



To

MRS. URSULA VON DER LEYEN

PRESIDENT OF THE EUROPEAN COMMISSION

MRS. ROBERTA METSOLA

PRESIDENT OF THE EUROPEAN PARLIAMENT

MR. CHARLES MICHEL

PRESIDENT OF THE EUROPEAN COUNCIL

March 04th, 2022.

In CC to

Ms. Vera Jourova

Vice-President of the European Commission for Values and Transparency

Mr. Didier Reynders

European Commissioner for Justice

Mr. Othmar KARAS

Ms. Pina PICIERNO

Mr. Pedro SILVA PEREIRA

Ms. Ewa KOPACZ

Ms. Eva KAILI

Ms. Evelyn REGNER

Mr. Rainer WIELAND

Ms. Katarina BARLEY

Ms. Dita CHARANZOVÁ

Mr. Michal ŠIMEČKA



Ms. Nicola BEER

Mr. Roberts ZĪLE

Mr. Dimitrios PAPADIMOULIS

Ms. Heidi HAUTALA

Vice-Presidents of the European Parliament

Mr. Juan Fernando López Aguilar

Chairman of the Libe Commission

Your Excellencies,

MEDEL fully supports the position of the Polish judicial associations: Iustitia, Themis, Pro Familia, Association of Judges of Family Courts and Association of Judges of Administrative Courts expressed in the letter of 24 February 2022.

For over 6 years, Polish judges, supported by the civil society, fight to uphold basic European values and instruments: the Rule of Law, the right to an independent court, European Convention of Human Rights and Charter of Fundamental Rights. They continue this fight regardless a wide range of repression they face: disciplinary proceedings, suspension in duties, revoking part of salaries, propaganda machine in state media. Independent judges in Poland proved themselves to be true Europeans and constitute the basic obstacle to authoritarian aspirations of Polish government and to the government's desire to leave the European Union.

Turning a blind eye to the demolition of the Polish judiciary by accepting that any legislative project presented currently by the Polish executive (President of Poland or one of the ruling parties) fulfils the criteria of "*money for Rule of Law*" mechanism, will contribute, sooner or later, to the disintegration of the European Union. This will happen, since one of the Member States will be deprived of effective judicial control (also with respect to controlling expenditure of EU funds) and part of European Union citizens and businesses living and operating in Poland will lose their right to a court established by law.

Let the difficult situation in Ukraine and the whole of Europe not distract the European Commission in its determination to stand as guardian of the European Treaties. Recent days show clearly what happens when violation of Human Rights and Rule of Law are treated too indulgently. It is exactly at this moment when European Union must show its allegiance to its core values. Otherwise it faces disintegration.

MEDEL calls on the European Commission to be consistent in demanding compliance with the rule of law from Polish authorities, which so far could be ensured only by the draft adopted within the Agreement for the Rule of Law.

Yours Sincerely,



Filipe MARQUES

(President of *MEDEL – Magistrats Européens pour la Démocratie et les Libertés*)

filipe.marques@medelnet.eu

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