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Answer given by Ms Johansson
on behalf of the European Commission
(30.11.2024)

The Commission takes note of the recent publication of the Polish migration strategy. The Commission lacks at this stage the necessary information as to the precise modalities of any possible future national legislation that may emerge as a result of the proposals contained in the strategy. The Commission is therefore not in a position to provide an assessment as to their compliance with EU law and the EU Charter of Fundamental Rights.

The Commission condemns Belarus' hybrid attack on the EU's external borders and stands in full solidarity with the Member States affected by these actions. In its conclusions of 17th October 2024, the European council expressed its solidarity with Poland and with Member States facing these challenges. It also reaffirmed its commitment to countering the instrumentalisation of migrants for political purposes. Member States have a duty to protect the external borders, in line with their obligations under EU law, including the respect of the EU Charter of Fundamental Rights in the application of EU law.

The Commission is in close contact with the Polish authorities with the aim of ensuring that the protection of the EU's external borders against the instrumentalisation of migration for political purposes is done in a manner that is compliant with all fundamental rights, including the right to asylum and the principle of non-refoulement.