

**Question for written answer E-001687/2018
to the Commission**

Rule 130

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Subject: Judicial independence in Poland

In its recent judgment on Case C-64/16, the Court of Justice of the EU ruled that the principle of judicial independence should apply, by virtue of the Treaty on European Union (TEU), to the national courts of Member States and that it presupposes that these courts exercise their functions autonomously, being protected against external interventions or pressure that may affect their independence, including through the guaranteed irremovability of judges.

1. What consequences does the Commission foresee for the infringement procedure concerning the Polish law on the ordinary courts?
2. Does the Commission consider as compliant with the requirements of judicial independence, and therefore as compliant with EU law, the changes to the Polish law by which:

the minister of justice is able to dismiss and appoint Court Presidents;

large numbers of judges of the Supreme Court have been dismissed and the President has the discretionary power to prolong their mandates;

the mandates of all members of the National Council of the Judiciary have been terminated and a new appointment regime established?
3. What new actions will the Commission take to guarantee the full independence of the Polish judiciary, as required by Articles 2 and 19 of the TEU?