

**Request for a preliminary ruling from the Sąd Okręgowy w Warszawie (Poland) lodged on  
5 September 2018 — Criminal proceedings against VX, WW and XV**

(Case C-563/18)

(2019/C 44/12)

*Language of the case: Polish*

**Referring court**

Sąd Okręgowy w Warszawie

**Parties to the main proceedings**

VX, WW and XV

**Question referred**

On a proper construction of the second subparagraph of Article 19(1) of the Treaty on European Union, does the resulting obligation for Member States to provide remedies sufficient to ensure effective legal protection in the fields covered by EU law preclude provisions which remove the guarantee of independent disciplinary proceedings against judges in Poland by permitting disciplinary proceedings to be conducted under political influence, giving rise to a risk that the system of disciplinary measures will be used to politically control the content of judicial decisions?

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**Request for a preliminary ruling from the Sąd Najwyższy (Poland) lodged on 20 September 2018 —  
A. K. v Krajowa Rada Sądownictwa**

(Case C-585/18)

(2019/C 44/13)

*Language of the case: Polish*

**Referring court**

Sąd Najwyższy

**Parties to the main proceedings**

*Appellant:* A. K.

*Respondent:* Krajowa Rada Sądownictwa (National Council of the Judiciary)

**Questions referred**

1. On a proper construction of the third subparagraph of Article 267 TFEU, read in conjunction with Article 19(1) and Article 2 TEU and Article 47 of the [Charter of Fundamental Rights], is a newly-created chamber of a court of last instance of a Member State which has jurisdiction to hear an appeal by a national court judge and which is composed exclusively of judges selected by a national body tasked with safeguarding the independence of the courts (the National Council of the Judiciary), which, having regard to the systemic model for the way in which it is formed and the way in which it operates, is not guaranteed to be independent from the legislative and executive authorities, an independent court or tribunal within the meaning of EU law?
2. If the answer to the first question is negative, should the third subparagraph of Article 267 TFEU, read in conjunction with Article 19(1) and Article 2 TEU and Article 47 of the [Charter of Fundamental Rights], be interpreted as meaning that a chamber of a court of last instance of a Member State which does not have jurisdiction in the case but meets the requirements of EU law for a court seised with an appeal in an EU case should disregard the provisions of national legislation which preclude it from having jurisdiction in that case?