

RESOLUTION
OF THE SEJM OF THE REPUBLIC OF POLAND

of 19 November 2020

supporting the activities of the Council of Ministers in budget negotiations
in the European Union

Article 1.1. The Sejm of the Republic of Poland acknowledges and recalls that:

- 1) The Republic of Poland is a democratic and sovereign state governed by the rule of law, forming a political community of all citizens;
- 2) As a member of the European Union, the Republic of Poland and its citizens have the right to have their rights and sovereignty respected, on an equal footing with all other States and their citizens, on the basis of the Treaty on European Union and of the Treaty on the Functioning of the European Union and of the secondary legislation of the European Union that complies with them;
- 3) The principle of the rule of law as formulated in Article 2 of the Constitution of the Republic of Poland and Article 2 of the Treaty on European Union includes the principle of legal certainty, which means, among other things, that all actions of public authorities must be based on clear, equal for all, precise, predetermined provisions of law; this applies both to the Polish and EU legal order;
- 4) Just as it is unacceptable to make laws that could lead to discrimination and worse treatment of one citizen against another, so it is unacceptable to discriminate against Member States and to apply to them different standards of conduct; this is explicitly prohibited by the Constitution of the Republic of Poland¹ and the Treaty on European Union²;

¹ Article 32(1): All persons shall be equal before the law. All persons shall have the right to equal treatment by public authorities. Article 32(2): No one shall be discriminated against in political, social or economic life for any reason whatsoever.

² Article 4(2): The Union shall respect the equality of Member States before the Treaties as well as their national identities, inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government.

- 5) In recent years, the bodies of the European Union have repeatedly violated this principle, claiming that the reforms introduced in Poland are in breach of EU regulations, with no criticism of the identical regulations in force in other Member States of the European Union;
- 6) The repeated application of double standards by the European Commission undermines confidence in the reliability of this institution as an impartial guardian of the Treaties and raises concerns about its abuse of law in the future;
- 7) The principle of legal certainty and the need to make precise regulations on the European Union's Multiannual Financial Framework and the Recovery and Resilience Facility, which are not susceptible to arbitrary interpretations, are all the more important today;
- 8) This is particularly important because, as a consequence, the misuse of these regulations by the European Commission may lead to the complete suspension of financial support to the Member States: if only the European Commission decides to launch a procedure based on arbitrary, and possibly time-varying, criteria;
- 9) Any proposal containing provisions that are vague, imprecise and prone to biased interpretation must be strongly rejected; otherwise, there is a danger that payments from the EU budget may be completely blocked by an arbitrary decision of the European Commission;
- 10) The numerous statements made by politicians from many European countries leave no doubt that it is Poland that is to become the target of such actions; this issue is, therefore, of key importance for the Polish national interest.

2. Having regard to that, the Sejm of the Republic of Poland:

- 1) calls on the governments of all Member States of the European Union and the bodies of the European Union to return to the talks and to reach an agreement in line with the EU Treaties and the conclusions of the European Council of 17–21 July 2020;
- 2) declares that it will not agree to any solutions which do not provide the Member States of the European Union with a guarantee that their rights enshrined in the Treaties will be respected;

- 3) calls on all social and political forces in Poland to refrain, in matters of strategic interest of the State, from pursuing disputes which could be used to weaken the international position of Poland; in particular, to refrain from supporting or, all the more so, inspiring the actions of representatives of other countries contrary to the Polish national interest;
- 4) stresses that creating divisions between the Member States of the European Union is a great irresponsibility, especially at a time of a global pandemic when, as Europeans, we should mobilise all our forces in solidarity to fight for the lives of our citizens and to overcome the crisis that is threatening us;
- 5) expresses hope that a sensible approach to these issues by all the Member States of the European Union and the bodies of the European Union will allow clear, objective and treaty-compliant rules to be made together and will make it possible to reach agreement quickly and implement the instruments that the European economy needs.

Article 2. The Resolution takes effect on the day of its adoption.

MARSHAL OF THE SEJM

Elżbieta Witek