



Council of the European Union
General Secretariat

Brussels, 1 July 2020

CM 2892/20

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COMMUNICATION

WRITTEN PROCEDURE

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Subject: European Semester 2020: integrated country-specific recommendations
– End of written procedure

Delegations are informed that the written procedure, opened by CM 2577/20 + COR 1 of 24 June 2020, was completed on 1 July 2020 at 15.00 and that all delegations, except for Poland that abstained, agreed to approve the integrated country-specific recommendations, as set out in document ST 8593/1/20 REV 1, including all REV and COR in all languages.

All delegations agreed to transmit them to the European Council in accordance with Article 121(2) of the Treaty on the Functioning of the European Union (TFEU).

Therefore, the above-mentioned acts are approved by the Council and transmitted to the European Council.

The statement by Poland is reproduced in the Annex to this document.

The above-mentioned statement will be included in the summary of acts adopted by the written procedure as a statement to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

Statement by Poland

Poland reiterates its statement submitted to the General Secretariat of the Council with regard to the written procedure CM 2409/20, which is as follows:

Poland would like to abstain from voting regarding the approval of the contribution on economic/financial and MIP-related aspects of the draft Council Recommendations on the National Reform Programmes 2020 to each Member State, delivering Council Opinions on the updated Stability or Convergence Programmes.

Poland does not support part of country specific recommendation 4 (CSR) where Commission advises to "*Enhance the investment climate, in particular by safeguarding judicial independence*".

In our opinion there is no evidence of any negative impact of changes in the judicial system on the investment climate in Poland.

Since 2017, when the Commission for the first time decided to align the legal certainty, trust in the quality and predictability of regulatory with the investment climate, Poland has been recording a steady increase in both public and private investment (about 22 per cent for last 3 years).

Poland has introduced many favourable changes important for investment and business environment. The improvement in investment performance was also confirmed by the Commission in 2020 Country report-Poland but even though the Commission decided to strengthen this issue in the CSR4.

Moreover, as stated in the recital 25, some of the CJEU proceedings are pending along with a debate over the scope of authority of the CJEU over the matters pertaining to the Member States' scope of competence, i.e. the organization of the judiciary. So far, Poland complies with the CJEU's guidelines, therefore we don't see a reason to underline the necessity to additionally safeguard the judicial independence.

We would like to stress the importance of the European Semester as a framework for enhanced economic policy coordination in Europe. This economic process should be based on facts and figures. Otherwise we can have political statements and recommendations without any economic underpinning and instead of strengthening this important coordination tool we would weaken its effectiveness. We also stressed that European Semester should not duplicate other EU procedures.