

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIRST SECTION

DECISION

Dziurda and Others v. Poland

(see list appended)

(no. 17392/26)

Request for interim measures lodged on 30 April 2026

The European Court of Human Rights, sitting on 5 May 2026 as a Chamber composed of:

Ivana Jelić*, President*,
Erik Wennerström,
Raffaele Sabato,
Frédéric Krenc,
Davor Derenčinović,
Artūrs Kučs,
Anna Adamska-Gallant*, judges*,
Ilse Freiwirth, *Section Registrar*

has examined the request. It rules, unanimously, as follows:

The Court decides, in the interests of the parties and the proper conduct of the proceedings before it, to provisionally indicate to the Government of Poland, under Rule 39 of the Rules of Court, that the Respondent State should ensure that its competent authorities refrain from hindering the taking up and exercise of judicial duties by the applicants as judges of the Constitutional Court until any further decision on the applicants' request for interim measures is taken.

The Court decides to request the Government, under Rule 54 § 2 (a), to submit information concerning the applicants' situation.

The Court decides to give priority to the application under Rule 41.



The Court decides to give immediate notice of the measure adopted to the Committee of Ministers of the Council of Europe in accordance with Rule 39 § 3.

The decision was taken in the light of the Court's judgment in *Xero Flor w Polsce sp. z o.o. v. Poland* (no. 4907/18, 7 May 2021) as well as the importance of ensuring the proper functioning of the Constitutional Court of the Republic of Poland, with a view to securing the implementation of the subsidiarity principle (see *Grzęda v. Poland* [GC], no. 43572/18, § 324, 15 March 2022).



Ivana Jelić
President

APPENDIX

List of applicants:

Application no. 17392/26

No.	Applicant's Name	Year of birth	Nationality
1.	Marcin DZIURDA	1972	Polish
2.	Anna KORWIN PIOTROWSKA	1969	Polish
3.	Krystian MARKIEWICZ	1976	Polish
4.	Maciej Henryk TABOROWSKI	1978	Polish