



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Civil Liberties, Justice and Home Affairs

7.1.2010

NOTICE TO MEMBERS

Subject: Hearing with Cecilia MALMSTRÖM, Commissioner-designate for Home Affairs

Please find enclosed the written answers sent by Cecilia MALMSTRÖM.

General competence, European commitment and personal independence

- 1. What aspects of your personal qualifications and experience are particularly relevant for becoming Commissioner and promoting the European general interest, particularly in the area you would be responsible for? What motivates you? What guarantees of independence are you able to give the European Parliament, and how would you make sure that any past, current or future activities you carry out could not cast doubt on the performance of your duties within the Commission?**

I grew up in France and had the possibility already as a child to make friends from all corners of Europe. I realised quite early that many of my friends at school had a past different from my own, with their grandfathers and other family members buried beneath one of those white crosses in the graveyards I visited with my parents in Normandy or Alsace. I think those years raised my awareness that not all European modern history was as happy as the Swedish one. I also spent some years in Catalonia in the late 1980's, which made me realise the horrors of the Franco regime and the importance of Spain's integration into the European Community. All this has contributed to my strong commitment to European integration, and this is why I was one of the leading figures campaigning for a yes in the Swedish referendum on EU membership in 1994.

I have devoted the past 20 years to working with European issues. Starting as an academic doing research in the field of European politics and teaching on the European Studies Programme at the University of Göteborg, I wrote my Ph.D. thesis in political science on aspects of European politics. Subsequently, I have spent seven years as Member of the European Parliament (MEP) and three years as Minister for European Affairs in Sweden.

As a Minister, I have been primarily charged with the preparation and coordination of the Swedish EU Presidency, yet other horizontal issues have also formed part of my portfolio. I have also made it a priority to dialogue with citizens, civil society and local councillors, aiming to stimulate debate on European issues and make Swedes feel more comfortable with the European Union. My experience from the European Parliament and the Swedish government has given me a deep knowledge about the different sensitivities in Europe.

I am of the firm belief that only a strong Europe can respond to the expectations of citizens in tackling common challenges and in building a strong common future. Law enforcement cooperation, migration and asylum, are realities that require stronger common policies in Europe. The prospect of establishing these policies is a true challenge – difficult indeed – and the Stockholm Programme is a good start. It will be a privilege to be able to deliver concrete results in this field, in cooperation with both the European Parliament and Member States. Considering that the adoption of the Stockholm Programme has been one of the top priorities of the Swedish Presidency, I am well acquainted with the issues at stake in the field of Home Affairs.

Migration issues have been part of my political agenda for many years. As a local politician in the 1990's, I served for seven years on the local boards of immigration and integration in the City of Göteborg, a city with 154 nationalities. Sweden is one of the countries in Europe receiving most immigrants in relation to its population. I have

conducted research in this field and I am the author of a book putting Swedish migration policy in a foreign policy perspective.

Serving as a government Minister, my financial and organisational arrangements have been thoroughly scrutinised. I am well aware of the demands put on a Commissioner and have completed the Declaration of Interests. I am also aware, in total agreement, and determined to comply fully with the obligations on ethical standards, independence and integrity foreseen by the Treaty. I will do all I can to avoid any position or situation which could put my integrity and independence as a Commissioner into question. I will fully respect the obligations included in the Code of Conduct for Commissioners during my mandate.

Management of the portfolio and cooperation with the European Parliament and its committees

2. How would you assess your role as a Member of the College of Commissioners? In what respect would you consider yourself responsible and accountable to the Parliament for your actions and for those of your departments?

My role as Commissioner in charge of Home Affairs is to take the full responsibility for my activities, proposals and initiatives, without prejudice to the principle of collegiality. While concentrating in full on my own portfolio, I also see a need to follow closely the work of the rest of the College.

I intend to work closely with the Commissioner for Justice, Fundamental Rights and Citizenship and our Directorate-General to ensure a smooth cooperation as our portfolios are interlinked and interdependent – and should be so. The protection of citizens' fundamental rights must be the essence of the area of freedom, security and justice. I see my task much as one seeking to establish a balance between ensuring respect for the freedom and integrity of the individual, and guaranteeing a secure Europe for our citizens and all who live here.

With the Lisbon Treaty in force, the areas under my responsibility are subject to the ordinary legislative procedure, strengthening the role of the European Parliament. This is a positive development, which will increase legitimacy and also place European Home Affairs policies under full democratic control. I am looking forward to regular, fruitful and constructive cooperation with the Committee on Civil Liberties, Justice and Home Affairs (LIBE) specifically, but also with the European Parliament in general. I am well aware that this also requires my presence both in committee and in plenary.

Having served seven years as an MEP, I have a broad network in the House and good knowledge about Parliament's work. I also have an understanding of the needs and thinking of the Parliament. I am looking forward to apply to the area of Home Affairs the provisions of the Lisbon Treaty, in cooperation with the LIBE committee.

As a Commissioner and a leader, I will seek to ensure confident and transparent cooperation between my cabinet and the Directorate-General, as well as with other colleagues and their respective DGs and staff.

3. What specific commitments are you prepared to make in terms of enhanced transparency, increased cooperation and effective follow-up to Parliament's

positions and requests for legislative initiatives, also in the light of the entry into force of the Treaty of Lisbon? In relation to planned initiatives or ongoing procedures, are you ready to provide Parliament with information and documents on an equal footing with the Council?

As an MEP and rapporteur for the Foreign Affairs Committee, I was one of the key figures behind regulation 1049/2001 on Public Access to Documents. Transparency, administrative reform and good governance are all values and issues I have been defending all my political life and I am convinced that transparency leads to higher efficiency and increased accountability.

It goes without saying that the European Parliament and the Council, in their capacity as co-legislators, must be ensured equal access to all relevant information and documents with regard to legislative dossiers and other ongoing procedures. The Framework Agreement provides a good basis for transparency and information between the Commission and the European Parliament and I undertake to fully respect it.

This year's European elections again demonstrated the urgent need to involve citizens in European policy-making. The Lisbon Treaty will pave the way for improvement, but the Treaty itself will not solve the problems of lacking legitimacy that we still face.

Both as MEP and Minister, I have engaged actively in dialogue with the public, in particular with students and Non-governmental Organisations. By pushing a debate on issues that concern citizens, by showing what decision-makers do in Brussels and by demonstrating how issues on the EU agenda directly affect the daily lives of our citizens, we can eventually move Europe into the domestic debate in Member States.

This is, in my opinion, the only way to increase the legitimacy of the Union.

In my new capacity as Commissioner, I will continue to pursue a dialogue with the general public and civil society across Europe. I will also continue my struggle for "user-friendliness" of EU proposals and decisions.

Policy-related questions

- 4. What are the three main priorities you intend to pursue as part of your proposed portfolio, taking into account, where relevant, the financial, economic and social crisis and concerns related to sustainable development?**

Without prejudice to the Commission's right of initiative, the Stockholm Programme as agreed by the European Council has set out a very clear direction for the coming five years. It calls for a number of initiatives from the Commission.

The Stockholm Programme is an important document that will be guiding the activities of the Commission and other institutions in the field of Justice and Home Affairs. The Commission intends to present a Communication and Action Plan defining the concrete measures and initiatives needed to implement the programme in the beginning of 2010. Together with the Commissioner for Justice, Fundamental Rights and Citizenship, we will take into account the views expressed by Parliament in your resolution of 25 November 2009.

Based on this my priorities will be the following:

- Establish a common system for asylum and a common migration policy, in line with the Pact on Immigration and Asylum. I intend to develop and implement a global approach with a view to concerted management of migrants in partnership with third countries. We need to establish a single asylum system based on solidarity, predictability and common responsibility based on international conventions and with full respect for the right of asylum. A single area of protection must be set up in Europe. We also need effective management of irregular immigration as well as a more effective and humane return policy.
- The establishment of a system for legal migration requires implementation of the policy Plan on legal migration. Labour immigration can contribute to increased competitiveness and economic vitality. In coordination with the Commissioner for Employment, Social Affairs and Inclusion, I intend to create a common but flexible admission system that takes into account Member States' different needs of skills and competence and will support Member States' efforts to integrate legal migrants.
- Develop an internal security strategy for a more secure union that will contribute to protecting our citizens. The respect for fundamental rights and solidarity between Member States will be guiding principles in this work. The strategy will include closer and more efficient law enforcement cooperation and a more coherent border management. These elements are crucial if the Union is to bring added value in the fight against cross-border organised crime, such as terrorism, human trafficking, sexual exploitation of children, child pornography, corruption, cyber-crime and drugs. The exchange of information, which is key here, must be improved taking into account the highest possible standard of data protection.

5. What are the specific legislative and non-legislative initiatives you intend to put forward, and according to what timetable? What specific commitments can you make regarding in particular the committees' priorities and requests attached hereto which would fall within your portfolio? How would you personally ensure the good quality of legislative proposals?

Together with the Commissioner for Justice, Fundamental Rights and Citizenship, I will very soon present the Action Plan on the Stockholm Programme as adopted by the European Council in December 2009. This plan will contain a comprehensive view on all actions planned in the area of freedom, security and justice.

A lot of new policy will be developed under my responsibility. It will have to be supported by specific evidence-based legislative and non-legislative initiatives. In order to do that correctly we need to evaluate what we have. I want to have a close look at the agencies under my responsibility, seeing how they work and if there are ways to increase their efficiency and cooperation with each other. An in depth impact assessment should take place before new legislation or proposals are put forward.

For instance, I intend to evaluate the current anti-terrorism legislation and see how it works in terms of efficiency and proportionality.

In order to achieve the main goals mentioned in question 4 I intend to reinforce the role of Frontex, Europol and Ceuol. I am convinced that they can work more

efficiently and in a more coordinated way. I will present proposals on the future role of Frontex within a few months.

Together with the Member States concerned, I also want to enlarge the Schengen area. In parallel, I want to facilitate border check procedures for third country nationals entering the Schengen area and also have an electronic record of those leaving it. I intend to table a proposal on an entry/exit system and a registered travellers' programme.

I am well aware of the Parliament's interest in visa facilitation for the Western Balkan countries. It is my intention to work closely with Albania and Bosnia-Herzegovina to help them fulfil the applicable criteria so that they also can move towards visa liberalisation in the not too distant future.

The European Internal Security Strategy will help us fight organised crime and terrorism in a more effective way. In particular I plan to present new proposals regarding human trafficking and sexual exploitation of children on the basis of the Lisbon Treaty.

In 2010 I will table proposals on legal migration. In this area we need to consolidate existing legislation but also improve its coherence. We need to review the laws on family reunification. This debate will start by the launch of a green paper in 2010.

In order to have a common policy on legal migration we also need an effective policy on removal and return to control illegal migration. We must pay particular attention to unaccompanied minors. I intend to submit an action plan on this as soon as possible.

Finally we shall set up a single asylum procedure and a uniform status of international protection. Here Europe will assert its common values. My focus will be on prompt adoption by the co-legislators of the remaining proposals of the Common European Asylum System and on its implementation. The guiding words here will be solidarity and burden sharing.

The Secretariat