

*Joint letter of renewable energy and energy savings associations, and environmental and climate NGOs on using the EU rule of law to secure our climate and energy objectives*

To: Maroš Šefčovič - Vice-President of the European Commission for Energy Union  
Miguel Arias Cañete, Commissioner for Climate Action & Energy

CC: Catherine Day, Secretary-General, European Commission  
Alexander Italianer, designated Secretary-General, European Commission  
Peter Handley, Head of Unit D3 Secretariat-General, European Commission

Brussels, 27 August 2015

**A voluntary approach to national climate and energy plans will not deliver EU objectives**

Dear Vice-President Šefčovič,  
Dear Commissioner Cañete,

We are seriously concerned by the follow-up to the Director-Generals meeting on 15 July where a first exchange of views on the Energy Union governance regime was held. The subsequent proposal by the Secretary-General of the European Commission to start technical talks on the nature, content and technical details of national energy and climate plans represents a voluntary and informal approach to the development of a governance structure that jeopardises the EU's climate and energy goals for 2030. We call on you, the Commission, to propose an ambitious governance framework that is agreed upon by the Council and the European Parliament.

The content of the note from the Secretary-General is in contradiction with the principles of good governance. Good governance should ensure that rules are established in legally binding acts and are based on common and robust principles of effectiveness, transparency, accountability and legitimacy. The voluntary/non-binding approach proposed by the Secretary-General is inconsistent with the critical need for increased investor and consumer confidence in the long-term direction and predictability of the energy transition, and risks failing to secure our climate and energy goals for 2030 and beyond.

Furthermore, this voluntary approach is at odds with the Conclusions of Heads of State or Government from October last year and March this year<sup>1</sup> that called for the governance system to be credible and robust and built on the building blocks of existing governance, both of which mandate a process that is rooted in the EU rule of law.

This means that targets, measures and streamlined reporting requirements for 2030 should be enshrined in legislation, such as the Energy Efficiency, Energy Performance of Buildings and Renewable Energy Directives and Effort-Sharing Decision.

We therefore call on you to support a transparent and democratic process whereby governance provisions are proposed by the European Commission and agreed by the Council and the European Parliament, in accordance with the ordinary legislative procedure as foreseen by the EU Treaty. The resulting legitimacy will go a long way in ensuring the Energy Union is a lasting success.

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<sup>1</sup> Heads of State or Government concluded that the governance system should “*build on existing building blocks*” and called for “*reviewing and developing legislation related to emissions reduction, energy-efficiency and renewables to underpin the agreed 2030 targets; developing a reliable and transparent governance system*”.

The signatories



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European Renewable Energies Federation

