

Dear DG REGIO Director Nicola De Michelis,
Dear DG REFORM Acting Director Daniele Dotto,
Dear DG ENER Director Catharina Sikow Magny,
Dear DG ENER Director Hans van Steen,

The Just Transition Fund (JTF) represents an unprecedented and welcomed opportunity for coal regions in transition to eliminate their dependence on polluting industries while leaving no one behind. Territorial Just Transition Plans (TJTJs) are a precondition for Member States to access funds under the Just Transition Mechanism (JTM).

Being actively involved in the TJTJ drafting processes in several regions¹, we have noticed that a combination of factors, including tight deadlines, lack of public participation, vested interests, limited institutional capacities and prioritization given to Cohesion Policy planning and National Recovery and Resilience plans arrangements are having detrimental effects on the quality of the process and, consequently, on the quality of the plans themselves, including their capacity to bring concrete relief and opportunities to communities in transition.

For this reason, we call on the Commission to strongly reaffirm the principles on which the TJTJs should be developed. In particular, we ask that:

1. Public participation and the Partnership Principle should be urgently enforced.

The Partnership Principle is not being fully enforced, and a series of measures must be taken in order to improve participation:

- Invite representatives from all stakeholder groups listed in article 6 of the upcoming Common Provision Regulation (CPR) throughout the preparation and implementation of Just Transition programmes.
- Take concrete measures to engage the local population and youth.
- Implement the provision of art. 5 of the Code on Conduct on partnership as regards to the consultation with partners - including a) timely disclosure of TJTJs and easy access to relevant information; b) sufficient time for analysing and commenting on the documents.
- Show how the collected inputs from working group members are used, and what the criteria are to exclude them. Publish all collected input.
- Publish a detailed timeline of the process and all the relevant information online in one place at national and EU level.
- Organise workshops where there is a real dialogue between all interested parties, including follow-up on this dialogue, not just to inform participants about what is already decided.

2. Projects not in line with the European Green Deal and the polluter pays principle should be rejected

Powerful actors in several countries are proposing harmful projects to be supported through the Just Transition Fund. The Commission must reject the TJTJs that undermine the polluter pays

¹ Bulgaria, Czechia, Estonia, Greece, Hungary, Poland, Romania, Slovakia

principle by providing public funds to polluting industry operators to fulfill their environmental obligations. The Commission should reaffirm that projects which do not lead to the decarbonisation of the economy in line with EU commitments to climate neutrality and the Paris Agreement will be excluded, and that the regions where new mining operations are being proposed should not submit Territorial Just Transition Plans.

3. Ensure transparency around the work of consultants

While in most countries local actors are able to get in touch with the consultants, the Commission should still share who these are on request from stakeholders. It is also needed to know how they cooperate with national working groups. Furthermore, as their work is financed from the EU budget, the Commission must ensure that the deliverables are made public.

4. Commitment to the Climate Neutrality target of the EU and intermediate goals should be a binding requirement to access the JTM

TJTPs are being produced in countries which have so far not committed to a coal phase out² and the regional or local authorities, which are providing the core data for the plans, are unable to make commitments to decarbonisation. These fall instead under the responsibility of central governments, which should outline a strategy for concrete decarbonisation until 2030. It is encouraging that DG REGIO confirmed explicitly that the Bogatynia region in Poland will not benefit from the JTF if it continues its plans to operate the lignite mine until 2044 and build a new unit at the power plant³ - other regions should receive a similarly explicit message, too.

Member states which do not outline concrete strategies contributing to the decarbonisation of their economy, consistent with the EU's climate neutrality goal, the EU environmental acquis objectives and all intermediate targets, should not have access to the JTM.

5. Synergies and alignments

The last deliverable that consultants will produce is a report on synergies with other strategies, yet in most countries it is not clear how TJTPs will align with the Recovery and Resilience Facility (RRF). We see a risk that there will be insufficient alignment between the two funds, and that mono-industrial regions will not benefit from sufficient funding from the RRF, despite the fact that the JTF and even the JTM as a whole are incomparably smaller.

In addition, National Energy and Climate Plans will need to be updated to reflect the at least 55% GHG emissions reduction by 2030 goal. TJTPs are required to align with these plans and regions developing them should therefore already be encouraged to be more ambitious than national documents. Furthermore, the European Commission should advise on a clear process to ensure the TJTPs are updated in line with increased ambition to 2030.

² Bulgaria, Czechia, Poland, Romania

³ <https://notesfrompoland.com/2021/02/25/unprecedented-czech-legal-challenge-to-polish-coal-mine-could-be-catastrophic-for-poland/>

We are looking forward to your feedback and would be happy to discuss our demands in a call.

Signed,

