

EU Key Principles: Articles 2 and 3 of Lisbon Treaty

Current Situation in Republic of Ireland:

- Administration systematically operating outside principles of Aarhus Convention on: "Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters"
- Failure to comply with multiple key Directives in the Environmental Acquis (85/337/EC, 99/31/EC, 2001/42/EC, 2003/4/EC, 2003/35/EC)
- Charter of Fundamental Rights (Lisbon Treaty); failure to meet Article 16 (Freedom to conduct a business) and Article 41 (Right to Good Administration)

Energy Policy

- Failure to comply with Public Participation (2001/42/EC)
- Systematic dissemination of inaccurate Information on the Environment (2003/4/EC)

Regulatory Approval

- Competent authority operating outside principles of Environmental Acquis (85/337/EEC)
- Failure to comply with Access to Information on the Environment (2003/4/EC), Public Participation in Decision-making and Access to Justice (2003/35/EC)

Waste Policy

- Failure to comply with Public Participation (2001/42/EC + 2003/35/EC)
- Systematic dissemination of inaccurate Information on the Environment (2003/4/EC)

Consequences

- Compliant projects refused permits and market place opened to inappropriate business opportunities in Energy and Waste
- Rapidly rising costs for Energy and Waste
- Failure to meet targets set in Environmental Acquis (e.g. 99/31/EC)
- Investment cycle, particularly industrial investment, halted
- Damage to the economy, major job losses

Potential next steps? For example Article 47 of Charter of Fundamental Rights, Article 7 of Lisbon Treaty.