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Poland and the Rule of Law The conflict continues.



The EU is a Union of Law.

EU law precludes the regime in force in Poland which permits the Minister for Justice to second judges to higher criminal courts; secondments which that minister – who is also the Public Prosecutor General – may terminate at any time.

At the request of a Polish Court, the Court of Justice delivered a judgment (for a preliminary ruling, i.e. for interpretation of EU law):
In a nutshell, the Court ruled that the current system in Poland permitting the Minister for Justice to second judges to higher courts is not compatible with the requirement of independence of the judiciary.