

**Question for written answer E-004477/2021
to the Commission**

Rule 138

Jacek Saryusz-Wolski (ECR)

Subject: Unlawful and ineffective imposition of a fine on Poland by the Vice-President of the Court of Justice because Poland has not stopped lignite extraction at Turów mine

On 20 September 2021, the Vice-President of the Court of Justice issued an order in Case C-121/21, pursuant to which Poland is obliged to pay the Commission a daily fine of EUR 500 000. In her earlier decision, issued on 21 May 2021, the Vice-President obliged Poland to immediately suspend lignite extraction in Turów mine until the delivery of the final judgment.

Turów mine is extremely important for Poland's security because resources extracted there supply a power plant that produces 7 % of the electricity generated in the country, covering the demand of 3.2 million households.

I would therefore like to ask the Commission to answer the following questions:

1. Does the Commission consider that the order to halt activity at such a strategic energy facility is 'significantly affecting [...] the general structure of [...] energy supply' to Poland in the sense of (c) of the first subparagraph of Article 192(2) of the Treaty on the Functioning of the European Union (in connection with Article 194 thereof), thus breaching this article, which states that such decisions can only be taken unanimously by the Council?
2. Does the Commission reckon that the Vice-President of Court of Justice proceeded in compliance with principle of the rule of law when she, on her own, dismissed an appeal against her own decision and a referral of the case to the Grand Chamber of the Court, thus acting as a judge for her own cause?