

Complaint about alleged breach of EU law by Poland

Complaint form received

Reference

Received on 10/08/2026

Language of communication English

Correspondence should be sent to Me

Disclosure of personal information No

Personal information

Name [REDACTED]

Surname [REDACTED]

Organisation

Nationality Ukraine

Email [REDACTED]

Second email

Street and number [REDACTED]

Town Gliwice

Postcode [REDACTED]

Country Poland

Alternative contact point (e.g. a representative)

Name

Surname

Organisation

Email

Street and number

Town

Postcode

Country

Which EU country is your complaint about?

The EU country my complaint is about is Poland

The national authority my complaint is about is Regional, local administration

What is your complaint about?

What did the Member State and its administration do wrong? Systematically applied EU law incorrectly in a certain sector.

Pieces of evidence / supporting documents

Describe the problem by outlining the facts and the reasons for your complaint.

SUPPLEMENT TO MY COMPLAINT SUBMITTED TODAY, 10 AUGUST 2026 - PLEASE DO NOT TREAT AS A DUPLICATE. This is an addition to the complaint I filed earlier today via the online complaint form. Please attach the following NEW and important information - concerning discrimination on grounds of nationality (draft law UD408) - to my already-registered complaint. It is not a re-filing of the same case, but an addition of a new and material point.

I am reporting a serious and systemic breach of EU law by the Republic of Poland in the handling of EU Blue Card residence permits, which deprives legally resident, highly qualified, tax-paying professionals of the ability to live, work and move normally for up to two years.

THE LEGAL BREACH. Directive (EU) 2021/1883 obliges Member States to decide on a complete Blue Card application within 90 days. In Poland this deadline is routinely and systematically ignored: the reported average processing time is around 341 days, and in several voivodeships - notably Slaskie (Silesia) - applicants wait UP TO TWO YEARS, plus further months for the physical card. The authorities justify this by a national "suspension of processing deadlines" adopted under war-related legislation (the special act on assistance to Ukrainian citizens). But no Member State may use national law to suspend indefinitely a deadline imposed by an EU directive. This violates the primacy, binding force and effet utile of EU law.

THE HARM TO FUNDAMENTAL RIGHTS. During this open-ended wait the applicant is legally resident, yet effectively trapped. The confirmation of a pending application is not recognised by the border authorities of other Schengen states, so a professional who must travel for work cannot do so with any legal certainty. For up to two years it becomes impossible to perform one's job, to plan one's life, or to move freely - with no remedy and no fixed end date. This directly engages the right to good administration (Article 41 of the EU Charter of Fundamental Rights), the right to an effective remedy, and the practical enjoyment of free movement. A person who has followed every rule is punished by administrative paralysis and left unable to live a normal life.

DISCRIMINATION ON GROUNDS OF NATIONALITY. This failure is compounded by open discrimination. A pending Polish legislative amendment (draft UD408, July 2026) introduces "tacit approval" - a positive decision after 60 days - but **EXCLUSIVELY** for citizens of Australia, Japan, South Korea, the United States and the United Kingdom. Citizens of Ukraine - the single largest group of foreigners in Poland, refugees from a war, filling critical labour-market gaps and paying taxes - are excluded from this acceleration, and are additionally subjected to an open-ended suspension of processing deadlines under the special act (until 4 March 2027). In practice a US citizen would obtain a decision in 60 days, while a Ukrainian citizen in an identical situation waits up to two years. Selecting which third-country nationals enjoy a swift, lawful procedure and which are condemned to years of paralysis is discrimination on grounds of nationality and is incompatible with the equal, effective application of EU law, including the Blue Card Directive.

WHO IS AFFECTED - AND WHY IT MATTERS FOR POLAND. Those trapped by this are not seasonal labour but highly qualified specialists employed by international companies, paying income tax at the highest rate and fully contributing to the Polish economy and public finances. Condemning them to years of uncertainty is not only a violation of their fundamental rights; it is economically self-defeating - it damages Poland's competitiveness and its ability to attract and retain the skilled workers it urgently needs in the face of a severe labour shortage and demographic decline.

I raise this proactively, because the outcome of the current system is entirely predictable and this harm is being inflicted, right now, on thousands of law-abiding, tax-paying residents.

I request that the European Commission examine Poland's compliance with the 90-day decision deadline laid down in Directive (EU) 2021/1883 and take the action necessary to ensure that EU law is respected and that Member States cannot neutralise EU-law deadlines through national measures.

Your complaint will be assessed on the information that you provide in this form. You should be as concise and as specific as possible.

You must make an entry in all the data fields that have an (*) and fill in as many of the other fields as possible.

Before submitting your complaint, you should read about [how the Commission handles complaints](#) about EU countries' breaches of EU law.

Complaints that are insulting or fanciful and that do not require a substantive response will not be answered.

If the correspondence becomes repetitive (for example, successive letters on the same topic that does not introduce new information) or that is abusive, pointless and/or improper, we reserve the right to discontinue the correspondence.

All complaints must be submitted in one of the EU's official languages: Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish or Swedish. Complaints submitted in any other language will not be answered.

Do not include in your complaint any personal data belonging to third parties or personal data that is sensitive, unless it is strictly necessary for the handling of your complaint. By submitting any special categories of personal data in the meaning of Article 10(1) of Regulation 2018/1725, you provide your explicit consent to the processing of such personal data.

Privacy statement

☒ I have read and understood all the above.