Basic information

2016/2774(RSP) RSP - Resolutions on topical subjects	Procedure completed
Resolution on the recent developments in Poland and their impact on fundamental rights as laid down in the Charter of Fundamental Rights of the European Union **Subject** 1.10 Fundamental rights in the EU, Charter 8.30.10 Principles common to the Member States, EU values **Geographical area** Poland	

Key players

European Commission	Commission DG	Commissioner
	Secretariat-General	TIMMERMANS Frans

Key events

Date	Event	Reference	Summary
13/09/2016	Debate in Parliament		
14/09/2016	Decision by Parliament	T8-0344/2016	Summary
14/09/2016	Results of vote in Parliament		
14/09/2016	End of procedure in Parliament		

Technical information

Procedure reference	2016/2774(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Resolution on statement
Other legal basis	Rules of Procedure EP 136-p2
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Motion for a resolution		B8-0865/2016	12/09/2016	
Motion for a resolution		B8-0977/2016	12/09/2016	
Motion for a resolution		B8-0978/2016	12/09/2016	
Text adopted by Parliament, single reading		T8-0344/2016	14/09/2016	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2016)876	21/12/2016	

Resolution on the recent developments in Poland and their impact on fundamental rights as laid down in the Charter of Fundamental Rights of the European Union

2016/2774(RSP) - 14/09/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 510 votes to 160, with 29 abstentions, a resolution tabled by the EPP, S&D, ALDE, GUE/NGL and Greens/EFA groups on the recent developments in Poland and their impact on fundamental rights as laid down in the Charter of Fundamental Rights of the European Union.

The report recalled that the EU is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States. It also recalled that the Polish Constitution states that this country shall respect international law binding upon it.

However, recent events in Poland, in particular the dispute concerning the composition and functioning of the Constitutional Tribunal, and the non-publication of judgments handed down by the Constitutional Tribunal, have given rise to concerns regarding guarantees of respect for the rule of law.

The Venice Commission is composed of independent experts in constitutional law and aims to analyse and interpret the obligations of Council of Europe member states concerning the rule of law and democracy. It called on Polish state organs to publish, fully respect and implement the judgments of the Tribunal, while at the same time stressing that the aforementioned amendments would seriously undermine the Tribunal's work and make it ineffective as a guardian of the Constitution.

The paralysis of the Constitutional Tribunal has led the Commission to open a dialogue with the Polish Government under the Rule of Law Framework.

However, following an intensive dialogue with the Polish authorities, the problems threatening the Rule of Law in Poland has not yet been resolved.

The European Commission is now convinced of the existence of a systematic threat to the rule of law in Poland.

Concerned about the situation in Poland, Parliament called on the Commission to open a dialogue with a view to solve the constitutional crisis and to monitor the follow-up given by the Polish authorities to the recommendations of the Venice Committee and the European Commission.

Parliament is concerned about the recent and rapid legislative developments taking place in other areas without proper consultations. It urged the Commission to carry out an assessment of the legislation adopted as regards its compatibility with primary and secondary EU law and with the values on which the Union is founded, in particular:

- the Act on Public Media, bearing in mind the need for a framework governing public service media which would ensure that they provide independent, impartial and accurate content that reflects the diversity of Polish society;
- the Act amending the Police Act and certain other acts, bearing in mind its disproportionate interference with the right to privacy and the incompatibility of blanket mass surveillance activities and bulk processing of citizens' personal data with the case law of the EU;
- the Act amending the Code of Criminal Procedure and the Prosecution Act, bearing in mind the need to comply with the EU acquis in the field of procedural rights;
- the Act amending the Civil Service Act, bearing in mind the serious risk of politicisation of the Polish administration:
- the Act on Counter-terrorism, bearing in mind the serious threat to the right to privacy and the right to freedom of expression.