

Statement of Polish Supreme Court Judges

In connection with the adoption of a "resolution" by the Disciplinary Chamber on July 2, 2021, on the consent to prosecute Józef Iwulski the Supreme Court Judge, we hereby declare:

1 / pursuant to the resolution of the three joint Chambers of the Supreme Court of 23 January 2020 and the broad legal argumentation presented therein, the Disciplinary Chamber is not a court within the meaning of the Constitution of the Republic of Poland, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Treaty on European Union;

2 / according to art. 181 of the Polish Constitution, the waiver of the immunity of any judge may take place only with the consent of an independent and impartial court.

As a consequence, we are convinced that as long as the prosecutor's motion to waive the immunity of a judge is not examined by an independent court, there is no legal decision in the matter which is the subject of this motion.

Warsaw, July 2, 2021

Supreme Court Justices:

Tomasz Artymiuk

Teresa Bielska-Sobkowicz

Bohdan Bieniek

Jacek Błaszczyk

Wiesław Bluś

Krzysztof Cezar

Dariusz Dończyk

Tadeusz Ereciński

Małgorzata Gierszon

Małgorzata Gersdorf

Katarzyna Gonera

Henryk Gradzik

Jerzy Grubba

Paweł Grzegorzczak

Tomasz Grzegorzczak

Beata Gudowska

Jacek Gudowski

Teresa Fleming-Kulesza

Jolanta Frańczak

Józef Frąckowiak

Przemysław Kalinowski
Wojciech Katner
Halina Kiryło
Monika Koba
Marian Kocon
Anna Kozłowska
Kazimierz Klugiewicz
Jerzy Kuźniar
Zbigniew Kwaśniewski
Michał Laskowski
Jarosław Matras
Rafał Malarski
Grzegorz Misiurek
Dawid Miąsik
Barbara Myszka
Anna Owczarek
Maciej Pacuda
Władysław Pawlak
Marek Pietruszyński
Krzysztof Pietrzykowski
Henryk Pietrkowski
Agnieszka Piotrowska
Waldemar Plóciennik
Piotr Prusinowski
Zbigniew Puzkarski
Krzysztof Rączka
Marta Romańska
Dorota Rysińska
Walerian Sanetra
Andrzej Siuchniński
Barbara Skoczowska
Roman Sądej

Romualda Spyt
Ewa Strużyna
Adam Strzembosz
Krzysztof Strzelczyk
Maria Szulc
Dariusz Świecki
Roman Trzaskowski
Katarzyna Tyczka-Rote
Bogusława Ustajnicz
Małgorzata Wąsek-Wiaderek
Karol Weitz
Eugeniusz Wildowicz
Paweł Wiliński
Tadeusz Wiśniewski
Małgorzata Wrębiakowska-Marzec
Andrzej Wróbel
Włodzimierz Wróbel
Hubert Wrzeszcz
Stanisław Zabłocki
Kazimierz Zawada
Dariusz Zawistowski
Jadwiga Żywolewska-Ławniczak