

EURACOAL Response to Public Consultation

on European Climate Law – achieving climate neutrality by 2050

In its roadmap for public consultation (Ares(2020)119545-09/01/2020), the European Commission states that climate change is, by its very nature, a transboundary challenge that cannot be solved by national or local action alone. Co-ordination of actions is necessary at the European level and, where possible, at the global level, meaning that EU action is justified on grounds of subsidiarity. Since 1992, the European Union has worked to develop joint solutions and drive forward global action to tackle climate change. More specifically, the European Commission calls for action at the EU level to deliver long-term climate objectives cost effectively, including long-term greenhouse gas emission (GHG) reduction objectives, while ensuring fairness and environmental integrity.

EURACOAL response

Over the last two centuries, Europe's prosperity, its industrial base and indeed world civilisation has been built on coal. After the Second World War, the unification and peaceful co-operation of Europe started with the coal and steel industries. Now, in 2020, the European Association for Coal and Lignite (EURACOAL) respects the European Council conclusions of December 2019 which offer our industry a new direction with ambitious targets for a transition to climate neutrality by 2050.

Europe now faces a mammoth task to transform its large-scale, coal-using processes such as power generation, heat supply, iron and steel production, and cement-making. The new era will see other, alternative energy sources being used to secure our energy needs, increasingly dominated by electricity and heat supply. The transition will not be sudden; it will take many years: two decades in some Member States. This transformation should not compromise energy security or industrial competitiveness: an overdependence on fossil gas or non-commercial renewable energies must be avoided.

The cost of this transformation will be enormous, especially for the coal regions and those who live in them. Moreover, it should be noted that the transition process will differ between Member States as each has a different starting point. Preventing impoverishment and social instability can be achieved only if the long economic value chains associated with the coal industry are themselves part of the transformation and form the basis for new activities.

EURACOAL members have broad experience of the transition process. The end of hard coal mining in Western Europe meant that many social, environmental and cultural problems had to be solved. We offer this experience and our expertise during the formulation of new EU climate and energy legislation. We support the proposal for a Just Transition Mechanism and the stated intention of the European Commission President, Ms. Ursula von der Leyen, that nobody will be left behind.

Also, we would like to stress that the European coal industry has already contributed massively to GHG reductions in the EU – a reduction in CO₂ emissions alone of more than 50% since 1990. With the now reformed EU ETS, this reduction trend will continue in the future.

In the coming years, coal and lignite in a number of Member States will make an important contribution to the security of electricity and energy supply, as well as to affordable electricity prices for European citizens and industry.

In conclusion, EURACOAL members, and the many professionals and workers in the coal regions who we represent, look forward to a future of good co-operation to ensure that the coal industry's extensive value chains form the basis for new economic growth and prosperity, leaving nobody poorer and nobody behind.

Legal basis

The legal basis for the proposed EU Climate Law is Article 192(1) of the Treaty on the Functioning of the European Union which grants powers to the EU institutions acting by qualified majority voting in order to achieve the objectives referred to in Article 191 of the Treaty.

Article 191

1. Union policy on the environment shall contribute to pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment,
- protecting human health,
- prudent and rational utilisation of natural resources,
- promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

2. Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.

In this context, harmonisation measures answering environmental protection requirements shall include, where appropriate, a safeguard clause allowing Member States to take provisional measures, for non-economic environmental reasons, subject to a procedure of inspection by the Union.

3. In preparing its policy on the environment, the Union shall take account of:

- available scientific and technical data,
- environmental conditions in the various regions of the Union,
- the potential benefits and costs of action or lack of action,
- the economic and social development of the Union as a whole and the balanced development of its regions.

4. Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and with the competent international organisations. The arrangements for Union cooperation may be the subject of agreements between the Union and the third parties concerned.

The previous subparagraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.

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