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The functioning of democratic institutions in Poland

Amendment¹ No. 43

In the draft resolution, paragraph 10, replace the words:

"The credible reports that disciplinary investigations have been started against judges and prosecutors solely for being critical about the justice reforms, and the fact that disciplinary investigations have been started against judges as a result of decisions they have taken when adjudicating cases in their courts, needs to be condemned. In this context, the credible reports that a politically motivated smear campaign was organised against members of the judiciary by, and with the involvement of, high ranking officials in the Ministry of Justice and National Council of the Judiciary, is both deplorable and concerning: it undermines both the independence of, and the public trust in, the judiciary."

with the following words:

"The fact, suggested by credible reports, that disciplinary investigations have been started against judges and prosecutors solely for being critical about the justice reforms, and the fact that disciplinary investigations have been started against judges as a result of decisions they have taken when adjudicating cases in their courts - especially when implementing the guidelines of 19 November 2019 CJEU ruling or requesting an ECJ preliminary ruling - needs to be condemned. In this context, the politically motivated smear campaign, organised against members of the judiciary by, and with the involvement of, high ranking officials in the Ministry of Justice and National Council of the Judiciary, as confirmed by credible reports, is both deplorable and concerning: it undermines both the independence of, and the public trust in, the judiciary."

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