



On 8 April 2020 the **Court of Justice of the European Union** has ordered to suspend the respective national legal provisions on the powers of the **Disciplinary Chamber** of the Supreme Court of Poland. Beyond any doubt this order is clear concerning its scope and meaning, it is executable and in any case it is binding.

Court decisions must be followed. Furthermore, this order of a court concerns fundamental issues of a national justice system, i.e. the **question of the independence** of a judiciary and thus the rule of law in one of the member States of the EU. Even more the organs of this EU member State should be aware of the consequences when ignoring such an order.

The Disciplinary Chamber of the Supreme Court of Poland is not independent and it **must not continue its activities** for the time being.

Despite these facts this **Disciplinary Chamber has decided to lift the immunity of Judge Beata Morawiec in a yesterday's decision** in order to enable criminal proceedings against this judge. Furthermore it has decided to **suspend judge Morawiec with reduction of salary of 50%**.

It is crystal clear that these activities of the Disciplinary Chamber fall under the scope of the order of the Court of Justice of the European Union. Thus **organs of the Polish State have ignored the binding decision of the Court of Justice of the European Union.**

- AEAJ fully agrees with and *supports the statements of the other European judicial associations* of 12 October 2020 and of 13 October 2020

- AEAJ expresses its *solidarity with colleague Beata Morawiec and all our Polish colleagues*

- AEAJ *refers to the open letter of AEAJ, EAJ, Judges for Judges and MEDEL* sent to the President of the European Commission Ms Von der Leyen, the Commissioner Ms Jourova and the Commissioner Mr Reynders on *30 September 2020* and repeats the therein stated calls on members of the European Commission as guardians of the European Treaties

- AEAJ *urges the European Commission to respond to this devastation of rule of law as well as of the European legal system.*

October 13th, 2020