

Question for written answer E-001623/2025

to the Commission

Rule 144

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Subject: Suspension of the right to apply for asylum in Poland and pushback reports from the Poland-Belarus border

At the end of March 2025, a bill amending the Polish Act on Granting Protection to Foreigners entered into force. The new provisions allow the temporary suspension of the right to apply for asylum for migrants entering Poland via its border with Belarus. This bill could pave the way to violations of the non-refoulement principle, as clearly stated by the UNHCR¹ and the Polish Commissioner for Human Rights². It is not the first time that Poland has tried to give legal ground to pushback practices³.

These provisions could come into force against a backdrop of a recurring use of pushback practices at the Poland-Belarus border, as reported by several NGOs and researchers⁴, and while Poland stands accused of refoulements before the European Court of Human Rights⁵.

Considering that the non-refoulement principle and the prohibition of collective expulsions are binding and unavoidable for Poland:

1. Can the Commission assess the situation on the Poland-Belarus border, notably in relation to the latest report on pushback practices⁶?
2. Which initiatives does the Commission intend to pursue in order to ensure that Poland abides by Article 19 of the Charter of Fundamental Rights of the EU and Article 3 of the Convention against Torture?

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¹ <https://www.refworld.org/legal/natlegcomments/unhcr/2024/en/149257>

² <https://bip.brpo.gov.pl/en/content/chr-draft-amendment-act-granting-protection-foreigners-territory-republic-poland-opinion>

³ G. Baranowska, Pushbacks in Poland: grounding the practice in domestic law in 2021, Polish Yearbook of International Law.

⁴ Inter alia: C. Greener, D. Ozyńska, Brutal Barriers. Pushbacks, violence and the violation of human rights on the Poland-Belarus border; Pushed, beaten, left to die. European pushback report 2024; Human Rights Watch, Poland: brutal pushbacks at the Belarus border, 10 December 2024.

⁵ R.A. and Others v. Poland (no. 42120/21), European court of Human Rights.

⁶ C. Greener, D. Ozyńska, Brutal Barriers. Pushbacks, violence and the violation of human rights on the Poland-Belarus border.