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UN ruling: EU must reassess renewables' policy

The Compliance Committee of the United Nations Economic Commission for Europe (UNECE), which enforces the Aarhus Convention, has released its final findings and recommendations regarding the case presented by **Mr. Pat Swords**, a chemical engineer from Ireland (1). In a nutshell, the UN is saying that if the EU wants to be in compliance with the said Convention, to which it is a party, it must have its 27 Member States properly reassess their **National Renewable Energy Action Plans (NREAP)**, and submit them to popular consultation. The Aarhus Convention requires that, in matters affecting the environment, the citizens be consulted in a transparent manner before any policy is embarked upon. The Convention applies principles adopted at the 1992 Earth Summit held in Rio de Janeiro.

The NREAP's of the 27 EU countries, each calling for huge subsidised investments in wind power, and for the industrialisation of most of their heretofore tourist-friendly landscape, are in breach of the Convention. They have been **imposed from the top down** without properly informing and consulting the people. Worse: the programmes were not even properly assessed by the governments themselves, who took at face value the information provided by the wind industry.

Says **Pat Swords**, author of the complaint to the UN: "the Compliance Committee has shown that **the EU's renewable energy programme is proceeding without 'proper authority'**." This is no trifle matter: the EU presently has about 60,000 wind turbines and related infrastructure, which have cost some €180 billion. This figure is about to be multiplied, yet no assessment has been made of the effectiveness of this investment, e.g. are fossil fuels actually being saved, by how much, etc."

The European Platform Against Windfarms (**EPAW**), and the World Council for Nature (**WCFN**), are also concerned about the lack of legitimacy of the EU's energy policy, which has been riding roughshod over both the health of its citizens (**the infrasound issue**) and the protection of natural reserves known as **SPA's and Natura 2000 areas**, within which windfarms have been built as if they were causing no harm.

Conservationist **Mark Duchamp**, speaking in the name of both organisations, states: "The UN has ruled that the EU's renewable energy policy is in violation of the Aarhus Convention. This implies that it is also violating EU laws that have been voted in order to adapt EU legislation to the Convention. Legal counsels will have to determine if this is **a case of breach of legal duty**, and if personal responsibilities may be sought."

In the meantime, notes Mr. Swords, "the 27 Member States' renewable energy plans (NREAP) **should be suspended**, and proper assessments conducted to address precise issues, e.g. what quantity of harmful gasses, if any, will be saved by the large number of windfarms being planned. Indeed, a number of studies by independent engineers have shown that they may be saving none." (2)

Also, he adds, public participation has to take place '**when all options are open**'. "In essence one cannot adopt a target, such as 20% of renewables by 2020, and then gloss through public participation. The assessments have to be done first, followed by public participation, with these inputs effectively taken into account in the final decision. **The target is the final outcome of the process, not the starting point.**"

EPAW insists that "proper assessment" does not mean accepting as facts the questionable claims vaunted by salesmen, as has been done to date. The conflict of interest is only too evident. Truly independent experts must be appointed to evaluate the effectiveness of windfarms in reducing the use of fossil fuels.

Duchamp, speaking specifically for WCFN, claims it is equally unacceptable to entrust the preparation of required environmental impact studies to the windfarm promoters themselves. "It is an insult to intelligence, and a lack of respect for any and every citizen of the EU", he warns. "Yet this is what has been done to date, **with disastrous results for protected species of birds and bats.**"

Pat Swords concludes: "the EU's renewable energy programme has by-passed proper assessment and democratic accountability, and the EU has been found to be in breach of the Aarhus Convention. The **National Renewable Energy Action Plans** of the 27 Member States must be suspended and submitted to objective assessment. The public must be informed in a transparent manner, invited to participate in the elaboration of the NREAP's, and their input **must to be taken into account in the finalised decision**. The Aarhus Convention protects the people's democratic rights; this is why it is so important to uphold it".

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References:

(1) - Letter and attachment sent by UNECE to the EU Commission and to the plaintiff, Mr. Pat Swords, chem. engineer.

<http://www.epaw.org/documents.php?lang=en&article=c3>

(2) – The latest independent study, based on actual data from official sources, shows only 4% of fuel savings realised by wind turbines as compared to their installed capacity. When wind energy exceeds 20% of the national energy mix, the savings turn negative – Dutch engineer C. (Kees) le Pair:

<http://www.epaw.org/documents.php?lang=en&article=backup14>