

## **Agreement is better than litigations; sanctions will not replace water**

It seems that the Czech-Polish negotiations in the dispute regarding the expansion of brown coal mining at the Turów mine are about to end with an agreement being reached after four months. The agreement is still the best possible solution of the entire situation for both the countries. Especially for the people who live in the vicinity of the mine, and also for those who work at the mine, and who depend on the supply of heat, energy, and water from the entire complex.

The mining at the Polish mine situated close to the border with the Czech Republic and the Federal Republic of Germany already has an irreversible impact on the local state of underground water level, the quality of environment, the landscape stability, and it also significantly aggravates the living conditions of citizens in the municipalities of Václavice and Uhelná. According to the plan of the state-owned company PGE, the mine is to get nearer to the Czech municipalities, which are closest to the state border, and it is to be situated merely one kilometre away from them.

Since 2015, we have been asking the investor to guarantee the meeting of the existing limits for noise, dust nuisance, to protect water sources within the Czech territory, and to help building replacement water mains in places where the citizens still rely on wells, which, however, might be endangered in the years to come. Unfortunately, our requirements and suggestions have never been heard. Our objections were belittled, and even six years later, mutual agreement protecting the interests of Czech citizens living in the vicinity of the mine has not been reached. Unfortunately, PGE Company has not suggested any solution; on the contrary, when the documentation regarding environmental impact EIA was discussed, the company claimed that no impact on the Czech territory has been documented, and that it actually didn't exist at all.

Therefore, the filing of a lawsuit against Poland with the European Union Court of Justice for the failure to abide by the European legislation was Czech Republic's last logical step in this dispute. It was the result of all the previous unsuccessful attempts for negotiation, and it was a correct step to take. The aim of the lawsuit is to guarantee that Poland respects the opinion of the Czech Republic in permitting the mining, and especially the worries of the Czech citizens regarding the exceeding of existing limits for noise, dust nuisance, further diminishing of underground potable water, and landscape subsidence in the coming years. Neither the Czech Republic, nor any EU institutions may stop the mining as such as long as the investor meets the obligations imposed on him.

It was only after the resolution of the European Court of Justice of the 21<sup>st</sup> May this year, regarding the suspension of mining at Turów, that intergovernmental negotiations have been initiated regarding the particular conditions of a mutual agreement. However, neither the lawsuit at the European Court of Justice, nor the approved preliminary measures to suspend the mining, nor the sanctions amounting to half a million euros per day forced the Polish state-owned company PGE to stop mining. The company continues to expand the brown coal mine closer to the Czech

border. The decision of the European Court of Justice is still very important. It confirms that our arguments are stronger than PGE's arguments. Moreover, it is clear that only an agreement may protect the interests of our region's citizens in the long term. Agreement is necessary, as the money from the sanctions will end in the EU budget; nobody will get to drink the money, and nobody will be able to build a protective mound or a monitoring system for it.

I want to repeat once more that it has never been the aim of the Liberec Region to close the Polish mine, or to dictate to Poland what they should make energy from and what their energetic mix should consist of. In this respect, I believe the Czech Republic has enough of its own tasks and work. It is our aim to protect the justified interests of citizens living in the vicinity of the mine. Intergovernmental political agreement is better than the continuation of the dispute at the European Court of Justice, because the agreement alone can resolve the situation, in the long term. In the agreement, we can clearly specify the conditions and limits to make the mining permissible, which the Polish state-owned company PGE will have to abide by to prevent further damage to the rights of the Czech citizens. We also negotiate on compensations. We will use the money to provide for new water sources and replacement water mains, and for regular noise measurements, measurements of air quality, landscape subsidence and decrease of underground water level in the vicinity of the brown coal mine. The measures must be adopted now; they can't wait till the end of the litigations.

I'm sorry that a local problem and the unwillingness of a single investor to act responsibly towards his neighbours has turned into an international dispute with impact on otherwise very good Czech-Polish relations and long built cross-border cooperation between our citizens, towns, and regions. We believe that both the prime ministers will finally find time to discuss Turów, and that they will quickly reach a compromise acceptable for both the Czech and the Polish side.

The thing is that problems never end at the borders, and our responsibility for the situation in the region is joint and inseparable. We are responsible for the environment, as well as for the living conditions of people in the vicinity of the mine and the power plant, and also for the development of the region after the mining stops, regardless of whether this occurs in five years, in ten years, or in 2044 as PGE claims now. That is also why we need a common strategy for the development of the Tripoint territory, which we have started to prepare together with Lower Silesia and Saxony.

I declare this as a Governor responsible for the Liberec Region and its citizens, but most of all, as a man who has been living at the Czech-Polish-German Tripoint his entire life, together with his family.

Martin Půta, 29<sup>th</sup> September 2021