SUPREME COURT

of the Republic of Poland

Resolution

The General Assembly of the Judges of the Supreme Court

of 16 January 2018

STATEMENT

Judges of the Supreme Court gathered at the General Assembly on 16 January 2018, declare:

1. Adopted by both chambers of Parliament and signed by the President of the Republic of Poland new laws: on the Supreme Court and the National Council of the Judiciary and common courts have been prepared in violation of fundamental rules of law, without adequate consultation, with disrespect to revealed scientific opinions and positions of legal and academic organizations. They are, in a number of provisions, contrary to the prevailing standards of the Constitution of the Republic of Poland and in breach of the rule of separation of state powers, the independence of the courts, judges and their irremovability.

2. Lasting until the end of April 2020, constitutionally specified, 6-year long, term of office of the first President of the Supreme Court cannot be shortened by ordinary law.

3. Unlawful and unjustified removal from the Office of nearly half of the experienced judges of the Supreme Court in no way will improve the operation of the justice system.

4. Demonstrative showing of disrespect and denigration of judges by the highest representatives of the legislative and executive powers aims to diminish the authority of the Polish State, part of which is justice.

5. We express our appreciation to all the judges, individuals and institutions which, with words and actions, supported the efforts to preserve the independence of the Polish courts and judges.

6. We appeal to respect the decisions of each judge, who, according to the new law on the Supreme Court, is forced to decide whether to remain in their post, retire or apply for the consent of executive power for the extension of the exercise of activities as a judge.