

Statement of the President of the European Association of Judges

The essential values of Europe, enshrined on European Union Treaties, namely the principle of separation of powers, are in grave danger in Poland.

The current destruction of the independence of the judiciary has numerous consequences for European citizens, for the investments of companies and for the mutual trust between countries. Forced to be just an instrument of government, judges cannot uphold the fundamental rights of their fellow citizens.

As pointed out by in a recent decision of the European Court of Justice the guarantee of judicial independence is required, not only at European Union level, but also at the level of the Member States, as regards national courts.

Reaffirming an unanimous resolution recently approved, the European Association of Judges, composed by national associations of 43 countries, urges the Polish authorities to review the system of disciplinary proceedings ensuring they are independent of Minister of Justice, stopping immediately the pending cases, and to amend the legislation on the National Council of Judiciary – already suspended by the European Network of Councils for the Judiciary - to guarantee that its members are elected by judges and not appointed by political reasons.

Having in mind the recent developments in Polish judiciary, particularly the unacceptable disciplinary procedures against judges, with another very recent regrettable example concerning a colleague of the District Court in Olsztyn,

the European Association of Judges wishes to strongly express its total and unequivocal solidarity to the independent judges in Poland that are struggling, in arduous conditions, to uphold Democracy and Rule of Law.

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