

Warsaw, 22 November 2019

**FOR Communication 34/2019:
Morawiecki' s policy speech: a review of statements and announcements**

- The ruling of the EU Court of Justice (CJEU) concerning the Disciplinary Chamber and the new National Council of the Judiciary (KRS) is another ruling concerning changes in the Polish judiciary in recent years. It answers only some of the doubts, and further answers are expected in 2020.
- The CJEU itself could not explicitly state that the Disciplinary Chamber and the new NCJ are incompatible with EU law, as it is not allowed to do so by the specific nature of the preliminary ruling procedure (dialogue between national courts and the CJEU) - the EU court responds to the courts' questions on the interpretation of EU law, and does not explicitly state that national solutions are incompatible with EU legislation.
- In its ruling, the CJEU once again reaffirmed that the organisation of justice in a Member State must comply with EU law, including guaranteeing the independence of the judiciary. Due to the fact that there may be a need to interpret or apply EU law potentially in every case before a court, this applies to all courts in Poland.
- In response to the doubts of the Supreme Court, the CJEU indicated that, in order to verify whether the Disciplinary Chamber is an independent court within the meaning of Union law, it should carry out an assessment of the manner in which the new NCJ was established and how it exercised its powers, and in what circumstances the Disciplinary Chamber was established.
- The judgment of the CJEU should enable, among others, the disclosure of letters of support to the new NCJ, which, despite the final court ruling, are still hidden from public opinion.

Forum Obywatelskiego Rozwoju [Civil Development Forum]

FOR was founded in 2007 by Prof. Leszek Balcerowicz to effectively protect freedom and promote truth and common sense in public discourse. Our goal is to change the awareness of Poles and the current and planned law in the direction of freedom.

FOR realizes its goals by organizing debates and publishing reports and analyses on important social and economic issues, in particular: the state of public finance, the situation on the labor market, economic freedom, justice and lawmaking. On the initiative of FOR, a public debt counter was launched in the centre of Warsaw and on the Internet, which draws attention to the problem of growing state debt. FOR activities also include projects in the field of economic education and participation in campaigns aimed at increasing participation in the elections.

Support us!

Common sense and a libertarian point of view cannot defend themselves. They need a planned, strenuous, effective effort and your support.

If you are close to a social order that respects freedom and are afraid of unreasonable decisions of politicians pretending to be Santa Clauses at your expense, support our activities financially.

Send a transfer to the FOR account (in PLN): 68 1090 1883 0000 0001 0689 0629

For donations, please contact:

Patrycja Satora, FOR development director

Tel. 500 494 173

patrycja.satora@for.org.pl

Help us to protect our freedom today - give us your support and trust.

Send a transfer to the FOR account (in PLN): 68 1090 1883 0000 0001 0689 0629

CONTACT THE AUTHOR



Patryk Wachowiec

legal analyst

e-mail: patryk.wachowiec@for.org.pl

Fundacja Forum Obywatelskiego Rozwoju – FOR

ul. Ignacego Krasickiego 9A · 02-628 Warszawa · tel. +22 628 85 11

e-mail: info@for.org.pl · www.for.org.pl

[f/FundacjaFOR](https://www.facebook.com/FundacjaFOR) · [t/@FundacjaFOR](https://twitter.com/FundacjaFOR)