

Question for written answer E-001143/2026
to the Commission
Rule 144
Maciej Wąsik (ECR)

Subject: Implementation of the SAFE programme in Poland

On 13 March 2026, Commission spokesperson Thomas Regnier announced the finalisation of a loan agreement with the Polish Government under the EU Security Action for Europe (SAFE) programme, with the aim of disbursing a 15% advance payment (around EUR 6.5-6.6 bn) as early as April 2026. This Commission statement came despite Polish President Karol Nawrocki vetoing, on 12 March 2026, the SAFE legislation that was to regulate national mechanisms for the management, control, audit and repayment of the loan. As a result of the veto, that legislation did not enter into force.

Polish constitutional experts and lawyers argue that taking on this SAFE borrowing in spite of the veto would constitute a significant infringement of the applicable Treaty provisions and therefore a breach of the rule of law.

In light of the above:

1. On what legal basis (specific articles of the SAFE Regulation and the Treaties) does the Commission intend to conclude an agreement and disburse funds without a national law implementing the management and repayment mechanisms?
2. Does the Commission consider that continuing the procedure without national legislation is not an infringement of Article 4(3) TEU (principle of sincere cooperation) or the rule of law?
3. Is the Commission aware of the consequences of making SAFE funds available contrary to a decision by the Polish authorities?

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