



Commission Work Programme 2014

Summary

In this statement, the Committee on Foreign Affairs discusses the communication Commission Work Programme 2014 (COM(2013) 739). The Commission adopted the communication on 22 October 2013, and on 21 November the Chamber referred it to the Committee on Foreign Affairs for review under Chapter 10 Section 5 of the Riksdag Act. The Committee on Finance and the Committee on Justice have expressed their views on the statement.

In its annual work programme, the Commission indicates the political priorities for the coming year. The 2014 Work Programme is special because there are elections to the European Parliament during the year and because the Commission's term of office expires in November 2014. The Commission has therefore chosen to focus on the implementation of prioritised existing proposals. The Committee on Foreign Affairs notes that the Commission's priorities are principally in line with Swedish priorities and that it is a positive feature that growth competitiveness issues are given extensive scope. The Committee on Foreign Affairs highlights the importance of safeguarding an open Europe in times of economic difficulties and emphasises that this principle should be fundamental to all initiatives and programmes the Commission works on during the remainder of its term of office. The Committee on Foreign Affairs further emphasises that it is clearly in Sweden's interest that the euro area is strong and stable, and that the countries affected by serious economic problems are able to solve these. The Committee on Foreign Affairs concurs with the positions taken by the Committee on Finance on the Single Resolution Mechanism, the framework for recovery and resolution of banks and deposit guarantee schemes.

With regard to the alarming situation in Syria, in the view of the Committee it is not only crucial that the EU and the Member States support humanitarian efforts in the region but also that the EU Member States show solidarity by taking their responsibility so that the people who come to the EU and are in need of international protection are afforded this protection. All the Member States must also take responsibility for providing support to more people through resettlement, in consultation with UNHCR. The Committee further emphasises that the EU is not just about economic cooperation but is a union of values. The Committee welcomes the fact that the Commission will be presenting a framework for how the EU can respond in

situations in which fundamental values and rule of law appear to be under challenge in the Member States. The Committee considers it crucial to safeguard the EU's fundamental values, and the Riksdag will have cause to return to the issue once the initiative has been presented. The Committee on Foreign Affairs concurs with the positions of the Committee on Finance on a European Public Prosecutor's Office, the Directive on protection of personal data in the area of prevention, investigation, detection or prosecution of criminal offences and the proposal for a general regulation on data. The Committee also concurs with the positions of the Committee on Justice on the recurrent tragedies in the Mediterranean, effective justice systems and a new strategy for the area of freedom, security and justice.

The Committee on Foreign Affairs further agrees with the Commission that a unified EU is a more effective EU in the international arena. There is a clear link between the economic development of Europe and the political influence of the EU globally. The Committee emphasises the importance of counteracting any tendencies towards a weakening of Common Foreign and Security Policy, and welcomes the fact that the European Council discussed these issues in December 2013. The Committee notes that a discussion is in progress on global development goals after 2015. The Committee will continue to monitor the process on the basis of the Commission's future proposals, and in this context wishes to provide a reminder of its statements 2012/13:UU18 Review of the Commission's communication on a framework for global development after 2015.

The Committee further considers that the economic development and modernisation in the Eastern Partnership favours both the countries themselves and the EU and neighbouring countries. The Committee wishes to stress that each country must be free to choose its relationship with the EU. It is important, in the Committee's view, to emphasise that the door is open to countries seeking closer political and economic association with the EU and that the Union is prepared to sign association and free-trade agreements as soon as the countries themselves wish to do so and fulfil all the set criteria. This is also in line with the principle of 'more for more' which has been established in the framework of Community policy.

There are three reasoned reservations in the statement, from the Green Party, the Sweden Democrats and the Left Party.

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The Committee's proposals for decision by the Riksdag

Commission Work Programme 2014

The Riksdag places the statement on file.

Reservation 1 (Green Party) – grounds

Reservation 2 (Sweden Democrats) – grounds

Reservation 3 (Left Party) – grounds

Stockholm, 28 January 2014

On behalf of the Committee on Foreign Affairs

Sofia Arkelsten

The following members have taken part in the decision: Sofia Arkelsten (Moderate Party), Walburga Habsburg Douglas (Moderate Party), Tommy Waidelich (Social Democratic Party), Mats Johansson (Moderate Party), Carin Runeson (Social Democratic Party), Fredrik Malm (Liberal People's Party), Olle Thorell (Social Democratic Party), Kenneth G Forslund (Social Democratic Party), Bodil Ceballos (Green Party), Julia Kronlid (Sweden Democrats), Hans Linde (Left Party), Ulrik Nilsson (Moderate Party), Désirée Liljevall (Social Democratic Party), Robert Halef (Christian Democrats) and Ulrika Carlsson of Skövde (Centre Party).

Description of the remit

The remit and preparation of it

On 22 October 2013 the European Commission adopted the Communication European Work Programme 2014 (COM(2013) 739). The Swedish translation of the Work Programme was received at the Riksdag on 31 October 2013 and was referred to the Committee on Foreign Affairs by the Chamber for review under Chapter 10 Section 5 of the Riksdag Act on 21 November.

The Committee has afforded other committees an opportunity to express their opinions on the work programme, and opinions have been received from the Committee on Finance and the Committee on Justice.

The Government has submitted a background brief (2013/14:FPM23). In a letter to the Speaker of the Riksdag from Maroš Šefčovič, Vice-President of the Commission (C(2013) 3133), the Commission presented views on some of the issues addressed by the Committee in the statement on the work programme for 2013 (2012/13:UU4).

On 14 November 2013 the Committee had a meeting with Frank Belfrage, cabinet secretary, on those issues on the European Council's agenda on 19-20 December 2013 that fall within the Committee on Foreign Affairs' remit.

Principal contents of the Communication

In its annual work programme, the Commission indicates the political priorities for the coming year. The Work Programme 2014 is special because there are elections to the European Parliament during the year and because the Commission's term of office expires in November 2014. The Commission has therefore chosen to focus on the implementation of prioritised existing proposals. The Commission focuses on four overarching areas with regard to priorities for 2014:

- economic and monetary union
- smart, sustainable and inclusive growth
- justice and security
- external action.

These areas are described in more detail under the heading of The Committee's review

The work programme contains a number of annexes. Annex 1 lists a number of proposals which the Commission considers should be adopted quickly by the European Parliament and the Council. Also attached to the programme is a list containing a limited number of new initiatives (Annex 2) which the Commission plans to present during the first half of 2014. In addition there is an annex containing a number of initiatives aimed at

overhaul and simplification of legislation that is withdrawn (Annex 4) and a list of legislative acts which enter into force and whose effects will start to become visible in 2014 (Annex 5).

The Committee's review

The Commission's Communication

Overarching issues

The Commission notes that signs of recovery are starting to appear in the European Union after five years of global financial crisis. However, the signs are still fragile and cannot be perceived by all groups. The core of the Commission's work in 2014 is therefore to promote growth and employment, with regard to both initiatives at European level and analyses of the reform efforts of the Member States. The forthcoming elections to the European Parliament are highlighted as an opportunity to conduct a broad debate on how a more united, stronger and more open Europe can be built. In the Commission's view, 2014 should be a year of implementation and results. The chief priority for the European Parliament and the Council is therefore to complete the negotiations on a number of existing proposals which, according to the Commission, can boost growth and create new jobs. Such proposals are listed in Annex 1 of the work programme.

The Commission also intends to present a limited number of new proposals. With the exception of legal obligations, technical updates and specific urgent matters, the Commission does not intend to table any new legislative proposals. In addition, the Commission will carry out exploratory work in order to prepare for decisions that can only be made by the next Commission, for instance concerning deep and genuine Economic and Monetary Union.

Economic and Monetary Union

The Commission will continue to work on reinforcing economic governance and completing the Banking Union, in line with the Blueprint for a deep and genuine Economic and Monetary Union. The Commission also emphasises that the coordination of economic policies will be reinforced in the framework of the European Semester. Programmes in the framework of cohesion policy will be future be geared to supporting the implementation of the country-specific recommendations to which the Semester leads.

The Commission's top priorities for the financial sector are implementation of the Single Supervisory Mechanism and agreement on the Single Resolution Mechanism. The work will focus on structural reform of banks, shadow banking and long-term financing. In addition, the Commission will work to improve the ability of the financial system to finance the real economy and to increase the use of financial instruments to maximise the leverage effect of the EU budget. The Commission emphasises that strong support from Member States is critical to success.

Another priority is to intensify the fight against undeclared work, tax fraud and tax evasion. The Commission will also continue to support efforts to ensure a sound and efficient fiscal platform for public finances, as well as exploring how the design and implementation of tax policy can better support the EU economy.

Smart, sustainable and inclusive growth

The Commission identifies a range of measures to promote smart, sustainable and inclusive growth. Programmes in the new multiannual financial framework for 2014–2020 are designed to support the priorities of the Europe 2020 strategy and in that way to boost growth and employment. A key priority for the Commission is employment and combatting youth unemployment. Implementation by the Member States of the Youth Guarantee is highlighted as being of critical importance in kick-starting job creation.

To remain competitive in the world, the EU needs to support investment in innovation through full implementation of the Horizon 2020 programme. The Commission will conduct a full analysis of bottlenecks and opportunities to guide future priorities. The Commission will also present a proposal for a modern industrial policy so that businesses can be supported effectively.

A key task for the Commission is to contribute to a well-functioning single market and fair competition, efficient public administration and predictable and modern regulation. Full implementation of internal market rules in key areas such as services and energy, and completing the modernisation of the state aid rules, will be part of this work. The Commission notes that adoption of key measures in Single Market Act 2 can contribute to economic development. The Commission has further screened the body of EU law to make it simpler and more fit for purpose, which can contribute to a more business-friendly environment.

To achieve a fully integrated and interconnected single market, the Commission emphasises improvements in network infrastructure. Widespread deployment of digital services and a modern public sector are other areas where the Commission sees a need for efforts. The Commission also highlights a fully integrated energy market, energy efficiency and a single market for telecommunications as the basis of a real digital single market and greater productivity. The Commission considers that swift adoption of the legislative proposals on network and information security and data protection and further work on intellectual property modernisation are vital components of the digital agenda. Finally the Commission discusses resource efficiency, reduced environmental impact, waste management, sustainable management of natural resources and the Common Fisheries Policy. The Commission wishes to build on the proposals for a framework for climate and energy policy up to 2030. A major effort is required,

according to the Commission, to show how the EU is leading the way ahead of an international climate agreement in 2015.

Justice and security

For the EU to be able to protect its citizens and safeguard their rights, effective application of EU rules and reinforcement of cooperation between national authorities in the areas of security and justice are essential. According to the Commission, the refugee tragedies in the Mediterranean highlight the need for EU action to support those seeking international protection, to secure protection of EU borders and target human traffickers and enhance cooperation with third countries.

The Commission sees a need for better rules on the safety of consumer products and on human, animal and plant health. The Commission will also focus on protecting critical infrastructures and promoting prevention of, preparedness against and response to disasters. According to the Commission, the proposals for a European Public Prosecutor's Office (EPPO), as proposed by the Commission, will mean more effective pursuit of crimes against the EU's financial interests. In addition, the Commission will consider further systemic improvements in the OLAF Regulation, which are inspired by certain parts of the Commission's proposal on the EPPO.

With the end of the transition period set out in the Lisbon Treaty in 2014, police and judicial cooperation in criminal matters will be fully integrated into the EU's system of law. The Commission will set out how it believes justice and home affairs policies should evolve and deepen as the Stockholm programme comes to an end.

The Commission will also come forward with a framework to allow for a consistent response when Member States infringe the principles of rule of law. Such a mechanism would be based on objective and pre-defined benchmarks and be activated only in situations where there is a serious, systemic risk to the rule of law.

External action

The Commission notes that EU enlargement helps to consolidate peace and stability along the Union's borders and promotes fundamental values and democracy. Engagement for enlargement in Turkey and the Western Balkans is continuing. With regard to Neighbourhood Policy, the Commission highlights in particular the signing of agreement with countries in the Eastern Partnership, as well as support for the democratic process in the South. The Commission wishes to continue to use the instrument of task forces to support democratic transitions and extend its use beyond the

neighbouring countries to other countries such as Myanmar. Other priorities are continuing to promote peace and security and contributing to management of the crisis in Syria.

With regard to external economic relations, the Commission will work to maintain the pace of ongoing free trade negotiations and to implement agreements entered into. A number of important negotiations are taking place in 2014. The Commission will continue preparing for the summit on the Millennium Development Goals and the Sustainable Development Goals, a new international climate agreement and the post-Hyogo framework for disaster risk management. According to the Commission it will also be important to launch a discussion on the future relationship between the ACP countries and the EU. The Commission considers that key to EU influence is ensuring consistency between the external and internal dimension of EU policies. In addition, working towards a single defence market with a view to developing a European defence industrial base will play a key role.

Opinion of the Committee on Finance

Overarching issues

The Committee on Finance wishes firstly to emphasise that in the main it supports the orientation indicated by the Commission in the work programme. The Committee agrees with the Commission's assessment that it is necessary to complete the work on the many growth-promoting proposals which are under discussion in the legislative process, and to speed up implementation of the proposals.

The Committee presents comments in its statement of opinion on some of the initiatives the Commission prioritises within the remit of the Committee on Finance. This applies to the issue of the Single Resolution Mechanism, the crisis management framework and a deposit guarantee. As the proposals are now the subject of negotiation, the Committee's comments are more overarching in nature.

In its work programme the Commission also indicates some new initiatives for the single market and services within the Committee's remit. This applies to follow-up of the Green Paper on long-term financing of the European economy, frameworks for crisis management and crisis resolution for institutions other than banks. The Committee takes a positive view of these proposals.

The Single Resolution Mechanism

The Commission writes in its work programme that it intends to implement the Single Supervisory Mechanism and reach agreement on the Single Resolution Mechanism. The Committee on Finance takes a positive view of the Commission continuing its overhaul of the financial regulation and supervision of the banking sector and financial regulation. Regarding the Single Resolution Mechanism, the Committee emphasises the importance of

those Member States that do not take part in the Banking Union not being discriminated against. It should be noted in this context that in a reasoned opinion (statement 2013/14 FiU13) to the Commission considers that the Commission's proposal for a Regulation on a Single Resolution Mechanism and a Single Bank Resolution Fund (COM(2013) 520) might conflict with the principles of subsidiarity and proportionality. According to the Riksdag it was also doubtful whether the proposal was compatible with the Treaty. The Riksdag pointed out the proposal on recovery or resolution of a bank was highly complex and that some parts of it were even difficult to understand. Furthermore, the Riksdag was in doubt as to whether the system would work effectively in a crisis situation as so many institutions and authorities would be involved. If a bank crisis occurs, the time for decisions and action is very limited. Action often has to be taken over a weekend. The decision-making procedure, in the view of the Riksdag, must therefore be simple, clear and short. There is otherwise a great risk of not succeeding in maintaining stability in the financial system.

The Riksdag also pointed out that the proposal did not contain sufficiently strong protection against the possibility of national budget funds being used to finance the Single Bank Resolution Fund. The Riksdag emphasised that a proposal from the Commission must be compatible with the principle of national right of taxation and the opportunities of national parliaments to decide for themselves on the use of budget funds. As well as these aspects, the proposal also meant that power was transferred from the national institutions and authorities to corresponding institutions and authorities at EU level, which according to the Riksdag gave the EU bodies disproportionately great influence.

Framework for recovery and resolution of banks

The Committee on Finance takes a positive view of initiatives in the area as it is important to ensure that all Member States have an opportunity to act swiftly and powerfully to restore confidence in the financial system. The Committee recalls, however, that in a reasoned opinion (statement 2011/12: FiU12) to the Commission, the Riksdag considered that the Commission's proposal for a Directive establishing a framework for the recovery and resolution of credit institutions and investment firms, known as the crisis management framework (COM(2012) 280) conflicted with the principles of subsidiarity and proportionality. In the view of the Riksdag the introduction of mandatory and binding mechanism for borrowing between the national financing arrangements might lead to a 'moral hazard', as a result of the possibility of some Member States being tempted to under-fund their national arrangements. The borrowing mechanism could additionally lead to an involuntary and unplanned weakening of the Member States' public finances, which would militate against one of the purposes of the Commission directive. The proposal has subsequently been amended on several points and is now the subject of three-way negotiations between the Commission, the Council and the European Parliament. Among other things, the previously binding mechanism for borrowing has been replaced by a voluntary system.

The Committee takes the view that there are still doubts over parts of the proposal. This applies for instance, to the 'bail-in tool' being applied in all situations. In the Committee's view it should instead be up to each Member State to assess whether that tool is to be applied in a particular case. The Committee further considers that the current proposal gives the European Banking Authority (EBA) excessive powers with regard to the possibility of providing binding mediation and issuing binding technical standards.

Deposit guarantee schemes

The Committee on Finance notes that the Directive on Deposit Guarantee Schemes has direct links to the crisis management framework with regard to issues of financing and how resources in the deposit guarantee funds may be used in bank resolution. According to the Committee, these directives must therefore be dealt with in parallel. The Committee considers that the Swedish model, where an authority is responsible for the deposit guarantee, should be maintained. The target level for the fund should also be a minimum level which the Member States are at liberty to exceed.

The Riksdag found in its reasoned opinions (statements 2009/10:FiU42 and 2009/10:FiU43) on the Commission proposal on deposit guarantee schemes and investor compensation schemes (COM(2010) 368 and COM(2010) 371 respectively) that the proposals were in conflict with the principle of subsidiarity. The Riksdag's objection was to the proposal to introduce an obligation for the Member States' guarantee schemes to lend funds to the other Member States' guarantee schemes.

According to the Riksdag the objectives of the Commission proposal – which is ultimately financial stability – could be achieved better, or perhaps only, if responsibility for funding the guarantee schemes became entirely a national responsibility. To avoid any moral hazard and give the Member States incentives to build up adequately funded guarantee schemes, each Member State ought to have full responsibility for funding.

Opinion of the Committee on Justice

Overarching issues

The Committee on Justice welcomes the overarching theme of the Commission Work Programme: implementation and results. A number of EU provisions have been adopted since cooperation was initiated in the area of freedom, security and justice. To ensure that the Member States enjoy the benefits of this legislation, it is crucial that more effort is put into implementation. The Committee therefore takes a positive view of the Commission's intention to work hard to ensure that EU citizens enjoy the benefits of the extensive legislative programme on which the EU has already agreed as quickly as possible. The same applies to the Commission's aspiration to continue the cooperation with the Member States to ensure that EU rules are implemented and applied correctly and are followed strictly.

The Committee wishes to emphasise, however, that inadequate implementation of EU provisions by the Member States does not provide grounds for the Commission to present proposals for further legislation, which in itself contributes to more supranational authority. The Committee considers that when new legislation is drafted greater stress should be put on analysing current legislation. The intention should be to strengthen existing legislation when it is possible to do so.

The Commission's priorities for 2014

The Commission mentions that the European Parliament and the Council have to finalise negotiations on a series of existing proposals, including the proposals to establish a European Public Prosecutor's Office and on the data protection package. In subsidiarity-testing the proposals mentioned, the Committee on Justice has found them to wholly or partially conflict with the principle of subsidiarity.

The Commission's proposal to establish a European Public Prosecutor's Office resulted in a total of 14 reasoned opinions from the national parliaments. This proposal has thus led to the second yellow card since the Lisbon Treaty entered into force. A yellow card means that the Commission has to review its decision (Protocol No 2 of the Treaty). As indicated above, the Commission decided in its review to stand by the proposal. The Commission has stated that in continued legislative work account will be taken of what the Member States have argued in their reasoned opinions.

The Committee wishes to underline the importance of the Commission, in the continued legislative process, taking account of the fact that a yellow card was issued concerning the proposal to establish a European Public Prosecutor's Office and of the views expressed by the national parliaments.

The Committee now wishes to return to the subsidiarity objectives the Committee had with regard to the proposed directive on data protection in the area of combatting crime (which forms part of the data protection package). Unlike the framework decision (Council Framework Decision 2008/97/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters [the Data Protection Decision] which it is intended to replace, the proposed Directive also covers national processing of personal data carried out by the competent authorities of the Member States for the purpose of prevention, investigation, detection and prosecution of criminal offences or enforcing criminal sanctions. In testing the proposal for subsidiarity, the Committee has noted that those parts of the proposal concerned with the purely national processing of personal data are in breach of the principle of subsidiarity (statement 2011/12: JuU31). The Riksdag has concurred with the Committee's assessment (Parliamentary Communication 2011/12:175).

The Committee has also expressed its views to the Committee on the Constitution on the proposal for a general regulation on data protection (COM(2012) 11). The Committee stated that the special nature of the area of the police and criminal law and need for special regulations on the processing

of data within the activities of the police and judicial authorities is emphasised. The Committee presumed that the special features of the area of the fight against crime and need for special regulations would be respected in the general data protection regulation (opinion 2011/12:250).

The recurrent tragedies in the Mediterranean

The Commission has summoned the EU Member States to join a special Task Force Mediterranean to draw up proposals for measures to enable similar accidents to be avoided in the future. The Committee on Justice welcomes the work being done in this area but is of the view that more can be done under the current regulatory framework.

Effective systems of justice

The Committee on Justice concurs with the Commission's assessment that effective systems of justice and clear anti-fraud measures are factors that support the economy. The Commission states that as a result of the establishment of the European Public Prosecutor's Office it will be possible for criminal offences against the European Union to be prosecuted more effectively. As mentioned earlier, the Committee considers that the proposal to establish a European Public Prosecutor's Office is in breach of the principle of subsidiarity. The Committee has indicated in its statement (2013/14:JuU13) that as such it shares the Commission's view that it is very important to be able to combat crime against the financial interests of the EU. The Committee considers, however, that the Commission has been unable to show that the purpose of the proposal, to combat criminal offences against the economic interests of the EU, cannot be attained through measures taken at national level, for example on the basis of intergovernmental cooperation as offered by Eurojust. The Committee notes that the full potential of Eurojust is not known, as not all the Member States have implemented the latest Eurojust decision (2009/426/JHA). There may also be reason to await completion of negotiations and implementation of the directive on the fight against fraud to the Union's financial interests by means of criminal law (COM(2012) 363) before drawing any conclusions on whether the goals of the planned action cannot be attained to a sufficient extent by the Member States. Nor, in the Committee's view, has the Committee shown that the goals of the proposed measure can be achieved better through further measures at EU level than at national level.

The Committee also draws attention to the fact the Member States' results regarding investigation of criminal offences against the financial interests of the EU vary widely. The Committee considers it disproportionate to try to tackle a problem that mainly only applies to certain Member States by introducing a scheme that affects all the Member States in a radical way.

The Committee further considers that the proposal is so far-reaching that it must be questioned whether the proposed measures might not extend beyond what is necessary to attain the goal of the proposal. There are likely to be other less far-reaching alternative ways of attaining the goal, for example preventing criminal offences against the financial interests of the EU through further action.

In the Committee's opinion on the Commission Work Programme for 2013 (opinion 2012/13:JuU2y), the Committee argued that a proposal to establish a European Public Prosecutor's Office must be preceded by a thorough analysis in which other alternatives are also considered. The Commission wishes to reiterate that the Commission should consider other less far-reaching and less radical alternative ways of fighting crime against the financial interests of the EU.

New strategy for the area of freedom, security and justice

The Stockholm programme, which was adopted by the European Council in December 2009, indicates the basis for priority-setting in the area of freedom, security and justice during the period 2010 to 2014. This programme is of great strategic significance and has provided a long-term vision for work done in the area. The period covered by the Stockholm programme is coming to an end, and new strategy is needed for work in this area.

Article 68 of the Treaty on the Functioning of the European Union states that it is a task for the European Council to define strategic guidelines for legislative and operational planning in the area. In the Committee's view it is of great importance that the Council (justice and home affairs) is given a leading role in preparations in order to draw up the guidelines, the development of these and also in work aimed at implementing the guidelines. The Committee on Justice wishes to highlight the importance of work on drawing up the new guidelines being transparent and the EU institutions, the Member States and citizens being closely involved in the work.

There should also be a follow-up mechanism to monitor the implementation of the new strategy.

It is crucially important that all the EU institutions, including therefore the Commission, undertake to promote the goals set out in the future strategy.

The Committee on Justice's considerations

Overarching issues

The Chamber has referred the Commission Work Programme 2014 to the Committee on Foreign Affairs for review and a written statement under Chapter 10 Section 5 of the Riksdag Act. The Committee on Foreign Affairs has dual tasks with regard to the European Union. Firstly the Committee is responsible for discussion by the Riksdag of overarching issues concerning

the European Union, such as the Commission Work Programme. Secondly the Committee is responsible under the Riksdag Act for monitoring EU issues within its remit as a parliamentary committee.

The purpose of the statement is to prompt a debate at as early a stage as possible on issues in the Commission Work Programme and to present different points of view that may be of value in the continued consideration of the issues. The Work Programme for 2014 has a different structure than the ordinary work programmes. As a consequence of the elections to the European Parliament in the spring of 2014 and the fact that the term of office of the current Commission comes to an end during the year, the work programme focuses mainly on implementation of existing proposals and contains only a limited number of new proposals. This means that the Riksdag has already discussed many of the issues raised in the work programme, for example in the statement on the Commission Work Programme for 2013 (2012/13:UU4). Furthermore, the parliamentary committees have presented their views on a series of issues relating to the work programme in the statements issued in 2013. Annex 2 of this statement contains a list of these statements.

The Committee, like the Government in the background brief, is in favour of the Commission presenting a work programme with specific initiatives as this makes it easier for the Member States to plan their EU work and contributes to openness on the EU's legislative process. The Committee notes that the Commission's priorities are principally in line with Swedish priorities and that it is a positive feature that growth and competitiveness issues are given extensive scope. The Committee comments below on some of the issues and initiatives addressed in the work programme.

An open Europe

The priorities in the Commission Work Programme are largely focused on managing the economic crisis and promoting growth and employment. The Commission notes that signs of recovery are starting to become visible in the EU, but that the signs are still fragile and that the process of reform must continue under the greatest pressure.

The Committee wishes, as in the previous year's statement on the Commission Work Programme (2012/13:UU4), to emphasise the importance of safeguarding an open Europe in times of economic difficulty. Openness must be a guiding principle in all areas of EU cooperation, including migration, free trade and development cooperation. The Union must keep its doors open in its contacts with other countries in the process of enlargement, the Eastern Partnership and the Euro-Mediterranean Cooperation. The principle of safeguarding an open Europe should thus be fundamental to all initiatives and programmes the Commission works on during the remainder of its term of office. The Committee concurs with the Commission's comment that the forthcoming elections to the European Parliament represent an important opportunity for a wide-ranging debate on how we can create a more united, stronger and more open Europe.

Economic and Monetary Union

In its statement on the Commission Work Programme for 2013 (2012/13:UU4), the Committee on Foreign Affairs noted that Sweden has an evident interest in the euro area being strong and stable and the countries affected by significant economic problems also being able to solve these. Ultimately, this is a matter of keeping Europe together and avoiding serious social tensions.

The Committee on Finance emphasises in its opinion that in the main it supports the orientation indicated by the Commission in the work programme. The Committee of Finance concurs with the Commission's assessment that it is necessary to complete the work on the many growth-promoting proposals which are under discussion in the legislative process, and to speed up implementation of the proposals. The Committee on Finance furthermore takes a positive view of the initiatives indicated by the Commission with regard to follow-up of the Green Paper on long-term financing of the European Union, frameworks for crisis management and crisis resolution for institutions other than banks. The Committee on Foreign Affairs agrees with this.

The Committee on Foreign Affairs concurs with the positions taken by the Committee on Finance on the Single Resolution Mechanism, the framework for recovery and resolution of banks and deposit guarantee schemes.

Justice and security

As the Committee on Foreign Affairs has emphasised above, the principle of safeguarding an open Europe should be fundamental to all initiatives and programmes the Commission works on during the remainder of its term of office. This openness is particularly necessary with regard to the alarming situation in Syria. It is not only crucial that the EU and the Member States support humanitarian efforts in the region but also that the EU Member States show solidarity by accepting their responsibility so that the people who come to the EU and are in need of international protection are afforded this protection. All the Member States must also take responsibility for providing support to more people through resettlement, in consultation with UNHCR.

Like the Committee on Justice, the Committee on Foreign Affairs in its opinion welcomes the fact that the main theme of the Commission Work Programme is implementation and results. The Committee on Foreign Affairs wishes to emphasise, as in several previous statements on Commission work programmes, the importance of implementation of Union policy being improved through the instruments that exist being made more effective and modernised to adapt them to the challenges of today and tomorrow. The Committee on Foreign Affairs agrees with the Committee on Justice on the importance of implementing existing EU legislation and ensuring that the EU rules are implemented and applied correctly and followed strictly.

The Committee wishes to emphasise that the EU is not just an economic cooperation but also a union of values. According to Article 2 of the Treaty on European Union, the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.

These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between men and women prevail. The Committee welcomes the fact that the Commission will be presenting a framework for how the EU can respond in situations in which fundamental values and the rule of law appear to be under challenge in the Member States. The President of the Commission, José Manuel Barroso, argued in his speech on the state of the Union in 2013 that the framework does not mean that national sovereignty or democracy are limited but that an EU mechanism is needed that can be applied when fundamental principles are at stake. The Committee considers it crucial to safeguard the EU's fundamental values, and the Riksdag will have cause to return to the issue once the initiative has been presented.

The Committee on Foreign Affairs otherwise concurs with the positions of the Committee on Finance on a European prosecution service, the Directive on protection of personal data in the area of prevention, investigation, detection or prosecution of criminal offences and the proposal for a general data security regulation. The Committee also concurs with the positions of the Committee on Justice on the recurrent tragedies in the Mediterranean, effective systems of justice and a new strategy for the area of freedom, security and justice.

External action

The Committee on Foreign Affairs concurs with the Commission's assessment that a united EU is a more effective EU in the international arena. The Committee emphasised in its statement 2012/13:UU4 on the Commission Work Programme for 2013 that in the light of the economic crisis and subsequent power shifts the EU is needed more than ever to develop global standards and institutions. European economies and competitiveness therefore need to be strengthened if the EU is to reinforce its position as a global player. There is a clear link between the economic development of Europe and the political influence of the EU globally. The EU Member States face common challenges and opportunities in a globalised world. The Committee therefore wishes to emphasise the importance of counteracting any tendencies towards a weakening of Common Foreign and Security Policy, and welcomes the fact that the European Council discussed these issues in December 2013. On 14 November 2013 the Committee had a meeting with Frank Belfrage, cabinet secretary, on the issues on the European Council's agenda which fall within the remit of the Committee on Foreign Affairs.¹ In the conclusions from the meeting of the European Council on 19–20 December 2013 the heads of state and government urge the High Representative in close cooperation with the Commission to carry out an assessment of the effects of changes in the world situation and, following consultation with the Member States, during 2015 to present a report to the European Council on the challenges and opportunities facing the Union. The Committee welcomes this and the fact that the European Council intends to return to the issue of strengthened defence cooperation in June 2015.

¹ Minutes 2013/14:8. The members representing the Green Party, the Sweden Democrats and the Left Party notified dissenting opinions.

The Committee wishes to emphasise in this context a joint communication from the Commission and the High Representative from 11 December 2013, JOIN(2013) 30 'The EU's comprehensive approach to external conflict and crises'. This document contains proposals for strengthening cohesion in the EU's external relations regarding conflict and crisis management, known as the comprehensive approach. The Commission and the High Representative emphasise, *inter alia*, the importance of developing a common strategic vision for conflict and crisis management, strengthening the EU's work on prevention, strengthening the bonds between the EU's internal security and external security, improving the use of the EU delegations and continuing to develop partnership with regional and international actors. The Committee considers there to be better prospects through the European External Action Service for increased coherence in the EU's global action than previously and greater opportunities for clearer coordination of the instruments available. As the Committee emphasised above, the EU gains in influence and credibility globally by standing united and acting jointly, and the Committee therefore welcomes proposals for greater coherence and effectiveness in the EU's external relations.

The Committee considers development issues to be an important part of the combined approach, and welcomes the fact that the Commission and the High Representative highlight the connection between security and development in the document. The Committee wishes to emphasise the importance of a coherent EU policy also outside the area of external conflict and crises. Swedish policy for global development was decided upon in 2003, *inter alia* to face up to the challenges identified in the Millennium Declaration, and Sweden has been actively working on EU coherence policy for development for many years. Analysing the development perspective in political decisions in different areas is fundamental to identifying solutions to global challenges and contributing to development. This applies, for example, to EU policy in the area of agriculture, fisheries, trade and the environment. The Committee wishes to emphasise that an important part of EU work on coherence is effective cooperation between the different institutions, such as the Commission, the Council and the European External Action Service, including the EU delegations around the world. The Committee therefore welcomes the fact that this cooperation being highlighted in the communication on the EU's comprehensive approach to external conflict and crises.

The Committee notes that a discussion is in progress on global development goals after 2015 and that work in 2014 will, *inter alia*, take place within the framework of the working group on sustainable development goals and within the Expert Committee on Sustainable Development Financing. On 25 June 2013 the Council adopted conclusions for the development framework after 2015 based on the Commission communication 'A Decent Life for All: Ending poverty and giving the world a sustainable future' (COM(2013) 92). The Commission gave notice in the work programme that a follow-up communication on the development framework after 2015 will be presented in 2014. The Committee will continue to monitor the process on the basis of the Commission's future proposals, and in this context wishes to provide a reminder of its statements 2012/13:UU18 Review of the Commission's

Communication

on a framework for global development after 2015. In this statement, the Committee largely concurred with the Commission's proposals in its communication and backed the aspiration to integrate follow-up of Rio +20 into the global development agenda after 2015. The Committee considered the Communication to provide a good basis for future discussions and that it is important that the EU can agree on a number of principles ahead of the global debate on the development framework after 2015. The Committee also highlighted a number of priority areas in its statement.

Like the Commission, the Committee notes that EU enlargement helps to consolidate peace and stability along the Union's borders and to promote fundamental values and democracy. Enlargement links back to the idea of a united Europe that lives in peace on which the whole of European cooperation rests. In statement 2012/13:UU10 on activity in the EU in 2012, the Committee emphasised that the EU's commitment to the process of enlargement favours both the Union and the countries striving for membership and that this message must be clearly highlighted for the public in order to increase understanding of and support for enlargement.

The Committee emphasises neighbourhood policy and the signing of agreements with countries in the Eastern Partnership as being of particular importance. The Eastern Partnership, which came about on a Polish-Swedish initiative, is strategically important for the whole of the EU. The Committee therefore welcomes the progress that has been made and that was formalised at the Eastern Partnership's summit in Vilnius on 28-29 November 2013. Free-trade and association agreements with Moldova and Georgia were initialled at the meeting. The Committee notes that these agreements are the most far-reaching association and free trade agreements to have been offered to countries that are not accession countries and that it is very important that the agreements can be signed as soon as possible.

Contacts between people are an important element in a rapprochement between the EU and neighbouring countries and can inspire democracy and modernisation. The Committee therefore welcomes the fact that the Commission proposed on 27 November 2013 that Moldovan citizens be exempted from visa requirements for travel into the Schengen area as Moldova has reached all the benchmarks set. The proposal will now be discussed by the European Council and the Council.

The Committee notes at the same time that the association and free-trade agreements with Ukraine and Armenia could not be signed and initialled respectively at the summit in Vilnius. In a joint statement by the President of the Commission, José Manuel Barroso, and the President of the European Council, Herman Van Rompuy, on 25 November 2013 on Ukraine, it was established that signature of the association and free-trade agreement in the long term provides the best support to the Ukrainian economy, reform agenda and modernisation. The Committee concurs with this view and considers that the economic development and modernisation in the Eastern Partnership favours both the countries themselves and the EU and neighbouring countries. The Committee wishes to stress that each country must be free to choose its relationship with the EU. It is important, according to the Committee, to stress

that the door remains open to countries seeking closer political and economic association with the EU and that the Union is prepared to sign association and free-trade agreements as soon as the countries wish to do and fulfil all the set criteria. This is also in line with the principle of 'more for more' which has been established in the framework of Community policy.

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

Reservations

The Committee's proposal for a decision by the Riksdag and positions resulted in the following reservations.

1. Commission Work Programme 2014 – grounds (Green Party)

by Bodil Ceballos (Green Party).

Position

The focus in the Commission Work Programme for 2014 provides opportunities to look more closely at how the protection of human freedoms and rights in general and the European Convention on Human Rights in particular are applied within the Union's institutions and Member States in implementation of the actions already decided upon. This is particularly important in issues that fall within the areas of the Stockholm programme and other activities. This also applies in the framework of the proposed new priorities for 2014.

Greater supranational authority in proposals for legislation from the Commission should be prevented.

The Green Party wishes to state as follows with regard to a future new strategy for the area of freedom, security and justice. The Stockholm programme finishes at the end of 2014. Before the work on a new strategy begins, it is of the greatest importance that the work on the present one is followed up and evaluated and that this takes place in a way that includes both Member States and non-governmental organisations and citizens in the Member States. Experience of action taken must be drawn on here, particularly on issues concerned with effects on the exercise and protection of human rights and freedoms.

Unfortunately the Task Force Mediterranean, which presented its proposals on 4 December 2013, has not learnt anything from the latest tragedy off the Italian island of Lampedusa, where more than 350 migrants drowned in October 2013. Instead of proposing concrete actions to improve the prospects of the EU rescuing migrants in maritime distress, which is what is desperately needed, the Commission once again focuses on border controls.

The Commission proposes that military forces could be involved in order to defend EU borders against migrants. The Commission also proposes that the EC cooperate with North African states on border surveillance. On the pretext that it is a matter of preventing trafficking, it attempts to shift the EU's external borders to the north coast of Africa.

Although some concrete things are proposed, such as an inquiry on the use of humanitarian visas, which is positive, the focus is on border controls and obtaining help with this from third countries. What is needed is safe and legal routes to enter the Union and seek asylum.

The Green Party wants legal routes to be created. This can be done in many different ways and can happen through a combination of measures. EU Member States can start using humanitarian visas, so that refugees can obtain a visa to enter the EU and seek asylum. This possibility already exists in the legislation and just needs to start to be used. Migrants would then be able to avoid being assisted by refugee smugglers and taking the dangerous routes across the Mediterranean, for example, in substandard boats.

It ought also to be possible to seek asylum at EU foreign missions in countries outside the EU. Common resettlement programmes in the EU could also bring about great change. Only a small number of EU Member States take quota refugees today (Sweden is one of them). If all the Member States took as many quota refugees as Sweden, many refugee camps could be closed.

In Sweden, we additionally have an open system for labour immigration (not just highly qualified workers are welcome, but anyone if they have received offer of employment in Sweden on the same terms as others in Sweden), and it is therefore possible to come to Sweden legally in that way. If more EU countries opened up to labour immigration, there would be another legal route for migrants.

In addition, the liability of carriers ought to be abolished so that airlines, boat companies or boat owners are not penalised if they have people on board who do not have the right papers.

If legal routes are opened up, we comply with international conventions and prevent more people from drowning in the Mediterranean while fleeing to Europe. As long as there is war around the world, people will continue to flee, and we must then take our responsibility.

The Commission Work Programme should contain proposals for legal ways of entering the EU and seeking asylum. The work programme should also contain proposals for changed terms of reference for Frontex, focused on life-saving and respect for human rights. In addition, Dublin III ought to be amended so that asylum seekers themselves can choose for themselves which country they are to be placed in.

On other issues we essentially concur with the position of the committee majority.

2. Commission Work Programme 2014 – grounds (Sweden Democrats)

by Julia Kronlid (Sweden Democrats)

Position

Safeguarding an open Europe

In its statement, the Committee on Foreign Affairs has expressed its appreciation of European openness, something with which the Sweden Democrats in principle can agree. If we are to be able to safeguard an openness in Europe which is sustainable in the long term and does not jeopardise stability and security in Europe, however, we wish to stress that certain requirements and conditions must be made more stringent. The conditions for neighbourhood cooperation must be made more stringent with regard to both mobility and economic integration and

potential access to the free market. The requirements must be tightened in particular with regard to the future process of enlargement. We consider firstly that conditionality must be made stricter and secondly that new Member States must not have a GDP that is below the level of the Member States. We also consider that potential new Member States need to resolve any conflicts with neighbouring countries before they accede to the EU. We otherwise refer with regard to EU neighbourhood policy to our separate opinion in statement 2011/12:UU5.

Economic and Monetary Union

With regard to the more specific specialist areas, it is unfortunate that the Committee does not more clearly criticise the Commission for the areas the Committee is affected by. The Committee ought not to express its support for the Commission's orientation and ought instead to state that these areas are most suitably dealt with at national level.

This applies not just to the issue of a federal resolution mechanism but also a general overhaul and supervision of the banking sector and financial regulation.

It is positive that the Committee has questioned the crisis management framework and in particular the extremely tangible risk of moral hazard. The Committee ought not, however express itself positively on initiatives being taken in the area at all, as the issue ought to be dealt with nationally. It is a positive feature that the Committee criticises the deposit guarantee scheme. The Committee ought, however, to have argued that for Swedish purposes the deposit guarantee scheme must be denominated in Swedish kronor and not in euros. We otherwise refer with regard to economic and monetary union to our separate opinion in statement 2012/13:UU4. With this we concur with the Sweden Democrats' dissenting opinion in the Committee on Finance opinion 2013/14:FiU4y.

Justice and security

The Sweden Democrats consider that some of the arguments and the announced amendments to the work programme in the area of Justice and Security are not acceptable from a Swedish perspective.

As there is no need for a European Public Prosecutor's Office, the proposal to establish such an authority should be withdrawn and not implemented. The EU should protect its financial interests against corruption scandals by working for more secure internal routines, greater transparency and reduced supranational authority instead of harmonising the criminal law of the Member States. It is further mentioned in the work programme that the Commission intends to put forward a framework for sanctions against Member States where the rule of law is under challenge. However, it not possible to discern precisely what the Commission means by this vague formulation. The Commission should be made aware that national sovereignty should be safeguarded and that the EU must not adopt a position as some form of supranational constitutional court. It must not be a matter for the EU to intervene in the constitutional matters of other countries.

Finally it should be pointed out that highest-priority tools for protecting EU citizens are to re-establish adequate national border protection, strengthen the Union's common border protection and strengthen work on preventing, identifying prosecuting and deporting illegal immigrants and work in similar ways to prevent smuggling of illegal goods and objects into the Union. This should be the EU's overarching goal for the Commission in the area of Justice and Security which the Commission has to work towards fulfilling. With this we concur with the Sweden Democrats' dissenting opinion in the Committee on Justice opinion 2013/14:JuU3y.

External action

In its statement, the Committee emphasises the importance of counteracting a weakening of the EU's Common Foreign and Security Policy. Even we can see that there is added value in cooperating on large overarching issues of common interest, but we wish at the same time to underline the importance of each country's sovereign right to pursue its own foreign and security policy being preserved, and that this must not be undermined. We therefore cannot concur with the Committee's unilaterally positive attitude to strengthened development of the EU's common foreign and defence policy. The Sweden Democrats take the view that this process has both limited endorsement among the Swedish people and in addition gives the Riksdag limited opportunities to exert influence. We otherwise refer with regard to the Union's work on external action to our separate opinions in statement 2012/13:UU18 and report 2012/13:UU10.

Overarching views

As well as regarding individual proposals in the Commission Work Programme for 2014, such as strengthened economic and monetary union and a European Public Prosecutor's Office, the Sweden Democrats also question the approach presented by the Commission. The work programme exudes anxiety that the proposals presented by the Commission previously will not find support in a new Commission and a newly elected European Parliament. According to the Sweden Democrats it would be becoming of the Commission to have greater respect for the democratic process and allow the negotiations on the individual parts of the programme to take the time needed instead of trying to force the proposals through.

It is difficult to see any motives other than political prestige for prioritisation for example of the proposals that exist in the Ecofin area, particularly in view of the fact that the economic crisis in itself does not provide a basis for almost panic-like time frames.

The Sweden Democrats would have preferred the Commission quite simply to have let discussion of the proposals take the time required. A large number of the proposals are technically complex, and some are, in addition, of an extremely politically sensitive nature. Utilising the fact that at present there is a European Parliament with a federalist focus, in any case in the area of justice and home affairs, together with weak presidency, is, according to the Sweden Democrats, totally reprehensible.

Instead of trying to force through the large and problematic proposals, the Commission ought to focus principally on the REFIT measures and the less complex issues and allow a new Commission and a European Parliament with new and fresh popular trust to adopt a position on whether, and if appropriate how, to proceed with the proposes for example for strengthened economic and monetary union.

3. Commission Work Programme 2014 – grounds (Left Party)

by Hans Linde (Left Party)

Position

The Left Party is critical of the Commission's proposal to continue work on reinforcing economic governance and completing the Banking Union. There is a risk firstly of a Banking Union reinforcing the power of the EU at the expense of the Member States and secondly of citizens in Sweden being forced to pay to banks in crisis in other countries. There is a need for significantly more powerful measures to secure financial stability, for example introducing bank-splitting legislation separating traditionally banking activity from speculative investment activity.

We further consider the proposal on crisis management for banks to be the wrong route to take. There is a risk that a single resolution mechanism and a mandatory lending mechanism will increase the tendency of banks to take excessive risks, moral hazard. The lending mechanism may additionally lead to involuntary and unplanned weakening in those Member States that are forced to lend funds to other Member States.

The Commission's legislative proposals in the area of freedom, security and justice, which mean increased supranational authority, should be prevented. The inadequate implementation by the Member States of EU provisions is not a reason for the Commission to present proposals for further legislation, which in itself contributes to more supranational authority. The proposals to establish a European Public Prosecutor's Office and the data protection package entirely or partially conflict with the principle of subsidiarity and should not therefore be implemented.

The Left Party considers it high time that the EU took its responsibility for a migration policy that since 1993 has cost more than 17 000 human lives. The Left Party wants an asylum policy that creates legal routes into Europe for asylum-seekers. No-one should need to risk their life to have their right to asylum considered. The escalated militarisation of European borders merely leads to more deaths and to systematic breach of the right of asylum. Legal routes into Europe can be created by asylum visas being issued at embassies and foreign missions, but also by lifting visa requirements from countries affected by conflict or war or whose regimes subject the population to torture or persecution. The Dublin Regulation, which today concentrates reception of refugees in southern Europe, should be abolished. Reception conditions and the asylum process still differ widely between EU countries. Asylum-seekers should therefore be allowed to choose for themselves where they wish to seek asylum.

EU foreign policy has become more coordinated as a result of the Lisbon Treaty and the new External Action Service. This means that the Member States are to speak with a single voice externally and strengthen the influence of the EU on the international stage: the objective is to give the Member States as uniform and harmonised a defence and foreign policy as possible. The Left Party is opposed to this trend. We cherish independent Swedish foreign policy. We see that Sweden has good opportunities to be an important force globally for international solidarity, disarmament, women's rights etc. Unfortunately we have already seen too many examples of how Sweden's voice in key areas is silenced as a result of EU Member States having to reach a common position through compromise.

On other issues we essentially concur with the position of the committee majority.

ANNEX 1

List of documents reviewed

Commission Communication COM(2013) 739 Commission Work Programme 2014

ANNEX 2

List of statements

Review statements in 2013

Statement/committee	Basic document	Decision
2012/13:TU8 An integrated parcel delivery market for the growth of e-commerce in the EU (Green Paper)	COM(2012) 698	20.02.13
2012/13:KU14 Report from the Commission on subsidiarity and proportionality (19th report on better lawmaking covering the year 2011)	COM(2012) 373	20.03.13
2012/13:KU15 Report from the Commission Annual report 2011 on relations between the European Commission and national parliaments	COM(2012) 375	20.03.13
2012/13:FIU29 A blueprint for a deep and genuine economic and monetary union Launching a European Debate (Communication)	COM(2012) 777	10.04.13
2012/13:NU20 Review of Setting up a European retail action plan and Green Paper on unfair trading practices	COM(2013) 36 COM(2012) 37	24.04.13
2012/13:UU18 Communication A decent life for all: Ending poverty and giving the world a sustainable future	COM(2012) 92	15.05.13
2012/13:NU23 Review of communication on smart regulation	COM(2013) 122	29.05.13
2012/13:MJU18 Green Paper on a European strategy for plastic waste in the environment	COM(2013) 123	30.05.13
2012/13:FIU40 Green Paper Long-term financing of the European economy	COM(2013) 150 COM(2013) 169	13.06.13 17.06.13
2012/13:NU24 Review of Green Paper on A 2030 framework for climate and energy policies	COM(2013) 213	19.06.13
2012/13:F6U12 Green Paper on the insurance of natural and man-made disasters	COM(2013) 231	19.06.13
2012/13:KU26 Green Paper on Preparing for a fully converged audiovisual world: growth, creation and values		

Examination statements in 2013

Statement/committee	Base document	Decision
2012/13:SoU17 Subsidiarity testing of Commission proposals for revised tobacco products directive	COM(2012) 788	21.02.13
2012/13:TU13 Subsidiarity testing of Commission proposals in fourth railway package	COM(2013) 27 COM(2013) 28 COM(2013) 29 COM(2013) 30 COM(2013) 31	27.03.13
2012/13:FöU11 Subsidiarity testing of Commission proposal on common network and information security in the Union	COM(2013) 48	10.04.13
2012/13:SkU33 Subsidiarity testing of Commission proposal on enhanced cooperation in the area of financial transaction tax (FTT)	COM(2013) 71	11.04.13
2012/13:MJU20 Directive establishing a framework for maritime spatial planning and integrated coastal management	COM(2013) 133	02.05.13
2012/13:TU20 Subsidiarity testing of Commission proposal for a regulation on measures to reduce the cost of deploying high-speed networks	COM(2013) 147	30.05.13
2012/13:TU21 Subsidiarity testing of Commission proposal for a regulation establishing a framework on market access to port services and financial transparency of ports	COM(2013) 296	26.06.13
2013/14:FiU13 Subsidiarity testing of Commission proposal for a regulation on a Single Resolution Mechanism and a Single Bank Resolution Fund	COM(2013) 520	16.10.13
2013/14:JuU13 Subsidiarity testing of proposal on the establishment of a European Public Prosecutor's Office	COM(2013) 534	24.10.13
2013/14:TU5 Subsidiarity testing of Commission proposal for a regulation on measures concerning the European single market for electronic communications	COM(2013) 627	06.11.13

ANNEX 3

Opinion of the Committee on
Finance
2013/14:JuU2y

Commission Work Programme 2014

To the Committee on Foreign Affairs

The Committee on Foreign Affairs on 14 November 2013 gave the Committee on Finance, among others, an opportunity express an opinion on the Commission Work Programme for 2014 (COM(2013) 739).

In its opinion, the Committee on Finance addresses some of the proposals in the work programme affecting the Committee's remit.

The Committee's considerations

Background

The Commission adopted its work programme for 2014 on 22 October 2013. The programme contains proposals which the Commission hopes to be able to adopt in the next few months, including on the Banking Union, the two single market acts, mobility for workers and the digital agenda.

The Commission will continue in 2014 to take forward key processes which are embedded as part of the way the EU now works:

- promoting the Europe 2020 goals through the European Semester of economic policy coordination;
- consolidating the progress made in economic governance;
- reporting on progress in economic, social and territorial cohesion;
- taking forward the annual enlargement package and the European Neighbourhood Policy.

In addition to this, the Commission is working on a limited number of new initiatives to be presented in 2014.¹ With the exception of legal obligations, technical updates and specific urgencies, the Commission will not come forward with other new legislative proposals.

The Commission will undertake a wide range of preparatory and exploratory work to help prepare the ground for some of the key decisions to be taken in future years. This will include impact assessments and public consultations designed to identify key issues and choices and to examine their potential impacts. The Commission also proposes a wide-ranging programme of analysis and legislative reform.²

The proposals that will be withdrawn are listed in an annex to the work programme.³

Priorities for 2014 in the area of the Committee on Finance

The Commission has attached to the programme a list of the initiatives the Commission plans to present in 2014 and the first half of 2015. The following are of particular interest to the Committee on Finance.

¹ COM(2013) 739 Annex II.

² Regulatory Fitness and Performance (REFIT: Results and Next Steps, COM(2013) 685, 2.10.2013.

³ COM(2013) 739 Annex IV.

Economic and monetary union

The Commission is continuing to work on reinforcing economic governance and completing the Banking Union, in line with the blueprint for a deep and genuine Economic and Monetary Union. Discussions on deepening the EMU will continue in 2014.

In the framework of the European Semester, the coordination of economic policies will be reinforced in 2014 with the second year of implementation of the legislative package for budget monitoring ‘two-pack’. This will contribute to ensuring that the proposals for national budgets are in line with the finance-policy objectives of the euro area. The semester will be launched with the Annual Growth Survey in November. The next generation of cohesion policy programmes will also be geared to supporting the implementation of the country-specific recommendations.

As regards the banking sector and financial regulation, the Commission will prioritise implementation of the Single Supervisory Mechanism and agreement on the Single Resolution Mechanism. The Commission will also continue its overhaul of financial regulation and supervision with work in areas such as the structural reform of banks, shadow banking and long-term financing. A sound financial system and implementing all G20 commitments remain prerequisites for a sustainable recovery and long-term financial stability.

The Commission will also work to improve the ability of the financial system to finance the real economy and to increase the use of financial instruments to maximise the leverage effect of the EU budget. Ongoing cooperation with the European Investment Bank to support access to finance for SMEs will continue to be pursued as a vital lever to restore growth. The Commission emphasises that strong support from Member States will be critical for success.

Smart, sustainable and inclusive growth

The new multiannual financing framework programmes are designed to support the priorities of Europe 2020 and include a wide range of measures to boost investment, promote employment and social inclusion, develop human capital and prioritise reforms with a direct impact on growth and jobs. The programmes are to be capable of being fully operational in 2014.

The Government’s background brief

The Government writes in its background brief on the Commission Work Programme for 2014 (2013/14:FPM23) that is in favour of the Commission presenting a work programme with specific initiatives. This makes it easier

for the Member States to plan EU work and contribute to openness on the EU's legislative process. The priority areas are largely in line with the Government's priorities in EU policy. The Government emphasises that it is particularly positive that the issue of employment and growth is given great scope. Each individual initiative presented must, however, be assessed and discussed on its own merits. The Government will return to the Riksdag when the individual legislative initiatives are presented.

The position of the Committee

The Committee wishes firstly to emphasise that in the main it supports the orientation indicated by the Commission in the work programme. The Committee concurs with the Commission's assessment that it is necessary to complete the work on the many growth-promoting proposals which are under discussion in the legislative process, and to speed up implementation of the proposals.

The Committee presents below comments on some of the initiatives the Commission prioritises within the remit of the Committee on Finance. This applies to the issue of the Single Resolution Mechanism, the crisis management framework and the deposit guarantee scheme. As the proposals are now the object of negotiation, the Committee's comments are more overarching in nature.

In its work programme the Commission also indicates some new initiatives for the single market and services within the Committee's remit. This applies to follow-up of the Green Paper on long-term financing of the European economy, frameworks for crisis management and crisis resolution for institutions other than banks. The Committee takes a positive view of these proposals.

The Common Resolution Mechanism

The Commission writes in its work programme that it intends to implement the Single Supervisory Mechanism and reach agreement on the Single Resolution Mechanism. The Committee takes a positive view of the Commission continuing its overhaul of the financial regulation and supervision of the banking sector and financial regulation. As regards the Single Resolution Mechanism, the Committee emphasises that it is important that those Member States that do not take part in the Banking Union are not discriminated against. It should be noted in this context that in a reasoned opinion (statement 2013/14: FiU13) to the Commission considers that the Commission's proposal for a Regulation on a Single Resolution Mechanism and a Single Bank Resolution Fund (COM(2013) 520) might conflict with the principles of subsidiarity and proportionality. According to the Riksdag it was also doubtful whether the proposal was compatible with the Treaty. The Riksdag pointed out the proposal on recovery or resolution of a bank was highly complex and that some parts of it were even difficult to understand. Furthermore the Riksdag was in doubt as to whether the system would work effectively in a crisis situation as so many institutions and authorities would

be involved. If a banking crisis occurs, the time for decisions and action is very limited. Action often has to be taken over a weekend. The decision-making procedure, in the view of the Riksdag, must therefore be simple, clear and short. There is otherwise a great risk of not succeeding in maintaining stability in the financial system.

The Riksdag also pointed out that the proposal did not contain sufficiently strong protection against the possibility of national budget funds being used to finance the Single Bank Resolution Fund. The Riksdag emphasised that a proposal from the Commission must be compatible with the principle of national right of taxation and the opportunities of national parliaments to decide for themselves on the use of budget funds. As well as these aspects, the proposal also meant that power was transferred from the national institutions and authorities to corresponding institutions and authorities at EU level, which according to the Riksdag gave the EU bodies disproportionately great influence.

Framework for recovery and resolution of banks

The Committee takes a positive view of initiatives in the area as it is important to ensure that all Member States have an opportunity to act swiftly and powerfully to restore confidence in the financial system. The Committee recalls, however, that in a reasoned opinion (statement 2011/12: FiU12) to the Commission, the Riksdag considered that the Commission's proposal for a directive establishing a framework for the recovery and resolution of credit institutions and investment firms, known as the crisis management framework (COM(2012) 280 conflicted with the principles of subsidiarity and proportionality). In the view of the Riksdag the introduction of mandatory and binding mechanism for borrowing between the national financing arrangements might lead to a 'moral hazard', as a result of the possibility of some Member States being tempted to under-fund their national arrangements. The lending mechanism could additionally lead to an involuntary and unplanned weakening of the Member States' government finances, which would militate against one of the purposes of the Commission directive. The proposal has subsequently been amended on several points and is now the subject of three-way negotiations between the Commission, the Council and the European Parliament. Among other things, the previously binding mechanism for borrowing has been replaced by a voluntary system.

The Committee takes the view that there are still doubts over parts of the proposal. This applies for instance, to the 'bail-in tool' being applied in all situations. In the Committee's view it should instead be up to each Member State to assess whether that tool is to be applied in a particular case. The Committee further considers that the current proposal gives the European Banking Authority (EBA) excessive powers with regard to the possibility of providing binding mediation and issuing binding technical standards.

Deposit guarantee schemes

The Committee notes that the Directive on Deposit Guarantee Schemes has direct links to the crisis management framework with regard to issues of financing and how resources in the deposit guarantee funds may be used in

bank resolution. According to the Committee, these directives must therefore be handled in parallel. The Committee considers that the Swedish model, where an authority is responsible for the deposit guarantee, should be maintained. The target level for the fund should also be a minimum level which the Member States are at liberty to exceed.

The Riksdag found in its reasoned opinions (statement 2009/10:FiU42 and 2009/10:FiU43) on the Commission proposal on deposit guarantee schemes and investor compensation schemes (COM(2010) 368 and COM(2010) 371 respectively) that the proposals were in conflict with the principle of subsidiarity. The Riksdag's objection was to the proposal to introduce an obligation for the Member States' guarantee schemes to lend funds to the other Member States' guarantee schemes.

According to the Riksdag the objectives of the Commission proposal – which is ultimately financial stability – could be achieved better, or perhaps only, if responsibility for funding the guarantee schemes became entirely a national responsibility. To avoid any moral hazard and give the Member States incentives to build up adequately funded guarantee schemes, each Member State ought to have full responsibility for funding.

Stockholm, 12 December 2013

On behalf of the Committee on Finance

Fredrik Olovsson

The following members have taken part in the decision: Fredrik Olovsson (Social Democratic Party), Jonas Jacobsson Gjörtlér (Moderate Party), Pia Nilsson (Social Democratic Party), Göran Pettersson (Moderate Party), Jörgen Hellman (Social Democratic Party), Peder Wachtmeister (Moderate Party), Bo Bernhardsson (Social Democratic Party), Carl B Hamilton (Liberal People's Party), Marie Nordén (Social Democratic Party), Per Åsling (Centre Party), Sven-Erik Bucht (Social Democratic Party), Staffan Anger (Moderate Party), Per Bolund (Green Party), Anders Sellström (Christian Democrats), Sven-Olof Sällström (Sweden Democrats), Ulla Andersson (Left Party) and Lotta Olsson (Moderate Party).

Dissenting opinions

1. Self-determination of the national parliaments (Sweden Democrats)

Sven-Olof Sällström (SD) states:

I think it is unfortunate that the Committee does not criticise the Commission more clearly for the areas the committee is affected by in its statement on the Commission Work Programme for 2014 to the Committee on Foreign Affairs.

The Committee ought not to express its support for the Commission's orientation and ought instead to state that these areas are most suitably dealt with at national level. This applies not just to the issue of a federal resolution mechanism but also to a general overhaul and supervision of the banking sector and financial regulation.

It is positive that the Committee has questioned the crisis management framework and in particular the extremely tangible risk of moral hazard. The Committee ought not, however express itself positively on initiatives being taken in the area at all, as the issue ought to be dealt with nationally.

It is a positive feature that the Committee criticises the deposit guarantee scheme. The Committee ought, however, to have argued that for Swedish purposes the deposit guarantee scheme must be denominated in Swedish kronor and not in euros.

2. Crisis management of banks (Left Party)

Ulla Andersson (Left Party) states:

In my opinion, the Commission's proposal on crisis management for banks is the wrong route to take. There is a risk that a single resolution mechanism and a mandatory lending mechanism will increase the tendency of banks to take excessive risks (moral hazard). The lending mechanism may additionally lead to involuntary and unplanned weakening of public finances in those Member States that are forced to lend funds to other Member States.

There is a risk of a Banking Union reinforcing the power of the EU at the expense of the Member States and of citizens in Sweden being forced to pay to crisis-ridden banks in other countries. I consider there to be a need for significantly stronger measures to safeguard financial stability. One such measure is to introduce bank-splitting legislation that separates traditional banking activity from speculative investment activity.

ANNEX 4

Opinion of the Committee on Justice 2013/14:JuU2y

Commission Work Programme 2014

To the Committee on Foreign Affairs

On 14 November 2013 the Committee on Foreign Affairs decided to give the Committee on Justice an opportunity to express its views on the European Commission Work Programme 2014, COM(2013) 739, in the sections relating to the Committee's remit. The Committee presents overarching views on these parts of the Commission Work Programme in the opinion.

The Committee welcomes the fact that the main theme of the Commission Work Programme is implementation and results. In the Committee's view, the Commission's most important task in 2014 is to implement measures already decided upon. The Committee also emphasises that inadequate implementation of EU provisions by the Member States does not provide grounds for the Commission to present proposals for further legislation, which in itself contributes to more supranational authority.

The Committee also emphasises the importance of the Commission taking account in continued legislative work of the subsidiarity objections raised by the Riksdag with regard to the Commission's proposal for a Directive on protection of personal data in the area of the fight against crime and the proposal for the establishment of a European Public Prosecutor's Office.

The Stockholm Programme indicates the basis for priorities in the area of freedom, security and justice. The programme covers the period 2010–2014, and is now coming to an end. It is the task of the European Council to establish strategic guidelines for the legislative programme and the operational programme planning for the coming period. In the Committee's view it is of great importance that the Council (justice and home affairs) is given a leading role in preparations in order to draw up the guidelines, the development of these and also in work aimed at implementing the guidelines.

It is crucially important that all the EU institutions, including therefore the Commission, undertake to promote the goals set out in the future strategy.

There are three dissenting opinions (Green Party, Sweden Democrats and Left Party).

The Committee's considerations

Background

The Commission adopted the work programme for 2014 on 22 October 2013 (COM(2013) 739). The Committee on Foreign Affairs initiated a review of the programme on 15 November 2013. The Committee on Foreign Affairs decided in conjunction with this to give the Committee on Finance and the Committee on Justice an opportunity to express an opinion by 19 December on those parts of the work programme that affect the remit of the committee concerned.

In a communication to the European Parliament, the Council and the national parliaments, the Commission has declared that it maintains that the proposal for a European Public Prosecutor's Office agrees with the principle of subsidiarity. The Commission therefore maintains its proposal (COM(2013) 851)¹. The Commission states, however, that during the legislative process it will take account of what the national parliaments have stated in their reasoned opinions.

Commission Work Programme 2014

In the work programme the Commission describes its political priorities ahead of and during 2014. The core of the work programme is promotion of growth and employment. The overarching theme is implementation and results.

Under the heading of Key challenges for 2014, it is stated that one of the priorities for 2014 is to complete the negotiations on a number of proposals the Commission considers to have potential to boost growth and create new jobs. The Commission's view is that the proposals concerned are of key importance and it considers them to be sufficiently advanced to have a realistic chance of adoption in the coming months. The relevant proposals are listed in Annex I to the work programme. Among these proposals are

- the fight against money laundering: Proposal for a Directive on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (COM(2013) 45)
- the data protection package: Proposal for a Directive on the protection of personal data with regard to the processing of personal data for the purposes of prevention, investigation, detection or prosecution of criminal offences (COM(2012) 10) and proposal for a general Regulation on data protection (COM(2012) 11) and
- the European Public Prosecutor's Office: Proposal for a Regulation on the establishment of a European Public Prosecutor's Office (COM(2013) 534).

¹ Communication from the Commission to the European Parliament, the Council and the national parliaments on the review of the proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office with regard to the principle of subsidiarity, in accordance with Protocol No 2.

Under the heading of Key priorities for 2014 and the sub-heading of Justice and security, the Commission describes the priorities within the remit of the Committee on Justice. The Commission states as follows. The EU must protect citizens and safeguard their rights. To this end, the effective application of EU rules and the reinforcement of cooperation between national authorities in the areas of security and justice are essential. The recurrent tragedies in the Mediterranean further reinforce the need for European action, including stronger measures to prevent loss of lives at sea, to support those seeking international protection, to secure protection of EU borders and target human traffickers, and enhance cooperation with third countries.

Effective justice systems and clear action against fraud are mentioned among the factors supporting the economy. As a result of the European Public Prosecutor's Office, which the Commission has proposed, it will be possible for crime against the financial interests of the EU to be prosecuted more effectively. The Commission will also envisage further systemic improvements in the OLAF Regulation. These improvements are inspired by the guarantees of rule of law contained in the Commission's proposal for a European Public Prosecutor's Office and can be transposed to OLAF's administrative investigations. These can be enacted even before the European Public Prosecutor's Office is established.

With the end of the transition period set out in the Lisbon Treaty in 2014, police and judicial cooperation in criminal matters will be fully integrated into the EU's system of law. The Commission intends to set out how it believes justice and home affairs policies should evolve and deepen as the Stockholm programme comes to an end.

The position of the Committee

The Committee welcomes the overarching theme of the Commission Work Programme: implementation and results. A number of EU provisions have been adopted since cooperation was initiated in the area of freedom, security and justice. To ensure that the Member States enjoy the benefits of this legislation, it is crucial that more effort is put into implementation. The Committee therefore takes a positive view of the Commission's intention to work hard to ensure that EU citizens enjoy the benefits of the extensive legislative programme on which the EU has already agreed as quickly as possible. The same applies to the Commission's aspiration to continue the cooperation with the Member States to ensure that EU rules are implemented and applied correctly and are followed strictly.

The Committee wishes to emphasise, however, that inadequate implementation of EU provisions by the Member States does not provide grounds for the Commission to present proposals for further legislation, which in itself contributes to more supranational authority.

When drafts of new legislation are prepared, the Committee considers that greater emphasis should be put on analysing current legislation. The intention should be to strengthen existing legislation when it is possible to do so.

The Commission's priorities for 2014

The Commission mentions, as indicated above, that the European Parliament and the Council have to finalise negotiations on a series of existing proposals, including the proposals to establish a European Public Prosecutor's Office and on the data protection package. In subsidiarity-testing the proposals mentioned, the Committee has found them to wholly or partially conflict with the principle of subsidiarity.

The Commission's proposal to establish a European Public Prosecutor's Office resulted in a total of 14 reasoned opinions from the national parliaments. The proposals mentioned have thus led to the second yellow card since the Lisbon Treaty came into force. A yellow card means that the Commission has to review its decision (Protocol No 2 of the Treaty). As indicated above, the Commission decided in its review to maintain the proposal. The Commission has stated that in continued legislative work account will be taken of what the Member States have argued in their reasoned opinions.

The Committee wishes to underline the importance of the Commission, in the continued legislative process, takes account of the fact that a yellow card was issued concerning the proposal to establish a European Public Prosecutor's Office and of the views expressed by the national parliaments.

The Committee now wishes to return the subsidiarity objectives the Committee had with regard to the proposed directive on data protection in the area of the fight against crime (which forms part of the data protection package). Unlike the framework decision (Council Framework Decision 2008/97/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters [the Data Protection Decision] which it is intended to replace, the proposed directive also covers national processing of personal data carried out by the competent authorities of the Member States for the purpose of prevention, investigation, detection and prosecution of criminal offences or enforcing criminal sanctions. In testing the proposal for subsidiarity, the Committee has noted that those parts of the proposal concerned with the purely national processing of personal data are in breach of the principle of subsidiarity (statement 2011/12:JuU31). The Riksdag has concurred with the Committee's assessment (Parliamentary Communication 2011/12:175).

The Committee has also expressed its views to the Committee on the Constitution with regard to the proposal for a general regulation on data protection (COM(2012) 11). The Committee stated that the special nature of the area of the police and criminal law and the need for special regulations on the processing of data within the activities of police and judicial authorities. The Committee presumed that the special features of the area of the fight against crime and need for special regulation would be respected in the general data protection regulation (opinion 2011/12:250).

New priorities for 2014

The recurrent tragedies in the Mediterranean

The Commission has summoned the EU Member States to a special Task Force Mediterranean to draw up proposals for measures to enable similar accidents to be avoided in the future. The Committee welcomes the work being done in this area but argues that more can be done under the current regulatory framework.

Effective systems of justice

The Committee concurs with the Commission's assessment that effective systems of justice and clear anti-fraud measures are factors that support the economy.

The Commission states here that as a result of the establishment of the European Public Prosecutor's Office it will be possible for criminal offences against the European Union to be prosecuted more effectively. As mentioned earlier, the Committee considers that the proposal to establish a European Public Prosecutor's Office is in breach of the principle of subsidiarity. The Committee has indicated in its statement (2013/14:JuU13) that as such it shares the Commission's view that it is very important to be able to combat crime against the economic interests of the EU. The Committee's view is, however, that the Commission has been unable to show that the purpose of the proposal, to combat criminal offences against the economic interests of the EU in an effective way, cannot be attained through measures taken at national level, for example on the basis of intergovernmental cooperation as offered *inter alia* by Eurojust. The Committee notes that the full potential of Eurojust is not known as all not all the Member States have implemented the latest Eurojust decision (2009/426/JHA). There may also reason to await completion of negotiations and implementation of the Directive on the fight against fraud to the Union's financial interests by means of criminal law (COM(2012) 363) before drawing any conclusions on whether the goals of the planned action cannot be attained to a sufficient extent by the Member States. Nor, in the Committee's view, has the Committee shown that the goals of the proposed measure can be achieved better through further measures at EU level than at national level.

The Committee also draws attention to the fact the Member States' results regarding investigation of criminal offences against the financial interests of the EU vary widely. The Committee considers it disproportionate to try to tackle a problem that mainly only applies to certain Member States by introducing a scheme that affects all the Member States in a radical way.

The Committee further considers that the proposal is so far-reaching that it must be questioned whether the proposed measures might not extend beyond what is necessary to attain the goal of the proposal. There ought to be other less far-reaching alternative ways of attaining the aim of the proposal, for example preventing crime against the interests of the EU through further measures.

In the Committee's opinion concerning the Commission Work Programme for 2013 (opinion 2012/13:JuU2y), the Committee argued that a proposal to establish a European Public Prosecutor's Office must be preceded by a thorough analysis in which other alternatives are also considered. The Commission wishes to reiterate that the Commission should consider other less far-reaching and less radical alternative ways of fighting crime against the financial interests of the EU.

New strategy for the area of freedom, security and justice

The Stockholm programme, which was adopted by the European Council in December 2009, indicates the foundations for priority-setting in the area of freedom, security and justice during the period 2010 to 2014. This programme is of great strategic significance and has provided a long-term vision for work done in the area. The period covered by the Stockholm programme is coming to an end, and new strategy is needed for work in this area.

Article 68 of the Treaty on the Functioning of the European Union states that it is a task for the European Council to define strategic guidelines for legislative and operational planning in the area. In the Committee's view it is of great importance that the Council (justice and home affairs) is given a leading role in preparations in order to draw up the guidelines, the development of these and also in work aimed at implementing the guidelines. The Committee wishes to highlight the importance of work on drawing up the new guidelines being transparent and the EU institutions, the Member States and citizens being closely involved in the work.

There should also be a follow-up mechanism to monitor the implementation of the new strategy.

It is crucially important that all the EU institutions, including therefore the Commission, undertake to promote the goals set out in the future strategy.

Stockholm, 5 December 2013

On behalf of the Committee on Justice

Morgan Johansson

The following members have taken part in the decision: Morgan Johansson (Social Democratic Party), Johan Linander (Centre Party), Krister Hammarbergh (Moderate Party), Ewa Thalén Finné (Moderate Party), Kerstin Haglö (Social Democratic Party), Anti Avsan (Moderate Party), Christer Adelsbo (Social Democratic Party), Jan R Andersson (Moderate Party), Elin Lundgren (Social Democratic Party), Anna Wallén (Social Democratic Party), Arhe Hamednaca (Social Democratic Party), Patrick Reslow (Moderate Party), Maria Ferm (Green Party), Richard Jomshof (Social Democrats), Lena Olsson (Left Party), Jan Ertsborn (Liberal People's Party) and Stefan Svanström (Christian Democrats).

Dissenting opinions

1. The Commission's Work Programme for 2014 (Green Party)

Maria Ferm (Green Party) states:

The focus in the Commission Work Programme for 2014 provides opportunities to look more closely at how the protection of human freedoms and rights in general and the European Convention on Human Rights in particular are applied within the Union's institutions and Member States in implementation of the actions already decided upon. This is particularly important in issues that fall within the areas of the Stockholm programme and other activities. This also applies in the framework of the proposed new priorities for 2014.

Greater supranational authority proposals for legislation from the Commission should be prevented.

The Green Party wishes to state as follows with regard to a future new strategy for the area of freedom, security and justice. The Stockholm programme finishes at the end of 2014. Before the work on a new strategy begins, it is of the greatest importance that the work on the present one is followed up and evaluated and that this takes place in a way that includes both Member States and non-governmental organisations and citizens in the Member States. Experience of action taken must be drawn on here, particular on issues concerned with effects on the exercise and protection of human rights and freedoms.

Unfortunately the Task Force Mediterranean, which presented its proposals on 4 December, has not learnt anything from the latest tragedy off the Italian island of Lampedusa, where more than 350 migrants drowned in October. Instead of proposing concrete actions to improve the prospects of the EU rescuing migrants in maritime distress, which is what is desperately needed, the Commission once again focuses on border controls.

The Commission also proposes that military forces could be involved in order to defend EU borders against migrants. The Commission also proposes that the EC cooperate with North African states with border surveillance. On the pretext that it is a matter of preventing trafficking, it attempts to shift the EU's external borders to the north coast of Africa.

Admittedly, some concrete things are proposed, such as an inquiry on the use of humanitarian visas, which is positive. The focus, however, is on border controls and obtaining assistance from third countries with these. What is needed is safe and legal routes to enter the Union and seek asylum.

The Green Party wants legal routes to be created. This can be done in many different ways and can happen through a combination of measures. EU Member States can start using humanitarian visas, so that refugees can obtain a visa to enter the EU and seek asylum. This possibility already exists today in

the legislation and just needs to start to be used. Migrants would then be able to avoid being assisted by refugee smugglers and taking the dangerous routes across the Mediterranean, for example, in substandard boats.

It ought also to be possible to seek asylum at EU foreign missions in countries outside the EU. Common resettlement programmes in the EU could also bring about great change. Only a small number of EU Member States take quota refugees today (Sweden is one of them). If all the Member States took as many quota refugees as Sweden, many refugee camps could be closed.

In Sweden, we additionally have an open system for labour immigration (not just highly qualified workers are welcome, but anyone if they have received offer of employment in Sweden with equally good terms as others in Sweden), and it is therefore possible to come to Sweden legally in that way. If more EU countries opened up to labour immigration, there would be another legal route for migrants.

In addition, the liability of carriers ought to be abolished so that airlines, boat companies or boat owners are not penalised if they have people on board who do not have the right papers.

If legal routes are opened up, we comply with international conventions and prevent more people from drowning in the Mediterranean while fleeing to Europe. As long as there is war around the world, people will continue to flee, and we must then take our responsibility.

The Commission Work Programme should contain proposals for legal ways of entering the EU and seeking asylum. The work programme should also contain proposals for changed terms of reference for Frontex, focused on life-saving and respect for human rights. In addition, Dublin III ought to be amended so that asylum seekers themselves can choose for themselves which country they are to be placed in.

2. The Commission Work Programme for 2014 (Sweden Democrats)

Richard Jomshof (Sweden Democrats) states:

I consider that some of the argument in the work programme and announced changes in the area of Justice and security are not acceptable from a Swedish perspective.

As there is no need for a European Public Prosecutor's Office, the proposal to establish such an authority should be withdrawn and not implemented. The EU should protect its financial interests against corruption scandals by working for more secure internal routines, greater transparency and reduced supranational authority instead of harmonising the criminal law of the Member States.

It is further mentioned in the work programme that the Commission intends to put forward a framework for sanctions against Member States where the rule of law is under challenge. However, it not possible to discern precisely what the Commission means by this vague formulation. The Commission should be made aware that national sovereignty should be safeguarded and that the EU must not adopt a position as some form of supranational constitutional court. It must not be a matter for the EU to intervene in the constitutional issues of other countries.

Finally it should be pointed out that highest-priority tools for protecting EU citizens are to re-establish adequate national border protection, strengthen the Union's common border protection and strengthen work on preventing, identifying prosecuting and deporting illegal immigrants and work in similar ways to prevent smuggling of illegal goods and objects into the Union. This should be the EU's overarching goal for the Commission in the area of Justice and Security which the Commission has to work towards fulfilling.

3. The Commission's Work Programme for 2014 (Left Party)

Lena Olsson (Left Party) states:

I am critical of some of the EU provisions that have been introduced in the area of freedom, security and justice, which in my view lead to greater supranational authority.

I concur with the majority position that deficient implementation of EU provisions in the Member States is not in itself a reason for the Commission to table proposals for further legislation. This also leads to greater supranational authority. I otherwise concur with the criticism and comments made by the majority regarding the Commission Work Programme.

I also wish to state the following. It is high time that the EU took its responsibility for a migration policy that since 1993 has cost more than 17 000 human lives. The Left Party wants an asylum policy that creates legal routes into Europe for asylum-seekers. No-one should need to risk their life to have their right to asylum considered. The escalated militarisation of European borders merely leads to more deaths and to systematic breach of the right of asylum.

The disaster off Lampedusa is one of the greatest of its kind, but unfortunately it is just one disaster among many. The organisation United has collated information from the whole of Europe for the period January 1993 to November 2012 to produce a horrifying list of 17 306 deaths. This list contains all known deaths in connection with journeys to Europe by refugees and migrants and on arrival. Since then, the civil war in Syria has driven millions more to flee. The E responds by making it difficult for asylum-seekers and migrants to enter the Union. The EU guards its external borders with the assistance of the coast guard and border police. New Member States have tough requirements with regard to preventing people from crossing borders.

The Left Party considers there to be a need to create legal routes into Europe. This can be done by asylum visas being issued at embassies and foreign missions, but also by lifting visa requirements from countries affected by conflict or war or whose regimes subject the population to torture or persecution. The Dublin Regulation, which today concentrates reception of refugees in southern Europe, should be abolished. Reception conditions and the asylum process still differ widely between EU countries. Asylum-seekers should therefore be allowed to choose for themselves where they wish to seek asylum.

By closing its borders, the EU forces refugees into the arms of traffickers. There are very few legal routes into Europe for those wishing to seek protection from war, persecution and violence.

In view of the situation outlined above, the Commission Work Programme should contain proposals on how the EU is to prevent disasters such as the one that occurred off Lampedusa from taking place. The disaster mentioned was concerned in particular with the right to seek asylum and respect for human rights. With reinforced border surveillance and fences, the Member States and the joint European border police Frontex prevent asylum-seekers from entering Europe. What is required instead is humanitarian assistance at the borders.