



Zagreb/Rome October 10th 2021.

Association of Polish Judges

„IUSTITIA“

Dear Colleagues,

The European Association of Judges (EAJ) with great disappointment takes note of the devastating judgement of the Polish Constitutional Court of October 7<sup>th</sup>. It is totally clear that this judgment is null and void and not applicable exactly because of the principle, which this judgement denies, the primacy of European Law over national law, which also includes decisions of a constitutional court.

The EAJ therefore joins the voice of thousands of Europeans, lawyers, judges, academics, politicians and other citizens in and outside Poland which agree that the primacy of European Law is a fundamental precondition and its observance a basic duty of the Treaty of the European Treaty and attempts to demolish this principle may endanger the existence of the Union.

Like the members of the Polish Association of Judges “IUSTITIA” judges of Europe showed their solidarity in the fight for the upholding of the principles of independence of judges, rule of law and common European values by participating in the now historic event of „March of the Thousands Robes“ and by other actions of solidarity.

One has to be aware that all principles we are fighting for are not for our sake but for the sake of the citizens, they will decide in the end but our duty is to speak up and explain what values are in jeopardy. This are values in the interest of all European citizens who decided to live in a union, where same values, same level of human rights and same level of rule of law standards will be obeyed and protected.

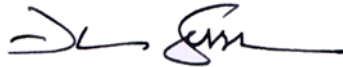
Our role is to be guarantor of that principles applying and following international and domestic law without exceptions because everybody must have in mind that according to Article 47(2) of the European Charter of Fundamental Rights, all EU citizens have

**"the right to a fair and public hearing within a reasonable time by an independent and impartial tribunal previously established by law"** without any exceptions.

In the name of European Association of Judges with its 44 Members, and as part of the International Association of Judges composed of 94 national Associations, I can only fully support the efforts of IUSTICIA to re-establish the rule of law in Poland and encourage them in their intention to abide by the rulings of the European Court of Justice.

The struggle of IUSTITIA is inspiration for all judges in Europe, and in line with, numerous statements, resolutions and opinions delivered by EAJ, EAJ stays alongside today and in days to come with Polish judges.

Truthfully Yours,

A handwritten signature in black ink, appearing to read 'Duro Sessa', with a stylized, flowing script.

Duro Sessa

President of EAJ