



<Dorota-Anna.BURSA@ec.europa.eu>

12.07.2011 09:52

To <Public.Participation@unece.org>

cc

bcc

Subject "C/54" Email 47

From: BURSA Dorota Anna (ENV)

Sent: Tuesday, March 02, 2010 2:03 PM

To: BURSA Dorota Anna (ENV)

Subject: FW: Systematic non-compliance of Irish Administration with Environmental Acquis - Right to a Good Administration and Damages

From: Pat Swords [mailto:pat.swords.chemeng@gmail.com]

Sent: Wednesday, February 24, 2010 10:33 AM

To: WEGERDT Patrick (ENV)

Cc: info@ocei.ie; gbfi_dv@garda.ie; info@eeb.org

Subject: Re: Systematic non-compliance of Irish Administration with Environmental Acquis - Right to a Good Administration and Damages

To: Patrick Wegerdt

Attached summary as requested. if you have any queries please don't hesitate to get back to me.

Pat

On Mon, Feb 22, 2010 at 9:23 AM, <Patrick.WEGERDT@ec.europa.eu> wrote:

Dear Mr. Swords,

Thank you for your email setting out allegations regarding non-compliance with the requirements for public access to environmental information, under Directive 2003/4, transposing the relevant part of the Aarhus Convention.

I propose to launch a complaint procedure in relation to your allegations, however in order to do this, details of the specific cases are required. I would be grateful therefore if you could send in summary the details of the individual requests, notably:

- the date of the original request, to which authority or body and nature of environmental information requested;
- the date of response and reasons for not granting access (if any)
- details of any appeal process (if sought).

Yours sincerely,

*Patrick Wegerdt
European Commission
DG Environment
Unit A.2 Compliance promotion, governance & legal issues*

From: Pat Swords [mailto:pat.swords.chemeng@gmail.com]
Sent: Sunday, February 21, 2010 3:51 PM
To: WEGERDT Patrick (ENV); COMM IE INFO REQUEST
Cc: Minister Ryan; MINISTER; privateoffice@taoiseach.gov.ie;
gbfi_dv@garda.ie
Subject: Systematic non-compliance of Irish Administration with Environmental Acquis - Right to a Good Administration and Damages

To: European Commission, including DG Environment Unit A2 Infringements

CC: Senior Officials of Irish Administration including Minister Ryan (Department of Communications, Energy and Natural Resources) and Private Secretary Colm O'Conaill, Minister Gormley (Department of the Environment, Heritage and Local Government and Private Secretary Eddie Kiernan , Taoiseach's Private Office and Paul Mooney. Garda Bureau of Fraud Investigation.

Date: 21-2-2010

It is one hundred per cent clear that the Irish Administration has no intention of complying with the Aarhus Convention. There are systematic non-compliances with the Access to Information (Directive 2003/4/EC), see below, such as a refusal to provide the legal position of the Irish State for compliance with the Environmental Acquis. Arbitrary policies are being developed for personal gain, in particular with regard to energy and waste, which (a) are not compliant with EU legislation, (b) for which there has been no strategic environmental assessment completed (Directive 2001-42-EC) and (c) for which the Irish public has been systematically fed false information. Furthermore legally compliant companies have been refused permission to operate when they clearly met all regulatory requirements while operating permission has instead been given to other companies on a basis that has been clearly for the purpose of personal and political gain.

Not only is this a completed violation of the "Civil Service Code of Standards and Behaviour" but it is clearly corruption with the terms of the Prevention of Corruption (Amendment Act) 2001. Yet despite persistent corruption being routinely evident in the Irish Administration for more than two decades, the Administration clearly fails to take the necessary measures to ensure legal compliance. Furthermore as the Irish legal System does not meet minimum requirements for the Aarhus Convention, the EU Citizens in Ireland are being denied Access to Justice by an Administration that is routinely obstructing the necessary reforms that are required.

EU Citizens in Ireland have suffered huge financial losses because of this behaviour, indeed many personal friends have lost their employment as Ireland is off limits for investment given that the Administration is clearly operating outside the minimum standards set in the legislation. The Charter of Fundamental Rights of the Lisbon Treaty is clear in that there is a Right to a Good Administration and the Union must make good any damages caused by its institutions or servants in performance with its duties.

Pat Swords BE CEng FIChemE CEnv MIEMA.
10 Hillcourt Rd
Glenageary
Co. Dublin
Ireland

----- Forwarded message -----

From: **Minister Ryan** <Minister.Ryan@dcenr.gov.ie>

Date: Wed, Feb 17, 2010 at 12:54 PM

Subject: RE: REP7873/JG/09

To: Pat Swords <pat.swords.chemeng@gmail.com>

Dear Mr. Swords

On behalf of Mr. Eamon Ryan T.d, Minister communications, Energy and Natural Resources, I would like to acknowledge your email of 17 February.

Your email has been brought to the attention of the Minister.

Yours sincerely

Colm O'conail

Private secretary

From: Pat Swords [mailto:pat.swords.chemeng@gmail.com]
Sent: 17 February 2010 12:29
To: MINISTER; Minister Ryan; privateoffice@taoiseach.gov.ie
Cc: info@o cei.ie; gbfi_dv@garda.ie; Customer Service
Subject: Re: REP7873/JG/09

To: Head of Government, Ministers and Senior Officials of the Irish State

It is becoming increasingly clear month after month, particularly with regard to the Department of Communications, Energy and Natural Resources, that paid officials, both elected and non-elected, are choosing to act outside the legislation of this State. There are clearly letters that should be answered as part of good governance, which are not being answered and there are requests for information that have to be legally addressed that are not. There are also legal procedures with respect to development of policies, such as dissemination of information to the public and the preparation of strategic environmental impact assessments, which clearly have not been complied with. This has reached the stage in which it is clear that corruption is occurring. Whether the Gardai or the EU will step in to intervene is outside my control but the evidence of this corrupt behaviour

is mounting.



Summary of non-compliances by Irish Administration with Directive 2003-4-EC Date 24-2-2010.pdf