





21 January 2020

The Paris Bar Association, the German Bar Association, the Amsterdam Bar Association, the Flemish Bar Association and the Warsaw Bar Association of Advocates call upon the Polish Parliament to reject in full and refrain from further work on the bill introducing severe disciplinary measures against judges who would seek to verify the legality and constitutional legitimacy of the National Judiciary Council, the newly created Supreme Court chambers or other courts or tribunals (Amendments to the Law on the organization of common courts, the Act on the Supreme Court and some other acts dated 12 December 2019).

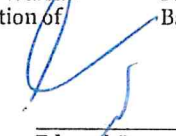
The proposed changes - taking in consideration especially the context in which they are introduced – are in breach of European and democratic standards and should be rejected as they disrupt the delicate balance between the judiciary and the executive, and thus undermine the rule of law in Poland and the European Union. The Polish legal order faces a serious risk of legal chaos caused by a lack of mutual respect between the judicial institutions and courts before and after the legislative amendments in 2017.


Independent courts are the ultimate guardian of justice and of the rights of citizens – especially if they face cases against the government. The judiciary itself may be the weakest among the three powers in democracies, but it is perhaps the most noble of them. Advocates – as part of the legal system – are now called to protect the judiciary and the rule of law against the unwarranted attacks from the executive and thus urge the Polish government to refrain from further demolition of the fragile system of checks and balances. Ultimately, the rights and freedoms of citizens are at stake.

  
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