

# A Reliable and Transparent Governance Framework for 2030

## A BEE position paper

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## Introduction

The German Renewable Energy Federation (BEE) welcomes the October 2014 Council Conclusions<sup>1</sup>, which set an EU binding target for renewable energy of at least 27% of gross final energy consumption by 2030. The target “*will be fulfilled through Member States contributions guided by the need to deliver collectively the EU target without preventing Member States from setting their own more ambitious national targets and supporting them [...].*” In the absence of an ambitious European goal and of national binding targets to support it, the Governance Framework for 2030, as proposed by the Commission in its January 2014 Communication<sup>2</sup>, will be paramount for European renewable energy development. The German renewable energy industry recognizes the efforts required to deliver a reliable and transparent framework and would like to lay out three essential points which need to be taken into account when designing this policy instrument.

The existing energy system is undergoing fundamental changes. Together with the new European market design, the Governance Framework for 2030 is key to providing much-needed investor certainty and fulfilling the EU’s long-term decarbonisation objectives. The EU needs to lay the proper groundwork to be able to continue deploying renewable energy, as these are indigenous energy sources that provide national and regional security of supply, boost economic growth and create European jobs.

The Governance Framework for 2030 should be seen as more than just a means to achieve at least 27% renewable energy of EU gross final energy consumption. It also should allow for ambitious national contributions, offer guidance about national policies and measures, coordinate Member States’ efforts through continuous monitoring as well as effective planning and reporting templates, ensure the achievement of the collective target, and should clarify the consequences of failing to do so.

BEE also welcomes the emphasis put on regional cooperation as being an important pillar of the future Governance Framework. Regional cooperation should play a relevant role, and should be better operationalized by re-evaluating and strengthening the role and design of cooperation mechanisms.

Following are BEE’s key points on the renewable energy aspects of the Governance Framework for 2030.

### Concrete national contributions founded on a strong legal basis

- We encourage the Commission to propose national renewable energy contributions for Member States to be reached by 2030. The starting point for these national contributions should be the 2020 goals as set by the Renewable Energy Directive (2009/28/EC)<sup>3</sup>. As doubt already exists as to whether all Member States will reach their binding 2020 goals, we urge the Commission to ensure that the new contributions are based on the achievement of the existing targets. New governance cannot and should not weaken European legislation.
- Such an approach would give Member States the flexibility to attain their goals by means of the policies and measures they choose, as to decide upon the costs of developing renewable energy and profit from domestic benefits. This in turn reflects the wish for increased regional cooperation and the inherent motivation to create a governance structure.

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<sup>1</sup> European Council (23 and 24 October 2014) Conclusions. Brussels, 24. October 2014.

<sup>2</sup> European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions „A policy framework for climate and energy in the period from 2020 to 2030“ COM(2014) 15 final, Brussels, 22.1.2014.

<sup>3</sup> Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (Text with EEA relevance), OJ L 140, 5.6.2009, p. 16-62.

- The binding EU goal of at least 27% renewable energy of gross final energy consumption should be anchored by legislation, as should the development of the Governance Framework for 2030 (for example the template for national plans, monitoring requirements and the consequences of failing to fulfil the goals).
- This will ensure that the Governance Framework is developed and agreed upon in accordance with the legislative procedure between Parliament and Council, and in discussion with the national parliamentary and civil society representatives, as well as businesses. Only this can ensure the framework's legitimacy and grant investor confidence in the post-2020 period.

### **Comprehensive and efficient planning and reporting**

- We encourage the development of a calibrated “modular” structure for the planning and reporting process, featuring high-level and more detailed chapters, where modules function as a package of complementary documents. This would ensure practicability for national administrations and at the same time fulfil the need to streamline existing obligations.
- As the process of delivering national renewable energy action plans (NREAPs) according to the Renewable Energy Directive has proven to be valuable and increase transparency, we suggest creating national plans which are in line with the current reporting template. This means national plans should continue to include planned renewable energy progress up until the end of the reporting period, i.e. 2030, including trajectories and interim targets, the planned breakdown of renewable energy shares in the three sectors (electricity, heating and cooling, and transport) and the planned contribution of each technology towards achievement of national contributions.
- A new reporting template also offers the chance to address issues that have, until now, been omitted, such as the existence and relevance of administrative barriers and their removal. A comprehensive database of barriers has been compiled for the “Keep on Track!” and “DIA-CORE” projects<sup>4</sup> and is available online for all 28 Member States. Such a database could serve as a tool for further developing the template.

### **Effective, reliable monitoring and appropriate consequences**

- Setting relevant national contributions is a first and important step in the process towards 2030, but the contributions must be complemented by the Commission's and Member States' efforts to continuously monitor their attainment and make any necessary adjustments.
- To this end, individual Member States should be required to provide national plans that describe the policies and measures with which they want to achieve the national contribution agreed upon with the Commission. Furthermore, the consequences in regard to changing the policies or measures and thus endangering the achievement of the contributions have to be defined in a timely fashion, and be transparent. Based on the national plans, the Commission should be able to hold Member States accountable for any lack in appropriate policies or measures to reach the target, which could also translate into taking legal action.
- BEE welcomes the idea of streamlining planning and reporting obligations. We nevertheless want to stress the importance of ensuring that this is the case, and not create additional administrative burden. We also think that using an open coordination method, such as the European Semester, is too weak an approach to ensure that the EU binding target is met.

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<sup>4</sup> <http://www.re-frame.eu/>.

Furthermore, by choosing such a method, the Commission would deprive itself of tools against non-compliance and reduce the legitimacy of the Governance Framework.

- The binding EU target, national contributions and the consequences of failure to meet the goals should be accompanied by regular monitoring by the Commission, for example every two years. In case of Member States making counter-productive changes to their regulatory framework, the Commission should intervene and be granted the right to demand they revise their national plans to include policies and measures that guarantee European target achievement.

**German Renewable Energy Federation  
Bundesverband Erneuerbare Energie e.V. (BEE)**

Invalidenstraße 91  
10115 Berlin  
Germany

Tel: +49 30 275 81 70 0  
Fax: +49 30 275 81 70 20

[www.bee-ev.de](http://www.bee-ev.de)