

WRITTEN QUESTION E-4902/07  
by Bernard Poignant (PSE)  
to the Commission

Subject:            Situation of Mr Geremek

Bronislaw Geremek - a fellow MEP - has been threatened with the loss of his mandate for having disobeyed a Polish law under which he was required to state that he had not collaborated with the political police. Poland's Constitutional Court has ruled that 'the State must uphold human rights and not seek revenge.' Mr Geremek's mandate is safe and that is cause for rejoicing.

However, the attitude of the Community institutions needs to be considered in case further incidents of this nature occur.

In such circumstances, is the Commission (in its capacity as guardian of the treaties and of the Community interest) competent to take a Member State to the European Court of Justice for failure to comply with the obligations laid down in the treaties? In general terms, how would it be possible for a law (on any topic) which has been passed in a Member State and which is regarded as contrary to EU principles and values to be referred to the European Court of Justice?