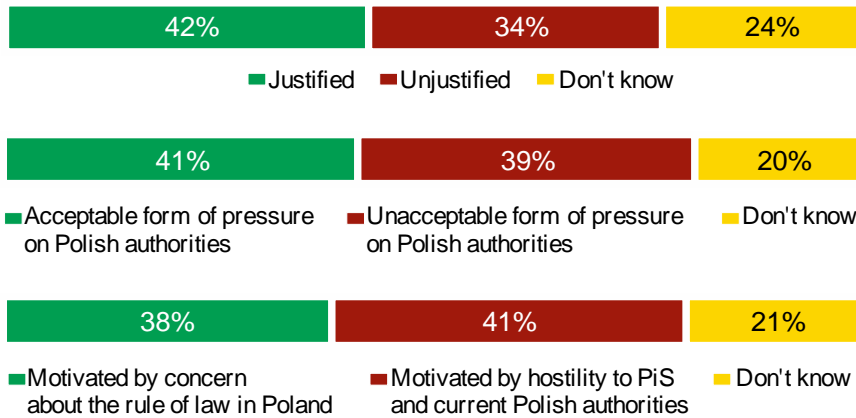


Social reactions to the European Commission opinion on the rule of law in Poland

On 1 June 2016 European Commission issued an opinion about the rule of law in Poland, which is the first step in the mechanism of monitoring of the protection of the rule of law, opened in January 2016. It is known that the confidential note sent to the Polish government expressed concern about nomination of judges to the Constitutional Tribunal, amendment to the law on Constitutional Tribunal voted on 22 December 2015, observance of the Tribunal judgements related to this issue, as well as effectiveness of the process of adjudicating laws voted in 2016 with regard to their consistency with the Constitution. According to the procedure, Polish authorities should now respond to this opinion.

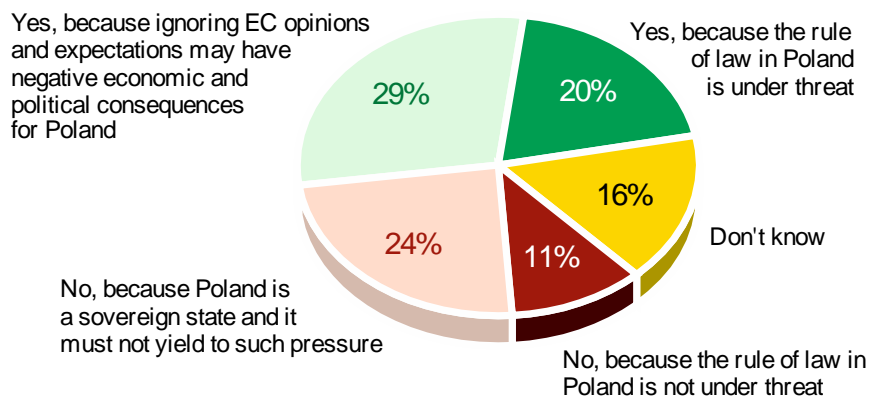
Over two-fifths of respondents (42%) consider the critical opinion of EC, mentioning threats to the rule of law in Poland, as justified, while a third (34%) think it is unjustified. There are more controversies regarding acceptability of issuing this opinion and EC motives for such actions. About equal numbers of people consider issuing this opinion as an acceptable (41%) and unacceptable (39%) form of pressure on Polish authorities. Slightly more respondents share the opinion that the EC opinion is motivated by hostility to the Law and Justice (PiS) and the authorities (41%), rather than by concern about the rule of law in Poland (38%).

Opinions about the European Commission opinion mentioning threat to the rule of law in Poland



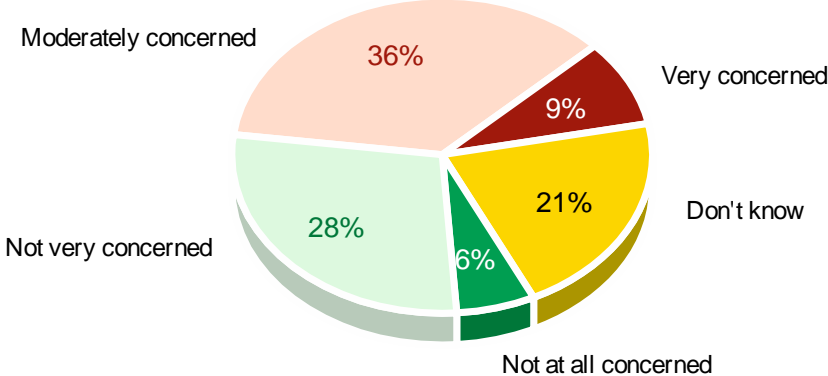
Almost half of respondents (49%) think that Poland should respect opinions and expectations of the European Commission, while a third (35%) express the opposite opinion. The distribution of responses regarding the arguments and reasons for accepting or rejecting the EC opinion indicates that Poles tend to attach more importance to the international context and relate to a lesser extent to the state of the rule of law in Poland. People convinced that Poland should respect the EC opinion more frequently argue that lack of positive reaction may have negative political and economic consequences and put less stress on the threat to the rule of law in Poland. On the opposite side, respondents convinced that Poland should not respect the EC opinion usually argue that Poland is a sovereign state and must not yield to external pressure and are less convinced that the rule of law is safe.

Should Poland respect opinions and expectations of European Commission?



Possible negative consequences of the failure to respect the expectations of the EC and absence of consensus on the Constitutional Tribunal include imposing sanctions on Poland. It is possible on the basis of Article 7 of the Treaty on European Union, which states that “the [European] Council, acting by a qualified majority, may decide to suspend certain of the rights deriving from the application of the Treaties to the Member State [...], including the voting rights of the representative of the government of that Member State in the Council.” Overall, almost half (45%) of Poles are afraid that rejecting the opinions and expectations of the European Commission may trigger some sanctions against Poland and one-third (34%) are not concerned.

Are you concerned about the possibility of sanctions against Poland if the opinions and expectations of the European Commission are rejected?



More information about this topic can be found in CBOS report in Polish: "Reactions to the European Commission's Opinion on the Rule of Law in Poland", June 2016. Fieldwork for national sample: June 2016, N=1002. The random address sample is representative for adult population of Poland.