

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



The EP Civil Liberties, Justice and Home Affairs Committee approved on Thursday the [draft interim report](#) by chair [Juan Fernando López Aguilar](#) (S&D, ES) with 52 votes for, 15 against and no abstentions, as [amended](#) at Tuesday's voting session.

The text focuses on the continuing deterioration of the situation in Poland as regards the functioning of the legislative and electoral system, the independence of the judiciary and the rights of judges, and the protection of fundamental rights. 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”, it 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”.

Read more about the contents of the report [here](#).

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

Quote

After the vote, the rapporteur Mr López Aguilar said: “In view of recurring allegations by PiS and the Polish authorities that they are facing double standards, this report concludes that there is no comparable case in Europe – other than Hungary, which is also subject to an ongoing Article 7 procedure. Over a period of just five years, the ruling majority has produced a cascade

of acts using expedited parliamentary procedures, with no concessions to parliamentary opposition nor to any minority, severely affecting rule of law values. Furthermore, no other government is facing four infringement procedures for ignoring CJEU rulings. Abiding by EU law is what being a Member State is all about.”

Next steps

The interim report is scheduled to be debated and voted on in plenary in September 2020.

Background

According to [Article 7 of the Treaty of the EU](#), the Council may determine that there is a clear risk of a serious breach of EU values. Before doing so, ministers shall hear the views of the national authorities. The Polish authorities have presented their position in front of the Council on three occasions, between June and December 2018.

At a later stage, the European Council may determine, by unanimity and with the Parliament's consent, that there is a serious and persistent breach of the rule of law, democracy and fundamental rights. This could eventually lead to sanctions, including suspension of voting rights in the Council.