



Brussels, 4 October 2012

Joint Submission to the Public Consultation
On the List of projects submitted to be considered as potential Projects of Common Interest in energy infrastructure

1) Transparency and participation in the consultation

We, the undersigned, organizations are seriously concerned regarding the thorough opportunity of the civil society and citizens to participate in the consultation on the List of projects submitted to be considered as potential Projects of Common Interest in energy infrastructure. The list of projects was finalized on 27th July 2012 and effectively the CSOs and citizens were given roughly 2 months in the summer period to comments on the proposal. We consider this period as not sufficient because:

- Those projects have not been subject to national consultation (e.g. consultations reaching citizens in their own language)
- The number of projects will also have significant environmental and social impacts on citizens outside the EU which could not be effectively reached through the consultation as it is currently handled.
- The regulation EC1367/2006 requires the Commission's services to identify and involve in the consultation process affected and interested stakeholder in the preparatory stage of the plans and programs preparation. Article 9 states in particular that *“where the Commission prepares a proposal for such a plan or programme which is submitted to other Community institutions or bodies for decision, it shall provide for public participation at that preparatory stage”*. In addition, *“Community institutions and bodies shall identify the public affected or likely to be affected by, or having an interest in, a plan or programme of the type referred to in paragraph 1, taking into account the objectives of this Regulation”*. Finally, *“Community institutions and bodies shall ensure that the public referred to in paragraph 2 is informed, whether by public notices or other appropriate means, such as electronic media where available”*.

We consider that the proposed list of potential Projects of Common Interest should undergo more proper consultation with potentially affected communities and interested stakeholders inside and outside the EU.

Recommendation:

We would like to suggest the European Commission to:

- Extend the period for written submission and also consider submissions that are not in the form of the proposed questionnaire.

- Allow suggestions on the criteria for selection of the priority projects and principles they should comply with.
- Accept submission in all EU national languages.
- Request relevant national authorities to popularize the consultations to the potential affected communities and CSOs, while the Commission will supervise that such a request is thoroughly implemented.

2) Impact of EU energy policy on relevant EU policies

The consultation document clearly shows that the elaboration of the list of the PCI is guided by the energy policy objectives of the Treaty on the Functioning of the European Union which are to ensure the functioning of the internal energy market, to ensure security of supply, to promote energy efficiency and the development of new and renewable forms of energy, and to promote the interconnections of energy networks.

The planning of the energy PCI should, however, consider as well other community objectives and policy commitments. The Europe 2020 Strategy calls for mobilization of limited public resources to the areas having a clear added value to the targets identified in the strategy. The EC proposal for a Multiannual Financial Framework and the draft regulations for the EU financial instruments envisage coherence between the different financial instruments of the Union.

Therefore, we call the EC to consider the following aspects while assessing of the list of the projects:

- Climate Change

The EU's ambitious target to cut its greenhouse gas emissions by 80-95 percent in 2050 requires significant efforts since a major shift in thinking is needed to ensure a rapid transition away from modes of living based on constantly increasing energy consumption. The apparently easier path to "solve" this problem involves securing more energy imports in order to cover the gap between demand and internal production. Securing increased electricity imports from neighbourhood countries has already received a great deal of attention in the draft list of projects of community interest (such as projects connect the Nuclear power station of Kaliningrad to bordering countries E250, E251, E252, ITALY-ALBANIA MERCHANT LINE E185, Europagrid Adriatic - Italy Croatia Interconnector E188, TuNur E183, South Stream G17, Nabucco West G18, Mediterranean Gas storage G19, Trans Adriatic Pipeline G40, Ionic Adriatic Pipeline G62, Adriatica pipeline G95, Interconnector Greece- Italy (IGI) G97, Nabucco pipeline G4, Trans Mediterranean Gas pipeline G21, East Mediterranean Pipeline G22, Galsi – New pipeline from Algeria to Italy (Tuscany via Sicilia) (G93), Floating LNG Terminal in Malta and km gas interconnection between Malta and Italy (Sicily)G10, South East Europe Pipeline G117).

Another dangerous trend in the proposed list of projects is the predominant focus on infrastructure supporting the expansion or increase of the lifetime of fossil fuel energy generators such as in the case of the following projects: New IP with Italy to connect Corsica (G49), OLT offshore LNG Toscana (G85), Off-shore LNG regasification terminal – Falconara Marittima (G86), Gioia Tauro LNG projects (G87), LNG Terminal- Porto Empedocle (Sicilia) (G88), Storages: 3 UGS San Potito & Cotignalo (SPC), Plazzo Moroni (PM), Cellino - New pools (CL) (G89), Gas Storage Grottole/ Ferrandina (G90), New 400kV OHL Maritsa East 1 (BG) Plovdiv

(BG)(E20), New 400kV OHL Maritsa East 1 (BG) Maritsa East 3 (BG)(E21), Maritsa East 1 (BG) Burgas (BG) New 400kV OHL (E22)

Recommendations:

- Consider contribution to the EU climate change objectives as a key criteria for selecting projects
- Ensure demand management, proper need assessment and assessment of alternatives is required for any projects proposed in the list
- Ensure prioritization of projects promoting the switch to renewable energy resources and best available practices.

- EU energy policy and impact on development objectives

The EU should significantly redirect its energy targets, instead of promoting more and more large-scale fossil fuel infrastructure in neighbouring countries and sub-Saharan Africa, planned for boosting energy resources export to Europe.

This consultation should offer a significant opportunity to stop this physical grab of resources and redefine key priorities for energy projects within the EU in order to promote a just transition toward a decarbonized European economy, through a support for more democratic, sustainable and small-scale production systems as well as more democratic, effective and controllable distribution networks¹.

A sound and thorough ex-ante assessment of the development impacts of all projects mentioned in the list is a crucial requirement in order to ensure the credibility of the list and its compliance with EU development objectives. For example, the Policy Coherence for Development (PCD) requires that all aspects of EU external action, including external energy policy, show their consistency with the development objectives of the Union. Therefore, an analysis of the impact of those projects should be comprehensive and take into account broader arguments than short-term economic benefits for European companies or the systematically invoked arguments based on a EU-centred prominence of energy security concerns.

- EU energy policy and impact on biodiversity protection

Import of electricity from Balkan countries is likely to have significant negative impact on its precious biodiversity, like dozens of HPPs planned in Serbia, Bosnia and Herzegovina, Albania and Montenegro. For more information please consult "Partnership of Unequals" <http://bankwatch.org/publications/partnership-unequals-electricity-exports-eastern-neighbourhood-and-western-balkans>, a research on EU financial instruments increased involvement in major energy projects with dubious environmental and social standards in the neighbouring countries.

Recommendations:

- Compliance with the EU Habitats and Birds Directives and **Convention on the Conservation of European Wildlife and Natural Habitats**, also known as the **Bern Convention**, as requirement for selection of the priority projects.

¹ "Beyond our borders : A critique of the external dimension of the EU energy policy and its financing mechanisms", publication by CRBM, January 2012, <http://www.counterbalance-eib.org/wp-content/uploads/2012/04/BEYOND-OUR-BORDERS.pdf>