

**Pierre Karleskind**

Parlement européen, Membre  
Groupe Renew Europe, Membre  
Intergroupe «LGTBI», Vice-président

Brussels, 23 March 2023

Elisa Ferreira  
Commissioner for Cohesion and Reforms

Nicolas Schmit  
Commissioner for Jobs and Social Rights

Dear Commissioner Elisa Ferreira,  
Dear Commissioner Nicolas Schmit,

On Wednesday 8 February, you travelled together to Poland and attended the launch event of the country's 2021-2027 Cohesion Policy programmes. On this occasion, you met with the sixteen Marshals to discuss the investment strategies in their respective regions. This visit in great fanfare to Poland and your untainted "celebration" of the adoption of programmes amounting to 76 billion euros of EU funds raise serious concerns:

1. **LGBTI-free zones**

As you must remember, your services sent in September 2021 a letter to five Polish regions who declared themselves free from so-called "LGBTI ideology", which was very clear:

"The actions of your regional authorities, which adopted declarations, statements or resolutions branding LGBTIQ community postulates as "an ideology" and declaring their territories LGBTIQ-unwelcome, put into question the capacity of regional managing authorities to ensure compliance with the horizontal principle of non-discrimination in the implementation of ESIF programmes."

Since then, four regions backtracked, but the Region of Łódź still did not repeal its resolution, as well as more than 60 counties and municipalities across Poland. We consider that letting EU money flow in those regions, counties and municipalities represents too big of a threat to the EU's core values, as there is a high risk that such money would be managed in a way that is incompliant with the Common Provision Regulations (CPR) and its principle of non-discrimination (article 9).

Thus, I would like to receive written assurances that not one euro of EU money will end up in any of the LGBTI-free regions, counties or municipalities.

## 2. Rule of law

As far as I know, the Polish RRF disbursement is currently blocked because of Rule of law concerns, and in particular because the reform of the Polish judicial system to restore its independence has not yet been adopted.

Therefore, the communication that was carried around your visit to Poland left me a bitter taste:

- EU's structural funds are regulated by the CPR, which requires the respect of the EU Charter of fundamental rights (Article 9), whose article 47 precisely enshrines the right for citizens to an independent and impartial tribunal. How can the Commission deem that the Polish judiciary is insufficiently independent for the implementation of the RRF, but sufficiently independent for the implementation of the Cohesion Fund programmes?
- Since 2021, the Conditionality mechanism is in force to protect the EU's financial interests. How can the Commission's Rule of law concerns on Poland be sufficiently grave to withhold the RRF, but not grave enough to trigger the Conditionality mechanism on the structural funds?

We, as co-legislators, have put strong Rule of law safeguards in both the CPR and the Conditionality Mechanism.

I, as Renew Europe MEP, will not allow the European Commission to drop its guard on the fight for the Rule of law and the EU's fundamental values.

I look forward to hearing from you,

Best regards,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized, somewhat abstract shape.