



MEDEL STRONGLY CONDEMNS THE DECISION OF THE POLISH MINISTER OF JUSTICE (ACTING AS PROSECUTOR GENERAL) TO TRANSFER INDEPENDENT PROSECUTORS HUNDREDS OF KILOMETRES AWAY FROM THE PLACES THEY LIVE

For the last 5 years, MEDEL has repeatedly expressed its concern, disbelief and indignation about the process of devastation of Rule of Law in Poland. The constitutional check and balance guarantors, such as the Constitutional Court and the National Judicial Council have been disabled.

The Supreme Court has been packed with lawyers who do not fulfil the criteria of independent judges. Judges in Poland have no systematic guarantees of independence, those who deliver decisions contradicting government's expectations meet disciplinary and criminal charges (like Igor Tuleya), very often accompanied by smear campaigns in public media.

Moreover, the public prosecution service in Poland has been broken and bent to the ruling party's will. Polish prosecutors have no autonomy at all, each decision can be discretionarily reversed. Prosecutors who decided to launch investigation involving politicians of the ruling parties have been promptly disciplined and the proceedings have been closed or taken over by government's loyalists.

The last few days brought new harassing decisions taken by the Minister of Justice (acting as Prosecutor General), who transferred about 20 prosecutors (the authorities didn't reveal the exact number), most of them to remote offices (like Daniel Drapała - 400 km; Ewa Wrzosek - 310 km; Katarzyna Szeska - 320 km; Jarosław Onyszczyk - 260 km), with 48 hours notice. A number of them were also demoted (like Mariusz Krason, with 2 levels in hierarchy).

It is not a coincidence that the majority of the transferred prosecutors are members of "Lex Super Omnia" – a MEDEL member association, gathering independent and brave prosecutors who speak out about the situation in the prosecution service. MEDEL expresses its full support and solidarity to the harassed prosecutors.

Only 6 months ago, in the Declaration of Firenze, MEDEL **reaffirmed that the independence of public prosecutors requires a statute fully complying with Rule of Law principles and continuous monitoring from EU institutions regarding the respect of common standards ensuring impartial and independent exercise of prosecutorial functions.**

Hence once again, **MEDEL calls upon the European institutions to react to Rule of Law violations in Poland and stand up for the independent magistrates in Poland.**

January 20th, 2021