



Council of the European Union

PRESS
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BACKGROUND¹

Brussels, 16 February 2024

General Affairs Council Brussels, 20 February 2024

Chair: Hadja LAHBIB, Belgian Minister for Foreign Affairs, European Affairs and Foreign Trade and Federal Cultural Institutions

The meeting will begin at 10.00.

Ministers will start preparations for the European Council meeting on 21 and 22 March 2024.

As part of the Article 7(1) TEU procedure, the Council will take stock of developments regarding the rule of law in Poland.

A press conference will take place after the meeting (+/- 13.30).

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[General Affairs Council, 20 February 2024 - meeting page](#)

[Press conferences and public events by video streaming](#)

[Video coverage in broadcast quality \(MPEG4\) and photo gallery](#)

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¹ This note has been drawn up under the responsibility of the press office.

March European Council

Ministers will start preparations for the European Council meeting on 21 and 22 March 2024 by discussing an annotated draft agenda.

At their meeting in March, EU leaders will address Russia's war of aggression against Ukraine in all its dimensions and the EU's continued support to Ukraine and its people.

The European Council will revert to the matter of security and defence, including Europe's need to increase its overall defence readiness and further strengthen its defence technological and industrial base, with a view to agreeing on further steps to make the European defence industry more resilient, innovative and competitive.

EU leaders will also address the situation in the Middle East.

Under 'other items', the European Council will address priorities for the 2024 European Semester and will be invited to endorse the recommendation on the economic policy of the euro area.

It will also take stock of preparations for the new Strategic Agenda.

In the light of events, leaders may address specific foreign policy issues.

[Annotated draft agenda](#)

Rule of law in Poland

As part of the Article 7(1) TEU procedure, the Council will take stock of developments regarding the rule of law in Poland. This item was included on the agenda at the request of Poland.

The Polish government will update ministers as regards the reforms it has undertaken and is planning to undertake to address the issues raised under the Article 7 procedure, which may allow this procedure to be closed.

The Commission will also update ministers on the developments since 15 November 2023, when the Council last took stock of the situation in Poland.

The Article 7(1) TEU procedure regarding Poland was launched on 20 December 2017 when the Commission published its reasoned proposal with recommendations that the Polish authorities:

- restore the independence and legitimacy of the Constitutional Tribunal
- publish and implement fully the judgments of the Constitutional Tribunal
- amend four laws (on the Supreme Court, the Ordinary Courts Organisation, the National Council of the Judiciary and the National School for the Judiciary) in order to ensure their compliance with the requirements relating to the independence of the judiciary, the separation of powers and legal certainty
- ensure that any justice reform is prepared in close cooperation with the judiciary and all interested parties, including the Venice Commission
- refrain from any action that could undermine the legitimacy of the judiciary

Since then, the procedure has been regularly on the Council agenda and six hearings with Poland have been held.

Some of the issues related to judicial independence in Poland are also being addressed as part of other procedures, including infringement procedures launched by the European Commission.

Poland's Recovery and Resilience Plan (RRP) also includes milestones related to a comprehensive reform of the disciplinary regime applicable to Polish judges, which need to be fulfilled before any disbursement of funds can be made.

In its latest rule of law report, issued on 13 July 2023, the Commission considered that serious concerns persist as regards the independence of the judiciary in Poland. In addition to the disciplinary regime for judges, due to be addressed as part of the commitments under Poland's RRP, serious concerns remain as regards other issues, such as the independence of the National Council for the Judiciary in Poland and the role and case law of the Polish Constitutional Tribunal.

[Reasoned proposal triggering the Article 7 procedure for Poland](#)

[2023 Rule of Law Report - Country Chapter Poland](#)

[Rule of law \(background information\)](#)
