

Online Discussion

Poland's “constitutional crisis” in light of EU and human rights law

Thursday, 20 January 2022 | 4pm CEST

The year 2015 marked the beginning of a tumultuous time for the Polish judiciary. The adopted laws changed the organization and the functioning of the Constitutional Tribunal (CT), the National Council of the Judiciary, the Supreme Court and other courts. While these matters are perceived as purely internal by parts of the Polish authorities, the reforms have caused strong reactions from the European Union and the Council of Europe. In recent months, the CT issued several controversial judgments which raised new concerns within European and international organizations. In particular, in October 2021 the CT pronounced that some articles of the Treaty on the European Union are partially unconstitutional, while in November 2021 it questioned the constitutionality of a central provision of the European Convention on Human Rights.

The panel, moderated by Prof. Dr. Pierre Thielbörger, will discuss the causes of this new strong anti-European and anti-human rights reactions of the CT and how these judgments can be linked to the European Commission's triggering of the Article 7 procedure against Poland in 2017.



Mark Dawson
Hertie School,
Berlin



Agata Hauser
Poznań University



Wojciech Sadurski,
Sydney University

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