

Justyna Łacny is a professor of EU law working at the Faculty of Administration and Social Sciences at the Warsaw University of Technology. She is a graduate of the University of Wrocław (Master of Law in 2000), while she obtained her academic degrees - Doctor of Laws (2009) and Doctor of Laws (2017) - from the Institute of Legal Sciences of the Polish Academy of Sciences in Warsaw.

In her research works prof. Justyna Łacny focuses on EU institutional and administrative law, *inter alia* on EU funds and European and national legal mechanisms ensuring compliance with EU law. She concentrates on legal aspects of spending EU funds by Member States and by individuals and relations arising in this area between EU institutions and Member States as well as Member States and individuals. She is particularly interested in the legal consequences of irregular spending of EU funds.



Prof. Justyna Łacny wrote three monographs in Polish focused on the EU funds and compliance of EU law by the Member States (J. Łacny, [*Financial corrections imposed by the European Commission on Member States for irregular spending of EU funds*](#), Wolters Kluwer, Warsaw 2017; J. Łacny, [*Periodic penalty payments, lump sums and financial corrections imposed on Member States for infringements of EU law*](#), Warsaw 2010; J. Łacny, [*Protection of the financial interests of the Union in the field of cohesion policy*](#), Wolters Kluwer, Warsaw 2010). The latest area of interests of prof. Justyna Łacny are breaches of the rule of law by Member States and legal instruments established under EU law to eliminate them (see: [*The Rule of Law Conditionality Under Regulation No 2092/2020—Is it all About the Money?*](#), Hague Journal on the Rule of Law, 2021, vol. 13, No 1, pp. 79-105).

Professor J. Łacny is also a legal practitioner. Since 2009 she works for the Polish Parliament (Sejm, Bureau of Research) as a legal advisor and provides legal expertise on the EU law.

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Degrees and titles obtained

- 2017 - habilitation degree in Law, specialization EU law, Polish Academy of Science, Institute of Legal Studies in Warsaw
- 2009 – doctorate in Law, specialization EU law, Polish Academy of Science, Institute of Legal Studies in Warsaw
- 2002 – Postgraduate Studies on European Integration, Centre for Europe, University of Warsaw
- 2000 – master’s degree in law, University of Wrocław

Career development

- November 2018 - presently - Professor of law - [Warsaw University of Technology, Faculty of Administration and Social Sciences](#), Plac Politechniki 1, 00-661 Warsaw
- June 2009 - presently - legal expert - [Chancellery of Sejm, Bureau of Research](#), ul. Zagórna 3, 00-441 Warsaw
- August 2004 - February 2018 - Assistant Professor - [Polish Academy of Science](#), Institute of Legal Studies, Department for European Law, ul. Nowy Świat 72, 00-330 Warsaw
- October 2005 – June 2009 - senior Lecturer - [Centre for Europe, University of Warsaw](#), ul. Niepodległości 22, 02 – 231 Warsaw
- October 2008 – May 2009 – Analyst - [Chancellery of Senate](#), Bureau of International and EU Affairs, ul. Wiejska 6, 00-902 Warsaw
- June 2004 – August 2006 – specialist - [Ministry of Finance](#), ul. Świętokrzyska 1201 – 651 Warsaw, position of
- October 2003 – March 2004 – stagier - European Commission; European Anti-Fraud Office (OLAF); Rue Joseph II 30 8/50, Brussels

Publications in English

- [The Rule of Law Conditionality Under Regulation No 2092/2020—Is it all About the Money?](#), Hague Journal on the Rule of Law, 2021, vol. 13, No 1, pp. 79-105
- [Suspension of EU funds paid to Member States breaching the rule of law – new accountability mechanism under EU law?](#) in: P. Stephenson, Sanchez, A. Barrueco, H. Aden (eds.) Financial Accountability in the European Union - Institutions, Policy and Practice, Routledge 2020
- with Armin von Bogdandy, [Suspension of EU funds for breaching the rule of law – a dose of tough love needed?](#), European Policy Analysis, June 2020:7epa
- [Suspension of EU Funds Paid to Member States Breaching the Rule of Law: Is the Commission’s Proposal Legal?](#) In: Armin von Bogdandy (eds.) Defending Checks and Balances in EU Member States. Taking Stock of Europe’s Actions, Heidelberg 2021
- *Stick works better than carrot? Suspension of EU funds paid to the Member States breaching the rule of law* (in:) Aleksandra Borowicz (eds.) [Connecting the European Union of shared aims, freedoms, values and responsibilities. European Union and its law, policy, and economy: internal and external dimensions](#), CEDEWU, Warsaw 2020, p. 61
- *Let’s do the soft-law... it’s much easier - comments on the European Commission’ notes on financial engineering instruments adopted in the cohesion policy* (w:) B. Mikołajczyk, J. Nowakowska-Małusecka (red.) New Challenges for International Organizations, Katowice 2016, s. 111-121;
- [Between the devil and the deep blue sea – the CJEU case-law on financial corrections imposed by the Commission on the Member States](#), Journal of Contemporary European Research 2017, No 3,

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Special edition *Pushing the Boundaries: New Research on the Activism of EU Supranational Institutions*);

- *Legal character of European Union agricultural penalties - comments to the ECJ ruling in case C-489/10 Ł. Bonda*, Eurocrime 2012, nr 4, p. 170-174;
- *The system of vertical cooperation in administrative investigations cases* (in:) K. Ligeti (eds.) *Toward a Prosecutor for the European Union. Volume 1. A Comparative Analysis*, Oxford and Portland Oregon 2012, p. 803-837;
- *Protection of the EU budget expenditure - recent tendencies* (w:) C. Nowak (red.), *Fight against EU Fraud. Administrative and criminal law issues*, Warszawa 2011, p. 41-72;
- Together with K. Kowalik-Bańczyk i M. Szwarc, *The influence of the Treaty of Lisbon on the Polish legal system* (w:) E. Castorina, P. Policastro (red.) *Liberty And Language. The Global Dimension of European Constitutional Integration*, Università di Catania, Pubblicazioni della Facoltà di Giurisprudenza 2010;
- [European Prosecutor Office in Draft Treaty establishing a Constitution for Europe](#), PIE Perspectives Internationales et Européennes, Vol. 2, 2006,

Publications in English in the course of editorial work

- *Commentary to Article 325 Treaty on the functioning of the European Union* (w:) H.-J. Blanke, S. Mangiameli (eds.) *The Treaty on functioning of the European Union (TFEU). A Commentary*, Springer

Individual research projects

- October-November 2022 - visiting professor at [Scuola Superiore Sant'Anna](#), in [DIRPOLIS Institute \(Institute of Law, Politics and Development\)](#) based in Piza, Italy
- 2020-2023 - a research grant awarded by the Polish National Science Centre (OPUS 18);
- August-September 2018 - *Max Planck scholarship* awarded by the Max Planck Institute for Comparative Public Law and International Law, Heidelberg
- February 2017 - *Leibniz scholarship* awarded by the Max Planck Society in the Max Planck Institute for Comparative Public Law and International Law, Heidelberg
- 2013-2016 - a research grant awarded by the Polish National Science Centre (OPUS 3)
- September 2012 - a scholarship awarded by the Accademia Nazionale dei Lincei (ANL) enabling a stay at the Centro Internazionale Ricerche sul Diritto Europeo (C.I.R.D.E.) in Bologna
- July 2010 - *Postgraduate Research Grant Programme 2010* awarded by the European Court of Auditor allowing a research in European University Institute in Florence
- July 2009 - *Natolin Summer Research Fellowship* allowing a research in European University Institute in Florence
- January 2008 – *Van Calker Scholarship Programme* allowing a research in the Swiss Institute of Comparative Law in Lausanne
- 2006-2008 - research grant awarded by the Polish Minister of Science and Higher Education

Monographs (in Polish)

- [Financial corrections imposed by the European Commission on Member States for illegal spending of EU funds](#), Wolters Kluwer, Warsaw 2017, p. 508;
- [Periodic penalty payments, lump sums and financial corrections imposed on Member States for infringements of EU law](#), Natolin European Centre, Warsaw 2010, p. 167;
- [Protection of EU financial interests in the field of cohesion policy](#), Wolters Kluwer, Warsaw 2010, p. 395

Chapters (in Polish books)

- *EU funds* [in:] S. Biernat (ed.), *Milestones of the European Court of Justice*, Wolters Kluwer, Warsaw 2019, p. 860-1031.
- with M. Szwarc, *Sanctions in the CAP regulations and ne bis in idem principle - comments to case CJEU C-489/10 Bonda* (in:) A. Błachnio-Parzych, J. Jakubowska-Hara, J. Kosonoga, H. Kuczyńska (ed.) *Problems of criminal justice. Jubilee Book of Prof. Jan Skupiński*, Warsaw 2013, p. 894-921;
- *Effective, proportionate and dissuasive sanction for violation of EU law* (in:) A. Wróbel (ed.) *Ensuring effectiveness of international court decisions in the Polish legal order*, Warsaw 2011, p. 477-497;
- *The effects of violation of EU law by a Member State* (in:) B. Pawłowski (ed.) *European Law in Parliamentary Works*, Warsaw 2011, Vol. 6, p. 1-19;
- *Financial consequences of the infringement of European Union financial interests by Member States* (in:) C. Nowak (ed.), *Protection of financial interests and institutional transformations of the EU*, Warsaw 2009, p. 203-222;
- *Financial consequences of infringement of EC law in the field of cohesion policy* (in:) J. Maliszewska-Nienartowicz (ed.) *Organisation and functioning of the EU*, Toruń 2009, p. 229-249;
- *Shared management as a method of sharing responsibilities for protection of EU funds in regional policy* (in:) C. Nowak (ed.) *Organy ścigania i wymiaru sprawiedliwości a ochrona interesów finansowych WE*, Warszawa 2008, pp. 167-181;
- *Penalties for infringement of EU law* (in:) A. Wróbel, K. Kowalik-Bańczyk, M. Szwarc-Kuczer (ed.) *Stosowanie prawa Unii Europejskiej*, t. II., Warszawa 2007, p. 762-862;
- *Compensatory liability of Member States for infringement of EU law* (in:) A. Wróbel, K. Kowalik-Bańczyk, M. Szwarc-Kuczer (ed.) *Stosowanie prawa Unii Europejskiej*, t. II., Warszawa 2007, p. 867-969;
- *Activities infringing EU financial interests* (in:) A. Wróbel, W. Czapliński (ed.) *Współpraca sądowa w sprawach cywilnego i karnych*, Warszawa 2007, p. 265-320;
- *Administrative instruments for the protection of the EU financial interests under the CAP - clearance of accounts procedure and conformity control* (in:) C. Nowak (ed.) *New challenges, old problems*, Warsaw 2007, p. 35-49

Articles (in Polish journals)

- *Will the money speak? Commentary on the CJEU judgments of 16 February 2022 in Cases C-156/21 Hungary v European Parliament and Council and C-157/21 Poland v European Parliament and Council concerning the conditionality mechanism* (in:) Jan Barcz, Agnieszka Grzelak i Rafał Szyndlauer (eds.) *Problem praworządności w Polsce w świetle orzecznictwa Trybunału Sprawiedliwości UE* (2021), book II, Warszawa 2022, p. 1013-1061
- *State of the rule of law in the European Union in 2021 – an opinion on the European Commission's report*, *Zeszyty Prawnicze Biura Analiz Sejmowych* 2022, no 2(74), p. 101-132, <https://zpbas.sejm.gov.pl/Journal.nsf/pubBAS.xsp?documentId=E46FE624C705B2F6C12588D2003812AF&lang=PL>
- *Is Money the Soul of War? On the Possible Financial Consequences of the Constitutional Tribunal's Judgment in case K 3/21 of 7.10.2021*, *Europejski Przegląd Sądowy*, 2021, No 12 (195), pp. 39-50, <https://www.profinfo.pl/sklep/europejski-przeglad-sadowy,7252,r,2021,nr,12.html>
- *System of conditionality to protect the EU budget from breaches of the rule of law by Member States*, *Państwo i Prawo*, 2021, vol. LXXVI, no 11 (909), pp. 5-30, <https://www.profinfo.pl/sklep/panstwo-i-prawo,7255,r,2021,nr,11.html>
- *Disputed legal nature of financial corrections imposed by the European Commission on Member States for illegal spending of EU funds*, *Państwo i Prawo*, 2020 No 5, p. 78
- *Assessment of the governmental draft act amending the Act - Code of Criminal Procedure in the light of the requirements of European Union law*, *Zeszyty Prawnicze BAS* 2019, p. 70-78

- *Possibility of statutory limitation of access to pornography in the Internet in the light of Articles 49 and 56 TFEU and liability of intermediary service providers* (Article 15 of the E-Commerce Directive), *Zeszyty Prawnicze BAS* 2019, No. 1 (61), p. 70-78
- *Suspension of disbursements of EU funds transferred to Member States violating the rule of law - new conditionality mechanism in EU law*, *Europejski Przegląd Sądowy* 2018, No 12, pp. 12-24
- *Application of the Charter of Fundamental Rights of the EU in proceedings concerning EU funds - Introduction and judgment of the CJEU of 3 July 2014, Joined Cases C-129/13 and C-130/13, Kamino*, *Europejski Przegląd Sądowy* 2018, No 12, pp. 49-61
- *Controls of EU funds by the European Anti-Fraud Office - Introduction and judgment of the CJEU of 15.12.2011, C-409/10, Hauptzollamt Hamburg-Hafen*, *Europejski Przegląd Sądowy* 2018, No 11, pp. 48-58
- *Checks on the spending of EU funds by national authorities - Introduction and judgment of the CJEU of 7.08.2018, C-59/17 FranceAgriMer*, *Europejski Przegląd Sądowy* 2018, No 10, pp. 51-59
- *The limitation periods for irregularities affecting the financial interests of the EU - Introduction to the judgment of the CJEU of 11.06.2015, C-52/14, Pfeifer & Langen*, *Europejski Przegląd Sądowy* 2018, No 9, pp. 50-59
- *Retroactive application of the more lenient penalty in cases of irregular expenditure of EU funds - Introduction to the judgment of the CJEU of 1.07.2004, C-295/02, Gerken*, *Europejski Przegląd Sądowy* 2018, No 7, pp. 51-59
- *Possibility for a Member State to waive recovery of EU funds spent as a result of irregularities - introduction and judgment of the CJEU of 13.03.2008, C-383/06 to C-385/06, Vereniging Nationaal Overlegorgaan Sociale Werkvoorziening*, *Europejski Przegląd Sądowy* 2018, No 4, pp. 46-56
- *Administrative penalties imposed by national authorities on recipients of EU funds as a result of irregularities - Introduction and judgment of the CJEU of 28.10.2010 in case C-367/09 SGS Belgium*, *Europejski Przegląd Sądowy* 2018, No 6, pp. 55-64
- *Reimbursement of agri-environmental payments for breach of the condition for granting them - Introduction and judgment of the Court of Justice of 26.05.2016, C-273/15, Ezernieki*, *Europejski Przegląd Sądowy* 2018, No 3, pp. 51-59
- *Recovery of EU funds disbursed by individuals as a result of irregularities - Introduction and judgment of the Court of Justice of 18.12.2014, C-599/13, Somvao*, *Europejski Przegląd Sądowy* 2018, No 2, pp. 50-60
- *Elements for the definition of the concept of irregularity - Introduction and judgment of the CJEU of 26 May 2016 in Joined Cases C-260/14 and C-261/14, Județul Neamț and Județul Bacău*, *Europejski Przegląd Sądowy* 2018, No 1, pp. 55-65
- *together with Z. Szpringer, Opening of the debate on the future of EU finances (COM(2017) 358 final)*, *Zeszyty Prawnicze BAS* 2019 2017 No 4 (56), pp. 67-82
- *Legal remedies for applicants in case of refusal to grant EU funding for major projects. Comments to cases T-512/14 Green Source Poland and T-403/15 JYSK*, *Państwo i Prawo* 2017, No. 12, pp. 73-87
- *Financial corrections imposed on contracting authorities for infringements of public procurement law - Comments on the judgments of the CJEU in Joined Cases C-260/14 and C-261/14 Județul Neamț and Județul Bacău and in Case C-406/14 Wrocław*, *Europejski Przegląd Sądowy* 2017, No 9, pp. 40-50
- *together with Z. Szpringer, Opinion on the Commission' decision to initiate, on the basis of Regulation (EU) No 1173/2011 of the European Parliament and of the Council on the effective enforcement of budgetary surveillance in the euro area, an investigation into the manipulation of statistical data in Austria*, *Zeszyty Prawnicze BAS* 2019 2016 No 3(51), pp. 91-98
- *Protection of fundamental rights in spending EU funds*, *Państwo i Prawo* 2015, z. 12, pp. 25-45
- *Sanctions for irregular spending of EU funds*, *Białystok Legal Studies* 2014, Zeszyt 15, pp. 41-55
- *Together with M. Zreda, Critical evaluation of the draft Council Regulation on the establishment of the European Public Prosecutor's Office*, *Przegląd Sejmowy* 2014, No. 4 (123), pp. 37-64
- *Principle of sound financial management in the EU*, *State Control* 2014, No 3, pp. 104-118
- *with Z. Szpringer, Opinion on draft Regulation of the European Parliament and of the Council on European long-term investment funds*, *Zeszyty Prawnicze BAS* 2013, No 3 (39), pp. 121-131

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- *Preventing a farmer from carrying out checks - conditions for receiving EU financial aid. Comments to CJEU cases C-596/09 M. Omejc and C-188/11 P. Hehenberger*, State Control 2013 No 4, p. 60-78
- Together with Z.Szpringer, *Opinion on the fiscal convergence criteria formulated in the Stability and Growth Pact and the Fiscal Compact*, Zeszyty Prawnicze BAS 2013, No. 2 (38), pp. 131-140
- *On-line gambling and internal market freedoms*, European Judicial Review 2012, No. 1, pp. 15-21
- together with A. Grzelak, *Control of compliance with the EU principle of subsidiarity by national parliaments - first experiences*, Zeszyty Prawnicze BAS nr 4/2011, p. 11-42;
- *Freedom of Member States to regulate gambling - Review of the case law of the Court of Justice*, Europejski Przegląd Sądowy 2010, No 12, pp. 37-47;