

MEIJERS COMMITTEE
STANDING COMMITTEE OF EXPERTS ON INTERNATIONAL
IMMIGRATION, REFUGEE AND CRIMINAL LAW

Case Number	Name	Date of Judgement	ECLI:EU:C:	Summary	Status
C-192/18	Commission v Poland	05/11/2019	2019:924	retirement age of judges & public prosecutors; Art. 157 TFEU, Art. 5(a) & 9(1)(f) of Directive 2006/54/EC, Art. 19 TEU, Art. 47 CFR	closed
C-522/18	DŚ v Zakład Ubezpieczeń Społecznych Oddział w Jaśle	29/01/2020	2020:42	retroactive lowering of Supreme Court retirement age Art. 2, 4(3) and 19 TEU, Art. 47 CFR	closed
C-537/18	YV v Krajowa Rada Sądownictwa	03/02/2020	2020:136	retirement age of judges, Disciplinary Chamber lack of independence of Supreme Court's Disciplinary Chamber, case closed on 3/2/2020 due to ruling in C-585/18; Art. 47 CFR, Art 9(1) Directive 2000/78/EC	closed
C-563/18 & C-558/18	Miasto Łowicz and Prokurator Generalny	26/03/2020	2020:234	disciplinary regime for judges preliminary reference questioning the new Polish legislation relating to the disciplinary regime for judges, request for a preliminary reference inadmissible but inadmissible requests are cannot lead to disciplinary sanctions for judges; Art. 19 TEU	closed
C-585/18 , C-624/18 & C-625/18	A. K. and Others v Sąd Najwyższy	19/11/2019	2019:982	independence of Disciplinary Chamber appointment procedure of judges of the Supreme Court involving the NCJ, referring court must assess whether the new Disciplinary Chamber is independent, Art. 47 CFR, Art. 9(1) Directive 2000/78	closed
C-619/18	Commission v Poland	24/06/2019	2019:531	legislation concerning the lowering of retirement age of SC judges is incompatible with principles of irremovability of judges and of judicial independence; Art. 19 TEU, Art. 47 CFR	closed
C-619/18 R	Commission v Poland	17/12/2018	2019:575	Poland ordered to suspend the application of the provisions of national legislation concerning the lowering of the retirement age for Supreme Court judges	closed
C-623/18	Prokuratura Rejonowa w Słubicach v BQ	06/10/2020	2033:20:00	new disciplinary regime for judges, Art. 19 TEU; Art. 47 CFR	closed
C-668/18	BP v UNIPARTS sàrl	03/12/2019	2019:1093	retroactive lowering of Supreme Court retirement age same key issue as in C-522/18, reference withdrawn by Polish Supreme Court on 23/10/2019	closed
C-824/18	A.B. and Others	02/03/2021	2021:153	reference for preliminary ruling by the Polish Supreme Administrative Court in the context of legal proceedings of candidates against the appointment procedure of the National Council of the Judiciary (KRS), effective remedy against KRS decisions; Art 15 and 20 TFEU, Art. 47 CFR	closed
C-487/19	W.Ż.		-	status of Supreme Court chambers the composition of the "Chamber of Extraordinary Control and Public Affairs" which include individuals appointed on basis of prima facie unlawful procedure; Art. 2, 6 and 19 TEU, Art. 47 CFR	in progress

Rule of Law Cases at the CJEU - Poland - by the Meijers Committee

C-508/19	Prokurator Generalny			-	judicial independence of Supreme Court status of individuals appointed to the Supreme Court on basis of unlawful procedure; Art. 2, 4, 6 and 19 TEU, Art. 47 CFR	in progress
C-748/19 to C-754/19	Prokuratura Rejonowa w Mińsku Mazowieckim and Others			-	composition of criminal court and appointment process (involvement of the Polish Council for the Judiciary in the appointment of judges to the Polish Supreme Court); Art. 19 TEU, Art. 47 CFR	in progress
C-763/19 to C-765/19	D.S. and Others	07/05/2020	2020:414		composition of court and appointment process, questions withdrawn on 20/2/2020; Art. 19 TEU, Art. 47 CFR	withdrawn
C-791/19	Commission v Poland	15/07/2021	2021:596		lack of independence and impartiality of the Disciplinary Chamber of the Supreme Court; Art. 19 TEU, a decision by the CJEU is expected in the first half of 2021	closed
C-791/19 R	Commission v Poland	08/04/2020	2020:277		CJEU ordered the immediate suspension of the activities of the Disciplinary Chamber regarding disciplinary cases concerning judges, the Polish government disregarded the ruling and allowed the Disciplinary Chamber to make further decisions, such as lifting the immunity of judges with a view to prosecuting them if necessary	closed
C-55/20	Ministerstwo Sprawiedliwości			-	understanding of the notion of a court under EU law regarding the Disciplinary Court of the Bar; Directive 2006/123; notion of court under Art. 267 TFEU	in progress
C-132/20	BM, DM and EN v Getin Noble Bank SA			-	whether the judges at first and second instance qualify as judges of a court or tribunal within the meaning of EU law, status of judges appointed before 1989; Directive 93/13/EEC Art. 19 TEU, Art. 47 CFR	in progress
C-354/20 PPU & C-412/20 PPU	L and P/Openbaar Ministerie	17/12/2020	2020:1033		surrender to Poland on the basis of a European arrest warrant (EAW) questioned in view of existing evidence of systemic or generalised deficiencies concerning the independence of the judiciary; Framework Decision 2002/584/JHA, Art. 47 CFR	closed
C-491/20, C-492/20, C-493/20, C-494/20, C-495/20, C-496/20, C-506/20, C-509/20, C-511/20	Sąd Najwyższy and Others			-	-	in progress
C-615/20	YP and Others			-	Disciplinary Chamber of the Supreme Court - 'tribunal' within the meaning of Art. 47 CFR, Art. 6 ECHR	in progress
C-671/20	M.M.			-	Disciplinary Chamber of the Supreme Court, can the President of a court change the composition of that court because the originally designated judge has been suspended by a body that does not satisfy the requirements of effective judicial protection, Art. 2 and 19(1) TEU	in progress
C-157/21	Poland v Parliament and Council			-	Poland challenges the legality of Regulation 2020/2092 on a general regime of conditionality for the protection of the Union budget as it lacks a valid legal basis	in progress
C-181/21	G.			-	-	in progress
C-204/21	Commission v Poland			-	Commission's action against Poland regarding the "Muzzle Law" and the (suspended) Disciplinary Chamber	in progress