

European Grid Declaration on Transparency and Public Participation

The following Declaration is an **extension of the „European Grid Declaration on Electricity Network Development and Nature Conservation in Europe“**, signed on 10 November 2011.

THE PARTIES

BirdLife Europe, CivilScape, Climate Parliament, Deutsche Umwelthilfe, Friends of the Earth Europe, Friends of the Earth Scotland, Germanwatch, Global Nature Fund, Greenpeace Europe, NABU, Natuur en Milieu, the Royal Society for the Protection of Birds, WWF, Zero [the NGOs]

Creos, Elia, National Grid, REE, RTE, Statnett, Swissgrid, TenneT, Terna, 50Hertz
[the TSOs]

Bellona Foundation, European Climate Foundation, European Hydrogen Association, Friends of the Supergrid, SEFEP
[the supporters]

Dated: 5 December 2012

THE PARTIES AGREE ON THE FOLLOWING

1.0 Aim and Objectives

1.1 The Parties aim to improve the public acceptability of grid development to accommodate renewable energy in Europe, by increasing transparency and enabling public participation. Trustful cooperation is the basis to deliver solutions jointly for best practice in grid planning processes.

1.2 The Parties recognise the need to undertake suitable initiatives to improve public acceptability, and jointly to communicate the necessity of grid development in the transition towards renewable energy. These steps are needed so that:

- renewable electricity generation is not constrained by bottlenecks in the transmission system; and
- plans and investments to accommodate renewable energy enjoy greater understanding, provoke less public opposition and encounter fewer delays.

1.3 The Parties recommend adapting planning and permitting practices so that:

- investments are planned, consented and undertaken in a more transparent way;
- stakeholders have access to all relevant information that they need to form and express their views;
- there are opportunities for dialogue and participation as well as formal consultation processes in place for stakeholders' and the public's knowledge and views to be expressed, at a point in time when their input can still be taken into account;
- public and stakeholder participation in early phases helps to inform serious efforts to improve plans and projects, contributing to solutions which are supported by a broader majority.

2.0 Principles

2.1 The Parties agree on the desirability and need to play constructive roles in achieving the aims of this Declaration, both through their own actions and by encouraging other key stakeholders such as governments or relevant authorities to take the necessary steps.

2.2 As citizens, tax payers and electricity bill payers, all people have a right to the information and opportunities they need to be able to express their views on grid investments, and to have these views taken into account.

2.3 Initiatives to improve transparency and planning procedures as a whole should reflect different national starting points, for example in existing legislation, procedures, geographies and cultures.

3.0 Recommendations for Initiatives

As the European Grid Report* demonstrates, RGI members, working with each other and with other stakeholders, are already undertaking many of the initiatives below. The Parties agree to promote and implement lessons learned all over Europe, and/or to find alternative ways to promote the same outcomes.

Overarching initiatives

3.1 Coherent need definition at EU and national levels

3.1.1 The Parties agree it is desirable to establish the need for new infrastructure development through consistent, coherent and transparent methodologies and participation/consultation processes, including at EU and national levels.

3.1.2 They also recognise the benefits of public participation and consultation at these levels, in order to build support for later, more local planning procedures.

3.1.3 They underline that, whilst network planning must respond to market requirements in accordance with the framework in each member state, to develop credible scenarios, grid planning shall be in line with long-term (2030/2050) EU commitments and relevant energy and climate targets (e.g. the 20-20-20 targets, CO₂ reduction of 80-95% by 2050, energy efficiency and renewables targets).

3.1.4 The Parties, in addition, will seek to continue the discussions on how to increase data transparency, and consecutively aim to increasingly share data and information that determine need scenarios.

3.2 Shared learning on success of implementation

3.2.1 The Parties acknowledge the value of shared learning to optimise efforts. They therefore promote and support initiatives to:

- develop, update, share and implement best practice guidance;
- monitor implementation for continuous learning; and
- contribute to European guidelines on best practices.

3.3 Capacity building

3.3.1 The Parties acknowledge that establishing early and substantial public participation requires greater understanding, capacity and experience among the Parties and relevant stakeholder groups. The Parties therefore agree on the desirability and need to:

- promote initiatives that explain details of planning and permitting processes and technical aspects to the public;
- support the allocation of funds by relevant authorities to enable members of the public, local initiatives and NGOs to play the more active roles promoted by this Declaration. Criteria on how funds are distributed have to be determined by national governments. Funds are explicitly not intended to be given to finance litigation against TSOs, nor are they expected to be financed by TSOs.
- take steps to develop appropriate organisational cultures and capacities.

3.3.2 The Parties recognise that regulators and authorities at EU, national, regional and local levels play an essential role in implementing best practice in grid planning processes. The Parties therefore agree on the need to:

- have sufficient resources within authorities to stimulate and run public consultation processes;
- promote legal amendments to empower relevant authorities to request, approve and organise consultation and cooperation activities in some countries.

3.3.3 The Parties in this context also commit to fostering the exchange of their best practices and of shared learning across different governance levels and among actors such as the European Commission, ACER, ENTSO-E, national TSOs, NGOs and national and local authorities.

3.3.4 The Parties underline that national governments have to take a leading role in capacity building, specifically when educating and informing the public about why new grids are needed.

3.3.5 The Parties underline the need for regulatory recognition of financial costs arising from enhanced stakeholder dialogue, e.g. for information campaigns, consultations and participatory events.

Initiatives to increase transparency and access to information

3.4 Transparency of processes and decisions

3.4.1 The Parties support steps to provide clarity on decision-making processes by:

- contributing to informing stakeholders about which level of decision will be taken at which point in time, including relevant public participation initiatives and consultation phases and deadlines.
- communicating the purposes of public participation initiatives and consultations, and the rights and responsibilities of different stakeholders therein.
- encouraging authorities to provide clarity on the criteria and weightings that drive decisions in the different phases of the decision-making.
- clearly communicating decisions and their reasoning, including how input given via public participation and consultations has been taken into consideration and acted upon, e.g. in the form of a written report or statement.

3.5 Access to relevant information

3.5.1 The Parties agree on the need to provide data and information in formats and through media that are convenient for diverse social groups; they intend to actively work on developing adequate formats and channels of communication to meet specific needs.

3.5.2 They support provision of easily-accessible information, whenever possible via the internet; grid planning and project websites are useful tools to deliver such information.

Initiatives to improve public participation

3.6 Early and continuous involvement to allow substantial participation

3.6.1 Ensuring that stakeholder and local knowledge are brought into the discussions at an early stage can lead to decisions which are supported by a broader community. In addition, the involvement of stakeholders, including relevant authorities at an early stage can reduce later disagreements and delays. The Parties therefore agree on the desirability and need to:

- engage with stakeholders and the public at an early point in the process so that their contributions can be taken into account and plans modified accordingly where appropriate, without risking another loss in time; this may require engagement before official procedures are initiated.
- ensure that in time of public consultation phases, sufficient information and time are provided to enable substantial input, and that time is allocated to discuss and to explain resulting decisions.
- support the implementation of decision-making processes that enable and promote the consideration of reasonable alternatives suggested by the public, where these are relevant to the stage of decision-making in question.
- promote opportunities to engage in ways that are convenient and effective for as many as possible in society; this can be achieved by developing a “concept for public participation” for each project, with detailed stakeholder mapping and identifying channels and formats to involve them from an early stage.
- promote the establishment, where necessary, and support the work of (i) strategic multi-stakeholder working groups to deal with questions of general relevance for grid development, and (ii) project-specific working groups specifically to find solutions on topics of local concern.

3.7 Dialogue as a means to enhance relationships and build trust

3.7.1 The Parties recognise that a culture of dialogue, debate and collaboration is necessary to find solutions that are widely acceptable. They therefore seek to:

- promote a culture of dialogue and debate, e.g. by including elements of direct dialogue and deliberation in participation concepts, and improving communication of the solutions found through participation and consultation procedures.
- professionally organise dialogue and, especially in situations of conflict or high potential for conflict, consider the use of independent facilitation to help ensure deliberations are as constructive as possible.

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SIGNATORIES OF THE DECLARATION

* RGI, 2012, <http://renewables-grid.eu/documents/eu-grid-report.html>