

WRITTEN QUESTION E-3787/07

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to the Council

Subject: Unilateral declaration by Poland

The European Summit on 21 and 22 June agreed a draft mandate for the Intergovernmental Conference to be concluded under the Portuguese Presidency. One of the proposed changes concerns the Charter of Fundamental Rights, which is to have binding status, but will not be integral part of the Treaties.

In footnote 18 of the Summit Conclusions, Poland has added the following unilateral declaration: 'The Charter does not affect in any way the right of Member States to legislate in the sphere of public morality, family law as well as the protection of human dignity and respect for human physical and moral integrity.'

- What is the legal status of this declaration?
- Should this declaration be included in the new Treaties, what would be the consequences for the application of the Charter of Fundamental Rights?