



EUROPEAN COMMISSION

Brussels, 24.5.2012
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Dear President,

The European Commission thanks the Swedish Riksdag for its valuable comments on the Communication "Towards an EU Criminal Policy – Ensuring the effective implementation of EU policies through criminal law" {COM(2011)573 final} and has the following observations regarding the Riksdag's comments:

The European Commission shares the view of the Riksdag that criminal law reflects the fundamental values, customs and traditions of a society, and that any EU criminal law proposal must be preceded by a detailed analysis of the need and added value of the proposed measure. At the same time, the legal bases provided for in the Treaty reflect that the EU considers joint action in the area of criminal law under the conditions set out in the Treaty to be important for an efficient fight against crime and for the effective implementation of EU policies. In line with the principle of conferral, the EU can only act within the limits set out by the Treaty. The European Commission reconfirms in this context the importance of strict respect of the principles of subsidiarity and proportionality for any EU criminal law legislation.

The European Commission also shares the view, as set out in the Communication, that respect for the fundamental rights enshrined in the EU Charter of Fundamental Rights and in the European Convention on the Protection on Human Rights and Fundamental Freedoms is particularly important in an area such as criminal law with its significant impact on the rights of individuals.

I am looking forward to continuing our political dialogue on this important issue.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Herr Per WESTERBERG
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