

13.2.2015

To

Fiona Marshall

Secretary to the Aarhus Convention Compliance Committee

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Here I attach brief information on recent developments of the case.

So far, the Supreme Environmental Court announced no judgment in our case even though the Court had a presentation on the subject 20/11/2014.

Previously, I informed that the Court stated that I did not have standing. The decision was based on distances between turbines and my home.

Previously, I have shown that no applicable law supports this judgment.

In addition, the Supreme Environmental Court in its judgment October 23, 2014, Case No. M 4107-14 stated that it is ultimately noise conditions that will ensure that risks to human health and the environment do not occur due to noise from wind turbines and that it is not from noise standpoint is environmentally justified with a precise demands on certain distance between the wind turbines and existing residential buildings.

The EU Committee informed me 02/03/2015. GROW / 15 / AMR / alm 174,888 that as my "letter" to them is "insulting" and "meaningless" so the Commission will not "answering some more letters from you in the same case."

13/02/2015 I oppose this Commission decision. I point out that I have not written "letters" to the Commission, but notified the Swedish government for failure to fulfill obligations by not having implemented the EU directive, machinery directive. I oppose the decision because it deprives me of my civil rights.

In the matter I have documented in 2009 that Swedish authorities determined that wind turbines are "buildings under Swedish law" and that the Machinery Directive is therefore not applicable.

Not until 2011 admits the government that wind turbines are machines but commands simultaneously that the Machinery directive may not be included in the legal assessment of wind turbines. This order is contrary to the Swedish constitution, the Constitution Act, and results that courts deprive my right to get my case about the safety of the Machinery Directive reviewed in court, and this is contrary to the provisions of the Aarhus Convention.

In the matter referring EU Commission always to a "investigation" in the form of question and answer from the government that the Directive will apply that market controls in accordance with Article 4 are completed, that all Swedish wind turbines are CE marked in accordance with Article 16 even though I through photographs have shown that the CE marking is missing.

This "investigation" I oppose and request that copies of completed market controls shall be required and that the EU Commission on the spot in Sweden checks CE marking. Instead of implementing these simple measures, the Commission refers constantly to this "investigation" as they call EU Pilot and that my submissions are "insulting" and "meaningless" so the Commission will not "answering some more letters from you in the same case."

Regards

Bernd Stümer