generalised System of Preferences, as well as in all association agreements, partnership agreements and cooperation agreements which the EU concludes with third countries. The Committee also wishes to emphasise that agreements of this nature, like a reformed Generalised System of Preferences, must be formulated in a way that promotes sustainable development.

Finally, in this section, which is concerned with measures to increase the weight of the EU on the global stage, the Committee wishes to address the issue of parliamentary control of the Union's Common Security and Defence Policy. The Committee bases its position on the special nature of the Common Security and Defence Policy and the role of the national parliaments in promoting the functioning of the Union. In the view of the Committee, the Treaty of Lisbon gives national parliaments principal responsibility for parliamentary control of Common Foreign and Security Policy (CFSP), including Common Security and Defence Policy (CSDP). The Committee is following the ongoing discussion on future, interparliamentary control of CSDP and sees value in having a common interparliamentary platform for exchange of information and experience with regard to control of CSDP under the direction of national parliaments. Existing structures for interparliamentary cooperation between specialised committees, in which the European Parliament, for example the Conference of Foreign Affairs Committee Chairs and/or Conference on Defence Committee Chairs, may form the basis for and if necessary be developed for cooperation in the framework of CSDP. The Committee does not see a need for any new instructions.

Launching negotiations for a modern EU budget

The Committee on Foreign Affairs' considerations

The EU's currently applicable long-term budget applies to the period 2007–2013. The Commission must present its proposals for the next multiannual financial framework for the period after 2013 by 1 July 2011.

Swedish approval of the current long-term budget was conditional on the introduction of budget supervision. In the EU Budget Review presented by the Commission in October 2010, COM(2010) 700, it is emphasised that the budget has to be one of the most important instruments to help deliver the Europe 2020 strategy. The Committee shares this view and considers that the new financial framework must be designed in a way that supports the future strategy. The Committee emphasises that the budget review must have a real impact on EU budget policy.

The Committee does not consider the ability of the EU budget to adapt to changed circumstances and requirements to have been adequate. Expenditure continues to be heavily dominated by agricultural policy and regional policy. In line with the Europe 2020 Strategy, greater efforts are needed in relation to competitiveness, environmental and climate issues, research and development and strategic investments in infrastructure programmes. In view of this situation it is crucial that a reform of agricultural and regional policy takes place in the next multiannual financial framework. EU budget expenditure must be radically reprioritised, and changes must be made without increasing total budget expenditure. The budget should be governed by the principles of subsidiarity, European added value, proportionality, sound economic management and restrictiveness.

With regard to EU aid, the Committee welcomes the significant efforts made this century towards greater efficiency and transparency in financial instruments. The Committee recalls that in its 2007 European Community Peer Review of aid, the OECD DAC made recommendations for continued reform of the Union's financial instruments for development cooperation. Greater efficiency can be achieved by introducing uniform regulatory systems and applying these to the whole of the EU's aid commitment. The DAC urged continued integration of the financial instruments and a reduction in the number of instruments, particularly in 2013 when most of these expire. One of these is the tenth development fund, which was established for the period 2008–2013 and which is financed by the Member States but does not form part of the EU budget. In its European Community Peer Review 2007, the DAC recommended that the fund should be incorporated into the EU budget, a view which is supported by the Committee. The Riksdag decided back in 2003 that Sweden should press for the European Development Fund to be budgetised, a decision that remains in force.

The Committee considers it crucial that EU development policy has an impact on the design of a new multiannual financial framework after 2013.

The Commission Work Programme has not led to any special handling or to any special observations.

Reservations

The Committee's proposals for Riksdag decisions and positions have prompted the following reservations.

1. Commission Work Programme 2011 – grounds (Social Democratic Party)

by Urban Ahlin (Social Democratic Party), Kent Härstedt (Social Democratic Party), Carin Runeson (Social Democratic Party), Olle Thorell (Social Democratic Party), Kenneth G. Forslund (Social Democratic Party) and Tommy Waidelech (Social Democratic Party).

Position

The Commission indicates five principal areas in the work programme for 2011. With regard to the principal area of *Restoring growth for jobs*, the Social Democrats emphasise that Europe's future does not lie in competing with low wages but with skills. This requires public investment in education and training, research and initiatives to promote innovation. Strong competitiveness is dependent on smooth-running protection for workers in labour law, secure jobs and good working conditions. The EU of the future must be a social EU. At the same time it is important to establish that the Member States themselves have to maintain responsibility for employment and welfare policy.

The Commission Work Programme 2011 identifies recovery after the financial crisis, growth and more jobs as key areas. The Work Programme does not contain any practical proposals to which there is cause to respond. But we Social Democrats wish, in this context, to emphasise the priorities we wish to see in EU cooperation, and we wish to highlight our position with regard to the two legislative initiatives planned for 2011, the Posting of Workers Directive and the Working Time Directive.

With regard to the Posting of Workers Directive, cross-border mobility and openness to immigration are important drivers of economic development. But this must not be used as a pretext for worsening the conditions of workers. It ought to be self-evident that those who work in Sweden should have the same pay and the same conditions, regardless of where they come from. Swedish collective bargaining agreements must apply to everyone who works on the Swedish labour market. As there is an evident risk of social dumping and successive lowering of pay, the wording of the Posting of Workers Directive is of key significance to ensure equivalent conditions for all employees in a country.

The extent and arrangement of working time is a fundamental issue for the conditions and health of workers. The Working Time Directive must cover the whole labour market in the EU, and the opt-out option cannot be accepted. The Commission's announced review of the Working Time Directive is presented as two possible routes: either a more limited review which would primarily apply to duty service and the opt-out option, or a more

comprehensive review which would in principle apply to the whole Directive. We advocate a limited review of the Directive and assume that the social partners will be given an important role in this review.

One of the principal areas of the Commission Work Programme is concerned with *driving the citizens' agenda: freedom, justice and security* and is linked to the Stockholm Programme, which has previously been discussed in Statement 2008/09:JuU31. In a reservation attached to that statement, we Social Democrats developed our views on a number of issues such as police cooperation, legal and civil cooperation and asylum and migration issues. We consider the opinions expressed there to remain valid.

We otherwise essentially endorse the position of the Committee majority in the statement.

2. Commission Work Programme 2011 – grounds (Swedish Green Party) by Valter Mutt (Swedish Green Party)

Position

The Commission identifies five principal areas in the work programme for 2011. With regard to the principal area of *Restoring growth for jobs*, the Swedish Green Party considers that a green switch is clearly linked to the creation of new future jobs – there is a need for a Green New Deal at EU level. New jobs can be created for instance in the environmental technology sector through energy efficiency improvements, commitments to renewable energy sources and investments in the expansion of low-emission public transport. Climate and employment policy go hand in hand.

Policy has to be concerned with making it possible for people to shape their own lives. This obviously also includes an endeavour to make it possible for people to move freely on an open labour market in the EU area. But the objective of an integrated employment market in the EU must not be used as a pretext for forcing down the conditions of workers. The need for constant change has to be offset against fundamental principles of justice. Equal pay for equal work under laws and agreements is a principle which should apply throughout the EU.

Nor must safeguarding the EU's common labour market be taken as justification for closing the borders of Europe to people from outside the Union who want to come here and work. Thanks to the new regulations – without unnecessary protection and obstacles – which the Swedish Green Party has pushed through together with the Government, Sweden now has a model for labour immigration which it would be good for other EU Member States to adopt.

The Swedish Green Party welcomes parts of the flagship initiative to combat youth unemployment announced by the European Commission. This does not, however, apply to the ideas about European student loans and a 'youth guarantee' at EU level. Experience of the Swedish Government's youth guarantee

prompts features that it might lead solely to a meaningless framework, which rarely leads to work.

With regard to the principal area of *pursuing the citizens' agenda: freedom, justice and security* in the Commission Work Programme, the Swedish Green Party wishes to emphasise border checks in particular. We see great risks in previously presented plans with regard to the Stockholm Programme, which entails joint expansion of EU databases. Building large joint databases which contain information about who travels where and at what times and information from criminal record registries relating to everyone who is in the EU poses a great risk to personal privacy.

We essentially endorse the position of the Committee majority on other issues in the statement.

3. Commission Work Programme 2011 – grounds (Sweden Democrats)
by Stellan Bojerud (Sweden Democrats).

Position

The Commission highlights five principal areas in the work programme for 2011. With regard to the principal area of *pursuing the citizens' agenda: freedom, justice and security*, the Sweden Democrats consider that continued work must, to a far greater extent than is apparent from the Work Programme, be focused on curbing the extensive illegal immigration to the EU that takes place today. External border controls must be tightened.

We otherwise essentially endorse the position of the Committee majority in the statement.

4. Commission Work Programme 2011 – grounds (Left Party)
by Jonas Sjöstedt (Left Party).

Position

The Left Party questions how meaningful it is for the Committee on Foreign Affairs to discuss the Commission Work Programme in this way. The programme had been adopted several weeks before the Swedish translation was ready and sent to the Riksdag. The Programme had already been in effect for several weeks when the Committee on Foreign Affairs discussed it. It is considered highly unlikely that the Riksdag's discussion of the programme would have any impact on EU policy and priorities. The process is in itself a clear illustration of the democratic deficit in the EU, where the national parliaments are becoming increasingly powerless in the formulation of policy.

The Left Party does not share the positive fundamental view of the Treaty of Lisbon which permeates the statement from the Committee. The Treaty of Lisbon is being forced through despite the populations of the Netherlands, France and Ireland having rejected its contents in

Referendums. The Treaty in itself centralises more power in the EU and establishes the free-market character and state ambitions of the Union. This is a political orientation for the EU that the Left Party rejects.

The EU is in the midst of a deep economic and social crisis. The crisis has been caused by bank and financial speculation and deep economic imbalances. The crisis is being deepened by the euro having shown itself to work poorly as a currency union. However, there is no insight into the deficiencies of the euro in the Commission's analysis and programme. Today, the currency union is an obstacle to economic recovery in large parts of the EU. The Left Party therefore considers that plans should be made in the EU to make it possible to return to national currencies.

The principal priorities stated in the Commission Work Programme with regard to speeding up recovery after the financial crisis include restoring growth and jobs. Growth is to be smart, sustainable and favour everyone. The Left Party wishes to emphasise that this necessitates a labour market with good terms of employment and working conditions, where trade-union rights are respected.

In many EU Member States unemployment has long been high, even when economic conditions are good. The average level of unemployment is now around 10%. The level of unemployment must be reduced, and special focus must be put on improving the prospects of women for gainful employment and eliminating discriminatory structures that shut people out of the world of work. The target of full employment must be prioritised.

But the burden of the crisis is now being borne by the EU's wage earners and people on low incomes. At the same time as banks have been rescued with astronomical sums of money, wages and pensions are being reduced and the welfare state is being dismantled in large parts of the EU. The EU and the European Commission are in large part the drivers behind implementation of this policy. The Left Party considers this policy to share the burden of the crisis unfairly and to make economic and social recovery more difficult.

Unlike the Committee majority who unreservedly endorse what they call 'necessary structural changes', the Left Party is concerned over the action of the European Commission in connection with budget reform. The European Commission has directly intervened in the labour market in those Member States that have been granted support loans from the EU and the IMF, without considering previous assurances of independence for the social partners, the importance of social dialogue and the EU not meddling in pay-setting. The European Commission has ridden roughshod over the social partners with its orders to eurozone countries in crisis to implement pay reductions, in contravention of current collective bargaining agreements. This is an unacceptable attack on the social partners and trade-union rights that goes far beyond the Commission's powers.

The Left Party rejects this interference in the free right of negotiation. Instead, the Left Party considers that the EU should endeavour to bring about strengthened trade-union rights through a social protocol in the Treaty in which it is clarified that the laws and agreements of the host country must be followed for labour working in other EU countries. In the social protocol it must also be established that fundamental

human rights, as defined in ILO conventions and the European Convention, take precedence over economic interests.

In this context, the Left Party wishes to highlight the Party's position with regard to the two legislative initiatives which the Commission intends to implement in 2011.

With regard to the *Posting of Workers Directive*, there was broad agreement when the Directive was adopted by the European Parliament and the Council of Ministers that the Directive would represent a minimum level, a floor, for conditions of pay and employment which can be demanded in a host country. However, in a number of judgments such as the Laval and Rüffert judgments, the European Court of Justice has instead interpreted the Directive as a ceiling – the Court has indicated a maximum level for the conditions that can be demanded from a guest company.

The Laval and Rüffert judgments are today creating great uncertainty in the labour market throughout the EU, and the Left Party therefore considers that the review of the Posting of Workers Directive must lead to elimination of the restrictions on fundamental trade-union rights that these judgments signify. The revision of the Posting of Workers Directive must lead to the character of minimum directives being ensured so that equal treatment of workers can be guaranteed.

The *Working Time Directive* is intended to ensure the protection of workers with regard to working time and the right to breaks. The Directive is of significance to all workers in EU Member States.

When the current Directive was adopted in 1993, it provided an option to negotiate away the basic rule of a maximum working week of 48 hours through individual exemptions, known as opt-outs. In 2000 the United Kingdom was the only Member State to make use of this option. Today the opt-out is a large and growing problem. No fewer than 16 countries now apply the opt-out.

The Left Party advocates a limited review of the Working Time Directive with the intention of abolishing the opt-out option. It should not be possible to negotiate away fundamental rules on protection. The protection against unhealthy hours of work must be strengthened for workers in the Member States.

The Left Party shares the concern over and criticism of restrictions on freedom of the press in some EU countries. We consider that we should, in an equivalent way, draw attention to restrictions on trade-union rights in EU countries with regard to security of employment and right to take industrial action.

In the area of climate change, the Left Party considers EU policy to be wholly inadequate and considers that a first step towards improvement would be set the target of a 30% reduction in greenhouse gas emissions by 2020.

The EU's common foreign policy has meant that Sweden's independent voice in the world has been largely silenced. The Left Party deplores this. In addition, the EU has often allowed its own strategic and economic interests to dominate foreign policy. An example of this is the close contacts and deepened relations with a number of authoritarian regimes in North Africa where the people are at the same time protesting for real democracy and social justice.

ANNEX 1

List of proposals discussed

Commission Work Programme 2011, COM(2010) 623.

ANNEX 2**List of statements**

The list includes statements adopted by the committees in the Riksdag between 22 April 2010 and 17 February 2011. The Committee on Foreign Affairs' statement on the Commission Work Programme 2010 (statement 2009/10:UU17) was approved on 22 April 2010. The date of approval for the Committee on Foreign Affairs' statement on the Commission Work Programme 2011 is 17 February 2011. The list below shows the designation of the Commission document considered in each statement.

The Committee on the Constitution

- Statement 2010/11:KU12 Relations between the European Commission and the national parliaments. COM(2010) 291

The Committee on Finance

- Statement 2009/10:FiU29 Statement on the EU's future strategy 2020. COM(2010) 2020, COM(2009) 647
- Statement 2009/10:FiU40 Statement on reinforcing economic policy coordination, COM(2010) 250
- Statement 2009/10:FiU41 Statement on the Green Paper on corporate governance in financial institutions and remuneration policies. COM(2010) 284
- Statement 2009/10:FiU42 Subsidiarity testing of proposed directive on deposit guarantee schemes. COM(2010) 368
- Statement 2009/10:FiU43 Subsidiarity testing of proposed directive on investor compensation schemes. COM(2010) 371
- Statement 2010/11:FiU14 Statement on white paper on insurance guarantee schemes. COM(2010) 370
- Statement 2010/11:FiU19 Statement on green paper on e-procurement. COM(2010) 571

The Committee on Justice

- Statement 2009/10:JuU31 Action Plan implementing the Stockholm Programme. *COM(2010) 171*
- Statement 2010/11:JuU4 Use of Security Scanners at EU airports. *COM(2010) 311*
- Statement 2010/11:JuU6 The global approach to transfers of Passenger Name Record (PNR) data to third countries. *COM(2010) 492*
- Statement 2010/11:JuU21 Scrutiny of Europol's activities. *COM(2010) 776*

The Committee on Civil Affairs

- Statement 2010/11:CU6 Policy options for progress towards a European Contract Law. *COM(2010) 348*
- Statement 2010/11:CU11 Audit policy. *COM(2010) 561*

The Committee on Foreign Affairs

- Statement 2010/11:UU4 The future of EU budget support to third countries. *COM(2010) 586*
- Statement 2010/11:UU9 EU development policy. *COM(2010) 629*

The Committee on Social Insurance

- Statement 2010/11:SfU5 Green Paper towards adequate, sustainable and safe European pension systems. *COM(2010) 365*

The Committee on Cultural Affairs

- Statement 2009/10:KrU14 Green Paper on Unlocking the potential of cultural and creative industries. *COM(2010) 183*

The Committee on Transport and Communications

- Statement 2009/10:TU26 Future trans-European transport network policy. *COM(2010) 212*
- Statement 2010/11:TU2 A Digital Agenda for Europe, *COM(2010) 245*
- Statement 2010/11:TU10 Towards a European road safety area: policy orientations on road safety 2011-2020. *COM(2010) 389*

The Committee on Environment and Agriculture

- Statement 2009/10:MJU27 Forest protection and information in the EU. *COM(2010) 66*

- Statement 2010/11: MJU7 Distribution of food products to the most deprived persons in the Union. *COM(2010) 486*
- Statement 2010/11: MJU21 Distribution of food products to the most deprived persons in the Union etc. – a common market organisation. *COM(2010) 799*

The Committee on Industry and Trade

- Statement 2010/11: NU10 Towards a Single Market Act. *COM(2010) 608*

ANNEX 3

The Committee on the Labour Market's opinion 2010/11:AU2y

Commission Work Programme 2011

To the Committee on Foreign Affairs

On 16 December 2010, the Committee on Foreign Affairs gave the Committee on the Labour Market, among others, an opportunity to state an opinion on the *Commission Work Programme 2011*, COM(2010) 623 final. In its opinion, the Committee on the Labour Market discusses in particular the proposals in the Commission work programme relating to the committee's area of responsibility.

The Committee's considerations

Background

In *Commission Work Programme*, COM(2010) 623 final, the European Commission summarises how the political guidelines are to be implemented in practice. Three annexes are attached to the work programme: a list of strategic initiatives scheduled for adoption in 2011, an indicative list of possible initiatives under consideration for the period 2011-2014 and a list of simplification rolling programme and administrative burden reduction initiatives for the period 2011–2014.

Of the strategic initiatives announced for 2011, two have been assessed on a preliminary basis as falling within the area of responsibility of the Committee on the Labour Market: a legislative initiative on the posting of workers and a review of the Working Time Directive (Directive 2003/88).

The Committee's position

Over the next few years, the EU labour market will face structural problems which originated before the crisis. Many Member States have nevertheless had to live with relatively high unemployment since the 1990s, despite good times. Youth unemployment is a particular challenge for several EU Member States. The financial difficulties many European countries are going through in the wake of the crisis may mean that necessary structural changes appear more difficult in the short term but all the more crucial for positive development in the long term.

The Committee notes that the level of unemployment for the EU as a whole did not fall in 2010 and in December remained at around 10% according to figures from the European statistical agency Eurostat (Euroindicators 18/2011). At the same time there is, in the Committee's view, cause to welcome the fact that Sweden represents a positive exception, with one of the most rapidly declining levels of unemployment, from 8.9% in December 2009 to 7.8% in December 2010.

The EU must make full use of its labour potential if it is to meet the dual challenge of an ageing population and a high proportion of people outside the workforce. It is important in the long term to increase the supply of labour, with the objective of full employment. An increased employment rate will have a dual effect by both stimulating growth opportunities and improving long-term public finances. This makes it possible to maintain and improve prosperity and increase social cohesion. Employment is the best remedy for social exclusion, both for the individual and for society as a whole.

The Committee considers that it is the Member States in particular that must take on this challenge. Employment and labour-market policy is and should remain a national responsibility. The Member States can, however, find inspiration for improvement and new approaches at the European level through the open method of coordination. The cooperation should retain its character of a free exchange of ideas.

An open labour market

In view of the need to ensure a supply of labour in the long term, greater mobility in the labour market should be regarded as something positive. In the view of the Committee, Europe should embrace a more open labour market, both within the Union and in relation to the rest of the world. The Committee notes that the fears of massive social dumping and what is referred to as social tourism in conjunction with EU enlargement proved unfounded. Particularly in view of the ageing population, the countries of Europe will need people from other countries to want to work in the Member States of the EU.

Steps taken to facilitate free movement of workers are therefore welcome. The Committee finds it positive that the Commission emphasises the contribution of labour immigration to meet the needs of the labour market in its flagship initiative 'An Agenda for New Skills and Jobs'. The Committee considers, however, that it would have been desirable for the Commission to have emphasised even more clearly the importance of smooth integration of people born abroad in order to meet the long-term challenges in the employment market which the EU faces. It is also positive that the Commission anticipates presenting a proposal in 2012 for a legal instrument regarding measures to ensure that the Member States respect the rights of migrant workers from EU countries in relation to the principle of free movement of workers.

It is, in the view of the Committee, at the same time an important principle that the Member States have the possibility within the framework of EU law of preserving and developing their particular labour-market models. Under the Treaty of Lisbon, the EU has to respect the national identity of its Member States as expressed in their basic political and constitutional structures. The Member States have to be able to contribute in that way to combining the benefits of free movement of labour with social responsibility and good working conditions.

In this connection the Committee notes that the Commission announces a legislative initiative aimed at improving the implementation of and compliance with Directive 96/71/EC on the posting of workers. The Commission is right, in the Committee's view, to focus its efforts on improving the application and implementation of the present-day Directive. There are many different labour market models among the EU Member States and differing views on what is a reasonable balance between free movement of services and the rights of workers. The Committee therefore does not see any reason to question the view previously presented to the Committee by Government representatives that renegotiation of the Directive might lead to a result which would not be an improvement from the Swedish point of view.

With regard to the review of the Working Time Directive, the Committee notes that the Commission judges there to have been substantial agreement in the first-stage consultation between employee and employer representatives at EU level that the present-day rules on working time must be amended as soon as possible. However, the parties do not have a common wish to begin negotiating. In the second stage of the consultation, which is expected to be completed at the end of February 2011, the parties are asked to comment on two alternative approaches – a limited and a comprehensive review – and on a number of specific issues. Guided by the replies, the Commission will make an impact assessment and during the third quarter of 2011 return with a proposal for new wording of the Directive. The social partners may, however, themselves initiate negotiations, to which the Commission would then adapt its timetable and proposal.

The Committee notes that the Swedish line in the negotiations has consistently been that the Directive must provide greater scope for the social partners to settle working time issues in collective bargaining agreements. This should, in the Committee's view, continue to be the basic principle when negotiations within the EU institutions begin. The outcome of the ongoing consultation must, however, first be awaited.

A labour market for all

Utilising the contributions of everyone to the community and striving to ensure that every woman and man is given the opportunity and incentive to enter the labour market should, in the Committee's view, be key principles of EU policy. Work creates free and independent people, who have the power to determine their own lives. The Committee notes that substantially fewer women than men have this opportunity. In 2009, the employment rate for European women in the 15-64 age group was 58.6%, according to Eurostat statistics, while it was 70.7% for men of the same age: a difference of just over 12 percentage points. It is necessary to increase the rate of entry into employment for women in order to make Europe a competitive economy with high growth and employment. The Committee therefore welcomes the fact that the priorities in the Commission's proposals for a strategy for equality for 2010–2015 are broadly in line with Swedish policy on gender equality. At the same time the Committee considers that – in view of the importance of increasing the rate of employment of women to enable the goals of the Europe 2020 strategy to be attained – it would be desirable for the Commission to allow an equality perspective also to permeate the central *employment-policy* initiatives more clearly.

The demographic trend also requires better use to be made of untapped labour in the economies of the Member States and everyone to be given the opportunity to contribute in a work community. The Committee considers that the threshold for entry into the labour market must be lowered, for example for the disabled. People with disabilities should, in the Committee's view, have the same right as others to take part in the world of work.

With regard to the path of young people into work, the Committee considers it to be particularly important to capture the group of young people who are at risk of being permanently excluded from the labour market. The Committee therefore wishes to emphasise the importance of good education and training systems in Europe, education and training systems which also encourage weaker students to complete their schooling and which – for example through apprenticeship schemes and opportunities for practical experience – facilitate the transition between school and the world of work. The Committee welcomes most of the actions announced by the Commission in the flagship initiative “Youth on the Move”. However, this initiative also contains proposals for actions where it is important take account of the Member States’ differing traditions in the labour market, for example with regard to pay-setting and the role of the social partners. As the Committee argued in talks with the Government under Chapter 10 Section 4 of the Riksdag Act on 18 October 2010, it should be emphasised in future negotiations that it is the social partners who in Sweden establish pay levels in collective bargaining agreements. The Committee shares the view expressed by the Government in the talks that the proposal for special statutory minimum pay for young people presented in the initiative should be rejected.

The Committee also wishes to emphasise the importance of a good working environment as a competitive tool in the global economy of the future. As well as leading to better health and a longer working life for individual workers, a good working environment can be expected to have positive effects on productivity. The Committee therefore welcomes the fact that the Commission is announcing several proposals aimed at improving the working environment. This includes the new working environment strategy for the period 2013–2020 and proposals for example for measures against tobacco smoke and against carcinogenic substances.

Stockholm, 8 February 2011

On behalf of the Committee on the Labour Market

Tomas Tobé

The following members have taken part in the decision: Tomas Tobé (Moderate Party), Ylva Johansson (Social Democratic Party), Maria Plass (Moderate Party), Raimo Pärssinen (Social Democratic Party), Katarina Brännström (Moderate Party), Patrik Björck (Social Democratic Party), Hans Backman (Liberal People’s Party), Ann-Christin Ahlberg (Social Democratic Party), Annika Qarlsson (Centre Party), Johan Andersson (Social Democratic Party), Hanif Bali (Moderate Party), Mehmet Kaplan (Swedish Green Party), Lars-Axel Nordell (Christian Democrats), Sven-Olof Sällström (Sweden Democrats), Josefin Brink (Left Party), Jenny Petersson (Moderate Party) and Kerstin Nilsson (Social Democratic Party).

Dissenting opinions

1. Dissenting opinion (Social Democratic Party)

Ylva Johansson (Social Democratic Party), Raimo Pärssinen (Social Democratic Party), Patrik Björck (Social Democratic Party), AnnChristin Ahlberg (Social Democratic Party), Johan Andersson (Social Democratic Party) and Kerstin Nilsson (Social Democratic Party) state:

The future of Europe does not lie in competing with low pay but with skills. This requires public investments in education and training, research and initiatives to promote innovation. Strong competitiveness is associated, for us Social Democrats, with protection for workers in labour law which works well, secure jobs and good working conditions. The EU of the future must be a social EU. At the same time it is important to establish that the Member States themselves have to maintain responsibility for employment and welfare policy.

In the run-up to 2011, the EU is affected by economic difficulties and alarmingly high unemployment. Although there are positive signs of recovery in the economy, growth in the EU area is expected to be very low over the coming year.

There is a risk of the high level of unemployment leading to a schism in society, where a large and growing group is more or less permanently dismissed by the labour market and is destined for a life of poverty. It is particularly serious that youth unemployment throughout the EU, but in Sweden in particular, is at a very high level. There is a risk of young people who lack adequate skills from school finding it very difficult to enter the labour market, even when growth takes off. The faith of young people in the future and the potential they offer are the EU's most important asset. Efforts to bridge the gulfs in society, raise quality and improve results in schools, as well as investments to create new opportunities for those who have dropped out of school or gone astray, are crucially important.

The EU faces great challenges if it is to cope with the competition in the global market. One of these relates to the skills and mobility of the workforce. It is expected that the number of jobs for highly educated people will increase by 16 million in the EU between now and 2020, while the number of jobs for those with low levels of education will decline by around 12 million. The demographic trend, with a rapidly ageing population, poses a great challenge.

The Commission Work Programme 2011 identifies recovery after the financial crisis, growth and more jobs as key areas. The Work Programme does not contain any practical proposals to which there is cause to respond. But we wish to emphasise in this context the priorities we wish to see in EU cooperation, and we wish to highlight our position with regard to the two legislative initiatives planned for 2011.

Priorities

- Active combating of unemployment: Combating unemployment must be given top priority in the EU. The risk of people being permanently excluded from the labour market and being destined for a marginalised life of poverty must be taken very seriously. The open method of coordination should be used to encourage learning from successful ways of working. Unemployment is not combated with worse conditions but with an active labour market policy and investments in welfare and enterprise. A modern labour-market policy must invest in knowledge for mobility and competitiveness. There should be a particular focus on combating youth unemployment. Extensive unemployment among young people is one of the most serious threats to growth and employment. Strong measures are required to give unemployed young people the chance to establish themselves in the labour market through training and practical experience leading to jobs.
- Competing with skills: The ability to develop new jobs and new enterprises is determined by the knowledge and skills among the population. To deal with the risk of increasing structural unemployment among those who have low education or education which is not relevant, there is a need for an active labour-market policy and social security system that can serve as bridges from the old jobs to the new ones which are emerging. Activation based on education is required. Education is important both for the freedom, security and job opportunities of the individual and for the capacity of society for adjustment, development and growth. In the EU, we wish to see policy which opens doors for life-long learning with recurring opportunities for everyone to learn something new. There is a need for investments in knowledge of high quality at all levels – from basic education to leading-edge research. This approach should also be characteristic of budget work in the EU.
- Combating social dumping and competition through low pay: Cross-border mobility and openness to immigration are important drivers of economic development. It is therefore essential to give people opportunities to move freely in a European labour market. But this must not be used as a pretext for putting downward pressure on the conditions of workers. The EU should act more clearly against human trafficking for the exploitation of labour. Judgments as in the Laval and Rüffert cases show that free market forces have been allowed to take precedence over the right of trade-union organisations to demand reasonable working conditions for their members. Such development also means problems with competition neutrality between companies in the same market. The EU should adopt a legally binding protocol which clarifies trade-union rights.
- Equality between women and men: More and more women are in gainful employment. Their employment rate is, however, still lower than that of men, despite more women than men studying and holding university degrees. There is a risk of financial crisis and the budget cuts in its wake hitting women particularly hard as women account for two-thirds of employees in health and social care and schools in the EU. In addition, women are generally at greater risk

of being affected by poverty and low pensions. Women belonging to minorities are often subject to multiple discrimination on the grounds of both ethnicity and gender. The principle of equal pay for equal work is not applied in the EU. The hourly pay received by women is still on average 17.8% lower than that of men, and little change is unfortunately apparent in this figure. Women are still grossly under-represented in senior positions in business and politics, despite an increase in the proportion of women there in the past ten years. Family responsibility is still shared unequally. The EU Member States need to prioritise well developed health care of high quality at low cost, good care of the elderly, parental insurance and efforts to counter gender discrimination in the labour market. This requires an intensified battle for gender equality in the labour market. Tax, family and business policy must reward work and enterprise among women – not lead to a fall in the rate of employment of women. Gender equality between women and men is essential if the targets set in the Europe 2020 strategy are to be successfully met.

- The demographic challenge: The proportion of elderly people is steadily rising in the Member States of the EU. Ever fewer have to provide for ever more. In order to be able to compete in an ever tougher global market, there is a need for more and more people to work more and longer. Working conditions and the working environment must therefore be formulated so that people do not become prematurely burnt out in their working lives. An improved working environment necessitates measures to combat social dumping and strong trade-union organisations.

Announced legislative initiatives for 2011

The Posting of Workers Directive

Cross-border mobility and openness to immigration are important drivers of economic development. But this must not be used as a pretext for making the conditions of workers worse. For us Social Democrats, it is self-evident that those who work in Sweden should have the same pay and the same conditions, regardless of where they come from. Swedish collective bargaining agreements must apply to everyone who works on the Swedish labour market. As there is an evident risk of social dumping and successive lowering of pay, the wording of the Posting of Workers Directive is of key significance in ensuring equivalent conditions for all employees in a country.

When the Posting of Workers Directive was adopted by the European Parliament and the Council of Ministers, there was broad agreement that the Directive would represent a minimum level for terms of pay and employment which a host country can demand. However, in its judgments the European Court of Justice has chosen to interpret the Directive as a ceiling, that is to say the Court has indicated a highest level for the terms which can be demanded from a guest company. New policy initiatives are therefore required to ensure the character of minimum directive so that equal treatment of workers can be guaranteed.

The judgments in the Laval and Rüffert cases affect the whole of the European labour market and have led to great concern and imbalance in Europe. The European Court of Justice has embarked on a path where terms of pay and employment become a way of competing in Europe. The initiative announced by the Commission on a review of the Posting of Workers Directive must result in the elimination of the restrictions on trade-union rights to which the judgments in the Laval and Rüffert cases have led.

The Working Time Directive

The extent and arrangement of working time is a fundamental issue for the conditions and health of workers. We Social Democrats have therefore promoted a working time directive which covers the whole labour market in the EU and have opposed the 'opt-out' option. The current Working Time Directive contains an opt-out option which today is being utilised by more and more Member States; in many countries this is a direct response to the way in which the Court of Justice has interpreted the rules on on-call service.

The Commission's announced review is presented as two possible routes: a more limited review which would apply to on-call service and the opt-out option in particular, or a more comprehensive review which in principle would apply to the whole Directive. We Social Democrats advocate a limited review of the Directive and assume that the social partners will be given an important role in this review.

It is essential that the participation of women in the workforce can increase within the EU and that more elderly people stay in the workforce longer. We wish to emphasise, however, that we do not at all share the Commission's view that this would justify, or be facilitated by, weaker regulation of working time. On the contrary, we believe that the weaker the position certain groups of employees have in the labour market, the more important it is that there are rules safeguarding the conditions of workers.

2. Dissenting opinion (Swedish Green Party)

Mehmet Kaplan (Swedish Green Party) states:

Under the new Treaty, the EU has to work towards a social market economy. Markets which work well, education and training, active welfare policy and a progressive environmental policy together have to contribute to sustainable economic development and job creation.

A green switch is clearly linked to the creation of new future jobs – a Green New Deal is needed at EU level. New jobs can be created for instance in the environmental technology sector through energy efficiency improvements, commitments to renewable energy sources and investments in the expansion of low-emission public transport. Environmentally sound and productive jobs are the basis for sustainability in growth. The Nordic model shows that it is possible to create communities which are both economically and socially successful, at the same time as environmental requirements are kept at a high level. In this context it is

crucial that the EU Member States pursue active policy to encourage the emergence of small and medium-sized enterprises. This is where the potential to pursue development towards new, green jobs is greatest. It should therefore become simpler to start and run companies, including across national borders. Climate and employment policy go hand in hand.

Policy has to be concerned with making it possible for people to shape their own lives. This obviously also includes a strong endeavour to make it possible for people to move freely on an open labour market in the EU area. But the objective of an integrated employment market in the EU must not be used as a pretext for putting downward pressure on the conditions of workers. The need for constant change has to be offset against fundamental principles of justice. It is not acceptable for workers to be discriminated against and receive pay dependent on where they come from. Equal pay for equal work under laws and agreements is a principle which should apply throughout the EU. Cases such as Laval and Rüffert show that consideration of the single market has regrettably been allowed to take precedence over the possibility of trade-unions demanding reasonable working conditions for their members. There is a risk here of the passivity of the Swedish Government further weakening the rights of workers in Sweden and other EU Member States.

Nor must safeguarding the EU's common labour market be taken as justification for closing the borders of Europe to people from outside the Union who want to come here and work. Thanks to the new regulations – without unnecessary protection and obstacles – which the Swedish Green Party has pushed through together with the Government, Sweden now has a model for labour immigration which it would be good for other EU Member States to adopt. This openness to labour immigration should, however, also be supplemented by integration policy which is more successful than that pursued by previous and current Swedish governments.

I can give my backing to some of the views expressed by the committee majority, for example with regard to the working environment, the disabled and gender equality. Like the majority, I also wish to emphasise that the Member States must retain responsibility for most employment policy and welfare policy. The open method of coordination in the area of labour-market policy must not develop in the direction of increased control and supervision by the European institutions. It should also continue to have the character of an exchange of positive experience, in view of the fact that labour-market policy differs in the 27 countries. These differences are something we have to respect and benefit from rather than regarding them as a problem.

I, like the majority, welcome parts of the flagship initiative to combat youth unemployment announced by the European Commission. There is, however, cause to highlight the fact that some of the proposals, for example the ideas concerning European student loans and a 'youth guarantee' at EU level, are not desirable. Experience of the Swedish Government's youth guarantee, which has increasingly become a meaningless framework without any guarantee of the participants being offered activities leading to work, is not encouraging.

3. Dissenting opinion (Sweden Democrats)

Sven-Olof Sällström (Sweden Democrats) states:

The basis of welfare and security is work. For this reason, the Sweden Democrats aim for a target of full employment and at the same time oppose the pay-dumping policy of the centre-right government and the line of the left-wing cartel on benefits. There is a need for a complete political re-think to break the long-term trend of permanently high unemployment. Sustainably high employment and low unemployment are principally created by strengthening Swedish competitiveness in a global perspective and in an EU perspective.

A more responsible policy on immigration is an important factor in dealing with employment. The almost unregulated immigration of labour from countries outside the EU is wrong. Immigration must be heavily restricted to avoid adding to the oversupply of labour which already exists. This oversupply is a major factor contributing to Swedish unemployment – especially among young people – still being at too high a level. In any future situation of general and long-term shortage of labour, we advocate the introduction of a guest-worker system based on temporary work permits.

But the present-day immigration of labour is also a problem for the immigrants themselves. The labour market for immigrant workers works in such a way that those who come here feel great insecurity. Immigrant workers are under the power of the employer and have no alternatives. This situation has arisen as a result of the new rules which in practice allow employers themselves to determine who to employ, where from and when.

It is of key importance in this context that the decisions on how Swedish immigration policy is to be formulated are taken in the Swedish Riksdag. We consider that Swedish workers must be able to feel reassured that their interests are paramount and that their rights are not given away in agreements behind closed doors in the EU system. In our Sweden, jobs go primarily to domestic labour.

We Sweden Democrats therefore oppose the idea of creating ever closer integration of both labour-market and immigration policy between EU Member States. This idea permeates European employment strategy and the Europe 2020 strategy, as well as the Commission's work programmes. Sweden should be open to learning from best practice in other European countries, but this has to be done through voluntary cooperation between sovereign states, not through supranational decision-making.

With regard to the initiatives announced by the Commission in its work programme, we wish to emphasise in particular the need for a review of the regulatory framework and supervision with regard to the Posting of Workers Directive and the Working Time Directive.

We Sweden Democrats favour Sweden being part of the EU's single market. This means free movement not just of goods and services but also of workers. Young Swedes can travel to London and Madrid to work. A Polish building worker can very well come to Sweden and work for Swedish wages and according to the Swedish agreements. We are not opposed to that.

But with the EU's current regulatory framework, in particular the wording of the Posting of Workers Directive, there is a risk of a situation developing in which Swedish workers are out-competed by foreign labour with substantially poorer pay and other terms. We consider that the focus in the Posting of Workers Directive must be on bringing about rules, application and supervision that do not disfavour domestic companies and the employees of domestic companies in competition with posted companies and staff. The current rules are abused with regard to pay and other remuneration, labour-market legislation and working-time legislation. Collective bargaining agreements which have been entered into are not followed.

With regard to revision of the Working Time Directive, the target must be to prevent the regulatory framework having an inhibiting effect firstly on growth and employment and secondly on the possibility of people gaining a better life through their own labour.

4. Dissenting opinion (Left Party)

Josefin Brink (Left Party) states:

In many Member States unemployment has long been high, even when economic conditions are good. The average level of unemployment is now around 10%. This is unacceptable. The level of unemployment must be brought down, and the employment rate must rise sharply. Special focus must be put on improving the prospects of women for gainful employment and eliminating discriminatory structures that exclude people from the world of work. The target of full employment must be prioritised.

The Commission Work Programme 2011 is focused on speeding up recovery after the financial crisis. The main priorities stated include restoring growth and jobs. Growth is to be smart, sustainable and favour everyone. The Left Party wishes to emphasise that this necessitates a labour market with good terms of employment and working conditions, where trade-union rights are respected.

Unlike the Committee majority who unreservedly endorse what they call 'necessary structural changes', I am concerned over the action of the European Commission in connection with budget reform. The European Commission has directly intervened in the labour market in those Member States that have been granted support loans from the EU and the IMF, without considering previous assurances of independence for the social partners, the importance of social dialogue and the EU not meddling in pay-setting. The European Commission has ridden roughshod over the social partners with its orders to eurozone countries in crisis to implement pay reductions, in contravention of current collective bargaining agreements. This is an unacceptable attack on the self-determination of the social partners and trade-union rights that goes far beyond the Commission's powers.

The Left Party also notes that in the flagship initiatives presented by the Commission in the area of employment there are proposals for measures which violate the sovereignty of the Member States and partners in relation to labour law and pay-setting.

It is more crucial than ever that a legally binding social protocol for the EU is adopted which establishes that fundamental trade-union rights such as the right to negotiate and the right to take industrial action, as well as the right to freely enter into collective bargaining agreements, apply across the Union. It must also be established in the Social Protocol that fundamental human rights, as defined in ILO conventions and the European Convention, take precedence over economic interests.

In this context, I wish to highlight the Left Party's position with regard to the two legislative initiatives which the Commission intends to implement in 2011.

The Posting of Workers Directive

When the EU's Posting of Workers Directive was adopted by the European Parliament and the Council of Ministers, there was broad agreement that the Directive would represent a minimum level, a floor, for conditions of pay and employment which can be demanded in a host country. However, in a number of judgments such as the Laval and Rüffert judgments, the European Court of Justice has instead interpreted the Directive as a ceiling – the Court has indicated a maximum level for the conditions that can be demanded from a guest company. This interpretation means that posted workers are at risk of being subject to discrimination and that the labour market is subject to downward pressure towards lower pay and poorer terms of employment.

Before he was re-elected for a second period as President of the European Commission, José Manuel Barroso promised not just to review the application and implementation of the Posting of Workers Directive but also the interpretation. It is apparent from the Commission Work Programme that the review will not cover the actual interpretation, only the application. The European Court of Justice's interpretation that the Directive in practice constitutes a ceiling will therefore continue to apply.

The Laval and Rüffert judgments are creating great uncertainty in the labour market throughout the EU. The Left Party considers that the review of the Posting of Workers Directive must lead to the restrictions on fundamental trade-union rights which these judgments entail being eliminated. The revision of the Posting of Workers Directive must lead to the character of minimum directives being ensured so that equal treatment of workers can be guaranteed.

The Working Time Directive

The EU's Working Time Directive is aimed at ensuring the protection of workers with regard to a minimum level of rest during the day, rest during the week and breaks and the right to restriction of weekly hours of work and night work. The aim is to protect the health of workers and prevent competition between countries based on poor working conditions. The Directive is therefore of significance to all workers in EU Member States.

When the current Directive was adopted in 1993, it provided an option to negotiate away the basic rule of a maximum working week of 48 hours through individual exemptions, known as opt-outs. In 2000 the United Kingdom was the only Member State to make use of this option. Today the opt-out is a large and growing problem. No fewer than 16 countries now apply the opt-out.

The Left Party advocates a limited review of the Working Time Directive with the intention of abolishing the opt-out option. It should not be possible to negotiate away fundamental rules on protection. The protection against unhealthy hours of work must be strengthened for workers in the Member States.

ANNEX 4**The Committee on Justice's opinion****COMMITTEE MEETING 2010/11:20****MINUTES**

DATE 03.02.2011

PRESENT See Annex 1

- - -

Item 5**Commission Work Programme 2011**

The Committee discussed its statement of opinion to the Committee on Foreign Affairs on Commission Work Programme 2011, COM(2010) 623, in those parts which relate to the area of responsibility of the Committee on Justice.

The Committee decided on the following statement of opinion:

The Committee notes that the Commission is addressing implementation of the Stockholm Programme through the Work Programme 2011. With regard to a more detailed examination of the planned initiatives, the Committee chooses, however, to wait until specific proposals are presented. The Committee nevertheless wishes to submit overarching comments on those parts of the Work Programme which relate to the area of responsibility of the Committee on Justice.

As the Committee commented in its statement on the European Commission's communication Delivering an area of freedom, security and justice for Europe's citizens (Statement 2008/09:JuU31), the Committee takes a positive view of the Commission's wish to pursue the citizens' agenda and strengthen their rights. As in the above-mentioned statement, the Committee also wishes to emphasise the importance of the balance between measures in order to increase security for citizens and measures to strengthen the rights of the individual. The Committee therefore welcomes the Commission's forthcoming proposals on strengthening the rights of victims of crime.

The Committee additionally notes that the Commission will present a number of initiatives concerning EU border management. The Committee maintains the position presented in Statement 2008/09:JuU31, that it is important to analyse whether a measure is effective before it is implemented. In this context, the Committee also wishes to emphasise that the added value of further measures must be offset against the costs of these and the importance of paying special attention to proportionality and the aspect of need in proposals concerning border management. In addition, the Committee considers that a high level of security in entry and exit control requires absolute respect of human rights and international protection. The balance between the right of the individual to privacy and measures to combat crime must also be preserved.

The representatives of the Social Democrats presented the following separate opinion:

The Committee does not substantively examine the Commission's planned initiatives. We nevertheless wish to emphasise in this context that we stand by the views put forward in Statement 2008/09:JuU31 and refer to the positions described in our reservation.

The representatives of the Swedish Green Party and the Left Party presented the following separate opinion:

The Committee does not substantively examine the Commission's planned initiatives. We nevertheless wish to emphasise in this context that we stand by the views put forward in Statement 2008/09:JuU31 and refer to the positions described in our particular reservations.

We wish to emphasise in particular the views we expressed on border control issues.

The representative of the Sweden Democrats presented the following separate opinion:

The Committee does not substantively examine the Commission's planned initiatives. However, I wish to develop my position on one issue. The Commission's continued work should, to a substantially greater extent than is apparent from the Work Programme, be focused on curbing the extensive illegal immigration to the EU which takes place today. External border control must be tightened.

This item was immediately declared to have been verified.

--

Secretary

Verified 3 February 2011

Morgan Johansson

True extract certified

Sent 3 February 2011

UU

Virpi Torkkola