
POLISH PARLIAMENT APPROVES JUDGE [REDACTED] LAW', OPPOSITION DENOUNCES [REDACTED] D'ÉTAT'

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Polands parliament on Thursday (23 January) approved a controversial draft law aimed at disciplining judges who question government judicial reforms that the European Union says are out of step with the rule of law.

The EU member countrys lower house, where lawmakers from the governing right-wing Law and Justice (PiS) party hold a majority, thus overturned last weeks decision by the opposition-controlled senate to reject the draft law.

The measure, which Supreme Court president Malgorzata Gersdorf has denounced as a muzzle law, will take effect once it is signed by PiS-allied Polish President Andrzej Duda.

The PiS government argues that the reform will tackle corruption in the judiciary still haunted by communism but opponents insist it is aimed at gagging critical magistrates and so undermines judicial independence.

The opposition called the parliamentary vote Thursday a coup d'état.

The measure, which was approved by 234 conservative lawmakers and rejected by 211 opposition lawmakers with nine abstentions, is just one of many controversial judicial reforms the PiS has introduced since taking office in 2015.

It has also created a new KRS judicial council and a disciplinary chamber that critics including top European judicial bodies argue pose a threat to judicial independence.

On Thursday, the Polish Supreme Court ruled that judges nominated by the new KRS and cleared by the disciplinary chamber are unauthorised to make rulings because they are not free from political influence.

The developments in the Polish legal system over the last several years have led to tremendous uncertainty and chaos as to whether the judges who rule and the courts they form are courts able to administer justice, Supreme Court judge Włodzimierz Wróbel said at the public hearing.

He added that courts in other countries were at times refusing to cooperate with their counterparts in Poland because of the uncertainty over their independence.

We are members of the European Union and we committed ourselves to ensuring that our courts are just as independent and impartial as the courts of other countries, Wróbel added.

The justice ministry denounced the Supreme Courts verdict, calling it a serious violation of the law.

The various PiS judicial reforms have sparked widespread protest both at home and in European legal circles. The European Court of Justice has questioned several of the reforms.

Judges from nearly all EU members joined hundreds of their Polish colleagues in Warsaw earlier this month in an unprecedented street protest against the draft law on disciplining judges.

In late 2017, the EU launched unprecedented proceedings against Poland over systemic threats posed by the reforms to the rule of law that could see its EU voting rights suspended.

Kaynak/Source: