



Accessing environmental information: *getting* information effectively

Andrew Jackson

Natural Environment Officer

An Taisce – the National Trust for Ireland

The Access Initiative



ICT4ER: Developing a Research Agenda

NUI Galway

20 June 2013

Two initiatives

- Bridging Transparency and Technology Initiative (TAI Bridge) – ‘Open Development’. Carole Excell, World Resources Institute.
- An Taisce initiative: database of information received pursuant to access requests in Ireland.





Starting point



- Ireland has broad rights of access to environmental information, backed by a sophisticated enforcement infrastructure at international level (via the Aarhus Convention).

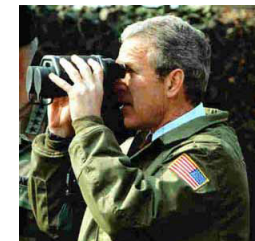
George W. Bush administration:

“As the United States is not a Party to the Aarhus Convention, we are not in a position to block the adoption of the decision related to the compliance mechanism”

But...

“We do not consider the compliance rules adopted here to be a precedent for compliance procedures in other regional or multilateral environmental agreements.”

- **So compliance mechanism clearly doing something meaningful!**



However...

- Even with liberal access rules and advanced enforcement structures, there are major practical access to information barriers.
- A research agenda looking at information and communications technology for environmental regulation must by necessity focus on how we get environmental information, as well as how we use it via ICT.

Case 1: Afforestation and ICT

- An Taisce has prescribed functions under various pieces of legislation.
- E.g. We receive afforestation applications for comment where: potential impacts on protected areas, archaeological features of interest, etc.
- But: we need good, up-to-date ICT resource to allow us to consider cumulative impacts.

Forest Service ICT

- Forest Service has developed iFORIS online mapping tool (for use by forest inspectors) and parallel iNET system (for use by industry: registered foresters).
- I requested access to iNET in order to perform An Taisce's statutory functions more effectively.
- Access refused; internal review requested, but will almost certainly require an appeal to Commissioner for Environmental Information (costing EUR 150...).

Case 2: Peat extraction



Pre-1964: no
planning control
laws in Ireland

To avoid regulation,
developers claim they
have been extracting
since before 1964

The result

Mouds bog,
Co. Kildare
Natura 2000 site

© 2011 Tele Atlas
Image © 2011 DigitalGlobe

Google earth

2006

53°12'50.79" N 6°48'57.36" W elev 284 ft

Roseberry

Eye alt 12523 ft

The 1973 aerial survey: a solution?

- >6,000 images
- Held by Ordnance Survey Ireland, the national mapping agency

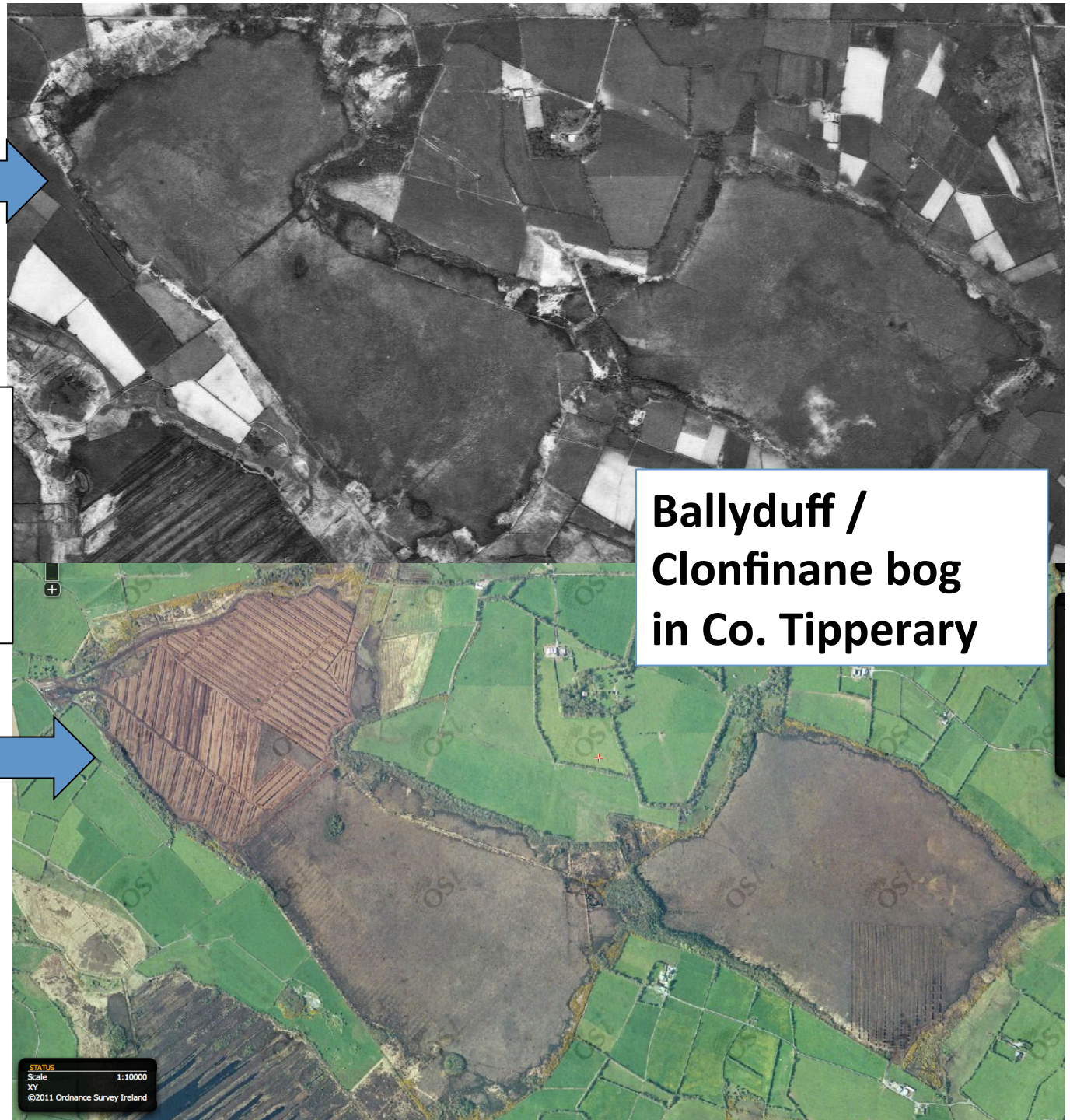


Intact in
1973



**How we
could use the
1973 aerial
survey**

Heavily extracted
now. No EIA, no
permission, no
licences



**Ballyduff /
Clonfinane bog
in Co. Tipperary**



The problem

- OSI holds monopoly on providing copies of 1973 aerial survey.
- €136.20 for hard copy or €200 for electronic copy of single photo (6,484 images in total) = EUR 1.3m for full set!

Access for	Price quoted by OSI (incl. VAT)
One NGO	€23,741 (5 year licence for 2 users)
Two NGOs	€59,352 (5 year licence for 4 users)
Umbrella organisation of NGOs	€118,704 (5 year licence)

- We argue photos should be available at reasonable cost under access to information on the environment rules. Reuse of PSI?
- We appealed case to Ireland's Commissioner for Environmental Information more than a year ago.
- But huge queue of appeals, and attendant delay.

Tackling the problem

- We can try to use access to information laws to open data up to a wider audience (e.g. iNET, 1973 survey).
- But what if there were no such laws and no institutions to appeal to? Or what if there were such laws but they were not enforced?
- Unfortunately, this is the situation in over 150 countries.
- Enforcing existing laws (e.g. in Ireland), creating new ones, and changing administrative practices are key challenges.

Integrated research agenda

- Having the right technology is one thing, but when government agencies won't make data available, we need infrastructure in the sense of laws and institutions to open the data up.
- ICT solutions and legal infrastructure need to go hand in hand - one without the other won't do.



The Access Initiative (TAI) is a global network that promotes access to information, participation, and justice in environmental decision-making.

www.accessinitiative.org

- Where The Access Initiative (TAI) comes in: global network of 250+ NGOs in 50+ countries.
- **Assessing** government performance on access issues and **promoting legal, institutional and practice reforms** to make access to information meaningful to people on the ground.
- E.g. New FOIAs in Thailand, Indonesia, Uganda; new public participation rules in Chile - proactive obligations on the government to reach out to communities; possibility of regional convention for UNECLAC region.



Without changes of law and administrative culture, ICT solutions risk coming to naught.

Research agenda should take full account of this.