



T H E P R E S I D E N T

*JDem. 613
TM/cg*

Strasbourg, 8 December 2015

Dear Ms Przywara, dear Mr Zwara,

Thank you very much for your letter of 2 December sent on behalf of several non-governmental organisations, in which you provide detailed information with respect to different acts of the Sejm and the President of Poland regarding the Constitutional Tribunal.

The Venice Commission is indeed following developments in Poland attentively and with concern. For the moment we hope and expect that the issues can be resolved on the basis of the decisions taken or to be taken by the Constitutional Tribunal. The main aim should indeed be to safeguard the authority of this important court.

Other Council of Europe bodies share this approach and I would like to quote in this respect the statement of the Secretary General of the Council of Europe of 4 December: "There has been a controversy about the appointment of constitutional judges in Poland recently. I welcome yesterday's decision by the Constitutional Tribunal of Poland which clarifies the legal and constitutional situation. This decision now has to be fully implemented in all its aspects. If there are any doubts about the correct implementation of the decision by the Constitutional Tribunal, the Polish authorities could address the Council of Europe Venice Commission."

*Ms Danuta Przywara
President of Helsinki Foundation for Human Rights
Mr Andrzej Zwara
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As regards your request that the Venice Commission should consider issuing an opinion on the recent changes, I have to inform you that, under its Statute, the Venice Commission may issue opinions on the situation in a country only at the request of the authorities of the country concerned, a Council of Europe organ or an international partner organisation. As of now, we have not received such a request.

In the absence of a formal request, the Commission will nevertheless be informed about the developments in Poland at its forthcoming plenary session on 18 to 19 December.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Gianni Buquicchio', written in a cursive style.

Gianni Buquicchio