

**Question for written answer E-000213/2016
to the Commission**
Rule 130
Marie-Christine Arnautu (ENF)

Subject: Commission interference in Poland's internal affairs

In June 2015, the Polish Government secured a change to the law on the functioning of the country's Constitutional Court which enabled it to replace ahead of schedule five of the Court's 15 judges, whose terms of office were due to expire in November and December 2015. By means of this manoeuvre, the majority in power at that time ensured that there would be judges in the Constitutional Court who were politically favourable towards it even if it lost the election which was then imminent.

In December 2015, the Polish Parliament elected on 25 October 2015 debated and adopted an amendment to the law on the Constitutional Court which invalidated the early appointment of the five judges.

The President of the European Parliament likened these events to a 'coup d'état'. In a letter addressed to the Polish Ministers of Foreign Affairs and Justice, meanwhile, Frans Timmermans, First Vice-President of the Commission and Commissioner for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights, asked Poland to suspend the legislative procedure in question and provide him with an explanation of what had happened.

1. Why did the Commission not criticise the previous Polish Government when it made the decision to bring forward the appointment of the five judges?
2. Does the Commission regard Vice-President Timmermans' requests as interference in the affairs of a sovereign state which has democratically elected the representatives of its people?