



*Razem w obronie
życia, wolności, rodziny
i suwerenności!*

Warsaw, 30th October 2026

Ladies and Gentlemen,

It is with deep concern that we read your joint statement, published on October 29 by Mr. András Schiffer. The violations of the elementary principles of the rule of law and criminal procedure that you list—bringing politicized charges and undermining the presumption of innocence; using pretrial detention, during which detainees are treated inhumanely, to extract confessions; handcuffing suspects for show, without any connection to the threat they might pose; and, finally, harassing the defense attorneys who have agreed to represent them—are, unfortunately, familiar to us from Poland as well. Donald Tusk’s government has employed these methods since taking power in December 2023, under the guise of supposed accountability and “restoring the rule of law,” just as Péter Magyar’s government has been employing them in Hungary since May 2026.

It is evident that both our countries, bound by a close and historic friendship, have fallen victim to a troubling phenomenon: a rising tide of instrumentalization of the state and its institutions for the purposes of political struggle, without regard for democratic principles or individual rights. What is worse, this is happening amid the far-reaching indifference, if not the outright support, of the institutions of the European Union, which, not so long ago, were so eager to cast themselves as guardians of the rule of law in our countries.

We would therefore like to join you in condemning the decline of the rule of law, manifested in abuses by those in power that are characteristic of creeping authoritarianism. More and more often, under the pretext of defending democracy, such abuses introduce mechanisms of “militant democracy” that serve to justify breaches of constitutional guarantees and of the objective formal and substantive standards of the rule of law, including the fundamental guarantees of civil and political rights and freedoms—thereby negating democracy itself.

In Poland, at the initiative of the Ordo Iuris Institute, a coalition of independent legal organizations has been formed around the Rule of Law Observer project. Its aim is to document all unlawful actions so that those responsible bear the appropriate political and legal



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consequences, their effects are reversed, and the rule of law is fully restored. In the same spirit, we propose that we jointly establish a similar initiative at the transnational level, through which we would report on and counteract the very same processes of the erosion of the rule of law that, regrettably, have recently been gaining momentum, particularly in the European Union but also globally.

Respectfully yours,

Jerzy Kwaśniewski
Chairman of the Board
of the Ordo Iuris Institute