



AEQUITAS NEWSLETTER Nr 17

September 13, 2025

RESIGNATION OF ANOTHER VICE PRESIDENT OF THE DISTRICT COURT IN WARSAW

On September 5, 2025, Judge Beata Wehner resigned from her position as vice president of the District Court in Warsaw. This is the third resignation in three months at the largest court in Poland, which also handles the most important cases. On June 2, 2025, Judge Hubert Zaremba, whose responsibilities included "organizing work and coordinating activities aimed at restoring the rule of law," resigned from his position as vice president. On July 11, 2025, Judge Agnieszka Owczarewicz, vice president for economic affairs, resigned.

None of the three vice presidents gave a reason for their resignation, but it is important to remember that on July 11, 2025, the president of this court, Judge Beata Najjar, turned 65, which, in accordance with the Act on the System of Common Courts, means she is retired. Despite this, the president continues to adjudicate and serve as president without legal basis.

<https://niezalezna.pl/polska/trzesienie-ziemi-w-sadzie-okregowym-w-warszawie-kolejny-prezes-sklada-rezygnacje/551511>

WORK OF THE CODIFICATION COMMITTEE OF THE JUDICIARY AND PROSECUTOR'S OFFICE

While preparing the draft bill on restoring the right to a court in two versions, the Commission met 13 times in 2024 and twice in 2025, but after preparing the draft bills, it met eight more times in 2025.

The Commission Head appointed three task forces:

- 1) The Task Force on the Prosecutor's Office – the largest due to the likely greatest rule of law issues within the Prosecutor's Office – consisting of nine members and four guests from outside the Commission;
- 2) The Task Force on the Development of the Supreme Court Reform, consisting of five members and three guests from outside the Commission;

3) The Task Force on the Constitutional Position of Judges, which was appointed on August 25, 2025, after the draft bills were prepared; it consists of four members and three guests from outside the Commission, including Krystian Markiewicz and Bartłomiej Przymusiński.

The results of the work are not available on the website; the remuneration has been collected.

https://x.com/OZS_Aequitas/status/1965911475010011435?t=cqs8D5PLPlpXJZKFJ-v1NA&s=09

STATEMENT BY THE FIRST PRESIDENT OF THE SUPREME COURT IN CONNECTION WITH THE MEETING OF THE STATE TRIBUNAL

In connection with the events that took place on September 3, 2025, before the session of the State Tribunal and during the recess, the First President of the Supreme Court, prof. Małgorzata Manowska, expressed "the utmost outrage at the degradation of morals and the flagrant violation of legal ethics demonstrated by some of the judges of this body." According to the First President, not only was there an unlawful intrusion by a group of members of the State Tribunal, but also the seizure of judicial robes, which – as a symbol of the office of judge – should be treated with the utmost respect.

In her statement, the First President also addressed the unworthy behavior directed towards Supreme Court employees: "Such behavior does not fall within any acceptable standards – neither legal, ethical, nor human." She announced that decisive legal steps would be taken to protect Supreme Court employees and ensure safety in the court building.

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OPINION OF THE ADVOCATE GENERAL REGARDING THE WIBOR INDEX

The Directive on unfair terms in consumer contracts may apply to a variable interest rate clause based on the WIBOR index, stated Laila Medina, Advocate General of the European Court of Justice (CJEU), in her opinion issued on September 11, 2025. At the same time, the Advocate General's opinion indicates that this assessment cannot, however, refer to the WIBOR index itself or to the method of determining it.

Recall that the District Court in Częstochowa submitted three questions to the CJEU in a case concerning the invalidity of a contract based on the WIBOR index.

The Advocate General's opinion is inherently ambiguous, but it may indicate the risk of a new wave of lawsuits, more powerful than the wave of lawsuits concerning foreign currency loans, so-called Swiss franc loans.

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