

President Duda vetoes two judiciary reform bills

Polish President Andrzej Duda announced today (Monday, July 24th) that he will veto two out of three bills reforming the judiciary system. Duda stated this morning that “I will send back to the Sejm (*lower house of the parliament*), which means I will veto the bill, on the Supreme Court, as well as the one about the National Council of the Judiciary (*KRS*)”. The statement came after days of protests in many Polish cities, with demonstrators calling on Duda to reject the bills. A three-fifths majority in the Sejm can now decide to overrule Duda’s veto, but the Kukiz’15 movement has already announced that it will not oppose the President. The least controversial bill, reforming the common courts, will be signed into law. Still, this will allow the Minister of Justice to appoint and cancel the terms of the presidents of common courts for six months, without much limitation. At the same time, Duda argued that he was against strengthening the influence of the Attorney General, a function held by the Minister of Justice, over the Supreme Court. Duda underlined that such wide-ranging reforms cannot be implemented with this degree of opposition from the public. He added that his Chancellery will draw up new bills on the Supreme Court and the KRS within two months.

Duda, up to now, had a nearly impeccable record of approving laws proposed by the PiS government. His veto took many top PiS officials by

surprise and a special party meeting has been called to formulate a common response to the move (more on this in tomorrow's CEC Daily). Many commentators have anticipated that Duda will attempt to distance himself from the ruling party at a crucial moment. Some see today's decision as a beginning of an internal split within PiS, with a more moderate camp forming around Duda. It has also been suggested that the vetoes were fuelled by a long-standing alleged animosity between Duda and Minister of Justice Zbigniew Ziobro, who seeks a tighter control on the judiciary. Undoubtedly, relations between the President and the ruling party will worsen in the coming months. In response to the vetoes, a rumour is being circulated in PiS circles that the party's leadership will put Prime Minister Beata Szydło, rather than Duda, as a presidential candidate in the 2020 elections. In the coming weeks, a certain dissonance is likely to be observed within the right-wing media, which are not used to struggles within the ruling party.

However, sceptical commentators are beginning to gain more traction, arguing that the decision on the veto was a pre-arranged manoeuvre, executed with the full knowledge and agreement of PiS leader Jarosław Kaczyński. In the media, this is often referred to as the 'two steps forward one step back' strategy which PiS frequently utilizes. The bills on the KRS and Supreme Court will return, in a slightly different form, as the momentum of the protests dissipates. Furthermore, as centrist voters are likely to be attracted to Duda's camp, the PiS party can set the tone for the political debate between Kaczyński and the internal Presidential 'opposition'. This is likely to further marginalize the already fragmented PO and Modern opposition parties.

The Kukiz'15 movement, which has been inching closer to the ruling party, is likely to gain from the move as they have remained close to Duda throughout the political controversy within the last week. The movement's leader Paweł Kukiz stated that he hopes that his political movement will "get closer to the President's environment" and co-operate more in the future. The PO and Modern opposition parties stated that while the remaining bill still poses a threat to an independent judiciary, the vetoes are a step in the right direction. Many opposition politicians, previously very critical of Duda, have congratulated and

thanked the President for taking into consideration the widespread protests across Poland. Following the decision, the Polish currency rose against the euro as investors deemed the decision to lower political risk. It remains to be seen whether the vetoes will ease tensions between Warsaw and Brussels; the European Commission has announced that on Wednesday it will still review the situation of the judiciary reform in Poland.

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