

**Case PRE/ACCC/C/2023/198 concerning Ireland**  
**Statement on admissibility from the Communicants**

14 March 2023

1. This written statement is made pursuant to paragraph 104 of the Guide to the Aarhus Convention Compliance Committee<sup>1</sup> in relation to the hearing on preliminary admissibility to be held on 21 March 2023 at the 78th meeting of the compliance committee.
2. In the communicants' view the communication is admissible since it is
  - a. Not anonymous
  - b. Not an abuse of the right to make a communication
  - c. Not manifestly unreasonable
  - d. is compatible with the provisions of decision I/7 and with the Convention
  - e. supported by corroborating evidence
3. In addition the events giving rise to the communication relate are current and ongoing and therefore relate to events which occurred since the Convention came into force for Ireland. Equally, Ireland is a Party which has not opted out of having communications from the public concerning its compliance considered by the Committee.
4. In relation to the Committee's obligation to take into account any available remedies, it is the Communicants' view as articulated at para 72 to 73 of the communication that the Party concerned does not provide an effective and sufficient means of redress for the alleged systemic non-compliance which transcends any individual decision and which is manifest across 32 public authorities and more than 35,000 decision-making procedures per year<sup>2</sup>.
5. The communicants ask the committee to also take into account that some of the non-compliance alleged in this communication has already been the subject of a concluded communication concerning the United Kingdom. Findings of non-compliance were made against the United Kingdom on 22 September 2021 in respect of substantially similar to the issues of non-compliance raised in this communication<sup>3</sup>. These findings were endorsed by the Meeting of the Parties at its 7<sup>th</sup> session in decision VII/8s.
6. The Party concerned is or ought to be aware of this decision of the Meeting of the Parties and therefore ought to have identified similar non-compliance in its own system but has not done so. It is appropriate for the committee, therefore, to take into account the fact that the Party concerned has not acted on a decision of the Meeting of the Parties which identified similar non-compliance in its own implementation of the Convention.

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<sup>1</sup> Second edition, May 2019

<sup>2</sup> Source OPR Annual Review of the Planning System 2021 (Office of the Planning Regulator), <https://consult.meath.ie/en/consultation/meath-adopted-county-development-plan/chapter/11-development-management-standards-and-land-use-zoning-objectives> accessed 12 March 2023

<sup>3</sup> Findings and recommendations with regard to communication ACCC/C/2015/131 concerning compliance by the United Kingdom of Great Britain and Northern Ireland endorsed by the Meeting of the Parties in decision VII/8s, para 5 and 6