

Press release – Rule of law in Poland: MEPs point to “overwhelming evidence” of breaches



Following Tuesday's vote on [amendments](#), the [draft interim report](#) will be tabled for final approval at committee level on Thursday morning, by chair [Juan Fernando López Aguilar](#) (S&D, ES).

The text focuses on the functioning of the legislative and electoral system, the independence of the judiciary and the rights of judges, and the protection of fundamental rights in Poland.

MEPs are deeply concerned that the situation in Poland has seriously deteriorated since Article 7(1) was triggered, despite hearings held with the Polish government in the Council following the December 2017 [European Commission proposal](#), multiple exchanges of views with MEPs, alarming reports by the United Nations, the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe, and four infringements procedures launched by the Commission.

The following are among key concerns reflected in the text:

- the constitutional revision powers taken on by the parliament since 2015, the use of expedited legislative procedures, as well as recent developments pertaining to changes to the electoral law and elections organised during a public emergency;
- broad changes to the country's judiciary, enacted during the last few years, ranging from the way appointments are made, to disciplinary procedures, posing a serious risk to judicial independence;
- the situation of fundamental rights, particularly freedom of expression, media freedom and pluralism, academic freedom, freedom of assembly and association;

- the *de facto* criminalisation of sexual education, as well as hate speech, public discrimination, violence against women, domestic violence and intolerant behaviour against minorities and other vulnerable groups, including LGBTI persons, and the drastic limitation, coming close to *de facto* banning of abortion and limiting access to emergency contraceptive pills.

Consequently, it “calls on the Council and the Commission to refrain from narrowly interpreting the principle of the rule of law, and to use the procedure under [Article 7\(1\) TEU](#) to its full potential [...] for all the principles enshrined in [Article 2 TEU](#), including democracy and fundamental rights”. Noting that the last hearing in the Council “was held as long ago as December 2018”, the text urges the Council “to finally act [...] by finding that there is a clear risk of a serious breach by the Republic of Poland of the values referred to in Article 2 TEU, in the light of overwhelming evidence thereof”.

You can watch recordings of the debates on the report [here](#) and on the vote on the amendments [here](#).

Next steps

The amended text will be put to the vote on Thursday morning, with results expected in the afternoon. The interim report is scheduled to be debated and voted on in plenary in September 2020.