

(English version)

**Question for written answer E-002972/25
to the Commission
Juan Fernando López Aguilar (S&D)
(17 July 2025)**

Subject: Polish law suspending the right to asylum

In March 2025, Poland passed and immediately enacted legislation temporarily suspending the right of migrants arriving in Poland via its border with Belarus to apply for asylum. This measure allows authorities to suspend asylum rights for 60 days at a time. In May 2025, the Polish Parliament voted to extend the suspension. In detailed observations on the draft law in December 2024, the Office of the UN High Commissioner for Refugees (UNHCR) expressed concern over the law's compliance with EU and international law and the principle of non-refoulement.

1. Has the Commission reviewed this legislation and when will it share its results with Parliament?
2. What is the Commission's assessment of the Polish legislation and its compliance with EU law, and obligations of the EU Member States to uphold the right to asylum?
3. If the new law is found to be incompatible with Poland's EU obligations and EU law, what further action does the Commission, as guardian of the Treaties, plan to take to address this breach, and when?

Submitted: 17.7.2025

**Answer given by Mr Brunner on behalf of the European Commission
(10 October 2025)**

The Commission is aware of the Polish legislation providing for the possibility to temporarily suspend access to asylum, and of the decision of the Polish Government to apply that measure and to further extend it. The Commission is in contact with the Polish authorities on this matter.

The Commission supports Member States in countering the threats arising from the weaponisation of migration by Russia and Belarus. As recalled in the communication of December 2024 ⁽¹⁾, Member States can take exceptional measures to counter the weaponisation of migration, provided that they are proportionate, temporary, limited to what is needed and for well-defined cases. Such measures need to respect fundamental rights, including the principle of non-refoulement.

The Commission monitors and ensures the correct implementation of EU law by Member States in accordance with the Treaties.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52024DC0570>.