

Resolution of 11 June 2018

Assembly of Representatives of Judges of the Regional Court in Łódź:

1. joins the appeals calling on the European Commission to send the Act on the Supreme Court to the Court of Justice of the European Union together with the motion to suspend the implementation of the Act;
2. acknowledges amendments introduced to the Act on the System of Common Courts, the Act on the National Council of the Judiciary, the Act on the Supreme Court and the Act on the Constitutional Tribunal by acts of 12 April 2018 and 10 May 2018 as illusory concessions to the rule of law and order, which does not contribute to the independence of the courts;
3. expresses strong objection against activities of the National Council of the Judiciary, that was set up contrary to article 187 of the Constitution of the Republic of Poland. The National Council of the Judiciary, instead of upholding the independence of courts and independence of judges, undertakes actions aimed at repression of judges and associations of judges, which can be supported by the prepared resolution "on the out-of-court political activity of judges";
4. assesses that the amendment of article 30 of the Act on the System of Common Courts, which is specifying a new composition of the college of district court, was implemented with flagrant transgression of fair legislation, due to the omission of the transitional provisions. This results in a lack of clear grounds for a binding settlement which aims at deciding whether and how the change of the composition and change of the rules for appointing members of the college of district court affects the status of colleges which had been composed before the new rules entered into force.
5. expresses an objection against the appointment of judges to disciplinary courts functioning within the courts of appeal without their consent, which infringes article 180 section 2 of the Constitution of the Republic of Poland;
6. expresses solidarity with judges from Kraków, who have demanded an immediate resignation from office of the President of the District Court in Krakow - Dagmara Pawełczyk-Woicka, because of reasons specified in the Resolution of the Meeting of Judges of the District Court in Krakow of 24 May 2018 such as: lack of sufficient qualifications and experience in court management, using of unacceptable methods of intimidation of judges and limitation of their right to express opinions, as well as the lack of ability to cooperate with judges and other court organs;
7. calls on all judges in Poland not to surrender to the pressure and attempts of intimidation, and on the judges' self-government to express an unequivocal and firm

position that opposes all actions aimed at subordinating the courts to the political authority;

8. obliges the President of the District Court in Łódź to publish this Resolution on the Court's website, since it is in the public interest to familiarize the public with the opinion of the self-government of the judges in Łódź District and it serves the needs of citizens who, pursuant to article 45 of the Constitution of the Republic of Poland, have the right to an impartial and independent court.