

EUROPEAN COMMISSION

Office of the First Vice-President Mr Frans Timmermans

Head of Cabinet

Brussels, 24. 08. 2017
Ares (2017) 3646613

Dear Mr Engstad,

Thank you for your letter of 17 July 2017 and the statement of the Consultative Council of European Judges' (CCJE) Bureau on the adoption by the Polish Parliament of two Acts on the Polish judiciary and on the draft Act on the Polish Supreme Court.

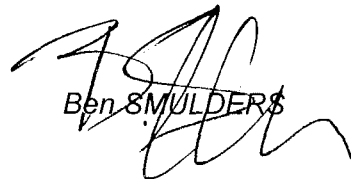
Let me first thank you for the CCJE's contribution and commitment to promoting judicial independence in Europe.

As you may know, on 26 July 2017, the Commission sent a third Recommendation to the Polish Government regarding the Rule of Law in Poland. We explained our concerns on the planned reform of the judiciary and the Constitutional Tribunal reforms, and invited the Polish authorities to work with us to resolve these concerns constructively. The concerns expressed in the CCJE Bureau's statement coincide with issues identified in the Commission's Recommendation.

The Commission was also compelled to launch an infringement procedure against Poland, because the new law on the Ordinary Courts Organisation is in breach of EU law when it comes to gender discrimination and regarding the threat to the independence of judges if their careers become dependent on political choices. We have asked the Polish authorities to reply in one month.

The Commission will continue to follow closely the developments. We are strongly committed to upholding EU law and values in the interests of the citizens of Poland and the rest of European Union.

Yours sincerely,



Ben SMULDERS

Mr Nils ENGSTAD
President
Consultative Council of European Judges (CCJE)

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