



**Emily O'Reilly**  
European Ombudsman

Mr José Manuel Barroso  
President  
European Commission  
1049 BRUSSELS  
BELGIQUE

Strasbourg, 27/02/2014

Complaint 240/2014/SID

Dear Mr President,

On 2 February 2014, I received a complaint from Joseph Caulfield on behalf of Turn 180 concerning the Commission's public consultations on the List of projects submitted to be considered as potential Projects of Common Interest ('PCI') in energy infrastructure ('the List')<sup>1</sup>. This complaint is related to the earlier complaint of the same complainant (1411/2013/RT).

In Turn 180's complaint, I identified the following allegations and claims, on which I decided to open an inquiry.

**Allegations:**

1. The Commission failed to comply with its own Communication on public consultation<sup>2</sup> (page 12 and page 20) in respect of energy infrastructure projects.

*In support of this allegation, the complainant argued that:*

- *The Commission failed to use all possible means of publication/information of the List.*
- *The Commission failed to ensure that the relevant interested parties in Ireland had access to the consultation process on the following electricity projects in the List: E149-E156 and E291.*

2. By restricting the language of its website on the public consultation to English only, the Commission disenfranchised many citizens in countries where the energy infrastructure projects may be built.

<sup>1</sup> [http://ec.europa.eu/energy/infrastructure/consultations/doc/pci\\_list\\_electricity.pdf](http://ec.europa.eu/energy/infrastructure/consultations/doc/pci_list_electricity.pdf)

<sup>2</sup> Communication from the Commission: Towards a reinforced culture of consultation and dialogue - General principles and minimum standards for consultation of interested parties by the Commission, COM(2002) 704 final, Brussels, 11.12.2002.



*In support of this allegation, the complainant argued that:*

*- The Commission restricted the language of its website on the public consultation to English only, which is the native tongue of only some 65 million of the 500 million in the (then) EU-27. However, the projects have a pan-European reach.*

**Claims:**

1. Ensure that all environmental information is available to the communities affected by the projects in question to the extent that this is possible and only in respect of that environmental information related to the current stage of the process and the future stage, if known.
2. Consider publishing its websites on public consultations in all the official languages of the European Union, or, at the least, in the official languages of those Member States which would be affected by the schemes contemplated by the public consultations.

In accordance with Articles 2(2) and 3(1) of the Statute of the European Ombudsman, I inform you of this complaint and invite you to submit an opinion on the above allegations and claims by 31 May 2014. I will forward your opinion to the complainant for possible observations.

Within the opinion I would ask you to answer the following:

- (i) Which target groups did the Commission identify in Ireland prior to the publication of the List;
- (ii) Did the Commission ensure that minority views in Ireland could be voiced (page 12 of the Communication);
- (iii) Did the Commission approach the Irish authorities in order to suggest a link to the relevant page of the Commission website be placed on: (a) the appropriate national authorities' websites; and (b) the appropriate regional authorities' websites (in the area where the infrastructure developments were to be built);
- (iv) Has the Commission maintained more traditional alternatives to the Internet to publicise the List (e.g. press releases, mailings);
- (v) Did the Commission ever consider using Facebook, Twitter to publicise the List?



Finally, please find a copy of complaint 240/2014/SID and related complaint 1411/2013/RT.

Yours sincerely,

Emily O'Reilly

Enclosures (sent by e-mail):

- Copy of complaint 1411/2013/RT
- Copy of complaint 240/2014/SID