

# Telling it like it is

10 years of unsustainable development in Ireland

Edited and published in Ireland in 2002 by Earth Summit Ireland Ltd.

The text in this book is covered by copyleft, which guarantees the freedom of distribution of the information contained. The text may be reused as will provided only that this condition is respected and imposed on any further users.

The photographs and images in the book remain the copyright of their producers.

*Earth Summit Ireland Ltd.*

*159 Lower Rathmines Road, Dublin 6, Ireland.*

*+ 353 1 491 3646*

*[www.earthsummit-ireland.org](http://www.earthsummit-ireland.org)*

# Foreword

Over the past 10 years, since Rio we, as in other countries, have seen the principles of sustainable development ignored. We have seen the neglect of the natural environment and the sidelining of environmental non-governmental organisations in the policy-making process.

As preparations for the next World Summit on Sustainable Development (WSSD) in Johannesburg began, the Irish environmental non-governmental organisations (ENGOS) directed their concerns to the Irish government. In a meeting last December in the Department of Foreign Affairs, representatives of ENGOS sat and listened to the Government's announcement of their position papers without any prior NGO consultation.

This is why Earth Summit Ireland (ESI) was formed. We realised that our voices and concerns were not being expressed coherently, or where they were expressed, they were not heard. We began as a group, meeting every month to network and discuss.

A meeting with the United Nations Environmental Programme and a welcome commitment of funding from the Department of the Environment and Local Government led to an agreement that ESI would produce its own report. We set to work to prepare our alternative country report and this is the outcome. We held two workshop conferences and many interviews to collect this witness. This report was produced with limited resources and funding, and is reliant primarily on voluntary initiative and commitment.

The subject of sustainable development is complex and can be portrayed in dry statistical manner. We choose instead to turn to the storytelling tradition to create a mosaic picture of Ireland's progress or, for the most part, lack of progress towards sustainability. After the stories we draw some lessons from them. These stories indicate that Ireland has become less sustainable over the last 10 years. They also show how Ireland has become a less just and less caring society. And the facts back us up.

Essentially, Ireland has failed to integrate sustainable development into its fabric of its activities. The failures have arisen primarily because the responsibility for sustainable development is still highly fragmented. Decision-making is not shared and NGOs involvement is merely cosmetic.

The stories demonstrate that the people of Ireland do care, about their lives, their localities, their natural heritage and their cultural traditions. Not all of the collected material is published here but all will be contained in a CD ROM which will be available to all interested. Our website [www.earthsummit-ireland.org](http://www.earthsummit-ireland.org) fills in more information about the WSSD in Johannesburg.

By painting a picture of our experiences in the past ten years, ESI hope to present this issue in a way that empowers the readers to learn from Ireland's mistakes and expose where policy-makers have gone wrong.

# Contents

---

	Page
Setting the scene	8
Agenda 21	10
United Nations Framework Convention on Climate Change	11
Convention on Biological Diversity	11
Forest Principles	11

## STORIES

Burning the Bogs	12
Dirty Soap	14
"Sorry, you've sent that in the wrong envelope"	16
A Popular Tax	18
Atlantic Dawn	20
No Way to Zero Waste	22
Roads Frenzy	26
Sending Stones to England	30
Housing: Winners and Losers	34
Big Meadow	36
"Somewhat less than anticipated"	38
Don't Drink the Water	40
Ongoing Discrimination against Ireland's Travellers	42
Ireland's Grains and Apples	46
PPPs Rule the Roads	50
The Wrong Tree in the Wrong Place	54
What a Waste	58
Can't have our fish cakes and eat them too!	62
Too Many Cows	64
Barred from Gougane Barra	66
Mayo Gas Terminal	70
Dislocated Housing	74
A Blind Eye to Bats	78
Off the Rails	80

---

## **STORIES**

## **Page**

A Fee to Participate	82
The Optimal Dose	84
Threat to Pollardstown Fen	86
A Tale of Two Cities	88
Intensive Farming; An Unsustainable Lifestyle	90
Health is an Environmental Issue	92
Building Unsustainability	94
Ashford Village Loses Out	98
The Castle under the Motorway	100
Factory Pig Production	102

## **LESSONS**

Selling out our Commons	104
An Unfair Share	105
Inadequate impact assessment	106
Discounting our Future	108
Unequal Partners	109
The Legal Obstacle Course	111

## **SELECTED BIBLIOGRAPHY**

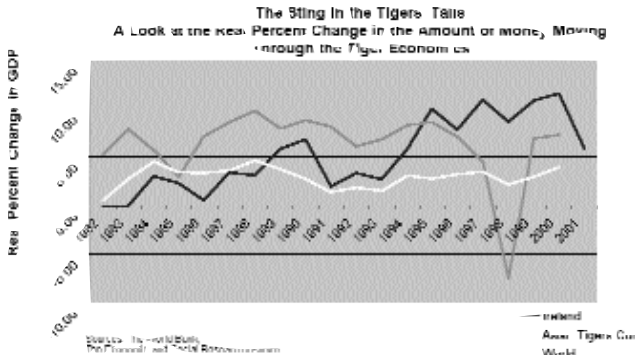
113

## **ACKNOWLEDGMENTS**

116

# Setting the Scene

Over the past ten years, Ireland has experienced unprecedented economic growth, earning it the nickname the Celtic Tiger, after the Asian Tigers of the 1980's.



Over this same period the world has begun to waken to the consequences of its own unprecedented growth, with the United Nations Conference on Environment and Development (Rio 92). In spite of millions of Euros in spending and international co-operation of a degree and depth never before seen, the agreements of Rio 92 have not translated into on-the ground changes. This challenge of implementation will be a central issue at the up coming World Summit on Sustainable Development (WSSD) to be held in Johannesburg, South Africa, in August of 2002 (Jo'burg).

The relationship between economic growth and sustainable development will be one of the core issues discussed in Johannesburg. Because Ireland has gone through its own growth spurt following Rio, a review of Ireland's experiences provides both important feedback for our own country and an opportunity to reflect on the challenges that arise as countries throughout the world seek to implement sustainable development objectives.

However, far from supporting sustainable development, Ireland's recent growth has made sustainable development even harder to achieve. Ireland has failed to embrace sustainable development as a new way of guiding thinking and action. While there are successes in Ireland's story of growth based development, there are failures too and some of them are stark and fundamental. These failures are both environmental and social.

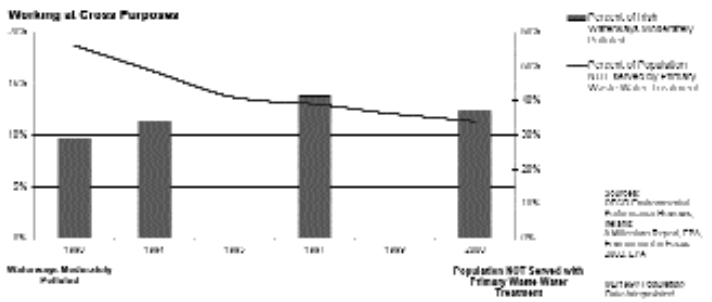
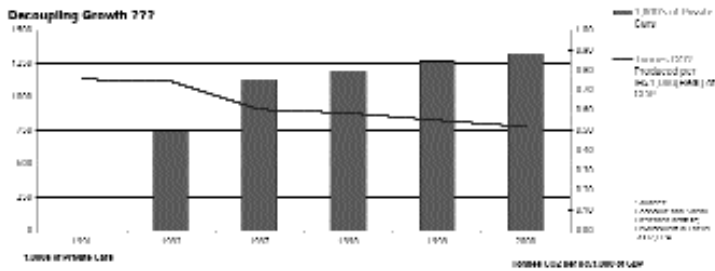
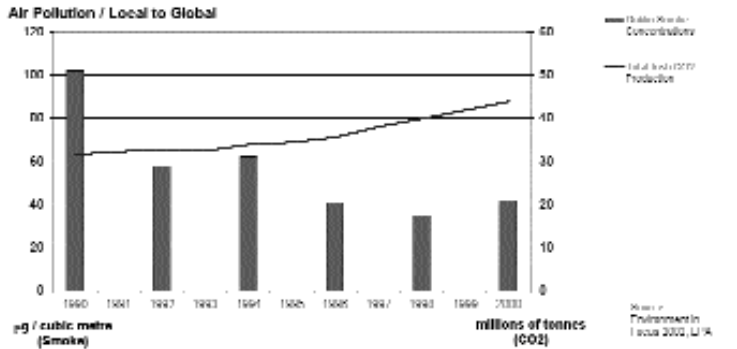
Housing lists have continued to grow, while discrimination against Travellers is a daily occurrence. Although equality is fundamental to building a sustainable world, the recently released United Nations Development Report 2002, shows Ireland as the second most unequal OECD country. Only the United States of America is more unequal.

Preliminary reports for Ireland's Census 2002 show massive population increases in the counties surrounding the capital city of Dublin, with the commuter counties Meath and Kildare, showing the highest rates of increase at 22.1% and 21.5% respectively.

Although Ireland has adopted policies relating to many of the Rio 92 Agreements, with a flurry of activity in the past few years, it has not formally integrated these into environmental planning and economic decision-making processes.

Ireland has effectively addressed several important environmental concerns, such as urban coal smoke pollution and sewage treatment. At the same time wider trends outside the environmental policy sphere have undermined holistic improvement. In many instances, Ireland has achieved results in one area, only to see them eroded by failure in another, related, area.

*The following graphs illustrate this point.*



Responsibility for sustainable development is still highly fragmented and the institutional changes that have been made are at the branches of the institutions, not at their roots.

A number of themes or lessons emerge from this evidence from the grassroots: Our common heritage has been seriously eroded, our economic and fiscal systems are discounting or undervaluing the future, the principle of “partnership” is being unequally applied between the private sector and civil society, a legal obstacle course impedes the effect of much positive sustainability policy and legislation, the impact assessment tools are failing in achieving their objectives and globalising forces have united the world in a shared predicament.

As this report is going to press the Economic and Social Research Institute is predicting a massive shortfall of government income in the coming year as Ireland’s rapid growth spurt slows to a halt. We hope that the Irish experience, with all its flaws, ranging from wildlife habitats, ecosystems, human rights concerns, human health and equity, to failures in public participation processes will teach us lessons and guide other countries, as we all strive to build a more sustainable world.

## So what was Ireland meant to do?

In order to measure Ireland’s progress since Rio 92 we need a yardstick, which we find in the four global agreements resulting from the United Nations Conference on Environment and Development, all of which Ireland has signed. Through the Lessons in this Report, we explore how Ireland has measured up to the following commitments:

### **Agenda 21**

Agenda 21 was agreed at the United Nations Conference on Environment and Development, in June of 1992. It is a broad ranging, non-binding agreement, covering aspects of sustainable development ranging from habitat, to health care, to climate change.

Agenda 21 gives guidance in the fundamental requirements for sustainable development. At the risk of oversimplifying a very complex agreement, Agenda 21 calls on governments to address sustainable development through engaging the public, researching the problems and working with civil society, universities, researchers, workers and business to build integrated solutions.

Agenda 21 also recognises that developing countries will not have the same resources at their disposal to tackle the challenge of sustainable development and it sets out guidelines and expectations for how developed countries should help.

*Ireland signed Agenda 21 in June of 1992 at Rio 92.*



## **United Nations Framework Convention on Climate Change**

The Rio 92 conference delegates felt that the matter of climate change was so important that it merited its own separate convention. The signatories acknowledge "that change in the Earth's climate and its adverse effects are a common concern of humankind", and "that human activities have been substantially increasing the atmospheric concentrations of greenhouse gases, that these increases enhance the natural greenhouse effect, and that this will result on average in an additional warming of the Earth's surface and atmosphere and may adversely affect natural ecosystems and humankind,"(FCCC, 1992)

The Kyoto Protocol sets up a global system for monitoring and attempting to reduce emission of climate changing gases, it was developed through processes initiated under this Convention.

*Ireland signed the UNFCCC in June of 1992 and ratified it in 1994.*

## **Forest Principles**

Although they were not able to agree a binding convention, the Rio 92 delegates also recognised that the world's forests are essential to global sustainability and that, at the very least, a set of principles reflecting a first global consensus on forests were required. The full title of these principles is "Non-Legally Binding Authoritative Statement of Principles for a global consensus on the Management, Conservation and Sustainable Development of all types of Forests".

"The guiding objective of these principles is to contribute to the management, conservation and sustainable development of forests and to provide for their multiple and complementary functions and uses." (Forest Principles, 1992) The Forest Principles recognise that forests serve many roles, providing wood and wood products, water, food, fodder, medicine, fuel, shelter, employment, recreation, habitats for wildlife, landscape diversity, carbon sinks and reservoirs, and call for all these roles to be respected and managed sustainably.

Like the other agreements above, the Forest Principles identify a need for developed countries to assist and support developing countries in their efforts to work to these principles.

*Ireland signed this statement in June 1992 at Rio 92.*

## **Convention on Biological Diversity**

Similarly, the Rio 92 conference delegates also felt that the challenge of protecting and making sustainable use of the world's biological diversity called for a separate convention.

This Convention sets out guidelines for the monitoring and conservation of biodiversity, the safe and sustainable development of biological resources, including biotechnology, the heightening of awareness of the importance of biological diversity and the responsible sharing of knowledge, skill and resources between developed and developing countries.

*Ireland signed the CBD in June of 1992 and ratified it in 1996.*

## Burning the Bogs

*Irish greenhouse gas emissions are predicted to increase by 36% between 1990 and 2010, compared to its Kyoto target of +13%. The Organisation for Economic Cooperation and Development predicts a net growth of CO2 emissions in Ireland of 63% between 1990 and 2010. Nonetheless, the Government is building two new power stations that will burn peat, the most carbon-intensive fuel and a living carbon sink. These new plants will consume 1,500 hectares of peatlands a year for the next 15 years. According to the European Court of Justice, Ireland holds a special responsibility for conservation of raised bogs. Despite all this, the Irish Government has received European Commission approval for the cross-subsidy of these economically unviable power plants.*

There have been severe losses of raised bogs across the European range, and their complete extinction in many European countries. Ireland represents the last stronghold of Atlantic peatlands, with 51% of this unique resource. Ireland has typically disregarded the conservation importance of peatlands and the habitat they provide to many rare indigenous species as well as their importance in hydrological regulation. 82% of Ireland's peatlands habitat has been lost to harvesting as a fossil fuel, afforestation, and land reclamation.

This is because the Government considers peatlands as wastelands, useful only as a fuel source. Peat has served Irish people with slow burning, low heat fires for hundreds of years. Originally, peat was cut by individuals for their personal use. However, in the 1950's the work was mechanised and small power plants were built. The harvesting of peatlands for electricity production is the shared responsibility of two semi-state companies, Bord na Mona and the Electricity Supply Board, and is heavily subsidised by the Irish government. However, peat is a poor fuel for use in electricity generation, with high carbon emissions and poor rates of conversion to power.

In 1996, Ireland put in place plans to close down the older stations, some of which had become dangerous, and build newer ones. There is great reluctance to downsize the peat industry as it is still a major employer in the Midland and Western regions, but the impact of peat burning has more long-term consequences than unemployment.

Peat is the most carbon-intensive of all fossil fuels. Further CO2 emissions result from the oxidation of unharvested peat from peatlands drained for extraction. Also, the harvesting itself is the removal of a sink which would otherwise continue to absorb carbon from the atmosphere.

The excavation of Irish peatlands also impacts on biodiversity. 15% of Ireland's native flora are peatland plants. 26% of Ireland's mammals are dependent on peatlands at some point in their lifecycle. 49% of all of Ireland's endangered birds rely on peatlands, with 23% of Ireland's endangered plants are peatland species. Further, no assessment been done of the hydrological impact of the largescale reductions in the water retention capacity of bogs in the largest river catchment in Ireland, the Shannon. The Shannon and its tributaries are already notoriously subject to flooding.



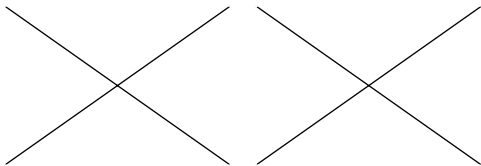
Peat extraction means rainfall runoff carries extremely high levels of peat silt into watercourses. This siltation smothers spawning beds and decreases the transparency of waters, with knock on effects on the biological health of the Ireland's rivers and its lakes.

Ireland's application for permission to cross-subsidise the burning of peat for electricity required special approval from the European Union. The application was accepted by the European Commission, based on "security of supply". An EU Directive permits member states to source up to 15% of their energy supply from native sources under this exemption. The European Commission approved a Public Service Obligation by which the Electricity Supply Board can surcharge all electricity users to recover the uneconomic cost of the production of electricity from the new plants. Friends of the Irish Environment asked the Commission not to approve the Public Service Obligation because it was in conflict with Ireland and the EU's obligations under the UN Framework Convention on Climate Change to protect carbon sinks. Commissioner Loyola de Palacio replied that "The Commission is not responsible for enforcing international agreements Ireland may have entered into."

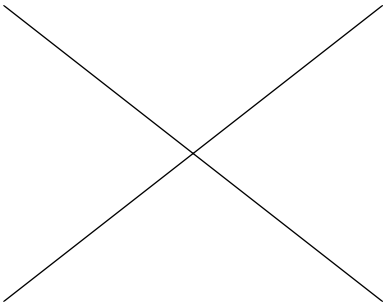
Environmental NGOs objected to the plans on the grounds that the Environmental Impact Assessment (EIA) process being carried out was not in compliance with EU law because of deficiencies in the implementation of the EIA Directive into Irish law. Both the EPA and An Bord Pleanála refused to consider these grounds of objection stating that the non-compliance of Irish law with the EIA Directive was a matter for the courts or for the government.

Meanwhile, unknown to environmental NGOs, most local residents, and the general public, the EPA granted licences for the entirety of Bord na Móna's peat extraction activities without an EIA. Irish NGOs have discovered that there has never been an environmental impact assessment of the extraction of peat for any commercial purpose in Ireland. This is despite the fact that Ireland has already been found by the European Court of Justice to be in breach of the EIA Directive for failing to ensure EIA of peat extraction.

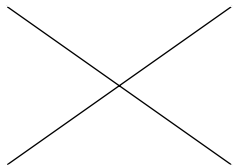
The power plants in Lanesborough and Shannonbridge are being built as this book goes to press.



Traditional Turf Cutting in Ireland



Turf Cutting Today



Peat Power Plant  
Smoke Stack near Private Residence



## Dirty Soap

*A company in Ireland is making toxic skin-lightening soap banned in Ireland and exporting it to Africa. Although the sale of this soap is banned in Europe, the company received government support to establish when it moved from England, following out of court settlements relating to the poisoning and subsequent deaths of children born to employees at its mercuric iodide soap factory.*

Killarney Enterprises, Arklow, Co. Wicklow, manufactures soap containing mercuric iodide, which they export to Nigeria. Their soaps trade under the names Tura, Arut, Swan, Sukisa Bango and Meriko. Put simply, Killarney Enterprises, with the express consent and at the invitation of the Irish government, are manufacturing a product that is banned in Ireland as a known toxic, and are selling this product in another country for profit.

Soap containing mercuric iodide is used as a skin-lightener. Mercury is toxic and there is no way the human body can metabolise or remove mercury. Once mercury has entered the skin, it poisons the whole body. Soap made with mercuric iodide causes skin cancers, has drastic effects upon the brain and kidneys, and poisons the foetus of a woman using it. It is estimated that a woman who uses mercuric iodide soap regularly has 400 times more mercury in her blood than the average person.

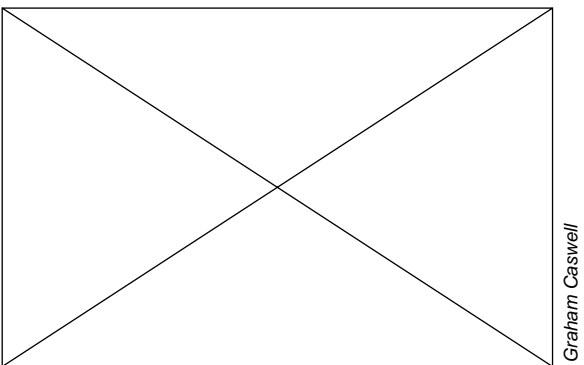
Many African countries, such as South Africa, Zimbabwe, Nigeria and Kenya, have banned the sale of these soaps. The World Health Organisation has expressed concern over the marketing of these soaps in developing countries. In 1989 the EU banned the sale and import of these products. However, there was no ban placed on their production. It is still legal to continue making mercuric iodide soap in Europe for export to Africa and this is what Killarney Enterprises is doing.

In 1987 Killarney Enterprises secured a £750,000 grant from the Industrial Development Authority (IDA) to set up business in Ireland, moving here from the UK after changing its company name from W&E Products, following out of court settlements relating to the poisoning and subsequent deaths of children born to employees at its Lancashire, UK mercuric soap factory. The Irish Industrial Development Authority responded to concerns about the factory's relocation at the time by asserting that the company would bring jobs to an area where they were desperately needed. The IDA points to the fact that the manufacture of the product in Ireland meets all environmental and planning requirements. However, this soap manufacture is taking place in a coastal zone and the use of heavy metals, even if well regulated, still poses a risk to one of Ireland's fragile coastal ecosystems.

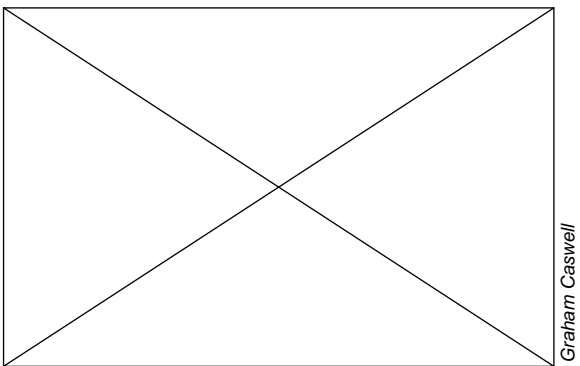


While the issue of this factory has been raised by both Irish and European politicians and articles on the factory have appeared in the Observer newspaper in Britain, the Wicklow People in Ireland and Greenpepper Magazine in Amsterdam, it has not been mentioned in Irish national newspapers.


Despite bans in many African countries, there is a strong demand for skin-lightening products, such as these soaps. The popularity of these products, despite the harmful effects, highlights prejudicial beliefs regarding skin colour. Killarney Enterprises' soaps, including Meriko and Tura, which are illegally available in shops in Dublin, actively reinforce the 'white = success' formula.



Killarney Enterprises, Arklow, Co. Wicklow



Killarney Enterprises, Arklow, Co. Wicklow



## "Sorry, you've sent that in the wrong envelope"

*A commitment to effective public consultation is contained within the National Development Plan 2000-2006 (NDP). No legislation covers the procedures, transparency, openness, accountability or accuracy of information presented at public consultations. The consultation model used at present can at best be described as a sham. At its worst, it is divisive in community terms and detrimental to people's property interests and the environmental compatibility of road projects.*

The public consultation process is supposed to ensure consideration of the "environmental compatibility" of roads projects in terms of their impact on people, industry, farming, local communities, the landscape, geology, hydrogeology, heritage, habitats and so on. Public consultations (in the form of public displays and brochures) are also used to describe the nature of proposed road improvements, their benefits and the route options under consideration (e.g. new alignments or interchanges). In turn the public are asked to comment on these by returning questionnaires indicating their preferences and/or concerns for road improvements. This public consultation process is also coupled with private consultations with landowners who are likely to be directly affected by Compulsory Purchase Orders.

Dissatisfaction with the consultation stems from a number of factors. Firstly, it is the public, as opposed to the consultants and Local Authority / National Roads Authority (NRA), who are expected to provide information (e.g. who you are, what property you own, do you have a business in the study area, what is your property worth etc. etc.). The information supplied to the public is generally limited, contradictory and in some cases incorrect.

Secondly, crucial decisions are taken prior to public consultation. These include the route options to be considered, the road type [motorway, dual carriageway etc.] and whether the road will be tolled or not. Detailed project planning commences 6-12 months before the first public consultation and while initial route options are selected these are not displayed at the 1st public consultation. Prior to the second public consultation, a draft route selection report is produced by the consultants indicating an "emerging" preferred route (EPR). Again the road planning process is designed to affirm this route within a couple of weeks of the 2nd public consultation, although this is only the first opportunity for the public to see what is being contemplated.

Thirdly, the factors affecting environmental compatibility are presented as neutral. Traffic benefit, construction costs, impact on landowners and flora and fauna are all supposed to carry the same importance. Public scepticism of this claim is widespread and wholly justified.

Finally, with regard to private consultations landowners are expected to provide details of the location of their holding, ownership, type of farming or production purposes etc. They are also required to describe the impact of a proposed road on their property or business. For householders

this includes the possibility of losing their homes. Under NRA project management guidelines, reports on these interviews, particularly in relation to seriously impacted property owners, have to be forwarded to NRA headquarters for review. At these consultations no detailed maps are provided during or prior to meetings. The Local Authority representatives (who carry out the Compulsory Purchase Orders (CPO) and professional consultants, who are fully aware of the likely impacts and nature of road options being contemplated, question uninformed and unadvised individuals. These consultations also occur in the form of unannounced visits to peoples' homes, during or after normal working hours. As the Local Authorities, will later be responsible for issuing CPOs and payment terms, landowners can be seriously compromised by this process. The lack of timely information from the Local Authorities such as detailed maps, also compromises the landowners' opportunity to seek independent professional advice, to make detailed submissions or prepare for CPO enquiries and oral hearings.



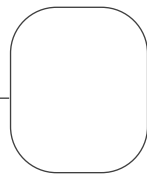
Sorry - you've sent that in the wrong envelope!

In Galway, for example, a brochure detailing the engineers' preferred route for the N6 Oranmore-Ballinasloe PPP toll scheme, collated the questionnaire responses received in the pre-paid envelopes. Following enquiries under the Freedom of Information Act by a concerned member of the public, it was discovered that of the 3,266 questionnaires returned, over half had been rejected, as they were not in the prepaid envelope. The preference expressed by the public, according to the brochure was that 56% preferred a different route to the engineers' preferred corridor and that 62% expressed a preference for a northern bypass of Ballinasloe itself. If the discarded responses were added in, then the public's preferences would have been augmented to 81% and 87% respectively. Neither of these options was selected by the NRA consultants.

There are alternatives to public consultations if you wish to have an input to the road design process - if you are a politician. This is illustrated in the case of Minister Noel Treacy who wrote directly to the consultant engineer (as opposed to the County Council or NRA) in a letter lobbying very strongly for one route option. It is not difficult to appreciate the seriousness of this letter to a consultant engineer who is being paid to implement the Government's NDP policy, when the letter itself comes from the office of the Minister for Science, Technology and Commerce of that same government. What real effect this letter may have had is difficult to determine, however transparency, accountability and openness cannot be claimed to exist in these circumstances.



# A Popular Tax



A popular tax

*Ireland first and only environmental tax of 15c tax on every plastic shopping bag sold has proven to be effective and popular.*

*Until last year Ireland used disposable plastic shopping bags with enthusiasm. 1.2 billion bags were given away every year - 342 bags for each person. Many of them ended decorating the hedgerows, fences, telegraph poles, and streetscapes, making the fluttering white plastic bag Ireland's "national flag".*

The Government considered two kinds of taxes. One was the traditional supply-based tax - a tax put on the producer or wholesaler of the bags. This would have been less effective as the public would not really be aware of it and would be unlikely to change their behaviour. The cost the suppliers didn't absorb would be invisibly added to the checkout bill as part of the shop's overheads spread between all sales.

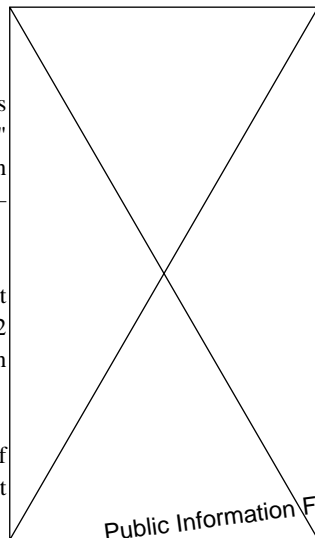
The approach that was taken was the more radical point of sale tax, which is closer to the polluter pays principle, but administratively more complex. Seeking consensus, the Minister for the Environment commissioned a study which reported in 1999. The Report recommended a 3 cent supply-based tax. The Minister chose instead one of the alternatives - a 15 cent point of sale tax, with exemptions for foods - fish and meat - and sweetsies.

The tax was a "Notified Measure" under the EU Waste Directive - thus ensuring pre clearance by the European Commission. As only 21% of the bags were produced in Ireland, the jobs factor was not the stumbling block that faced most environmental controls.

The Minister made it quite clear that "The primary purpose of this levy is not to generate revenue, but to change consumer behaviour." It was estimated that the tax would produce €100m for an environmental fund. Success, of course, would mean less money - if there was 90% cut the tax would only yield only €15m.

The tax would also tackle greenhouses gases. It was estimated that a 50% reduction would result in a saving of 15,000 tons of CO2 emissions a year - the equivalent of 8,000 return flights between Dublin and New York.

The bags were estimated to be 40 times as bad as cotton in terms of CO2 emissions. The tax would have another environmental benefit







– lessening marine debris. It would help to save the lives of an estimated 100,000 sea creatures a year that perish through the plastic bag. Turtles, for instance mistake the bags for jellyfish. The bags fill the stomach; the turtles, feeling full, starve to death.

The only other similar tax was in Denmark, although Germany's packaging laws apply. The bags were also banned in Bangladesh, not for visual disamenity or CO2 emissions, but for flood control. Similar problems had been experienced in Ireland with plastic used for silage making, especially in limestone areas where silage wrap blocked drainage systems. A recycling scheme based on producer responsibility was successfully introduced in the late 90's and resolved the problem.

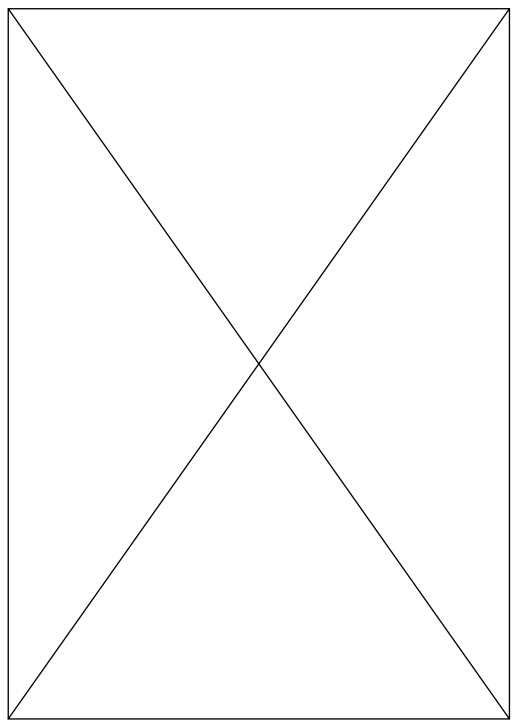
Reductions so far are extraordinary. A survey by the Department of the Environment showed the following reductions in use

Tesco and Superquinn – 90%

Supervalu and Londis - 95%

Marks and Spencer – 13% [no alternatives were initially offered - now they will be]

The people were delighted, using "bags for life", paper bags, and cardboard boxes. Almost overnight, the plastic bag disappeared from the Irish landscape. Currently the UK environment minister is considering following Ireland's example.



ENGOS protesting for a plastic bag tax



## Atlantic Dawn

*The Atlantic Dawn trawler, currently the world's largest fishing vessel, flies the flag of Ireland. This 145m long floating factory is capable of processing, freezing and packaging 350 tonnes of pelagic fish per day. Its massive size will always make it unwelcome in Irish and other European waters. Instead, since September 2002, this Irish trawler has operated in the waters of indebted Mauritania, where the status and stability of the small pelagic fish stocks it targets are unclear, with its catches freighted to Europe.*

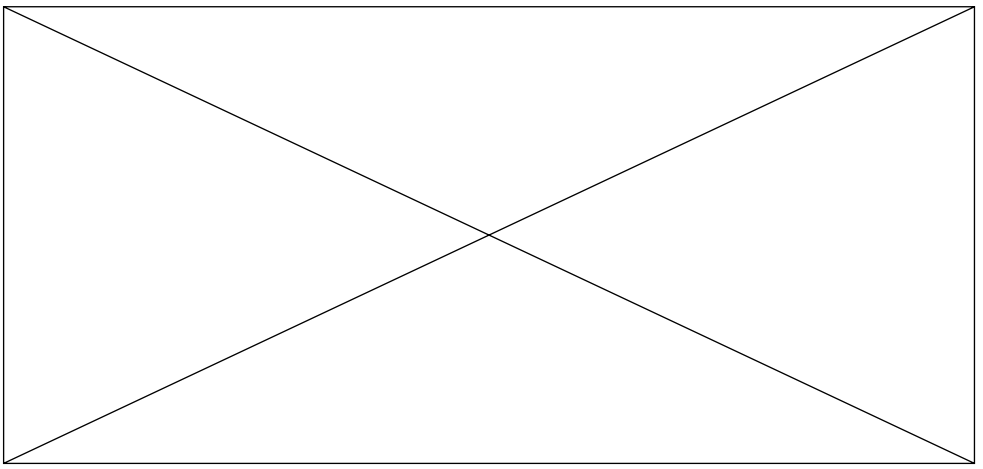
For the people of Mauritania, indigenous marine resources represent vital food supplies as well as opportunities for trade and economic development. Yet, the Mauritanian National Oceanographic and Fisheries Research Centre (CNROP) states that "the supply of fish to the local market is inadequate because almost the entire catch is exported".

Because Europe's own fishing stocks are at risk, the Atlantic Dawn could not be included on the European Register of fishing vessels when she began fishing. It is on the Irish mercantile marine register, thus excluding her catch from consideration as part of the European fishing efforts. Instead, the Irish government granted the Atlantic Dawn a "temporary fishing licence", in breach of the EU law requirement that a vessel must be on the EU register in order to be given a fishing licence. Since 2000, it fishes in the waters of Mauritania under a private contract with the Mauritanian government, making an "off the books" contribution to Europe's drain on this country's resources.

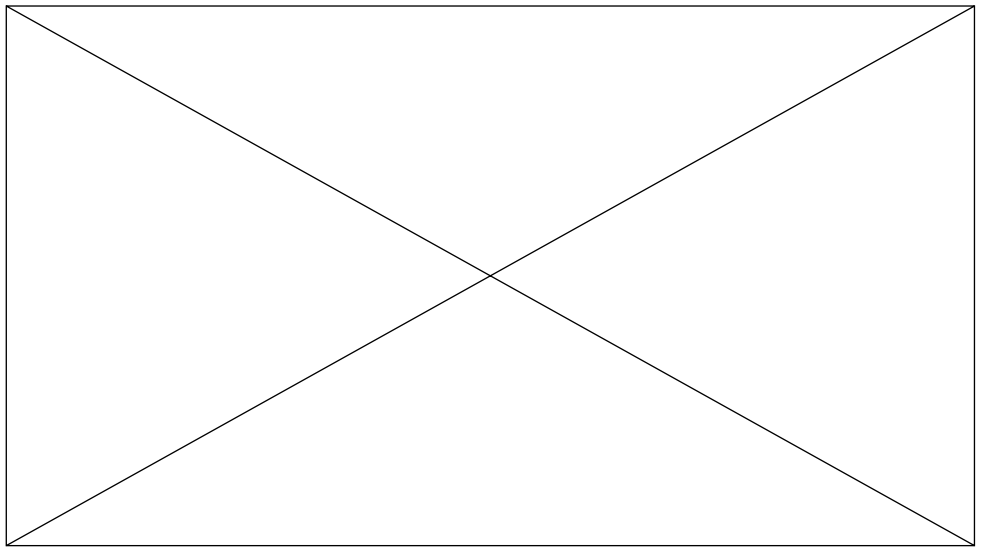
In February 2002, the European Commission made a decision to modify the Irish fishing quota by increasing the target of the pelagic sector by 14,055 GT, the exact tonnage of the Atlantic Dawn. This modification, combined with the transfer of its sister ship the Veronica to the Panamanian flag, opens the door for the Atlantic Dawn to be included on the European Register, which would make its efforts explicitly Europe's and Ireland's responsibility.

In order to generate foreign exchange earnings to service its debts, the Mauritanian Government, like that of many other developing countries, grants fishing vessels from third countries access to its fishing grounds. Under the EU-Mauritania agreement, renewed for 5 years in August 2001, the European Commission pays the Mauritanian government €430 million in return for access to fisheries resources for about 170 EU fishing vessels, including 15 pelagic freezer-trawlers of unlimited capacity.

Foreign fishing in Mauritanian waters has been linked to a dramatic fall in catches of key fish stocks, reduced local employment in the fishing sector, resulted in high by-catch rates and has increased flow of fisheries products to overseas markets, depriving the domestic market of an important indigenous resource. Ireland's exploitation of Mauritania's fish stocks is directly in conflict with the lofty aims of Ireland's foreign aid policies.



*The Irish Times*



*The Irish Times*

The Atlantic Dawn Trawler being feted on its arrival in Dublin



# No way to Zero Waste

*Kaethe and her eight year old daughter, Sadhbh, decided to tackle a domestic design dilemma, to create a zero waste household in Stoneybatter, Dublin 7. Their experience shows just how far Ireland has to go to meet the goals and targets that have been set by government. Despite the fact that Ireland's waste crisis is escalating out of all proportion, as a result of Ireland's economy and affluent lifestyle, Kaethe and Sadhbh found little support available for people committed to the environment in Dublin City.*

We live in a small two bedroom terraced house in one of Dublin's high-density areas, which are not included in the city's wheeled bin recycling service. So we decided to build a special recycling unit in the small yard of our house, to store our waste collection out of sight.

We are fortunate to live near the recently established "BRING" centre in Grangegorman. This is one of only three centres in the City that will accept a wide range of waste (paper, plastic bottles, plastic bags, tins, aluminium cans, glass, clothing, and, occasionally, batteries). We make a weekly trip to recycle all these items there. It involves the use of a car and a certain amount of time on our part to accomplish this.

As part of my zero waste strategy we need to deal with our organic waste. We have no garden and cannot use a compost bin. Since Sadhbh wanted a pet and we do not have room, I bought her a wormery for her birthday. She began naming all 1000 of them but soon gave up. The worms turn our kitchen waste into rich compost for our potted garden and liquid fertilizer. We hope their population will grow and eventually deal with all our organic matter, but at the moment we have a surplus.

This led us to go to our local park, the 'Church of the Sacred Heart Arbour Hill', to ask the gardener, Paddy Hogan, if we could bring my compost to his composting facility (and encourage my neighbours to do the same). Paddy explained that they do not compost and that the garden waste is put into a skip and dumped. He regretted the fact that this rich resource was lost to the site and encouraged me to write to the Office of Public Works (OPW), which is responsible for the garden. I made enquiries and was told that the OPW have no composting policy in their parks.

Paddy Hogan suggested that I try the National Botanic Gardens, in Glasnevin, two miles from us. Since Sadhbh goes to school in Glasnevin I thought I could bring our compost there on one of my trips to the school. I arranged to meet the grounds foreman, Paul Maher. Paul was also unable to help us, because the National Botanic Gardens do not currently allow the public to share their facilities, but he did give me a tour of their highly organised recycling and composting unit.

Paul spoke enthusiastically of his intention to eventually provide a composting service for the public in the form of a 'composting interpretive centre' where people could see organic decomposition taking place, learn how to do it at home, and trade their own organic waste for bags of compost.



This could be a very inspiring and educational service, one that would surely fit into the aims of the Department of the Environment's 'PREVENTING AND RECYCLING WASTE, DELIVERING CHANGE' policy statement, 2002. According to this document 32.9% of our household waste is organic and compostable. The Department are looking for projects to educate the public about these issues and stimulate awareness of their potential role in the solution: "The National Waste Management Board will be mandated to take on a strong role in developing waste management awareness raising and educational campaigns generally".

Despite numerous and confusing policy statements since 1996 the fact remains that a minimum amount of infrastructure for recycling has been set up in Dublin since 1998. As of this moment there are only 4 "BRING" centres that offer a comprehensive service to residents who are committed to minimizing their impact, and no public facilities for organic waste. From a commercial standpoint compost is a 'dream' product that virtually makes itself.

With no local parks offering facilities we rely on friends with gardens and compost bins, where we can contribute our excess organics.

Two other niggling problems are large cardboard boxes and plastic food containers that are not accepted by our local "BRING" centre. Our local recycled paper supplier takes the boxes for use in packaging deliveries. We save the plastic food packaging and bring it back to our local grocery store where it originates in the hope that this will put pressure on them to consider using biodegradable alternatives.

At the end of the day our small bag of weekly rubbish contains only a few items, most of which could be dealt with by recycling but for which there is no service provided; primarily plastic packaging for food and products that I have been unable to avoid by selective purchasing.

The project has convinced me that if viable options were available and education and initiatives provided, Dublin household waste could be diminished by 90%.

Despite the fact that Sadhbh and I do this every week, I am still asked for the standard "collection" tax by Dublin City Council, which is not based on the amount or type of waste we produce.





## The Roads Frenzy

*Ireland's Kyoto commitment, as part of the EU burden-sharing agreement, is to limit annual greenhouse gas emissions in the 2008-2012 period to a 13% increase on 1990 levels. That level has already been exceeded. Official predictions for 2010 are a spectacular 36% increase. Transport-related emissions are the fastest growing sector. Despite this, official policy is for "a significant enhancement of the road network". Worse still, this plan has been agreed with the EU and will be substantially funded by EU money.*

The Economic and Social Infrastructure Operational Programme gives the official predictions based on current trends, (i.e. not including the impact of the roads programme) and says:

"Of all sectors, the transport sector is expected to show the greatest increase in emissions over the next decade, predominantly emissions of CO<sub>2</sub>. In absolute terms they are forecast to increase by over 200% in the period from 1990 to 2010. ... Transport sector emissions increases are forecast to account for an estimated 59.1% of the total emissions increase to 2010. The proportion of the total basket of greenhouse gas emissions attributable to the sector in 2010 is estimated at 18.9%, double the proportion in 1990."

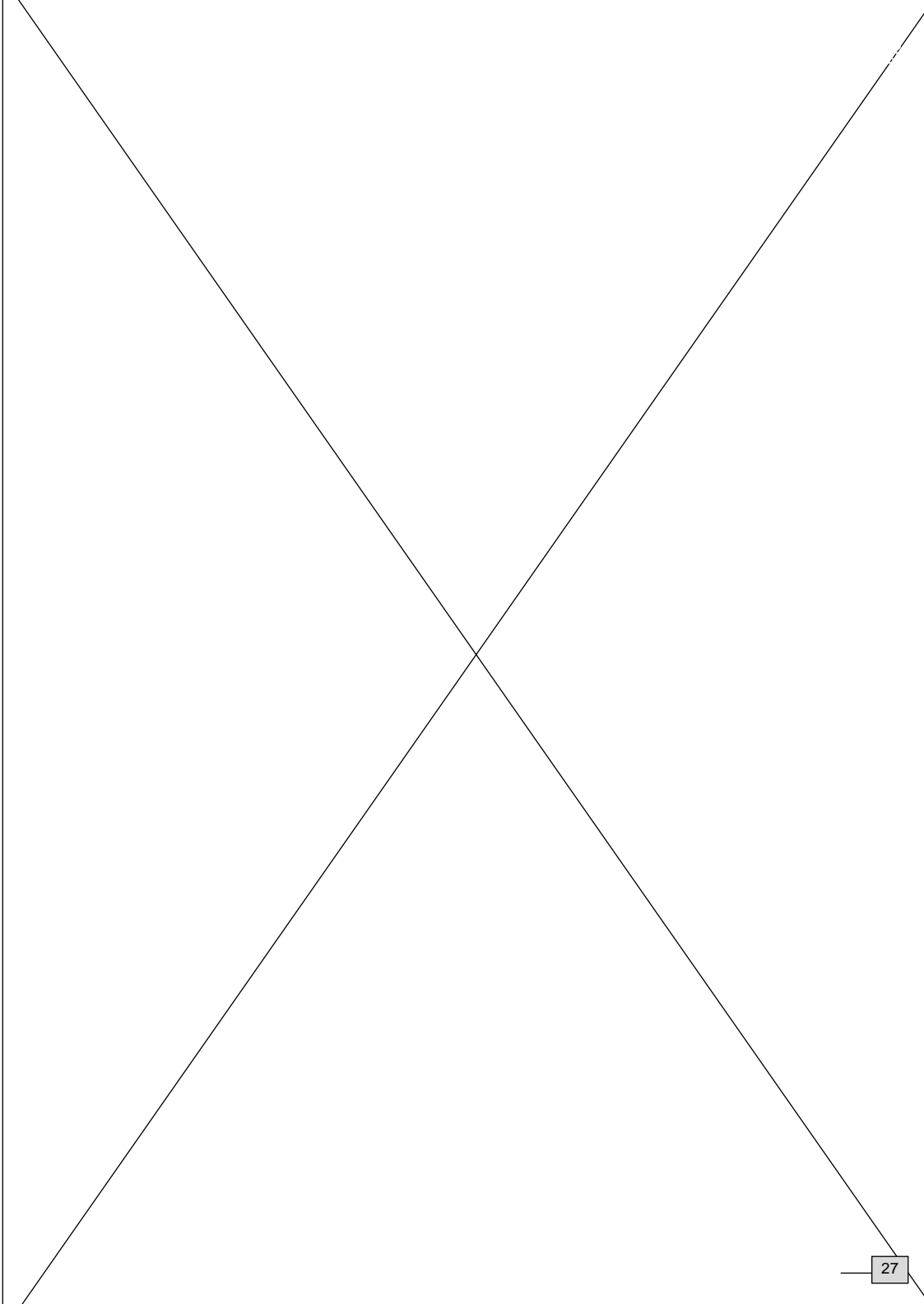
One section of the Operational Programme claims that the road projects will "deliver positive impacts in terms of reduced...vehicle emissions". Later the same document claims that "the extent to which improved road infrastructure contributes to additional polluting discharges and greenhouse gas emissions remains to be clarified." The National Climate Change Strategy assumes that the Roads Programme will have no impact on traffic levels.


The reality recognised worldwide is that building roads leads to increases in road usage, through the phenomenon known as induced traffic. Yet in Ireland, road schemes are being designed, assessed and approved based on the assumption that the level of traffic will not change if the road is improved. This is both inaccurate and contrary to official guidance in other jurisdictions. Indeed, it appears that engineers from the UK are being instructed not to comply with the higher standards required there.

The National Roads Authority has said in response to a Freedom of Information request "in relation to requests for documentation regarding climate change and the National Climate Change strategy, no such documentation is held by the Authority." It also says it "has no documentation regarding traffic modelling and induced traffic".

The biggest conflict to date on the roads programme has been in relation to the Glen of the Downs. The Glen of the Downs in County Wicklow is Ireland's first Nature Reserve. It is a large, glacial spillway now covered in native forest, predominantly oak. It holds a large number of wildlife species including deer, badger, long-eared owl, fox, wood warbler, blackcap, woodcock, grey wagtail and







dipper. Ferns, bramble, wild garlic and coltsfoot cover the forest floor. There is a stream running through the centre of the valley.

The existing road through the Glen of the Downs started out as a coach road in the early 19th century and over the years got upgraded to a two-lane national road. In 1976 the Glen was given the status of National Nature Reserve under the Wildlife Act. During the 1980s, Wicklow County Council started to develop plans to build a dual carriageway through the Glen.

The road was to be funded 75% by the European Road Development Fund. Because of this, a complaint to Brussels was made in 1991, arising out of which the route was realigned upholding objections to environmental destruction on the eastern side of the Glen.

However, objectors claim that the process was deeply flawed. No Environmental Impact Assessment was carried out of the new alignment; no traffic destination study was done to explore options for a wider public transport service; and no hydrological study was done on the impact of a wider road on the water tables in the steep valley which is vital for the trees which hold the soil together.

Before the County Council started the works in 1997, a group of locals and protestors occupied the woods, using treehouses, walkways and tunnels to stop the roadbuilders. In the early spring of 1998, when the Council attempted to fell the first trees, a climax was reached. A court case was taken by one of the protestors and the High Court granted an injunction pending the outcome of a judicial review. The works were stopped. During the subsequent years the Glen of the Downs gained international publicity. People from all over the world joined the campaigners and brought experience, energy and music with them.

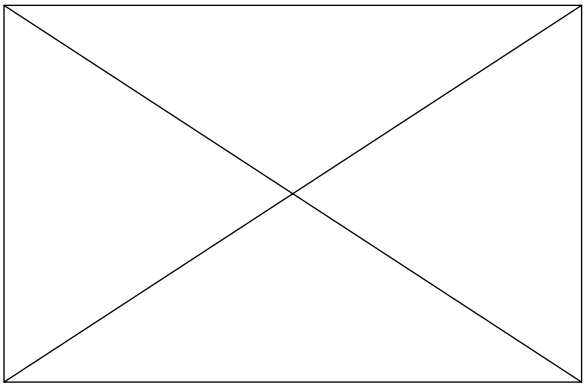
Meanwhile the court case went on. In autumn 1999, the High Court judge presented his ruling: the arguments brought forward were justified (these included the lack of democratic process/consultation with the public, lack of proper hydrologic assessment, the wrong minister of state signed for the sale of the land to the Council, etc.) But, the judge ruled, these could be rectified at a later state. With the national interest in mind he lifted the injunction. The case was appealed to the Supreme Court but to no avail.

So the walkways and tunnels were put to use after all. There were instances of trees with people in them being cut, under the eyes of cameras. The work on these was stopped when someone pointed them out to the police. Some of the empty walkways turned out to be helpful in pulling down rows of neighbouring trees.

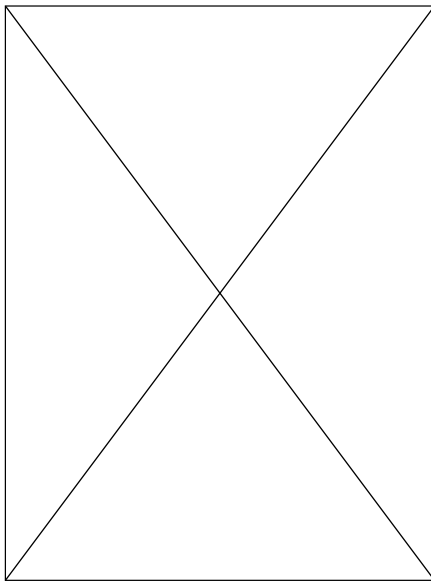
Now it was the protestors who were being injunctioned. They remained on site and many were jailed at the order of the High Court. They were released without criminal charges after the necessary amount of trees were felled. When people went to prison rather than to give up their right to protest, a representative of the Dalai Lama had flowers sent to the women prisoners.



All the time campaigners tried to make Wicklow County Council listen to alternatives, but once the Minister had signed a decision in 1988 and the Court system was exhausted, the civil servants had their task set. The trees have been cut. The hillside has been dug into. The stream containing the only Irish record of a rare midge species has been canalised and rerouted. No progress has been made to meet our Kyoto commitments. More space has been handed over to cars and trucks, encouraging an increase in long distance Dublin commuter traffic.



*Irish Times*



*Irish Times*

## Sending Stones to England

*Under the Irish Planning Laws of 1963 to 1999, which currently apply to quarrying, if a quarry site had an established use prior to 1963 it is not subject to planning permission. Under the new Planning Act this is set to change in 2003. However, even where planning permission applies, Ireland's quarries seem to be operating with a free hand. Less than half of Ireland's quarries are operating under planning constraints. New quarries are subject to Environmental Impact Assessment only if they are greater than 5ha in area and a review of new quarry applications shows that their size now ranges from 4.5ha to 4.9ha. Even where planning permission is required, the story on the ground shows the damage they are causing.*

Quarries are one of the most significant types of development, because they have the potential to impact upon Ireland's natural heritage, hydrology, habitats, landscapes and archaeology. In Ireland they typically contribute to road building, adding insult to injury, as these direct environmental impacts help contribute to Ireland's increasing CO2 production levels through the road building frenzy (see stories in this book).

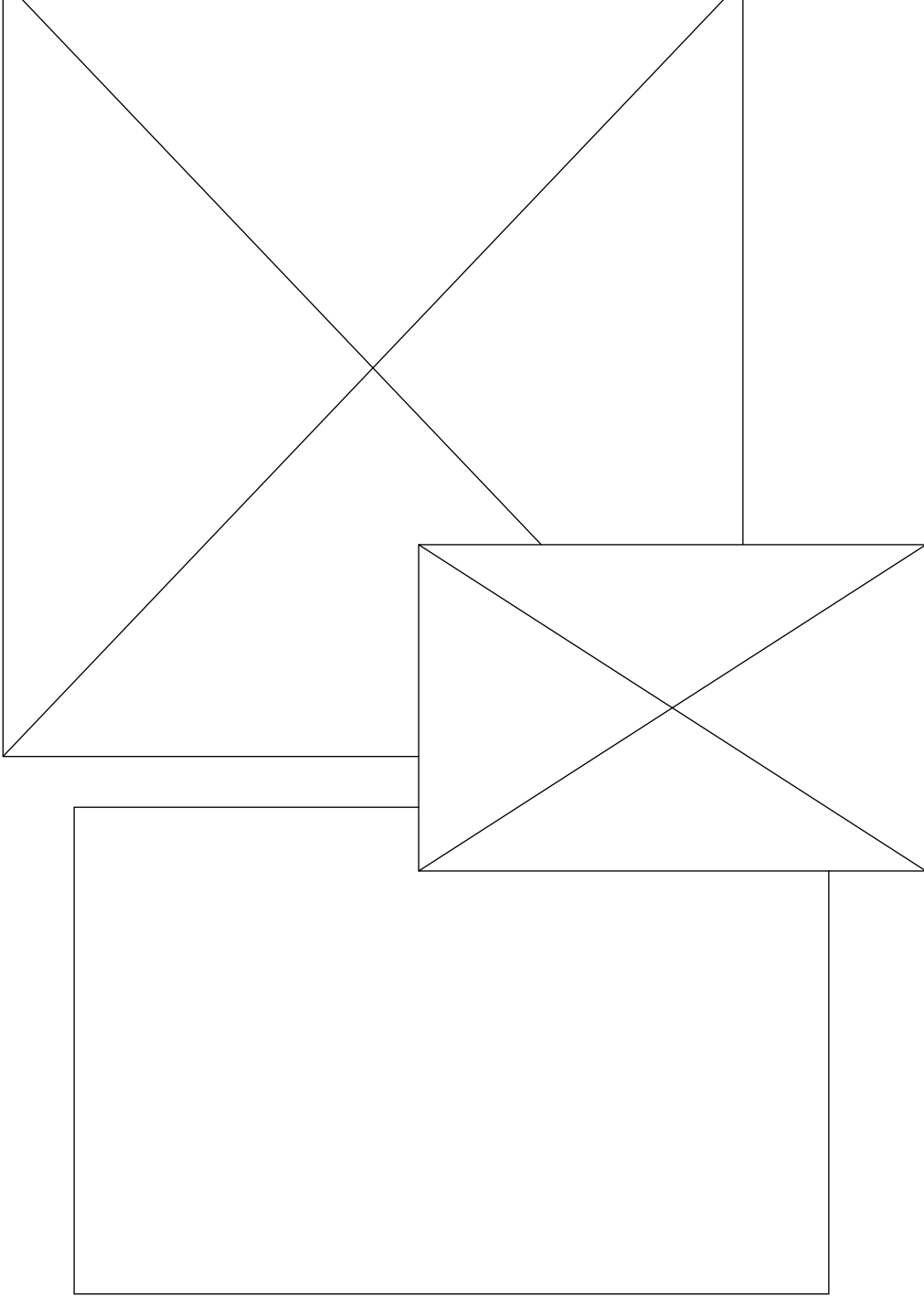
One of Ireland's biggest quarries is on Leahill, on the Bantry Bay shoreline, off the Beara Peninsula, in County Cork, between the scenic areas of Glengarriff and Adrigole. The Leahill quarry, which is subject to planning controls, has been operating since the late 1980s and is removing major portions of this once scenic limestone hill.

The quarry is controlled by the British construction company Tarmac, and run with a local operator. Although it is subject to planning controls, no action has been taken to regulate the blowing of white dust from the quarry, which travels over land, driven by the prevailing southwesterly winds.

Examination of the planning file, in Cork County Council, indicates that the extent of the current operation at Leahill quarry is significantly in excess of that for which planning permission has been granted.

However, there has been no further application or Environmental Impact Statement for extension of the quarry. The situation is similar for a large number of major quarry developments in Ireland. The current system under which planning applications are registered was designed for buildings and is not tailored for quarry development.

More than 1 million tonnes of Leahill are being exported, through the UK, for road building material every year. With the introduction of an aggregate tax in the UK, but with no similar tax in Ireland, new pressures for quarrying development in Ireland can be seen, including two new proposals, inside the County Cavan border.



From the top: Map of Area,  
Main Entrance  
Lough Naravy: East of main Quarry Entrance



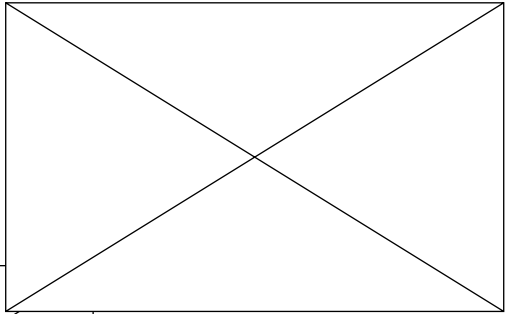
Local authorities make no provision for the monitoring of quarries to ensure planning compliance and fail to seek enforcement action when unauthorised development occurs. In fact, Ireland's local authorities and the National Roads Authority are the largest users of aggregates for road construction, but they have no legal procedure for requiring that these materials are bought only from quarries with legal and planning permission.

The use of explosives in quarrying is subject to the Quarrying Explosive Regulations 1971, but there are no provisions limiting the legal use of explosives to authorised sites. A request to introduce such a provision was rejected by the Minister for the Environment in a letter to An Taisce, 6th September, 2001.

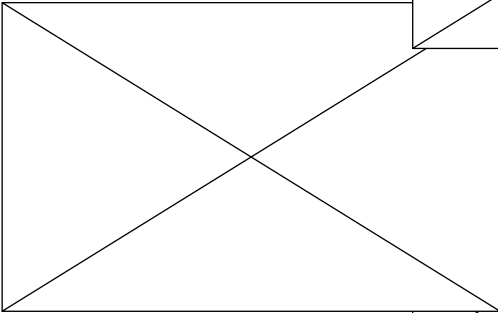
There is no accessible national register of quarries, detailing the nature, extent and legal status of sites or the volumes of material extracted, although a public register was produced by the Geological Survey of Ireland, including major quarries, such as that adjoining the Quinn Cement Factory, in Ballyconnell, Co. Cavan.

Section 261 of the Planning and Development Act 2000 sets out a new provision requiring the owner/operator of a quarry to provide the local planning authority information relating the operation of the quarry not later than the 8th March, 2002, indicating the planning permission status of the quarry.

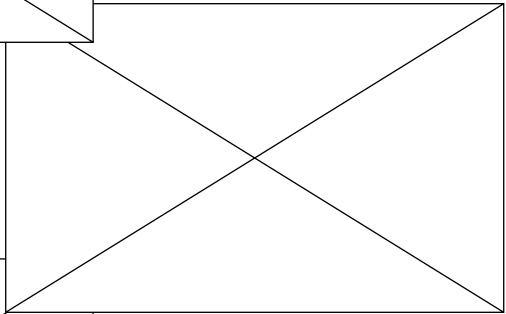
Under this section of the Act, the local authority is entitled to take a range of measures, including conditions of the operation of the quarry that may require a planning application and an Environmental Impact Statement to be made. However, these conditions are left at the discretion of the local authority. In view of the manner in which Irish local authorities have failed in the past to take action against unauthorised quarry development or the extension of existing quarries, there is no indication that the provisions of Section 261 will actually be implemented.



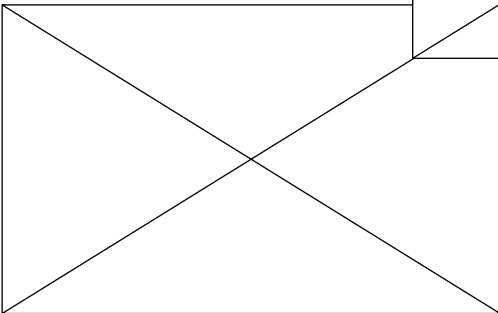
Main Excavation Area from North



Main Excavation Area from North West



Main Excavation Area from East



Merchants Lough and Crushing Plant from main spoil

## Housing: Winners and Losers

*Ireland is almost unique amongst developed countries in having no land or domestic property taxes. This did not cause us too many problems until Ireland entered into a period of rapid growth in the 1990s when interest rates plummeted and employment grew. Combined with a maturing young population and net inward migration the demand for housing to buy and rent considerably exceeded supply, and this fact translated into property asset price inflation which now threatens our competitiveness and social cohesion. The average price of a second-hand house in Dublin reached 292,147 Euro at the end of June 2002 (at least half attributable to increased land costs) which is still way above the means of two average industrial wage earners. With around 10,000 persons homeless in 2002 and at least 160,000 people estimated to be in serious housing need, the Irish housing system can be described as in crisis.*

"By favouring property owners at the expense of tenants and the young, the Government has neglected the needs of 1.6 million citizens in the 18-45 age group, allowed an inflationary spiral undermining national competitiveness and exacerbated the risk of a collapse in land/house prices in the future" according to Joe Glynn of Earthwatch.

Last year 52,602 new houses were completed in Ireland, but this still falls short of housing need. The Department of the Environment estimates that 60,000 new houses will be needed each year for the next ten years to meet projected Irish housing demand. To put this figure in context, it represents 50% as much housing again as exists at present. Local authorities have drastically reduced their house building programmes while the existing stock was eroded by the tenant right-to-buy scheme. New voluntary and cooperative housing numbers made very little impact on the social housing need. The net result has been rapidly rising house prices, escalating rents and increasing homelessness.

In this crisis however, there are winners and losers. The losers are predominately young, landless and living in towns and cities. Apart from the obvious housing developers, the winners are older property owners who bought before the boom and have been able to use their increased equity in their family home to purchase further property to let, and some new owners living in rural areas.

An Taisce estimates that the majority of housing outside of the city areas is single one-off along existing rural roads. This can be much as 80% in some counties such as Donegal. The economic benefits to both the seller and builder of these houses is enormous, amounting to  $\approx$ 180 million annually according to economists Clinch, Convery and Walsh. This personal gain comes from the savings that arise from site infrastructural costs that are passed on to the general taxpayer. It can no longer be generally argued that farming families are deserving of special consideration because of their relative poverty. The poor in rural areas are not landowners but local authority tenants and other non-landowners living in villages and small towns.



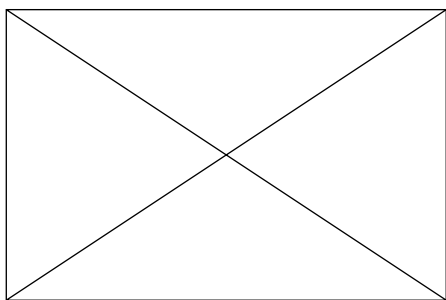


There are further hidden costs which are not accounted for, such as environmental damage to groundwater, landscape quality, biodiversity, economic loss in respect to tourism, extra pressure on social and transport services and finally, increased car dependence and the consequences in terms of greenhouse gases and non-renewable energy use.

The Guidelines for Part V of the Planning and Development Act 2000 requires housing developers to provide sites for 20% social or affordable housing. Single one-off housing development is exempted from provisions of Part V. This leaves 100% of the burden of affordable housing provision on estate housing development in zoned villages and towns, with the consequential potential of creating new ghettos of social exclusion. There have been very few new applications for Part V mixed housing by private developers, and a growing predominance of local authority and housing association development in rural towns and villages. Part V also increases the benefit to the rural single house owner over the urban estate house buyer, as the former does not contribute extra in site costs to pay for the 20% affordable housing provision.

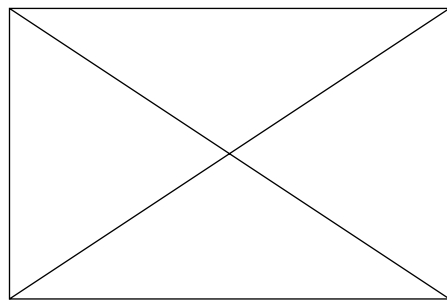
None of the measures introduced by the Government have tackled the underlying problem of generally unsustainable high land costs, which has made the rural one-off house such an attractive option. The carefully thought out proposals of Sustainable Communities Ireland for a new planning type, which would provide mixed affordable housing in rural areas, were dismissed by the Government. The development levy provided for the 2000 Planning Act has not been employed. The necessary social responsibilities of property ownership are not reflected in our tax registration and monitoring of landlords, and controls on rent increases.

Raymond Crotty stated that, 'in Ireland the landed interest continues to be pursued at the expense of the national interest.' Information on donations to political parties, published in the Irish Times and Sunday Times in 1998 and 2000 showed that almost half the major donors listed by Fianna Fáil were associated with the building industry.



*Irish Times*

Housing Construction in Ireland

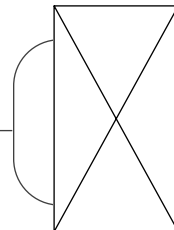


*Irish Times*

Sleeping Homeless



## Big Meadow



*The Corncrake is Ireland's only globally endangered species. Its rasping call was once a familiar summer sound throughout the Irish countryside. But as farming methods intensified, the long grass that the Corncrake needed for its nests was cut earlier and earlier and the population levels plummeted.*

The Corncrake is a migratory bird which travels between Ireland and Africa. Desertification in Africa threatens its habitat there. Along the River Shannon, the bird's last stronghold, tourist development built over some of the remaining habitats. Marinas required dredging, displacing further habitat. Rented cruisers brought parties of tourists into the once undisturbed callows. At one location adjacent to the docks in Athlone, a major town in the centre of the country on the River Shannon, the Corncrake was still to be heard in a field called Big Meadow.

In 1991, one influential developer proposed a riverside urban renewal development for Big Meadow that was to include shops, supermarket, apartments, restaurants, offices, triple cinema, parking for 125 cars, etc. . Ten years later, the local authority voted to contravene its own Development Plan and permit 32 apartments and 57 townhouses on the site.

Dúchas, the national Heritage Service, at first strongly recommended that planning permission should be refused. It later revised its position, according to official documents. Dúchas told Athlone Urban District Council that 40% of the site lay within an EU Special Protection Area for wild birds. They said that the Big Meadow callows hosted notable numbers of wintering waterfowl, notably whooper swans, as well as wigeon and dabbling duck. But its "chief value" lay in the presence there of Corncrakes.

"The Corncrake ... is globally endangered." it stated. "As the State authority with responsibility for nature conservation, Dúchas ... is required to ensure that all such species ... are afforded the highest possible level of protection." The proposed development, Dúchas concluded, would have "a significant adverse impact on the environment" and would be "in breach of the EU Birds Directive."

Less than three months later, however, it reversed its recommendation following a "comprehensive review" of the Big Meadow area. Now they notified the Urban District Council that the site "is not within any proposed or candidate conservation area" and development could proceed. Dúchas said the site "has to be removed" from the Special Protection Area "since it contains nothing which would attract designation under the Directive". It was also "not a good corncrake habitat", compared to other areas. An internal memo noted: "I don't think it amounts to significant deterioration of habitat to lose circa 1 hectare of unsuitable and dangerous habitat in an area where there are very large areas of better, safer habitat. I therefore do not think we should oppose the development".



Ironically, they still claimed concern about the possible adverse effects on Corncrakes from "the likely increase in human and domestic pet traffic which would undoubtedly result from a development of this size" as well as by light from the proposed apartment buildings. However, they said these concerns could be addressed by measures to ensure that the site is screened for light pollution and the erection of "a people-pet-proof fence" to cut off and prevent access to or from the remaining Big Meadow.

They announced that there had been "an error in the original statutory designation of the SPA", which was now being remedied. Its review had found that the site was "not an integral part" of the Shannon callows. "It is important that there should be no confusion between the alleged value of the proposed development site for Corncrakes, which Dúchas rejects, and the value of the adjoining callows, including most of the area known as Big Meadow." They described the site itself as "Not a very suitable Corncrake breeding site – bare ground with weeds." Even if Corncrakes had been heard calling there, their expert wrote "Corncrakes would breed within 16 hectares".

Irish NGOs registered a complaint with the European Commission who in turn initiated infringement proceedings under the Birds Directive. The Commission's Legal Affairs Unit assessed the conflicting claims of the NGOs and the Government. In a Reasoned Opinion (the last step before a Court action) the Commission concluded: "The vegetation at the site constitutes suitable corncrake breeding ground evidenced by the fact that breeding Corncrakes use the site and that sites with similar habitat in Scotland and eastern Europe support significant numbers of breeding Corncrakes". Critically, the Commission stated: "The majority of Corncrake nests are located within 250 meters of each singing male", flatly contradicting the Irish Government's "within 16 hectares".

The NGOs appealed the Urban District Council's decision to the Planning Appeals Board. The Board supported the NGOs, rejected the Government position, and saved the site for the Corncrake.

They wrote:

*"Having regard to the location of the appeal site in close proximity to an area which is a proposed SPA, candidate SAC and proposed National Heritage Area and to the existence of breeding corncrake within this area, it is considered that the proposed development would be contrary to the objective as stated in the Birds and Habitats Directive of protecting the corncrake which is a globally endangered species, by virtue of the potential for disturbance to the breeding corncrake associated with the proposed development. It is considered, therefore, that the proposed development would cause disturbance to the habitat of an endangered species and would, therefore, be contrary to the proper planning and development of the area."*

## "Somewhat less than anticipated"

*In 1999, in spite of widespread public and parliamentary opposition, the Irish government decided to contribute to the IMF's programme in Low Income Countries, now known as the Poverty Reduction and Growth Facility (PRGF). The Irish government argued that a contribution would give Ireland greater leverage to influence the IMF programme. A commitment was given at the time to promote the principles underpinning Ireland's debt policy, which included the contribution to the IMF. The first principle of this policy prioritised poverty reduction, environmental sustainability and gender equality.*

However, monitoring and critiquing the IMF programme in low income countries has not been a priority for the Irish representative to the IMF. There is no evidence from the three annual reports submitted by the government to the Oireachtas, on Ireland's participation in the IMF and World Bank, that Ireland has pressed vigorously for change. In contrast to this, protecting the interests of Irish consultants and ensuring they get a share of World Bank contracts is highlighted in each report as a priority area.

Ireland is supporting policies at the IMF which may not have a direct or immediate effect here in Ireland but which have a major impact on the lives of people in countries implementing IMF policies. May Lynam of the Mercy Sisters who worked in Peru describes the impacts on the health services there. "I used to visit the nearest hospital every week. In all my visits I never encountered a patient who spoke of his or her illness. They all spoke of their worry of how they were going to be discharged as they had no money to pay. If they didn't pay, they were kept in another night and that was added to their bill. In truth I do not know how they got discharged in the long run... While all this was going on the President Fujimori was being lauded on the world stage for paying back the country's debt. In my opinion this money was wrongly deployed from the health and education services".

Simultaneously, the Irish Government has reneged on its commitment to increasing overseas aid to the UN target of 0.7% of GNP. It recently announced it was cutting the overseas aid budget by €32 m. This reduction is in breach of election promises made by both Government parties in their election manifestos, as well as a public announcement and commitment made by the Taoiseach at the UN Millennium Summit. Minister for State responsible for overseas aid, Tom Kitt, said that the new aid budget "was somewhat less than anticipated".

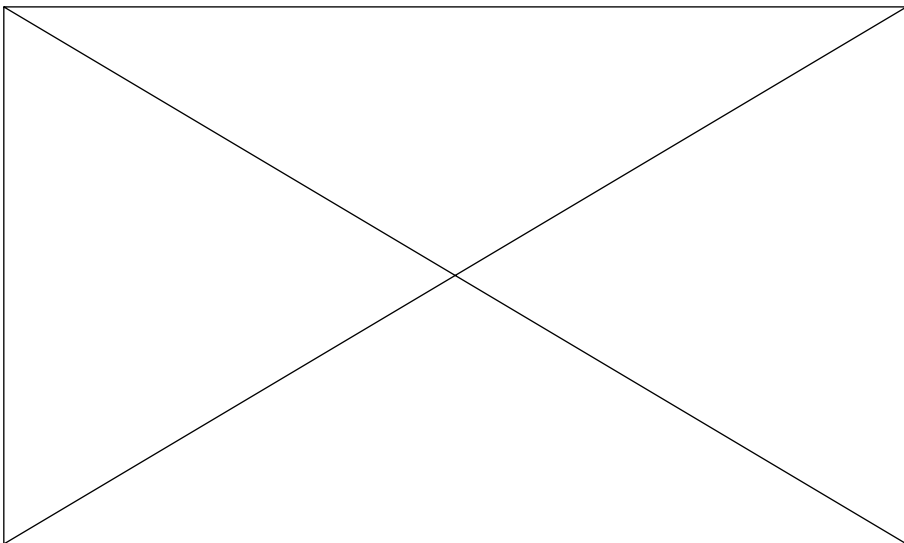
The IMF plays a critical role, setting countries' economic frameworks' promoting export led growth so that countries can earn the foreign exchange to repay their debts. This has resulted in rapid and unsustainable increases in the exploitation of natural resources by heavily indebted countries. Opposition to this programme was based on its negative social and environmental effects.



In Cote d'Ivoire, for example, cocoa exports rose considerably and the increased production was the main reason for deforestation. IMF programmes also resulted in inequitable patterns of growth and contributed to deterioration in health and education services. An independent review of the IMF programme in 1998 criticised IMF policies in Zambia for causing inflation, with heavy social costs. Zambia is now struggling to repay the loans attached to that programme.

In 1999 the IMF changed its programme for low income countries setting poverty reduction as a central priority. Also, the IMF programme would now be based on Poverty Reduction Strategies developed by governments in consultation with civil society. To date these radical proposals have not borne fruit. Studies by governments, UN and civil society groups have found little change in IMF policies. Civil society groups have highlighted the continued focus on the negative impacts of liberalisation, privatisation and deregulation on the economy and society of low income nations.

In the IMF's own review of its PRGF programme, growth is seen as the engine for poverty reduction and development but there is no real discussion of what kind of growth? Who will benefit? Is it sustainable? No mention is made of the need to assess possible environmental impacts - in fact there is no mention of the environment at all.





# Don't Drink the Water

*The quality of water coming to many of the homes in Ireland is an ongoing concern for many people. There are clear indications in the following true story that the Drinking Water Regulations, 1988, and the Local Government (Water Pollution) (Amendment) Act 1990, are not being adhered to.*

The story illustrates the hardship endured by one family in their efforts to obtain a supply of uncontaminated drinking water. We see how they are trying to cope with illness and questionable water quality all the while trying to get a satisfactory response from the Local Authority.

In 1999 the Colbert family, living in Kirwin Park, a housing estate in the town of Mountmellick found that water from the drinking tap in their kitchen was full of a brown-green, mossy substance. They contacted the Environment Section in the County Council to report the problem. The response to this call was the suggestion: "If you let the tap outside your house run for a few days the problem will be cleared."

Several months later, after following these instructions and having seen little improvement in the water quality, the Colberts reported the problem to the County Council again, but received the same advice. Mr. Colbert became concerned for his family's health.

In May of 2002, almost 3 years since having first reported problems with their water supply, the Colberts found a thick brownish substance coming from the tap and sometimes black matter in the water. As the County Council had not called out to sample the water, the resident took a sample of the water into them.

A few days after the sample was dropped in, they were advised by the County Council caretaker that "[they had] flushed out the hydrant outside your house. That should help to clear the problem.' They were also told that the Council were 'taking an official sample of water for testing today. You can continue to drink the water.'

A few weeks later, although the Council had flushed out the hydrants a few times, there was still no change in the appearance of the water and the Colberts had still not received the result of the water sample from the Council. Concerned that the water was not safe to drink, they decided to take a sample to their doctor.

They related the family's health problems to the community nurse and presented a water sample from their tap, asking if the nurse thought that the water might be contributing to their health problems. The community nurse's response was 'I would advise you to discontinue drinking this water.'

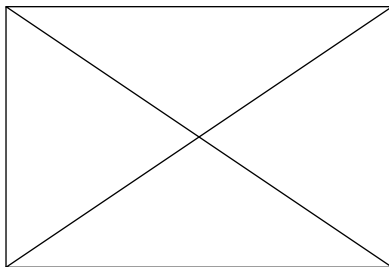
The next day, 21 May 2002, they decided to move to bottled water and to send a sample of the water directly to the Environmental Protection Agency (EPA) for testing. The EPA response was that 'the results of the tests on the water sample show that there are high levels of trace metals in the water. It is advisable not to drink this water.'

On 30 May 2002, the Council had taken two more samples of water and advised the resident to continue drinking this water, although they had still not issued any results. Meanwhile, a second EPA report stated that there are 21 coliforms/100ml in the water sample. The Colberts informed the Health Board, but they said that quality of the water and the issuing of health warnings are the responsibility of the Council. On 19 June 2002, the problem remained unresolved, the Council took another water test which showed very high levels of aluminium and other metals. Mr. Colbert considered contacting a solicitor.

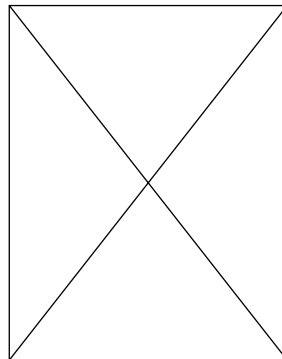
Following yet another trip to the doctor's surgery where Mr. Colbert complained of worsening stomach problems, dizziness and lack of energy, he gave another water sample to the doctor. The doctor's response was "under no circumstances are you to continue drinking this water and don't even allow your children to wash their teeth with it." At this point, the Council had installed a new water pipe to the house from the mains but there was still no change in the quality of the water. Adhering to the doctor's advice, the family were reduced to begging for water from neighbours who have their own well, or buying water each day.

On 15 July 2002, the quality of the water had still not changed and a number of other people in the area had reported having the same problem with their water supply. The County Council were issued a letter from the Colberts' solicitor and had responded that they had located a possible source of the problem.

The predominant response of local authorities to water contamination caused primarily by slurries from industrial agriculture is to increase chlorination levels in the water supply. This has its own different health consequences, including, the formation of trihalomethanes from the reaction of chlorine and organic matter.



The drawer from a brand new washing machine, used for two days by the Colbert family.



Water from the Colbert's Tap

## Ongoing Discrimination against Ireland's Travellers

*Things have not improved for Ireland's Travellers in the past ten years. Now their traditional lifestyle has been criminalised. Racist statements and denial of service are everyday occurrences to many Travellers and the reaction of policy-makers to their differences has ranged from assimilation to exclusion. While some improvements had been made through inclusion and consultation, recent legislative changes have undermined this progress. The new Housing Act is a direct attack on Irish Travellers' nomadic culture by criminalising trespass. It will also have a direct impact on Travellers' health, as Travellers will be constantly moved on, with disrupted access to health services or education.*

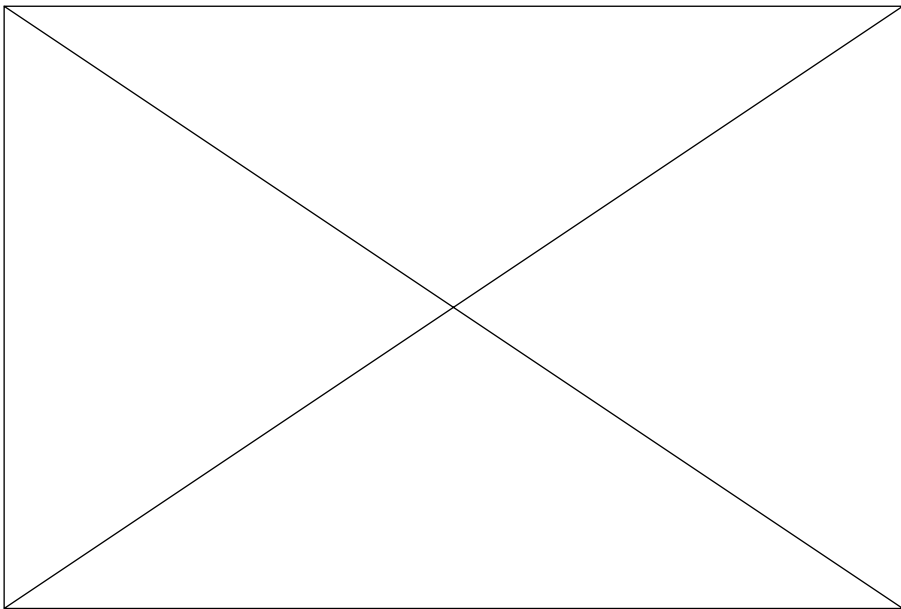
Travellers are indigenous to Ireland and are one of the country's largest ethnic groups. Currently, there are approximately 24,000 Travellers in Ireland, 50% of whom are under 15 years of age. Their roots can be traced back as far as the fourth century and the Travelling community are mentioned in 12th century literature, referred to as Tinkers because of their tin-smithing skills. They have a long oral history and cultural differences and traditions that set them apart from the settled population. They also have their own language.

However, Ireland's Travellers have always faced discrimination and they have a very low level of education compared to the settled population. Until recently, many schools had segregated classes for Traveller children. Their health also suffers as the 1987 Traveller health statistics, which are the most the current data available, demonstrate. Travellers have now reached the life expectancy that Irish people reached in the nineteen forties. Typically, Traveller women die 12 years younger and Traveller men die 10 years younger than their settled peers. Only 1% of all Travellers live to be over 65 years of age. Infant mortality rate is three times greater than the national average and Traveller children suffer high incidences of respiratory illnesses.

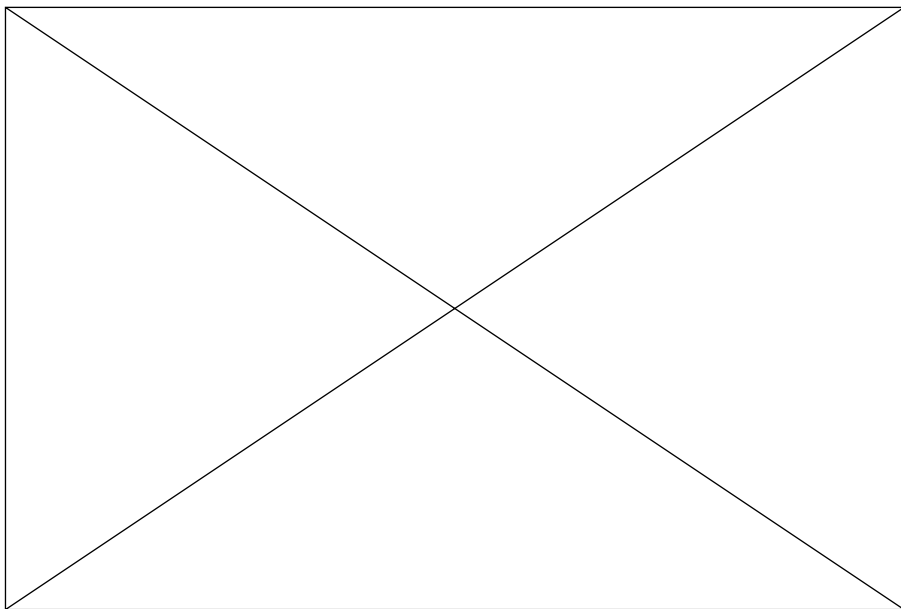
The factors above could be attributed to the fact that Travellers around Ireland are forced to live in appalling conditions, on road verges and next to landfill dumps and main roads, often miles away from local amenities shops/schools/churches. 1,200 Traveller families are still living on the side of the road, where they have no facilities. 50% of all Travellers have no access to either toilets or electricity.

The accommodation crisis faced by Travellers in Ireland has been highlighted in government and other reports over the years, but very little progress has been made. Ireland's Travellers have always relied on the use of common lands to park their caravans, as they travel from town to town. The loss of common land in Ireland has profound consequences for the Traveller community, which is offered only the most unsatisfactory of land for its use, as development and the loss of public spaces abounds.





*Pavee Point*



*Pavee Point*

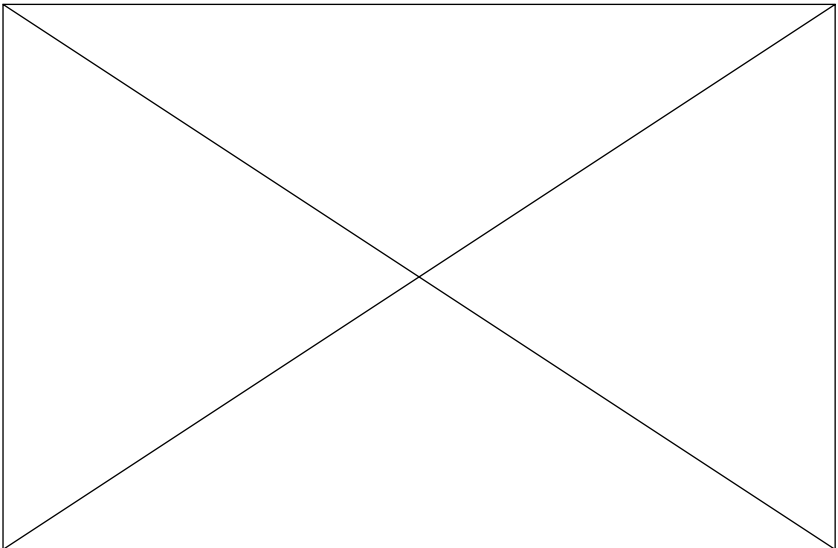
Travellers during a march to protest against the trespass law, *May 2002*



In 1995, the Government's Task Force Report recommended that 3,100 units of accommodation be provided for Travellers by the year 2000. By 2000, only 127 units of the proposed quantity of accommodations had been provided. Often when county or town councils do propose to build Traveller accommodation, it is met by hostility from members of the settled population and it is usually of very poor quality and often on land deemed inappropriate for public housing.

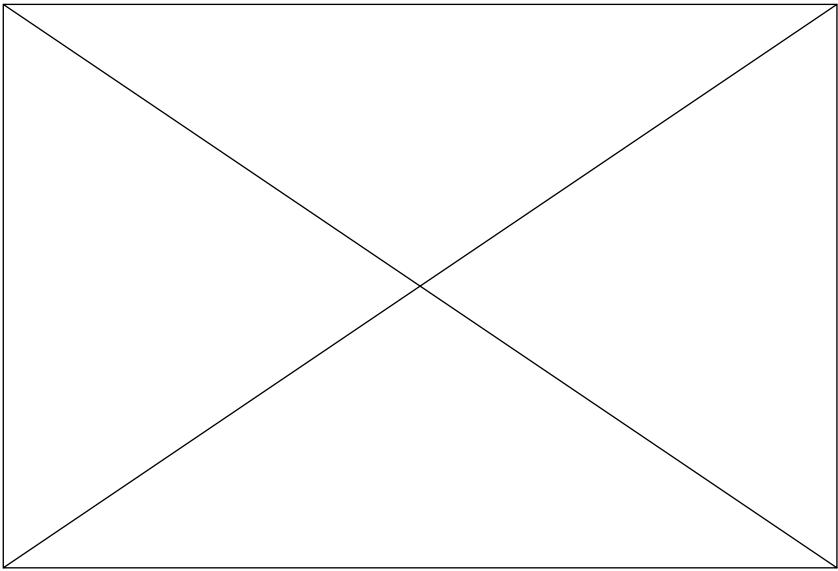
Over the years, the Government has responded to Traveller's issues in various ways ranging from reports to policy documents. The National Traveller Health Strategy was published in February 2002, and was produced in partnership with Travellers and Traveller organisations and the Department of Health and Children. The Strategy recommends positive actions to be put in place that should improve Travellers' health and well-being. This Strategy was welcomed by Travellers, not least for the fact that it recognised Irish Travellers as a distinct ethnic group for the first time.

A few months later there was less reason to be optimistic. The Housing (Miscellaneous Provision) Act 2002, was rushed through the Irish Parliament, without review by the Traveller Accommodation Consultative Committees. This law criminalises trespass on public or private land and the penalties are severe, with one month prison terms, large fines and the confiscation of homes. It is reminiscent of the Victorian law of vagrancy when it was a crime to be homeless. Essentially it is a crime to be a Traveller without accommodation in Ireland. The Act was first enforced in July 2002 in Ennis, Co. Clare, where four families, one with 10 children, were evicted from their site and their caravans confiscated. The fathers of the families have been charged with trespass and are awaiting further court appearances. Meanwhile, their families are being accommodated in a bed and breakfast. They have begun a constitutional challenge on the validity of the Housing Act.



*Pavee Point*

Anti trespass legislation march, *May 2002*



*Photo:Derek Speirs/Report*

Suellen Keenan, Winnie and Patrick Stokes, Mary Stokes, Michael Stokes,  
Winnie Stokes, Johnny Collins, Sheila Collins, Brian Stokes and Peter  
Stokes, St. Christopher's Temporary Site, Cappagh

## Ireland's Grains and Apples

*Ireland has many native varieties of grain and apple suited to the climate. These native varieties offer important contributions to global biodiversity and local organic agriculture. For many years these varieties were lost to Ireland and through the work of seed banks and orchards throughout the world they have been returned to Ireland, only to be filed away by the Department of Agriculture, for a rainy day.*

However, the preservation of these genetic resources has been left largely to the Irish Seed Savers Association, a non-governmental organisation. The Department of Agriculture has failed to support the development of preservation strategies that would help these varieties thrive and contribute to Ireland's future agricultural needs.

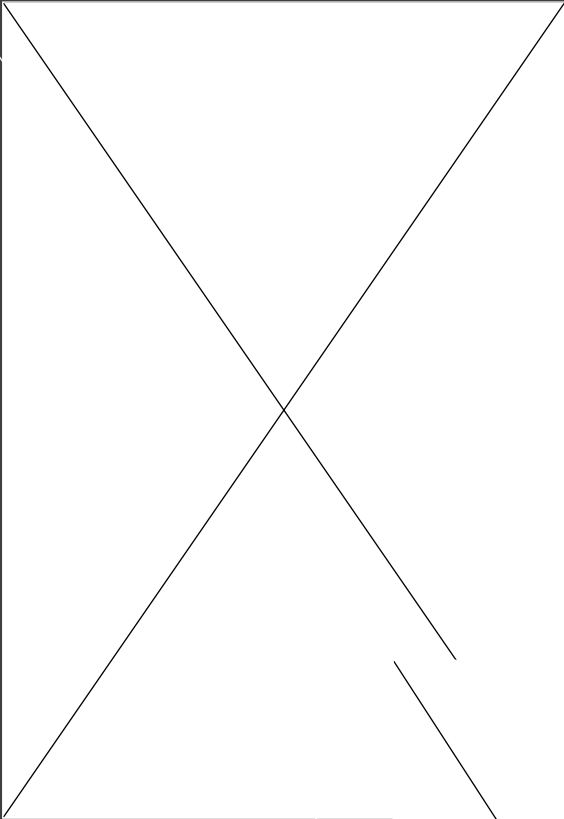
In 1995, when the Irish Seed Saver Association (ISSA) began making enquiries, it found that Ireland was the only Western European country that did not have a native heritage grain collection, maintained in either a gene bank or as an 'on farm' collection.

The Department of Agriculture assured ISSA that all such grains were extinct. However, when ISSA contacted gene banks world wide they were rewarded with tiny amounts (5 or 10 seeds) from places as far afield as Russia, Norway and Canada. Over the past six years, 48 varieties of rye, oats, wheat and barley have been grown out and bulked up at the farm of Michael Miklis, in Piltown Co. Kilkenny under organic growing regimes.

Detailed information on growing habits, disease/pest resistance, yield, utilisation and performance in relation to weather conditions has been collated. Seed has been returned to the donor gene banks and given to the Department of Agriculture, to establish a native grain collection. ISSA is keen to carry out trials to test the commercial viability of these grains. Many of them have potential as both animal and human food sources, straw for animal food and bedding and as thatch; currently all thatch in Ireland is imported - mostly from Turkey.

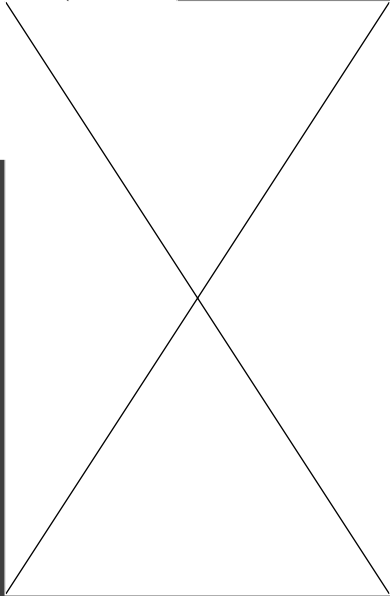
However the Department of Agriculture has decided that funding for this project will cease. Whilst a gene bank collection is a great asset, the true value in having reclaimed these native grains lies in letting them adapt to our changing climate and growing conditions. The grains need to develop their already extensive disease/pest resistant qualities, and provide plant breeders with this great resource, to ensure a secure basic food source for generations to come.

The situation of Ireland's apples is similar. In the late 1940s Keith Lamb, conducting research for his doctoral thesis, cycled around Ireland searching for native varieties of apple trees. He found 77 varieties and duly collected scion wood, for grafting. An orchard of these rare trees was planted on



*Irish Seed Savers Association*

Turone Tawny



*Irish Seed Savers Association*

Bearded Wheat

land belonging to Dublin Corporation in the early 1950s. It was accidentally bulldozed in 1972, as the land was needed for 'development'. Dr. Lamb was devastated that this unique piece of our heritage was so wantonly destroyed.

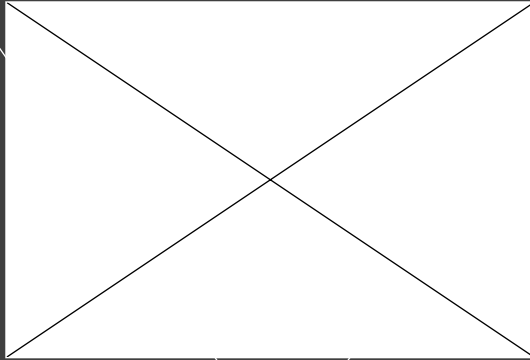
In 1991 the ISSA became aware of this history and contacted Dr. Lamb, with a view to replicating his research. In partnership with Dr. Michael Hennerty (University College Dublin Professor of Horticulture) and Peadar MacNiece of the Armagh Orchard Trust, extensive country wide research was conducted over 10 years and all but 14 of Dr. Lamb's original trees were found. It is likely that those trees are now extinct.

Many of the rediscovered species, which had been planted at the Brogdale Institute in the United Kingdom, could have suffered the same fate if they'd been left to fend on their own here in Ireland. Of the ones found 'in the wild' it was all too common for there to be just one example – often in very poor condition - of any particular variety.

In the course of the research many trees were found that were not in Dr. Lamb's original collection – Ireland's Native Apple Collection now consists of approximately 140 varieties and orchards are planted at UCD, Dublin, the Armagh Orchard Trust, Portadown and ISSA, Co. Clare. The UCD orchard was opened by the then president Mary Robinson in 1996.

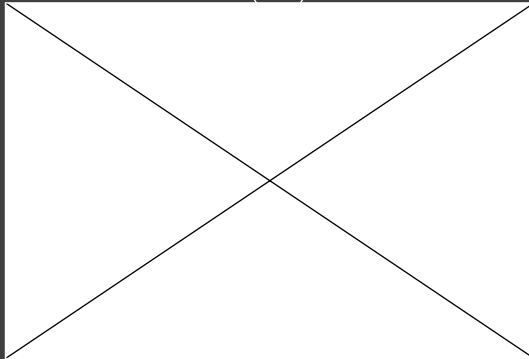
However, all is not well. Last year the technician at UCD, who cared for the orchard was instructed to spend 50% of his time on researching grasses for golf courses. It also seems that the orchard site is on desirable development land, which does not bode well for the orchard's long term future. Peadar MacNiece, of the Armagh Orchard Trust, died in March this year – a great loss. Who will continue his work?

The only safe site for the collection is with ISSA – a severely under funded charity undertaking a vast array of conservation projects. If the Native Apple Collection is to be secure there should be at least four, preferably six, well staffed, fully stocked orchards, planted throughout the country at distances to ensure that no disease or pest damage could transfer from one to the other.



Ballfatten Clear Heart

*Irish Seed Savers Association*

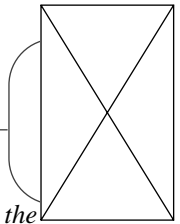


Yellow Pitcher White Moss

*Irish Seed Savers Association*



# PPPs Rule the Roads



*The plans for the new national roads have been largely determined by the desire to privatise and toll the roads. Public opposition to the road plans comes from a wide spectrum of society, including affected farmers, communities and environmental groups but appears to fall on deaf ears.*

In preparation for the National Development Plan, a National Roads Needs Study was carried out, in relation to Irish road construction needs in 1998. This study did not address the issue of the Kyoto Protocol and greenhouse gas abatement. It is further defective in being a road study only, failing to assess an integrated national and regional transport strategy including consideration of the rail option.

It was the most ambitious road programme ever seen, effectively a wish list from the National Roads Authority. Even so it was disregarded by the Government. The Government and the business lobby IBEC had greater ambitions – privatisation.

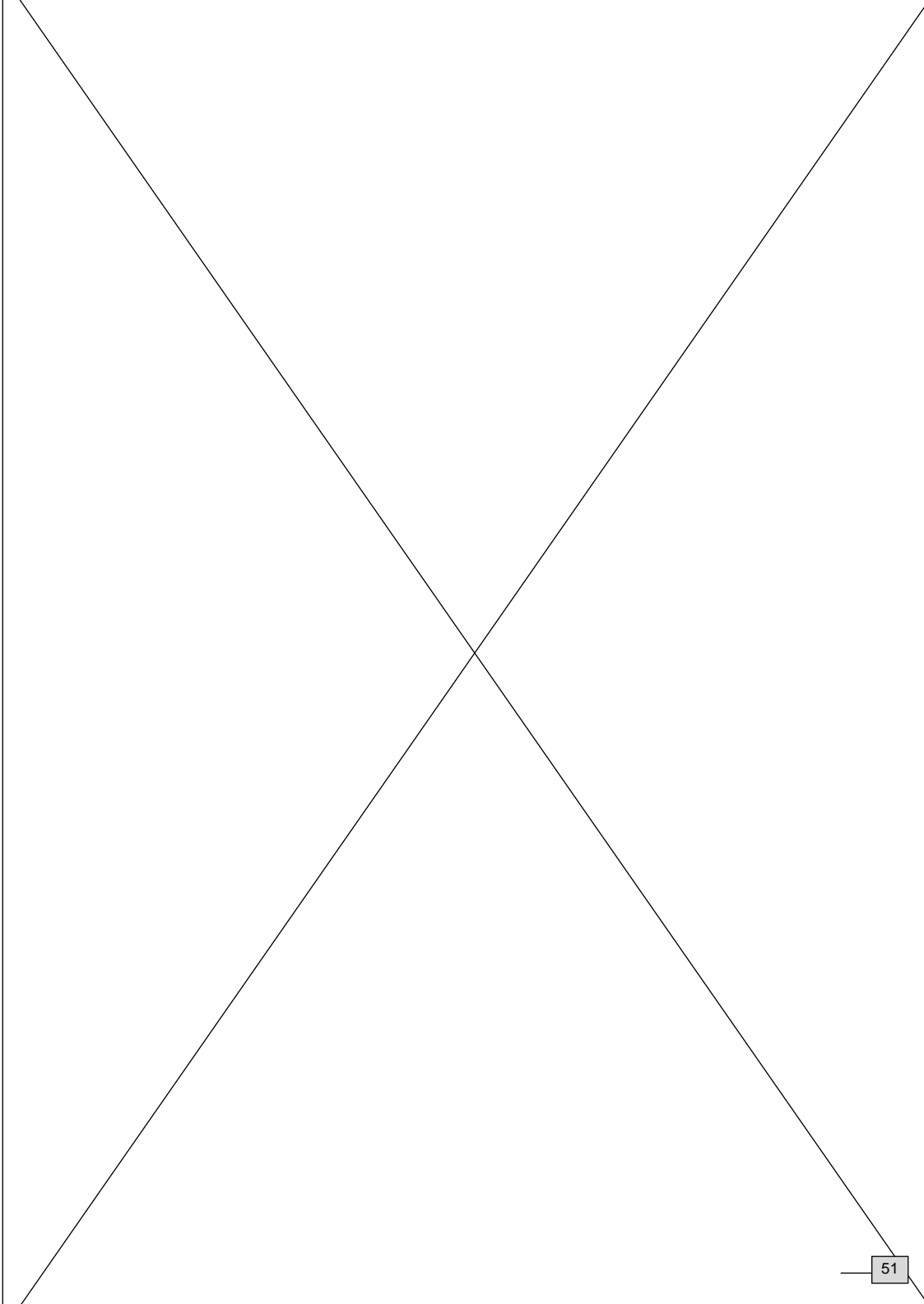
A Cabinet Subcommittee incorporated a revised new National Motorway Programme which included tolling and private investment measures into the National Development Plan in 1999. New motorway routes, independent from existing roads, with a capacity hugely in excess of those proposed in the Roads Needs Study, are a major feature of this plan. This road investment programme will widen the distance for car-based commuting and car-based retail, office, industrial development around each of the urban centres. Again climate and environmental impact never figured in any of this process. Indeed in the ESRI study for which the National Development Plan is based, environmental issues are referred to as “environmental constraints”.


The theory behind the road and motorway programme, developed without a proper national spatial strategy, is to allow increased traffic capacity and reduced journey times between urban centres and regions. This is based on the illusion that the core purpose of the road from Dublin to Cork is to facilitate people travelling from Dublin to Cork. In reality, only a tiny fraction of the traffic travels the full distance. The vast majority of the traffic is commuter traffic around the cities.

The analysis does not take account of the increasing congestion levels, which would be generated at end destination points, undermining the benefit of reduction times on the main motorway stretches. The reported traffic safety benefit of having separated ‘grey’ traffic on the national inter-regional roads, is counter balanced by the accidents and fatalities that will result from the induced traffic and higher volumes of traffic use on the wider road network.

The current road design strategy can only be properly explained in terms of making roads attractive to private investment under Public Private Partnerships (PPPs). PPP tolls distort road design in a number of ways.







Firstly, the minimum road type suitable for a toll road is a motorway. Upgrading or utilisation of existing routes cannot be considered for tolled motorways. Motorways as a road type have the greatest environmental impact and impacts in relation to community and property severance.

Secondly, an interurban motorway should try to separate long distance traffic from local and short distance commuters, giving it a single function. However, doing this would result in reductions of most of the potential traffic flows with most traffic remaining on the original road. The desirable goal of traffic function separation on PPP tolled motorways can therefore not be promoted, as revenue would be lost to the promoters.

Thirdly, time savings on new greenfield site motorways for provincial city commuters is heavily influenced by how close the motorway can get to the existing road. One of the complaints of the past is that planning roads as a series of bypasses is that rosary bead type alignments develop around all the villages and towns. However siting the motorway away from old routes, to optimise inter-city distances, while at the same time attempting to attract users from these commuter towns, results in even more exaggerated rosary bead type alignments.

Fourthly and more particularly related to inter-urban toll schemes, the generally low levels of traffic flow on Ireland's existing inter-urban roads, makes the feasibility of even heavily subsidised tolled motorways extremely susceptible to traffic diverting back onto the old toll free road (traffic diversion). To counteract this, PPP toll road plans appear to be increasing the travel times on existing roads by diverting traffic at interchanges, re-assigning the main traffic flow onto the tolled motorway and introducing traffic calming and weight restrictions on existing roads. Designers also have to create new link roads, from tolled motorways to commuter towns, to compete with existing routes. All these factors dramatically increase construction costs and lead to huge inefficiencies in road network design.

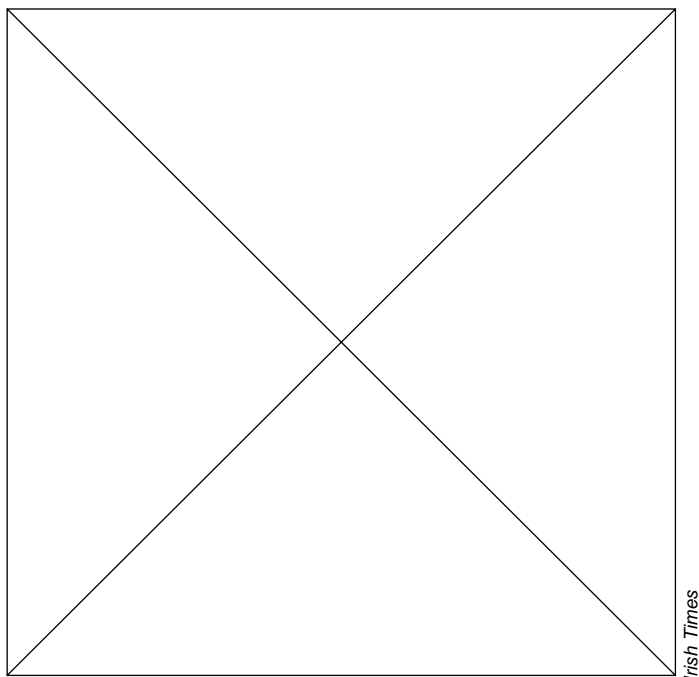
Specifying road types lower than NDP motorway standard would provide greater accessibility and allow usage of the existing road stock where appropriate - but this opportunity has been eliminated. The NRA states that people may use the alternative free road if they don't want to pay a toll. The World Bank calls this, correctly, environmental waste, providing 2 roads where one would obviously be more efficient. The World Bank also noted that national governments often agreed not to up-grade or improve alternative routes as part of the PPP agreement - this also extended to compensation in default of that agreement!

Pressure under competition law could affect public subsidies to routes which compete with toll roads, which could affect rail and bus. People in Ireland are very familiar with traffic accident black spots on the roads. The idea that toll implementation could inhibit policy and action on the elimination of black spots on existing, non-tolled alternative roads, is extremely worrying.



These plans are having their effect. The N7 road improvement between Nenagh and Limerick was commenced in March 1999 as a dual-carriageway and by-pass of Birdhill, utilising as much of the existing road alignment as possible (i.e. 15 of the 30 km would be widened to dual-carriageway). In November 1999 the road was changed to a tolled road (as directed in the NDP/NRA toll programme) and the road standard up-graded to a motorway through a greenfield site. The new road now divides 3 new communities who were on average 1 mile away from a national primary route. In October of 2001 a concerned community group met with the Taoiseach (Prime Minister) and requested a meeting within one month, with a member of the Cabinet Committee on Infrastructure, to express their concerns. The Taoiseach assured them three times at the meeting that he would "do that". Four months and many enquiries later, the group received letters from then Minister for the Environment, Noel Dempsey, stating it would be inappropriate to meet him or any member of the Cabinet Committee on Infrastructure.

It remains to be seen if these wasteful road plans will survive the European Union's recent rejection of off-balance sheet government-backed investment, which is the basis of the proposed PPP motorways.



Road development in Ireland

## The Wrong Tree in the Wrong Place

*It is said a squirrel could once cross Ireland without touching the ground. Only 9% of Ireland has any forest cover at all today and less than 1% of the surface of the island contains forests established before 1600. Ireland's national policy encourages the planting of non-native coniferous softwoods, causing damage to biodiversity. Meanwhile, just over €90 million worth of hardwoods were imported to Ireland in 2001, the majority of it tropical timber.*

The Irish Government's 1996-2030 National Forestry Plan calls for planting 17% of the country with non-native conifers by the year 2030. 6% of the country has already been planted mostly with monocultures of non-native coniferous species, particularly Sitka Spruce *Picea sitchensis*. The strategic plan also states that "any hardwood planting policy is premature until the current strategic policy is largely achieved".

Beginning with employment measures in the 1950s and 1960s, non-native conifers have been planted on agriculturally marginal lands. In 1993, EU funding was made available "to contribute to forms of countryside management more compatible with environmental balance". However, grants provided under Ireland's forestry policy encouraged the planting of conifers, which were considered to offer the fastest returns. In the 1980s Ireland's Industrial Development Authority gave generous grants to American timber processors to locate in Ireland, further supporting the pursuit of these softwood timbering based forestry policies.

While choosing to dedicate its forestry efforts toward non-native softwoods, Ireland has abandoned its fast-growing short-rotation native species such as alder, known as the Irish mahogany, and birch. Planting of native broadleaved trees represented only 12.9% of the total planting in 2001. Yet Ireland imports two and a half times the European average of tropical hardwood timber. Currently Ireland is importing timbers from countries such as Ghana, Indonesia, Malaysia, Azerbaijan, Cameroon, Ivory Coast, Brazil, Honduras, Papua New Guinea, China, Congo, Nigeria, Gabon, Guyana, Thailand and Sierra Leone. Hardwood timber is also coming in to Ireland from European countries including Eastern Europe.

In Africa alone a minimum of 30 acres of tropical hardwoods are destroyed every day just to supply Ireland directly with sawn timber. This figure does not reflect the indirect imports coming into Ireland via other northern countries. The amount of hardwood timber imported into Ireland increased by over 61% between 1994 and 1999, as Ireland experienced unprecedented economic growth.



Softwood plantations  
threaten Irelands leisure  
fishing industry

Forestry grants and incentives continue to encourage farmers and industry to pursue monoculture conifer forestry. Coillte, the state forestry company also availed of forestry grants, which were intended only for farmers. Friends of the Irish Environment exposed this misuse of funds, causing the EU to withdraw the grants. Coillte is now appealing the loss of nearly €30 million in past and future grants.

Although forests play a complex role in supporting climate, community and biodiversity, Ireland's forestry policy focusses solely on short-term revenues for sawn timber products. Impacts on biodiversity, water quality and global climate change, which are intimately bound up with forestry, have been left outside the scope of forest policy.

Planting of roughly 15,000 hectares a year of non-native conifers on heather moorlands and mountains, almost all without appropriate environmental assessments, has led to a Judgement of the European Court of Justice against Ireland in 1999 for failing to apply the Environmental Impact Assessment Directive to forestry. Because of Ireland's high rainfall and mountainous terrain, the preparation of the ground and the activities of planting and harvesting result in the washing away of top soil, with profound ecological damage.

The irony is that broadleaved trees do not cause acidification, and through their annual shedding of leaves actually enrich the land they are planted on, truly contributing "to forms of countryside management more compatible with environmental balance".



Native woodland

Sitka Spruce plantation

## What a Waste

*A dramatic increase in waste production has been one of the consequences of Ireland's rapid growth over the past 10 years. Although the problem has been widely acknowledged, with a few notable exceptions (see A Popular Tax), Ireland's response has been ineffective. In 1996 Ireland passed a comprehensive waste management law, the Waste Management Act of 1996, which brought Ireland's laws in line with European Union standards and set the stage for updating its inadequate waste management systems. Six years later, Ireland still has one of the lowest levels of waste recycling in the European Union and relies on landfill to dispose of nearly 95% of its waste. Illegal dumps are being discovered in areas surrounding the capital city. Plans for waste incineration are widespread.*

Waste management plans promised in 1996 have only now been passed into law, largely under special powers which allow county and city managers to override the decisions of elected local authority Councillors. Under the 1996 Act, each local authority in Ireland was required to prepare a waste management plan and submit it to the Department of Environment and Local Government. Most of these plans included some provision for municipal solid waste incineration.

Public concern over the environmental and health impacts of waste incineration is widespread. In response to public concerns, elected Councillors in many local authorities councils refused to adopt these plans or adopted them excluding incineration. In response the government passed the Waste Management (Amendment) Act in 2001, which gave un-elected City and County Managers the right to adopt these plans where they saw fit, over-riding the decisions of the elected Councillors.

While the 1996 Act is a comprehensive law, lack of enforcement is a major problem. Large-scale and widespread illegal dumping has continued across Ireland, ranging from large-scale illegal dumping of medical wastes to the casual dumping of rubbish in Ireland's bogs.

Outside the capital city of Dublin, in County Wicklow, which is known as the "Garden of Ireland", 88 illegal dumps have been identified, some having operated for decades. Local residents reported many of these dumps to the Environmental Protection Agency years ago, but no action was taken.

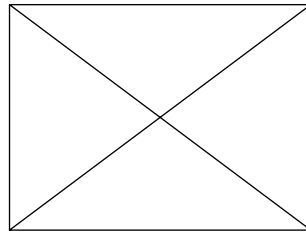
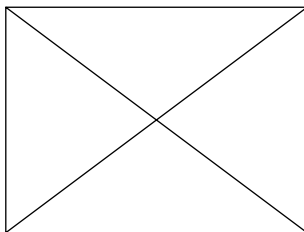
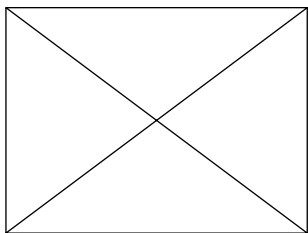
One striking example is a County Wicklow sand quarry, at Whitestown on the Blessington to Baltinglass road, which is believed to contain approximately 300,000 tonnes of unauthorised waste, an unspecified quantity of which is toxic waste and medical waste. Information on this illegal dump only became available through media exposure in 2001, which has led to investigation into other sites in Wicklow. What has been revealed is a systematic culture of unauthorised dumping and a disregard for both Irish waste legislation and EU Directives. Although the dump was only closed down by the Council in 2001, it has been revealed that they were informed in writing of the illegal dumping in 1997 and failed to even serve a notice requiring the dumping to cease. Indeed it is now known that Wicklow County Council itself dumped illegally at this site and that its engineers visited the site for the purpose of assessing its suitability for a Council dump.






An inspection of EPA files on almost any landfill will show pages of complaints by residents and documented breaches of the licence, but no legal enforcement action by the EPA. The EPA has granted a license for the Kilbarry landfill in County Waterford without Environmental Impact Assessment, although the dump accepts over twice the level of waste for which EIA is required and has polluted both ground and surface water.

The 1998 Hazardous Waste Regulations require that documentation be submitted to each local authority when a hazardous waste consignment is moved from one local authority area to another. This means that the relevant local authority is concerned about the particular hazardous waste





consignment only while it remains within its boundary area. Officially, most hazardous waste produced in Ireland is exported because there are no commercially licensed disposal sites. However, at what stage and from which authority is not at all clear. In the National Waste Database Report 1998, the EPA reports: “Quantity of hazardous waste moved under local authority consignment note: Unknown” and approximately 20,000 tonnes of hazardous waste are reported as destination “Unspecified”.

For a private waste contractor receiving substantial payment for exporting hazardous waste to a licensed site, there is enormous profit to be made by disposing of the material to an illegal dump instead. This cost saving incentive applies to all other forms of the waste stream, including construction waste and material collected by skip contractors.

The illegal dumping in Wicklow reflects its location, near the capital city of Dublin, and its hills, forests and quarries, where dumps can be easily concealed. However, large scale unauthorised waste sites have also been identified in County Kildare. All the indications are that this type of illegal dumping is repeated around other urban centres too, while small scale illegal dumping into Ireland’s bogs is widespread.

Illegal dumping in disused quarries is particularly serious, as it may be causing long-term damage to Ireland’s ground water, rivers and lakes. The EPA is only now beginning to address how Ireland will clean up its unsafe official landfills.

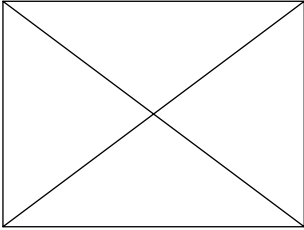
The Department of the Environment has properly increased landfill charges in order to reflect the actual costs of waste disposal. However, no effective initiative has been taken either at national level or by any local authority, including Wicklow County Council, to curtail further unauthorised dumping or to ensure the prosecution and sequestration of the assets of landowners, hauliers and waste companies responsible for illegal dumping.

Meanwhile, in County Meath, just north of Dublin, planning permission has been secured from the local planning authority by Belgian firm, Indaver, for Ireland’s first municipal waste incinerator. The incinerator falls under the Midlands Waste Management Plan, which was originally rejected by elected County Councillors in Longford and Laois, but has now been adopted by the un-elected County Managers. The local community has appealed to An Bord Pleanála, the national planning appeals board.

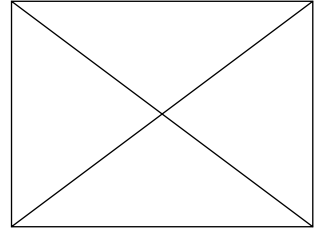
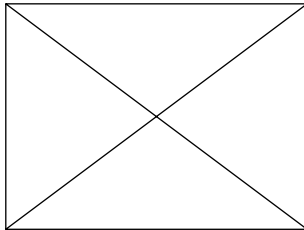
The world famous Boyne Valley area, where the proposed incinerator would be located, contains some of Ireland’s richest historical and archaeological heritage, including the site of the Battle of the Boyne and the UNESCO World Heritage site of Brú na Bóinne, which includes the pre-historic passage graves at Newgrange, Knowth and Dowth. Knowth alone houses one third of the megalithic art of Western Europe. Local residents have set up a cross-border heritage and environmental forum, known as the Battle for the Boyne, which is seeking international support to protect the exceptional heritage of this area.



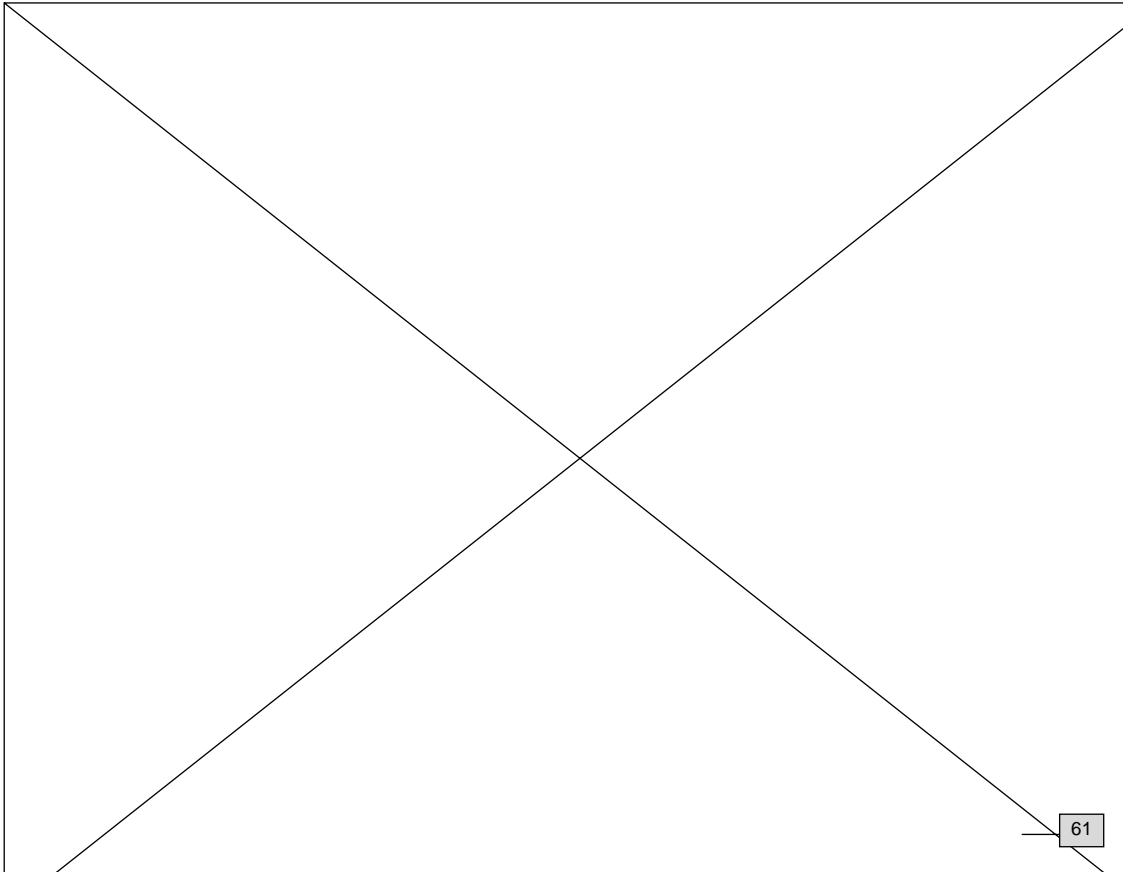
Ireland continues to pursue a dump and dispose system for waste management. Citizens continue to fight waste management plans adopted against their wishes. In July, during the launch of the Government's review of progress in implementing sustainable development over the last 10 years for Johannesburg, the Minister promised to ensure the implementation of regional waste management plans which include incineration.



*Irish Times*



*Irish Times*



## Can't have our fish cakes and eat them too!

*Ireland's aquaculture industry is set to double its output to 160,000 tonnes by 2015, despite increasing concerns for the marine environment in which it is located, and without a coastal zone management plan or carrying capacity studies. This target can only be achieved by existing farm expansion and by new sea farm sites being licensed.*

Large scale investment in aquaculture began under the 1994-1999 National Development Plan, following a realisation that sea fish quotas would be slashed by the European Union due to scientific evidence showing drastic declines in the populations of many fish species. Under the current National Development Plan a further €73 million is to be fed into the industry, of which €35 million is coming from EU Structural Funds.

Aquaculture cannot be considered as a benign extension of natural harvesting methods. It is intensive farming and carries with it similar risks with regard to waste management, feeding and crowded conditions facilitating the spread of disease. The use of chemicals and the build up of sediments on the sea bed, habitat deterioration, loss and disturbance and the creation of impediments to wild salmon reaching their spawning rivers are all negative impacts. The farming of salmon and similar species is dependent on a continual stream of wild fish being scooped up from the oceans to feed the farmed salmon.

A new aquaculture licensing system was introduced by the Fisheries (Amendment) Act, 1997, allowing for third party notification of applications and the right to appeal decisions. Despite this new system, which should assist the sustainable development of the industry, at least in terms of its location, conservationists and many local groups have voiced concerns that the system is not worth the paper it is written on.

Lough Swilly in the north-west of Ireland, is witness to a surge in opposition to aquaculture. Save the Swilly (STS) is an umbrella organisation with 35 member groups, comprising more than 15,000 individual members and is seeking a moratorium on aquaculture licensing in Lough Swilly, County Donegal, which is also a Special Protection Area for birds.

This moratorium is being sought until a comprehensive, independent baseline study and an environmental impact statement have been completed. STS has commissioned an independent scientific scoping study on Lough Swilly, which will assess the lakes current physical, biological and chemical status. This is being conducted by the University of Ulster's School of Environmental Studies. STS also presented a petition with close to 10,000 signatures to the European Parliament in March 2002.



Can't have our fish cakes and eat them too!

A reasoned opinion from the European Commission stated in the case of fish farming in Lough Swilly that “the significant negative impacts arising from the aquaculture expansion in terms of habitat deterioration and bird disturbance, for example with extensive mussel beds, on which the bulk of the estuary’s Oystercatchers and Turnstone feed, along with variable numbers of Redshank, Curlew and many other species”.

It remains to be seen if local groups and environmentalists will be able to win the aquaculture battle before the bays are filled up until there is no physical space left. While the promotion of fish farming instead of fishing wild stocks is understandable, this replacement food source should not feed further into the cycle of unsustainability, which has been so clearly illustrated by the decline in wealth of our seas.

An Taisce, the national trust for Ireland, is a consultee under the new fisheries legislation, and believes that the expansion of the aquaculture industry is being allowed in the absence of adequate environmental safeguards. As a result of a poor response from the Department of Marine's Coastal Zone Division, a complaint was lodged by An Taisce in March 2002 with the European Commission. The grounds of the complaint are that the Irish authorities have failed to comply with the EU Environmental Impact Assessment and Habitats Directives in the licensing and consent procedure for aquaculture operations in Ireland.

Applications are being processed by the Department in a manner inconsistent with maintaining the long-term conservation of protected European sites (Special Areas of Conservation and Special Protection Areas). Aquaculture applications within SACs or SPAs are not subjected to appropriate assessment in accordance with these Directives. It appears that they are assessed in the same manner as sites not affecting Natura 2000 protected areas.

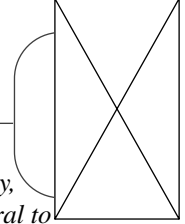
The Commission, while on the one hand providing funds for aquaculture expansion, is expressing grave concerns about aquaculture licensing within SACs and SPAs:

"As it is presently informed the Commission is of the view that Ireland is not respecting [the Habitats Directive and Birds Directive], notably by reason of a failure to appropriately assess the individual and cumulative impact of aquaculture licence applications".

The conservation management plans, which are being prepared in accordance with the Habitats Directive for marine SACs, are not yet available. Also, the aquaculture zoning management plans that were to be drawn up by Dúchas, the Heritage Service and to be completed by June 2000, are not available.



## Too Many Cows



*With a temperate maritime climate, high rainfall and variable soil quality, pastoral farming based on the rearing of livestock has always been central to Irish agriculture. Nine out of every ten of Ireland's 7 million cattle are destined for export markets either in the United Kingdom, elsewhere in the European Union, or the Middle East. Much of the trade to this last region is in live cattle, a practice that is cruel and inhumane to the animals. In addition, the intensive rearing of cattle has adverse environmental impacts, as well as affecting global trade and prices for cattle.*

Today, some type of cattle production is undertaken on 100,000 of Ireland's 140,000 farms and there are twice as many cattle in Ireland as there are people. Intensive cattle farming creates a need for huge amounts of grass, which leads to the use of fertilisers. Also, many herds are brought indoors in winter, which produces large volumes of concentrated slurry (excreta from the cattle), while the winter fodder for these animals is provided as silage (partially fermented grass) which produces a liquid by-product that can choke streams and rivers with its high chemical oxygen demand. Many areas throughout Ireland have experienced surface or ground water contamination from the spreading of fertiliser on grassland and from the seeping of silage effluent or slurry, which can result in fish kill and the contamination of drinking water. Finally, the production of methane by the animals themselves is the single largest factor contributing to Ireland's greenhouse gas emissions, accounting for one-third.

While there is now a range of environmental controls and regulations, of which individual farmers must take note, the practices of silage pitting and winter housing continue to be supported both by subsidies, which encourage high stocking rates, and by the REPS. Botanist Micheline Sheehy Skeffington notes that "REPS has insisted on slatted sheds. These allow all the liquids to mix with the dung, thus increasing the volume considerably . . . This is a huge flaw in REPS that is making matters worse".

Ireland is predicted to increase greenhouse gas emissions between 1990 and 2010 by 36%, far beyond its Kyoto target. A reduction in the national herd is necessary to decrease our methane emissions level. However, the current system of fiscal support artificially raises beef prices, which support high herd numbers and import barriers. Export subsidies damage the livelihoods of cattle producers in other countries.

The Irish cattle sector survives only by virtue of significant public subsidies under the EU's Common Agricultural Policy. The economic support ranges from direct payments to beef farmers, the maintenance of intervention prices, and public storage of surplus production and in the provision of export refunds to EU beef traders exporting surplus EU beef to third country markets. The prices which farmers get for their cattle are also kept artificially high by a series of protective trade barriers, which affect the incomes and livelihoods of farmers in developing countries.

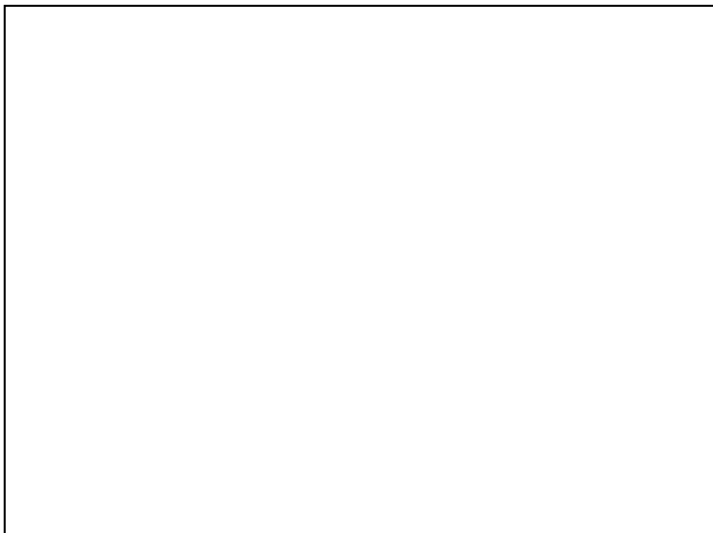


The over-production of beef in the EU since the 80's has impacted on the international cattle trade, firstly on the cattle-rearing regions of the Sahel, the dry-lands south of the Sahara and more recently in Southern Africa. The worst effects of the trade to Western Africa on the Sahel was ameliorated in the mid 90's, by a combination of local currency devaluation and the reduction of EU export subsidies following an active NGO campaign.

The new GATT Agreement on Agriculture forced the EU to reduce its subsidised farm exports. This was balanced by an obligation on 'developed countries' including South Africa, to abolish its quantitative controls and replace them with a 40% tariff on beef imports. Even with these tariffs and lowered export subsidies, the EU cheap beef has caused serious problems. EU member states have publicly stated their support of South Africa's commitment to democracy and to its reconstruction and economic development, supporting in particular the move of non-whites into farming, with land reform as the key. EU export subsidies undermine that commitment to change.

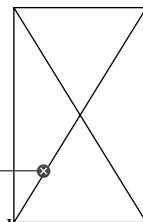
In July 2002 the EU proposed revisions to its CAP which would reduce export subsidies and move away from subsidies based on herd size. Instead subsidies would be based on the amount of land farmed and the sustainability of the farming taking place. However, the Irish Department of Agriculture has opposed many of these reforms, because many Irish cattle farmer incomes are now totally dependent on direct payments paid to farmers based on the number of animals they own.

As well as the immediate impact on African beef markets, subsidised beef exports highlight a number of general problems; over production in the EU, unsustainable farming practices, cruelty in agriculture, unfair trade mechanisms, and a lack of coherence between different EU policies.





## Barred from Gougane Barra



*Until recently there was little or no problem about accessing the countryside in Ireland, as there was still a remembrance of communal land rights from our Gaelic past. In the last few years of economic growth the concept of property ownership has become more restrictive and exclusionary. In a small but worryingly increasing number of cases, walkers attempting to cross land are stopped by hostile notices and signs. Long enjoyed access to land and coastline is being lost and local authorities are doing very little about it.*

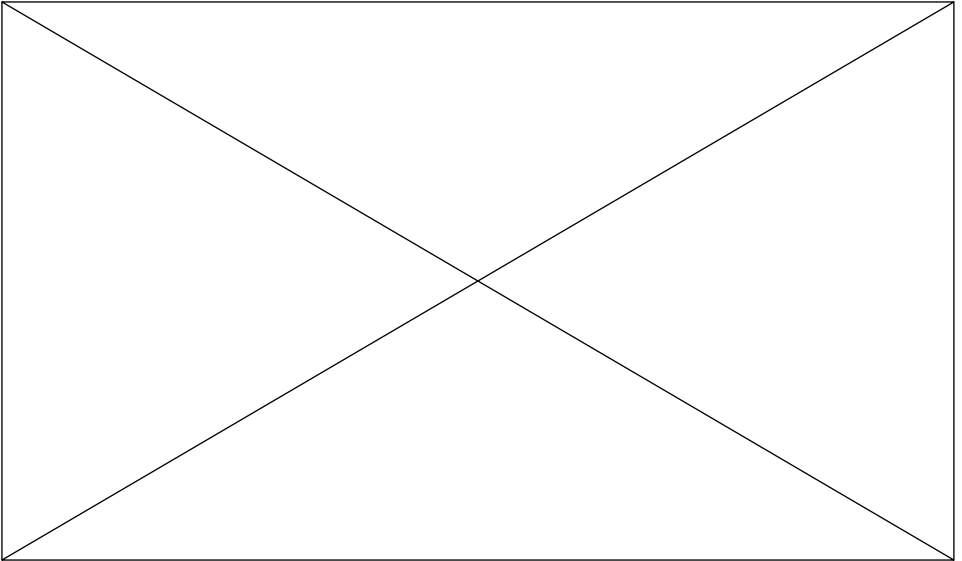
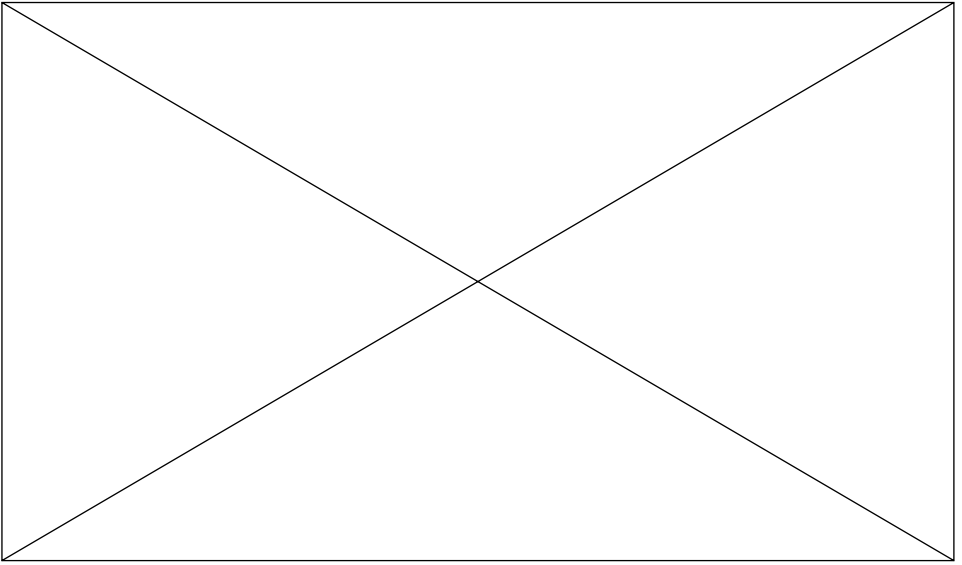
The Gougane Barra circuit is probably the most popular walk in West Cork, a high level route above a spectacular corrie lake and close to stern cliffs, the latter particularly prominent on the northern side. It first appeared in walking guides in the late 70s and the last guide to be published was in 1999. There have never been access problems in this area. However, while recently attempting to do the walk clockwise from the Church on the south side of the lake Keep Ireland Open members encountered hostile notices (NO HILL WALKERS) and farther on, lines of closely spaced, intimidating fences. It would appear that these fences have now enclosed all the commonage. At the north-eastern end of the circuit they encountered more barbed wire fences with NO TRESSPASSING and NO MALICIOUS DAMAGE TO MY PROPERTY signs. On reaching an ancient pilgrimage track to the Church, in the valley floor, a padlocked gate with barbed wire on top was across this track. At this stage they decided to retreat and cross another high barbed wire fence (they had great difficulty with this fence but had no alternative), waded through a river and cross a field to the public road. A particular worrying feature of this problem is that it is very easy to reach this route at its center point from the State-owned forestry area at the head of the corrie. Anyone doing so and heading clockwise around the remainder of the circuit would have to cross the high fences and a gate at the end of the circuit. If they could not do so they might be tempted to retreat and descend around the cliffs on the northern side of the valley. This could be hazardous since the cliffs are intermittent at the various levels.

This example is not an isolated one. The area below the high water mark at Uggool, Co Mayo and therefore in State ownership, was blocked off by a local landowner, thus barring access to a popular beach near Westport. Mayo County Council did nothing effective about it for 5 years and then announced that since the illegality had existed for that time they could do nothing further. This case has been referred to the Ombudsman.


The Western Way, an officially recognised path at Durlles and Skelp, Co. Mayo, and Tochar Phadraig, a long distance path, have been blocked by illegal fencing at these locations. Mayo County Council has done nothing in either case. The Skelp case has also been referred to the Ombudsman.

The area of Gleniff, Co. Sligo hosts a popular walking route, which includes the spectacular Ben Whiskin. Local landowners have physically threatened visitors to this area and hostile notices have been erected. The county council has done nothing effective in the 6 years since this problem arose.





Private signs at entrances to popular hill walking routes.



A route from the southern side of the Sugar Loaf Mountain, West Cork, which is included in a German language walking guide, has been blocked off by a local landowner. The County Council has done nothing since this problem was pointed out to them in 1998.

It has been the sad experience of walkers and the public in general, that local authorities have been ineffective in their handling of right of way and access disputes. According to Keep Ireland Open, no evidence could be found of local authorities taking effective action to help the rights of walkers case in any part of the country. The cases above have all arisen in the recent past and do include cases that have been successfully resolved, though in no instance with the help of the local authority involved.

Access to open countryside for recreational use is necessary and important in the Irish situation. The National Parks occupy less than 1% of the total land area of the country and the National Park authorities do not put any great emphasis on access. For example, some areas of the Wicklow Mountains National Park can be reached only with the goodwill of landowners by crossing private land. Traditional rights of way, which depend both on the goodwill of landowners and local knowledge, are completely inadequate to facilitate visitors who do not know the area intimately. Landowners can block off these rights of way, which might then fail to be reopened even after a tedious and expensive legal process.

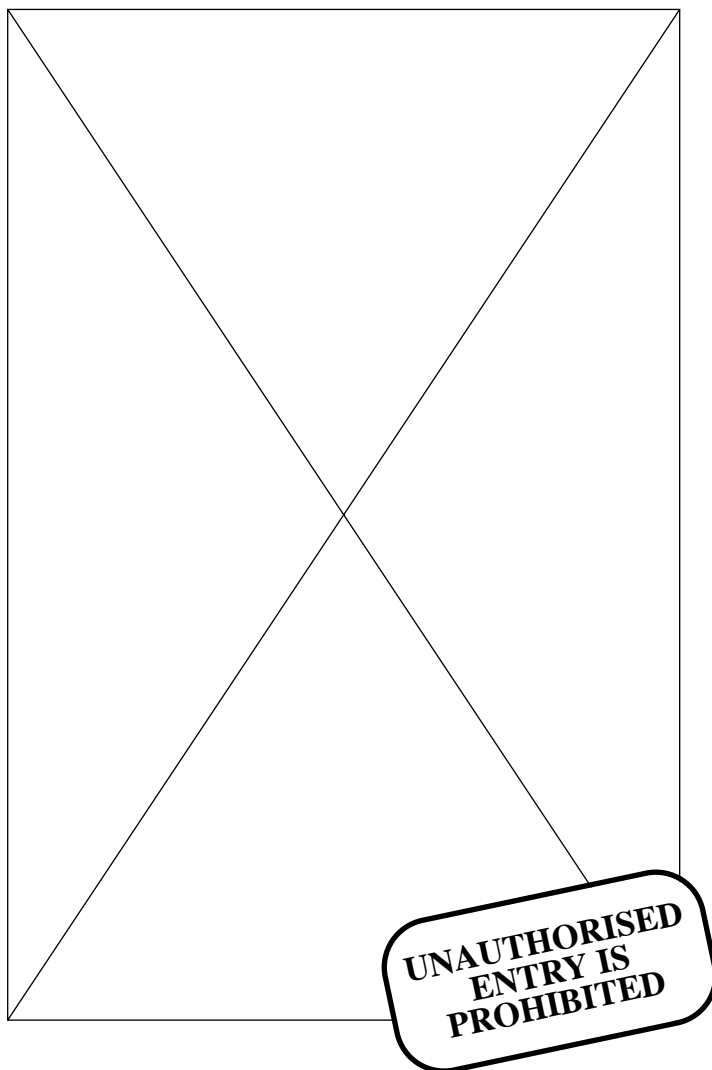
Long distance walking routes, though they run through many parts of the country, provide access only incidentally to mountain or other open areas, and indeed are deliberately routed to avoid high ground. Some stretches of even these routes have been blocked off by landowners.

There is a supplementary measure in REPS (Rural Environment Protection Scheme) which provides for access to the countryside. The take-up has been very low; this is hardly surprising since only one supplementary measure is paid for, no matter how many are undertaken and since it has to be implemented in conjunction with a local group. The REPS programme is mainly designed by the EU, but the add-on regarding barbed-wire fencing in the West and elsewhere, appears to be the creation of the Irish Dept. of Agriculture. A submission has been made to Margot Wallstrom, EU Commissioner for the Environment, that the removal of this fencing be directed in view of the substantial de-stocking that has taken place.

In spite of the fact that no credible cases were ever cited, fears have long been expressed that landowners would be held liable for accidents to walkers and others crossing their land. This perceived problem, among others not relevant to the outdoors, resulted in the Occupiers' Liability Act 1995. This Act was intended to facilitate access by almost eliminating the landowners' liability towards recreational users, and has ironically resulted in one large farm organisation (IFA) sponsoring hostile notices at the entrances to farmland. The IFA has issued a leaflet in which it sets out the Act in brief and suggests reasonable warning signs at the entrance to farms. The other major



farm organisation, the ICMSA, has recommended a sign ending with the words 'UNAUTHORISED ENTRY IS PROHIBITED' though the organisation claims that these signs are not intended to keep walkers out. Some landowners are claiming that there have been cases, settled out of court, in which recreational users/trespassers have received large sums in compensation, in spite of the Act. They have not yet made clear to Keep Ireland Open what cases they are referring to.





# Mayo Gas Terminal

*The Irish government has given away its rights to one of the largest natural gas discoveries in the world, and has supported the building of a gas pipeline through three Special Areas of Conservation while a massive gas processing terminal was given permission by local government, against the wishes of the local community.*

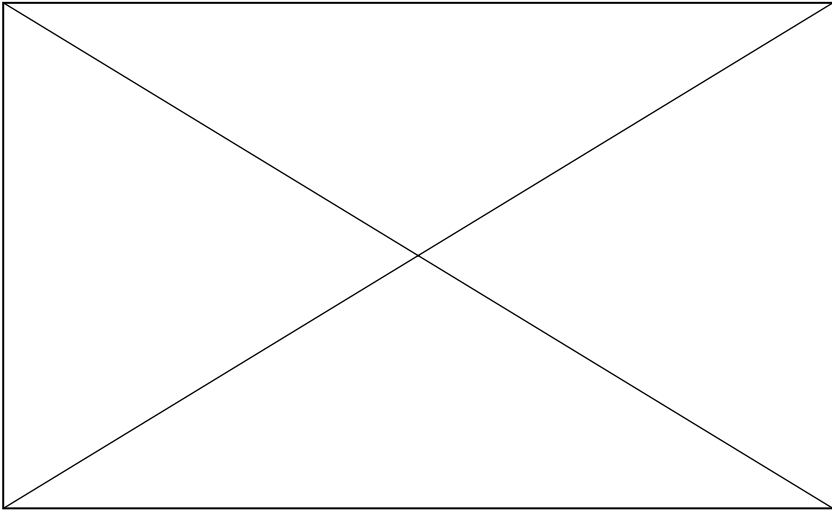
Previously Ireland's laws had ensured that the people of Ireland would benefit from any discoveries of oil or gas through a 50% tax on oil or gas found in its territory, rights to a 50% shareholding in the find, royalties and jobs for Irish workers. However, prior to the awarding of Enterprise Energy Ireland's exploration licence, the Government dropped its requirement for a 50% shareholding in any find, abolished royalties and introduced a scheme that allows oil companies to write off their costs of development and recovery against their tax liabilities! In 1992, the Government further eroded Ireland's return from the find by reducing the tax rate to 25%. Mike Cunningham, a former director of Statoil Exploration (Ireland) Ltd, is quoted in Magill magazine saying "No other country in the world has given such favourable terms as Ireland. . . In the Faroe Islands [these same] companies are also obliged to give a commitment to develop a sea port in the area. . . In Norway, the Government take was up to 79% on some of the fields, and that compares to zero per cent here".

In November 2000, following the discovery of the Corrib gas field off the coast of Co. Mayo, Enterprise Energy Ireland (a consortium of Shell, Statoil and Marathon) applied for planning permission to build a terminal in West Mayo, to process and distribute gas from the field. The proposed terminal would be located inland from the Corrib gas field, with a pipeline from the seabed.

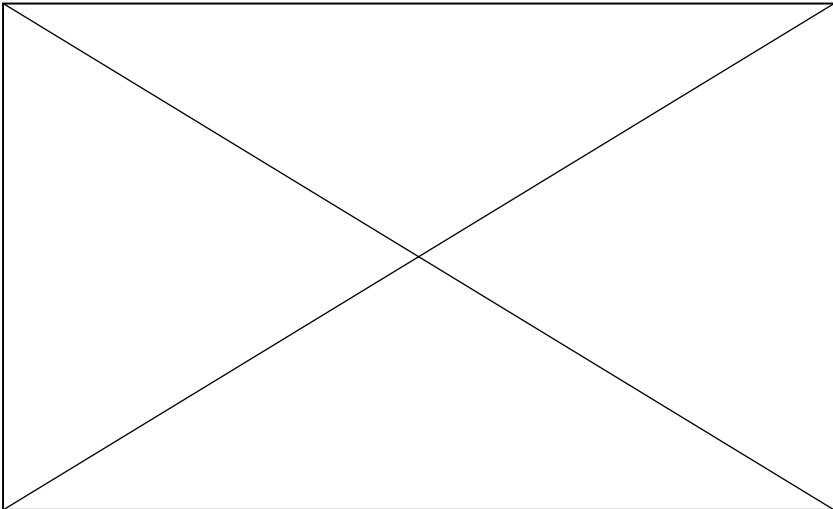
The site proposed for the terminal was owned by Coillte, a state company whose sole shareholder is the Minister for Communication, the Marine and Natural Resources. This Minister is also responsible for licensing exploitation of the Corrib field and for granting the necessary permission to build the pipeline to the terminal. Enquiries to Coillte regarding the price have received the reply that the information has been classified as commercially sensitive. The area of the proposed site is one of outstanding natural beauty with three candidate Special Areas of Conservation (Broadhaven Bay, Glenamoy Bog Complex and Carrowmore Lake Complex) and a Special Protection Area (Sruhwardaon Estuary).

Residents, concerned for tourism, the intrinsic value of scenic areas, and about health and safety effects opposed the planning application directly and to Coillte, but were not satisfied with the results. The local residents feel that they have been written off from the process. Many residents first encountered Enterprise Energy Ireland through a series of house to house calls by representatives of the company, informing people that a pipeline would be built through their land, compulsorily if need be, to service the terminal.


Speaking on the consultation process a resident says "the 'consultative process' which began in McGrath's public house, Pollothomas, in June 2000 could more properly be called an exercise in



Sruhwaddacon



Aerial view of Sruhwaddacon



public relations on behalf of the consortium. I attended the meeting, signed a register, submitted a short list of questions and from that day to this have received no acknowledgement whatsoever”.

Public meetings organised by the community, most notably in Glenamoy on April 30th, 2001 and Geesala on June 23rd, 2001, were not attended by the consortium. Enterprise Energy decided to abandon their commitment to “the public meeting forum” in favour of “meeting with smaller groups who shared similar concerns”.

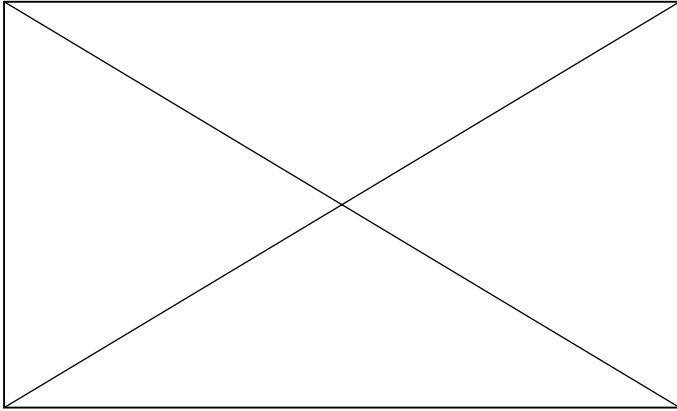
Residents scheduled a meeting with Coillte for May of 2001, to object to the company’s plans to sell the land for this use, based on Coillte’s internal guidelines and reputation for stakeholder consultation. However, when the residents publicised the meeting Coillte directed all such representations to Enterprise Energy.

Following written objections submitted to Mayo County Council by residents, the council invited residents in groups of threes ‘to discuss your submission’. Upon attending these discussion meetings residents were advised that the Council Members attending were not allowed, under planning law, to consider, document or entertain anything the residents might say at these meetings!

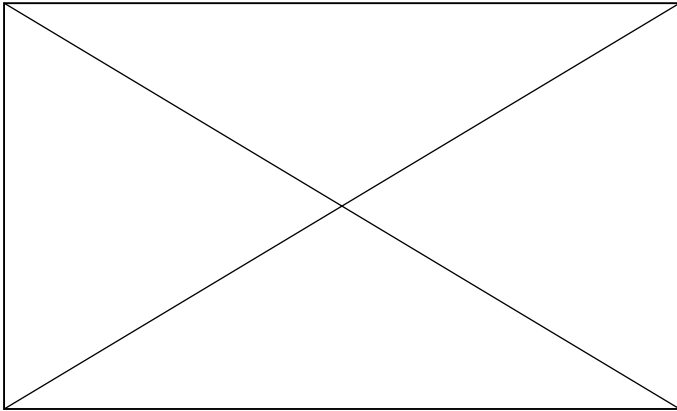
Planning Permission for the Terminal project was granted at 5.00pm on Friday, August 3rd, 2001 (Friday of a bank holiday weekend), by Mayo County Council and the Foreshore Licence to permit all offshore works was granted by the then Minister for Communications, the Marine and Natural Resources on May 17th, 2002 (General Election polling day). Permission for the pipeline travelling from landfall to the terminal was granted by the then Minister, under authority afforded him through a special regulation passed in 2001.

Construction of pipelines from the terminal to Galway city also did not require planning permission from the local authorities, and was permitted under the authority of the Minister for Enterprise Trade and Employment. So now Enterprise Energy Ireland have permission to build pipelines to and from a terminal that has not yet received planning permission itself.

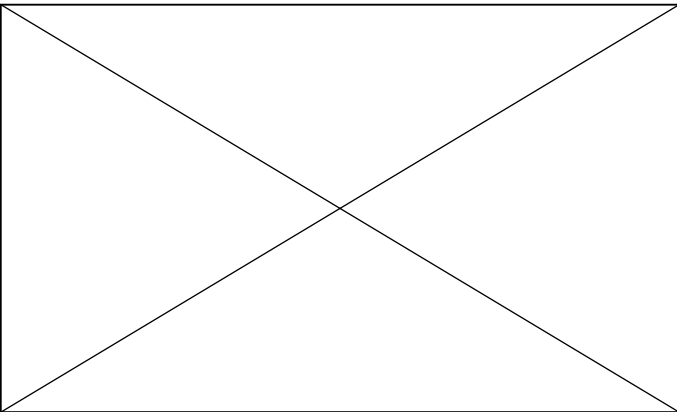
In June 2002, following appeals against the planning permission, An Bord Pleanála decided to seek more information on the proposed onshore gas terminal, based on inadequacies in the project’s Environmental Impact Statement (EIS), potential safety risks to local residents and incomplete treatment of offshore options in the proposal. However, the pending construction of a pipeline from field to terminal, through three Special Areas of Conservation, is beyond An Bord Pleanála’s authority. Following local opposition to the pipeline construction, the developers announced in July 2002 that they plan to postpone the entire development for one year. However, they have continued excavating a route for a pipeline on the local beach, destroying inhabited sand martin burrows in the process.



Sruhwaddacon, Gas Pipeline will cross over here



Sruhwaddacon, Gas Pipeline will cross over here



Ballinoboy Terminal Site

## Dislocated Housing

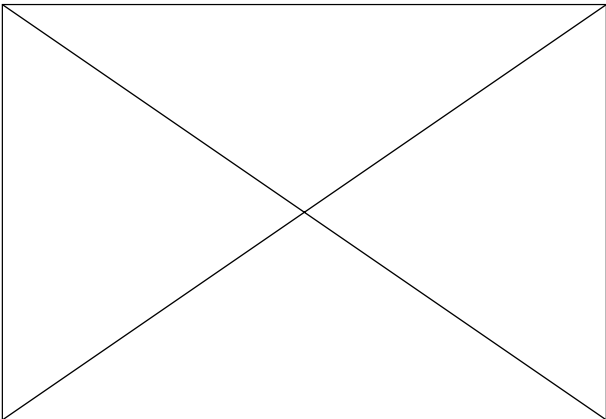
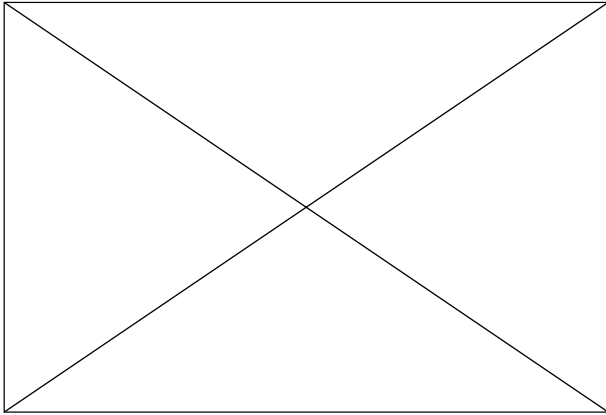
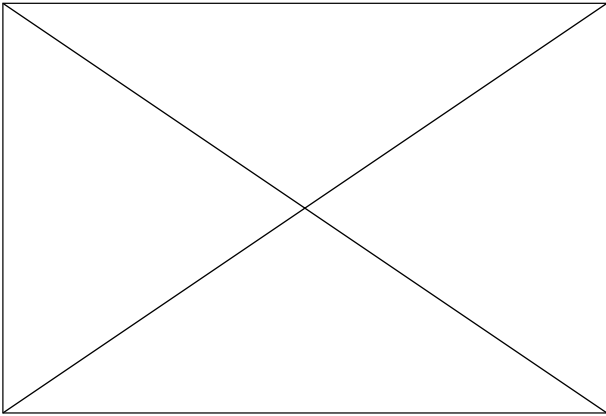
*Government policy as expressed in the draft National Spatial Strategy is to limit the growth of Dublin and concentrate rural development in selected bigger rural towns. But a whole series of other Government policies or decisions, or lack of policies, are defining the spatial shape of settlement in a very different way. There is a complete contradiction between rural housing policy and planning and economic pressures and incentives. The result is the destruction of the environment and the storing up of social problems for the future.*

The Rural Renewal Tax Scheme was approved in 1998 following lobbying from local business interests, politicians and County Councils. It gives tax relief to a range of qualifying developments in the Counties of Longford and Leitrim, and in North Roscommon, Northwest Cavan and South and West Sligo. But the term rural renewal is misleading, since there are neither particular target objectives nor procedures to limit tax relief to schemes contributing to the social or economic revitalisation of a rural community. The scheme gives Capital Allowances for construction costs and is attractive those with a tax liability to set off against that investment. The striking result of the incentive scheme in Longford has been the building of suburban type houses in places such as Edgeworthstown, which have been marketed for car borne commuters working in towns such as Mullingar and in the Greater Dublin Area. Outside of the pull of the major urban centres, the scheme has contributed to one-off single housing, strung along many by-road of the designated areas.

Incentives are not necessary in some counties to create the demand for urban generated housing. The major part of County Kildare is good quality grassland, which makes it the heartland of the Irish horse industry. It also faces enormous development pressure because of its location in the Greater Dublin Area. The Strategic Planning Guidelines for the Greater Dublin Area, which became mandatory on the 1st January, 2001, provide for an overall development strategy for the area. The Kildare County Development Plan 1999 set a comprehensive strategy for rural housing that limited housing development to local need. However, a large proportion of housing developments, both individually and cumulatively, breach both the Development Plan and the Strategic Planning Guidelines. 800 applications for one-off houses, with individual sewerage disposal systems, are being approved in Kildare per annum. Over one third of these have been recommended for refusal by the professional planners of Kildare County. A major percentage of these recommendations for refusal are being overturned by Management Order. Indeed planners in Kildare have been instructed that even where they recommend refusal, they are to draft appropriate conditions for a grant of permission.

Even in cases where planning permission is rejected, many applicants continue to put forward further proposals, either on the same sites or in adjacent areas, notwithstanding the knowledge that the proposal would be refused in the event of appeal to An Bord Pleanala (as only a minority of cases





One off houses in the Irish countryside.

are likely to be appealed). The system allows continued re-applications. This problem has been compounded by the implementation of the new Planning and Development Act 2000, which came into force on the 8th March 2002. This imposes new obstacles, particularly the €20 fee referred to elsewhere in this book.

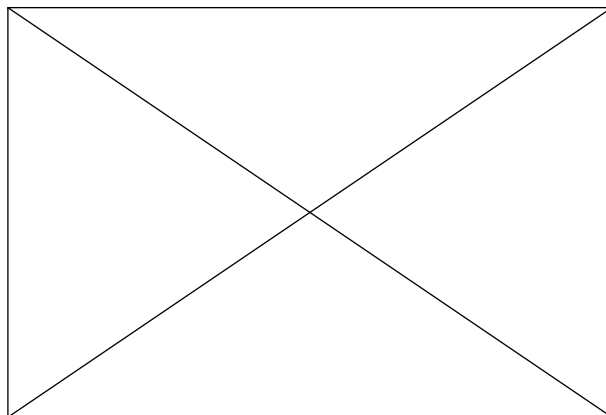
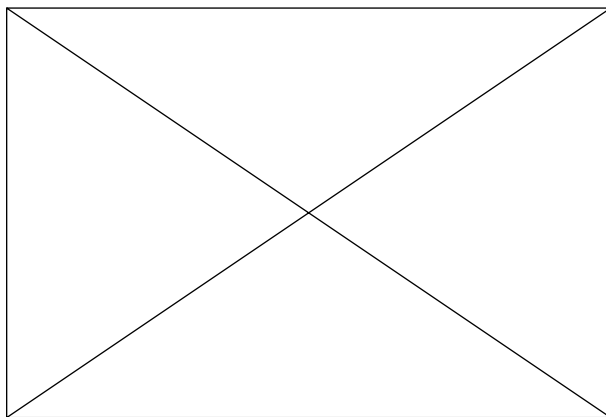
Urban generated one-off housing leads to a range of problems, including social isolation, car-dependency, increased carbon dioxide emissions, more traffic hazards, and the expense of providing basic services such as water and electricity. Particularly significant is water pollution. One-off houses are serviced by septic tanks or proprietary treatment systems which often result in pollution of nearby watercourses, either by design or by accident. One example is Brackley Lough, part of the extensive network of lakes in Co. Cavan that are linked by a system of rivers and water courses draining into the Erne catchment. Notwithstanding its lack of relationship to any urban or village centre, the area around the lake has been subject to progressive planning applications for one-off houses with individual septic tanks for sewerage. Approximately thirty dwellings have been approved within the last decade. Three dwellings were appealed by An Taisce in 2002, following approval by Cavan County Council. All three were refused planning permission by An Bord Pleanála on the grounds that “the proposed development would constitute undesirable ribbon development in a rural area outside residential zoned land and result in excessive concentration of development served by septic tanks on the shore of Brackley Lough where algae blooms have been recorded and therefore the development would be prejudicial to public health”.

But this clear refusal, and statement of policy by local authorities and prescribed bodies, does not dissuade applicants, and for good reason. As in the Kildare example, there is no requirement on a local authority to follow these appeal decisions on future applications on similar or even the same sites. So persistence is likely to pay off for the single house builder. The number of planning applications to Cavan Co. Council increased from 823 in 1995 to 2,311 in 2000 and 1,902 in 2001. Over 60% of these were for one-off houses with individual septic tank disposal.

Despite their quite onerous functions under the new Planning Regulations, no fiscal or administrative procedures have been put into place to ensure that the Fisheries Boards can contribute to planning decisions for developments on river or lakeshore locations in areas affected by water pollutants. The NorthWestern Regional Fisheries Board exercised its statutory responsibility in appealing decisions to grant houses in lakeshore locations in Co. Mayo. Extensive lobbying from public representatives and local interests led the Minister for Communications, the Marine and Natural Resources to commission the Central Fisheries Board to compile an “assessment of potential for pollution of relevant fisheries in the North Western Regional Fisheries Board area resulting from opposed sewerage system installations”. This report, published in May 1992, upheld the stand taken by the NorthWestern Regional Fisheries Board, in having “reasonable ground for appealing forty-four decisions within the last five years”.



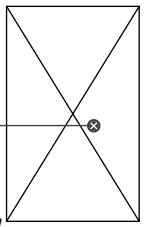
The National Development Plan 2000-2006 is now in its mid term stage and there is no settlement plan or spatial strategy for Ireland. The publication of the proposed National Spatial Strategy is expected to be deferred until the autumn and preliminary indications are that it would have little effective force. It is not proposed to introduce measures to curtail one-off car dependent houses with individual sewerage disposal systems, nor to define a number of regional growth centres which would have a critical mass to deflect current overheated development of the Greater Dublin Area. Indications are that the strategy will be all things to all people in proposing a wide definition of growth centres, clusters, hubs or functional areas, applicable to the entire country without adequate hierarchy and without spatial discrimination or fiscal measures to ensure a planned investment strategy.



More one off houses



## A Blind Eye to Bats



*Bats are protected in Ireland but this protection only applies if you are sure they are there. So developers make sure they do not know they have bats on their property.*

The resting and breeding place of bats is protected under the Habitats Directive. However, under the Wildlife Amendment Act, there are so many exceptions allowed that it effectively negates the protection given. One such clause allows for exclusion where serious damage is being caused by protected wild birds or by protected wild animals to buildings and their contents. Another section of the wildlife act states that it shall not be an offence for a person while engaged in agriculture or forestry, to unintentionally injure or kill a protected wild animal, or while constructing a road, building operation or work of engineering construction, or while constructing or carrying out such other operation or work as may be prescribed, to unintentionally kill or injure such an animal, or to unintentionally destroy or injure the breeding place or resting place of such an animal.

These paragraphs effectively remove the protection afforded bats by the Habitats Directive. The use of the word unintentional encourages road builders/engineers etc, not to survey for bats. Therefore, if a bat roost is destroyed, it is unintentional. Most of Ireland's developments do not have bat surveys as part of the Environmental Impact Statement (EIS). There is no monitoring of EIS implementation by the government agencies and there is no mammal database in Ireland, and no monitoring undertaken by Dúchas.

There is poor cooperation between government departments. Dúchas are not allowed access to REPs (Rural Environment Protection Scheme) plans on SACs (Special Areas of Conservation) by the Dept of Agriculture to audit the effect of agriculture on these sites. Dúchas is also denied access to the Dept of Agriculture's database of landholders.

Irish authorities continue to grant planning permission for developments which destroy probable bat habitats. In a recent decision An Bord Pleanála, the planning appeals board, approved a development subject to environmental impact assessment where potential bat habitat existed and had not been surveyed for bats.

Planning register reference number D01A/0498 was an application for housing in Stepside. Dún Laoghaire Rathdown County Council had consciously avoided carrying out environmental impact assessment on the entire Stepside area for which they have an Action Plan and this matter is the subject of investigation by the European Commission.

However, the EIS for this housing estate identified the area as one with "mature trees...with the potential to be used as summer roosts". It went on to acknowledge that there had been no survey of



bats and therefore necessary information had not been gathered to allow the impacts on bats to be assessed, as required by the EU Habitats Directive.

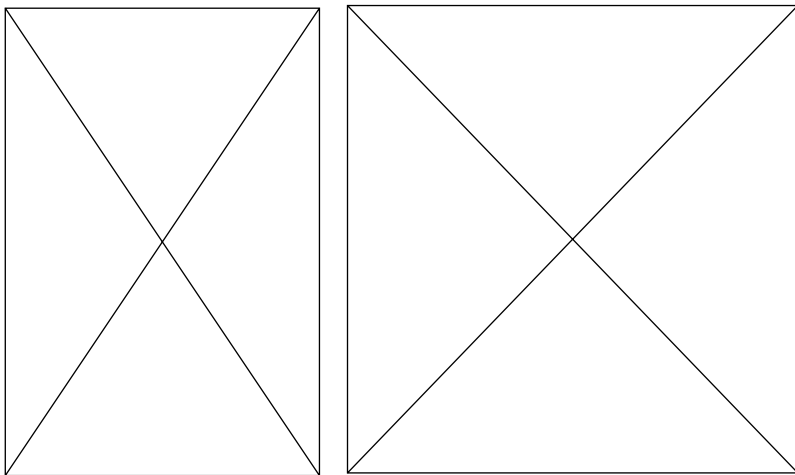
Local residents appealed the decision on this and other grounds. The Inspector appointed by An Bord Pleanála reported as follows:

“For a development site of this size, where the spring like nature of much of the ground means that it may be potentially valuable for several types of flora and fauna, it is insufficient to base the findings of an Environmental Impact Assessment on a single survey period. It is even more concerning that for species such as bats no survey was undertaken whatsoever. Once planning permission is granted, it would not be appropriate to apply conditions requiring further survey work to be undertaken especially in respect of legally protected species such as bats. This is because conditions can not be used to take away the benefit of the permission wanted. If bats were found, and areas proposed for development needed protecting, it would be difficult to enforce that protection through planning legislation if a valid planning permission existed. It is therefore incumbent on the applicant, and the onus must clearly be upon them to produce a complete and viable assessment at the time of the application”.

“In the absence of an EIS supported by a more comprehensive survey base, I consider the application to be premature”.

On this basis and for the reason of poor urban design, the Inspector recommended that the application be refused.

An Bord Pleanála, however, inexplicably ignored this recommendation and granted planning permission. That permission included a condition that a bat survey be carried out. Within days of the permission being granted, the developer went in on the land and started to fell trees and hedgerows.

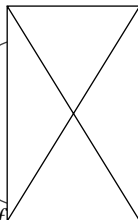


Bats beautiful bats



## Off the Rails

*Over the last few years, the Irish Government has presided over the running down of the rail freight network in Ireland and the abandonment of rail freight by many of its former users, including state companies.*



During the 1840s and 50s, rail investment in Ireland linked the main urban centres, while the following decades were marked by the spread of the rail system to cover a web, giving rail access to the majority of Irish towns. Largescale closures of the system occurred in the 1950s and 1960s, including the closure of the Harcourt St. line in Dublin. The folly of this has been recognised and it is currently being reopened as a light rail line. In the past 70 years much of the land for this rail network has been sold by the state. Local narrow gauge rail systems, which kept many rural parts of Ireland in touch with regional townlands, have also been abandoned and Ireland's remaining rail network has been poorly maintained, leading to further closures and safety risks.

The last decade, on which this story focuses, has seen a growing abandonment of freight traffic by the State railway company Iarnrod Eireann. The fate of the railhead at Kingscourt, Co Cavan, demonstrates the future direction. It was opened in 1863, during the second wave of investment in the Irish rail system. From the 1930s, Kingscourt became the main Irish source for the mining of gypsum, and is now the sole source providing the material for all of the Irish cement factories. The Kingscourt area is also a growing area for the extraction and production of a number of other building material products.

Until 2001, gypsum was transported by rail, from Kingscourt to Limerick, and up to some years previously, the gypsum for the Platin, County Louth plant was also transported by rail. However, lack of investment in track maintenance resulted in the line being closed in 2001, and the freight it used to carry is now transported by truck.

In the early 90's, the national postal service stopped using the railways to carry mail within the country. Also in the last few years, the railway has dropped its contracts for transporting timber from the west of Ireland to the Louisiana Pacific timber processing plants at Clonmel, Co. Tipperary and to Belview Port, Co. Waterford. New cement plants have been constructed without rail access and a new mine was opened in Tipperary without rail access, despite being within a few kilometres of the railway line. Contracts for rail transport of fertiliser are also declining.

The Government is for the first time in decades investing in the national railroad company, Iarnrod Eireann. This reflects not a determination to increase the rail share of transport, but the reality that after years of neglect, the network was in such a state of disrepair that it faced closure for safety reasons.

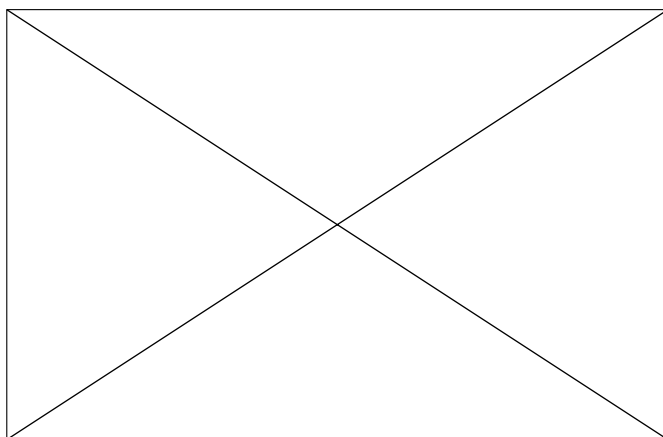
The Review of Rail Safety in Ireland, commissioned by the Department of Public Enterprise in 1998, found inadequacies in signalling, track condition, bridges and other structures, and electrification.



All routes were allowed to get into such poor condition, through absence of investment, that the “risks are unacceptable and must be reduced, irrespective of cost considerations”.

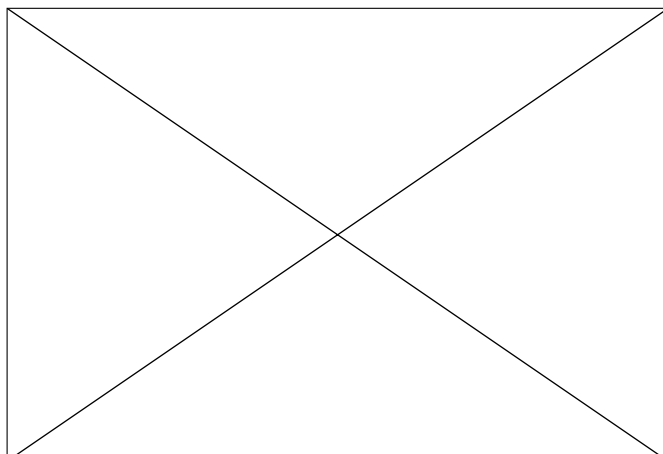
Ireland’s continuing preference for roads over rail is perhaps best demonstrated by the massive Dublin Port Tunnel project now underway. This project provides a motorway tunnel, diverting road freight traffic from the island’s main port in Dublin, around the capital city’s centre. This addresses the problem of urban traffic congestion but not the larger question of how Ireland’s road freight travel is contributing to climate change. The option of a rail link for port traffic was not considered.

≈15 billion will be spent on new roads under the National Development Plan, whereas there is no provision for new rail lines outside of Dublin.



Enterprise (Ireland’s new trains)

*Irish Times*



Ireland’s old trains

*Irish Times*

## A Fee to Participate

*The right of citizens to participate in policy-making is integral to democracy. In Ireland, the right to comment on planning applications is being deliberately undermined by changes to planning laws, which now require a participation fee. This fee excludes many from involvement in the future development of their own neighbourhoods.*

In Ireland the right of citizens to object to planning developments was enshrined in the first Planning Act in 1963. As economic activity increased and the public became more aware of environmental damage, they sought to protest. They objected to the golf courses on sand dunes that were once theirs to roam, the quarrying of even the ancient King's Highway Esker, and the vanishing birds and wildlife. The development lobby insisted that something be done to reduce public involvement in the planning system.

The Government's response was to silence them by restricting their rights to object and appeal. The Planning Act 2000 brought in changes that have devastated the citizen's rights and made it almost impossible to stop projects, no matter how great their environmental damage. An interested party must now pay a fee of €20 to participate in the planning process. In drawing up the legislation, the Department of the Environment proposed the inclusion of a fee to accompany any letter from a member of the public in relation to a planning application. The fee was introduced in the teeth of considerable opposition from local and national politicians of most parties.

NGOs have suggested that a charge for a comment on a planning fee is similar to having to pay to vote. Senator Coogan (FG, Galway) made a similar comment "this is like a citizen seeing a crime taking place, decides to ring the police and is charged not just for the telephone call but given a fee because they rang and carried out their civic duty. An objector may be carrying out their civic duty so why should they have to pay for it?" In fact, public comments on planning applications amount to free consultancy and advice from the public. Comments on an application are likely to contain valuable information known only to locals such as for example, flooding history, previous uses, etc. The profession planners both individually and through the Irish Planning Institute have expressed the view that poorer quality decisions will result from the reduced availability to them of relevant information.

The fee can often be more than a one-off €20. Urban developments are often split into many separate applications. A fee will be required for each part. The fee also applies to any letter informing the local authority of legal issues such as the validity of the application, the lack of a site notice or the handling of it by the planning authority whether on the basis of EU or Irish law.

The fee is also in breach of the Environmental Impact Assessment (EIA) Directive. As a result of a complaint, the European Commission has issued a "Letter of Formal Notice" to Ireland stating their belief that the imposition of fees in respect of the submissions on an environmental impact assessment is contrary to the Directive.





The time period for making an objection was also shortened from eight weeks to five weeks. It is now obligatory to object in this time frame if a person later wishes to appeal, in spite of the many cases where even neighbours miss the notice in the newspaper or do not see the required sign. In a final blow, if an objection is not submitted within the five weeks and the fee paid, an appeal cannot be entertained later. In the past, residents who hear of projects only after they are granted permission, turned to professionals or ENGOs for help. Now however, it would be too late.

Both the €20 participation fee and the €150 fee to the planning appeals board, An Bord Pleanála, must have been paid in order for a citizen to point out a breach of the legal procedures, or to contest a decision as being in breach of EU law in the Irish courts. Even when this arduous and expensive process is completed, leave to apply for judicial review must be sought within the short period of eight weeks of the permission being granted.

A further barrier is created in the Act by the requirement that an applicant for judicial review must have a substantial interest in the matter. The environmental public interest is not in itself deemed to be such an interest. And yet this was not enough.

Developers besieged the Government to have third party interventions for enforcement ceased and even to take away the third party right of appeal on planning decisions. The Act has placed obligations on local authorities in relation to enforcement on receipt of complaints about violations of planning law. This led to opposition from an establishment viewpoint. Dr. Yvonne Scannell, leading planning expert at the Law School at Trinity College wrote to the Department of the Environment and Local Government:

“In public law generally, public authorities have discretion when to enforce or not as they may have to take considerations into account which third parties not might not consider relevant. Imagine a factory giving large scale employment being guilty of some technical breach and a third party with a grudge”.

If third parties - described as “busybodies” in one of Dr. Scannell's submissions - “want to enforce in this situation they have ample rights to do so at their own expense”.

## The Optimal Dose

*Ireland is one of the only developed countries in the world that still adds fluoride, a poison, to its public water supplies. Over 70% of people in Ireland drink fluoride through the water supply. Many of Ireland's fellow European states stopped fluoridation of public water supplies in the 1970s, in response to concerns about health impacts, while Spain still supplies fluoride to 3% of its population, the United Kingdom fluoridates water supplied to 10% of its population.*

Ireland was following best-known medical advice when it began, in 1963, to add fluoride to Irish drinking water, to help protect people from tooth decay. Times have moved on, and fluoride is now known to be dangerous and is believed by many in Ireland to be a danger to their health.

Irish non-governmental organisations (NGOs) have been campaigning against fluoridation for many years. Local authorities in Scotland and Northern Ireland have refused to fluoridate public water supplies. When their peers in Dublin City Council and Sligo and Donegal County Councils decided to stop adding fluoride to the water, they were overruled by the Department of Health and Children.

Because the fluoride added to Ireland's water supplies is not biodegradable, it can concentrate in the body over long periods of exposure. Ireland now shows signs of this exposure with higher than average levels of dental fluorosis, a discolouring of the teeth that results from extended exposure to fluoride. Dental fluorosis defaces teeth, but skeletal fluorosis, which has also been linked to fluoridated water supplies in some studies, makes bones brittle and can have life changing rather than cosmetic effects. Studies have linked fluoride poisoning and fluoridated water to irritable bowel syndrome, long term bone damage, and various thyroid and brain disorders.

The fluoride concentration standard in Ireland is 1 part per million, the maximum level acceptable under EU water quality standards. However, fluoridated water is used in the preparation of foods and beverages and the precise, per capita daily intake in Ireland remains unknown. The water is treated to reach this maximum "safe dose" but the additional effects of other fluoride sources, including toothpaste and naturally occurring fluoride, are ignored.

According to advice from the Department of Health and Children, this level of concentration is the 'optimal' dose for the Irish people. However, the health benefits of fluoride are by no means agreed, even within the international medical community.

On the one hand, the Department of Health and the Dental Health Foundation maintain that fluoridation is safe and good and that studies saying it is unsafe are not accurate and are poorly prepared. On the other hand, scientists like, Dr Albert Schatz, who invented streptomycin, says "There is no well-designed research which provides convincing evidence that fluoridation is safe and reduces the incidence of dental caries [soft spots on the teeth where cavities begin]. That is why it has been banned in many countries".

The Irish Government's response to anti-fluoridation protest marches has been predictable. In the year 2000 the Minister for Health and Children established a select committee to study the question, including civil servants, doctors and dentists. Originally due to report in September 2001, the work of the committee and its report remain unknown as this book goes to press.

## Belgian ban on fluoride hailed by campaigners

**CAMPAIGNERS** against water fluoridation in Ireland have welcomed a Belgian decision to ban fluoride products on health risk grounds.

*Chewing gum, fluoride tablets and drops will all be taken off retail shelves in a month.*

*Dentist Don MacAuley, who is spearheading the campaign here, said the move was a "very progressive step".*

*He said "the Belgium authorities are concerned enough to ban the products while the Government is still adding it to our drinking water".*

"It's a wake-up call for the health minister to carry out a health study on its effects," he added.

Dr MacAuley is the spokesman for Irish Dentists Opposing Fluoride (IDOF) who have been lobbying the Government to change its policy of adding fluoride to drinking water supplies.

But the Government has refused to be drawn and Department of Health spokesman would only say that a report will be published within the next few weeks.

***Aine Gallagher in Brussels for the Irish Independent 1st August 2002***

## Threat to Pollardstown Fen

*The planned bypass of the town of Kildare will destroy the unique natural habitat of Pollardstown Fen and the Curragh aquifer. Given the choice between impacting upon the National Stud or unique landscape features, the State choose to sacrifice the aquifer and fen. A National Stud be relocated, but 2 unique natural landscape features cannot.*

Kildare is a town on the main road from Dublin to Cork. The bypassing of such towns has been taking place throughout the country and the planned bypass of Kildare town, a primary route to the capital city, has been recognised as a priority. The Kildare by-pass was designed in 1982. The section nearest the town passes by the National Stud where racehorses are bred. This section was designed to go in a cutting up to 16 meters deep for several kilometres. This cutting goes deep into the Curragh Aquifer, the largest aquifer in the country, which is contained in the deep gravel deposits glacial outwash plain of the Curragh.

This aquifer feeds the nearby Pollardstown Fen habitat, which is a proposed Irish Special Area of Conservation (Site Code 000396), a world Biosphere site, an Area of Scientific Interest and a world Biotope Reserve. Pollardstown Fen is a unique remnant typical of the Irish landscape in the immediate post-glacial period and is the habitat for many rare species.

The 1992 Environmental Impact Assessment (EIS) for the road failed to address critical issues relating to potential impacts on the Fen. The ecosystems of Pollardstown Fen are dependent upon the supply of water from the Curragh Aquifer. The drainage of water from the cutting would reduce the groundwater table and change the direction of groundwater flow. The original proposal would have meant that each side would “bleed” water, which would have been pumped out. A report from the Office of Public Works (OPW) at a Public Hearing on the matter, in 1993, noted that “the proposed rate of groundwater removal from the aquifer to keep the cutting dry is five times the threshold above which an EIS is required for a public water supply”. The stated purpose of the cutting was to protect the horses in the National Stud from traffic noise.

Following the publication of the EIS for the road proposal, a Ministerial sworn enquiry was held in 1993. The Office of Public Works (OPW) told the sworn enquiry in 1993 that “the OPW, whilst sympathetic to the need for a by-pass and the predicament in which the Kildare County Council now find themselves, nevertheless cannot accept the EIS because its predictions about the impact on Pollardstown Fen, are in our view, unreliable”.

The Kildare Senior Planner testified to the enquiry that “the necessity to de-water part of the Curragh Aquifer as a result of making this cut could seriously effect Pollardstown Fen, an Area of National Amenity Importance, listed for protection in the County Development Plan”. He also recommended that “serious consideration should be given to the redesign option. If the redesign is not favoured solely because of the fact that the motorway would be less in cut as it traverses the National Stud and the South of the town, then the balance as between this and the amenity of the Curragh (and the Fen) should be weighed. In this regard, it can be stated that the Curragh and the Fen (both of which are



unique and cannot be replicated) must be regarded as of much greater importance than the stud (which is man made, and could be relocated)”.

The EIS also failed to consider the off-site impact of the sand, gravel and aggregate extraction required for the construction of the by-pass. An information request on the legal status of the sand and gravel extraction sites used for the construction of the motorway and request for information on other sites, made under the EU Access to Information on the Environment Directive have been refused by Kildare County Council and the National Roads Authority. There are no conditions on the project to require sand, gravel and aggregate to be sourced only from sites that are certified as being in compliance with planning permission and with EU EIA Directive Requirements.

The “in cut” design was approved with only minor modifications in 1994, subject to monitoring of groundwater levels. However, the first borehole for monitoring was not drilled until May of 1998, following the first complaint to the European Commission and more than four years after the Department of Environment’s instructions to begin monitoring “immediately”. The Irish authorities suspended work on the road but refused to realign the road to run along the surface, although no convincing reason for the cutting was provided. Instead, it was decided that a membrane would be inserted under the roadbed, to prevent water from the aquifer “bleeding” into the road.

By 2000, monitoring data showed gaps which warned that the model used to predict water flows was too coarse to accurately predict the very small changes that could signal the extermination of species and habitats. Thus, there was insufficient data to ensure that the mitigation measures would have the necessary effect.

The European Commission informed Ireland in a letter of Formal Notice that it was concerned that the practice of delaying key studies relating to the possible impact until after development consent was given was contrary to the EIA Directive. “Deferred examination of the impacts is at variance with the system of EIA foreseen under the Directive, in as much as it excludes the possibility of public consultation provided for in Article 6 and it also undermines the requirements that all relevant information is taken into account in accordance with Article 8”. But the Commission decided not to take legal action against the project, due to the “interval between the grant of development consent (1996) and the receipt of the complaints (1998 and 2000) and the clear efforts by the Irish authorities to try and improve the design of the by-pass in order to avoid impacts on the Fen” (Letter from DG Environment Legal Implementation and Enforcement, 23 April, 2001).

As we write the motorway cutting is being excavated, while the scientific information necessary even to assess the ecosystem and the likely impacts on it is still being gathered. The future of Pollardstown Fen and the Curragh Aquifer is still uncertain.

## A Tale of Two Cities

*The Irish record on Local Agenda 21 delivery is a poor one. An independent report, the SUSCOM report rated our performance 11th out of 12 in Europe. Only France scored lower. Both countries' low scores result from their centralised governance systems. Ireland has essentially failed to restructure its failed local governance structures in the context of Local Agenda 21.*

Agenda 21 requires action at local level as much as national or global level since management of natural resources and infrastructure is normally the job of local authorities. Local Agenda 21(LA21) was given a special section (Section 28) of the Rio agreement and this importance motivated a number of environmental campaigners to take up the challenge for Ireland.

Dubliners' Agenda 21 was one such group, set up in 1994. It saw its role as a network group of environmentally aware community and voluntary organisations working to prepare civil society for its enhanced role on the LA21 Forum, which they expected would be established to guide the local authority to sustainability.

Over the eight years of its operation Dubliners' Agenda 21 hosted conferences and workshops under the various themes of Agenda 21. It also undertook local practical projects including a waste recycling scheme with Liberty House, an inner city flat community and Waterwise, a water conserving information project with a middle class community in Rathmines. These projects relied on the voluntary commitment of a dedicated committee and comprised the only public information/education actions on Local Agenda 21 in the Dublin area for many years. Funding for the projects was ad hoc from many different agencies and barely covered costs.

The 'equivalent partnership' with public and private sector, confidently expected by the group as recommended by ICLEI (the International Council of Local Environmental Initiatives) which advises on Local Agenda 21, never materialised. As the year 2000 approached no forum for civil society participation was in existence in Dublin. Dublin City Council worked on its own internal sustainability agenda, reviewing policy and programmes in the light of Rio. By their own admission the Council found it difficult to envision a role for Dubliners' Agenda 21 under its current structures and indeed even forgot to invite Dubliners' Agenda 21 to the launch of their Local Agenda 21 policy document in April 2001, 6 years after the Rio target date.

Dubliners' Agenda 21 were told to be patient while the wholesale reform of the fractured and overlapping Irish local government system was underway. This reorganisation was undertaken without consultation of the third sector and as it turned out, with little regard to the guidelines for Local Agenda 21 and the Aalborg Charter of 1994. It simply linked the plethora of single issue organisations which had grown up to fill the lack of power at local government level.

The City or County Development Boards (CDBs) have only 3 representatives from civil society and only 1 representative from business out of a total of 27. While a social exclusion focus was an important objective of the CDBs, environmental sustainability was hardly mentioned. The guidance for the setting up of the Community Platform bypassed existing networks and set up a structure with no clear home for environmental NGOs. Contrary to ICLEI guidelines that link concept, planning,



implementation and monitoring in a seamless process, the CDBs have no executive powers whatsoever, but rely on their constituent member organisations for implementation of policies.

This exclusion of civil society from implementation at high level would have been mitigated, if it had been provided at lower level within the internal structures of the City Council particularly the Special Policy Committees (SPCs) and Area Committees. The new Dublin City Council CDB Strategy runs counter to government guidelines, providing no civil society representation on the Area Committees and only ‘interest group’ nominations on the SPCs.

Additionally the powerless non-executive framework at CDB level is replicated at local level, with a dizzying number of new committees, including Civic, Housing and Youth Fora, many Neighbourhood Committees and four Sustainability Monitoring Platforms. This does not count the Community Platform, Council and various special interest Fora developed over the past year of the Community Platform, nor the older well established community networks covering the inner city. “All our time will be spent meeting and none will be left to do our work” is a constant refrain.

The lack of recognition of existing self organised networks and the lack of dedicated funding for the Community Platform casts doubts over the independence of these structures, contrary to Section 27.1 of Agenda 21 which states “the nature of the independent role played by non-governmental organizations within a society calls for real participation; therefore, independence is a major attribute of non-governmental organizations and is the precondition of real participation”.

Dubliners’ Agenda 21 finally ran out of energy and hope and has closed down but sadly, cannot in good faith recommend their members join the new Dublin City Environmental Focus Group.

A visionary local authority manager can make a difference, as the Cork City experience illustrates. Cork Environmental Forum was established in 1995 by the then County Manger, Noel Dillon, following active lobbying by ENGO. Over the 7 years of meetings, regular participants of the Forum have become familiar faces to each other, and mutual trust and understanding of each other’s needs and positions on issue has developed strong bonds.

In 1999 the Landscape of Cork Report was produced as a result of almost 3 years of workshop activity. A series of position papers on 14 key environmental issues were published in 2001 and have been distributed to all key players. Because of its sponsorship by the local authority and relatively secure funding, the Forum can implement policies in the form of projects on the ground.

The Forum has 2 key projects in hand; Action on Waste in Cork and two woodland local projects under the Community Woodland Project. But again, the relationship between the Cork Environmental Forum and the CDB is not satisfactory. The Forum has no representatives on the CDB and no defined role in respect of the new structures.

The Cork example demonstrates how partnership between civil society and local government can work, if trust and familiarity are built up by the key players. The Dublin example is more typical, where exclusion operates and no real partnership develops. Ireland has failed to develop any meaningful Local Agenda 21 partnerships.



## Intensive Farming: An Unsustainable Lifestyle

*The implementation of EU agricultural policies have transformed traditional sustainable farming enterprises into unsustainable businesses, encouraging over-stocking and intensification with the farmer ultimately losing control of his fate.*

John was a farmer, married with three children. He worked a ninety acre farm. Twenty years ago, when John started farming, it was a mixed enterprise with cattle, sheep and some grain. The hedges surrounding the small fields were rich with birdlife and in the summertime the rare ground-nesting species such as the skylark could be seen hovering over an area of rough grazing on the farm.

For the first ten years the farm provided an adequate living for John and his family. However, by 1990 John was experiencing a farm income crisis. Farm prices had not kept pace with inflation, his family were growing up and his day-to-day expenses were increasing. He decided to visit his agricultural adviser, who suggested a solution. In 1992 the EU had just introduced a major reform of the Common Agricultural Policy and prices for agricultural produce were reduced. To compensate farmers for this loss, the EU introduced a system of payments per animal, called livestock premia. The message was clear to farmers; if you wanted to stay on the land, you would have to access the maximum number of premia.

John was desperate to stay on the land and did not need much persuading. The farm would have to become more specialised. Replace the grain, sheep and cattle with 60 beef cows, he was told by the adviser. John agreed and the adviser drew up a plan to implement the changes. He would need to produce large quantities of grass silage to feed the extra animals. The large silage harvesters could only operate effectively in large fields. The hedges would have to be removed to allow the numerous small fields to be combined into a few big ones. The rough grazing had to be ploughed up and sown with high-yielding grasses. John regretted the loss of the wild-life habitat but he had no choice. He had to increase livestock numbers and feed them on the cheapest forage if he was to maintain his income.

For a few years the new system worked well. Prices increased and income improved. Then in 1996 disaster struck. The BSE volcano which had been quietly bubbling away below the surface for years suddenly erupted into the Irish agricultural scene. Prices plummeted and for the first time ever, John's farm recorded a loss. Desperate situations required desperate measures so John took a job in a factory 40 km away. Five years later, he was still there when the fall-out from the Foot and Mouth outbreak in Britain put even more pressure on prices and introduced even more paperwork and

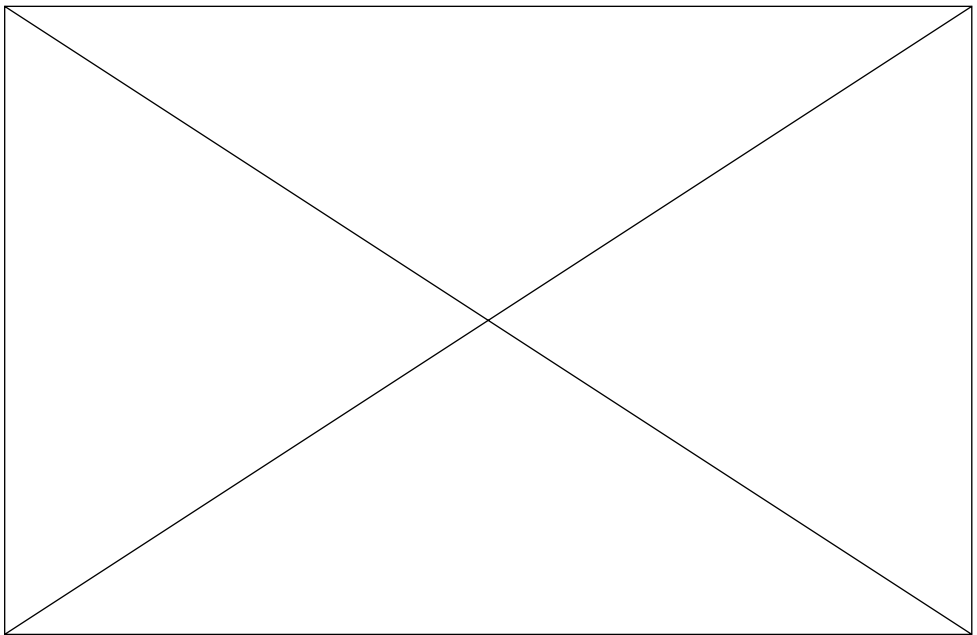




recording. None of John's children were interested in farming as a career having seen the toll it extracted from their family and poor financial returns.

John died last year in a car accident. In the few weeks leading up to his death, he was under intolerable pressure. Trying to combine a full time job with a heavy workload on the farm had curtailed his sleep and left him in a permanent state of exhaustion. A letter from the bank threatening to foreclose unless he reduced his overdraft made him even more depressed.

All over the country, farmers are being made redundant by a world that no longer needs their traditional skills and experience, and refuses to pay them enough for the food which they produce in a sustainable way.



Typical small scale ploughing

# Health is an Environmental Issue

*To the vast majority of us, the concept that your environment affects your health is common sense. The inclusion of medical concerns and knowledge in the development of environmental programmes would also be obvious. However, it is not to the Irish Department of Health, who have not answered letters from Irish doctors nor arranged to meet with their NGO.*

The Irish Doctors Environmental Association (IDEA) is a non-governmental organisation which is associated with the International Society of Doctors for the Environment, Health Care Without Harm and has an official relationship with the World Health Organisation. Over the past three years, IDEA has addressed their concerns to the national Environmental Protection Agency (EPA), the Department of the Environment and Local Government (DoELG), and the Department of Health and Children (DoHC).

The IDEA have a good working relationship with the EPA. However, the EPA is a regulatory agency and is only able to act as it is directed by law and government. But they have failed to convince the EPA that it should employ a medical doctor, in order to provide a more integrated understanding of the health impacts of environmental problems. According to the IDEA, Ireland does not measure in any systematic way the effect of the environment (both physical and social) on health.

According to Dr. Elizabeth Cullen, the “IDEA have consistently raised the issue [of employing a medical doctor] with the EPA and their response is that if they need a medical opinion they can ask for it”.

IDEA have been well received by the DoELG, but Dr. Cullen also notes that there is no medical doctor on the National Climate Change Strategy Committee. Additionally, Ireland's Strategy for Sustainable Development, published in 1997, did not include contributions from medical doctors or the DoHC. While the IDEA are currently represented on the National Sustainability Forum, Comhar, this place is at the pleasure of the Minister of the Environment, so there is no guarantee that medical concerns will continue to be voiced even there.

IDEA's concerns on issues such as genetically modified organisms and health impacts from waste incineration have been referred to the DoHC. The group notes that there is no medical doctor on the Inter-departmental Group on Modern Biotechnology responsible for considering the potential impacts of genetically modified organisms in food.

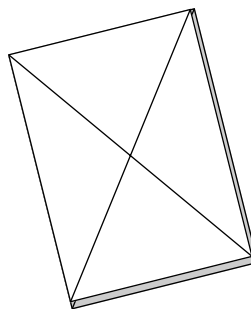
IDEA have repeatedly made representations to the DoHC, detailing their concern that Ireland is not effectively addressing the health risks present, where human activities impact upon the environment. With the exception of one meeting, with civil servants in the Department of Health, they have received only 'your letter is receiving attention' or 'please contact . . .' in response.

The IDEA have sent letters to the Minister for Health, dating from 1999 to the present, on issues including:

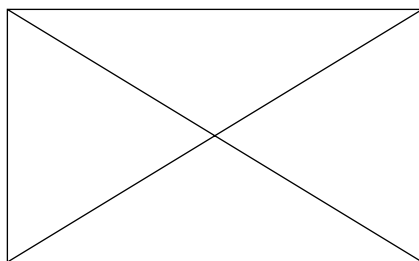
- clarification of what work was being carried out on pollution related diseases, as recommended by the EU;
- contaminants in the fluoride being added to our public water supply, background levels of fluoride and concomitant
- accumulation of fluoride in the population;
- possible adverse health effects of genetically engineered foods and concern regarding the lack of a medical person on the Interdepartmental Group on Biotechnology;
- electromagnetic radiation, regarding what research was being carried out into the phenomenon of electrosensitivity, as requested by an EU report;
- emissions that would arise from a proposed incinerator in Duleek;
- possible adverse health effects in people living near old unregulated landfill sites.

IDEA also offered to share, with the Department of Health, research that the association has carried out on dioxins and other contaminants.

None of the fundamental points of concern outlined in these letters have been specifically answered by the Minister for Health. The typical response letter reads "I wish to thank you for your recent letter concerning . . . and to let you know that it is receiving attention" while one detailed letter of response outlines how and why the Department of Health is not responsible for the matter raised.



When the IDEA requested a meeting with the Minister for Health, hoping to receive more detailed responses to their letters, they were instead invited to meet when administrative officials from the Department. The IDEA did not receive answers to their enquiries at this meeting and no further meeting was arranged. The IDEA have addressed the matter to their solicitor and to the Ombudsman.



Members of: The Irish Doctos Environmental Association  
Dr Patrick O'Sullivan, Dr Philips Michael,  
Dr Elizabeth Cullen and Dr Uwe Hild

## Building Unsustainability

*Energy in building construction and energy in building use are major contributors to global warming, especially in Europe. Ireland produces the largest amount of CO<sub>2</sub> from cement, per head of population, in Europe. Yet, this has hardly been accounted for in government procurement, development projects and grant systems for construction. For all Government departments, the public sector and semi-state agencies, capital spending together with ongoing running and maintenance cost is controlled by the Department of Finance. Under the present civil service accounting system, energy conservation techniques cannot be included in new buildings because the energy savings over the life-time of those buildings cannot be offset against the extra capital costs. The low cost of non renewable forms of energy which results from not counting external environmental costs is a further barrier even where public agencies have committed themselves to more sustainable systems.*

A good example of this is the Dublin Docklands Development Authority Master Plan of 1997. It states that “the ESB power station and the proposed new large-scale sewage treatment plant in the Poolbeg Peninsula offer the potential for a more rational use of energy in parts of the Area. The recovery and re-use of some of the waste energy from these installations would meet local heating requirements... The recovery and re-use of this surplus heat would have some significant environmental impacts, such as a reduction of CO<sub>2</sub> emissions by 20,000 tonnes annually and a reduction of primary fuel consumption by about 68,000 MWh annually”.

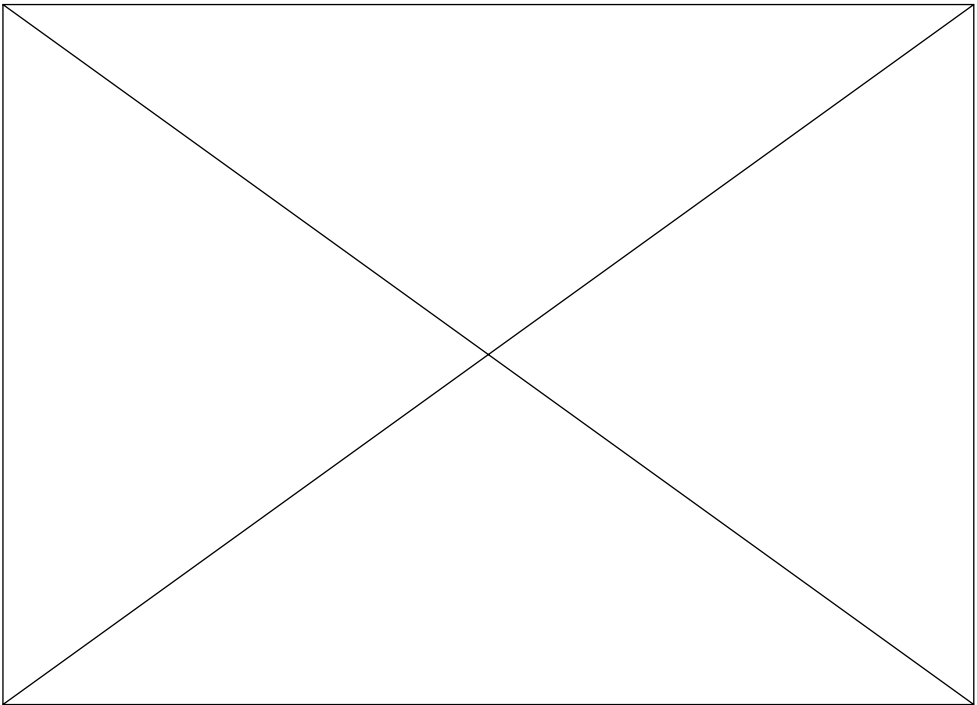
But predictably, because the prices of fuels do not reflect the damage they do, the conclusion states “It is questionable whether such investment would be commercially viable due to the current relatively low cost of fuel and energy”. The proposal did not go ahead. This example illustrates how innovative and sustainable projects are turned down. The odds are stacked against the development of such projects especially because the Government does not take environmental externalities into account in formulating the tax and subsidy regime. Research, development and demonstration of more sustainable technologies are discouraged. We end up having to treat the problems that arise through not rectifying the problem at source.

Whatever about government accounting and fiscal systems that ignore environmental costs, it is even worse to actively grant aid for environmentally destructive construction. This is exactly what the Department of the Environment and Local Government (DoELG) does through its First Time House Buyers Grant. This grant of approximately €3809 is available to all first time buyers or builders of new homes. However, the grant is governed by Technical Standards, which states that the house must be of good design and be constructed in accordance with good building practice. Where unconventional materials or methods of construction are used, certification by a competent body as to their suitability and compliance with the Building Regulations is required.



The problem arises from the difficulty of satisfying the DoELG for “unconventional materials or methods”. The conventional form of housing construction is based on a cavity construction with a masonry outer leaf, usually of concrete block or brick. Concrete and to a lesser extent brick construction is not sustainable in terms of the energy required to manufacture it and the greenhouse gases emitted in the manufacturing process. Impermeable forms of construction have also been implicated in human health problems due to lack of sufficient ventilation, condensation and mould growth.

Alternative forms of construction are in use, which are inherently free of these defects. The most common such construction has been dubbed ‘breathing wall timber frame’ with a variety of relatively permeable eco-friendly outer skin materials. This specification is not proprietary but is part of an evolving vernacular available to the environmentally conscious architect. The problem is that it is



House in Kinvarra

almost impossible to satisfy the DoELG as to the performance of this eco-friendly construction without incurring costs that are a multiple of the grant available.

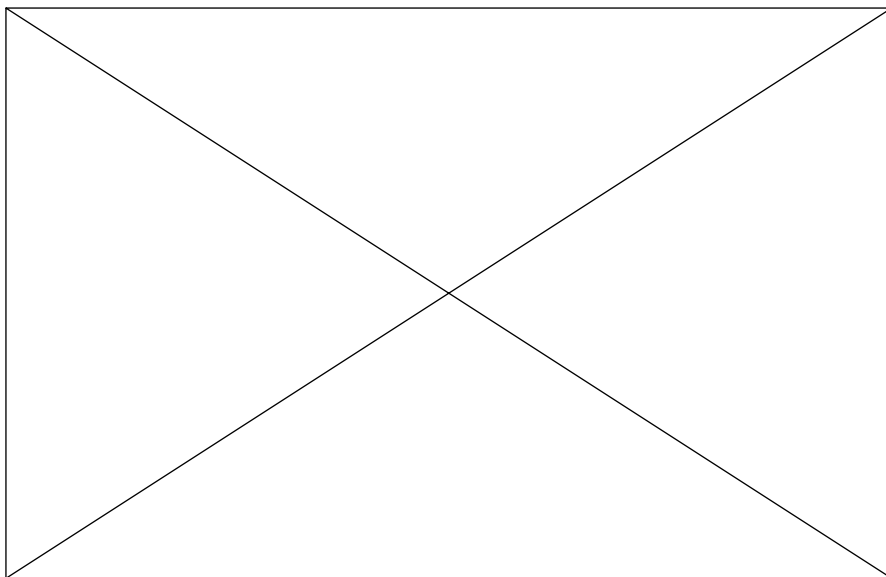
A simple example of a modest new dwelling in Kinvara, Co. Galway illustrates the point. This house was designed with a breathing wall timber frame construction with an outer leaf of 'Heraklith' an eco-friendly woodwool slab finished in hydraulic lime render. The advantages of 'breathing walls' are many and relate to the high thermal insulation performance, moisture control properties which protect against condensation and mould growth, the economy of embodied energy of the materials and the low levels of greenhouse gases generated in the manufacturing of the materials. The owner of the house suffered from allergies to common moulds and required a very healthy internal environment for her lungs to protect her livelihood as a professional singer.

This construction is almost identical to that described as part of an existing UK Agreement certificate but with a timber sheeting on the façade walls. Galway County Council rejected a timber sheeting finish for the Kinvara house as unsympathetic to the local vernacular. While this decision was later overturned on appeal to An Bord Pleanála, it came too late to be useful. In any case, the DoELG only accepts an Irish Agrément certificate even though paradoxically, all Irish testing is undertaken in the UK.

Each material part of the construction was to the ISO, BS or DIN standards accepted in our partner EU countries, but not been accepted by the DoELG. The cost of an Irish Agrément certificate for the exact combination of the already individually certified materials is at least €40,000. This is, in effect, an insurmountable barrier to the adoption of this non-proprietary but very desirable construction method.

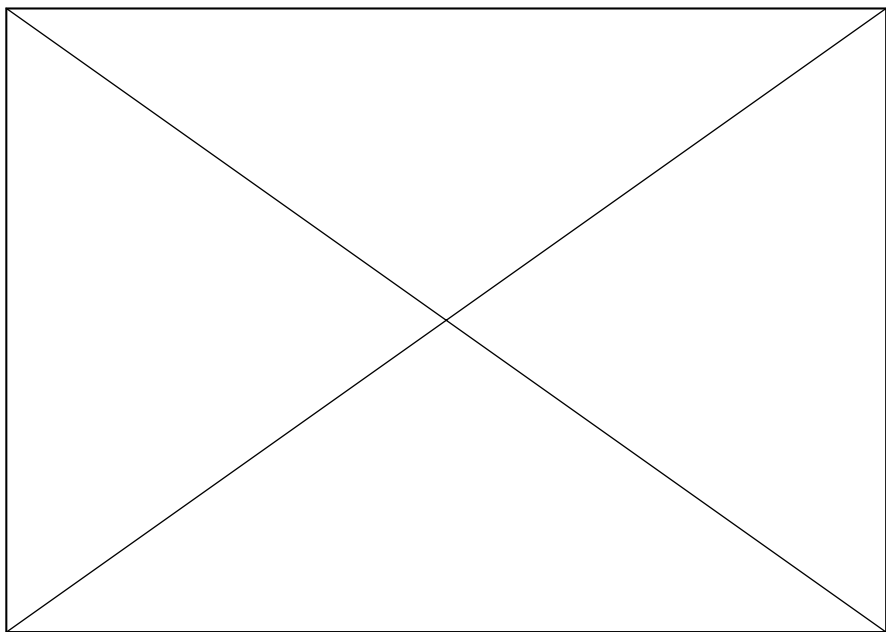
All new residential units for first time buyers of which hope to benefit from rural or urban tax incentives must therefore be of conventional, largely unsustainable, construction. Ironically, a housing scheme which could benefit from grant aid under the Irish Energy Centre's new 'House of Tomorrow' programme, would be excluded from the first time buyer grant if part of its innovative design included 'breathing wall construction'.

It does not end there. The Technical Standards of the DoELG apply not only to the first time buyer grant but also to all housing targeted tax incentives in urban and rural areas. The effect is that this form of sustainable construction cannot be used in Ireland if the owner hopes to get government grant or tax aid. These DoELG regulations are a perverse disincentive to achieving our Kyoto targets.



*Irish Times*

Dublin Dockland Quays under development



*Irish Times*

A scaled model of the planned Dublin Docklands Development

## Ashford Village Loses Out

*In 1992 at the time of Rio, Ashford village in Wicklow on the main road between Dublin and Rosslare had a population of 900 and had little expectation of growth. But current plans will encourage growth to over 5000 people in the next few years – twice the size of today’s population and 5 times the size of the population 15 years ago. This growth level is neither locally desirable nor regionally balanced and illustrates the failure of Local Agenda 21 in land use planning in Ireland.*

The ERDO Planning Report of 1998 had assumed that Dublin would inevitably expand outwards but the speed of growth in the 1990’s caught everybody by surprise. The Settlement Strategy for County Wicklow of 1995 predicted that Ashford village might grow to just 2000 people. However the roaring Irish economy pushed up the demand for labour and hence housing in the Dublin area that quickly began to overspill into the surrounding counties including Ashford Village, 35 kilometres away.

The Government response to this was to produce the Strategic Planning Guidelines for the Greater Dublin Region (SPGs) in 1999, widely accepted by planners as an appropriate response to encourage sustainable growth patterns. Development was to be concentrated in the Metropolitan region of the city where public transport could be provided and restricted in the hinterland regions to meet local need only. This strategy limits urban sprawl with all the associated problems of commuting, inefficient servicing and fragmentation of the supporting eco-system. In theory Government land use policy to direct growth is consistent with Rio’s sustainability principles. But the reality for local planning in Ashford was very different.

The Planning and Development Act 2000 prescribes that a “planning authority shall take whatever steps it considers necessary to consult the public” and to their credit the Wicklow County Council organised a public meeting to encourage public debate in Ashford before preparing their Local Area Plan. However, when the participants have had little previous experience of planning matters it can be difficult to make an effective contribution. In this instance, because an experience environmental campaigner was living in the village, the local community prepared a substantial submission in which the different interest groups were able to speak effectively to the planning consultants.

Some considerable time later the draft plan for Ashford was completed by Wicklow County Council and, following normal procedure, was presented to the Strategic Policy Committee (SPC) for Economic Development and Planning. Again, these Committees reflect the Government’s policy to introduce principles outlined in Local Agenda 21 as agreed in Rio into local governance. The SPCs, designed to create a forum to discuss and propose policy within County Councils, include not only Councillors and Council Officials but also representatives from sectoral interest groups including business, farming, trade unions and community. An excellent concept and a reflection of the mission statement that states that ‘the County Development Plan will provide the land use basis for the Councils’ Local Agenda 21...and promote local community involvement in environmental decision making.’



Unfortunately, the ‘interest’ groups to be included were chosen unilaterally by the County Council, as were the Chairpersons. This contributed to the lack of real discussion about policy at the SPC meetings to date, according to one community representative. Instead, the meetings are little more than a forum for the presentation of official reports and are generally poorly attended.

The Economic and Development SPC made no input into the Ashford Plan although it was known locally that landowners were lobbying Councillors to rezone their land for residential development. There was no discussion of any change in the direction of their settlement strategy following the adoption of the Strategic Planning Guidelines for the Greater Dublin Region that occurred between the adoption of the County Development Plan and the preparation of the Local Area Plan for Ashford.

The final Ashford Local Area Plan included only a limited zoning for local employment purposes and a large land use allocation for housing. Local employment was clearly insufficient to support all the residents of the new housing so in effect, the proposal was to turn Ashford into a dormitory commuter town serving the Dublin region, in direct contradiction of the Strategic Planning Guidelines.

In appeasement of Central Government requests for compliance with the SPGs, Wicklow County Council inserted a statement into their County Development Plan to the effect that growth in hinterland villages such as Ashford, should be for local need only. The County Manager has interpreted ‘local’ as being people living or working in the County for a year. Local residents feel that this definition is far too broad and will not inhibit commuters from moving into Ashford.

A Judicial Review of this decision was considered but was inhibited by a number of factors. In the first instance, intimidation from those whose interests are served by development is not unknown in rural areas (presumably not only in Ireland). Many local people are reluctant to voice views that are contrary to their neighbours. Furthermore the costs of Court actions are prohibitive and there is little acknowledgement and support for public interest cases. So in spite of serious miss-quiet, no one in Ashford was prepared to take on the risks associated with such a legal action.

In spite of all the national proposals and excellent strategies to promote sustainability by the Government little actual progress in made on the ground because of their lack of integration into Area Plans. Most Local Area Plans do little more than zone land without concern for the social and environmental consequences. Environmental Impact Assessment of Local Area Plans is superficial with no base line studies, eco-audits or environmental surveys of the district concerned. There are no design guidelines within the Plan for urban design, building form and architectural treatment.

One can conclude that the principles established in Rio ten years ago are well understood by Irish Government officials, yet land use plans are still being produced that are clearly developer-led with little or no regards for environmental or social concerns.

## The Castle Under the Motorway

*A recently discovered medieval garrison settlement at Carrickmines Castle of national and international importance, is to be replaced with a motorway interchange, as Ireland pursues its road building at any cost. The motorway will link Dublin's M50, already notorious for its traffic jams, to the M11 southern access route into the capital city, adding still more traffic onto the already clogged M50 system.*

Carrickmines Castle is a remarkably well preserved medieval garrison settlement, formerly part of the southern defences of the Anglo-Norman colony at Dublin. From 1200 to 1642 it was used by colonists as a base for attacking the Irish tribes in the Wicklow Mountains. It is the site of one of the largest rural medieval pottery finds ever. Much of the remains have been uncovered during archaeological excavations currently underway as part of the process of clearing the site for the motorway. The existence of the Castle was well known to historians and archaeologists and was simply brushed over in the Environmental Impact Statement.

The discovery of such important archaeological remains in 2002 demonstrates that the 1997 Environmental Impact Statement for the County/National Roads Authority South-Eastern Motorway does not comply with the EU Environmental Impact Assessment (EU EIA) Directive. It did not provide an adequate appraisal of the impact of the development on archaeological heritage. Such an assessment should have included investigations to establish the nature and extent of archaeological sites and standing monument remains on the proposed route.

The original plans for the motorway construction envisaged excavations followed by the complete obliteration of these remains, a form of archaeology known to NGOs as “search and destroy”. The proposed budget and road construction programme does not allow sufficient time for the full archaeological investigation of the site, and means the destruction of the major part of standing National Monument remains. The entire medieval garrison settlement is now threatened with removal. This particular road scheme has a budget of €575 million and a substantial grant from the European Union Cohesion Fund.

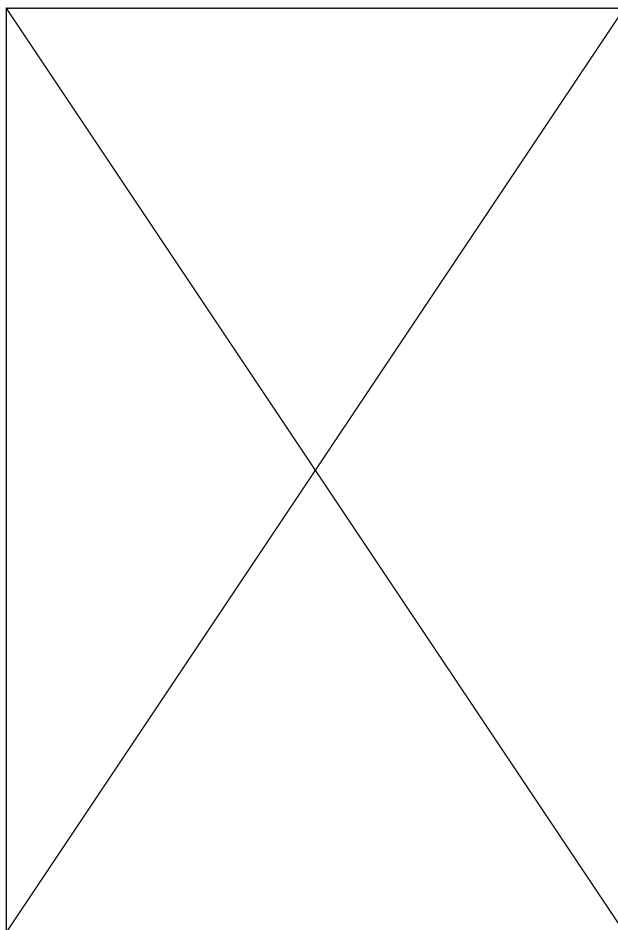
It is a requirement of Article 5 of the EU EIA Directive that information be provided before development consent is given, in order to allow mitigation measures to be put forward. In a Reasoned Opinion of 25th July, 2001, from Margot Wallström, European Union Environment Commissioner, Ireland was found to be deficient with regard to implementation of the EIA Directive under a wide number of provisions.

In the case of the Environmental Impact Statement (EIS) for the Kildare by-pass (see *Threat to Pollardstown Fen*), the Commission ruled that the EIS was deficient because it did not provide the



information required under Article 5. This EIS has failed to contain adequate data on the impact of the development on archaeology at Carrickmines Castle. The decision of how to deal with impacts from the development is only being taken now, after development has begun.

The National Roads Authority and Dun Laoghaire Rathdown County Council are determined to go ahead with motorway construction at the end of August 2002. Archaeologists and historians throughout Europe are waiting to see if the Irish Government will act to save Carrickmines.



*Cóilín MacLochlainn*

Part of the old castle wall at Carrickmines.

## Factory Pig Production

*The Aghafad pig production unit has 100,000 pigs on a 40 acre site. Such incredibly high densities mean appalling suffering for the pigs. In addition, so many pigs in such a small space produce huge quantities of animal excrement and urine, which may cause damage to Special Areas of Conservation (SACs). The Aghafad unit is in the drainage catchment of the Lough Sheelin. Unfortunately, it is only one of many factory pig production facilities threatening Ireland's ecosystems and water quality.*

Factory based animal production, which is commonly used for rearing pigs in Ireland, produces large quantities of slurry. The method used to dispose of pig slurry is to treat it as an agricultural nutrient for spreading on the land. When slurry seeps into rivers and groundwater it over feeds algae, causing eutrophication, starving fish and other plants of oxygen.

Slurry spreading is restricted in the winter months, to reduce the chances that it will be washed into nearby water systems. However because of Ireland's variable rainfall conditions, even slurry spreading during "dry periods" can result in significant surface runoff polluting nearby water systems.

According to a recent Environmental Protection Agency (EPA) report, agriculture is Ireland's main source of water pollution. Large facilities for factory pig production are required to have Integrated Pollution Control (IPC) licences, awarded by the EPA. However, water quality in Ireland's pig production centres has worsened since the EPA took over responsibility for directing the Environmental Impact Assessments (EIA) as part of the IPC process in 1994.

The 1989 EIA regulations applying to factory pig production took into account the differing effects of spreading slurry onto differing types of soils and geology. However, now only one set of standards is used by the EPA and is applied to profoundly different habitats and soil systems across the country,

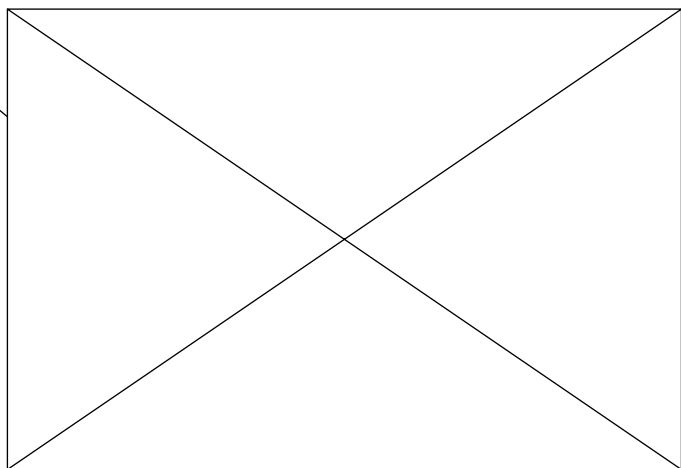


while the EPA standards for phosphorus content in pig slurry allow farmers to spread slurry that has more than double the concentration required for nutrient purposes.

Where planning approval and IPC licenses do apply, the land spreading of slurry is confined to particular defined areas. However monitoring of where slurry is actually spread is inadequate and there is no legal or supervisory mechanism to ensure that the slurry will be spread on the area stated or in the quantities stated.

There is no accurate information on the total number of pigs in industrial production units in Ireland and a significant proportion of production units, mainly older facilities that have expanded without planning permission or IPC licenses, are unauthorised.

Eutrophication of surface waters remains Ireland's most serious environmental pollution problem. Agriculture is the single biggest contributor of nutrients to water, accounting for an estimated 73% of all phosphorous inputs and 82% of all nitrate inputs to water. 42% of all group water schemes have been contaminated with fecal coliforms. Pig slurry contributes to nitrous oxide and ammonia emissions to the atmosphere which are responsible for greenhouse gas emissions and acidification.



Spreading Slurry

## Selling out our Commons

---

The Brehon Laws, by which Irish society operated until the fall of the Gaelic order, managed our common heritage for the benefit of all. There were time-tested rules based on respected values. There were checks and balances. There was an effective system of enforcement.

Our contemporary neo-classical economics has a problem with common natural resources. It either sees them as a free good within the market system (e.g fisheries and carbon sinks) and exploits them to destruction, or it attempts to privatise them (e.g land) for monopolistic power and profits for the few. The exclusive private ownership of natural goods is one of the roots of the Earth's environmental crisis.

There is an element of common ownership to all natural resources. They derive their value principally from nature's abundance and society's need. Human endeavour plays only a small part. The 'long acre' is the Irish name for the strip of common land along our roadways. It is a necessary part of Traveller culture but is in fact open to all to be used. It's name derives from the poor farmers who had little other grazing as "the long acre runs to the sea". The recent legislation creating a new crime of trespass on such land affects us all.

Contrast this with the apparently acceptable privatisation of the same 'long acre' for individual gain for rural one-off housing. "Sight lines" require wide entrances to each bungalow, privatising the roadsides. The individual's access and services also come at the community's expense in terms of road safety, landscape amenity and heavier taxes. The community's housing needs and infrastructural investment belong to it in common, not to a landowner who happens to temporarily possess its freehold title. Where are the taxes, levies and checks and balances to ensure that this value is passed to its true originators, or that it is used in an efficient and sustainable way?

***Barred from Gougane Barra*** is only one of many stories that could be told of the erosion of the right to roam over the land in Ireland. New owners have fenced off even the Old Head of Kinsale, one of Ireland's most famous headlands. This unfriendly and untraditional attitude to visitors will serve farmers badly as they look for continued subsidies and grants from the urban worker in Ireland and Europe. As diversification becomes essential for the farmer's income, the small convenience the farmer may gain by blocking access, if replicated by their neighbours, will kill the tourism and countryside activities, which could help keep their own families on their land.

The clean Atlantic waters of our bays and their use as a common resource for traditional fishing, for recreation, and for general enjoyment has been widely eliminated by effectively unregulated factory fish farming. Having fished out the coastal waters, the Government has allowed a select few to use grants from Europe and from the nation's own wealth, to exploit these resources, effectively closing them off to the rest of society (***Can't have our fish cakes and eat them too***). Farmed fish are then fed with wild fish taken from even deeper and further away in the already depleted Atlantic. As long as licences to use our existing common waters are there for the taking, investors will never explore the far more sustainable inland fish-farming model or address the true cost of their actions.

Natural resources can be lost through neglect and culpable carelessness with consequences that are impossible to foresee. It was left to volunteer seedsavers to protect our genetic inheritance of native grains, apples and other distinctive locally adapted food plants.

There has been an unprincipled shift from local to global resource use. The exploitation and despoliation of global resources is clear in the alarming and apparently unstoppable growth of Irish greenhouse gas emissions. It is undeniable in the Irish Government and EU's support for the Atlantic Dawn mega-fishing vessel. The consequent impact on Mauritanian fisheries is a stark illustration of how fragile the common resources are, upon which local people rely in the face of global capital. *Somewhat Less Than Anticipated* gives us warning of the further wanton pillage of resources under the coercion of 'international debt'.

Market squares, common fields, and even buildings have been sold off by Local Authorities to private interests rather than reform their management to reflect changing times. Religious orders have been challenged more openly for their sale of such lands, but this has not terminated the practice.

*The Wrong Tree in the Wrong Place* and *Burning the Bogs* demonstrate how unsafe our common lands are in the hands of Governments intent on finding deals giving short-term economic gain. Finally, *Mayo Gas Terminal* illustrates the straightforward giveaway of a common property - our non-renewable natural resource beneath the sea - for so little gain to the State that it mocks not just the Brehon tradition, but the very idea of common rights.

## An Unfair Share

---

'No man is an island' and neither is Ireland in the context of a globalising world. Ireland cannot achieve sustainability by itself or on its own, even with the best will in the world. Our economy is famously open, our governance is centred ever more in Europe and our culture has become more international (or Americanised). The money we use is shared by 12 other countries in the Euro zone and is based on a single shared world currency system. Nothing more than the people's willingness to borrow and 'market sentiment' secures all money. Money, which is based on debt and is given value by interest charges, introduces an inherent growth imperative into the economy and by extension to our governance and society itself.

Too much debt can threaten a nation's independence in making decisions for the benefits of its citizens. In *Atlantic Dawn*, we see how Mauritania had little bargaining power in negotiating access to their rich fishing waters. Overwhelming debt grinds down every effort to progress in far flung counties like Peru, Cote d'Ivoire and Zambia as witnessed in *Somewhat Less Than Anticipated*. Globalising culture, which accompanies economic power, can even undermine people's self-worth (*Dirty Soap*).

National debt concerns underpin the Irish Government's attraction to the concept of Public Private Partnerships, as we see in *PPPs Rule the Roads*, although the EU has recently cast doubts on this off-balance sheet accounting device. The massive debt that people must bear to purchase a modest home is absolutely necessary to feed the economy with the liquidity for business to thrive. This might explain the Government's reluctance to fundamentally address the housing affordability issue (see *Housing Winners and Losers*).

The air we breathe is part of a shared fragile atmospheric resource that now demands we act together as a global community to protect. Land-use conversion from natural ecosystems (net "sinks" or carbon dioxide acceptors) to human settlements (net "sources" or carbon dioxide emitters) means that there is increasingly less room available on the planet for the natural atmosphere regeneration by plants and oceans. Put the two trends together and the atmosphere becomes increasingly subject to rising concentrations of CO<sub>2</sub>, bringing about global warming and causing climate change.

In Ireland, there is an over 95% correlation between the use of fossil fuels and the conventional default primary indicator of economic well-being-Gross National Product (GNP). With government policy wholly dedicated to increasing GNP as a primary indicator for welfare since 1992, it is hardly surprising that the "Celtic Tiger" has left an equivalent trail of greenhouse gas emissions in its wake.

Ten years on from Rio, and 6 years off the start of the commitment period, Irish greenhouse gas emissions have increased by 26% since 1990. Having been granted a 13% increase by the EU under a Kyoto burden-sharing agreement (to allow for economic development), Ireland now has to cut emissions by 13% in order to comply with the treaty. Cuts of this order are possible, but few countries inside the Kyoto Protocol have embraced them. The USA has pulled out, because it does not consider a 7% cut over 20 years to be economically achievable. Earth Summit Ireland has developed an innovative proposal to link and solve both the debt and carbon emission challenges. For more information visit our website for "New Financial Architecture".

## Inadequate Impact Assessment

Many of the unsustainable developments described in the stories in this book would never have been permitted if the true impacts were taken into account before consent was given. This is why the Environmental Impact Assessment Directive is the most important EU Environmental Directive.

Uniquely, this law addresses not just the results but also the process, seeking to ensure that decision-making affecting the environment is informed, open and of high quality. *A Fee To Participate* demonstrates how this goal is further away today than it was when the Directive came into force in the 1980s.

There have been repeated failures to require EIAs where a development or project exceeds a threshold laid down in the Annex to the Directive as well as when a development or project falls under a threshold but is likely to have significant effects on the environment. The failure to



properly assess commercial forestry, which has so devastated Ireland's environment, resulted in a Judgement against Ireland in the European Court of Justice in 1999 – and yet the monoculture conifer plantation continues (*The Wrong Tree in the Wrong Place*).

Often key elements are left out, as in the Kildare by-pass when the extraction of water from the aquifer was not subject to an EIA (*Threat to Pollardstown Fen*). In Carrickmines the required archaeological monitoring was absent (*The Castle under the Motorway*).

The Directive has been further frustrated when projects have been split among two assessment authorities, demonstrated most clearly as the Planning Appeals Board may not consider environmental impacts, since that is the province of the Environmental Protection Agency. While the new Planning and Development Act 2000 is meant to address some of these limitations, according to *Irish Planning Law and Practice Supplement 2001, The Planning and Development Act 2000*, the law “blurs the distinction between the roles of the planning authorities and the Environmental Protection Agency. Planning authorities/ the Board will still be precluded from imposing conditions of an environmental nature in planning permissions”.

*Burning the Bogs* shows how the construction of two new peat fired power plants is proceeding in spite of the fact that Ireland has already been found guilty in the European Court for its failure to require an EIA of peat extraction. Further, Ireland has still not forwarded adequate sites for raised bogs under the Habitats Directive. Nevertheless, the entire Bord na Móna peat extraction operations have now been licensed by the EPA without EIAs.

Our waste crisis (*What a Waste* and *No Way To Zero Waste*) is rich in stories over EIA failures. Yet environmental NGOs are unable to keep up with the necessary level of investigation required to even make complaints to Brussels on these matters, never mind follow the more resource intensive and highly risky national procedures.

The authorities also fail to assess cumulative impacts. Nowhere is this truer than in roads (*PPPs Rule the Road*) and urban developments (*Dislocated Housing*). Even where EIA is carried out, cumulative impacts in areas such as drainage or traffic impact and related impacts are ignored. EIA of roads is carried out in a fragmented fashion while roads programmes are designed in a coordinated fashion. Hence the cumulative impacts of the linked road schemes are ignored. So too in aquaculture, where the failure to assess the cumulative effect of the spiralling numbers and capacity of the Irish aquaculture industry in many of the coastal bays has led to a Reasoned Opinion against Ireland. In this Opinion, the European Commission suggested that the only limiting factor in the development of Ireland's aquaculture industry appeared to be the physical capacity of a bay to contain the cages.

When NGOS have sought redress in the Courts, they have failed in their attempts to require authorities to carry out valid EIAs or even to refer points of EU law to the European Court of Justice (ECJ), for example in the Glen of the Downs (*Roads Frenzy*). In short, although most Irish environmental litigation involves questions of EU law, no Irish Court has ever referred such questions to the European Court in an environmental case. This is particularly problematic because the ECJ refuses to hear environmental cases brought to it by anyone other than the European Commission or national governments.

## Discounting Our Future

---

Despite Rio commitments, the Irish public sector has instead increasingly applied the flawed single bottom line of private businesses. Businesses in Ireland do not include the external costs when they do their sums. These non-economic social and environmental costs are not on the balance sheet when making decisions about the future. Natural resources are regarded by conventional economists as the same as labour and capital - when you run short of one, you can substitute more of the other. In the real world, natural resources are unique and limited- more fishing trawlers will not substitute for shrinking fish stocks.

Rio should have reinforced and integrated the concept of sustainable development into the public sector. It should have brought a wider perspective that encompasses social and environmental issues as well as economic issues. It should have accepted science's near consensus about the very real limits of natural systems and resources which must be prioritised in all decision-making.

EU and national policies state that development must be sustainable, but this has not impacted on public or private accounting practice. Future savings from resource efficiency, environmental protection or indeed social capital formation are not counted in decisions. This is true even when this would make straightforward economic sense.

The Irish Government continues to commission buildings for least capital cost - not capital costs plus running costs discounted to present day. We see this in the abandonment by the Dublin Docklands Development Authority of their planned combined heat and power plant (*Perverse Incentives in Construction*).

Because many costs of development are difficult to quantify, particularly those relating to biodiversity and non-local resources, they are simply omitted. The Glen of the Downs motorway drove through a Nature Reserve (*Roads Frenzy*). The Kildare by-pass cut into the largest aquifer in Ireland (*Threat to Pollardstown Fen*). Incinerators threaten Ireland's dioxin-free status (*What a Waste*).

Public sector inertia is greatest where the economic benefits are focussed on a vocal minority, through Ireland's clientelist political system, while the costs are spread over a wide and usually unaware public. This explains the otherwise irrational government complacency about urban-generated housing in rural areas (*Dislocated Housing*).

The effects of this method of accountancy reach beyond Ireland. The more removed a powerless community is, the greater the economic disadvantage. This is why the Atlantic Dawn is allowed to fish in Mauritanian waters and the EU pays for dumping of beef into developing countries (*Too Many Cows*).

Regulations, education and moral exhortation have their place. But economic instruments have the flexibility and effectiveness needed to create the right incentives to protect the environment and

promote social equity. The plastic bag tax proves this once and for all to doubters, but this takes commitment. Irish economic and fiscal policy-making does not address sustainability at all. Instead Irish taxation, grants, subsidies and tax incentives have been devised blind to their social and environmental effects. They are then implemented without the monitoring that would expose the unconsidered, unintended and unexpected consequences.

Thus, the seaside holiday homes and rural tax incentives have not been linked to sustainable development objectives and so have caused social and environmental disruption. Similarly, the provisions for housing affordability in the 2000 Planning and Development Act intensify social exclusion in rural areas as non-zoned land is excluded from its provisions. Grants linked to rigid rules and regulations can block positive moves to more sustainable construction (***Building Unsustainability***). The vast cross-subsidies required for the new peat fired electricity generation mean a balance sheet with benefits so slight for so few that they are totally dwarfed by the scale of the damage done to our environment (***Burning the Bogs***).

Irish taxation structures, incentives, grants and subsidy systems send counter-sustainability signals to both business and citizens. Telling them to minimise job creation and maximise capital investment. Telling them that non-renewable resources like oil are abundant, that water is worthless and that the environment has a limitless capacity to absorb pollutants. This impels them to invest in land and property rather than productive enterprises. Finally, this discounts the future by placing no present value on long term effects of our actions.

## Unequal Partners

---

Agenda 21 laid out a new approach to partnership for sustainable development. The Rio Earth Summit recognised that economic, social and environmental interests had to be integrated within a new approach. These three issues were to be matched by the integration of the three main sectors - that of public, private and civil society; NGOs, community groups. What happened to these partnerships explains much of why Rio failed in its implementation objectives in Ireland.

While greater provision was made for civil society participation in partnerships at many levels, some partners were more equal than others. The business sector partnership grew in importance and influence with the economic boom, while the partnership of the civil society was subverted and marginalized into areas with severely limited impact on economic decisions and implementation measures.

The lack of integration of Government policy into lower level governance such as Development Plans and the new statutory Local Area Plans can be seen in *Ashford Village Loses Out*. The Government launched the Special Policy Committees [SPCs] as new fora for the participation of civil society but this participation is not 'equivalent' to that of the public sector as the 'interest group' representatives are decided by the County Council itself.

In *Tale of Two Cities* this exclusion goes further. The Community Platform and Forum in Dublin, which represents the civil society, is not even recognised for representation on the SPCs or the Area Committees. Instead, a new tier of participative fora is proposed for community sector involvement. This has no executive powers of any kind as it is under the City Development Board, a body restricted to policy-making.

Environmental Non Government Organizations [ENGOS] face even greater exclusions. Rather than including ENGOS on the National Economic and Social Council or even the National Economic and Social Forum, they have been given their own 'special' partnership forum, Comhar.

The trade unions, the employers and the farmers sit around the same table with the Government to write the Programme for Prosperity and Fairness, which decides on national borrowing, taxation and wage increases for five years, without the benefit of an environmental analysis. Comhar did well to influence one single fiscal measure, the tax on plastic bags (*The Popular Tax*). What could ENGOS achieve if they were at the top table? Even more to the point, how can decisions be properly evaluated without them?

It might be thought that participation in policy making is a powerful advance. But it is like the joke, "My wife and I share decision-making. I decide on UN policy and the national debt and she decides on how we spend my salary and the children's school".

The Tribunals have uncovered instances of unhealthy relationships between business and government. There is a danger that this relationship will be formalised through Public Private Partnerships. *PPPs Rule the Road* illustrates clearly how national policy can be completely rewritten to serve business priorities – even at the expense, of and risk to the public.

Civil society participation in roads policy and delivery hold particular perils, as this is the flagship of the current Government's National Development Plan 2000 -2006. "*Sorry, you Sent That in the Wrong Envelope*" shows how 'civil society' involvement is controlled through restrictive and arbitrary regulations and how information control can be used to limit participation.

Health concerns underlie two of the main community and NGO campaigns. These are a nationwide campaign against proposed incineration and against compulsory medication through the fluoridation of our public water supplies (*The Optimal Dose*). Policy change in our water services has proved to be stubbornly resistant to community pressure - and growing medical evidence, has resulted in its withdrawal from the water supplies of other countries. The experience of the medical

profession is surely one area where the precautionary principle must be applied (*Health is an Environmental Issue*).

The waste issue perfectly illustrates the contradictory attitude of Government. On the one hand we are invited in a national advertising campaign to 'make a difference' by reducing and recycling waste. Yet communities are denied the basic facilities to do so as described in *No Way Zero Waste*. Meanwhile, any local community fighting an incinerator is portrayed as NIMBYs - "Not In My Back Yard" - unwilling to accept their part in the "only" solution to Ireland's waste crisis. *What a Waste* outlines how the Government retains the ultimate sanction when participative processes yield the 'wrong' answers - that of the withdrawal of democratic rights.

## The Legal Obstacle Course

---

The last 10 years have seen increasing obstacles to public access to the Courts in planning and environmental matters. This has come about as a result of a campaign by landowning, speculative and business interests. It has been paralleled by a lack of will on the part of the judiciary to make EU environmental law effective in Ireland and in particular, to refer issues of EU law to the European Court of Justice.

The Irish Constitution does not enshrine environmental rights. Enforcement of many environmental issues under Irish law is left to the Minister for the Environment, local authorities or the EPA. Standards of enforcement are very low, with evidence of breaches of environmental law in controversial cases. The judiciary pays more heed to for example, "property interest" in the outcome of a particular case rather than to environmental rights where a case finally is heard in court. This reflects the protection given to property rights in the Irish Constitution, where the environment and sustainable development are not even mentioned.

The concept of sustainability as adopted by the Rio Earth Summit is not established in the Irish courts. European law is rarely allowed to get in the way of the established national legal regimen. Arguments based on the non-compliance of Irish law with EU law are generally disregarded, as described in *Burning the Bogs*; cause for a great deal of frustration among Irish environmental NGOs. Where new legislation is enacted it can fail to provide any real protection as in *Blind Eye to Bats*.

The Irish legal system made significant legislative changes that place procedural obstacles to the exercise of rights under environmental law. These are contained in the new Planning Regulations and the results can be seen in the stories *A Fee to Participate* and *Dislocated Housing*.

In addition, security for costs may be required from companies litigating in the public interest. In practice they may be so large as to deter litigants, as described in *Ashford Village Loses Out*. Private and State companies now frequently seek security for costs in the Courts. This means that the NGO would be required to put up substantial funding in advance, payable should they lose the case. Security for costs was even threatened against an individual, an 82-year old widow, who challenged work being carried out on the Mayo Gas Terminal.

For a few months, a scheme of civil legal aid, "the Attorney General's scheme" was available to public interest litigants. However, following its successful use in *Murphy v. Wicklow County Council*, the *Glen of the Downs* case, (*see Road Frenzy*), the rules were summarily changed to exclude such cases. The effect is to thwart planning litigation and to ensure that European law points are not dealt with in the national courts.

The only other avenue of redress available to environmental complainants where EU environmental law is not being complied with is a complaint to the EU Commission. However, this process is being frustrated by delays on the part of the Irish authorities in responding to the Commission and by lack of resources in Brussels. The EU regards these delays as unacceptable and has sent a formal Letter of Notice to Ireland. "Article 10 requests Member States to actively cooperate with the Commission in dealing with complaints. The decision reflects the Commission's concern that it is not receiving from Ireland the usual degree of co-operation it expects from Member States".

There has been no evidence of an improvement in Ireland's performance since then, yet no redress, least of all the threatened withholding of Community funds, has ensued.

Unfortunately, the Commission also takes too long to deal with national environmental complaints. Time lost in negotiating the obstacles in the legal system can lead to outcomes that invariably work to the benefit of the developer, (*Threat to Pollardstown Fen*).

## SELECTED BIBLIOGRAPHY

*Many of the stories included in this report relate the personal experiences of individuals and do not include extensive references, while in other stories the references are included within the story. What follows here is a selected bibliography of documents that Earth Summit Ireland felt it would be useful to include at the end of this report.*

### Irish Reports, Plans, Laws, Policies and Guidelines

Central Statistics Office (1996). Census of Ireland 1996, Stationary Office, Dublin.

Central Statistics Office (2002). Census 2002; Preliminary Report, Stationary Office, Dublin.

Coillte (2000). Stakeholder Consultation. Code of Best Practice. Coillte, Ireland.

Coillte Teo (2000). Annual Report 1999, Coillte Teo, Ireland.

Comhar, The National Sustainable Development Partnership (2002). Principles for Sustainable Development, Comhar, Dublin.

Department of Agriculture, Food and Rural Development (2001). Code of Good Farming Practice, Department of Agriculture, Food and Rural Development, Dublin.

Department of Agriculture, Food, and Forestry (1996) Growing for the Future, A Strategic Plan for the Development of the Forestry Sector in Ireland. Stationary Office, Dublin.

Department of Arts, Heritage, Gaeltacht and the Islands (2002). National Biodiversity Plan, Stationary Office, Dublin.

Department of the Environment (1990). Environment Action Programme, Department of Environment, Dublin.

Department of the Environment and Local Government (1997). Sustainable Development: A Strategy for Ireland, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government (1998). Genetically Modified Organisms and the Environment; A Consultation Paper, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government, Fehily Timoney & Company (1999). Consultancy Study on Plastic Bags, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government (1999). National Consultation Debate on Genetically Modified Organisms and the Environment; Report to the Chairing Panel, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government & PriceWaterhouseCoopers (2000). A Policy Framework for Public Private Partnerships, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government & Interdepartmental Task Force on the Integration of Local Government and Local Development Systems (2000). A Shared Vision for County/City Development Boards, Stationary Office, Dublin.

Department of the Environment and Local Government (2000). Attitudes and Actions; A National Survey on the Environment, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government (2000). National Climate Change Strategy, Stationary Office, Dublin.

Department of the Environment and Local Government (2000). The National Spatial Strategy: Scope and Delivery, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government (2001). Towards Sustainable Local Communities, Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government (2001). Indications for the Way Ahead [consultation paper on a national spatial strategy], Department of Environment and Local Government, Dublin.

Department of the Environment and Local Government (2002). Preventing and Recycling Waste: Delivering Change, Stationary Office, Dublin.

Department of the Environment and Local Government (2002). Making Ireland's Development Sustainable: Review Assessment and Future Action, Stationary Office, Dublin.

Department of Health & Children (2000, 12th April). Fluoridation of Public Water Supplies, Department of Health & Children, Dublin.

Department of Health & Children (2002). National Traveller Health Strategy, Stationary Office, Dublin.

Department of the Marine and Natural Resources (2001) Press Release 16.01.01.

Department of the Marine and Natural Resources (2001) Press Release 27.01.01

Dublin Corporation; Brady Shipman Martin, Urban and Regional Planning Consultants; Kirk McClure Morton; Fitzpatrick Associates; Colin Buchanan and Partners (1999). Strategic Planning Guidelines for the Greater Dublin Area, Brady Shipman Martin, Dublin.

- Environmental Protection Agency (1996). National Waste Database Report 1995, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (1996). State of the Environment Report, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (1997). Urban Waste Water Discharges in Ireland in 1994 and 1995, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (1999). Environment in Focus, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (1999). Measuring Progress Towards Sustainability, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (2000). Ireland's Environment – A Millennium Report, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (2000). National Waste Database Report 1998, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (2000). Urban Waste Water Discharges in Ireland in 1998 and 1999, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (2002). Environment in Focus, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (2002). Report on Water Quality in Ireland 1998-2000, Environmental Protection Agency, Wexford, Ireland.
- Environmental Protection Agency (2002). Drinking Water Sample – Report of Analysis; Location 65 Kirwan Park, Mountmellick, Co. Laois. May 30 2002.
- Forest Service (1995). Broadleaf Task Force Leader Report, Stationary Office, Dublin.
- Forest Service Database, 2000 and 2001, Ireland.
- Government of Ireland (1994). National Development Plan 1994-1999, Stationary Office, Dublin.
- Government of Ireland (1997). Ireland Country Report to the 1997 Special Session of the UN General Assembly, United Nations Environment Programme.
- Government of Ireland (2000). National Development Plan 2000-2006, Stationary Office, Dublin.
- National Roads Authority (1998). National Roads Needs Study, National Roads Authority, Dublin.
- Oireachtas Eireann (1933). Foreshore Act of 1933, Stationary Office, Dublin.
- Oireachtas Eireann (1963-1999). Planning Acts of 1963 to 1999, Stationary Office, Dublin.
- Oireachtas Eireann (1976). Gas Act of 1976, Stationary Office, Dublin.
- Oireachtas Eireann (1976). Wildlife Act of 1976, Stationary Office, Dublin.
- Oireachtas Eireann (1992). Environmental Protection Agency Act 1992, Stationary Office, Dublin.
- Oireachtas Eireann (1996). Waste Management Act 1996, Stationary Office, Dublin.
- Oireachtas Eireann (1997). Freedom of Information Act 1997, Stationary Office, Dublin.
- Oireachtas Eireann (2000). Planning and Development Act 2000, Stationary Office, Dublin.
- Oireachtas Eireann (2000). The Wildlife (Amendment) Act of 2000, Stationary Office, Dublin.
- Oireachtas Eireann (2001). Waste Management (Amendment) Act 2001, Stationary Office, Dublin.
- Oireachtas Eireann (2002). Housing (Miscellaneous Provisions) Act 2002 [Trespass Law], Stationary Office, Dublin.
- Statutory Instrument 81 of 1988, European Communities (Quality of Water Intended for Human Consumption) Regulations, Stationary Office, Dublin.
- Statutory Instrument 349 of 1989, European Communities (Environmental Impact Assessment) Regulations, Stationary Office, Dublin.
- Statutory Instrument 460 of 1998, Environmental Protection Agency Act 1992 (Established Activities) Order, Stationary Office, Dublin.
- Statutory Instrument 450 of 2000, European Communities (Environmental Impact Assessment) (Amendment) Regulations, Stationary Office, Dublin.
- Statutory Instrument 517 of 2001, European Communities (Internal Market in Natural Gas) (Compulsory Acquisition) Regulations, Stationary Office, Dublin.
- Task Force on the Travelling Community (1995). Report of the Task Force on the Travelling Community, Stationary Office, Dublin.

## Independent Reports and Publications

- A&L Goodbody Solicitors (2001). Irish Planning Law and Practice; Supplement 2001, The Planning and Development Act 2000, Butterworths, Dublin.
- AIB and Merrill Lynch (2000). Report to the Minister for the Marine and Natural Resources: Options for the Corporate Development of Coillte Teo, April, 2000.
- Aquafor (1997). A Study of the Effects of Stream Hydrology and Water Quality in Forested Catchments on Fish and Invertebrates, EOLAS Contract HEIC/91/304/A, Final report, University College Dublin.



- Barry, Joseph, Leslie E Daly & the Health Research Board (1988). *The Travellers' Health Status Study; Census of Travelling People 1986*, The Health Research Board, Dublin.
- Brown, Paul (2002). EU deal lets Irish fishermen off hook; World's largest fishing vessel raises fears over fish stocks, *The Guardian*, February 20, 2002.
- Clinch, Peter; Frank Convery and Brenda Walsh (2002). *After the Celtic Tiger; Challenges Ahead*, The O'Brien Press, Dublin.
- College of Physicians of Ireland (2000). *Water Fluoridation and Public Health in Ireland*, Dental Health Foundation, Dublin.
- Corten, Ad (2000). Biological research on pelagic fish stocks in West Africa, Final report to Pelagic Freezer Trawler Association, 76 pp.
- Cullen, Paul (2002). Robinson calls on Government to honour aid promise, *The Irish Times*, July 13 2002.
- Enterprise Energy Environmental Impact Statement 2000:1 Environmental Resource Management, in Association with Byrne O Cléirigh and the ESRI (1998). *Limitation and Reduction of CO2 and Other Greenhouse Gas Emissions in Ireland*, Stationery Office, Dublin, 1998.
- FitzGerald, J. & D. McCoy Eds. (1992). *The Economic Effects of Carbon Taxes*, ESRI Policy Research Series No.14, Economic and Social Research Institute, Dublin.
- Harvey, Brian (2002). Rights and justice work in Ireland: A new base line, *The Joseph Roundtree Charitable Trust*, York.
- Irish Doctors Environmental Association (2001). *Annual Report*, Irish Doctors Environmental Association, Kilmaley, Co. Kerry, Ireland.
- Krause, Karsten (1998). *More than just a Side Effect*, COMHLÁMH, Cork.
- KPMG Consulting (April 2001). *Review of Aquaculture Licensing Process. Final Report to Department of Marine and Natural Resources*. Department of Marine and Natural Resources, Ireland.
- Lafferty, William M. Ed. (2001). *Sustainable Communities in Europe*, Earthscan Publications Ltd., London.
- Lowes, Tony (2000). NGO Commentary on the application in Ireland of Regulation 2080/92 instituting a Community aid scheme for forestry measures in agriculture, An Taisce, Dublin.
- Mara, Sandra (2002). *Gas Lads; The politicians who sold Ireland's family silver in the great oil and gas give-away*, Magill, March 2002.
- Matthews, Alan (2000). *Farm incomes; Myths and Reality*, Cork University Press, Cork, Ireland.
- Matthews, Alan (2001). *Has Agricultural Policy Responded to the Rio Challenge?* Department of Economics, Trinity College, Dublin.
- Murphy, Caroline (2002). It's time to grow our own, *Forest Network Newsletter*, Issue Number 68; June 26, 2002.
- O'Brien, Tim (1999). £1.2bn needed to bring rail system up to standard, *The Irish Times*, August 10 1999.
- O'Brien, Tim (1999). Report identifies southern, eastern regional needs, *The Irish Times*, June 5 1999.
- O'Brien, Tim (2001). £1bn investment acknowledges decades of railway network neglect, *The Irish Times*, August 1 2001.
- O'Doherty, Caroline (1999). A rising tide of protest, *The Examiner*, May 4 1999.
- Organisation for Economic Co-operation and Development (2000). *Environmental Performance Reviews; Ireland*, Organisation for Economic Co-operation and Development, Paris.
- Roddy, Michael (2002). Once Known for Curraghs, Irish Ships Now Are Big, *Reuter*, Tuesday April 30 2002.
- Ryan and Farrell (1998). *Assessing the Sensitivity of Surface waters to Acidification, A Literature Review*, Forest Ecosystem Research Group Report Number 25, Department of Environmental Resource Management, University College Dublin, Dublin.
- Sachs, Wolfgang Ed. (2002). *The Jo'burg Memo: Fairness in a Fragile World, Memorandum for the World Summit on Sustainable Development*, Heinrich Boll Foundation, Berlin.
- Scott, Sue (2002). Sustainability's neglected measure: Pollution Taxes. Paper presented to the Convergence Festival 2002, 6-14 April, 2002, Dublin.
- Siggins, Lorna (2000). Irish ports to greet 'Atlantic Dawn', *The Irish Times*, August 31 2000.
- The Heritage Council (1997). *Case studies of afforestation in Ireland, 1997; a study commissioned by the Heritage Council on the impacts of forestry policy on aspects of Ireland's heritage*, The Heritage Council, Kilkenny, Ireland.
- The Heritage Council (1999). *Policy Paper on Forestry and the National Heritage*, The Heritage Council, Kilkenny, Ireland.
- The Phoenix (2001). Kevin McHugh's 'Ship From Hell', December 21 2001.
- The Phoenix (2002). Brendan Daly's Fishy Licences, April 26 2002.

## **International and European Agreements, Plans, Policies and Statements**

European Commission (1997). *Report to Parliament and the Council on the application of Regulation (EEC) No 2080/92 instituting a Community aid scheme for forestry measures in agriculture*, COM 630/97, Office of Official Publications of the European Communities, Luxembourg.

Council Directive 79/409/EEC (1979). on the conservation of Wild Birds, OJ L103, 25.4.1979, Office of Official Publications of the European Communities, Luxembourg

Council Directive 85/337/EEC (1985). [The Environmental Impact Assessment Directive] on the assessment of the effects of certain public and private projects on the environment, OJ L175, 5.7.1985, Office of Official Publications of the European Communities, Luxembourg.

Council Directive 90/313/EEC (1990). on the freedom of access to information on the environment, OJ L158, 23.6.1990, Office of Official Publications of the European Communities, Luxembourg.

Council Directive 92/43/EEC (1992). on the conservation of wild habitats and of wild fauna and flora, OJ L206, 22.7.1992, Office of Official Publications of the European Communities, Luxembourg.

Council Directive 97/11/EC (1997). amending Council Directive 85/337/EEC, OJ L73, 14.3.1997, Office of Official Publications of the European Communities, Luxembourg.

European Commission (2001). Letter from European Commission, DG Environment, Directorate D, 23.04.2001 in relation to complaint P/2001/4059, April 23 2001.

European Commission (2001). Reasoned Opinion 24.10.2001 C(2001)3214.

United Nations Conference on Environment and Development (1992). Rio Declaration on Environment and Development, United Nations Environment Programme.

United Nations Conference on Environment and Development (1992). Convention on Biological Diversity, United Nations Environment Programme.

United Nations Conference on Environment and Development (1992). Agenda 21, United Nations Environment Programme.

United Nations Conference on Environment and Development (1992). Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of all Types of Forest, United Nations Department of Economic and Social Affairs.

United Nations Development Programme (2002). Human Development Report 2002; Deepening democracy in a fragmented world, Oxford University Press, Oxford.

World Commission on Environment and Development (1987). Report of the World Commission on Environment and Development, 42/187, United Nations.

## Letters, Correspondence, Complaints

An Taisce (2002). Complaint registered with the European Commission under reference number 2000/4717 SG(2002) A/3541/2.

Coillte (2001). Correspondence from Coillte to local activist, June 2001.

Coillte (2001). Correspondence from Coillte to local activist, May 2001.

Cour Des Comptes Europeenne Luxemburg (1998). to Friends of the Irish Environment, REF: 000418, 12 March 1998.

Enterprise Energy (2001). email to the Mark Garavan, Co Mayo, 29.06.01.

Irish Doctors Environmental Association (2001). Correspondence Files, Irish Doctors Environmental Association, Kilmaree, Co. Kerry, Ireland.

McKenna, Patricia MEP (2002). Letter to Mr. Franz Fischler, Member of the European Commission, Agriculture & Fisheries, January 10 2002.

McKenna, Patricia MEP (2002). Letter to Mr. Franz Fischler, Member of the European Commission, Agriculture & Fisheries, February 14 2002.

McKenna, Patricia MEP (2002). Letter to Mr. Franz Fischler, Member of the European Commission, Agriculture & Fisheries, May 15 2002.

## Interviews and Fieldnotes

Castlebar, fieldnotes (26.06.01). Mark Garavan, Co Mayo.

Ceathru Taidgh, interview (2001). Mark Garavan, Co Mayo.

Cullen, Liz (2002). Interview with Kate Farrell, Dublin.

McKenna, Patricia MEP (2002). Statement: Irish Businessman Runs Rings Around European Commission, February, 2002.

Pollathomas, interview (2001). Mark Garavan, Co Mayo.

Rossport, fieldnotes (April 2001). Mark Garavan, Co Mayo.

Sheehy Skeffington, Micheline (2002). Interview with Kate Farrell, Dublin.

Sweetman, Peter (2002). Interview with Kate Farrell, Dublin.

***Earth Summit Ireland wish to thank all the many individuals and organisations that have assisted in the preparation of this report including:***

An Taisce, Nick Armstrong, Bat Conservation Group Dublin, Birdwatch Ireland, O Bosman, Karen Bothwell, Liam Bourke, Gay Brocklerby, Juanita Browne, Denis Buckley, Margaret Buckley, Valerie Burris, Kaethe Burt-O'Dea, Sadhbh Burt-O'Dea, Seamus Byrne, Campaign for Sensible Transport, Brigid Carlin, Aoife Cassidy, Imeda Carew, Bridget Carlin, Graham Caswell, Glenda Cimino, Su Clarke, Shirley Clerkin, Coastwatch Ireland, Comhlamh, Con Colbert, Martin Colbert, Eileen Collins, Marie Collison, John Connolly, Eric Conroy, Frank Corcoran, Andrew Cox, Crann, Gerry Crilly, Liz Cullen, Bart Cunihann, Deirdre de Burca, Debt and Development Coalition Ireland, Richard Douthwaite, Eoin Dubsy, Karin Dubsy, George Dunwoody, Peter Dwyer, Earthwatch Ireland, Eco, ENFO, EOS Architects, Esperanto-Asocio de Irlando ESRI, Kate Farrell, Feasta, Rose Ferguson, Pat Finnegan, Gary Fitzgerald, John Fitzgerald, Forest Network Newsletter, Friends of the Irish Environment, Soly Gaffney, Bob Galvin, Mark Garavan, Roger Garland, Nora Geraghty, Barry Gleeson, Gluaisecht, Joseph Glynn, Kingsley Goodan, Jane Hackett, Melanie Hamilton, Sharon Harding, Maura Harrington, Gavin Harte, Kate Healy, David Healy, Elizabeth Healy, Peter Hennessy, Veronica Heywood, Pamela Hill, Jacqui Hodgson, Hailing Huang, Irish Peatland Conservation Council, Irish Doctors Environmental Association, Irish Seed Savers Association, Irish Whale & Dolphin Group, Irish Wildlife Trust, Paul Johnston, R Johnston, Eimeir Johnston, Kathleen Joyce, Kitty Joyce, KADE, Rachel Kavanagh, Lorraine Kavanagh, Anthony Keane OSB, Keep Ireland Open, John Kelleher, Laura Kinsela, Penny Lange, Barbara Lee, Mags Liddy, Tony Lowes, Ian Lumley, May Lynam, Magill Magazine, William Maher, Alan Matthews, Roisin Meacle, Marcus McCabe, Neil McCann, Terrence McDonough, Mary McGillicuddy, Ruth McGrath, Patricia McKenna, Cóilín MacLochlainn, Noreen McLoughlin, Maire Mullarney, Donna Mullen, Caroline Murphy, Martin Murray, Aoife Ni Fhearghail, NUDE, Tadhg Ó Crualaoich, Jakki O'Donovan, Patrick O'Neill, Emer O'Siochru, Finola O'Siochru, Eoin Ó Broin, Denis Ó Buachalla, Eddie O'Loughlin, Kieran O'Malley, John O'Sullivan, Patrick O'Sullivan, Judy Osbourne, Des Page, Percy Podger, Pavee Point, Tom Penderville, Norman Philip, Davie Philip, Presentation Sisters Nagle Community, Eamon Rafter, Bernard Ryan, Trevor Sargent, Nancy Serrano, Sue Scott, Micheline Sheehy Skeffington, Micheal Smith, Siddharaj Solanki, Jean Somers, Andrew St Ledger, Sustainable Ireland Co-op, Aine Suttle, Peter Sweetman, The Irish Times, The Phoenix Magazine, The World Bank, David Twohig, VOICE, Christian Volkmann, Bernie Walsh, Noreen Walshe, Jennifer Wann, Greg White, Jim Woolridge, Dara Wyer.

*Earth Summit Ireland particularly wish to thank the Department of Environment and Local Government, which provided the funding that has made the preparation and publishing of this report possible.*

