



Council of the  
European Union

116311/EU XXV.GP  
Eingelangt am 23/09/16

Brussels, 23 September 2016  
(OR. en)

12468/16

---

---

**Interinstitutional File:**  
2016/0176 (COD)

---

---

MIGR 166  
SOC 546  
CODEC 1300  
PARLNAT 252  
INST 377

#### COVER NOTE

---

From:	Chamber of Deputies of the Parliament of the Czech Republic
date of receipt:	22 September 2016
To:	General Secretariat of the Council
No. prev. doc.:	ST 10012/16, COM(2016) 378 final
Subject:	Proposal for Directive of the European Parliament and the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment [doc. ST 10012/16 MIGR 111 SOC 398 CODEC 852 + ADD 1-7 - COM(2016) 378 final] - Opinion <sup>1</sup> on the application of the Principles of Subsidiarity and Proportionality

---

Delegations will find attached the above mentioned reasoned opinion of the Chamber of Deputies of the Parliament of the Czech Republic.

---

<sup>1</sup> Translation(s) of the opinion may be available on the Interparliamentary EU Information Exchange website (IPEX) at the following address: <http://www.ipex.eu/IPEXL-WEB/search.do>



Permanent Representation of  
the Czech Republic to the EU

15, rue Caroly, 1050 Brussels  
phone.: +32 (0) 22139111, fax: +32 (0) 22139185  
www.mzv.cz/eu

**Martin Povejšil**  
Ambassador /Permanent Representative

Brussels, September 21, 2016  
No. 2597/2015-SZEU/JAV

*Dear President,*

Dear Mr. President,

Please find enclosed the letter from Mr. Jan Hamáček, Speaker of the Chamber of the Deputies of the Parliament of the Czech Republic, informing about the opinion of the Committee for European Affairs of the Chamber of Deputies of the Parliament of the Czech Republic on the Proposal for a Directive of the European Parliament and the Council on the conditions of entry and residence of the third-country nationals for the purpose of highly skilled employment (COM (2016) 378 final).

Yours sincerely,

*enc,*

Annex

His Excellency  
**Mr. Donald Tusk**  
President of the European Council  
European Council  
Brussels





PARLIAMENT OF THE CZECH REPUBLIC

JAN HAMÁČEK

SPEAKER OF THE CHAMBER OF DEPUTIES

Prague, 6 September 2016

Dear Mr. President,

let me inform you about the opinion of the Committee for European Affairs of the Chamber of Deputies of the Parliament of the Czech Republic on the the Proposal for a Directive of the European Parliament and the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment, COM (2016) 378 final, Council reference 10012/16. The Committee has adopted a reasoned opinion that the Proposal for a Directive does not comply with the principle of subsidiarity in the sense of the protocol no. 2.

The assessment period was set for September 22, 2016, that the reasoned opinion was therefore adopted in time.

Yours sincerely

Enclosure

Mr. Donald Tusk  
President of the European Council  
Brussels  
Belgium

SECRETARIAT GÉNÉRAL DU CONSEIL DE L'UNION EUROPÉENNE	
SGE16/09319	
Reçu le 21-09-2016	
DEST. PRINC. ....	M. CLOOS
DEST. COPISTES .....	DG D

**PARLIAMENT OF THE CZECH REPUBLIC**  
**Chamber of Deputies**  
**Committee for European Affairs**

Resolution No. 298

53<sup>rd</sup> session on 1<sup>st</sup> September 2016

**to the Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment /COM(2016) 378 final, Council reference 10012/16/**

---

**Conclusions of the Resolution:**

**The Committee on EU affairs:**

1. **does not support** the Proposal for a Directive of the European Parliament and the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment, COM (2016) 378 final;
2. **insists on** maintaining of the decisive role of the Member State of the European Union in the field of legal migration and employment, including preserving the right of individual Member States to determine volumes of legal migration;
3. **clearly rejects** the prohibition of parallel national systems, limiting the possibility of testing the labor market and extending the scope of the directive to holders of international protection because it is inconsistent with the principle of subsidiarity, and **adopts the reasoned opinion** pursuant to the article 6 of the Protocol (No. 2) on the application of the principles of subsidiarity and proportionality;
4. **supports** the government framework position to this document;
5. **nominates** the Chairman of the Committee on EU affairs to submit the reasoned opinion via the Chairman of the Chamber of Deputies to the Government, to the Chairman of the Senate, to the Chairman of the European Parliament, to the Chairman of the Council of the EU and to the Chairman of the European Commission, pursuant to the Rules of Procedures of the Chamber of Deputies.