

(English version)

**Priority question for written answer P-003665/26
to the Commission
Arkadiusz Mularczyk (ECR)
(15 September 2026)**

Subject: Compliance of the differential compensation of Polish forced labourers under the EVZ Foundation with the principle of equal treatment (follow-up to E-002073/2026)

In its reply of 4 September 2026 to Question E-002073/2026 ⁽¹⁾, the Commission stated that, as ‘the scope of the EVZ differentiates from a national compensation scheme’, it was ‘not in a position to assess its payment’.

This reply concerns solely the question of whether the Commission is competent to supervise or assess the activities of the EVZ Foundation. It does not, however, address the separate question put to it: whether the differentiated payment structure — under which forced labourers from Poland and other Eastern European countries received lower compensation than those from Western Europe for the same category of Nazi German crime — is compatible with the principle of equal treatment.

Expressing a position on the compliance of payment structures with EU law differs from assessing individual payments and does not require the exercise of a supervisory function over that system. Equal treatment is, moreover, a fundamental value of the Union within the meaning of Article 2 of the Treaty on European Union (TEU).

1. In the Commission’s view, was such a differentiated pay structure consistent with the principle of equal treatment?
2. If so, on what legal basis and according to what objective criteria was this differentiation justified?

Submitted: 15.9.2026

**Answer given by Mr McGrath on behalf of the European Commission
(14 October 2026)**

The Commission recalls that the Foundation ‘Remembrance, Responsibility and Future’ (EVZ) was established under German law as a specific mechanism providing, *inter alia*, for compensation, but falls outside the scope of EU rules governing national compensation schemes.

According to its Article 51, the Charter of Fundamental Rights of the European Union ⁽¹⁾ is only addressed to Member States when they implement EU law.

In those circumstances, the Commission is not in a position to conclude that the EU rules on equal treatment were applicable to that scheme, nor to identify a legal basis under EU law for assessing whether any difference in treatment could be regarded as objectively justified. Any such assessment falls to be carried out in accordance with national law.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2026-002073-ASW_EN.html.
⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012P/TXT>.