

**Question for written answer E-000338/2023
to the Commission**

Rule 138

Łukasz Kohut (S&D)

Subject: Telecommunications law concerning the appointment and dismissal of the heads of the Polish national regulatory authority

In May 2020, Poland amended its telecommunications law concerning the appointment and dismissal of the heads of the Polish national regulatory authority (NRA), the Office of Electronic Communications. Under the amended law, the Polish Government prematurely dismissed the Head of the Polish NRA in May 2020, when his mandate should have lasted until September 2021. Under EU telecommunications legislation, the conditions that can result in an early dismissal of an NRA head must be laid down before the start of the mandate. This is important to guarantee the independence of the NRA from political pressure. On 21 September 2021, the Commission decided to refer Poland to the Court of Justice of the EU (CJEU). However, as of now, the CJEU registry does not list this particular case.

1. What are the reasons for the unprecedented delay in actually filing a case after the Commission has decided to do so?
2. Has Poland agreed to any remedial measures, and if so, which measures and would they remedy the infringement?
3. Will the Commission commit to seeing this case through and not setting a precedent that Member States can, in fact, dismiss independent authorities at will?

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