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Answer given by Ms Dalli

on behalf of the European Commission

(15.2.2021)

The Commission is aware of the developments in Poland, which can affect women’s rights. It is committed to using all the tools available under the Treaties to uphold the protection of fundamental rights and the Rule of Law – a pre-condition to ensure equal treatment before the law and for the defence of EU citizens’ rights.

In the Article 7(1) of the Treaty on European Union procedure launched by the Commission in 2017, the Commission raised concerns over the independence and legitimacy of the Polish Constitutional Tribunal. As recalled in the 2020 Rule of Law Report[[1]](#footnote-2), these concerns have so far not been resolved.

Sexual and reproductive health and rights are at the core of the fundamental right to gender equality and women’s rights.

However, the Member States are responsible for the definition of health policy and the organisation and delivery of health services and medical care. Union action complements national policies and is directed towards improving public health, preventing illness, and obviating major sources of danger to health through information, best practice exchange and education. The Commission promotes cooperation between Member States and, if necessary, lends support to their actions.

The EU Gender Equality Strategy 2020-2025[[2]](#footnote-3) presents the Commission’s policy objectives on gender equality. The Commission supports good practice exchanges on health, including sexual and reproductive health and rights. It funds organisations tackling violence against women and supports women’s human rights in external action.

1. <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0320> [↑](#footnote-ref-2)
2. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0152> [↑](#footnote-ref-3)