

RWE
Aktiengesellschaft
Essen

Counter-motion by Dachverband der Kritischen Aktionärinnen und Aktionäre e.V., in respect of the Annual General Meeting of RWE AG on 27 April 2017

Counter-motion in respect of item 3 on the Agenda,
Approval of the acts of the members of the Executive Board for fiscal 2016

The acts of the members of the Executive Board of RWE AG shall not be approved.

Rationale:

Due to its pro-coal policy, RWE AG is doing harm to mankind, the environment and the climate. By contrast, the majority of the population is in favour of determined measures to protect the climate, the environment and human health. Therefore, we are showing RWE a red card now!

Red card for the coal industry!

With its new claim, 'Powering. Reliable. Future.', RWE is creating a threatening scenario, speaking of "supply shortfalls, as we saw during the 'dark doldrums' during January". The company claims that, as a result of the "potential for fluctuations", renewable energy is not reliable enough and RWE will thus jump in with the "back-up capacities" of its "flexible power plants" as far into the future as 2050 (RWE Annual Report 2016, p. 5). Conversely, we demand that the old A4 motorway be the boundary line of the Hambach opencast mine's operations and that the A61 serve the same purpose for Garzweiler. This would cause coal production to end in 2020.

With its backward business model, RWE is ignoring the Paris Climate Convention and the demands placed on the company by human rights law. Lacking all vision, the group continues to bank on coal as a source of energy, is adhering to plans to build a new lignite-fired power station and is even considering the acquisition of Uniper. The takeover would enlarge RWE's coal power plant portfolio although coal-fired power stations have to be shut down in order to achieve climate goals. It is thus conceivable that RWE will face further lawsuits on grounds of environmental damage.

Whereas other energy utilities are taking action, RWE is yet to assume responsibility for its coal supply chain. The group continues to import 'blood coal' from Colombia despite the increase in violence and murders in the country. RWE holds a stake in Blackhawk Mining LLC. This company conducts the deplorable mountaintop removal mining procedure.

Red card for jeopardising health!

RWE alleges that it is compliant with the applicable EU threshold values, e.g. for fine particulate emissions. In fact, however, RWE completely disregards the health of the people in the regions in which it operates and of its employees in the Rhenish lignite mining region. RWE accepts diseases and early deaths. Fine particulate and nitrous oxide (NOx) emissions are extremely dangerous to human health. NOx can lead to asthma and cardiovascular diseases and is the cause of more than 10,000 premature deaths every year in Germany alone.

The International Agency for Research on Cancer (IARC) of the WHO has raised the classification of the risk of cancer due to fine particulate matter to the extremely hazardous 'Group 1 Carcinogenics' category. Ultrafine particulates (UFP) enter our bloodstream via our lungs and spread to all our organs. They pose a very high health risk and often cause cancer. Even small transgressions of the EU threshold value for fine particulate matter in respiratory air, e.g. 10%, affect pregnant women and their fetuses in particular. With a probability of 18%, new-borns do not weigh enough (less than 2,500 grams) and experience delays in the maturing and development of their lungs.

We demand that:

- no further airborne toxins be released;
- no 'no-go areas' be created for pregnant women;

We further demand that RWE halt its emissions:

- until the WHO's fine particulate threshold values are complied with;
- until effective UFP flue gas filters have been installed in the lignite-fired power plants;
- until the results of continuous, blanket-coverage measurements of all fine particulate matter including UFP and NOx in North Rhine-Westphalia are available.

Red card for repressing climate activists!

For about five years now, RWE has viciously prosecuted anti-lignite advocates in civil and penal suits, e.g. people who, e.g. in acts of civil disobedience in the Rhenish lignite mining region, point to the carbon dioxide emissions produced by generating electricity from coal that are inflicting enormous damage on the environment. Hundreds of individuals who participate in protests such as 'Ende Gelände' [The Buck Stops Here] are prosecuted in this manner. Legal fees can amount to between €3,000 and €10,000 per person. Acts of civil disobedience have been part of the German culture of dispute and solutions to conflicts in Germany for decades.

We demand that RWE

- stop making cease-and-desist declarations;
- annul forced injunctive orders;
- immediately retract penal suits against the 'Ende Gelände' campaign of the summer of 2015.

Red card for HVDC power lines!

RWE subsidiary Amprion (25.1% stake) continues to bank on the 'Ultranet', building power lines for high-voltage direct current (HVDC) transmission, which RWE considers a mainstay. However, the legal basis for planning the expansion of the electricity network in the German Environmental Appeals Act (UmwRG) is not in conformity with the law, as it contradicts the UN Aarhus Convention. The Convention has been applicable law in Germany at least since 2007. If the legal basis for these plans is not brought in line with applicable law, the power lines will become illegal and be torn down. This puts the capital of the shareholders, which is tied up in this undertaking, at high risk.

Cologne, 12 April 2017

Markus Dufner

Managing Director

Dachverband der Kritischen Aktionärinnen und Aktionäre e.V.

[German Umbrella Association of Critical Shareholders]

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