



THE PARLIAMENT OF THE CZECH REPUBLIC

SENATE

9th TERM

COMITTEE on EU AFFAIRS

136th RESOLUTION

delivered on the 14th meeting held on 2nd July 2013

on the Proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012

(Senate Press no. N 065/09)

Following introductory information by Ms. Zuzana Fišerová, General Director of the International Relations Section of the Ministry of Justice, the rapporteur's report by Senator Josef Tábořský and after a debate

The Committee

I. Adopts

a recommendation on the Proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012, attached to this Resolution;

II. Recommends

that the Senate of the Parliament of the Czech Republic give a statement on the Proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012, in accordance with the recommendation adopted by the Committee;

III. Appoints

Senator Josef Tábořský the Committee's rapporteur at the plenary session of the Senate of the Parliament of the Czech Republic;

IV. Authorises

the Committee Chairperson Senator Miroslav Krejča to submit this Resolution to the President of the Senate of the Parliament of the Czech Republic.

Miroslav Krejča

sign manual

Committee Chairperson

Josef Tábořský

sign manual

Committee Rapporteur

Luděk Jeništa

sign manual

Committee Verifier

Recommendation to the Senate of the Parliament of the Czech Republic

on the Proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012

The Senate of the Parliament of the Czech Republic

I.

1. Is aware

of prevailing administrative obstacles which prevent European citizens from fully exercising the right to free movement;

2. Supports therefore

the effort of the Commission to cut red tape for the EU citizens and companies and its effort to remove administrative obstacles to the exercise of freedom of movement;

II.

1. Welcomes

the proposal for a Regulation that enables simplifying the acceptance of certain public documents in the European Union;

2. Considers it appropriate

to maintain the possibility to prove the authenticity of a public document by Apostille in cases when reasonable doubts arise as to their genuineness, because it may represent a faster procedure for the person concerned than the procedure for solving such doubts proposed by the Regulation;

3. Points out

the fact that the removal of the requirement for certification of translations of public documents can, in cases of documents containing extensive and legally relevant information, lead to a situation when the authorities of the receiving Member State will not be able to assess whether the translation corresponds with the original, and the quality of translation would not be guaranteed by an official certification either, which may facilitate frauds;

4. Recommends therefore,

in the context of the above mentioned, that the Regulation should specify the conditions under which the receiving authority may request a certified translation of a document;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with information on the further proceeding of negotiations;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.