

MFA statement on the Polish government's response to Commission Recommendation of 27.07.2016

Today Poland has communicated to the European Commission, in the spirit of sincere cooperation, its response to the non-binding Commission Recommendation of 27 July 2016 regarding the rule of law in Poland.

Consolidation of a democratic rule of law in Poland, including the creation of stable foundations for the Constitutional Tribunal to operate, is an overriding objective for the Polish government. It therefore welcomes openly any suggestions on how to improve the work of the constitutional court. In our dialogue with the European Commission, we have assumed that our cooperation will be based on such principles as objectivism, or respect for sovereignty, subsidiarity, and national identity. However, we have gradually come to realise that interferences into Poland's internal affairs are not characterised by adherence to such principles. On top of that, such actions are largely based on incorrect assumptions which lead to unwarranted conclusions. So we regret to note that the Commission Recommendation is an expression of incomplete knowledge about how the legal system and the Constitutional Tribunal operate in Poland.

In the Polish government's response communicated to the Commission, this issue was addressed in great detail. As a result, we have concluded that we had no choice but to assess the Commission Recommendation of 27 July 2016 as groundless. Poland wishes to emphasize once again that the ongoing political dispute over the rules governing the work of the Constitutional Tribunal cannot form the basis for claiming that there is a systemic threat to the rule of law in Poland. The Polish government hopes that the explanations it has presented in its response to the Recommendation will be thoroughly analysed and understood by the European Commission.