

[REDACTED]

I would like to make the following submissions on the Review of European Communities (Access to Information on the Environment) Regulations 2007-2018.

As I understand it this stems from the Aarhus Convention which Ireland has signed into law and has now been found in breach of in a number of areas. This convention is based on three principals- access, participation and justice.

Access- the access to environmental data, mainly through Freedom of Information Requests is still much too slow and convoluted. Without proper information it is not possible to make informed choices or decisions.

Participation- The Public Participation Network (PPN) is still very weak and ineffective and little known by the general public. Attempts have been made by government to water it down even more through the 'stakeholder system.' At first sight this appears a positive move but it is in practice very undemocratic as it gives greater power to existing bodies and groups which can have their own agenda. Individual or new environmental groups will tend to be ignored.

Justice- citizens should have access to justice in the environmental sphere which is not prohibitively expensive. However, in this country the cost of access to the legal system is much too high. Even the cost of an appeal to ABP is too much while recourse to the High Court is around €100,000- much too high for any but the wealthiest objector. This whole process is not only expensive but also very slow. It is also clear that there is very little environmental expertise amongst the members of ABP- they tend to be political appointees with industry or engineering backgrounds who tend to favour development ahead of environmental concerns. There is still very little genuine public consultation ahead of developments amounting to little more than a pamphlet drop or a public meeting. By this stage the planning application is completed and residents' concerns will not be taken into account.

My main experience comes from being part of two campaigns in West Cork. The first- a successful campaign to prevent the industrial extraction of kelp from Bantry Bay without even the provision of an Environmental Impact assessment- has prompted this government to try and find ways to stop this successful campaign from continuing or being copied elsewhere.

The second is being involved in two proceedings to try and halt wind farms being built in environmentally sensitive and scenic areas. Both have been promoted as part of this country's climate action plan whereas in fact they are being only built to increase electricity consumption and CO2 production through Power Purchase Agreements for new data centres. Furthermore, this government along with those over the previous ten years have disregarded the need for new guidelines for the siting of wind farms despite numerous 'public consultations.' This government states a preferred option for a basis on background noise from turbines but have not addressed the need for independent verification of these noise measurements. My local council has already stated that it does not have the means or the expertise to monitor noise emissions from turbines.

Three recent cases which have shown the importance of the access to environmental information and have upheld the citizen's rights to it, include Damien McCallig and information on wind energy modelling; Ms Fand Cooney vs Eirgrid and a group in Co. Laois against a wind farm planned by Eirgrid.

Access to environmental information is especially necessary at this time when Ireland is about bottom of the 'environmental league table' within the EU. We all need to work together for a better environmental future for this country. Climate change, in my opinion is not the greatest threat facing us, rather it is habitat and bio-diversity loss which is much more urgent. For this we all need access to all the environmental information we can get and obscurity in favour of vested interests is no longer an option.

Yours sincerely,

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