

RWE
Aktiengesellschaft
Essen

Counter motions by Johann Smid, Pewsum, in respect of the Annual General Meeting of RWE AG on 20 April 2016

“Counter motions in respect of RWE's 2016 Annual General Meeting

I hereby file the following counter motions in respect of the Annual General Meeting of RWE AG on 20 April 2016:

**Counter motion in respect of item 3 on the Agenda
Approval of the acts of the members of the Executive Board for fiscal 2015**

I hereby file a motion against approving the acts of the members of the Executive Board.

Rationale:

Operation of the RWE coal-fired power station at Eemshaven, Netherlands

At the end of June 2015, the Dutch Council of State, the highest administrative court in the Netherlands, admitted a suit filed by a Dutch environmental organisation and handed down a forward-looking ruling, obliging the Netherlands to reduce their carbon dioxide emissions by 25% by 2020 in line with EU regulations. Conversely, as regards the RWE Eemshaven case, the Dutch Council of State issued an entirely different judgment at the beginning of September, granting a permit under nature preservation law for the coal-fired power plant, and thus indirectly the permit to operate the station. Three Dutch environmental organisations filed actions against this ruling with the European Commission, and the Borkum, Krummhörn and Jemgum Community Association will also file a suit against this ruling with the European Commission in due course. At the beginning of August, the Dutch Council of State also approved the deepening of the Eemshaven fairway to 16 metres, although the Rijkwaterstaat, the highest water authority in the Netherlands, had not even filed an application for a special permit for the planned ocean dumping of sand and sludge in the Borkum Riff bird sanctuary in German territory. Only in early February 2016 did the Rijkwaterstaat apply for a special permit for the ocean dumping of 2.3 mil-

lion cubic metres of sand and sludge in the Borkum Riff bird sanctuary with the Lower Saxon State Water, Coastal and Nature Conservation Authority (NLWKN). However, I cannot imagine the GREEN Environment Minister of the State of Lower Saxony, Stefan Wenzel, the highest-ranking officer of the NLWKN, will grant or endorse this special permit. **The excavated material – 6,250 million cubic metres – which is to be dumped at four locations along the Ems estuary will pollute the beaches of Borkum and destroy the last fishing grounds of the Greetsiel and Ditzum fishermen in the Ems estuary.**

According to its own figures, RWE's coal-fired power station emits up to approximately 8 to 10 million metric tons of carbon dioxide, 1,750 metric tons of carbon monoxide, 2,060 metric tons of nitrous oxide, 1,454 metric tons of sulphur dioxide, 103 metric tons of fine particulate matter, 17 metric tons of hydrogen fluoride, 95 kilogrammes of mercury, 3 kilogrammes of cadmium/thallium and 472 kilogrammes of other highly toxic substances every year. It uses about 10,000 metric tons of hard coal and about 6 million cubic metres of cooling water every day. **RWE's coal-fired power plant is destroying our health, the climate, nature, the fishing industry and tourism in our region, the west of East Frisia! Borkum, Juist, Krummhörn (Greetsiel), Emden and the Rheiderland (Ditzum, Jemgum Municipality) as well as the Wadden Sea world natural heritage.**

The power station's economic benefit is very questionable, whereas the damage to Borkum, Krummhörn and all of western East Frisia is huge. On clear days, the rising smoke and steam column can be seen up to 40 kilometres away. This alone scares off many vacationers and tourists, and the residents of the southern part of Krummhörn are already finding it difficult to rent their vacation homes. Considering that Borkum is a therapeutic bath for treating respiratory diseases and Krummhörn and the Rheiderland also have large tourism industries in Greetsiel and Ditzum, respectively, one can only hope that the operating permit for RWE's coal-fired power plant at Eemshaven is revoked and the deepening of the Eemshaven fairway is stopped after all!

I have the impression that the Executive Board of RWE is not aware of the social responsibility it bears when continuing to operate coal-fired power plants and continuing to mine lignite – especially given the rapid progression of climate change.

Counter-motion in respect of item 4 on the Agenda
Approval of the acts of the members of the Supervisory Board for fiscal 2015

I hereby file a motion against approving the acts of the members of the Supervisory Board.

Rationale:

I also have the impression that the Supervisory Board of RWE is not aware of the social responsibility it bears when continuing to operate coal-fired power plants and continuing to mine lignite – especially given the rapid progression of climate change. Actually, RWE should draw up and present a plan demonstrating its exit from electricity generation from coal and lignite and accelerating its more concerted entrance into the renewable energy business.

Mr. Johann Smid,
Councillor of the Community of Krummhörn

Krummhörn - Pewsum, 5 April 2016”