

September 28, 2017

Resolution passed at the PAC ND's meeting in Washington DC:

- Whereas, A just and efficient judiciary system forms the basis of a working democracy;
- Whereas, During the Soviet occupation of Poland, the judiciary was involved in judicial acts that terrorized millions and resulted in thousands of people executed by what is referred to today as "judicial murder";
- Whereas, Since the end of the Soviet occupation of Poland the courts remain the only unreformed state institutions with no structural or personnel changes;
- Whereas, Today courts in Poland do not serve the Polish citizenry, but instead continue to serve various groups of post-communist elites and the judicial corporation;
- Whereas, Poland has the highest number of judges per inhabitant in European Union and spends 1.8% of GDP on judicial system, while average is 0.6%;
- Whereas, The excessive length of court proceedings in Poland is a burden on Polish citizens and on the Polish government which is subjected to pay ever higher penalties imposed by European Union courts;
- Whereas, The number of proceedings lasting more than one year is growing; from year 2012 to 2015 the number of complaints increased by 100%; some proceedings in the lowest courts last 10 years before a ruling is issued;
- Whereas, During 25 years of its existence, the National Judiciary Council, that rules on most important issues and appointments related to the judiciary, only allowed two judges from the lower courts to join its ranks despite that most cases are decided in the lower courts, and those judges are most knowledgeable of problems in the judiciary system;
- Whereas, On October 25, 2015 the Law and Justice party won parliamentary elections running on a platform that included structural reforms of the country's judiciary, and for the first time since the end of communist rule in Poland, one party was able to form a majority government;
- Whereas, Polish citizens gave the Law and Justice party a strong mandate to implement its platform at Parliamentary and Presidential elections;
- Whereas, The planned reforms include limiting the red tape in courts which today has 40% of judges perform administrative duties instead of ruling on legal matters; and
- Whereas, The wider representation of the legal profession will be granted rights to nominate candidates to the National Judiciary Council, including by groups of at least 20 judges, various Judges' and District Attorney' organizations, the Supreme Council of Public Attorneys, National Council of Counselors and National Council of Public Notaries;
- Now therefore, be it *Resolved*, That the Polish American Congress, at their 2017 National Directors Meeting in Washington DC, affirms with the government of Poland the undeniable right of the Polish nation to reform its judiciary.