

For media distribution:

July 24, 2017

**Open Letter to Secretary of State Rex W. Tillerson
regarding the statement made by the State Department Spokesperson about Poland's proposed
judicial reform.**

We, Polish American leaders and activists, are writing to you to express our deep concern, disappointment, and disapproval regarding the statement made by State Department Spokesperson Heather Nauert on July 20 about Poland's proposed judicial reform. This statement demonstrated a notable ignorance of the current situation in Poland, as well as of Polish constitutional norms. Moreover, the statement took sides in an ongoing Polish domestic policy debate, suggesting that certain career State Department officials may be more concerned in helping those in Poland who share these officials' leftist-liberal ideology than in advancing the interests of our country, the United States of America.

The Government of Poland, led by Prime Minister Beata Szydło, which is carrying out a much-needed reform of the Polish judiciary, was elected by the majority of the Polish people in free, fair, and democratic elections in October 2015. In these elections, Prime Minister Szydło's party, the center-conservative Law and Justice Party, won a majority of seats in both houses of the Polish Parliament. This was the best result of any party in any parliamentary election since the restoration of freedom to Poland. This put Law and Justice in a similar position to the Republican Party in our country following the 2016 elections: both have a mandate to make major changes.

Unlike most other institutions in Poland, the Polish judiciary has not undergone a systematic verification or decommunization. This lack of accountability has resulted in communist-era judges remaining in place, where they selected and socialized new judges along the old lines. The result has been the creation of a corrupt "state within a state" that for the most part provides neither justice nor creates a level playing field, but rather seeks bribes and tries to hamstring the will of the democratically elected parliament. This is a situation that neither the Polish people nor Government of Poland can tolerate any longer.

The current ruling party successfully campaigned in the 2015 elections with an ambitious program to repair, among many other problems, the Polish judicial system, which is accordingly perceived by most Poles as a corrupt institution in need of reform. The judicial reforms currently approved by the Polish legislature are in full compliance with the law, and they seek to establish a democratic oversight of the judiciary that will mirror prevailing judicial norms in countries such as Germany, Switzerland, the Netherlands, and Norway.

Moreover, the timing of the State Department's statement, following President Trump's brilliant and hugely historic visit to Poland at the beginning of July, is deeply disturbing. The 10 million strong Polish American community strongly supported President Trump during the campaign and election and voted for him in droves in Michigan, Wisconsin, Pennsylvania, Ohio, Indiana, Florida and other states.

The time following the President's visit to Warsaw, where he was hailed as a hero by the Polish people, is a time for cooperation and strengthening ties between the United States and Poland. Instead, the State Department, which has in the past had many of its career officials indicate in their statements that they hold

strong anti-Polish bias (especially those who work in analysis and research), has sought to torpedo the President's success and derail our country's relations with Poland. We urge you to ensure that steps are taken so that such damaging actions are not taken in the future.

Sincerely,

Leaders and Activists of Polish American Organizations and Communities in the United States.

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