



EUROPEAN COMMISSION

Ursula von der Leyen  
The President

Brussels, 30. 06. 2020  
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*Dear President Wiwinius,*

*President Igreja Matos,*

*President Sterk,*

*Thank you for your letter highlighting issues relating to the rule of law and for your important contribution in promoting and upholding the rule of law in Europe.*

*As I committed and stated in my Political Guidelines, there can be no compromise when it comes to defending our core values. Strengthening the rule of law is a shared responsibility for all EU institutions and all EU Member States. This principle continuously governs the Commission's work.*

*As you will be aware, on 10 October 2019, the Commission decided to refer Poland to the Court of Justice in infringement proceedings concerning the new disciplinary regime for judges, considering that this regime undermines judicial independence by not offering the necessary guarantees to protect Polish judges from political control. On 14 January 2020, the College took stock of developments at the time, including the ruling of the Polish Supreme Court of 5 December 2019 on the new Disciplinary Chamber, following a preliminary ruling by the European Court of Justice of 19 November 2019. In the ruling, the Supreme Court stated that the Disciplinary Chamber does not meet the requirements of EU law on judicial independence, and is therefore not an independent court within the meaning of EU law and of national law. Despite those rulings, the Disciplinary Chamber continued to operate, creating a risk of irreparable damage for Polish judges. Therefore, the Commission decided to ask the Court of Justice to impose interim measures on Poland, ordering it to suspend the functioning of the Disciplinary Chamber of the Supreme Court. The Court of Justice decided to impose the interim measures on 8 April 2020.*

*Jean-Claude Wiwinius, President of the Network of Presidents of Supreme Courts*

*Jose Igreja Matos, President of the European Association of Judges*

*Kees Sterk, President of the European network of Councils for the Judiciary*

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*As regards the new law on the judiciary which entered into force on 14 February, this legislation raises concerns as regards judicial independency and compatibility with EU law. After careful assessment of this legislation, the Commission decided to send a letter of formal notice to Poland on 29 April 2020.*

*The Commission will continue to follow closely the developments in Poland and remains strongly committed to upholding EU law and values in the interest of the citizens of Poland and of the rest of the European Union. Furthermore, the Commission stands ready to engage in a constructive dialogue with the Polish authorities to resolve the issues at hand. I have entrusted Vice-President Jourová and Commissioner Reynders to act in defence of the rule of law and I know you have been in contact with them already.*

*As you are aware, the Commission is currently working on preparing the first annual rule of law report, in close cooperation with national authorities, EU institutions and stakeholders. This report aims to bring transparency, allow early detection of potential problems and offer support to resolve any rule of law issues at an early stage.*

*Thank you for your close cooperation with the Commission in the area of rule of law, and particularly as regards judicial independence. I value your role and count on your continued support in this regard.*

*Yours sincerely,*



*Ursula von der Leyen*