

To:
Executive Vice-President Frans Timmermans
Commissioner Kadri Simson
Director General Ditte Juul-Jorgensen
Director Catharina Sikow Magny

Brussels, 30 June 2021

We are writing to express serious concern over the European Commission's efforts to ensure the Union's 5th list of projects of common interest (PCIs) are in line with the EU's European Green Deal and obligations under the Paris climate agreement.

Recent media reports of the draft report by the Intergovernmental Panel on Climate Change warns the planet is approaching irrevocable tipping points much faster than previously understood. Climate devastation from unliveable heat to more widespread disease will become frequent within 30 years. The message from scientists is crystal clear: we need to stop burning fossil fuels as rapidly as possible.

Additionally, Article 5.4. of the European Climate law obliges the Commission to check all EU measures against their consistency with the 2030 and 2050 targets. (In case of inconsistency, it must explain why they nevertheless propose this policy.) Therefore, a climate consistency check must be carried out for the 5th PCI list and the TEN-E regulation against the new 2030 climate target.

The European Commission is in the process of developing the 5th PCI list, which is being drafted under the current TEN-E regulation. However, this should not stop the EU from ensuring that the final list of priority energy infrastructure projects - which will benefit from preferential regulatory treatment and possible access to significant public funding - should be aligned with the EU's climate targets.

The risk that the 5th PCI list, elaborated under an out-dated TEN-E regulation, is not aligned with the EU's climate change objectives has long been clear. This is why the European Parliament urged the Commission¹ to "Green Deal check" this list of projects as far back as June 2020. In response, Executive Vice-President Timmermans promised² that only PCI projects that support the Green Deal ambition could receive funds.

The message from the European Parliament to the European Commission was made even clearer in a resolution³ adopted in plenary in July 2020. In the resolution, the European Parliament "*consider[ed] that the criteria for granting PCI status laid down in the TEN-E guidelines must be in line with the Union's climate and energy objectives, including the 2050 climate neutrality objective, as indicated in the European Council conclusions of December 2019, and with all five dimensions of the energy union, including the objective of affordability*".

On June 22, 2021, the European Parliament's Committee on Environment sent yet another strong message when it adopted its opinion on the revision of the TEN-E regulation. The Environment Committee supported language that makes clear that priority energy infrastructure projects, many of which could operate for at least 50 years, should no longer include fossil fuel projects, and Europe should no longer invest in fossil gas, a fossil fuel that now accounts for more European carbon emissions than coal.

The draft 5th PCI list still contains fossil gas projects

A recent study by Artelys⁴ demonstrated that Europe no longer needs fossil gas projects to meet its energy security needs. Still there are 74 fossil gas projects⁵ among the candidates for the 5th PCI list.

¹ 5 February 2020, European Parliament resolution on the Commission delegated regulation of 31 October 2019 amending Regulation (EU) No 347/2013 of the European Parliament and of the Council as regards the Union list of projects of common interest (https://www.europarl.europa.eu/doceo/document/B-9-2020-0091_EN.html)

Question for written answer E-003672/2020, 18 June 2020 "Green Deal compatibility criteria for PCI" (https://www.europarl.europa.eu/doceo/document/E-9-2020-003672_EN.html)

Priority question for written answer P-003915/2020, 1 July 2020 "TEN-E revision, TYNDP and 5th PCI list" (https://www.europarl.europa.eu/doceo/document/P-9-2020-003915_EN.html)

² Timmermans, Frans (@TimmermansEU). "This was an important debate on how we prioritise investments in clean and future-proof infrastructure. To receive EU funding, projects on the PCI list will have to support our #EUGreenDeal ambitions." February 11, 2020. <https://twitter.com/TimmermansEU/status/1227301598315061249>

³ European Parliament resolution of 10 July 2020 on the revision of the guidelines for trans-European energy infrastructure (2020/2549(RSP))

⁴ Artelys (2020) An updated analysis on gas supply security in the EU energy transition.

⁵ As mentioned during the 21st of June Regional Meeting on Assessment Methodology

These projects have high financial costs and represent significant sources of carbon emissions. If built, new gas projects applying for the 5th PCI list would emit 213 million tonnes of carbon dioxide each year⁶, the same as Germany's entire coal fleet in 2018. If all the candidate fossil gas projects on the 5th PCI list were to be built, it is conservatively estimated that constructing and operating them for 15 years could cost over €41 billion⁷. This investment, partly financed by public funds, could become stranded assets soon.

Is the European Commission's "Green Deal check" an empty promise?

We were very concerned to learn that contrary to its commitments, the European Commission has just proposed a methodology⁸ for assessing candidate projects for the 5th PCI list, in which sustainability is not a mandatory criterion. The implications of this are grave: even the most polluting infrastructure project could be validated by the European Commission if it is classified as necessary for other reasons, i.e., "security of supply". Moreover, methane emissions, which are inextricably linked to the extraction, transport and use of fossil gas and which pollute our planet considerably, are not taken into account.

The question around sustainability criteria also arises for projects on the 4th PCI list, adopted in 2020. All 4th PCI list projects have been included on the list without an obligatory sustainability assessment. These projects can now apply for funding. Under the Connecting Europe Facility (CEF) €979.6 million of funding is available for distribution, not only to electricity interconnections but also to fossil gas projects and CO2 pipelines. The Commission's promise to check every project and only validate those consistent with the Green Deal must be fully kept.

We therefore ask for clarifications:

- What are the criteria that the Commission has chosen for the "Green Deal check" for the 5th PCI list projects? When is this verification planned and how will it be implemented?
- Can the Commission assure us that it will exclude all fossil gas and fossil projects ?
- Can the Commission assure us that, contrary to what the recently published methodology suggests, all projects to be included in the 5th list will be strictly subject to assessment under mandatory sustainability criteria?

The signatories of this letter are concerned by the revision of the TEN-E regulation and the PCI list projects, are committed to ensuring that the European Union redirects its focus towards energy projects that support the objective of climate neutrality. We demand that the Commission keeps its promises and stops funding fossil fuel projects.

Sincerely yours,

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⁶ For all calculations, citations, and methodologies used to determine carbon emissions, see Global Witness, EU Proposed 5th PCI List - Possible CO2 Emissions, 25 June 2021, available at https://gwtwitness.org/5th_PCIList_Carbon_Emissions.

⁷ All numbers based on data provided by ENTSO-G for the TYNDP 2020

⁸ Methodology for assessing the gas candidate PCI projects PCI 2020-2021 exercise, Version: 15 June 2021 <https://circabc.europa.eu/ui/group/3ba59f7e-2e01-46d0-9683-a72b39b6decf/library/42df8190-bdbc-4c45-8a7d-8f842f9b7b19/details>

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