Renewable Energy Strategy

IDENTIFICATION

1. Please enter your **name** and, where relevant, the **name of the organisation** you represent. Please include also an **e-mail** address for contact purposes for use only if we need clarification about your responses. -open reply-(optional)	Mrs. V.C. K. Metcalfe. luanam@btinternet.com
2. Are you responding to this questionnaire on behalf of /as: -single choice reply-(optional)	Individual
3. Please indicate your country -single choice reply-(optional)	United Kingdom
4. How would you prefer your contribution to be published on the Commission website, if at all? -single choice reply-(optional)	Anonymously (I consent to publication of all information in my contribution and I declare that none of it is under copyright restrictions that prevent publication)

A. GENERAL POLICY APPROACH

A.1. Is there a role for new targets for renewable energy sources post-2020 assuming that any targets must be consistent with climate mitigation and energy efficiency policies and targets as is currently the case with the 20/20/20 targets in the Europe 2020 strategy? -multiple choices reply-(optional)	

A.1.1. Please explain the reasons for your answer (such as the scope and contribution from GHG targets/ETS, the need to address other environmental, security of supply or technological development benefits) -open reply-(optional)

It is known that the Principle of Proportionality is binding in both the development of EU legislation and State Aid for environmental protection. To comply it has to be demonstrated (a) what greenhouse gas tonnages are to be reduced; (b) the cost basis for implementation and the alternative implementation strategies considered and (c) the environmental objectives involved, namely the environmental degradation which is to be avoided. Neither the NREAPs nor the EU's documentation for Directive 2009/28/EC demonstrate (a) or (b). Directive 2001/77/EC required by the end of 2005 a report which should: "Consider the progress made in reflecting the external costs of electricity produced from non-renewable energy sources and the impact of public support granted to electricity production". This cannot be found. In DG Clima's analysis in March 2010 of a possible initiative to step up beyond 20% greenhouse gas savings: "Explain how the options respect the proportionality principle? Climate change is a transboundary environmental problem. Achieving GHG reductions targets in the EU requires a balanced distribution of efforts between countries and sectors in order to ensure that the environmental objectives are met, but also the common market is not unduly hampered". Neither is there an answer to (C). As the Commission has failed to comply with the decision of the EU Ombudsman in Complaint 2587/2009/JF, the renewable programme is a therefore a breach of the most fundamental prin

A.2. Are other policy elements necessary to promote renewable energy post-2020, such as: -multiple choices reply-(optional)	Other (please specify)

Please specify which other policy elements? -open reply-(optional)

"The long-term perspective of investors" and the EU's ambition to move towards a reduction of 80-95% of GHG emissions in a 2050

perspective is the focus of this consultation and resulting measures. The Lisbon Treaty is clear in that the “Union shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance. Each institution shall act within the limits of the powers conferred on it in the Treaties. The institutions of the Union shall apply the principle of proportionality”. Massive costs and environmental impacts are occurring and the Commission and the Member States have failed to demonstrate, how the renewable energy programme and the focus of this consultation, are in compliance with the terms of the Lisbon Treaty above. The citizen’s interest does not lie with a 95% reduction in GHG emissions and establishing a long term perspective for investors in technology sectors. Furthermore, there has been a complete failure to verify the emission savings and environmental performance of renewable installations installed to date and engineering analysis is clearly showing how ineffective intermittent generators, such as wind and solar, are in delivering reliable energy a

B. FINANCIAL SUPPORT

B.1. Do you consider that financial support will continue to be necessary to support renewables post 2020 given their expected greater penetration? -single choice reply-(optional)	No
B.2. If renewable energy sources require support post-2020, how do you think this can best be achieved with a view to achieving a cost-effective deployment? -multiple choices reply-(optional)	Phase out support schemes over time (please specify for which technologies if applicable)

Please specify for which technologies (if applicable) to phase out support schemes over time

-open reply-(optional)

ECJ judgement in case C-379/98 in relation to justifying state aid for wind generated renewable electricity was on the basis that it was “useful for protecting the environment in so far as it contributes to the reduction in emissions of greenhouse gases”. “It should be noted that that policy is also designed to protect the health and life of humans, animals and plants”. The Commission is aware it is subject to a Communication ACCC/C/2010/54 at the UNECE Aarhus Convention Compliance Committee in relation to the renewable energy programme in Ireland. This has demonstrated that the funding mechanisms are to ensure delivery of an EU obligation in relation to renewable energy and not part of a commitment, to contribute to any quantifiable environmental target related to quantified carbon dioxide savings. In approving this funding the EU failed to evaluate the environmental effectiveness of the programme or if there was compliance with citizen’s rights with regard to public participation in decision making. The inefficiencies on the grid induced by wind energy were known in advance, but inexplicably ignored. Those emission savings claimed for in the funding application have not occurred. Although further installation of wind energy will not lead to emissions savings, a quadrupling is required by the NREAP. A similar situation has occurred in other Member States. Ai

B.3. Do you think it would be useful to develop common approaches as regards Member States' financial support for renewables? -single choice reply-(optional)	No, support levels should be entirely up to Member States
B.4. Should the structure of financial support be gradually aligned EU-wide? -single choice reply-(optional)	No

B.5. With regard to questions B.3. and B.4. please specify if you see a difference between the different sectors (electricity, heating and cooling, transport). -open reply-(optional)

B.6. How do you see the relation between support schemes for renewable energy and the requirements of the internal electricity market for	

the period after 2020 against the background of a rising share of renewables? -multiple choices reply-(optional)	
B.7. Do national support schemes and differences between such schemes distort competition? -single choice reply-(optional)	

C. ADMINISTRATIVE PROCEDURES

C.1. Which of the following issues relating to administrative procedures, information and training do you consider acting as a serious impediment to further growth of renewables following Member States' implementation of the provisions of the Directive? -multiple choices reply-(optional)	Other (please specify)

C.1.1. Please provide explanations and specific examples where available -open reply-(optional)

The Lisbon Treaty requires that: “Decisions shall be taken as openly and as closely as possible to the citizen. The Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent”. The EU has ratified the United Nations Economic Commission for Europe’s (UNECE) Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. A Strategic Environmental Assessment (SEA) is mandatory under Directive 2001/42/EC for all programmes leading to future development consent of wind farms and other renewable infrastructure. Communication ACCC/C/2010/54 at the Aarhus Convention Compliance Committee has shown that the Units Heads of DG Environment and DG Energy in June 2010 directed the Member States that no SEA was required for the NREAP if it did not include specific mandatory measures. Note: The renewable targets and the NREAPs are mandatory. The Compliance Committee have concluded that public participation was required for the NREAP and have formally requested: “Could you please explain why the Commission says that it is not responsible for the actions of the Member State in this case?” The Commission is acting without ‘proper authority’ in the manner in which it is implementing this programme, in that it has bypassed legally binding procedures related to environmental assessment and democratic accountability.

C.2. Which policy response to the problems identified above do you consider appropriate? -single choice reply-(optional)	Other (please specify)

Please specify which would be in your view a workable solution to eliminate barriers -open reply-(optional)

The Commission has failed to comply with both the terms of the Lisbon Treaty above and its obligations under the Aarhus Convention with both the structure and the implementation of Directive 2009/28/EC. With regard to implementing a programme of this nature, Article 7 of the Convention is clear in requires that the public affected be provided with the necessary information, so that they can participate effectively during the preparation of the plan or programme within a transparent and fair framework, when all options are open and effective public participation can take place. EU legislation implements this through the more detailed process of Strategic Environmental Assessment. Furthermore the Commission’s legal team in their opening statement to the Aarhus Convention Compliance Committee meeting on Communication ACCC/C/2010/54, in that in terms of the National Renewable Energy Action Plan, sated that the Irish public were only entitled under the terms of the Convention to information on threats to the environment. They were not entitled to information on comparative costs or effectiveness of the renewable technologies. Under the Treaty of Lisbon, the citizen has a Right to good administration, a Right to effective remedy and to a fair trial and a Right to have damages made good. The Right to have damages made good applies to institutions and bodies of the EU and Member States when they are implementing Union law.

D. GRID INTEGRATION OF ELECTRICITY FROM RENEWABLE ENERGY SOURCES

D.1. Do you consider that any of the following	None of the above

national rules and framework conditions will still create obstacles to renewable energy production after 2020? -multiple choices reply-(optional)	

D.1.1. Please specify which obstacles and the nature and degree of them for each -open reply-(optional)

Europe's population has stabilised, while Europe's industry is more efficient, so electrical power consumption figures are stabilising. Yet to support a renewable programme with completely unknown figures related to environmental performance, impacts and financial costs, an enormous network development is to be initiated to facilitate unreliable and intermittent renewable generation. In the Republic of Ireland, there is a doubling of the high voltage grid by an extra 5,000 km. The EU Commission's 'Priority Interconnection Plan' COM (2006) 846 is very critical of 'time consuming public consultation procedures'. Yet this plan has an investment of €30 billion in infrastructure by the EU by 2013, with an estimated €700 – €800 million annually to be spent on connecting more renewable sources. In Com (2011) 658 on a proposal for regulation of a pan-European energy infrastructure, this states in relation to proportionality, that the proposal does not go beyond what is necessary to achieve the objectives perused. This is incorrect, the renewable programme has by-passed both proper environmental, technical and financial assessment and legally binding measures related to public participation. It is certainly not proportionate in terms of achieving demonstrated environmental protection objectives. Now citizens of member states are expected to carry the burden of grid expansions, with massive and unnecessary financial and environmental impacts.

D.2. Which renewables-specific grid related rules do you consider necessary and proportionate in a post-2020 perspective? -multiple choices reply-(optional)	Other (please specify)

Please specify which other rules -open reply-(optional)

Both the internal and external costs associated with any grid expansion to facilitate renewable energy need to be assessed and compared with the 'do nothing scenario', given that the existing grid functions without any of this development. With regards to the EU's binding climate change and renewable energy targets, it is necessary to point out Principle 10 of the United Nation's Rio Declaration, namely; "Environmental issues are best handled with participation of all concerned citizens, at the relevant level". These binding targets were decided solely on political considerations, in which there was neither any environmental assessment nor public participation with concerned citizens. These massive grid expansions to facilitate intermittent renewable generation are being forced upon populations, who have often neither been informed nor provided with an opportunity to participate in these key decisions. Clearly renewable energy should only be provided with access to the grid, when it demonstrates that it is superior and more effective than current generation capacity. At no stage have the necessary assessments in this regard been completed to justify the preferential treatment provided to such generation. Indications are that the renewable energy being promoted solely for political reasons, is not providing any significant environmental benefits, which clearly could have been achieved by other means for far lower costs and environmental impacts.

D.2.1. Please explain why -open reply-(optional)

Regarding grid related rules, huge disquiet with a potential backlash is developing from the general public in member states as more and more grid expansions are developed to facilitate intermittent and ineffective renewable generation, particularly wind energy. E.g. Communication ACCC/C/2010/54 highlights the Commission's approval of €110 million in funding for the Ireland to UK electrical connector, even though the sole purpose of this project was to facilitate more wind energy on the Irish grid, a policy by-passing the legally required public participation. In relation to the EU's European Investment Bank, this has supplied €300 million in loans to the interconnector project and a further €235 million to the State owned ESB to develop further networks to facilitate wind energy in Ireland. Again related to a programme which has by-passed legally required public participation procedures. Irish citizens are expected to pay back this money for infrastructure, without a proven need and without provision of proper environmental information or the opportunity to participate in the decision-making. Given that Europe is already heavily indebt it is simply unacceptable that such practices should be occurring driven by EU Institutions, which have deliberately by-passed the legally binding rules which are applicable to them. Proper accountability and adherence to democratic procedures is not optional with regard to grid development.

D.3. With regard to system integration of wind and solar power, what measures do you consider most important to increase the flexibility reserve of the system: -multiple choices reply-(optional)	Other (please specify)

Please specify which other measures -open reply-(optional)

The German integration of solar power has inflicted a huge financial burdens on the population for no real environmental benefit - with the 2012 estimated €100 billion subvention costs for delivering a mere 3% of Germany's electricity supply, ineffectively. The development of renewable electricity in Germany has essentially doubled generation costs. Indeed all countries, which have undergone renewable expansions, are seeing massive cost rises for the consumer coupled with a failure to demonstrate any significant decrease in fuel usage or emissions. There is a clear demonstration of failure to assess this policy before implementation and the input from the technical sector has been inexplicably ignored. Given these massive costs, seemingly now to be raised even further with dysfunctional and ineffective system integration costs for renewable power inputs, Europe's industry cannot remain competitive.

E. MARKET INTEGRATION

E.1. In which of the following ways could renewable energy be made responsive to market signals? -multiple choices reply-(optional)	
E.2. How can it be ensured that market arrangements reward flexibility? -multiple choices reply-(optional)	
E.3. In how far do you think today's market design needs to be adapted to provide an appropriate framework for renewables -single choice reply-(optional)	

F. RENEWABLES IN HEATING AND COOLING

F.1. What do you consider to be the main barriers against a stronger uptake of renewable energy in the heating and cooling market beyond 2020? -multiple choices reply-(optional)	Other (please specify)

Please specify which other barriers -open reply-(optional)

Political expediency and not environmental protection is driving the uptake of renewables in heating and cooling both at EU and Member State level by policies which have not been properly assessed . There is a problem with the promotion of wood biomass for domestic heating leading to the destruction of natural wood resources. Particularly in Northern Europe, the moisture content is high and therefore leading to increased particulate emissions and urban pollution. Within the renewable Directive, the external costs of existing heating and cooling arrangements are unknown, yet we are to subsidise renewables for which no external cost assessment is available. Dangerously, such a policy can only lead to unsustainable businesses, totally dependent on subsidy bubbles to survive and without a viable long term future. The Common Agriculture Policy had its inception in such rash political based decision making, in which market based economics was replaced by a political structure. This agricultural policy resulted in an enormous cost burden for the European citizen and lead to practices, which were unsustainable from both a financial and environmental perspective. Clearly it can be seen that the EU has not learnt anything from this debacle and is now rapidly implementing politically agreed targets, which have by-passed legally required assessment and public participation requirements. The EU has apparently not learned from the similarly politically based decision making,

F.2. What pathways do you consider to be the most promising for further increasing the share of renewable energy in heating and cooling beyond 2020? -multiple choices reply-(optional)	Other (please specify)

Please specify which other pathways -open reply-(optional)

The EU's energy policies are counter-productive when considering the promotion of wood biomass in domestic heating. There are significant associated environmental impacts, particularly those on human health, whilst the very environmentally effective form of renewable heat, from electrically driven heat pumps/geothermal energy, is suffering badly from soaring electricity costs. It was inexcusable for this aspect to be missing from a proper assessment as part of policy development. Der Spiegel reported in March 2011 in relation to German's Eco-Trap: "Not everything that looks green serves the environment. The ecological principle of proceeding with care

doesn't seem to apply to environmental policy. The more, the better, seems to be the principle. No one is calculating whether all the billions being invested in protecting the environment are actually being spent wisely. Ordinary citizens can't judge it and many experts have no interest in shedding any light on this aspect because their livelihoods are at stake. A large amount of money flows into studies, risk assessments and providing seals of approval. In many cases, a closer look at environmental measures reveals that they're expensive and don't have much effect".

F.3. How do you see the interaction of promoting further use of renewable energy in heating and cooling and enhancing energy efficiency in this sector? -open reply-(optional)

Global energy prices will clearly rise in line with increasing populations and possible improvements in living standards. Market forces will affect more efficient consumer's use of energy. Where however, there is a prevention of access to certain energy sources coupled with a compulsion to use other grossly ineffective sources, on the basis of political decisions having by-passed proper assessment and legally binding public participation procedures - the EU's proposals constitute a massive intrusion on the Citizen's rights. As the EU has completely failed to assess and quantify the external costs of carbon dioxide emissions, it therefore has no legal right to restrict anyone's access to such fuels whilst introducing massive financial support programmes for those carrying the 'renewable' label which in reality, deliver no environmental benefits which could not have been achieved at a vastly reduced cost by a rational and science based methodology. Whilst promotion of energy efficiency and environmental protection in the heating sector is desirable, the principles of the Lisbon treaty must be adhered to, namely a highly competitive social market economy embracing a high level of protection for, and an improvement in, the quality of the environment. Currently, the promotion of renewable energy fails to fulfil these requirements.

G. RENEWABLES IN TRANSPORT

G.1. What do you consider to be the main barriers against a stronger uptake of renewable energy in transport? -multiple choices reply-(optional)	Other (please specify)

Please specify which other barriers -open reply-(optional)

There was no environmental assessment for the 10% target for transport fuel, being a transparently political target. As the April 2007 consultation by the Commission was based on four questions i.e. "How should a biofuel sustainability system be designed? How should overall effects on land use be monitored? How should the use of second-generation biofuels be encouraged? What further action is needed to make it possible to achieve a 10% biofuel share?" it is hard to see how the legal requirements in relation to public participation in decision making were fulfilled. The introduction of E10 biofuel into Germany has been an unmitigated disaster. The Commission will be aware in that it has been sued, accused of violating European transparency laws. Client Earth, Friends of the Earth Europe, Fern and Corporate Europe Observatory filed the lawsuit following the Commission's refusal to provide access to information in decisions related to the sustainability of Europe's Biofuels policy. There is an urgent need for the 10% target to be reviewed and subject to the proper technical, environmental and financial assessment, in conjunction with proper public participation, which was initially mandatory for such a biofuel programme.

G.2. What sectors of transport do you consider to be the most promising for further increasing the share of renewable energy? -multiple choices reply-(optional)	Rail

G.2.1. Please explain your answer -open reply-(optional)

Many European rail networks are electrified and in a number of Member States, rail costs are soaring as electrical generation costs have effectively doubled due to renewable energy inputs, which are also highly ineffective in terms of environmental protection. An extremely effective form of transportation is therefore being made ineffective, seriously affecting social groups without access to cars. Such an impact has never been assessed and quantified in the development of these policies. It is now imperative that those who have been placed in a position of responsibility of development of Europe's energy policy, reassess the impacts of these policies. Sadly, no documented evidence to demonstrate that they have ever been truly understood, exists - and it is clear that the speed of implementation may have compounded this lack.

H. SUSTAINABILITY

H.1. Do you think that additional sustainability criteria are necessary in the post 2020 period?	No, the existing criteria are already burdensome to implement

-multiple choices reply-(optional)	

H.1.1. Please explain -open reply-(optional)

The sums of money which have been made available by Europe's biofuel policies are monumental, with a matching potential for environmental devastation. With a rising global populations often experiencing famine, diverting food grade products into fuel tanks when other options are available, is an obscenity impossible to understand. Undeniably, Biofuels have not provided the environmental benefits which were claimed for them. Again another instance where there was no proper environmental assessment of the policy before it was introduced. This policy should be stopped to avoid more damage globally.

I. REGIONAL AND INTERNATIONAL DIMENSIONS

I.1. Do you consider current rules for cooperation between Member States sufficient to fulfil their purpose, i.e. realisation of cost-efficient renewable potential in the EU? -single choice reply-(optional)	
I.2. Do you think the EU should further facilitate cooperation with third countries when it comes to the development of the potential for renewable energy? -single choice reply-(optional)	
I.3. Should investments in electricity networks in some Member States (i.e. Spain, Greece, Italy) be prioritized for this purpose? -single choice reply-(optional)	No (explain why)

Please explain why -open reply-(optional)

As already referred to in Section D, existing grid networks are perfectly adequate for future and current needs. Replacement in relation to the age of the components will be required, but expansion is unnecessary.

I.4. Which measures do you consider appropriate and necessary in order to foster cooperation with third countries in this area? -single choice reply-(optional)	

I.5. In its Communication on security of supply and energy cooperation – "The EU Energy Policy: Engaging with Partners beyond our Borders", the European Commission proposes to promote cooperation on renewable energy projects with the Southern Mediterranean countries and to gradually build a renewed EU-Mediterranean energy partnership focus on electricity and renewable energy. How do you consider this should relate with the EU internal renewables policy? What should be the priorities? -open reply-(optional)

In relation to COM (2011) 539 on "The EU Energy Policy: Engaging with partners beyond our borders" and the Mediterranean Solar Plan, this plan is seen as widely speculative, particularly given the complete failure of solar power to deliver either cost effective or reliable electricity. Europe is already collapsing under a burden of financial debt, therefore for the EU Commission to increase this burden based on speculative and ill conceived projects in neighbouring countries, will be a decision bringing the Commission into disrepute. Spain has already had to slash its wildly overgenerous solar subsidies whilst Germany is unable to support solar development. It is undeniable that neither the citizen nor the environment benefited from these colossal expenditures. Creating a 'bubble economy' for equipment suppliers is not an action with which the Commission should be associated.

I.6. The possibility to explore regional cooperation and a coordinated, more strategic approach to grid connection for the rapidly growing volume of offshore wind generation in the North Sea is currently being explored in the framework of the North Sea Countries Offshore Grid Initiative (NSCOGI). Do you think such cooperation should be further fostered? What benefits do you think could arise from it? Do you consider that this experience could be generalised and applied elsewhere? -open reply-(optional)

Also undeniable is that offshore wind is a technology sector associated with massive costs (€4.3 million per MW installed) for an

unreliable electricity supply encompassing serious environmental impacts, in particular associated with grid expansions. That the EU Commission is apparently unable to produce any objective documentation to support this technology sector is unacceptable. To further support the lack of documentation, on examining the Communication ACCC/C/2010/54 and Ombudsman Complaint 2587/2009/JF, on 3rd Feb 2011 on the Irish State Broadcaster the EU Commissioner for Climate Action Ms. Connie Hedegaard stated in relation to offshore wind: “It actually pays off, it is sound economics”. When a formal reply to the request for the supporting technical information was received, no background documentation was connected to the request; “as the Commissioner's statement did not refer to any particular project or development, nor was it based on any one or particular piece of documentation but on publicly available information and her general experience, knowledge and political views”. The only document being available coming from the European Environment Agency on “Europe’s onshore and offshore wind energy potential”. This in turn quotes the European Wind Energy Association (a trade association) as its technical source.

J. TECHNOLOGY DEVELOPMENT

J.1. For a first set of renewable technologies, namely wind, solar, bio-energy, the SET Plan aims at a cost-competitive market roll out of renewable energy by 2020. It also aims at enabling integration of renewable energy into the electricity grid and smart cities and communities. In your view, what would be the remaining key challenges of these technologies to be addressed by research and innovation in view of the 2050 objectives? -multiple choices reply-(optional)	Other (please specify)

Please specify which other key challenges

-open reply-(optional)

In view of the complete lack of data made available as to the environmental effectiveness of renewable energy research, very serious questions must now be asked about the sums of taxpayers now being diverted into this sector. Notably, it is a legal obligation to posses and update such environmental data. In respect of the Intelligent Energy Europe programme, both projects funded by the EU Commission in relation to wind energy, “Wind Energy - The Facts” and “GP Wind”, contain blatantly incorrect claims about the emissions and fuel savings for this intermittent source, in which the inefficiencies induced on the grid are ignored. Under Regulation 1367/2000, which imposes the requirements of the Aarhus Convention on Institutions of the EU, the EU Commission is refusing to confirm how it complies with its legal requirement in relation to the two programmes, it that it shall, insofar as is within its power, ensure that any information that is compiled by it, or on its behalf, is up-to-date, accurate and comparable. Enquiries to W. Gillett of GP Wind Project relating to the question of ‘whether measures are in place to comply with Article 5 of Regulation 1367/2006?’ remain unanswered at the time of writing despite having been lodged on 12.01.12. In Scotland, the Government authority Forestry Commission(Scotland) appear to be by-passing EU legal requirements by claiming that compliance with Scottish regulations absolve them from such responsibilities. In particular wi

J.2. Which additional measures and/or instruments should be developed to address these technologies and their remaining challenges and to ensure that the EU innovation fabric is geared to supporting the significant deployment up to 2050? -open reply-(optional)

The Treaty of Lisbon is emphatic that the Union “shall promote scientific and technological advance”. Wind, solar photovoltaic and biofuels, which are cornerstones of the mission of the SET plan have not to date,(and there remain no indicators that that they will in the future) provided a reliable, cost effective and environmentally effective source of energy. They are therefore unconnected to any scientific and technological advance. Also missing is transparency in the manner in which the SET plan is being implemented. Not only is there a complete failure to assess the environmental effectiveness of the above technologies, which are the only justification for their financial support framework, but as regards wind energy, the output is dominated by the European Wind Energy Association, instead of the critically required independent and transparent technical analysis of this sector, which is being provided with colossal support at the citizen’s expense. Clearly there is every indication that the EU Commission providing funding for sectors in a manner which is not transparent and which is detrimental to the requirements of the Lisbon Treaty, to promote “a highly competitive social market economy, aiming at full employment and social progress”.

J.3. In your point of view, which technologies other than those covered by the current industrial initiatives should be given priority in the post-2020 perspective? Please justify with reference to the criteria mentioned above, i.e. large-scale availability and willingness of

industry to engage in public private partnerships?

-open reply-(optional)

The EU Commission needs to comply with its legal requirement under the Aarhus Convention to posses and update environmental information, which is relevant to its function. NB: Environmental information includes not only information on emissions and impact, but also cost benefit and other economic analysis. To date the Commission has failed, despite a legal requirement to do so, to both assess the renewable energy it so actively supports and determine the external impacts of non-renewable sources. As written in its reply to UNECE in Communication ACCC/C/2010/54, “it is generally recognised that renewable energy, and wind energy in particular, is preferential from an environmental point of view to non-renewable energy”. Its position is therefore based on ‘public opinion’ and not demonstrated legal compliance. While the 'Polluter Pays Principle' allows external costs to be internalised, this must be based on a transparent and factual analysis, which to date has been bypassed. Energy policy going forward must be based on evidence based assessment rather than as SEC(2008) 85/3 of January 2008 stated, “In the opening months of 2007, the European Union stepped up its energy and climate change ambitions to new levels. The Commission put forward an integrated package of proposals calling for a quantum leap in the EU’s commitment to change.” A political consensus grew up in support of this approach.

J.4. How successful do you consider the existing measures have been and which have been the main drawbacks? -single choice reply-(optional)	

J.5. Do you consider that assistance in technology development should be linked to a certain result to be achieved by a certain deadline?

-open reply-(optional)

This question has been clearly covered in the replies above. To reiterate, the EU has implemented a massive renewables programme, putting mandatory targets on Member States, a colossal and unsustainable financial burden on populations and huge unwarranted environmental impacts on the landscape and biodiversity of Europe. During all stages of the process, legally binding procedures related to assessment and public participation, were bypassed. The EU Commission has recently exhibited a regrettable contempt for the UNECE Aarhus Convention with its approval of a massive financial programme in respect of even higher levels of wind energy in Ireland. There is now an urgent need for the EU to recognise failures of the programme. Only by halting the process will an inevitable challenge be avoided in the European Courts, and any subsequent damages consequently awarded. Currently there appears to be no defence for past non-compliance with assessment and public participation procedures. Any claimed exemptions due to the implementation of ‘green credentials’ are clearly in admissible.