

Opinion No. 71
of the European Union Affairs Committee
of the Sejm of the Republic of Poland
on the
“Proposal for a regulation of the European Parliament and of the Council establishing
a crisis relocation mechanism and amending Regulation (EU) No 604/2013 of the
European Parliament and of the Council of 26 June 2013 establishing the criteria and
mechanisms for determining the Member State responsible for examining an
application for international protection lodged in one of the Member States by a third
country national or a stateless person (COM(2015) 450 final)”
adopted at its 361st meeting on 8th October 2015

The European Union Affairs Committee of the Sejm of the Republic of Poland:

1. acknowledges that the current migration crisis-related situation in the European Union is very serious and calls for taking joint action;
2. notes that the state’s involvement in the solution of the crisis should be dictated by events of exceptional and one-off character and should take into consideration the current capabilities and the specific character of a given country;
3. states that the legal basis proposed by the European Commission, i.e. Art. 78(2)(e) authorizing the European Union do adopt common principles for determining which Member State is responsible for conducting the asylum procedure, is not relevant for adopting a permanent mechanism for relocation of migrants between the Member States, as Art. 78(3) of the Treaty applies in this case, which calls for an authorization, in each case, by the EU Council;
4. does not support the “Proposal for a regulation of the European Parliament and of the Council establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third country national or a stateless person (COM(2015) 450 final)”;
5. endorses the Government’s position presented on the above matter.

Chair of the Committee

/-/ Agnieszka Pomaska