



MEDEL COMMUNIQUE' ON THE SITUATION OF THE CONSTITUTIONAL COURT IN POLAND

For decades Constitutional Courts in Europe played a significant role in the preservation of the Rule of law, the protection of the individual's fundamental rights and the strengthening of democracy.

Nowadays, although the position of Constitutional Courts seems to be solid in most of European countries, it is MEDEL obligation to further underline their importance, especially in times of economical and immigrant crises, and to recommend to even strengthen their role, when simple and dangerous solutions proposed by populists all over the continent may attract many Europeans.

In this context, MEDEL raises its concern about the situation in Poland. The ruling majority in Poland had in practice eliminated the Constitutional Court from Polish legal system. It had affected the independence of the Constitutional Tribunal by appointing a working majority of loyalists to the Government. It is striking that a country which had suffered so much from fascism and communism is depriving itself of a crucial safeguard introduced to prevent dictatorship.

MEDEL calls to the EU institutions to continue the dialogue with Polish authorities in order to fully restore the Rule of Law and the independence of the Constitutional Court in Poland and to use all the means provided for by the Treaties (including the procedure under art. 7 TEU) to protect the values of democracy, rule of law, protection of fundamental rights which are the core values of the Union.

Porto, 1st July 2017