

Amendment 68

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on behalf of the ECR Group

Report**A9-0138/2020****Juan Fernando López Aguilar**

Determination of a clear risk of a serious breach by the Republic of Poland of the rule of law
((COM(2017)0835 – 2017/0360R(NLE))

Motion for a resolution**Paragraph 20***Motion for a resolution**Amendment*

20. *Recalls that, in 2018, two new chambers within the Supreme Court were created, namely the Disciplinary Chamber and the Extraordinary Chamber, which were staffed with newly appointed judges selected by the new National Council of the Judiciary and entrusted with special powers – including the power of the Extraordinary Chamber to quash final judgments taken by lower courts or by the Supreme Court itself by way of extraordinary review, and the power of the Disciplinary Chamber to discipline other judges of the Supreme Court and of common courts, creating de facto a “Supreme Court within the Supreme Court”,⁵⁵*

20. *Points out that the organisation and structure of the judicial system falls under the sole responsibility of the Member States;*

⁵⁵ *OSCE-ODIHR, Opinion of 13 November 2017, p. 7-20; Venice Commission, Opinion of 8-9 December 2017, para. 43; Commission Recommendation (EU) 2018/103 of 20 December 2017 regarding the rule of law in Poland complementary to Commission Recommendations (EU) 2016/1374, (EU) 2017/146 and (EU) 2017/1520 (OJ L 17, 23.1.2018, p. 50), para. 25; GRECO, Addendum to the Fourth Round Evaluation Report on Poland (Rule 34) of 18-22 June 2018, para. 31; Venice Commission and DGI of the Council of*

*Europe, Urgent Joint Opinion of 16
January 2020, para. 8.*

Or. en