



SUPREME COURT of the Republic of Poland

First President of The Supreme Court

Warsaw, 10 September 2018

BSA I-055-643/18

The Honourable
Presidents of the Association of Judges of the
Nordic States

Via
The "Iustitia" Polish Judges Association

*Ladies and Gentlemen, Dear Colleagues from the Judges Associations of Denmark,
Finland, Iceland, Norway, Sweden, Latvia and Estonia,*

Taking the opportunity of the friendly assistance of the Management of the "Iustitia" Polish Judges Association, I would like to convey my most sincere thanks for the resolution about the situation of the Polish judiciary, which you passed in Helsinki on the 31 August this year at the meeting of the presidents of the associations of judges.

I am deeply moved with the fact that the fate of the Polish judiciary remains close to the hearts of the legal communities of other European states. In our country, judges are exposed virtually every day to personal attacks by both the politicians of the ruling party, who hold different public positions, as well as the media, who are directly or indirectly controlled by the current government. The situation in Poland at present is in no way reminiscent of what one might expect when reforms are implemented in a democratic state, and has not only nothing in common with the universally respected legal standards, but is also in disrespect of elementary values such as human dignity and freedom of expressing one's opinions. It is good to know that Poland and Poles have such solid friends as you, who are ready to speak their minds, loud and clear. Such gestures are invaluable to us in these difficult times.

Let me also appeal to you wholeheartedly for your further help in organising a broad European debate about the rule of law. Protests and calls, important as they are, will not have an impact on a good part of the Polish society, who are made believe, by means of all available means, that the changes now pending are in line with both the Constitution and international standards. Now, more than ever, do we need the voice of not the political elites but regular citizens – also those who are not lawyers – in defence

of the values on which the Council of Europe was created in 1949 and, just a year later, the European Convention of Human Rights was formulated. We cannot allow for the legacy of the great "Solidarity" movement to be wasted – the movement that brought our country back to Europe. I am afraid that the case of Poland can become one of the key elements destabilising the European legal system which was born on the rubble of the most atrocious war of the modern era.

I believe that there is a great need for a broad educational campaign, which would explain the true sense of the separation of powers and the need for a judiciary which is independent from the world of politics. This is why I appeal to you to support the task of building a Polish nationwide network of legal educators, to support Polish non-governmental organisations who act in the name of the rule of law, and to organise a European legal congress which could help boost the public debate on these important topics. Your help in this endeavour would be extremely precious. I ask you for it, very much, on behalf of millions of Poles.



Prof. Dr habil. Małgorzata GERSDORF