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On Monday, 18 December, the Network of the Presidents of the Supreme Judicial Courts of the European Union issued a letter to Frans Timmermans, the Vice-President of the European Commission.

The letter, which was signed by Priit Pikamäe, the President of the Network, expressed grave concern over the events concerning the Polish justice system. The Network of Presidents is of the opinion that the intended legislative changes could seriously undermine the independence of the Polish judiciary and the Supreme Court, as well as the legal certainty within Europe.

The Network of Presidents stated that the intention of one of the changes, which was to lower the mandatory retirement age of Supreme Court judges, will have a significant impact on the current composition of the Supreme Court. Namely, as a result of this decision, over one third of the current Supreme Court judges, including the First President of the Supreme Court of Poland, will have to leave office. The Network of Presidents expressed its deep concern that the premature termination of office of Supreme Court judges would impede the autonomy and the independence of the Supreme Court, and emphasised that the pre-term removal of judges is not in line with the case law of the European Court of Justice.

According to the Network of Presidents, the legislative changes that will give the Polish Parliament control over the appointment of judges will in the long run politicise the judiciary. The appointment of judges needs to be independent from politics. The Network of Presidents stressed that the judicial cooperation of the Member States of the European Union is based on mutual trust, and that legal certainty and trust are the preconditions for the mutual recognition and enforcement of court decisions in the Member States.

The full text of the letter is available here [1].

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[1]

[https://www.riigikohus.ee/sites/default/files/elfinder/analyysid/2017/Letter%20of%20President%20Pikam%C3%A4%20President%20Timmermans%20\(18.12.17\).pdf](https://www.riigikohus.ee/sites/default/files/elfinder/analyysid/2017/Letter%20of%20President%20Pikam%C3%A4%20President%20Timmermans%20(18.12.17).pdf)