



Written by [Angeline Tan](#) on June 8, 2023

Poland Lashes Out at EU Court in Controversy Over Rule of Law

This week, Poland's Justice Minister Zbigniew Ziobro hit [back](#) at the European Court of Justice's efforts to undo Polish judicial reforms, castigating the court for its corruption and incapacity in taking charge of national affairs.

On June 5, the European Court of Justice had [ruled](#) against the Polish government, saying that government-inspired judicial reforms signified a compromise on judicial independence. In turn, Polish Deputy Prime Minister Sebastian Kaleta slammed the EU decision as a "farce."



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Ziobro, the key mastermind behind the legal reforms, which were signed into law in 2020, contended that similar laws were not rare in other countries, and that the EU court lacked the "competence to decide on the judicial system in the member states." The minister then went on to illustrate instances of corruption within the EU court.

Just like its fellow EU member-state Hungary, Poland has been weathering criticism and harassment from the EU, and is currently facing a potential €557 million (approximately \$600 million) in fines from the European Commission for maintaining its stance on its judicial reforms.

Pro-EU voices allege that Poland's reforms mean that the country's ruling Law and Justice (PiS) Party is trying to entrench its own power, a claim that the latter denies. Rather, the Polish government asserts that external forces have been trying to undermine the country, with conservative commentators lambasting external actors for brandishing domestic issues to topple Polish democracy.

Although the Russo-Ukrainian conflict compelled Warsaw to temporarily cease bickering with the EU over their disagreements, this week's court decision is proof that Brussels is becoming more antagonistic towards conservative-leaning Hungary and Poland, notwithstanding their EU membership status.

Meanwhile, the leader of the liberal opposition and former EU Council President Donald Tusk decried the ruling government in front of an estimated 500,000 anti-government protesters who gathered in Warsaw recently.

Not only has Warsaw clashed with the EU over laws to revamp the Polish judicial system, but Poland has refused propositions by the EU regarding their refugee redistribution plans, otherwise called the migrant quota system, in the alliance's impending new Migration Pact. Polish Home Affairs Minister Mariusz Kamiński [confirmed](#) his country's rejection of the EU's migrant scheme, and Polish premier Mateusz Morawiecki posited that Poland did not intend to pay in lieu of taking refugees in, according to a May 31 [Politico report](#).

"There is no and there will be no consent to the forced relocation of migrants to Poland," Kamiński



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[tweeted](#) on May 26.

The EU's migration scheme was being prepared for EU Council approval during the scheduled meeting of the bloc's home affairs ministers on June 8.

Besides Poland, Hungary and the Czech Republic have also voiced their protests against the present version of the EU migration scheme, particularly over the issue of [migrant quotas](#) that aim to lessen the pressure on countries that encounter most of the migratory pressure by requiring that a certain number of asylum seekers be relocated to each member state.

"The forced relocation of illegal immigrants ... was probably [one of] the stupidest ideas ever to come out of Brussels," Polish MEP Kosma Złotowski (a co-chair of the ECR's [migration policy group](#)) remarked [in an interview](#) with *The European Conservative*. As the MEP explained:

On the one hand, it forced the Member States to create a de facto system of incentives for illegal border crossings of the European Union, while on the other, against the wishes of those who were already in the EU illegally, it forced them to stay in countries they did not want to be in at all. From the perspective of all parties, this is an absurd and oppressive solution, accompanied by horrendous penalties, for example, for the fact that an illegal immigrant has chosen to leave the country where he or she was forcibly resettled.

Despite the sensitive nature of the EU-proposed relocation strategy for the past eight years, the commission and the council's Swedish presidency have been trying to persuade hesitant countries into accepting the novel plan by euphemistically describing it as a "mandatory solidarity" scheme that permits countries that opt not to accept migrants to contribute financially as part of a range of "alternative solidarity measures," such as supplying technical equipment or personnel.

Nonetheless, the EU's euphemistic portrayal of their relocation scheme is arguably nothing more than lipstick on a pig. Countries such as Poland fiercely opposed the notion of having to select between migrants and money. Morawiecki contended that EU countries that refuse refugees would be penalized €22,000 (about \$24,000) for each migrant they reject, in order to subsidize the burden of housing costs borne by other countries. Notably, the compensation figure of €22,000 raised by Morawiecki may well end up being the actual amount, based on diplomats interviewed by *Politico*.

Doubts remain about the viability and effectiveness of solidarity pledges, with Swedish MEP Charlie Weimers (ECR) highlighting that the pledges are usually not fulfilled, with only 500 migrants relocated out of the 8,000 that countries pledged to admit last year. In light of the situation, Złotowski said that the EU should have long been resigned to the reality that some member states do not wish to be involved in the redistribution of refugees in any form. The justice minister added that Poland would never support this scheme, and "will vigorously fight this idea in all possible forums."

The MEP added:

The European Union needs a migration policy that enforces the existing rules for crossing external borders, not encourages their violation. For incomprehensible reasons, the approach the Commission is proposing is not to control or stop illegal immigration into Europe but to escalate it to a level that is impossible to manage effectively. If France, Germany, or Sweden want to keep making the same mistakes in migration policy over and over again, let them do these social experiments on their own citizens, with their own



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money, and leave Poland out of it.



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