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3 **CAS R 3: For a European Future without Coal - Stop the Turów coal mine!**

4 We are in the middle of a climate crisis. Greens all over Europe are fighting alongside civil  
5 society and millions of European citizens for a fast transition towards climate neutrality in  
6 line with the Paris Agreement. Green policy is built on rapidly expanding sustainable  
7 renewables, improving energy efficiency and reducing energy demand while phasing out the  
8 most harmful fuels such as coal. In regions that live off coal, such as the border region  
9 between Poland, Czechia and Germany, these necessary transitions are causing profound  
10 disruptions in the local labour market and creating a huge challenge for people and the  
11 region as a whole. Therefore, we Greens believe that ambitious climate goals must be based  
12 on a just transition: a Green and resilient recovery that will help to kick-start the economy  
13 and get people back to work.

14 Near the tri-border point between Czechia, Poland and Germany and close to the Polish city  
15 of Bogatynia, the Turów open-cast lignite mine and its power plant are working unaffected  
16 by the need for a just transition to climate neutrality –with severe negative impacts on water,  
17 air and soil in the surrounding environment. While Poland is the largest hard coal and second  
18 largest lignite producer in the EU, the catastrophic environmental consequences of a coal  
19 mine like Turów do not stop at its borders. Lowering groundwater levels of more than 20  
20 metres are threatening thousands of people in the Liberec Region in Czechia with the loss of  
21 clean drinking water. Moreover, new studies estimate that, near the German-Polish border,  
22 land subsidence will increase to a total of 1.2 metres by 2044. In the centre of the German  
23 city of Zittau, it is estimated that land subsidence will increase to a total of 36 to 72 cm.

24 The original licence for the mine, dated 1994, expired on 30 April 2020. However, Michał  
25 Kurtyka, Poland's Minister of Climate, extended the licence for another six years without  
26 public consultations, which means citizens were unable to exercise their right to object.  
27 Thus, the continuation of mining in the Turów open-cast lignite mine violates EU law  
28 (Environmental Liability Directive, Water Framework Directive, Freedom of Access to  
29 Information Directive, Environmental Impact Assessment and Strategic Environmental  
30 Assessment Directives).

31 For all these reasons, people throughout the cross-border region continue to protest and  
32 several thousand have submitted a petition to the European Parliament against the  
33 extension and expansion of the open-cast mine. Without doubt, replacing the Turów lignite  
34 mine with a mix of renewable energy sources located in Lower Silesia is beneficial to both  
35 the environment and people in the region. The benefits will be even greater if such a  
36 transition is planned between the three regions being impacted. The Polish government  
37 must stop blocking the Recovery Fund and enable the Turow region to benefit from the Just  
38 Transition Fund. There are feasible new jobs and future perspectives for the youth to be built  
39 in energy and other sectors, instead of facing a shrinking coal-dark future"

40 The European Greens support the protesters, environmental activists in the region and local  
41 Greens in their goal to actively promote and shape the structural change of the coal phase-  
42 out in line with the European Green Deal's objective of climate neutrality by 2050 at the

43 latest. But in harsh opposition to this European objective, the open-cast lignite mine in Turów  
44 continues to operate.

45 We therefore demand:

- 46 • If the European Commission's ongoing mediation between Czechia and Poland fails,  
47 the Commission must take legal action against Poland in the form of an infringement  
48 procedure which will force the Polish government to comply with the obligatory  
49 consultation mechanisms. In reaction to Czechia's complaint to the European  
50 Commission on 30 September 2020, we ask the Commission to issue a reasoned  
51 opinion. When the reasoned opinion is delivered or after a deadline of three months  
52 after the complaint, Czechia should exercise its right to take the case to the EU Court  
53 of Justice on its own account. ~~The Commission should issue a reasoned opinion~~  
54 ~~thereby enabling Czechia to take the case to the EU Court of Justice.~~
- 55 • The border region of Poland, Germany and Czechia should aim to become a cross-  
56 border coal-exit region with the support of the sustainable use of funding, such as  
57 the European Just Transition Fund, implementing cross-border community projects  
58 on renewable energy and structural change.
- 59 • For a sustainable future, citizen participation is of the highest importance. In cross-  
60 border regions, we can see how Europe is growing together from below. The  
61 promotion of cross-border civil society cooperation, of encounters among people,  
62 should therefore be a priority for regional and national governments and must be  
63 further developed.
- 64 • The mining must stop immediately – until all the legal issues have been clarified.
- 65 • We need a European end to coal by 2030 at the latest. Therefore, governmental  
66 decisions to phase out coal should not be undermined by outdated investment  
67 protection deals, such as the Energy Charter Treaty which allows investors in fossil  
68 fuels to sue governments for compensation when they take action that harms their  
69 profits. If no substantial reform of the treaty is in sight in the ongoing negotiations,  
70 the EU must leave it.