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Letter | 15.11.2021

Leaders of political groups address a letter to Commission President on the Polish recovery plan

RRF

Dear President von der Leyen,

We demand that the Commission, as guardian of the Treaties, refrains from approving the Polish recovery plan until all conditions under the Recovery and Resilience Regulation are met.

A government that denies the primacy of EU law and violates the principles of the Rule of Law cannot be deemed trustworthy of fulfilling the commitments and obligations under our legal instruments. This includes the relevant criteria for the assessment of national recovery and resilience plans. The RRF requires that the bodies tasked with control and supervision have the legal empowerment and administrative capacity to exercise their tasks.

Parliament has expressed this view several times and has called on the Commission to take all the necessary measures in its power to rectify the situation as soon as possible.

Polish courts of all instances have demonstrated that they cannot ensure the right to a fair trial by an independent and impartial tribunal established by law, as recognised also by the Court of Justice and the European Court of Human Rights. This means that final control instances are not legally empowered to exercise their role and tasks as necessary for the approval of a national plan and the correct implementation of the NRRP.

A commitment in the form of milestones and targets would not be sufficient to allow for approval, especially in light of the interim measures taken by the Court of Justice. The Court of Justice’s measures can be summarized as 'comply immediately or pay', to which the Commission cannot take a stance of 'commit to comply in the future, and we will pay'.

Our demand must not be seen as punitive against the people of Poland, but as a means to support the restoration of the Rule of Law in Poland in the light of its continued deterioration.

Respectfully,

Mr. **Manfred Weber**, President of the EPP Group
Ms. **Iratxe Garcia Pérez**, President of the S&D Group
Mr. **Stéphane Séjourné**, President of the Renew Europe Group
Ms. **Ska Keller** & Mr. **Philippe Lamberts**, Co-Presidents of the Greens Group
Ms. **Manon Aubry** & Mr. **Martin Schirdewan**, Co-Chairs of The Left Group

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Ska Keller

Member



Philippe Lamberts

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Attached documents

RRF Presidential letter to Ursula van der Leyen

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