



One Hundred Sixteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515
www.foreignaffairs.house.gov

January 17, 2020

His Excellency Andrzej Duda
President
Chancellery of the President of the Republic of Poland
Wiejska Street 10
00-902 Warsaw, Poland

Dear President Duda:

As long-time supporters of a strong U.S.-Poland relationship based on shared democratic values, we write to express our deep concerns about Poland's judicial reforms, which fail to respect the principles of judicial independence and separation of powers.

Since 2015, your government has taken troubling steps to consolidate power at the expense of Poland's democratic institutions. These steps, including attempts to force out large numbers of Polish Supreme Court justices and harassing judges who seek to provide a check on government power, have undermined the independence of the judiciary in Poland. These same methods have been used to purge the military and intelligence services of those who do not express complete agreement with government policy and replace them with party loyalists, sully the non-partisan nature of these institutions.

We have particular concerns about the bill recently passed by the Sejm on December 20, 2019, introducing amendments to the Act on Common Courts, the Act on the Supreme Court, and other acts. Consistent with other so-called reforms adopted over the past four years, this bill represents a threat to judicial independence, limits judges' freedom of expression and association, reduces judges' self-governance, and widens political control over the works of the courts. Among other things, it would permit disciplinary charges against judges who challenge government policies removing checks and balances and would limit the participation of judge-led bodies in decision-making, including the appointment of the President of the Supreme Court and other judges.

Enacting this law would represent a significant step backward for Poland's historically strong leadership in democratic reforms in Europe. The erosion of democratic principles would

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undermine the great strides Poland has made through the decades to build a modern, democratic country.

We hope to see a vibrant Polish democracy flourish for its people and for Europe. However, Poland's strength – like America's – is based on respect for democratic traditions and values. For this reason, we urge you – as friends of Poland – to not sign this legislation.

Sincerely,



ELIOT L. ENGEL
Chairman
House Committee on Foreign Affairs



WILLIAM R. KEATING
Chairman
House Subcommittee on Europe, Eurasia,
Energy, and the Environment