



To:

Florika Fink-Hooijer, Director General of DG Environment

Virginijus Sinkevičius, Commissioner for Environment, Oceans and Fisheries

Brussels, 9 December 2020

The undersigned organisations are approaching the European Commission with [another request](#) to enforce EU laws in the context of the Turów lignite mine in Poland.

The Liberec region in Czech Republic, most affected by water shortages, filed a complaint almost one year ago. In the midst of a pandemic, families have experienced a serious [shortage of potable water](#) and thousands more are expected to suffer in the months and years to come. The situation for locals is rapidly deteriorating and the impacts of the Turów mine are now being [detected in the German region of Saxony](#) as well, where subsidence phenomena are jeopardising the stability of homes in the Zittau region.

We believe that the European Commission is well aware of this situation due to numerous interventions by Members of the European Parliament, petitions of affected citizens and ongoing mediation proceedings related to violations of several EU directives. In September the Czech government, waiting in vain for the Commission's intervention, took the initiative to protect its citizens and filed a complaint, which could result in a submission to the Court of Justice of the EU.

Still, the Commission is yet to enforce EU law to address the environmental and social injustice experienced by EU citizens and the environmental damage inflicted since

May. Your intervention would lead to stopping illegal mining, recovering the damages and sending a signal that any possible future activity must comply with the law - including preventive measures to avoid further damage. Such intervention of the Commission will be key to alleviate the burden on the communities impacted by the mine. The Commission may further not put a blind eye to the fact that the mine extension will mean additional lignite burn for the Turów lignite power plant, with associated air pollution and carbon damage due to prolonged combustion.

The expansion of the Turów mine is incompatible with the Water Framework Directive (WFD), as it would cause inadmissible deterioration of water bodies, as well as the Environmental Liability Directive, the Environmental Impact Assessment (EIA) Directive and the Strategic Environmental Assessment (SEA) Directive. Current permit conditions are breaching the progressive mercury phase out obligation set under the WFD and are not aligned to BAT (1µg/Nm³ for emissions to air) on source control requirements for the largest emission source set in the Minamata Convention and EU LCP BREF.

We empathise with the Polish local communities concerned about their jobs and the region of Zgorzelec. Affected communities appear to be held hostage by irresponsible decisions by the Polish government that are making thousands of jobs dependent on an illegal activity, rather than starting an orderly energy transition that would take advantage of EU funds, such as the Just Transition Fund. If the Polish government and PGE do not set a faster date (than 2044) for the closure of the Turów Complex, local governments, businesses, NGOs and citizens will lose the opportunity to use significant EU finance intended for transitioning justly. Such an approach is not only destructive for the climate but is also short-sighted with respect to the negative impacts inflicted on all citizens in the three-state region. In all three countries impacted by the Turów mine, Poland, the Czech Republic and Germany, the local communities are suffering - from [water shortage](#), [water pollution](#), as well as from air and noise pollution that impact their health and a huge mine pit threatens the [stability of their homes](#).

The critical situation at Turów is a matter of EU law and the European Commission, as Guardian of the Treaties, has a very clear mandate to enforce it.

Therefore, we ask the European Commission to issue a reasoned opinion to enforce the application of EU law with no exceptions. Turow operations must be suspended until they comply with EU laws and violations are rectified, as they cause environmental and social damage on a daily basis.

All Member States must comply with EU legal provisions. Turning a blind eye to Turów would undermine the rule of law and EU citizens' trust in the EU itself.

Signatories:

ANNOLK - Asociace NNO Libereckého kraje

BankTrack

BoMiasto

Bund für Umwelt und Naturschutz Deutschland (BUND)

Centrum pro dopravu a energetiku

ClientEarth

Coalition Clean Baltic

Ekumenická akademie

Europe Beyond Coal

European Environmental Bureau (EEB)

Extinction Rebellion

Frank Bold

Fundacja “Rozwój TAK - Odkrywki NIE”

Fundacja Zielone Światło

Green Alternative

Greenpeace Czech Republic

Greenpeace Germany

Justice and Environment

Klimatické koalice

Nádech z.s.

NESEHNUTÍ

Pracowania na rzecz Wszystkich Istot

Re:Common

Re-set: platforma pro sociálně-ekologickou transformaci

Rodiče za klima Liberec

Společnost pro trvale udržitelný život/Society for Sustainable Living

Stepnicka Organizacja Turystyczna

Stowarzyszenie Akcja Konin

Stowarzyszenie Ekologiczne "Eko-Przyjezierze"

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Zelený dům Chrudim, z.s.

Zielone Wiadomości

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