

Statement of the Committee on Foreign Affairs 2022/23:UU4 Commission Work Programme 2023

In the statement, the Committee on Foreign Affairs presents its examination of the Commission Work Programme for 2023. In connection with the examination of the Work Programme, comments have been submitted by the Committee on Defence. A summary of the comments is contained in the appendix.

The position of the Committee

The Committee wishes to start by concurring with the Committee on Defence in welcoming the Commission Work Programme 2023. This Work Programme, together with the previous one, is especially interesting from a Swedish perspective as the implementation of both programmes will, to a considerable extent, affect the agenda of the Swedish Presidency of the Council of the European Union during the first six months of 2023. On 1 June 2022, the previous Government presented information in the Chamber of the Riksdag about the planning of the Presidency's general political direction. This includes internal and external security, the fight against organised crime, the climate transition, strengthening the EU's competitiveness and safeguarding the EU's fundamental values. In an interpellation reply dated 15 November 2022, the new Government confirmed the validity of the political direction of the Swedish Presidency, with an emphasis on the need to prioritise continued support for Ukraine (ip. 2022/23:12). At a general level, the Committee notes that the Commission Work Programme in several respects corresponds with the direction of the Swedish Presidency, and the Committee looks forward to the substance that the new Government will give to this direction in the Swedish Presidency programme which the Prime Minister will present to the Chamber of the Riksdag on 14 December 2022, in the run-up to the Presidency period.

The Commission Work Programme 2023 is the first work programme to be adopted since the Conference on the Future of Europe concluded its work, and the Commission makes an express effort to clarify the connection between new initiatives and the recommendations of the Conference. Like the Commission, the Committee considers that the success of the Conference should be judged by the extent to which it succeeds in inspiring long-term increased participation by the citizens in designing and making policies at EU level. In this context, it will be interesting to follow the Commission's planned work with European citizens panels when new proposals are prepared.

As regards the recommendations of the Conference on the Future of Europe, the Committee wishes to underline that this should be done within the framework of the existing treaties, and that the follow-up must also be able to lead to the conclusion that certain recommendations do not warrant further consideration. As the Commission demonstrates in the Work Programme, and as shown in the Communication on follow-up of the Conference on the Future of Europe (COM(2022) 404), as well as documentation in the Council's follow-up work (Council document 10033/22), there is already considerable scope for following up the recommendations of the Conference within the framework of the existing treaties. On this basis, the Committee rejects the proposal of the European Parliament to call a Convention for revision of the treaties (P9_TA(2022)0244). In this context, the Committee brings attention to the fact that, on 14 October 2022, the Committee on EU Affairs expressed its support for a Swedish approach that the follow-up of the Conference on the Future of Europe should not comprise treaty amendments as there is no consensus regarding the purpose of such a process which could potentially create and deepen cracks in EU cooperation, and that there is no reason to change the current institutional balance.

Regardless of this, the Committee sympathises with one of the treaty amendments proposed by the European Parliament. This is the proposal to enable the Council to take certain decisions relating to the common foreign and security policy by qualified majority instead of unanimity, for example, as regards sanctions and human rights. However, the Committee considers that this should be achievable by applying the transitional provision that exists in the current Treaty on European Union. The Committee on EU Affairs gave its support to a Swedish approach of that content presented at the consultation on 16 September 2022.

As regards the general direction of the Work Programme, the Committee shares the Commission's analysis that the ability to deal with the varied and extensive consequences of Russia's war against Ukraine requires a unanimous and decisive approach in the EU, in close partnership with international partners. As the Commission points out, the war has underlined the need to increase the pace of the green and digital transitions, not least in order to free the EU from its dependence on Russian fossil fuels.

The Committee stresses that it is important that the EU and member states continue to give concrete military, economic, humanitarian and political assistance to help Ukraine to resist Russia's invasion. In the light of this, the Committee

welcomes the Commission's proposal for an instrument for macro-financial assistance to Ukraine in 2023. The Committee notes that the Government, during deliberations with the Committee on Finance on 7 November 2022, received support for the position that it, even if there is a general resistance to joint loans in the EU for contributions to countries, is justifiable to implement exceptional solutions to help Ukraine, given the acute and extraordinary situation there. Furthermore, the Committee welcomes the EU's decision to grant military assistance to Ukraine through training of the Ukrainian Armed Forces (decision (CFSP) 2022/1968).

Like the Government, the Committee considers that the EU should prepare further sanctions against Russia and take measures to ensure that the sanctions are observed. In this connection, the Committee notes the Commission's proposal to identify violation of sanctions as an EU crime, which would provide the possibility to adopt harmonised minimum rules concerning the definition of criminal offences and penalties (decision (EU) 2022/2332). The Committee further notes that, at its meeting of 20-21 October 2022, the European Council urged the Commission to examine the possibilities, within the framework of EU law and international law, to use frozen assets to support Ukraine's reconstruction, and that the Commission accordingly presented an option paper on 30 November 2022 suggesting short- and long-term measures.

As regards general development of the EU's toolbox for restrictive measures, the Committee looks forward to the proposal announced in the Work Programme to create a foundation for the EU to introduce sanctions based on a corruption criterion. This is in line with the announcement to the Government on a broadening of EU sanctions legislation against serious violations of and crimes against human rights, about which the Riksdag took a decision at the proposal of the Committee in June 2021 (written communication 2020/21:115, committee report 2020/21:UU10, communication from the Riksdag 2020/21:357–358). However, the Committee brings to mind that the Riksdag's announcement not only concerns the possibility of applying EU sanctions in the case of large-scale systematic corruption, but also in the case of money laundering.

The Committee has previously highlighted the expectations that rest on countries in the accession process to adapt to the EU's foreign and security policy, especially as regards restrictive measures and other matters where major common interests are at stake. Unfortunately it is still relevant to point this out, and the Committee assumes that this will continue to be strongly expressed in contacts with the candidate countries concerned. Having said that, the Committee welcomes the fact that the Commission, in the Work Programme, highlights cooperation with candidate countries in the enlargement process and that Georgia is also mentioned in this context together with Ukraine and Moldova, even if the country still has an outstanding reform commitment before it obtains candidate country status. In the opinion of the Committee, the EU's enlargement process is an important instrument for encouraging comprehensive reform in the candidate countries and for promoting stability and development in the EU's neighbourhood. A credible enlargement policy does, however, presuppose that the EU lives up to existing commitments, and drives the accession process forward as each country deepens its commitment in accordance with the principles of conditionality and progress on one's own merits on the basis of clear criteria, where the EU's fundamental values play a central part. In the light of this, it is very pleasing that accession negotiations with Albania and North Macedonia could finally commence in July 2022. The Committee has also read the Commission's Communication on EU Enlargement Policy and the recommendation therein to grant candidate status to Bosnia and Herzegovina, COM(2022) 528.

The Committee notes that the Government, in the Statement of Government EU Policy presented by the Prime Minister in the Chamber on 16 November 2022, highlights the climate transition as one of four critical issues currently facing Europe, with the EU as Sweden's most important climate policy platform, and one of the world's foremost climate actors. Showing global leadership for the climate is, as the Committee has pointed out repeatedly, one of the EU's key tasks. In the context of the Commission Work Programme, the Committee shares, as stated above and like the Government, the conviction that the green transition needs to be accelerated. The Committee is thus positive to the fact that the Commission has included the proposals in the Fit for 55 package in the list of priority matters for legislation. At the same time, the Committee finds reason to bring attention to the fact that several of the proposals involve politically complex issues, as highlighted in the Riksdag's subsidiarity checks, for example, the proposals on renewable energy sources (COM(2021) 557, Statement 2021/22:NU9, communication from the Riksdag 2021/22:25), the LULUCF Regulation on land use and forestry (COM(2021) 554, Statement 2021/22:MJU10), the Social Climate Fund (COM(2021) 568, Statement 2021/22:MJU11, communication from the Riksdag 2021/22:26) and the Energy Performance of Buildings (COM(2021) 802, Statement 2021/22:CU34).

Of the special initiatives mentioned in the Work Programme as regards a stronger Europe in the world, the Committee wishes to give special attention to the work with a new agenda for cooperation with Latin America and the Caribbean. In the preparations for this agenda, the Committee on EU Affairs gave its support on 15 July 2022 to a Swedish approach that the EU should strengthen relations with like-minded countries and cooperation organisations in the region through

deeper political dialogue, a broad trade agenda and cooperation in strategic areas such as the green transition, digitalisation and the fight against cross-border organised crime. The Swedish approach also includes pushing for full ratification of the association agreements with Mexico, Chile and Mercosur, which the Committee notes is among the Commission's goals within the framework of the Work Programme 2023.

The Committee furthermore agrees with the Commission's view on the need to step up efforts in the field of security and defence, but wishes to draw attention to the Committee on Defence's comments about the importance of safeguarding member states' competence and freedom of action. The Committee also concurs with the Committee on Defence's welcoming of a new strategy for security and defence, as well as an update of the strategy for maritime security.

At a general level, the Committee wishes to stress the importance of the Commission's work with better regulation, from preparation of proposals to implementation, application and compliance with existing legislation. As the Commission points out, it is central to the functioning of the single market and for the confidence of the public and industry in the member states' public agencies and in the EU as regards common values, fundamental rights and respect for the rule of law. The Committee welcomes the Commission's preparedness for decisive action in the case of infringements which risk undermining the common values and fundamental freedoms.

The Committee agrees with what the Government has stated in its explanatory memorandum 2022/23:FPM11 about the need to improve competitiveness and reduce the regulatory burden. The Commission's forthcoming Communication on the single market may serve as a valuable basis for this. Like the Government, the Committee considers that the application of the one-in-one-out approach in order to limit the overall regulatory burden should be followed up, which the Commission also says that it intends to do in the Work Programme. The Committee is also positive to the cycle for the Strategic Foresight being shifted in order to create more time to take into account the analyses and conclusions of the annual report in the annual programme planning and preparation of the Commission Work Programme.

In conclusion, as regards the initiatives in various areas announced in the Work Programme, the other committees have been given the opportunity, as in previous years, to comment on the Work Programme within their respective areas. The Committee on Foreign Affairs has the ambition of focusing its own examination of the Work Programme on the responsibility that the Committee has for general matters of significance for the functioning and development of the Union and on foreign and security policy matters relating to the role of the EU in the world. The idea is that the Statement on the Work Programme should provide an opportunity for all committees, through their comments on the matter, to convey their assessments of the Work Programme and any minority positions in a cohesive way, without the Committee on Foreign Affairs weighing up or in some other way adopting a position on what is presented in the comments. The Committee maintains that this is an appropriate approach to the examination of the Commission Work Programme, but notes that this year, comments have only been submitted by the Committee on Defence, which means that large parts of the Work Programme remain without comment. Guidance regarding some of these parts can, nevertheless, be found in the Riksdag's examination of other strategic EU documents.

With regard to what has been stated above, the Committee proposes that the Riksdag file the statement.

Separate statement of opinion from the Sweden Democrats

In its position on enabling the Council to take certain decisions in the field of the common foreign and security policy by qualified majority, the Committee refers to a Swedish approach to the matter, which received support at the consultation with the Committee on EU Affairs on 16 September 2022.

We would like to draw attention to the fact that the representatives of the Sweden Democrats reported a dissenting position during this consultation, to the effect that the Sweden Democrats oppose any changes regarding the demand for unanimity in the Council. Even if a qualified majority can facilitate decisions, the fact that not all member states support decisions may undermine their importance and may also involve problems in implementation, for example, of sanctions. The full dissenting position can be read in the record of the Committee on EU Affairs' meeting 2021/22:55.

Separate statement of opinion from the Left Party

In its position on an agenda for Latin America and the Caribbean, the Committee refers to a Swedish approach on the matter which received support at a consultation with the Committee on EU Affairs on 15 July 2022.

I would like to draw attention to the fact that the representative of the Left Party reported a dissenting position during this consultation, to the effect that the agreement with Mercosur is not sufficiently sustainable and furthermore, that it does not counteract corruption or violations of human rights and against defenders of these rights. The full dissenting position can be read in the record of the Committee on EU Affairs' meeting 2021/22:52.

In response to the Committee's position on macro-financial assistance to Ukraine in 2023, I would also like to draw attention to the fact that the representative of the Left Party reported a dissenting position at the consultation with the Committee on EU Affairs on this matter on 8 November 2022. According to this dissenting position, the funding of a possible increased contribution to the EU budget in the event that Ukraine is unable to settle its loans to the Union may not be drawn from Sweden's development assistance budget. The dissenting position can be read in the record of the Committee on EU Affairs' meeting 2022/23:10.

As regards the parts of the Work Programme falling outside the remit of the Committee on Foreign Affairs, I regret that the Committee on Environment and Agriculture has chosen not to comment on matters concerning the European Green Deal. I consider that, regarding this part, criticism should be levelled regarding the delay in the revision of the REACH Regulation and the approach that the revision has now taken. The revision was planned in the second half of 2022, but has now been postponed to the end of 2023, which means in practice, that the revision cannot be completed before the end of the current term of office, the following year. It is, in my opinion, also clear that the Commission has allowed itself to be excessively influenced by the chemicals industry and that regard to the industry may come to overshadow both protection of human health and the environment. This is reflected in the fact that the initiative is now said to be intended to safeguard competitiveness and innovation of European industry and businesses, besides protection of human health and environment, which in the previous work programme was stated as the prime objective. Prompt mechanisms to monitor and vigorous regulation of chemicals are pressing in order to avoid the spread of dangerous chemicals. I also consider that the revision of REACH should lead to a gradual reduction and refinement of the use of animal testing. In addition to having given lower priority to the revision of REACH, I am concerned that the Commission has not included necessary revisions of several other supplementary rules on toxic substances and chemicals in its Work Programme.

Separate statement of opinion from the Green Party

In its position on macro-financial assistance to Ukraine in 2023, the Committee refers to a position on the matter which received support during deliberations with the Committee on Finance on 7 November 2022.

I would like to draw attention to the fact that the representative of the Green Party reported a dissenting position at these deliberations, to the effect that the funding of a possible increased contribution to the EU budget in the event that Ukraine is unable to settle its loans to the Union may not be drawn from Sweden's development assistance budget. The Green Party representative repeated this dissenting position when the matter was the subject of a consultation with the Committee on EU Affairs on 8 November 2022.

The dissenting position can be read in the record of the Committee on Finance from meeting 2022/23:11 and the record of the Committee on EU Affairs' meeting 2022/23:10.

Separate statement of opinion from the Liberal Party

In its position on follow-up of the Conference on the Future of Europe and the European Parliament's proposals for amendments to the treaties, the Committee refers to a Swedish approach on the matter which received support at a consultation with the Committee on EU Affairs on 14 October 2022.

I would like to draw attention to the fact that the representative of the Liberal Party reported a dissenting position at this consultation, to the effect that the proposals of the Conference on the Future of Europe on strengthening the European Parliament through reforms that give the Parliament the right of initiative and right of co-decision on the EU budget are important, and that decisions by qualified majority in more matters are also a reasonable way of strengthening the role of the national parliaments.

The dissenting position can be read in full in the record of the meeting of the Committee on EU Affairs 2022/23:5.

APPENDIX

Summary of comments from the Committee on Defence

In its comments, the Committee on Defence welcomes the Commission Work Programme 2023. While the Committee is positive to the fact that the EU is developing within the field of defence and security, it stresses the importance of safeguarding the member states' competence and national decision-making powers in this field. Initiatives at Union level must be designed in such a way as to ensure that they do not restrict member states' freedom to take the measures that are necessary to promote development at the national level, maintains the Committee on Defence.

It further states that the EU faces several challenges, and the Commission's ambition to respond to these through enhanced cooperation and action is welcomed by the Committee on Defence, which is positive to the fact that the Commission prioritises supporting Ukraine and stronger cyber security skills. The Committee on Defence is also positive to investments in the Union's civil protection and crisis management, among other things through firefighting capacity and a more resilient food supply. Work with new strategies for security and defence in space and for maritime security is also welcomed.

As regards the Commission's intention to increase defence materiel production in dialogue with the European defence industry, the Committee on Defence stresses that cooperation in the defence materiel area should have an intergovernmental emphasis and should take into account the member states' security interests. It is important that proposals concerning the European defence industry are preceded by comprehensive impact assessments. Such assessments should, in the opinion of the Committee on Defence, lead to a balancing of the proposals against individual member states' ability to determine which measures are the most effective and most appropriate and that it is ensured that new proposals in the defence industry area do not give the Commission greater influence over decisions that have previously been taken at the national level.