



AEQUITAS NEWSLETTER (Nr 4)

June 7, 2025 r.

TUPLICE MUNICIPAL COUNCIL SUPPORTED OZS AEQUITAS PETITION

On May 22, 2025, the Tuplice Commune Council adopted a resolution in which it recognized that the petition filed by OZS AEQUITAS regarding the defense of the constitutional principle of independence and impartiality of Polish judges deserves to be taken into account. As can be read in the attachment to the resolution, the members of the Tuplice Commune Council agreed with the position of OZS AEQUITAS, because citizens expect fair and efficient handling of cases in courts and do not want to be exposed to challenging court judgments that have already been passed, and due to chaos, personal settlements and conflicts among the judiciary, state security is at risk.

The full text of the resolution can be found at the link below:

https://tuplice.biuletyn.net/fls/bip_pliki/2025_05/BIPF635C958742CE0Z/Uchwala_Nr_XII_76_25.pdf

THE MUNICIPAL COUNCIL IN OPOCZNO SUPPORTED THE PETITION OF OZS AEQUITAS

On May 27, 2025, the Opoczno City Council also adopted a resolution in which it considered that the petition submitted by OZS AEQUITAS deserved to be taken into account. As can be read in the justification of the resolution, members of the Opoczno City Council pointed out that the draft act on restoring the right to an independent and impartial court established on the basis of law by regulating the effects of the resolutions of the National Council of the Judiciary adopted in the years 2018-2025, presented by the Minister of Justice on April 24, 2025, is in obvious contradiction with the guidelines of the Venice Commission of October 11-12, 2024 and undermines the fundamental principles underlying the case law of the European Court of Human Rights, as well as contains regulations contrary to the Constitution of the Republic of Poland. The Opoczno City Council emphasized that the draft carries a great threat and temptation to use similar legal regulations by future governments, creating a dangerous precedent not only for Poland, but for the whole of Europe.

The full text of the resolution can be found at the link below:

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THE MUNICIPAL COUNCIL IN JUTROSIN SUPPORTED THE PETITION OF OZS AEQUITAS

On May 28, 2025, the City Council in Jutrosin also adopted a resolution in which it recognized the validity of the OZS AEQUITAS petition. The justification for the resolution shows that although the legislative process is still ongoing, the Council drew attention to the need to stop further dividing the judicial community, as this weakens the judicial power, which for the good of citizens and the country should remain completely independent of the legislative and executive power. The judicial community should work for the idea of deepening citizens' trust in the Polish justice system, which should be apolitical, efficient and independent of any authority, attempts at pressure and subordination.

The full text of the resolution can be found at the link below:

<https://bipumigjutrosin.nv.pl/urzed,a,16665,uchwala-nr-xiv852025-rady-miejskiej-w-jutrosinie-z-dnia-28-maja-2025-r-w-sprawie-rozpatrzenia-petycji.html>

CHANGE IN THE MINISTER OF JUSTICE'S RHETORIC ON THE ELECTION OF JUDICIAL MEMBERS OF THE NATIONAL COUNCIL OF THE JUDICIARY

On June 4, 2025, the Minister of Justice, Adam Bodnar, presented an interesting statement on the selection of representatives of judges to the National Council of the Judiciary. He suggested that when the term of office of the current judges – members of the National Council of the Judiciary ends in May 2026, the Sejm will be able to elect new members in their place, based on the currently applicable provisions. According to the Minister, judges should choose their own candidates through a clear, transparent procedure, and the role of the Sejm should be limited only to approving these candidates, without any interference. This is – as it seems – a change in the previous rhetoric, because until now the Minister considered the method of selecting judges – members of the National Council of the Judiciary (by the Sejm) to be unconstitutional. Importantly, it led to the initiation of disciplinary proceedings against all current judges – members of the Council solely and exclusively because of their sitting on its composition. <https://businessinsider.com.pl/prawo/opinie/wykorzystalem-kazdy-dzien-adam-bodnar-nie-czuje-sie-winnym-porazki-rafala/b08n08q>

SOURCES OF FUNDING FOR THE ASSOCIATION OF PROSECUTORS LEX SUPER OMNIA

The group of beneficiaries of grant programs of the Stefan Batory Foundation, founded in 1988 by, among others, George Soros, includes, among others, The Association of Polish Judges Iustitia, the Committee for the Defense of Democracy and Action Democracy – also includes the Lex Super Omnia Association of Prosecutors, which identifies itself as independent, which in 2020, 2022 and 2023 received a total amount of PLN 216,000, including:

- in 2020, PLN 43,000 for the participation of Association members in projects related to legal education,
- in 2022, PLN 73,000 for the development of the assumptions of the citizens' draft of the Law on the Prosecutor's Office, consultations with social organizations, co-organization of legal meetings, participation of Association representatives in the Pol'and'Rock Festival, support for communication activities,
- in 2023, PLN 100,000 for the dissemination of the draft Law on the Prosecutor's Office, media workshops for Association members participating in citizens' meetings, preparation and promotion of the annual report on the state of the prosecutor's office and translations of materials, positions and opinions presented by the Association, participation of the Association's representatives in the Pol'and'Rock Festival.

Source: Sprawozdania roczne – Fundacja im. Stefana Batorego.

RESIGNATION OF THE VICE PRESIDENT OF THE DISTRICT COURT IN WARSAW

According to press reports, the vice president of the District Court in Warsaw, judge Hubert Zaremba, has resigned from his position. The resignation itself would not be particularly interesting information if it were not for the fact that the judge held a rather peculiar position, namely the vice president for work organization and coordination of activities restoring the standards of the rule of law. As part of his position, the judge was an advocate of removing judges appointed to office after 2017 from adjudicating in certain categories of cases. The reasons for resigning from his position are not known to the public, however, the coincidence of time with the announcement of the election results for the office of the President of the Republic of Poland may give an outside observer the conviction that the decision was based on dissatisfaction with the election results, which may constitute an obstacle to the introduction of unconstitutional changes aimed at the actual removal from office of judges appointed after 2017.

On May 30, 2025, the Congress: Lawyers for the Rule of Law was held at the seat of the Constitutional Tribunal, devoted to various aspects of the rule of law, including the rule of law and the independence of judges and recent attempts to violate it. The Congress ended with the signing of a declaration of cooperation between the President of the Constitutional Tribunal and non-governmental organizations to maintain the rule of law in Poland.

The Congress was organized by: the Ordo Iuris Institute, the Lawyers for Poland Association, the Independent Association of Prosecutors "Ad Vocem" and the Polish Association of Judges "Judges of the Republic of Poland". **The Congress was held under the patronage of the First President of the Supreme Court, SSN Małgorzata Manowska.**

<https://www.youtube.com/live/PgrbfRn6BVI?si=X42pFz7mzfXj2ZVX>