



Eamonn Kelly
Principal Officer, Environmental Planning Policy Section

27th May 2019

Mr. Romas Svedas
Chair of the Implementation Committee
Convention of Environmental Impact Assessment in a Transboundary Context
Protocol on Strategic Environmental Assessment
UNECE
Palais des Nations
CH-1211 Geneva 10
Switzerland

Email: eia.conv@un.org, elena.santer@un.org

Re: Fifth Review of the Implementation of the Convention

Dear Mr. Svedas,

I am writing in reply to your letter dated 11 April 2019 regarding compliance issues identified in the Fifth Review of the Implementation of the Convention, based on questionnaires returned by Parties.

Your letter noted Ireland's response to question I.22 in the Fifth Review of Implementation Questionnaire 2015 regarding public hearings as an affected party and sought clarification "*on how Ireland as an affected Party ensures public involvement in the environmental impact assessment procedure under articles 3(8) and 4(2) of the Convention*".

In this regard, I would like to confirm to the Committee that, where Ireland is the affected party, while there is no specific legal obligation in our national legislation which requires the holding of a public hearing for transboundary cases, our national legislation does ensure widespread public consultation in the following manner: Article 132 of Ireland's Planning and Development Regulations 2001, as amended, ensures public involvement by requiring the relevant Irish authority to publish a notice in an approved newspaper giving notice of having received information from a transboundary State in respect of any development which is subject to the Environmental Impact Assessment Directive or the Transboundary Convention and which is likely to have significant effects on the environment.

The newspaper notice must state that written submissions or observations in relation to the proposed development can be made by members of the public to the relevant competent authority within a specified period, which may not be earlier than 30 days after the publication of the notice.





Following receipt of any submissions or observations from the public, or from notified statutory bodies, the relevant authority in Ireland shall consult with the Government Minister for Housing, Planning and Local Government (whose Department has responsibility for the Espoo Convention) and then the authority shall enter into consultations with the transboundary State of origin concerned in relation to the potential transboundary effects of the proposed development. The Irish authority will also publish a notice in an approved newspaper informing the public of any decision to grant or refuse such development in a transboundary State when such decision is made by the country of origin.

Similar details are provided in Ireland's response to the Sixth Review of Implementation Questionnaire 2016-2018 concerning procedures for ensuring public involvement the transboundary environmental consultation process – particularly refer to the response to question I.19. In this regard, for ease of reference, please find enclosed a copy of Ireland's questionnaire response for the 2016-2018 period, which has been separately submitted to the UNECE's Espoo Secretariat.

I hope you find the above response to your satisfaction. However, should you require any further information, please do not hesitate to contact me.

Yours Sincerely,

Eamonn Kelly

Principal Officer
Environmental Planning Policy
Department of Housing, Planning and Local Government

Ireland's Focal Point for Administrative Matters regarding the Espoo Convention