



# SUPREME COURT

of the Republic of Poland

The First President of the Supreme Court

Warszawa, 31 October 2018

Prof. dr hab. Małgorzata Gersdorf

PPI-0131-2771/18

The European Commission

*via*

The European Commission  
Representation in Poland  
ul. Jasna 14/16a  
00-041 Warszawa  
POLAND

In fulfilment of the obligation to notify the European Commission about measures adopted in order to comply with the order of Vice-president of the CJEU of 19 October 2018 in case C-619/18, acting as a constitutional body of the Republic of Poland, to which that order is addressed, I wish to notify that:

- 1) on 19 October 201, all judges affected by the provisions enlisted in the order in question have been summoned to take up their official duties in the Supreme Court;
- 2) as of today, a total number of 22 judges affected by the interim measures reported to work in the Supreme Court and some of them have been assigned with cases to be heard, whereas:
  - a) in the Civil Chamber of the Supreme Court the first session with the participation of these judges is to be scheduled;
  - b) in the Criminal Chamber of the Supreme Court the first session with the participation of these judges is scheduled to take place on 22 November 2018;
  - c) in the Labour and Social Security Chamber of the Supreme Court the first session with the participation of these judges will be scheduled in late November;
- 3) judges to whom the aforesaid order applies were provided with premises and technical conditions which allows them to undertake judicial activity.

At the same time, I wish to inform that according to information widely available in the mass media, authorities of the legislative and executive branches are currently considering how the order in question should be implemented. In particular, these authorities doubt whether it is possible to fulfill the obligation to ensure that the Supreme Court judges affected by

provisions enlisted therein may perform their duties in the same position, while enjoying the same status, the same rights and employment conditions as before 3 April 2018 without the Act of 8 December 2018 on the Supreme Court being amended.

A handwritten signature in blue ink, appearing to read 'Lugowski', with a long, sweeping flourish extending upwards and to the right.