

**CONSULTATIVE COUNCIL OF
EUROPEAN JUDGES
(CCJE)**



Strasbourg, 31 December 2019

STATEMENT

**for the attention of the Association of Polish Judges
“IUSTITIA”, International Association of Judges and other
national and international associations and institutions
concerned with the independence of the judiciary in
Poland**

The Consultative Council of European Judges (CCJE) has been informed that Polish judges are organising, on 11 January 2020 at 15.00 in Warsaw, a silent march in support of the defence of the rule of law in response to the latest legislative amendments affecting the position and duties of judges.

The CCJE, including its Bureau, has for some years monitored the developments as regards the Polish judiciary, and has published several Opinions and Statements (on 18 June 2018¹, 27 March 2018², 10 November 2017³, 12 October 2017⁴, 17 July 2017⁵, 7 April 2017⁶) in which it expressed its clear opposition to the steps taken by the legislative and executive powers in Poland in breach of the Council of Europe's standards on the independence of the judiciary and undermining the protection of judges when carrying out their adjudicatory duties.

The right to an independent and impartial court is laid down clearly in Article 6 of the European Convention on Human Rights.

¹ Please see here <https://rm.coe.int/ccje-bu-2018-6rev-en-statement-poland-en/16808b5014>

² Please see here <https://rm.coe.int/statemenet-of-the-bureau-of-the-ccje-attacks-polish-media-agains-judge/16807a5640>

³ Please see here <https://rm.coe.int/statemenet-as-regards-the-situation-on-theindependence-of-the-judiciar/1680765391>

⁴ Please see here <https://rm.coe.int/opinion-of-the-bureau-of-the-ccje-on-the-draft-act-of-september-2017-p/168075ddf0>

⁵ Please see here <https://rm.coe.int/statement-of-the-ccje-bureau-on-the-polish-parliament-s-recent-adoptio/1680739ed9>

⁶ Please see here <https://rm.coe.int/168070b56a>

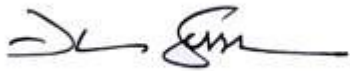
The work of the CCJE revolves around the implementation of this right, with the aim of strengthening the rule of law and the effective protection of human rights in democratic States.

Having our common European legal space, rights and freedoms should be the same for everyone in Europe, regardless of where people live or which citizenship they hold, and those rights and freedoms must be protected fairly and effectively. I would like, on behalf of the CCJE, to express our support for all efforts undertaken at national and international level in order to recall and help ensure the implementation of the well-established principles of an independent judiciary. These are the principles which enable judges to adjudicate independently, without fear of retribution. They include the tenure until the age of retirement, adequate working conditions and submission only to the Constitution, laws and international treaties. All these and other relevant principles should never be put in jeopardy.

The judges are currently making enormous efforts to preserve their independence, not as their personal privilege but for the benefit of the population of Poland and the principle of rule of law and the separation of powers in a democratic society. It is indispensable for the authorities in Poland to start an open, comprehensive and honest dialogue with the judges and their representatives, and to discontinue the attacks on the most foundational values of our democracies.

I would be grateful if this Statement can be published by the Association of Polish Judges "IUSTITIA" for the kind attention of all Polish judges.

Faithfully Yours,

A handwritten signature in black ink, appearing to read 'Duro Sessa', with a long horizontal flourish extending to the right.

Duro Sessa
President of the CCJE