

## Attracta Uí Bhroin

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**From:** Aoife Joyce [REDACTED]  
**Sent:** Monday 29 March 2021 16:46  
**To:** 'Attracta Uí Bhroin'; Brendan Keenan; Justina Corcoran  
**Subject:** RE: Re. Public Consultation

Dear Attracta,

Thank you for your email. I have considered your suggestions and additional links have been added to the public consultation page on gov.ie – see <https://www.gov.ie/en/consultation/53b81-public-consultation-on-the-review-of-the-access-to-information-on-the-environment-aie-regulations-2007-2018/>

Links that are not active yet will be added asap.

Thanks again,

Aoife

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**From:** Attracta Uí Bhroin [REDACTED]  
**Sent:** 25 March 2021 13:48  
**To:** Aoife Joyce; Brendan Keenan; Justina Corcoran  
**Subject:** Re. Public Consultation

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Justine, Aoife and Brendan,

I hope you and yours are all keeping well and safe?

I have come across the [public consultation on the Irish AIE Regulations](#), and it is of course most welcome that Ireland is moving to respond to the findings of the Compliance Committee, and indeed taking this as an opportunity to enhance Ireland's approach to compliance by reviewing and improving the regulations.

It was only in the last day I actually had a chance to seek out the consultation and open the document itself with other pressures of work, which I am sure you all can also relate to.

Consequently, I would now be remiss if I did not highlight the practical difficulties I feel many members of the ordinary public and indeed even those familiar with the access to information on the environment regime in engaging with the consultation as published. Indeed I am already seeing and hearing of evidence of this through queries and comments about the consultation

Therefore, very constructively with a view to assisting all concerned I am very respectfully suggest some updates and links to the consultation webpage and/or document as a minimum, to assist engagement with the consultation process and subsequent review. However I appreciate that there may be a specific reasoning behind your approach, and I would of course be interested in understanding that. For your consideration therefore are the following remarks:

1. The consultation is positioned in the context of the findings of non-compliance against Ireland. Therefore it would be useful to have:
  - a) an explanation, details and link to explain what the ACCC is possibly from the UNECE site [here](#) , and
  - b) to the [findings and recommendations](#) and the entire documentation associated with the [communication ACCC/C/2016/141](#).

I fully appreciate the Dept will quite properly wish to be neutral on the matter in the context of the consultation – but many simply won't know what the compliance issue was at all, or indeed what is meant by compliance.

2. Also no links are provided to the [UNECEs basic introduction to the Convention](#) or to the [supporting information on the Aarhus Convention from the UNECE site](#), or to the [text of the Convention](#) itself, or to [the implementation guide](#).
3. The link to the [AIE Directive](#) only arises on the last page in a link to the last question 3 and it would be helpful I expect to many to have a link earlier and to include details of its full title: DIRECTIVE 2003/4/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC
4. I am conscious that a hyperlinked list of some of the relevant regulations is provided in the consultation document. However the Dept has previously and separately provided an [unofficial consolidation of the AIE Regulations](#) and it would seem to make sense to assist those not so familiar with consolidating regulations to also include a link to this with an appropriate caveat, and to provide links in respect of the EMPA 2011 provisions.
5. Additionally, while some may not feel able to engage on legal commentary at the very least a very open question prompting people to reflect on their knowledge and experience of access to information in Ireland - might elicit some very interesting insights. I appreciate the last question is open - but given the preceding questions are quite technical . There having an earlier, open question could prove constructive for engagement, and illuminating on the types of issues experienced, and thus assist Ireland with compliance on some important aspects of Articles 3(1),(2) and (3) of the Convention for example.
6. Finally, a brief flag to highlight some updates have been made to assist all with the consultation would be appropriate - should you consider taking on board these suggestions. Given the closing date of April 16<sup>th</sup>, and given that the consultation runs over Easter – the sooner these updates were made the better – again should you consider them appropriate.

Should you wish to clarify any of the above - please do not hesitate to contact me.

Thank-you for your consideration of these suggestions and I hope you appreciate they are offered most constructively to assist all concerned to be able to better engage on this important and most welcome initiative. I also appreciate the many pressures you are under, but these opportunities don't come around often and this is a very important legal obligation of the State as I know you all fully appreciate. We are very much looking forward to seeing the responses from this public consultation.

Finally I hope to be able to revert to you on other matters following our meeting in the coming weeks.

Kind Regards

Attracta

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Attracta Uí Bhroin

Environmental Law Officer

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