

Goldstandard Foundation / Sustaincert
Avenue Louis Casai 79 CH-1216 Geneva, Switzerland

FAO: Lisa Rosen, Chief Operation Officer
Owen Hewlett, Chief Technical Officer
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RE: ABK Çeşme RES Enerji Elektrik Üretim A.Ş., registered owner of Energy license,
Atatürk Cad No:162 Tunç Han K 5 Pasaport/Konak/İZMİR

Turbine provider German NORDEX SE with O&M contract.
Langenhorner Chaussee 600, 22419 Hamburg / Germany

29/04/2019

This letter is written **to also be open to public view and to be posted on your website** (www.goldstandard.org / www.sustain-cert.com) **as a formal complaint against the ABK Wind Energy Project, Çeşme as part of Gold Standard Foundation's grievance mechanism.**



Cesme is a growing historical high-end touristic resort on the beautiful Aegean coastline, Turkey. On 6th January, 2014 ABK Cesme Wind Energy Project started their construction on private and State-owned land without even having the project area in their legal possession. This was a big risk, but a “done deal” since an agreement had already been signed with the German turbine supplier Nordex SE in 2013 and covered by the ECA Euler Hermes. The contract with all its legal duties was already signed with the construction company.

In 1994, the Sarnic valley where the ABK Cesme Wind Energy Project is situated was declared by the Turkish Government as a 1st and 2nd degree Natural Protection Area. According to the 1/25000 official zoning plan the area is declared as a “Tourism Area”. It has NEVER been declared as an industrial energy zone. It’s a “Fait accompli” project, erected with the slogan “green & clean”, scattered with a lot of illegal activities, where the locals have been harassed, threatened and exhausted for years in court.

To make it clear from the start, with ABK RES Cesme there have been **no consultations whatsoever** with the locals, private landowners and seasonal residents throughout the planning and certification process which, apparently, had been going on in a **very non-transparent** manner since 2008, when the initial license to develop the project was issued by the Ministry of Energy Market Regulatory Authority, Ankara. Citizens' property rights protected by national and international laws were run over by rapid and forced expropriation of private lands which were turned over to a private company. For this specific project 104 valuable and important private deeds have directly been affected. Despite multiple on-going court cases regarding the land expropriation, the project’s official license, it’s planning approval and EIA at the Supreme Court, Ankara; Administrative Court, Izmir and Local Court/Cesme, construction of the project started and was eventually completed.

In order to establish industrial wind energy plants for the sake of material gains and profit, using the easy excuse of "public good and interest". There has been a **total disregard** for the local people, the local economy, the culture and history, the regions special micro-climate and agriculture, the natural environments as well as rulings by the Turkish Supreme Court and Administrative Court in Izmir.

Today both the expropriation decision and the planning permission for the project have been cancelled by court orders¹. It has also been ruled that this project is NOT in the “public good and interest”. The project was issued an official exemption from completing an EIA report in 2008. When locals were informed in 2014, a court case to cancel that decision was filed. The EIA court case has after 5 years somehow still not yet been ruled on. Hence for another project – Ovacik RES, that was planned in the same valley, the verdict was issued within 2 years, in the favor of the locals and Cesme. According to accepted international standards an EIA report is required for such a project.

Despite the court verdicts the turbines are still operating. All our constitutional rights have been ignored. Which leaves the local landowners and affected citizens with no other legal option than to file a petition against the ABK Cesme wind company, the Ministry of Environment and Urban

Planning and the Energy Market Regulatory Authority for not implementing the court decision. Meanwhile they are cashing in on the weak system.

No SAFETY ZONE is possible to be established around the turbines due to their placement within existing residential, agriculture and recreational areas. **No mitigation is possible to prevent the public from the dangers and adverse health effects of the turbines once they are operating.** 6 turbines erected, 150m high, 3 MW, as close as 300m from people's homes.



Despite all this, we have recently learnt that ABK Cesme WPP somehow has been issued **Gold Standard Certification** by the Gold Standard Foundation, Geneva. This is in order to make this project credit worthy and available for lucrative **emissions trading** in the international marketplace. We firmly oppose this issuance since **the project does not satisfy any of the Gold Standard Principles** as stated by the Foundation.

Principle 1: The project shall do no harm, complying with the UNDP Millennium Development Goals (MDG) Carbon Safeguard Principles.

The project **does much harm** to human rights and the rights of the local inhabitants and to the very sensitive local environment, rich culture and history, as well as its strong but fragile high-end tourism-based economy.

Historical area, old 13th century mosque at Çakabey with Turbine 5 behind.



Germanwatch summary report : "The Global Energy sector and Human Rights"

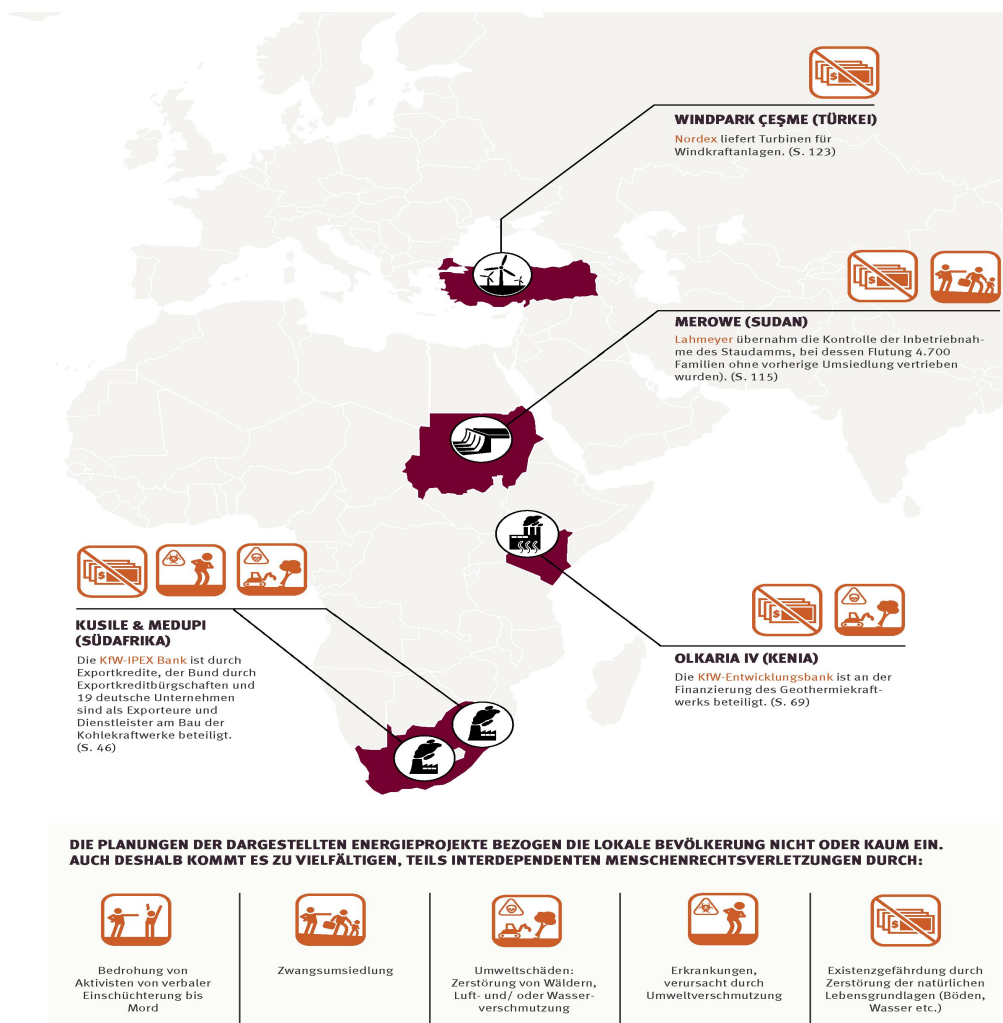
Around the world German companies are involved in energy projects that raise Human rights problem. Germany is not fully meeting its obligation to protect human rights in the energy sector. **ABK Cesme WPP / Nordex SE project was reported in this report 2017.**

Source: <https://germanwatch.org/en/14766>

Human Rights are occurring due to;

Livelihoods threatened by the destruction of vital natural resources (soils, water etc.) p.5 and p.16

Extract; "The German NCP partially accepted only one complaint – against Nordex SE – concerning a wind farm in Turkey. In the course of the mediation procedure Nordex agreed to improve its due diligence process. This pledge relates to future cases, however, whereas the concerns of those directly affected in this specific case were not dealt with adequately.



Principle 2: The project shall enhance sustainable development.

The project **prevents and damages** and has **no positive contribution to the sustainable development of the area**. Surprisingly, **no environmental impact assessment study** was required for the development of this project in this extremely sensitive environment. Today some people can no longer sleep in their houses. The local agricultural and tourism activity has been negatively affected in various ways.



Principle 3:

The project shall involve all relevant stakeholders.

The project has **not involved any of the relevant stakeholders** from its apparent start in 2008 until now. The community has not been able to define indicators of social, economic and environmental success, **if there are any!** The stakeholders have had no influence on the project design and are left to defend their Constitutional rights via legal means. No real local stakeholder meetings or work sessions have ever been held with the local population. The directly affected landowners have never been informed about Goldstandard. Even today if you ask locals in Cesme, people don't know what Goldstandard stands for, they have never heard about it.

On 20th November 2014, Nordex turbine parts were delivered to the ABK Cesme WPP project site via a public road without the necessary official permissions. Company workers trespassed on private property outside the project area and illegally cut trees to widen the public road. The surprised local police force didn't know what to do but eventually forced their way past several hundred local people demonstrating against the project, threatening to arrest them. For the record, at this date there was already an order to halt the project issued by the Supreme Court, Ankara.



Principle 4:

Greenhouse gas emission reductions and carbon sequestration shall be real.

No comment can be made since this is a technical matter; however, the Foundation should be aware that endemic trees such as Mastica trees and olive trees have been cut down. **The area is a 1st and 2nd degree natural protected area since 1994.** Since 2002 the area is on the planning a tourism dedicated area as well as recreation of Mastica Trees. The forest area Mamurbaba was also coincidentally burnt down and instead of replant new trees, the access road for the transportation of the turbine parts were constructed and a turbine was erected. No other access road into the valley exists for these over-sized transports.



Principle 5:

The project shall be compliant with all relevant laws and Gold Standard Principles.

The project is **non-compliant** with relevant local and international laws. Locals exhausted for years in court. Property ownership rights are being run over and properties are being expropriated in a hurry by the development company and the government against the will of property owners for very little monetary compensation. It is **not possible** for the project to **meet the noise criteria** established by World Health Organization (WHO) as well as local laws and regulations due to extremely close proximity of the turbines to settlements. **The project is non-compliant with Gold Standard Principles.**

Principle 6:

The project shall be transparent.

The project is **absolutely non-transparent**. The public has not been made aware of any parts of the process. Regarding Goldstandard and its procedure, very few people in Turkey even knows about Gold standard. How could they?

ABK Cesme WPP has not been transparent as a project developer on Goldstandard registry until the credits were issued. Apparently it has been registered as Lifeenerji/İklim Enerji, a Carbon credit consultant firm in Ankara. **Not transparent at all**. And even if one could find this out, ALL documents are in English. Only a minority of the Turkish population have a sufficient level of English to understand such technical documents. Making it impossible to reach this information for the local stakeholders.

Principle 7:

The project's compliance and progress shall be monitored, reported and independently verified throughout the entire crediting period.

DOE Rina Validation report is based on false information from the PDD and G.S Passport, here are some examples of false statements and incorrect information:

- The project area on the map is not even the area of ABK WPP. (It is an adjacent project, the Alacati WPP)
- It says the projects area is not an 1st and 2nd degree Natural Protection zone and that there are no endemic species. The truth is that it is a Natural Protection Area with many endemic species!
- The project activity will generate 53,572 MWh, which has according to YEKDEM, never been reached. (2015: 19,000 MWh, 2016: 19,000 MWh and 2017: 38,000 MWh.)
- The project does not have any impact on the cultural and archeological heritage. (See pictures above.)

- When a number of court verdicts are not being implemented, one cannot rule out the possibility of corruption.

- Çeşme is situated 90 km from İzmir, NOT 30km. Even though some of the transmission lines pass by the village Ovacık, the main project area is NOT situated in Ovacık. It's situated in Sarnic, where the "head of village" are others. The "heads of village" of the project area have never been informed about any stakeholder meeting or feedback round.

-No stakeholder meeting, NO Feed-back round – the stakeholder meeting mentioned in the RİNA validation report on the 20th of November, 2014 was staged. Those people invited on the list are **not** relevant stakeholders and there was never any announcement regarding this meeting in the local news. The signatures aren't those of landowners or local citizens.

When we confronted The Head of the Ovacık village who's signature is on the feed-back round document, he said he never signed any Goldstandard Document, but he admitted that some village people were offered scholarship to their children by the ABK Wind company in return for cooperating with the company.

This is some of the documentation that has been launched. **This is what actually happened on those dates :**

17th August, 2014

<http://www.cesmeplatformu.org/en/enough-is-enough-cesme-public/>

5th October, 2014

<http://www.cesmeplatformu.org/en/trucks-destroy-private-property-fences-invade-private-lands/>

8th October 2014

<http://www.cesmeplatformu.org/en/cesmes-eid-sentry/>

16th October. 2014

<http://www.cesmeplatformu.org/en/law-says-stop-nordex-doesnt-care/>

20th November 2014

<http://www.cesmeplatformu.org/en/nordex-desperate-pins-hopes-on-turkish-police/>

Film from the illegal trespassing of private property outside the Project area. The Police chief even says they have applied for large transportation permission, but not been granted yet.

https://youtu.be/9b2q_kJRN4M

10th December, 2014

<http://www.cesmeplatformu.org/en/germany-proud/>

Judiciary said to stop but wind power is still in operation, 26th of April, 2018

<https://www.birgun.net/haber-detay/yargi-dur-dedi-ama-res-hala-faaliyette-213609.html>

Translation of Birgün newspaper article;

<http://en.friends-against-wind.org/oppositions/wind-power-still-in-operation>

Some of the news articles in 2014

<http://www.cesmeplatformu.org/res/res-skandal-basinda/>

International news in DW. 7th July 2014

<https://www.dw.com/de/türkei-neue-energie-um-jeden-preis/a-17742005>

To conclude, The DOE Validation report, invoiced by RINA, is a report with poor or no due diligence for a very controversial/illegal project worth 24 million Euro, affecting environmentally sensitive areas with high biodiversity and many local stakeholders.

WHO ARE WE? WHAT ARE WE DOING?

We are Cesme lovers and locals living in Çeşme. Gathered together to protect and and promote the natural, cultural and economic values of our beautiful coastline town. We were formed in 2014 in order to inform and explain the damages of the wind energy plants being planned to be constructed directly inside the residential areas of our village and town where citizens' livelihood depends totally on high-end tourism supported by its pristine waters, recreational marine activity, protected surrounding landscape, unique micro climate, exceptional fauna and flora, history, ancient archeology and rich local traditions and culture. Where ABK power plant project was the first one to start construction.

We are since 2013/2014 represented on Facebook “Çeşme Sürdürülebilir Yaşam Platformu”

<https://www.facebook.com/cesmeyasamplatformu/>

Why we are against Industrial wind energy plants in Cesme;

<http://www.cesmeplatformu.org/en/wpp/no-wind-turbines-in-cesme/>

Some of the illegal issues with this project;

<http://www.cesmeplatformu.org/en/wpp/illegalities-wpps-cesme/>

Your sincerely,
From Cesme Platform, Cesme, Turkey

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Footnotes

1. Principal court cases and rulings:

Danıştay Karar (Supreme Court Decision) 2018/8096 – cancellation of emergency expropriation decision

Izmir 5. İdare Mahkemesi / Izmir 5th Administrative Court 2018/150 – cancellation of official project plan (1-1000 & 1-5000 plans)

Danıştay (Supreme Court Case) 2019/2345 (On-going) – cancellation of the official exemption from EIA

Danıştay (Supreme Court Case) 2015/4842 (On-going) – cancellation of energy license