

Poland - statement by the President of the Venice Commission, January 18, 2017.

I am worried about the worsening situation within the Constitutional Tribunal of Poland. Following the attempts to influence the work of the Tribunal by means of legislative amendments, which were criticised by the Venice Commission, practical steps are now taken with the apparent aim to ensure that the Tribunal act in accordance with the will of the current political majority:

- The new President of the Tribunal was elected on the basis of a questionable procedure;
- The new President delegated her powers to another judge who was elected on a legal basis that had been found unconstitutional by the Tribunal;
- The Vice-President of the Tribunal was sent on a vacation he had not asked for;
- The election of three sitting judges is challenged seven years after the election.

Hitherto the Constitutional Tribunal played a crucial role to ensure respect for human rights, the rule of law and democratic principles in Poland. It is alarming that it is systematically made impossible for the Tribunal to carry out this role assigned to it by the Polish Constitution.