

# Poland before CJEU for Failure of Transposition of Access to Lawyer Directive



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European Law Forum: Prevention • Investigation • Prosecution

## News

**Thomas Wahl**

On 16 November 2023, the Commission decided to [refer Poland to the CJEU for failure](#) to communicate the measures transposing into national legislation [Directive 2013/48/EU](#) on the right of access to a lawyer and to communicate upon arrest. The Commission has mainly blamed Poland for having failed to transpose specific provision in relation to minors. Since Poland was unable to dispel the Commission's concerns, the Commission decided to take the last step of the infringement procedure and to bring the case before the CJEU. The infringement procedure started in July 2021 when the Commission sent a letter of formal notice to Poland.

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