

17 March 2021

## **STATEMENT OF SUPREME COURT JUDGES**

We, the undersigned Supreme Court judges, oppose the practice of the Prosecutor's Office of requesting for authorisation for criminal prosecution of judges based on allegations related to decision-making process and execution of judgments by the court's staff. The alleged crimes committed by judges are not supported by compelling evidence. Moreover, the requests for waiver of judicial immunity are directed against judges who publicly express negative opinions about the state of the rule of law in Poland.

We oppose hearing the mentioned requests by the Disciplinary Chamber – a body whose independence and impartiality have been effectively compromised in the case-law of the Court of Justice, the Supreme Court, and ordinary courts. The Disciplinary Chamber ought to refrain from processing all cases pending before it until delivery of the final judgment of the Court of Justice.

The practice of requesting for waiver of judicial immunity shows how law can be exploited to discredit judges who express their criticism over changes in the justice system. At the same time, it is an attempt to create a 'chilling effect' on other judges by discouraging them from issuing rulings that can be perceived by the authorities as unpleasant, and from defending the rule of law.

We would like to draw the attention of the domestic and international public to the sustained dismantlement of democracy and the rule of law in the Republic of Poland.

The following Supreme Court judges signed this statement until it was made public:

**Civil Chamber**

Dariusz Zawistowski –  
President  
Teresa Bielska-Sobkowicz  
Dariusz Dończyk  
Tadeusz Ereciński  
Józef Fraćkowiak  
Jacek Gudowski  
Irena Gromska-Szuster  
Paweł Grzegorzczak  
Wojciech Katner  
Monika Koba  
Marian Kocon  
Iwona Koper  
Anna Kozłowska  
Zbigniew Kwaśniewski  
Grzegorz Misiurek  
Barbara Myszka  
Anna Owczarek  
Władysław Pawlak  
Henryk Pietrzkowski  
Krzysztof Pietrzykowski  
Agnieszka Piotrowska  
Marta Romańska  
Krzysztof Strzelczyk  
Maria Szulc  
Roman Trzaskowski  
Katarzyna Tyczka-Rote  
Bogumiła Ustjanicz  
Karol Weitz  
Tadeusz Wiśniewski  
Kazimierz Zawada  
Tadeusz Żyznowski

**Criminal Chamber**

Michał Laskowski – President  
Stanisław Zabłocki  
Tomasz Artymiuk  
Jacek Błaszczak  
Krzysztof Cesarz  
Małgorzata Gierszon  
Jerzy Grubba  
Przemysław Kalinowski  
Jarosław Matras  
Waldemar Płóciennik  
Zbigniew Puszkarski  
Andrzej Siuchniński  
Barbara Skoczowska  
Dariusz Świecki  
Małgorzata Wąsek-Wiaderek  
Eugeniusz Wildowicz  
Paweł Wiliński

**Labour and Social Security Chamber**

Józef Iwulski – President  
Małgorzata Gersdorf  
Teresa Flemming-Kulesza  
Bohdan Bieniek  
Jolanta Frańczak  
Katarzyna Gonera  
Beata Gudowska  
Halina Kiryło  
Roman Kuczyński  
Jerzy Kuźniar  
Dawid Miąsik  
Maciej Pacuda  
Piotr Prusinowski  
Krzysztof Rączka  
Romualda Spyt  
Małgorzata Wrębiakowska-  
-Marzec  
Andrzej Wróbel