Draft for discussion at the Think2030 conference

THINK 2030

Implementing the European Green Deal at local level

Lessons on the role of cities in Poland in planning climate policy: Mitigation, adaptation, and just transition

INSTITUTE for SUSTAINABLE DEVELOPMENT

Institute for European Environmental Policy

THINK 2030

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ACKNOWLEDGEMENTS

We gratefully acknowledge helpful reviews and comments from:

This work has been produced with the financial support of the LIFE Programme of the European Union. The paper reflects only the views of its authors.

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Introduction

Four Visegrad capital cities, Warsaw, Budapest, Prague, and Bratislava wrote to the European Commission in February 2020 asserting that "the fight against climate change will be won or lost in cities." They requested that the EU engage directly with cities to achieve its climate goals by allocating "directly accessible, city-tailored EU funds" to secure the EU's climate, energy and environmental objectives.[1] They highlighted the ambition of cities, calling for systemic change, and claiming, "our efforts can only succeed if the EU puts regulatory and financial mechanisms in place that provide the necessary means for local authorities to act. In that case, our cities can move fast to prepare, submit and implement projects on the ground."

As these cities did, it is often asserted that action in cities will be a key to solving the climate crisis. Cities globally are estimated to account for 70% of GHG emissions. In this spirit, the European Commission's European Green Deal aims to strengthen the urban dimension of cohesion policy and "empower regional and local communities."[2] It is thus of great importance to understand the factors that help or prevent them from taking decisive action for the climate. This paper looks to draw lessons from cities in Poland about how they have implemented their climate policy planning to date, as well as the degree to which socio-economic factors, such as poverty, health, and wellbeing are taken into account in this process. The European Green Deal aims to address not only the climate crisis, but also related social and economic sustainability challenges, and these must be considered holistically throughout the policy planning process at all levels of government.

While the conclusions of this paper are based on the specific Polish experience, and will to some extent reflect its political specificities, they can serve to inform and frame the debate around these issues in most EU members states, particularly those most similar to Poland. Unlocking the potential for climate mitigation and adaptation in cities in countries whose governments are less committed to climate action may be a useful avenue for progress in these countries.

Main political recommendations:

- **Climate and energy policy need to be put at the heart of regular planning and development policy on both national and local level in all Member states rather than treated as an additional exercise**. EU policy should guide national in-

[1] Zalan, Eszter. (13 February 2020) "Central Europe mayors join in direct EU funds plea". EU Observer. https://euobserver.com/political/147435

[2] European Commission. (2019). The European Green Deal. COM/2019/640 final. https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1576150542719&uri=COM%3A2019%3A640%3AFIN

stitutions to formulate policies in such a way that climate and energy are the backbone of everyday development policy at all levels of management of the country. At a national level, enhanced links between the European budget and National Energy and Climate Plans (NECPs), and the European Semester are a step in the right direction as an IEEP report suggests (although more could be done in this area as well)[3]. However, alignment of NECPs and Partnership Agreements with local plans still needs to be enhanced. This could be done by setting requirements, that EU investments should result from, or align with the strategic planning documents of regional or local authorities. At the same time these local plans should take an integrated approach to climate and sustainability as part of regular development policy, delivered eg. through the spatial planning system, or any other development regulation system in a Member State.

- Additionally, since the Recovery and Resilience Facility (RRF) will become the single most important EU tool for investment and transformation over the coming years, **it is crucial that the National Recovery and Resilience Plans (NRRPs) created to implement the RRF are created with the input of local authorities**, and in alignment with local planning to the extent possible. This recommendation reinforces the need for a proper Code of Conduct for the involvement of local and regional authorities in the European Semester, which will a key instrument in the governance of the RRF, such as has been proposed by the Committee of Regions[4].
- As cities should be consulted, **cities themselves need to ensure proper consultation with citizens on climate policies and planning issues**. This paper highlights that this is often not the case in Poland.
- Cities in Poland remain among the most polluted in Europe, and cities in central and Eastern Europe continue to lag behind those in Western Europe on many environmental and human well-being indicators such as deaths attributable to the environment[5]. **More ambitious cohesion policy should be formulated to address this, including a greater emphasis on indicators such as air quality, health, public spending per capita**. One criticism of the current funding model is that it is still not results-oriented. Mechanisms should be put in place to ensure that coun-

[3] IEEP, (2020) Role of a reformed European Semester within a new sustainable economy strategy TUESDAY, https://ieep.eu/publications/role-of-a-reformed-european-semester-within-a-new-sustainable-economy-strategy

[4] Committee of the Regions, (2017) Opinion of the European Committee of the Regions on 'Improving the governance of the European Semester: a Code of Conduct for the involvement of local and regional authorities'https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016IR5386

[5] EEA Report. (2019) Healthy environment, healthy lives: how the environment influences health and well-being in Europe. https://www.eea.europa.eu/publications/healthy-environment-healthy-lives

tries which are achieving – or over-achieving – their targets are rewarded. Earmarking for climate and environmental objectives also needs to be improved. The Thematic Concentration for the 'transition to a green, low-carbon Europe' (Policy Objective 2) for Cohesion Policy 2021-2027 should increase to 40%.

- **The European Green Deal could be used as a framework to set specific convergence targets between European cities elated to closing the gap between countries on income inequality and pollution**. These can further help to clarify objectives and programming decisions and bring enhanced transparency and accountability to the process, as, for example, the energy and climate targets have.
- While the EU institutions are, rightly, hesitant to intervene in the allocation of responsibilities at sub-national level, **there may be merit in the Commission engaging in a discussion or launching studies on how local autonomy and multi-level governance can help contribute to more effective implementation of EU-level priorities**. The EU could offer guidance on how to enable local and regional authorities to adopt a genuinely integrated approach which addresses a range of shared challenges in a more coherent and effective way. This could help to feed a healthy democratic debate, particularly in Central and Eastern Europe about the best allocation of responsibilities between governments and help to guide the principle of subsidiarity within countries.
- Relatedly, the EU institutions should analyse in more depth, what can and cannot be done on which level of territorial management in a given country, on the basis of information provided by the Member State in their proposed Partnership Agreements, before releasing funding directed to a certain level of management.
- Broader social considerations are not much considered as part of local climate related planning exercises in Poland. While issues such as sectoral employment and energy policy are beyond the scope of cities to plan, and these are best managed at regional or national level, **socio-economic issues such as housing policy, health, and energy poverty could be integrated to a much greater extent in local planning**. If we are to achieve the broader promise of the European Green Deal's ambitions for a more equal society that comprehensively addresses interrelated social, economic and environmental sustainability challenges, this is an area that local municipalities will have to improve on, in coordination with other levels of government. This could be aided again by more integrated local planning exercises, rather than treating separate issues in different plans. Policies localising the

SDGs can be a key lever in this respect, as has been demonstrated in a number of European cities[6].

- **The EU should analyse existing national and local financing mechanisms and support schemes in its financing rules and, if they fulfil EU priorities, and enabling conditions are respected, create a space to strengthen them through additional allocation of EU funding, instead of creating new schemes**. Many times, in Poland, EU financing has created new schemes, that duplicated existing national efforts. This happened for example in the renovation of housing, and in the case of support to solar heat. This created a space for national institutions to stop financing schemes from the national budget and direct it to other goals, that do not necessarily fulfil EU common goals in climate policy, and which contravene the requirement for EU funds to generate additional activity.
- **Working directly with cities**. The EU is increasingly working directly with cities, through initiatives such as The Urban Agenda for the EU.[7] Such initiatives are a good step in terms of working directly with ambitious cities, and could be expanded to provide more tailored, bottom-up programming funded by the EU, even if most funding is still provided through the framework of the National Partnership Agreements. It is also important for cities to engage in mutual learning and capacity building on integrated approaches, especially between environmental and social welfare areas, and with peers across the Union, and that capacity building should be further supported by the EU. However, a balance does need to be struck, also noting that the subsidiarity principle means respecting national competences, to ensure that such interventions remain consistent with national strategies and approaches. This should still allow space for additional action by ambitious cities. The Horizon Mission on climate neutral cities is one means that could be used for closer engagement with cities[8].
- **The European Climate Pact also presents a possible opportunity to build direct action with cities**. If the initiative is made methodologically robust enough, and packaged with funding initiatives, it could be a way of enabling bottom-up action to some extent.

[6] Eurocities, (2020), Paving the way for sustainable cities: EUROCITIES report on the Implementation of Sustainable Development Goals at local level, https://eurocities.eu/wp-content/uploads/2020/08/EUROCITES_SDG_report_2020.pdf

[7] https://ec.europa.eu/regional_policy/sources/docgener/brochure/urban_agenda_eu_en.pdf

[8] European Commission, Proposed Mission: 100 Climate-neutral Cities by 2030 – by and for the Citizens
Report of the Mission Board for climate-neutral and smart cities, https://ec.europa.eu/info/sites/info/files/research_and_innovation/funding/documents/ec_rtd_mission-board-report-climate-neutral-and-smart-cities.pdf

Context: Overview of climate policy in Poland

From 1791 to 2017 the cumulative emission of CO_2 from burning fossil fuels and cement production in Poland was 27 billion tonnes – 1.8% of global emissions.[9] Annual emissions are now approximately 0.9% of the global total. Poland has changed significantly politically, socially, and economically over the last three decades, resulting in a drop in GHG emissions. Since 1988 GHG emissions dropped from 577.3 to 413.8 billion t CO_2eq in 2017 – a 28.3% decline. Most of this drop is a result of the immediate shift from outdated industrial technologies following the end of the communist system. Estimates for 2018-2019 foresee a 4% increase of emissions, but in 2020 there should be another decline due to the COVID-19 pandemic and recession[10].

The last two decades have also been a time for evolution in Polish climate policy, influenced by the UN Framework Convention on Climate Change negotiations and EU climate policy. Poland ratified the Paris Agreement taking on the responsibility to make an appropriate contribution to keep the global temperature rise well below 2°C, and ideally below 1.5°C. Nevertheless, during European Summit on December 12, 2019 Poland was the only country, which have not declared its commitment to reach climate neutrality by 2050[11].

Poland does not have any overall national greenhouse gas emission reduction goal, but as an EU Member State it has committed to reduce the emission as much as 40% by 2030 (in relation to 1990 levels) as a part of a political bloc. The Polish government has committed in its National Energy and Climate Plan (NECP) to take action, which may result in a 50% emission reduction by 2050[12]; although this falls well short of what is needed to make an adequate contribution to the EU goal of net zero emissions by 2050. The draft Energy Policy of Poland until 2040 - a summary of which was published in September 2020, projects that in 2030 the GHG emission volume will amount to 332 million tons of CO_{2eq}, which is inconsistent with the NECP submitted to the European Commission, as it would mean an emissions reduction of only 30%. To achieve climate neutrality by 2050, emissions (absorption in 2050 is estimated at approx. 9 million tons of CO_{2eq}) should decrease 16 times within 20 years. The document does not refer to the complete phase out of coal in the

[9] https://ourworldindata.org/co2/country/poland?country=~POL

[10] KOBiZE, Krajowy Raport Inwentaryzacyjny 2019. Inwentaryzacja gazów cieplarnianych dla lat 1988–2017, Raport syntetyczny wykonany na potrzeby Ramowej konwencji Narodów Zjednoczonych w sprawie zmian klimatu oraz Protokołu z Kioto, Krajowy Ośrodek Bilansowania i Zarządzania Emisjami (KOBiZE) w Instytucie Ochrony Środowiska – Państwowym Instytucie Badawczym, Warszawa 2019.

[11] Consilium, https://www.consilium.europa.eu/media/41787/12-euco-final-conclusions-pl.pdf, accessed August 2020

[12] Ministerstwo Aktywów Państwowych, Krajowy Plan na rzecz Energii i klimatu do roku 2030, https://www.gov.pl/web/aktywa-panstwowe/krajowy-plan-na-rzecz-energii-i-klimatu-na-lata-2021-2030-przekazany-do-ke, accessed January 2020

energy sector, but only to the phase-out of burning coal in households in cities by 2030, and in rural areas by 2040.

Polish coal has been declining in profitability for national electricity production over the last decades, and as a result the coal mining sector is shrinking, but it still directly employs 80,000 people. At the end of September 2020, an agreement was signed between the government and mining trade unions on the future of the hard coal mining. In exchange for their consent to close all hard coal mines by 2049, unions were promised significant social privileges, including financial ones. However, the government not only has no consent from the European Commission for such support, but so far has not asked for it. Current EU regulations do not allow subsidies for the operation of coal mines. It is possible that the government is well aware that it will not be able to convince Brussels to spend state money to cover the losses of the mines, and can only count on approval of aid for the decommissioning of the plants. However, it decided to make such a move to extinguish the miners' protests and gain time. After all, negotiations with the European Commission may last for months, and in the meantime, Polska Grupa Górnicza (Polish Mining Group) will receive PLN 1.7 billion (ca. EUR 3.8 billion) of aid from the Polish Development Fund for its survival. Later, the Polish government will be able to claim it wanted to come to an agreement, but the EU will be blamed for disagreeing. It is also worth noting that the agreement does not cover lignite mines and says nothing about the cessation of coal use in the production of electricity.

While many sub-national and civil society actors in Poland are engaged in finding solutions to the issues of social, environmental, and economic sustainability and specifically climate action, the national context has not always enabled them to succeed. Polish national governments have generally been sceptical of the urgency of climate action, particularly the PiS government first elected in 2015. This has prevented municipalities from taking full advantage of some EU initiatives, led to sudden changes in policy frameworks, uncertainty, and has prevented the full engagement of energy communities, as laid out under EU law, in Poland. In addition, the Polish government is accused of various violations of the rule of law by the European Commission[13]. Polish cities perform poorly compared to other European cities on a number of sustainability indicators, notably on air pollution. In this context it is a valid question to discuss how the EU can engage in a pluralistic way with different levels of government and civil society in Poland to work toward common goals.

Intersection of climate and socio-economic issues in national politics

Since at least 2018, phasing out coal use and the energy transition have become important topics in Polish politics and civil society. They were very visible during COP24 in Katowice in late 2018, during the threat of rising electricity prices in 2019, as well as during election campaigns to the European Parliament (2019), Polish Parliament (2019), and presidential election (2020). Almost all of the opposition parties have formulated their positions regarding coal and renewables, especially declaring a certain date for coal phase-out. The

[13] European Commission, (2020) 2020 Rule of Law Report, Country Chapter on the rule of law situation in Poland. https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0320

governing party (Law and Justice) has not changed its position and is not setting a specific date for coal phase-out.

The situation of the governing party may be assessed as a political dilemma – they are trying to buy time before committing themselves definitively on the issue. The dilemma is to what extent they should allow the coal lobby to determine policy, and to what extent to allow the voices that call for energy transformation, both from the EU and within Poland, to decide. Social pressure for decarbonisation is growing, and the falling price of renewables (and increasing relative cost of coal extraction and fossil fuel energy generation) can no longer be ignored. A Eurobarometer poll from 2019 shows that 88% of Poles are for the withdrawal from coal in favour of renewables. Only 7% are against RES. Even more people are in favour of investment in renewables – 91%[14].

Several analyses have been made on how the energy transition would impact the job market. Some of these are part of more general analyses of the socio-economic impact of climate policy on the Polish economy, while some have a specific focus. The impact on the number of workplaces and employment was assessed for example in the "Low-emission Poland 2050" study from 2012[15] and its sequels[16]. Separate analyses were presented for the national job market due to wind renewables development[17], the modernisation program[18] or, recently, on the comprehensive climate transformation of the economy[19]. These analyses did not take into account local level (city) changes.

Energy poverty has also gained quite a lot of attention since at least 2017. This was brought about by the more ambitious air pollution actions taken by the government, which required a more careful approach to some recipients of the proposed programmes. The STOP Smog programme is especially dedicated to relatively poor segments of Polish society and aims at enhancing energy efficiency of housing where poorer people live. It is designed to be implemented with the cooperation of municipalities, but they are not keen on to do so. A Clean Air programme for renovation of single-family housing has been also constructed in a way to give more support, when the homeowners earn less. To prepare these programmes, most of the analyses were again conducted on the countrywide level, such as

[14] Komisja Europejska 2019, Eurobarometer survey confirms public support for energy policy objectives, https://ec.europa.eu/info/news/eurobarometer-survey-confirms-public-support-energy-policy-objectives-2019-sep-11_pl, dostęp 24.11.2019.

[15] Bukowski et all, 2050.pl. Podróż do niskoemisyjnej przyszłości. raport końcowy w ramach projektu „Niskoemisyjna Polska 2050", WISE-Europa, Fundacja Instytut na rzecz Ekorozwoju, Europejska fundacja Klimatyczna, Warszawa, 2013 oraz Kassenberg A., Śniegocki A., W kierunku niskoemisyjnej transformacji rynku pracy, WISE-Europa, Fundacja Instytut na rzecz Ekorozwoju, Europejska fundacja Klimatyczna, Warszawa, 2014;

[16] Forum Energii, Polski Sektor Energetyczny, 4 scenariusze, Warszawa, 2017 (p. 19)

[17] Bukowski et all, Wpływ energetyki wiatrowej na polski rynek pracy, WISE-Europa, Warszawa, 2015

[18] Urge-Vorsatz D., Wpływ na rynek pracy programu głębokiej modernizacji energetycznej budynków w Polsce, Fundacja Instytut na rzecz ekorozwoju, Europejska Fundacja Klimatyczna, Warszawa, 2012 oraz Lewandowski P., Ziółkowska K, Sałach K. Poprawa efektywności energetycznej budynków a rynek pracy w Polsce, IBS, Warszawa, 2018.

[19] Green House Think Tank, http://www.chronmyklimat.pl/projekty/energooszczedne/wiadomosci/7/miejsca-pracy-w-polsce-po-transformacie-energetycznej, Warszawa, 2019

the work of Warsaw IBS institute[20] or analyses made for the purpose of creating the National Energy and Climate Plan (NECP) 2030[21]. In spite of the fact, that energy poverty seems to be well studied on the national level, there are so far few initiatives that have measured and identified energy poverty at the local level (municipalities), which is where the primary responsibility for action lies. We know, that Silesia and Łódzkie Voivoodships have started to prepare regional questionnaires on energy poverty, but we do not know about any municipality, that has thoroughly studied the problem locally.

Health has also been an important social issue from time to time, especially when public opinion has been most interested in the air pollution problem. Polish cities are in top ranks of air pollution in Europe and this results in severe health costs, as a study of CE Delft finds[22]. Nevertheless, analyses related to this problem have remained only on the national level. The main report on that issue was prepared by HEAL in 2013[23] and the EEA has also issued reports[24]. On the local level there has only been supplementary information about the results of the environmental impact of specific energy installations[25], rather than on the territory of a certain city or municipality. The exception here is Warsaw, where a separate NGO report was issued[26], but it is also the area, where the most comprehensive air quality data is available. More data on health issues is also available for Skawina municipality[27], which was a pilot case for a national Clean Air programme for energy efficiency in private homes.

[20] See for example: https://ibs.org.pl/app/uploads/2019/07/IBS_Working_Paper_07_2019.pdf https://ibs.org.pl/app/uploads/2019/01/IBS_Research_Report_01_2019.pdf https://ibs.org.pl/en/publications/energy-poverty-in-poland-2012-2016-description-and-changes-over-time/

[21] Ministerstwo Aktywów Państwowych, Krajowy Plan na rzecz Energii i klimatu do roku 2030 – załącznik nr 2 – scenariusz polityki energetyczno-klimatycznej, https://www.gov.pl/web/aktywa-panstwowe/krajowy-plan-na-rzecz-energii-i-klimatu-na-lata-2021-2030-przekazany-do-ke, accessed January 2020

[22] CE Delft, Health costs of air pollution in European cities and the linkage with transport, October 2020, https://cleanair4health.eu/wp-content/uploads/sites/2/2020/10/final-health-costs-of-air-pollution-in-european-cities-and-the-linkage-with-transport-c.pdf

[23] HEAL Polska, Nieopłacony rachunek – jaka energetyka węglowa niszczy nasze zdrowie, Warszawa-Bruksela, 2013, http://healpolska.pl/wp-content/uploads/2014/10/nieplacony_rachunek_jak_energetyka_weglowa_niszczy_nasze_zdrowie_full_report_final.pdf

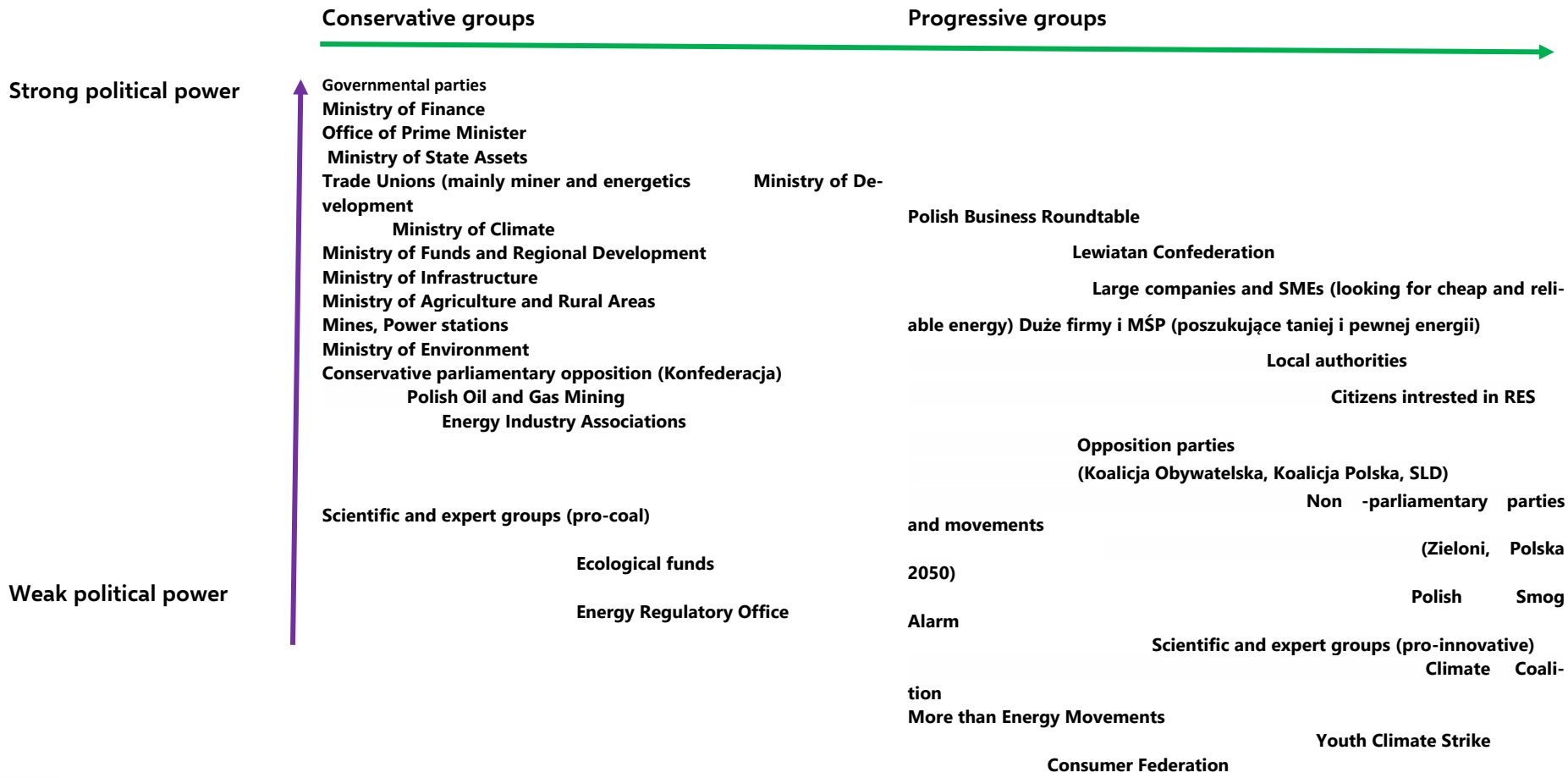
[24] EEA – Air quality in Europe 2015-2019, https://www.eea.europa.eu/publications/air-quality-in-europe-2015, Copenhagen, 2015-2019

[25] HEAL Polska, Subwencje-dla-energetyki-węglowej-a-koszty-zdrowotne, Studium przypadku projektu elektrowni Łęczna, Warszawa-Bruksela, 2015, http://healpolska.pl/wp-content/uploads/2015/10/HEAL_Subwencje-dla-energetyki-w%C4%99glowej-a-koszty-zdrowotne.pdf

[26] Karaczun Z., Michalak W., Wpływ zmiany klimatu i zanieczyszczenia powietrza na zdrowie mieszkańców Warszaw, Koalicja Klimatyczna, Warszawa, 2019, http://healpolska.pl/wp-content/uploads/2020/01/Wp%C5%82yw-zmiany-klimatu-i-zanieczyszczenia-powietrza-na-zdrowie-mieszka%C5%84c%C3%B3w-Warszawy.pdf

[27] Pac A., Sochacka-Tara E., Raport z analizy przestrzennego zróżnicowania chorobowości oraz umieralności mieszkańców gminy Skawina w odniesieniu do lokalizacji zakładów przemysłowych na podstawie danych statystycznych ogólnodostępnych oraz uzyskanych z Narodowego Funduszu Zdrowia za lata 2008-2018, Kraków, 2019. https://www.gminaskawina.pl/index.php?option=18&action=articles_show&art_id=742&menu_id=965&page=50

Main political players and their strength in energy transformation in 2020 in Poland



Source: Chandler W., Hille E. Kassenberg A. Moving Poland Beyond Coal: Assessment of Potential and Strategy. Report to the Sierra Club by Entri in cooperation with The Institute for Sustainable Development, Poland ISD), funded by Bloomberg Philanthropies. Warsaw, December 2017. (changed

Polish local level administration and planning

In this political context, Polish cities and towns are trying to establish their own climate goals. It is usually said, that Poland has devolved a lot of power to local authorities, which are independent from the national government on many topics. Poland is divided into 16 Voivodeships (or regions), 314 counties and 2477 municipalities, of which 302 are cities (66 of them have the combined power of counties and municipalities), 642 are towns with rural surroundings and 1522 are rural. Only regional level have a hierarchical governmental administration in parallel, while on the local level there are only self-governments, which do not form a hierarchical structure. Generally speaking, when it comes to climate issues, regions are responsible for the detailed implementation of EU and nationally funded programmes – they create Regional Operational Plans. Counties are responsible for inspection and control, and municipalities implement most of the investments and actions – in cities this competences are merged.

Local development planning is mostly a competence of municipalities, which create an obligatory Study on Conditions and Directions of Spatial Development of the whole territory. It should contain all the necessary rules and decisions to guide public and private investment on land; however, it does not have the power of a local law. Law is created when Spatial Plans, which are not obligatory, are formulated, or a special decision on conditions to develop land is issued by a municipality. When spatial planning documents allow for development one still needs a building permit from the county. All of these plans and decisions are related to climate policy, both mitigation and adaptation.

In addition to these spatial and planning competences, municipalities have been obliged to create additional plans that also relate to energy and climate issues:

- Plans on Supply of Heat, Electricity and Gas;
- Programmes for Environmental Protection (and Waste Management since 2013);
- Plans for Sustainable Development of public transport (SUMP) – only for cities above 50,000 inhabitants.

As if this were not enough, Polish local authorities have been expected to create several special documents that relate directly to climate issues:

- Low-emission Plans (LEP);
- Municipal Plans for Adaptation (MPA);
- Plans for Just Transition (PJT).

These obligations have created a special space for local climate policy to emerge in Polish cities. Key questions to address, and from which to draw future lessons, are: How successful has this approach been and did it lead to ambitious policy? Were social issues sufficiently addressed? This paper will analyse these questions.

Local climate policies

Low-emission policies have so far been produced and introduced by cities separately from adaptation policies. In this area of policy the approach taken by the medium and large cities have also been slightly different from the small towns and rural municipalities. Therefore, they have been analysed separately in this paper. Just transition policy is a new expectation that has not been fully developed yet, and which is being planned at a different level. For that reason, it will also be analysed separately.

Mitigation policies

Participation in the Covenant of Mayors (CoM) is still is at a very low level in Poland. Only 79 municipalities have joined the CoM (42 municipalities joined CoM up to 2014)[28], and 39 have submitted their Sustainable Energy Action Plans (SEAPs), out of the 2477 municipalities in Poland. Also, in spite of national legal obligations to do so, only 1/3 of municipalities have preparedmunicipal plans for the supply of heat, electricity and gas, that could serve as a basis for future local investments in the energy sector[29].

Therefore, at the beginning of the 2014-2020 financial period, the Polish government and EU institutions were afraid that the municipal level was not ready to absorb much funding for the reduction of CO_2 emissions. Strategic documents that did exist described the needs and plans for energy efficiency investment at a very general level, and not in sufficient detail to provide a coherent investment plan in the area of energy efficiency in public and residential buildings. Poland planned about 15% of its EU funds for low-emission investments both in national Operational Programmes, and Regional Operational Programmes, a total of 4.9 billion euro – only on the regional level[30]. Therefore, to stimulate investment and uptake of EU funds, late in 2014 a national approach was formulated to gently encourage municipalities to prepare local Low-emission Plans (LEP). The plans were expected to contain not only climate actions, but also actions aimed at the reduction of local air pollution.

Preparation of the LEPs was encouraged by both financial and administrative incentives. The National Fund for Environmental Protection and Water Management was chosen to manage the co-financing of LEPs in municipalities that would compete for the funding. Money was guided from EU funds, namely the National Operational Program Infrastructure and Environment. The same National Fund also issued guidelines[31] and established a network of regional consultants[32], which endorsed the municipal plans at a first stage of document evaluation on the basis of a check-list approach. LEPs were intended as an obligatory condition if a municipality wanted to apply for funds for low-emission investments from Operational Programmes. Practically, however, this obligation was abandoned or softened in many regions – only additional points were given for having a comprehensive LEP as a basis for a proposed municipal project.

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[28] https://www.eumayors.eu/about/covenant-community/signatories.html

[29] Liszka Sz., Prezentacja polityki ekologicznej samorządów w Polsce, DOKLIP, Puławy, marzec 2011.

[30] Krzyszkowska J., Wiśniewska M., Smolnicki K., Rytel K, Głuszyński P., Fundusze Europejskie w regionach na ochronę środowiska i zrównoważony rozwój, Związek Stowarzyszeń Polska Zielona Sieć, Warszawa, 2015

[31] NFOŚiGW, Szczegółowe zalecenia dotyczące struktury planu gospodarki niskoemisyjnej, Warszawa, 2013

[32] https://doradztwo-energetyczne.gov.pl/

Nevertheless, many municipalities quickly started to prepare LEPs for the period 2015-2020. The authors of this paper identified 1197 municipalities at the end of 2017 that in fact prepared such a document, representing almost 50% of all municipalities. However now in 2020 we can say that almost none of the LEPs are going to be extended unless national or EU policy forces that kind of planning to take place.

Results of the LEP policy

1. Rapid preparation of a lot of plans caused high competition on the consultancy market, low prices and problems with delivery of high-quality documents. There have been two comprehensive analyses of the LEPs prepared by 2020. An analysis by the Institute for Development of Cities and Regions concentrated on medium and big cities[33]. An analysis by Gdańsk University concentrated on small cities and rural areas[34]. The scope and goal of the analyses were slightly different, but we can draw the most important conclusions for all types of the plans:

    - There was more mobilisation towards energy and climate policy on medium and big cities level, than on small cities and rural level. All cities above 50,000 inhabitants have LEPs, whereas only about 30% of small cities have LEPs.
    - There is a big problem with the variety of basic data used for preparation of plans. A lot of plans were prepared for 2013 as a base year for calculation of energy use and GHG emissions, but many municipalities used different years, particularly 2010, 2014.
    - The level of calculated emissions of GHGs varies from very low levels of not more than 3 tons of GHG per capita (characteristic for developing countries, like India), to more than 30 tons of GHG per capita (characteristic for highly developed countries, like USA).
    - In most cities, only the buildings, transport and energy sectors were taken into account (as this was underlined by the guidelines). Although those sectors are usually responsible for the majority of emissions in cities, it is a mistake not to take farming, forestry and land use into account, especially in rural communities, where agricultural emission can account for 30-50% of total municipal emissions.
    - Most plans, in all types of municipalities, concentrated investments on: thermal modernisation and exchange of heat sources in public and private buildings,

[33] Rackiewicz I., Bartocha A., Niskoemisyjność i efektywność energetyczna. Raport o stanie polskich miast, Instytut Rozwoju Miast, Kraków, 2017

[34] Kistowski M., Wiśniewski P., Niskowęglowy rozwój obszarów wiejskich w Polsce a plany gospodarki niskoemisyjnej, Wydawnictwo uniwersytetu Gdańskiego, Gdańsk, 2017

modernisation of heating networks, installation of renewable energy sources (mostly solar PV), modernisation of street lighting, education, green procurement and local planning (the last three were strongly encouraged by guidelines). In the transport sector the approach was different in cities and rural municipalities. Cities mostly wanted to upgrade public transport networks and vehicles, whereas in small cities and rural communities mostly road network upgrades were planned (which was criticised as not a low-emission approach), as well as bicycle networks.

- For all plans there was a problem with the appropriateness of monitoring tools and especially monitoring indicators. Most municipalities were monitoring the plans only at the input level, not the result level. In about 30% of plans for small cities and rural areas, the goals and indicators are vague and the whole policy is going to be difficult to monitor at all.

2. *Insularity of climate policy from mainstream development policy formulation at local level*. LEPs are an additional document, that formulates separate policy designed for the acquisition of EU funds and not a comprehensive energy and climate policy of the municipality. This approach is clear in spite of the fact that guidelines for the preparation of LEPs encouraged inclusiveness: through the parallel possibility of preparation and co-financing of Plans for supply of heat, electricity and gas, the necessity to create actions for the revision of local spatial plans aligned with low-emission policy, and the necessity to analyse the place of the LEP in the landscape of other local strategies. Political change in 2015 exacerbated this insularity, as the new national government did not continue the previous policy towards municipalities, but formulated its own national doctrine, to deliver state support directly to citizens bypassing municipal LEPs. Many new national legal solutions also prevented LEPs projects from being implemented, for example in wind energy. Interestingly, in some regions, where the number of municipalities that benefitted from the development of wind energy was high, they found social arguments against this policy, such as the number of jobs created by wind energy farms[35].

3. *Low level of public consultation and involvement*. There was an analysis of public consultations in preparation of the LEPs conducted by PKE OM in 2015[36]. It was carried out for 40 municipalities only, of various sizes and status (rural and cities). It resulted in a highly worrisome result, that most municipalities do not see added value in public involvement in the preparation of LEPs. Most municipalities carried out a consultation of

[35] Kajetanowicz K., Gospodarcze efekty wstrzymania inwestycji w sektorze energetyki wiatrowej w województwie zachodniopomorskim, Value Partner, Warszawa, 2017

[36] Karaczun Z.(red.), Stefanowicz U., Świerkula E., Golec A., Skajewska A., Wiśniewska M., Rola społeczności lokalnej w rozwoju gospodarki niskoemisyjnej, Polski Klub Ekologiczny Okręg Mazowiecki, Warszawa, 2016.

the document only via a website announcement and online collection of opinions. In most municipalities inhabitants had to take part in the consultation in the form of a stock-taking questionnaire (though usually not from 100% of households). A further result of this approach might be that in most of the LEPs, direct municipal investments play a leading role in the reduction of energy use and GHG emissions, as well as investment. However, direct emissions from to the operation of the buildings, vehicles, areas, networks and processes that are owned, developed, maintained or managed by the municipality or its entities are usually not more than 20% of total emissions. Another result of this approach to citizen involvement was that data for private housing was not properly collected and therefore actions for housing renovation were not properly prepared, causing low uptake of funds in this sector and a strong reaction of EU and national level institutions in this respect in later years (2017-2019, with creation of Clean Air national funding programme for individual housing and other information and management tools for this sector's emissions). The exercise in preparation of the LEPs did not have an impact on local leaders' attitudes towards climate issues. The results of public opinion surveys taken within the DOKLIP project in 2010 and early 2015 show no change in the low level of awareness among local leaders in this respect[37].

4. The LEP exercise resulted in considerably higher and faster than expected uptake of EU funds on low-emission investments from some Regional Funds. An analysis prepared within the UNIFY project from early 2020 showed funds dedicated to low-emission actions were taken up very quickly, and in many regions far above planned thresholds[38],[39]. Funds for solar installations were spent already over 131%, and ITS systems over 139%. Solar investment became heavily favoured due to a shift in national laws disfavouring wind energy. Significant investment, well above the median spending level from EU funds, was also made in energy efficiency in public buildings and bicycle networks. These were all actions planned in LEPs, especially solar investments, that were planned in many regions in the form of umbrella projects of municipalities investing in private installations. This might have happened because municipalities were mobilized early enough to take action in the field of RES and air pollution on their own. This action was also taken in the atmosphere of competition for EU funds. Moreover, this kind of local policy took place on the fertile ground of Polish citizens being keen on RES investments – opinion polls since 2012 show at least 60% support by citizens for RES investment (since 2014 at least 85% if we consider both positive and very positive reactions)[40]. In a

[37] Ryłko E., Raport o stanie przygotowań lokalnych do zmian klimatu – raport zamknięcia, DOKLIP, Fundacja Instytut na rzecz Ekorozwoju, Warszawa, 2015

[38] Szymalski W., Fundusze unijne można wydać lepiej (broszura), Fundacja Instytut na rzecz Ekorozwoju, Warszawa, 2020

[39] CAN-Europe, Funding climate and energy transition in the EU: the untapped potential of regional funds : Assessment of the European Regional Development and Cohesion Funds' investments in energy infrastructure 2014 -2020", Climate Action Network Europe, Bruksela, 2020.

[40] Bertram R., Ugryn K. Kassenberg K., Szymalski W., Atlas Energii - fakty i dane o energetyce odnawialnej w Europie – 2018, Heinrich Boell Stiftung Warsaw, 2018

survey by 4P Research Mix from January 2018 on a representative sample of 1000 people, as many as 95.4% of respondents (answers "yes" and "rather yes") supported the development of renewable energy sources and 95.3% for energy efficiency, and only 35.2% for coal energy or 30.1% for nuclear energy.

5. *Social issues have not been addressed within the LEPs*. The only programme we know of that paid some attention to the development of local economy and social approach (also in relation to workplaces) was the Pilot program for low-carbon development of Starogard County[41], created within DOKLIP pilot project. However, the national administration chose municipalities and cities as the level responsible for preparation of LEPs, and municipalities did not follow this more socially-oriented approach. Moreover, local authorities are obliged to prepare separate obligatory plans related to social policies, like plans for municipal housing management, plans for family support, and plan for solution of social problems; the integration of these plans for social issues with climate policy is very weak.

Reflection

A general evaluation of EU influence on Polish cities' low-emission policy is positive. It is EU requirements, that triggered the policy that was prepared by the national government towards local municipalities. EU policy triggered the preparation of the LEPs, which resulted in robust local actions in many aspects of energy and climate policy, especially renewable energy and public transport (in city municipalities, where public transport exists). The LEPs supported a lot of effective uptake of EU funds for low-emission investments at local level. Nevertheless, the EU approach allowed for Polish national institutions to create a kind of energy and climate policy that is temporary and additional, but shows a lack of continuity and added value for local development. Climate and energy goals have not been mainstreamed into the regularly prepared strategic and tactical planning documents of Polish local authorities. The existing LEPs are generally not kept up to date, and are therefore of diminishing relevance; and no new LEPS are likely going to be created after 2020, which is the closing year of all old LEPs. EU policy should create circumstances for climate and energy policy to be put at the heart of the regular development policy of Member States and local communities – not as an additional exercise. EU policy should guide national institutions to formulate policies in a way, that climate and energy are the backbone of everyday development policy at all levels of management of the country.

The LEPs exercise also gives a reflection on the state of Polish local authorities. Climate and energy policy can be guided through that level of local management, but it should be supported by data, competences and people. Polish local authorities are ambitious and work hard to fulfil all the expectations, but are not well equipped by national policy to fully

[41] Kassenberg A (red.), Pilotażowy program niskowęglowego rozwoju powiatu starogardzkiego, Fundacja Instytut na rzecz Ekorozwoju, Warszawa, 2015.

implement ambitious energy policies. There are many energy issues outside Polish municipalities scope of competences, such as electricity networks and production of electricity (placed mostly within big national energy companies), energy status of private housing (better suited to manage this are counties – a level higher than municipalities), and private transport (it it considered, that Polish municipalities have not enough tools to manage it)[42]. In addition, large cities are more capable of creating good low-emission policies, than rural municipalities. In rural areas counties could probably be a better leading institution for low-emission policy. This reflection may bring about a recommendation for the EU to analyse more in depth, what can and cannot be done at which level of territorial management in a given country, before they propose a certain allocation for EU climate funding.

[42] Dylag A., Kassenberg A., Szymalski W., Energetyka obywatelska w Polsce – analiza stanu i rekomendacje do rozwoju, Fundacja Instytut na rzecz Ekorozwoju, Warszawa, 2019

Adaptation policies

Climate adaptation policy has been developed in Poland since 2013, when the Strategic plan for adaptation of Poland up to 2030 for vulnerable sectors and areas (SPA2030)[43] was prepared and accepted by the government. Since then national ministerial administration has been preparing its own project to engage the biggest cities into the adaptation efforts, in order to fulfil the goals set in the SPA2030 document. The plan was to create a common framework and prepare Municipal Plans for Adaptation (MPA) for the biggest cities within one project. This was a slightly more centralised approach to the issue, than in the case of LEPs. It is also supposed to be more concentrated on the quality. The project started in 2017 and was finally called "Wczujmy się w klimat"[44].

In fact, up until 2017, when the ministerial project started, cities were not thinking about adaptation policies at all. The only project implemented in Poland about the issue was called LIFE_ADAPTCITY_PL, which prepared a Strategy for Adaptation to climate change for Warsaw and informed the biggest 11 metropolises through the Union of Polish Metropolises[45], and was co-financed by the EU LIFE programme. Opinion polls prepared for this project in 2015 among leaders of the biggest cities in Poland showed only a low level of knowledge about adaptation in cities[46]. In addition, the cities were more involved in other policies, because there were no financing programs for adaptation measures.

Only 8 Cities have signed up to the 2030 targets of the Covenant, which include the development of a risk and vulnerabilities assessment and an Adaptation Action Plan. This number can be considered however, as a results of the MPA policy of the national government.

Adaptation policies have not been evaluated so far by any external teams. What we can rely on is only the summary of the 44 MPA projects presented during the closing conference[47] and our own knowledge and assessment.

Results of the policy

In 2020 there are about 50 big Polish cities that have MPAs: 44 thanks to the project of the Ministry of Environment; Warsaw, which prepared an MPA in the form of a Strategy within LIFE_ADAPTCITY_PL project, and a few other cities (eg. Inowrocław, Rumia, Mielec, Mińsk

[43] Polish Ministry of Environment, Strategiczny plan adaptacji dla sektorów i obszarów wrażliwych na zmiany klimatu do roku 2020 z perspektywą do roku 2030, Warszawa, 2013

[44] www.44mpa.pl

[45] www.adaptcity.pl

[46] Szymalski W. (red.), Klimat okiem samorządowców, Fundacja Instytut na rzecz Ekorozwoju, Warszawa, 2019

[47] Szczepański Krystian, Polskie miasta a zmiany klimatu –zbiorcza prezentacja wyników analiz i prac w ramach projektu 44MPA, 44MPA, http://44mpa.pl/wp-content/uploads/2019/01/Prezentacja_final.pdf (p. 71-86), Warszawa, 2019

Mazowiecki), which prepared their MPAs from their own funds or through co-financing of the Polish National Fund for Environmental Protection and Water Management. All of the MPAs should in principle follow the same method described in special guidelines issued by the Ministry of Environment[48]. Nevertheless, the guidelines allow for many different interpretations; therefore the documents are not the same in form, but follow the same structured set of analyses.

MPAs created within the ministerial project are said to be better prepared on the level of actions and investments proposed. They are also quite sophisticated and detailed when it comes to climate change impacts. On the other hand, the Strategy for Warsaw created by the ADAPTCITY team, also prepared as a pilot document, is of sufficient quality on climate issues, but much better in the process of cooperation with the city administration and public consultation. Both projects educated local authorities about the issue of climate adaptation - as was clearly shown in opinion polls among local leaders of the 50 largest Polish cities, conducted within the ADAPTCITY project. Both projects, with some support from the Katowice COP24 event, also gave some boost to public opinion about the climate crisis and how to tackle it. Here also the ADAPTCITY opinion poll among Warsaw inhabitants show a positive trend[49].

However, these over 50 MPAs are not as detailed regarding actions as the ministry might have hoped. Warsaw MPA was put in a structure of strategic city documents between the level of the main Strategy and the Programs, which is between strategic and implementation level. As such, the city decided that it did not need a detailed set of actions, budget and a solid monitoring system so the MPA includes only directions for action, while the monitoring system was intended to be developed within separate programs. Fortunately, the city started to develop such programs for eg. small retention measures or green roofs, immediately after enacting of the Strategy. In the 44 MPAs, lists of actions vary in detail with some exemplary detailed actions, while some cities do not even show a budget, eg. Poznań, Białystok.

Again, financial and administrative incentives are used to encourage smaller cities to prepare their own MPAs. Financial, as the NFOŚiGW (National Fund for Environmental Protection and Water Management) may give funds to prepare a plan as a backbone of a serious investment in rainwater management scheme of a city. Administrative, because it is expected that Operational Programmes for 2021- 2027 will probably focus resources on those municipalities which have an MPA. Some investments in adaptation are better suited to be implemented by local administrations. This relates mostly to water management, because municipalities are solely responsible for water supply and sewage systems. So far, in contrast to the case of LEPs, there is no rush of many municipalities to prepare MPAs, and competition on the consultancy market evolves slowly. However, there is still a risk

[48] Ministry of Environment, Podręcznik adaptacji dla miast - wytyczne do przygotowania Miejskiego Planu Adaptacji do zmian klimatu, Warszawa, 2015
[49] See 16

that the high quality shown in the first plans prepared will not be maintained. National institutions offer nothing more than the guidelines, and there is no special verification team to check the structure or quality of the document, as was the case with LEPs co-financed by NFOŚiGW.

To show that the MPAs are not a mere planning exercise, the NFOŚiGW has already launched a few competitions for funding that were targeted toward existing plans for infrastructure such as: green infrastructure (eg. green roofs), small water retention measures (eg. rainwater tanks) and rainwater management[50]. In addition, some big cities, Warsaw[51], Krakow[52], Wroclaw[53], started funding programmes for eg. water tanks, at their own expense. It is also expected that the material prepared for MPAs is much more useful in practice than the material prepared for LEPs, and is therefore more likely to be used for more planning purposes. Warsaw has used the result of ADAPTCITY analyses in the preparation of a Local Study on Conditions and Directions of Spatial Development. We know that thanks to actions taken within ADAPTCITY project Warsaw has integrated some climate adaptation measures into its housing policy[54]. From this point of view it can be assessed, that the approach used by the Ministry of Environment towards the quality was verified positively, so far.

Nevertheless, there are still some negative similarities to the LEPs policy. MPAs are again an additional document, added to the regularly prepared plans and strategies on development at the local level. The process of preparation of MPAs is quite costly and time consuming. Therefore, there is a risk, that the MPA approach will not be followed in the future by local authorities and that adaptation measures will be watered down by other, particular local development problems. Again, the authors of this paper call on the EU institutions to create the conditions which require governments to mainstream the planning of special investments dedicated either for mitigation, or adaptation within the regular national development (or spatial) planning plans – not in the form of special documents created for the purpose of securing EU funds.

Local social issues were usually not taken into account in the preparation of MPAs. The only social issue presented in the Warsaw Strategy for Adaptation, was the problem of elderly people's health during heatwaves. Health was also the social issue that appeared in most of other MPAs – 41 out of 44 prepared action in this area.

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[50] http://nfosigw.gov.pl/oferta-finansowania/srodki-krajowe/programy-priorytetowe/przeciwdzialanie-zagrozeniom-srodowiska/

[51] https://www.um.warszawa.pl/aktualnosci/dodatkowy-nab-r-wniosk-w-na-ekologiczne-inwestycje

[52] https://www.krakow.pl/aktualnosci/240372,26,komunikat,ruszyl_nabor_wnioskow_w_programie_malej_retencji.html

[53] https://www.wroclaw.pl/srodowisko/program-dotacyjny

[54] http://sprawylokalowe.um.warszawa.pl/aktualnosci/program-mieszkania-2030

Reflection

As in the case of mitigation policy and the creation of special LEPs for cities and municipalities, MPAs were proposed for Polish cities as an extraordinary, isolated, and probably also temporary exercise. Fortunately, in this case, the targeted group of cities and the quality of the documentation will result in a much more useful outcome and long lasting results of the action. EU intervention in this area of policy was minimal – action taken at Polish national level was in response to the EU Adaptation Strategy, which served only as guidance, not a legal obligation, for the member states.

Unfortunately, social issues were also only marginally present in the prepared documents and in the whole policy. This is probably due to the fact that the MPAs were one-off documents and were not a part of the regular development policy of the cities. Just as with the LEPs and mitigation policy, EU policy should create circumstances for adaptation policy to be put at the heart of the regular development policy of Member States and local communities.

After an analysis of mitigation and adaptation policies of Polish local authorities, we can also show how disintegrated and fragmentary Polish local policy is. Mitigation is considered separately from adaptation to climate change. In addition, social issues are handled separately, with even different aspects of social policies having separate plans (eg. Separate plans for families and housing, health). Environmental protection has a separate plan, as well as roads and public transport. Even a comprehensive investment such as revitalisation of cities does not include all aspects of development. The problem of poverty may be addressed, but renewed planning and action are required to address air pollution and climate aspects[55].

Spatial planning in Poland does not play an integrating role across a range of policies, and in particular not for climate and social issues. This is because spatial planning has been dismantled step by step by the decisions taken both at national and EU level. The story started back in 2004, when the first laws were proposed to exclude the building of roads from the national spatial planning rules and create separate procedures to plan and build them. The reasoning behind that step was the perceived need to make use of large amounts of EU funds, for which the existing spatial planning measures were assessed as an obstacle. Between 2004 and 2020 about 23 special laws were created to build various infrastructure investments, without reference to the existing spatial planning rules. These are for example: electricity grids, gas networks, airports, railway lines with stations, water and sewage networks, broadband internet, anti-flood investments, nuclear installations.

[55] Wis-Bielewicz J., Koziarek M., Olesińska J., Owczarek D., Schneider L., Serre C., Efektywna energetycznie rewitalizacja kluczem do poprawy jakości życia w polskich miastach Adelphi, Instytut Spraw Publicznych, November 2018

Interestingly, since 2019 there is a special law allowing for the same exemption also for housing estates.

In parallel to this process, both EU funding requirements and national policies have created since 2006, a constellation of obligatory, separate special planning documents on the local level, that have also probably distracted municipalities and cities from pursuing comprehensive spatial planning. LEPs and MPAs are examples of these special documents. The creation of new, separate laws continues, as in August 2020 another proposal was made to exclude investments that play a role in abatement of droughts from spatial planning rules. Competition for EU funding lies behind this law again, because many of this kind of investment will be proposed for EU funding in the period 2021-2027. These numerous separate procedures and special plans create an administrative landscape, where no one can have a strategic view on development, let alone a sustainable one. This leads to serious degradation of the landscape and nature.

This disintegration and fragmentation of planning rules is such a burden for many municipalities, that they do not see any possibility to develop their own investment schemes or support programmes without an initial use of external funding, such as EU funding or environmental funds. Such a feeling was witnessed by the authors of this paper in Western Pomerania during meetings with local authorities about the preparation of a regional plan for renewable energy deployment[56]. For many years there have been talks to stop this disintegration of comprehensive planning on the local level, but no satisfactory solutions have been developed by the government and if any, none have started to go through legislative procedures[57].

A solution to this problem is unlikely to be easy. There is certainly a need to underline and emphasise the crucial role of some specific problems at both the national and the local level, and undertaking some special planning can be justified. Nevertheless, currently in Poland the number of separate planning documents has become a burden, not a real solution. It would be good to start paying more attention to the role of the most comprehensive of the documents, that were once prepared by Polish municipalities – these are the obligatory Studies on Conditions and Directions of Spatial Development or voluntary Development Strategies. It would be good to start integrating a broad range of issues again, such as energy, climate adaptation, public transport or housing, into these documents. EU policy can play a role in that, by encouraging or mandating the need to integrate new issues, that are relevant in planning from the viewpoint of European policy, into the

[56] Strzyżewska J. et all, Regionalna koncepcja rozwoju odnawialnych źródeł energii dla gmin centralnej strefy funkcjonalnej województwa zachodniopomorskiego, Regionalne Biuro Gospodarki Przestrzennej Województwa Zachodniopomorskiego, Szczecin, 2018

[57] Kowalewski A., Nowak M.J, Studia KPZK | 2018 | tom 182 Studia nad chaosem przestrzennym | cz.1 Chaos przestrzenny i prawo. Uwarunkowania, procesy, skutki, rekomendacje, Warszawa, 2018

existing spatial planning system of the Member State, including at the regional or local level.

Just transition policy

The Just Transition Mechanism has been created as a solution for the problem of inequalities resulting from climate policy, and is designed to safeguard justice in the implementation of this policy. Poland was one of the main opponents of earlier climate policy, claiming that it was unjust to the countries that are earlier in the process of low-carbon transition due to their particular circumstances. The EU proposed a special Just Transition Fund for the period 2021-2027, whose funds should be delivered with the help of special Territorial Plans for Just Transition. Preparation of these plans is coordinated in Poland by the Ministry of Funds and Regional Policy. Poland has been provisionally allocated EUR 500 million to prepare plans in three regions: Silesia, Great Poland and upper Silesia[58]. There are talks to add three more regions: Lubelskie, Łódzkie and Minor Poland. The level of preparation is regional, but the specific areas of transformation are defined as cities with its surroundings:

- Katowice, Bielsko-Biała, Tychy, Rybnik, Gliwice, Bytom, Sosnowiec in Silesia;
- Konin in Greater Poland;
- Wałbrzych in Upper Silesia.

To coordinate the efforts the Ministry for Climate is working on a National Just Transition Plan.

Results of the policy

There are no plans prepared, yet. Therefore, it is too early to elaborate much about the results of the policy. But the immediate result of the EU policy has been the creation of separate analyses and proposals for just transition of these regions by independent experts, as a voice in the discussion. Below we report some results of these studies:

- for Silesia there has been an analysis prepared by an independent team hired by WWF Poland, which underlined mainly three directions: diversification of the economy with improvement of knowledge and research base, revitalisation of cities and better public transport services. Social issues are at the forefront of this analysis, with an aim of integrating local job markets and better management of the needs of an ageing society[59].

- for Great Poland there is a general document issued by the local stakeholders, called "Agreement for Just Transition of Greater Poland", that underlines preparation of a detailed

[58] https://www.gov.pl/web/fundusze-regiony/sa-pieniadze-unijne-na-przygotowanie-regionalnych-planow-sprawiedliwej-transformacji

[59] Bukowski M., Śniegocki A., Wetmańska Z. 2018, Od restrukturyzacji do trwałego rozwoju. Przypadek Górnego Śląska, raport WiseEuropa dla Fundacji WWF Polska, Warszawa, Polska.

plan, with special inclusion of the job market strategy in the analyses and public participation as the main pillar of the social acceptance of the plan.

- for Upper Silesia there have not been any analyses;

- for Łódzkie an independent analysis was made by Instrat[60] for the Bełchatów subregion. Special attention was paid to jobs that need to be shifted from coal mining and energy production to other sectors. This shift was assessed as possible with a net increase of 51,000 jobs, when shifting jobs to the renewable and energy storage industry as well as housing modernisation processes.

Interestingly enough, there are also many local groups already active in those regions, that have an interest in taking part in preparation of Just Transition Plans. Activities of these groups can be also considered an immediate result of the proposed EU just transition policy.

Reflection

It is much too early to assess any results of just transition policies, but it can be already argued, that this approach gives much more attention to social issues than previous local climate policy approaches represented in the LEPs and MPAs. However, it is noteworthy that the current emphasis of just transition policy in Poland is concentrated on shifting jobs from sector to sector, while ideally it should refer not just to the creation of sustainable jobs, but also be linked to adequate investment in education, life-long learning, and skills support (re/up skilling).

The regional level of administration in Poland is probably better placed to analyse any social issues related to the climate politics, than cities or municipalities. The impact of the energy or coal mining sectors on the economy is usually much broader than the average Polish city or municipality, or even a county. Current industrial and energy facilities employ thousands of people, that may commute to their work from regional rather than local distances – a phenomenon which has been strengthened by the development of better railway and road connections within the country. Electricity and gas prices in Poland are also much more related to the situation of big energy companies (mostly publicly owned) – their primary territory of influence is even bigger than one Polish Voivodeship. For example, Warsaw uses the energy which is mostly produced in power plants at a distance of about 100km away. Therefore, sincere analysis of workplaces or energy poverty issues could not be made at the municipal level in the LEP or MPA documents.

Nevertheless, leaving planning decisions to levels of government above Polish local authorities, creates its own risks. The exclusion of many investments from the spatial planning

[60] Czyżak et al. ,2020. Zielone miejsca pracy. Przypadek regionu bełchatowskiego. Instrat Policy Paper 04/2020.

rules and the creation of many obligatory additional plans have in fact disempowered Polish local authorities, as well as civic society, on many issues. This process has created a space for national institutions to put many conditions on local development agendas and leave cities and municipalities over-dependent on national support, leaving little space to local initiative. If any EU steps are going to be taken, they should pay careful attention to the subsidiarity principle. This principle has probably been broken between Polish local and national institutions. It is worth bringing this principle back into force and describing in more detail what should be in the competence of what level of territorial management.

While the EU institutions are, rightly, hesitant to intervene in the allocation of responsibilities at sub-national level, there may be merit in the Commission engaging in a discussion on how local autonomy can help contribute to more effective implementation of EU-level priorities. The EU could offer guidance on how to enable local and regional authorities to adopt a genuinely integrated approach which addresses a range of shared challenges in a more coherent and effective way.

Conclusion

EU policy has had a positive impact in pushing Polish municipalities to address climate change issues in recent years. For example, the preparation of the local Low Emission Plans, was spurred through the opportunity for EU funding. EU funding has also provided funding for the preparation of adaptation plans. The impending Just Transition Mechanism (JTM) has already catalysed a change in the discussion around this issue, and has led to increased local engagement on the issue.

Nonetheless, more could be done to ensure a coherent approach to these issues, as opposed to the isolated plans and inputs that are now the norm. Future funding should be tied more closely to coherent local plans, that need to be better enabled by the national planning framework. The EU needs to ensure enhanced local engagement into important initiatives such as the JTM and European Social Fund, as well as into the planning of strategic level plans like the National Recovery and Resilience Plans, Partnership Agreements, and National Energy and Climate Plans.

In addition, direct engagement of the most ambitious cities with bespoke funding and programming opportunities should be a good possibility for win-win engagement on all sides. This approach can provide an avenue for EU engagement with constructive and proactive partners. While respecting the principles of subsidiarity and multi-level governance, the EU should investigate the possibilities for such engagement. In the case of Poland, cities have lost a lot of their real autonomy and could benefit from being re-empowered by more constructive dialogue with the EU and national authorities.