ZUKUNFTSAGENTUR
RHEINISCHES
REVIER

Die Landesregierung
Nordrhein-Westfalen

Transition Agreement

Prospects for the Rhineland Mining Area

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Agreement between the

State Government of North Rhine-Westphalia

and the shareholders and the supervisory board of

Zukunftsagentur Rheinisches Revier GmbH

to secure a successful structural transition in the

Post-Mining Rhineland Region

Preamble

Ending coal-fired power generation by 2038 is both a challenge and an opportunity for the Rhineland mining area, which is the largest active lignite mining area in Germany and lies between Aachen, Mönchengladbach, Düsseldorf and Cologne. Never before has one contiguous area faced such fundamental economic and indeed, as regards the open-cast mining fields, physical change.

With the gradual phase-out of coal-fired power generation as set down in law, the Rhineland mining area is making a significant contribution to achieving climate neutrality by 2050. The area is thus helping to achieve the European Union's goal of becoming a global leader in climate and resource protection through the European Green Deal. It is essential that the process of innovation involved leads to growth, value creation and employment in keeping with the demands of sustainable development. With its industrial and research expertise and the structural funding that has been agreed, the Rhineland mining area is well-placed to lead the way in the global challenge of transformation into a climate-neutral economy. However, the task to be accomplished is considerable.

Under the Act on the structural transition of coal regions [Strukturstärkungsgesetz Kohleregionen] and the Act on investment in coal regions [Investitionsgesetz Kohleregionen – InvKG] contained therein, the German Federal Government is making an additional 14.8 billion euros available to the Rhineland mining area over the next two decades. This funding is provided to offset employment and value creation losses and to enable the successful and sustainable transformation of the economy and the region in the course of the phase-out of lignite-fired power generation. Structural change is the challenge of a generation. In view of that challenge and the people who live and work in the Rhineland mining area, the use of these funds represents a great responsibility. The state and regional authorities are aware that structural transition is a long-term undertaking that will extend far beyond 2038.

In the light of the accelerated phase-out of lignite-fired power generation, the common goal of the state and regional authorities is to shape structural change and to create and realise new prospects for the Rhineland mining area. In particular, there is a need to generate an adequate substitute for the lost value creation in accordance with sustainability targets; to maintain existing jobs in the short and medium term and to create new jobs; to secure value chains, in particular in energy-intensive industries; to diversify the economic structure; to make the area more attractive as a business location and as a place to live; to ensure an affordable and secure energy supply, and to achieve growth that is as climate-neutral as possible.

The State Government undertakes to work with the people and businesses in the region to shape structural change in the Rhineland mining area. The citizens of the Rhineland mining area, as well as businesses and scientific, academic and research institutions, are invited to play an active role in shaping the transformation of their homeland. They will be involved in the forthcoming transition process through various types of participation. Where, in the past, disputes over the form of energy generation and the reshaping of the landscape have led to tensions in families and communities and to uncertainty in businesses and workforces, the common goal of the state and regional authorities is to create future prospects and thereby foster a new sense of belonging by together transforming the region.

Zukunftsagentur Rheinisches Revier, its supervisory board and its shareholders are responsible for regional coordination of the interests of the Rhineland mining area in its dealings with the State Government. Zukunftsagentur Rheinisches Revier is responsible for structural transition in the Rhineland mining area. In partnership with the Federal and State Governments, Zukunftsagentur must provide an effective impetus to development in the region that builds on the region's strengths. With its economic and structural programme, Zukunftsagentur has demonstrated that it sees the upcoming challenge of the century as an opportunity of the century for the region. The standing conference of open-cast mining municipalities is an integral part of this process. The political bodies of the Cologne and Düsseldorf district governments are ensuring regional coordination and the legal legitimacy of spatial planning for the administrative districts. The primarily municipal representatives of the Cologne lignite committee and the

Cologne and Düsseldorf regional development councils are responsible for developing lignite plans and regional development plans, providing the fundamental planning for regional development in the Rhineland mining area.

To consolidate and strengthen their partnership over the coming decades, the State Government and the shareholders and supervisory board of Zukunftsagentur Rheinisches Revier hereby conclude the following agreement.

I Fundamentals of structural transition in the Rhineland mining area

- The undersigned have set themselves the goal of making the Rhineland mining area the most successful economic transformation region in Europe. This goal includes, but is not limited to, making a substantial contribution to job creation in the Rhineland mining area within the next ten years. The aim is for the region to become a global model for other regions and to demonstrate how economic transformation can succeed, in particular the transformation from coal-fired electricity and heat generation and an industry based on fossil fuels into an energy system centred on renewable energy and a climate-neutral and sustainable industrial region.

- With their strategy, the undersigned are setting themselves the target of making the Rhineland mining area the most attractive economic region in Europe within the space of ten years. They undertake to work, within their sphere of influence, to shape all conditions relevant to the area, comprising legal framework, charges and tax burden, approval procedures, infrastructure, available land and a well-trained workforce, in such a way that said conditions become a unique selling point for a sustainable transformation region and attract domestic and foreign investment.

- The fundamental transformation process towards a supply system based on renewable energies requires a particular focus on the security of the energy supply.

- The undersigned are committed to a strengths-based approach to economic and structural development for the Rhineland mining area that will drive forward new products, services and business models in an area fit for the future, resulting in the creation of new jobs and training places and, importantly, in new prospects for industry. Four key fields of activity, i.e. energy and industry, resources and agribusiness, innovation and education, and spatial development and infrastructure, represent the strengths of the mining region.

- The undersigned support the goal of developing the Rhineland mining area into an “Innovation Valley” that offers large companies, small and medium-sized enterprises, suppliers and their employees and trainees, skilled crafts, founders and start-ups, science and research the best possible conditions and support for implementing innovations, and in which those players can shape the necessary transformation process in the best possible way. The internationally recognised research landscape of the Rhineland mining area covers everything from basic research to application. That research landscape together with a committed and skilled workforce offers excellent conditions for the transfer, particularly important for structural change, of research findings into high-quality, highly innovative, marketable products and processes with which new and additional value and employment can be created in the region.

- To harness that potential, a framework is being created that will enable regional businesses, in particular SMEs, to benefit at as early a stage and as easily as possible in the results of research (for example, unbureaucratic funding instruments, transparent information on research projects and technologies of the future and how to make the best use of state aid law). To ease the burden, the Zukunftsagentur will provide an appropriate operational support infrastructure.

- The undersigned hereby agree the goal of developing the Rhineland mining area, with its strengths in industry and research, into a demonstrator region for climate-neutral industry with an international impact within the framework of the European Green Deal. The Rhineland mining area will thus also become a centre of excellence for future key industrial technologies, for development is not only a matter of strengthening individual businesses that are particularly affected by the energy transformation, but also of helping the economy as a whole to position itself competitively for the future. Digitalisation and AI applications and environmental technologies are part of this process. The innovations required for a competitive and sustainable industry will be widely applied and commercially exploited in the Rhineland mining area. This will give the Rhineland mining area a unique selling point that will enhance its international impact.

- The undersigned hereby affirm that an attractive business location and an attractive living environment are fundamental prerequisites for successful structural transformation. Redevelopment of the area and sustainable development of the open-cast mining fields and power plant sites should provide people with the economic, ecological, social, cultural and sporting environment for a good and healthy life. An attractive educational, living and working environment that is geared to the needs and demands of local residents is also important to retaining skilled professionals in and attracting new skilled professionals to the Rhineland mining area to work in the technological key fields.

- The undersigned hereby agree to transform the post-mining landscapes into "spaces of the future" and thus to open up new potential for development. The planning authorities will work with the local authorities and the regeneration networks of mining communities to create the right planning framework for an innovative post-mining landscape. This is a fundamental prerequisite for agricultural use of the land and for sustainable waterway management, land use and economic and settlement development.

- As the relevant employment effects required come from businesses, the undersigned hereby agree that, alongside the mobilisation of private capital through indirect incentives, full use is also to be made of all instruments for financing direct investment costs. The undersigned hereby agree that a simple, uncomplicated, rapid and financially attractive set of targeted funding instruments is needed to tackle the challenge of the century that is structural transition. This also means that other funding streams such as the Just Transition Fund are also to be employed beyond the Act on investment in coal regions. New funding channels and procedures are also to be explored.

- What is needed are attractive (local) conditions in which state funding can be used to create jobs and in which there are incentives that mobilise sufficient additional private capital from within Germany and abroad.
  The Rhineland mining area will make it easier for investors to realise their projects by providing positive and solution-oriented support at all necessary levels of planning and approval. Full use is also to be made of instruments for direct business promotion.

- To secure the competitiveness of local industry in the long term, the undersigned are committed to ensuring that structural transition in the Rhineland mining area is as sustainable and resource-efficient as possible. All measures must be in line with the internationally agreed Sustainable Development Goals (SDG) and the corresponding SDG implementation strategies.

- The undersigned have a responsibility to the people in the twenty municipalities that are organised in the standing conference of open-cast mining municipalities, who are particularly affected by structural change. As the greatest structural challenges of the coming years are in these municipalities, there is a need to give the people in these communities in particular appropriate opportunities for the future, employment prospects and a new sense of home through structural and land development measures on the ground. The twenty local municipalities and the three regeneration networks of mining communities are to receive particular support in their historic task of sustainable living environment development and the development of locational factors.

- The undersigned reaffirm the objective of holding an international building and technology exhibition (IBTA) as a showcase for structural transition to increase the international visibility of what is to happen in the Rhineland mining area over the coming years. The region is developing a concept for how this goal can be achieved and will submit the concept to the State Government for approval.

II Factors for successful structural transition

- A measure of the success of structural transition shall be the creation of high-quality jobs by 2030, covered by collective agreements and with co-determination structures, and of upskilling and further education opportunities. This is needed to offer solid future prospects for the people in the Rhineland mining area and in particular for the approximately 15,000 employees of the lignite industry who are directly and indirectly affected by the coal phase-out.

  Furthermore, the undersigned hereby agree that, to ensure a successful process of structural transition, it is necessary to strengthen the approximately 50,000 well-paid jobs in the value chains of the energy-intensive industries in the Rhineland mining area. Business commitment is the only way to secure value creation, purchasing power and prosperity in the region in the long term and to ensure that the taxable capacity of the open-cast mining municipalities is not weakened. The large number of excellent training places must also be retained. Strengthening a broad-based start-up ecosystem to increase the number of high-quality start-ups is seen by the undersigned as a key factor for success.

- The undersigned would like to emphasise that the Rhineland mining area is leading the way in achieving the German and European climate targets by phasing out lignite-fired power generation. The region is to develop into a modern and climate-neutral energy and industrial region of the future in which energy supply security is guaranteed at all times. The energy system of the future is to be a tangible reality in the Rhineland mining area within the next two decades – and thus ten years before the target of 2050. Climate resilience and forward-looking concepts and pilot projects are to be tested and applied in the region.

  In order to accelerate the application of sustainable technologies in the Rhineland mining area, support must be given in particular to those businesses that are already making investments in these technologies of the future in the short term and are thus at a competitive disadvantage compared to businesses using conventional technologies and energy sources.

- The undersigned are pursuing the common goal of increasing electricity generation from renewable energies in the Rhineland mining area by one gigawatt by 2028. The region is developing a concept for how this goal can be achieved together and identifying the available potential and locations. The State Government is supporting the region in achieving its goals with the means at its disposal, including but not limited to a significant acceleration in the expansion of wind energy, photovoltaics and other renewable energy sources.

- The undersigned are seeking to turn the Rhineland mining area into a leading hydrogen centre in Germany by 2030. This objective relates primarily to applications in industry and the energy sector, and also to applications in mobility with a focus on public transport, heavy goods traffic, air traffic and shipping. There is a particular focus on the development of the industrial hydrogen value chain, which includes all producers of facilities for the production, transport and use of hydrogen. The region's resilient industrial base, the existing gas pipeline network and technological expertise in both the regional research and science landscape and in businesses offer the best conditions for this.

- The undersigned agree to develop the Rhineland mining area into a trailblazer for resource efficiency and the circular economy in line with the European Union's Green Deal. The aim is to decouple prosperity and economic growth from the consumption of resources and primary raw materials in order to achieve sustainable and future-proof structural change.

- The undersigned emphasise the great importance of a biobased economy as a growth opportunity for the Rhineland mining area and its traditionally strong agricultural and food industry. By 2038, basic materials, bioplastics, biobased raw materials and biogenic energy as well as food and animal feed are to be produced in and exported from the Rhineland mining area, with a particular focus on the use of sustainable raw materials.

- The undersigned aim to ensure the mobility of people and goods in the Rhineland mining area across all modes of transport. Connecting as many municipalities as possible to the rail network and providing a strong local public transport network that meets local demand is to make the Rhineland mining area an even more attractive place to live and do business.

- The undersigned seek to provide all parts of the Rhineland mining area with a gigabit-capable data infrastructure that will give users secure and fast Internet access and enable them to develop new products, applications and business models. The aim is to make the Rhineland mining area a pioneering example of a gigabit society. To this end, business parks, schools, public facilities and residential areas are to be equipped with a gigabit-capable data infrastructure, and the roll-out of a 5G mobile network by mobile network operators is to be supported.

- The undersigned have set themselves the goal of creating the necessary conditions for a population influx to the Rhineland mining area. This will also strengthen medium-sized regional centres as urban places and improve the quality of life in open-cast mining municipalities as places of the future. The development of the Rhineland mining area is to meet the highest possible standards in terms of economic strength, sustainability, healthcare provision, cultural diversity, natural and open space development, quality of architecture and urban development, and quality of life, and thus become a magnet for businesses, employees, trainees, students and researchers, travellers and cultural professionals.

- The undersigned consider it essential that, after decades of serious interference with nature, the landscape and water resources, the development of the blue-green infrastructure with the aim of preserving, restoring, connecting and developing biodiversity and ecosystems on land and in water play a central role.

- The undersigned recognise that, with the largest artificial lakes in Europe, there is an opportunity to create a spectacular landscape in the Rhineland mining area and a special attraction within North Rhine-Westphalia. This requires that a purely technical reclamation is to be steered in the direction of usable design and excellence, as rooted in the concept of model regions and the goals of the international building and technology exhibition.

- The undersigned understand that an earlier coal phase-out requires the acceleration of planning processes. After the end of lignite mining, the area will be in a constantly changing transitional state for decades to come. Faster, uncomplicated and efficient planning and approval procedures will soon enable the local population to make use of the space currently affected by mining activities, for example for the temporary generation of renewable energy, for model mobility projects or for temporary local recreational facilities. As of now, the State Government and the regional authorities are pursuing the establishment of a special economic zone and a special planning zone. To ensure that structural transition can take effect quickly, special planning provisions, limited in time and geographical scope, are to be implemented within the framework of the state planning law experimentation clause so that simplified procedures and instruments can be trialled in the Rhineland mining area. This happens with the aim of accelerating planning whilst maintaining the required statutory environmental and nature conservation standards and participatory rights.

- The undersigned recognise the need for sufficient available land for economic use in the Rhineland mining area for the period of structural transition. They are taking on the challenge of activating industrial, settlement and commercial areas in a way that minimises land use and occurs across municipal and district boundaries, with a focus on land recycling.

  The necessary procedures will be accelerated with suitable planning, funding and financing instruments, the necessary staffing of the competent authorities, and digitised processes, for example using instruments from the State Government's package of measures for intelligent land use such as land pooling for greater flexibility in settlement area definition.

  A selection of further regionally significant industrial and commercial sites in the Rhineland mining area is to be prepared in terms of ownership and planning law so that they represent a competitive prospect for investors and are available for industrial value creation as quickly as possible. A reasonable number of commercial sites of less than 5,000 m2 are also being included in the process so that small manufacturing firms and other commercial

enterprises have development opportunities. State and regional planning must pay particular attention to the needs of open-cast mining municipalities when designating additional industrial estates and business parks. At the same time, the undersigned recognise that there is a degree of tension between the various land use requirements for residential, commercial, leisure and recreational space and agriculture, soil as a resource, natural open space and biodiversity.

- The undersigned consider it essential that the transformation of the Rhineland mining area leads to an improvement in quality of life on the ground. The creation of attractive living and residential environments and community facilities, the development of new innovative and affordable residential and mixed-use areas and the sustainable conversion of existing settlement areas are other, important measures for making structural change visible and ensuring the attractiveness of the business location and living environment for workers (moving to the area). The topic of working and living in the neighbourhood will be explored in urban land-use planning and thus integrated into the urban structure of the future. Structural transition can only be successfully implemented if the Post-mining Rhineland region has attractive and interconnected landscapes, a diverse and high-quality educational landscape, good jobs, a new urbanity, appeal as a tourist destination, a rich cultural scene, a sports and exercise-friendly infrastructure and ecologically valuable land.

III Funding basics and funding system

- The undersigned agree that the economic and structural programme of Zukunftsagentur Rheinisches Revier is the strategic basis for funding in the Rhineland mining area. It serves as the basis for short-term, medium-term and long-term planning, for the shape of funding procedures and for the development of specific project selection criteria. The economic and structural programme shall be drawn up by Zukunftsagentur Rheinisches Revier, adopted by its shareholders and approved by the State Government as a basis for funding.

- The undersigned recognise that structural transition in the Rhineland mining area is to be managed in a three-level system of Federal Government, State Government and regional authorities that is as unbureaucratic as possible. The State Government shall, in consultation with the regional authorities, represent the interests of the federal state and of the region in dealing with the Federal Government. In partnership with the Federal and State Governments, Zukunftsagentur must provide an effective impetus to development in the region that builds on the region's strengths. Zukunftsagentur Rheinisches Revier GmbH shall act in a regional steering and coordination role. As a service provider, it will bring together impetus and ideas, initiatives, strategies and projects in the region and support their development and implementation. In this context, the supervisory board and the shareholders' committee of Zukunftsagentur not only control and manage Zukunftsagentur in its position as a limited liability company, they also act as a body for institutionalised exchange between the state and regional authorities on strategy development.

- The undersigned acknowledge that the State Government is responsible for the award process for the state funding component pursuant to section 1 InvKG. With regard to the federal component pursuant to sections 3 and 4 InvKG, the State Government, in consultation with the bodies of Zukunftsagentur Rheinisches Revier, will work both in the Federal Government and Federal State coordination committee and at the level of the respective government departments to ensure that the federal departments, in close consultation with the State Government, approve projects that are in line with the economic and structural programme for the Post-mining Rhineland region.

- The undersigned agree to ensure that all project selection procedures are appropriate for the subject matter of the project, guarantee excellent project quality and allow for broad stakeholder participation at a national and regional level through transparent procedures. Funding procedures shall be selected in accordance with specific and departmental needs and decided by the State Government.

- The undersigned hereby agree balanced project funding over the entire funding period. By fixing the budget for the funds up until 2038, the State Government is ensuring a sustainable and continuous funding process and taking account of the fact that the fundamental landscape transformation process will not begin until open-cast mining ends and the power plants are shut down.

- The municipal relief package and regulations on municipal contributions to funding in accordance with their budgetary and labour-market capacity will ensure the municipalities have the personnel and financial capacity to implement the necessary measures and projects for successful structural transition.

- The undersigned agree that the supervisory board of Zukunftsagentur Rheinisches Revier will establish a regional consensus as part of project selection. Said supervisory board shall be involved in a multi-stage process based on assessments by expert committees and shall make recommendations. The final decision on project approval shall lie with the respective state or federal authority. The basis for recommendations and decisions on projects are project selection criteria and a systematised set of indicators in which the employment effect, the positive impact on future value creation and the additional effect of relevant municipal locational factors all play an important role. The aim is to ensure transparency for all applicants on which criteria and conditions have to be met for projects and measures to be funded.

- The State Government is establishing an operational and strategic controlling system as a basis for managing funding and ensuring the flow of funds. For its part, Zukunftsagentur shall make appropriate data available to its bodies to ensure transparent procedures and sound decisions.

- The State Government reserves the right to make individual decisions in exceptional cases, subject to defined criteria.

IV Citizen participation

- The undersigned recognise that, in order to achieve sustainable structural transition, it is important actively to involve the people living in the region, local businesses and employee representatives in such a way that the various different interests are taken account of in a representative manner. It is clear from past experience that there is great potential for citizen participation and corporate engagement in the region. It is therefore important actively to involve citizens, the standing conference of open-cast mining municipalities, the regeneration networks of mining communities and businesses in the transformation process.

- The undersigned therefore agree on the goal of shaping the process of structural change in such a way that it becomes a process of the people living and working here, of stakeholders and of local businesses, whose different ideas of the future of the region are then brought together in a common vision.

- The undersigned agree to take account of the participation charter drawn up by Zukunftsagentur Rheinisches Revier, which sets out the overarching guidelines and quality criteria for citizen participation in the Rhineland mining area, when carrying out citizen participation processes in connection with structural transition.

- The undersigned shall strive to create a new sense of belonging in the Rhineland mining area that combines recognition of the achievements of previous and current generations with justified pride in helping to secure the livelihoods of future generations through successful structural transition, and that strengthens the creation of identity, vision and social cohesion.

V Review clause

This agreement shall be reviewed at regular intervals, initially after two years and then at the end of each funding period, and adapted if necessary. The review clause may be triggered by the State Government or the Zukunftsagentur.

Düsseldorf, 27 April 2021

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