Subject: Access to documents request (Case number 2024/0622) - Irish scientific research data used to select Sites of Community Importance

Dear Mr McHugh,

We refer to your request for access to European Commission documents registered on 31 January 2024 under the above-mentioned reference number.

You request access to all communications between Ireland and the European Commission (EC) related to scientific data for designating protected areas as Sites of Community Importance (SCIs) under the Habitats Directive, and their evaluation by the EC prior 2004.

The ADO request 2024/0622 concerns:

1. All scientific data, reports, communications provided to the European Commission (EC) by Ireland on Annex I habitat and Annex II species further to stage 2 of Annex III of the Directive 92/43/EEC for Sites of Community Importance (SCIs) and justification as Special Areas of Conservation prior to 2004 (AD 1); and

2. All scientific data, reports and analysis carried out by the European Commission on quantitative and qualitative data provided by Ireland to justify selection of sites of community importance in accordance with article 4 of the Directive 92/43/EEC for Annex I habitat and breeding and resting locations of Annex II species (AD 2).

The documents and datasets that have been identified under this access to documents are as follows:

Ref. Ares(2024)1890857 - 12/03/2024
AD 1. All scientific data, reports and communication to the EC by Ireland

1) Documentation provided to the European Commission (EC) by Ireland containing the lists of the Irish proposed sites of community interest (pSCIs) 1998-2004 including reports for all sites (Annex I).
2) Dataset consisting of spatial data on the location of the pSCIs (Annex I).

AD 2. All scientific data, reports and analysis carried by EC

1) An analysis of the Irish list of proposed Site of Community Importance (pSCIs) undertaken by the European Topic Centre (ETC) November 2001. The analysis concerns all pSCIs submitted by Ireland prior to 2004 (Document 1).
2) The conclusions of the Atlantic Biogeographical Seminar (June 2002) on the representativity of the pSCIs (Document 2).

The Commission has interpreted the request under AD 2 in line with that of AD 1, as such, the scope of the former has been limited to pre-2004 data.

The above-mentioned documents and dataset have been sent to your address in a USB-key, due to the size of the files.

The redacted parts of the documents contain personal data of non-public figures, including non-senior staff of authorities, signatures, and contact details of individuals. Disclosure of these parts would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data.

Please note that Document 1, identified under AD 2, originating from third parties is disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of theoriginator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

As regards Document 2, identified under AD 2, you may reuse public documents, which have been produced by the European Commission. You may reuse the document disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the document. Please note that the Commission does not assume liability stemming from the reuse.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it:

for initial requests submitted via the EASE portal via your EASE portal account;

for initial requests not submitted via the EASE portal

by mail, to:
European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles
or by email, to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Electronically signed

Andrea Vettori
Head of Unit