

20 April 2021

Dear Madam President, Dear Ursula,

As Heads of States and Governments we have committed to the Paris Agreement and the climate neutrality of the EU and we are very firm in standing by you when accomplishing the European Green Deal. At the same time, we must insist that all important elements of it remain preserved, namely improving well-being of citizens and pursuing the just transition that leaves no one behind.

In this respect, recent developments around the Commission proposals for the EU Taxonomy delegated act raise serious concerns among us. We are particularly worried about our right to decide on our energy mix in conditions where the rules for mobilization of private and public investments would clearly disadvantage some technologies, since the principle of technological neutrality is not respected to the extent that they constitute an indispensable element of the 2030 National Climate Energy Plans and they contribute to a significant decrease of GHG. Investment decisions being strongly affected may even result in substantial slowing down of the process of coal phase-out in some states and make us all much less fit for achieving climate-neutral Europe.

The direction the delegated act preparation heads for is not right for our economies and it is not right for the EU's growth either. We firmly believe that the intention to put forward a separate legislative proposal specifically covering how certain economic activities, primarily in the energy sector, contribute to decarbonisation is contrary to the core of the Taxonomy Regulation – the principle of technological neutrality as well as the commitment to ensure that technical screening criteria are based on available scientific evidence. Therefore, we oppose the idea to exclude the nuclear and gas sector from the current Taxonomy Delegated Act and include it in a separate legislation. We believe that it would be wrong to mark nuclear and gas for a transitional period of time clearly as not green and it will substantially harm countries with a strong share of industry in their economy. It would be de facto contrary to the principle of free choice of energy mix and right to choose the most appropriate technologies, as acknowledged among us as members of the European Council several times, and contrary to the principles enshrined in the taxonomy regulation. Last but not least, it would create serious risks including in social area such as energetic instability, inequality and even energy poverty in some parts of the EU.

Excluding some sources of energy or energy related technologies from the Delegated Act on Taxonomy and leaving parts that we cannot agree on for later

creates a two-tier approach and ignores that the energy mix must be dealt with in a coherent manner in line with the National Energy and Climate Plans that provide for the necessary holistic approach. We need a comprehensive, overly balanced, objective and realistic solution for our common objective, truly helping us all make it through this ambitious transition period. Therefore we strongly call on you to find a solution within the delegated act, other than dividing the legislation in a discriminatory manner. Even if it costs a delay in adopting the legislation, the objective of having good and ambitious rules for all relevant technologies and sources of energy is worth it. We are fully ready to actively contribute to it.

Thank you Madame President for your continuous work and efforts and please accept our most sincere compliments.

Signed:

Boyko Borisov, Prime Minister, Bulgaria

Nicos Anastasiades, President, Cyprus

Andrej Babiš, Prime Minister, Czech Republic

Viktor Orbán, Prime Minister, Hungary

Robert Abela, Prime Minister, Malta

Mateusz Morawiecki, Prime Minister, Poland

Florin Cîțu, Prime Minister, Romania

Eduard Heger, Prime Minister, Slovakia

H. E.

Ursula von der Leyen

President of the European Commission