

Opinion

**of the European Union Affairs Committee of the Senate of the Republic of Poland
on the proposal for a regulation of the European Parliament and of the Council
establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013
of the European Parliament and of the Council of 26 June 2013 establishing the criteria
and mechanisms for determining the Member State responsible for examining an
application for international protection lodged in one of the Member States by a third
country national or a stateless person**

COM(2015) 450

adopted at the meeting on 29th September 2015

1. The European Union Affairs Committee of the Senate of the Republic of Poland assesses the situation concerning the migrant crisis as very serious and shares the European Commission's opinion on the need to jointly address the problem by EU Member States.
2. However, in view of the European Union Affairs Committee of the Senate of the Republic of Poland, the legal basis proposed by the European Commission – Article 78, second paragraph, point e of the TFEU, which authorises the EU to adopt common principles for recognising a state as competent to implement the asylum procedure, is inappropriate to adopt a permanent mechanism for relocation of migrants between the Member States. To this end, the Treaty foresees the Article 78(3), which requires the consent of the EU Council in every single instance.