

Communication to the Aarhus Convention Compliance Committee

Pursuant to paragraph 18 of the annex to decision I/7 of the Meeting of the Parties to the Aarhus Convention

Date: 2 March 2026

Section I: Information on Correspondent

1. This communication is submitted by Gareth O'Brien BE (Civil) MSc on behalf of the North Runway Technical Group (NRTG), a voluntary group of qualified aviation professionals, including commercial and private pilots, civil engineers, and aviation safety specialists, who have been examining the technical, environmental, and governance aspects of Dublin Airport's North Runway operations since 2022.
2. Contact details:
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3. NRTG's members represent communities in Ashbourne, Ratoath, and surrounding areas of County Meath, Ireland, who are directly affected by aviation noise from Dublin Airport's North Runway. NRTG is an entirely voluntary group. Its members receive no funding, have no staff, and work on these issues in their own time. NRTG's work is publicly available at www.dublin-north-runway.com.
4. This communication is submitted simultaneously with a formal complaint to the European Commission and a petition to the European Parliament Petitions Committee (PETI) concerning the same subject matter.

Section II: Party Concerned

5. The Party concerned is Ireland.
6. Ireland ratified the Aarhus Convention on 20 June 2012. It entered into force for Ireland on 18 September 2012.

Section III: Facts of the Communication

This communication concerns a material change to the operation of a major infrastructure project, Dublin Airport's North Runway, that occurred without environmental re-assessment, without public consultation of the affected communities, and without any effective enforcement or remedy for those communities. In 2007, planning permission was granted on the basis of an Environmental Impact Statement showing departures continuing straight ahead over agricultural land. When the runway opened in 2022, departures instead turned

sharply over residential areas of East Meath, affecting approximately 30,000 residents who had never been consulted. The planning authority issued a formal warning in September 2022 but has not enforced compliance in over 180 weeks. Every body that has attempted enforcement of any condition on the same runway has been blocked by litigation or legislation. The affected public has no affordable remedy. The detailed facts, the evidence, and the domestic remedies pursued are set out below.

A. The 2007 Planning Permission and Environmental Impact Statement

7. In 2007, An Bord Pleanála (Ireland's planning appeals board, "ABP") granted planning permission for Dublin Airport's North Runway under reference PL06F.217429 (Fingal County Council reference F04A/1755). ABP overrode Fingal County Council's earlier refusal and imposed conditions of its own.
8. Condition 1 of the planning permission required that the development "shall be carried out in accordance with the plans and the Environmental Impact Statement lodged with the application." The 2004-2005 Environmental Impact Statement (EIS) depicted all departures from the North Runway continuing straight ahead to the west for five nautical miles, climbing to 3,000 feet before any turn. Noise contours, bird-strike assessments, and Public Safety Zones were all calculated on the basis of this straight-ahead departure route over approximately 6,000 acres of agricultural land where development was restricted by the noise zones and Public Safety Zones. The Public Safety Zones (PSZs) were scientifically modelled by Environmental Resources Management (ERM) between 2000 and 2003, commissioned jointly by the Department of Transport and the Department of Environment, Heritage and Local Government, at taxpayer expense. The PSZs defined inner and outer risk zones for each runway end based on the probability of an aircraft accident and informed land-use planning restrictions in the Fingal County Development Plan. The PSZs for the proposed North Runway (10L/28R) were modelled entirely on straight-ahead departures. When the departure route was changed to 30-86 degree turns, the actual flights exited the PSZ envelope almost immediately after take-off, rendering the zones obsolete. No revised PSZs have been published. The Department of Transport has stated the PSZs are "a matter of planning permission" and therefore a Housing matter; the Department of Housing has not responded to correspondence on this point (see paragraph 117).
9. Additional conditions imposed night flight limits (Conditions 3(d) and 5: maximum 65 movements per night) and a 32 million passenger per annum cap (imposed under the Terminal 2 planning permission). Sound insulation was installed along the planned straight-ahead departure route.

B. The 2016 Consultation and its Withdrawal

10. In 2016, the airport operator daa (a 100% State-owned company, formerly Dublin Airport Authority) conducted a "Public Consultation on Flight Paths and Change to Permitted Operations." The consultation presented two scenarios for revised Noise Preferential Routes (NPRs). In established aviation practice, an NPR is a route set by government to minimise the number of people overflown; SIDs are designed to comply with it (UK DfT, Impact Assessment DfT00393, 2017). The consultation proposed a 15-degree divergence and a 15/75-degree split divergence for westerly North Runway departures.
11. Both scenarios were based on a misinterpretation of ICAO Document 9643 (the governing standard for parallel runway operations), which requires 30-degree divergence for segregated parallel operations, not 15 degrees.
12. The consultation was conducted exclusively within the administrative area of Fingal County Council. All three public events were held in Fingal: Grand Hotel Malahide (24 October 2016, 83 attendees), St

Margaret's GAA Club (25 October 2016, 117 attendees), and River Valley Community Centre Swords (26 October 2016, 127 attendees). No event was held in County Meath despite daa's own maps showing that the proposed flight paths (15-75 degree north divergence) would direct aircraft over Meath communities.

13. Advertising was confined to Fingal newspapers (North County Leader, Fingal Independent, Dublin Gazette, Northside People). All 33,000 leaflets were distributed within Fingal. Library posters were displayed at 12 Fingal locations. Only Fingal County Councillors, TDs, and Senators were notified.
14. The survey conducted by Red C Research received 261 responses. Of these, only 3 were from County Meath. Red C explicitly stated the sample was self-selecting and "not representative of any population."
15. Following the consultation, the preferred scenario (Scenario B: 15/75 degree split divergence) was chosen in February 2017. The underlying planning application was subsequently withdrawn. None of the flight paths consulted upon was ever implemented.

C. Opening of the North Runway: August 2022

16. When the North Runway opened in August 2022, departures from Runway 28R turned sharply to the north almost immediately after take-off, at approximately 400 feet above ground level (AGL). These routes, designed by AirNav Ireland (a separate State-owned air navigation service provider), were completely different from either the 2007 EIS or the 2016 consultation scenarios. daa itself stated it was "greatly surprised" by the routes.
17. In 2023, the departure routes were changed again, shifting the noise impact over approximately 30,000 residents of East Meath who had never been consulted. This was the fourth distinct set of flight paths for the same runway: (i) the 2005 EIS (straight ahead), (ii) the 2016 consultation (15/75 degrees), (iii) the August 2022 opening routes, and (iv) the February 2023 revision (30-86 degree turns).

D. Scale of the Deviation: GIS Analysis

18. NRTG conducted a Geographic Information System (GIS) analysis of the deviation using two metrics and clearly defined methodologies:
19. Within a 1.5km corridor either side of the SID (Standard Instrument Departure) centreline track, within the first 15km from the runway threshold, the approved route (drawn with both southbound and northbound turns modelled on the departure tracks of the original south runway exactly as specified in the EIS) directly overflies 1,077 homes. The actual 30-86 degree turning routes directly overfly 3,895 houses, 360% of the permitted number. This is a like-for-like comparison using the same 1.5km methodology applied to both routes. Approximately 50% of the 1,077 homes in the permitted corridor were already under the legacy south runway departure path, making the permitted-route baseline intentionally generous.
20. Beyond the directly overflown corridor, the turning departures pass immediately adjacent to Ashbourne, the largest town in East Meath. Ashbourne contains 4,155 houses (approximately 16,000 residents), none of which fall within the 1.5km directly overflown corridor but all of which are within 3km of SID centreline tracks. These residents were never identified in any environmental assessment, were never consulted, and experience repeated low-altitude overflights throughout the day. The approved straight-ahead route passes over agricultural land with no equivalent population centre. Including Ashbourne, 8,050 homes are affected by the actual departure routes (3,895 directly overflown plus 4,155 in Ashbourne within 3km), none of which were consulted or assessed. Had daa followed the permitted route, approximately 538 homes would have been newly affected. The actual deviation newly affects 8,050: 15 times the permitted number, an increase of approximately 1,400%.

21. The noise impact of the deviation is compounded by the aerodynamics of the turning departure. An aircraft in a banked turn climbs less efficiently than in a straight-ahead, wings-level climb. The current 30-86 degree turning departures at 400 feet AGL keep aircraft closer to the ground for longer than a straight-ahead departure would. The effect is twofold: the turning track overflies different (and more densely populated) areas, and the aircraft are lower over those areas than they would be at the same distance along a straight-ahead route (see Annexes B1, C6, D4, J1).
22. daa has claimed that the early turn was required "for safety reasons," citing the ICAO Document 9643 requirement for 30-degree divergence between the departure track and the missed approach track on the parallel runway. This is misleading. The regulation requires divergence between the two tracks but does not specify which track must turn. Major European airports with parallel runways, including Heathrow, Gatwick, Amsterdam Schiphol, Berlin Brandenburg, and Brussels, all achieve the required divergence by turning the missed approach track rather than the departure (Annex J2). AirNav Ireland chose to turn the departure. The route change is therefore not a consequence of safety requirements but of a design choice that was neither necessary nor assessed through the planning or consultation process.

E. Confirmation of the Deviation

23. The deviation is confirmed by multiple authoritative sources:
24. ABP's own Inspector (Karen Hamilton, report signed 29 May 2024, reference PL06F.314485) acknowledged that "the flight patterns submitted in the applicant's supplementary information... differ to those submitted in the original EIS for the NR application" (section 12.6.75).
25. The Irish Aviation Authority (IAA) formally stated in May 2025 (released under FOI 2025.122) that it "assessed these IFPs which were submitted by AirNav Ireland and, finding that they did comply with safety requirements, approved them." The IAA confirmed it did not check planning permission compliance, NPR compliance, or environmental compliance. The IAA assessed compliance with minimum safety standards only.
26. AirNav Ireland confirmed in the same FOI release (FOI 2025.122) that its "role is technical and facilitative, rather than regulatory" and that daa holds primary responsibility for flight procedures under EU Regulation 139/2014.
27. daa's own 2023 Environmental Impact Assessment Report (EIAR) Supplement acknowledged "actual flightpaths from North Runway upon commencement differing from assumed flightpaths used for modelling/assessment purposes in the EIAR."

F. The Enforcement Void

28. Fingal County Council issued a formal Warning Letter (reference ENF 22/166B) under Section 152 of the Planning and Development Act 2000 on 21 September 2022, identifying nine categories of non-compliance including: (i) development not carried out in accordance with EIS; (ii) aircraft flight paths not in accordance with permitted flight paths; (iii) noise generated not in accordance with planning permission; and six further breaches relating to mode of operation, insulation schemes, and certification.
29. As of the date of this communication, more than 180 weeks have elapsed since the Warning Letter. No enforcement notice has been issued for the flight path breach. When NRTG wrote to Fingal in April 2025 seeking an update on Condition 1 enforcement, Fingal responded (7 May 2025) by confirming that "seven Warning Letters and an Enforcement Notice" had been issued across five planning permissions, but on Condition 1 (flight paths) specifically stated: "No further update regarding this matter is available

at this time." The Ombudsman investigator found Fingal's response "unsatisfactory" (8 October 2025) and escalated to a face-to-face meeting. Fingal has continued to obstruct: citing "unforeseen circumstances" (January 2026) and "change in staff dealing with the matter" (February 2026).

G. The Enforcement-Blocked Pattern

30. When Fingal has attempted enforcement on other conditions from the same Warning Letter, each action has been systematically blocked:
31. Night flights (July 2023): Fingal issued an enforcement notice under Section 154 of the Planning and Development Act 2000 requiring compliance with the 65-movement limit. daa obtained a High Court stay, which remains in effect.
32. Passenger cap (June 2025): Fingal issued an enforcement notice requiring compliance with the 32 million passenger limit. The Government's response was to introduce the Dublin Airport (Passenger Capacity) Bill 2026, which would not merely remove the current cap but prohibit the imposition of any future cap.
33. Slot coordination (October 2024): The IAA, acting as slot coordinator, included the passenger cap in its coordination parameters for the first time. Six airline entities (Aer Lingus, Ryanair, A4A, Delta, JetBlue, United) brought three sets of High Court proceedings ([2024] IEHC 624). daa was a notice party. The Court granted a stay and referred three questions to the Court of Justice of the European Union (Case C-857/24).
34. The pattern is consistent: any body that attempts to enforce any constraint on Dublin Airport's growth faces litigation, lobbying, or legislation to override it.

H. The Advocate General Opinion (12 February 2026)

35. On 12 February 2026, Advocate General Manuel Campos Sanchez-Bordona issued his opinion in Case C-857/24, supporting the IAA on all points. He found that: (i) the 32 million passenger cap is a valid "operational constraint" that the IAA may take into account in slot coordination parameters (point 52); (ii) historic slots are "mere rights of use" of airport infrastructure, not property rights, and "the right to use historical slots cannot, in the final analysis, disregard the airport's capacity as defined in the coordination parameters" (points 79, 88); and (iii) the Slot Regulation "contains mechanisms which avoid decisions as drastic as the closure of an airport" (point 100), supporting proportionate slot coordination as the correct approach.
36. Despite the AG opinion vindicating the IAA's approach, the Government continues to legislate to remove the cap permanently.

H2. Commission Decision C(2026) 919 (10 February 2026)

37. Two days before the Advocate General's opinion, the European Commission issued Decision C(2026) 919 final (Annex H8) concerning An Coimisiun Pleanála's process for adopting night flight operating restrictions at Dublin Airport. The Commission found that the process did not comply with Regulation 598/2014 because it considered only operating restrictions (one pillar of the Balanced Approach) without assessing the other three pillars: land-use planning, noise abatement operational procedures, and reduction of noise at source. The finding was procedural, not substantive: the Commission did not find that the restrictions were wrong, but that the process was incomplete.
38. The Decision is significant because the Commission treated night movement caps at Dublin Airport as operating restrictions falling within the scope of Regulation 598/2014. If night movement restrictions are operating restrictions under the Regulation, the argument that a passenger cap at the same airport falls

outside the Regulation's scope is difficult to sustain. This is directly relevant to the assessment of Head 4(5) of the Passenger Capacity Bill (see paragraph 45 below).

H3. External Pressure on the Legislative Timetable

39. On 24 February 2026, Airlines for America (A4A), the principal US airline lobby group (as reported by the Irish Independent, 24 February 2026), publicly urged the US Department of Transportation to pressure Ireland into enacting the Passenger Capacity Bill by the end of April 2026, explicitly so that the High Court could withdraw its CJEU reference before a binding ruling is delivered. A4A told the US Department of Transportation that the Advocate General's opinion, if adopted by the CJEU, "will fundamentally reshape how airlines operate at Dublin and other coordinated airports across the EU and globally" and that "local planning authorities will have the carte blanche authority to reduce airport capacity, revoke historic slots, and block new entrants."
40. A4A has separately accused Ireland of breaching the EU-US Open Skies Agreement and has asked the US Government to impose restrictions on Irish airlines serving US destinations unless the cap is removed. The stated objective is to prevent the CJEU from issuing a binding ruling that the aviation industry considers adverse to its commercial interests. The legislative timetable for this Bill is therefore being shaped not by domestic environmental or planning considerations, but by an international lobbying campaign to short-circuit the EU's own judicial process.
41. This is directly relevant to this communication. If the Oireachtas legislates under external pressure to remove a planning condition before the CJEU has ruled on its EU law status, the affected public's right to effective public participation under Article 6 and access to justice under Article 9 is being overridden not merely by the State's own policy choice, but by the commercial interests of a foreign industry lobby group.

I. The Passenger Capacity Bill 2026

42. The Dublin Airport (Passenger Capacity) Bill 2026 is currently before the Joint Committee on Transport for pre-legislative scrutiny. It would remove the 32 million passenger cap and, critically, prohibit the imposition of any future passenger cap on Dublin Airport.
43. The passenger cap is a near-perfect proxy for the cumulative environmental load of the airport: noise, flights, wastewater, water demand, road congestion, and air quality are all direct derivatives of passenger numbers. Any planning condition, environmental regulation, or operational restriction that has the practical effect of constraining passenger throughput would be challenged under this legislation as a de facto cap. The prohibition would function not merely as the removal of one planning condition, but as a legal shield against all meaningful environmental constraints on Dublin Airport.
44. Head 12 of the General Scheme explicitly exempts the Bill from the Climate Action and Low Carbon Development Act 2015.
45. Head 4(5) of the General Scheme is of particular relevance to the compliance assessment. It declares, by primary legislation, that the 32 million passenger cap was not imposed for the purpose of mitigating a noise problem, was not imposed having regard to the Balanced Approach under Regulation 598/2014, and was not notified to the European Commission as an operating restriction. The evident purpose is to prevent the removal of the cap from triggering the procedural requirements of Regulation 598/2014 (noise assessment, public consultation, and Commission notification).
46. This legislative declaration raises a fundamental question of EU law. The classification of a domestic measure under an EU regulation is not within the competence of a national legislature. Whether the passenger cap constitutes an "operating restriction" under Regulation 598/2014 is a question of EU law,

determinable by the CJEU, not by an Act of the Oireachtas. The principle of *effet utile* requires that member states do not use domestic legislation to circumvent the practical effectiveness of EU regulations. If Regulation 598/2014 requires certain procedural protections before measures that restrict airport capacity are removed, Ireland cannot re-label the measure by statutory declaration to avoid those protections.

47. The timing is significant. On 12 February 2026, the Advocate General in Case C-857/24 issued an opinion affirming that the passenger cap is a valid "operational constraint" under the EU Slot Regulation. The CJEU is actively considering the legal status of the very measure that Head 4(5) seeks to re-classify by domestic statute. The insertion of Head 4(5) into the General Scheme, while the CJEU is deliberating on the same question, demonstrates the State's awareness that the cap may fall within the scope of EU aviation regulation, and its determination to legislate around that possibility rather than submit to the procedural requirements that would follow.
48. The very existence of Head 4(5) is revealing. If the cap genuinely has no connection to noise or to Regulation 598/2014, there is no need to declare that fact in primary legislation. A statutory declaration to this effect is only necessary if there is a credible argument that the cap does fall within the scope of the Regulation. Head 4(5) does not immunise the Bill from scrutiny under Regulation 598/2014 or the Aarhus Convention. It demonstrates the State's recognition that such scrutiny is warranted.
49. This is directly relevant to this communication. If the cap is an operating restriction whose removal requires public consultation under Regulation 598/2014, then Head 4(5)'s attempt to legislatively declare otherwise constitutes a circumvention of the public participation requirements that flow from that classification, engaging Article 6 of the Aarhus Convention. The Commission's own Decision C(2026) 919 (see paragraphs 37-38 above) confirms that capacity-related restrictions at Dublin Airport fall within the scope of Regulation 598/2014, further undermining the factual basis of Head 4(5)'s legislative declaration.

J. The Noise Impact: Quantified

50. daa's own 2023 EIAR quantifies the damage. Night noise increases of +10 to +12 dB L_{night} at the worst-affected locations (Tyrellstown/Toberburr and Ridgewood). Night movements nearly doubled: from 60 (permitted) to 114 (proposed) per busy night. The adverse-to-beneficial ratio by 2035 is 51:1 (9,456 people adversely affected versus 185 benefiting). High-impact exposure (55 dB L_{night} or above) increases nearly fivefold, from 315 to 1,463 people. After all proposed mitigation, 8,301 people remain adversely affected in 2035. Additional night-time awakenings increase by 59%.
51. ANCA (the Aircraft Noise Competent Authority, embedded within Fingal County Council) has reported a 343% increase in population exposed to 55 dB L_{night} since the 2019 baseline. It has taken zero enforcement actions in its five years of existence and has implemented zero new noise mitigation measures. Under section 5 of the Aircraft Noise (Dublin Airport) Regulation Act 2019, ANCA's regulatory functions are directly funded by a levy paid by daa, the entity it regulates. The regulator is statutorily dependent on the regulated entity for its operating costs.

J2. The Balanced Approach: All Four Pillars Failing

52. Regulation (EU) 598/2014 requires application of the ICAO Balanced Approach when a noise problem has been identified. The Balanced Approach comprises four pillars: reduction of noise at source, land-use planning and management, noise abatement operational procedures, and operating restrictions. Commission Decision C(2026) 919 confirmed that all four pillars must be assessed before operating restrictions are adopted or removed. At Dublin Airport, none of the four is functioning. The failure of

each pillar is documented in the accompanying European Commission complaint dossier (Section 5).

The aspects most directly relevant to the Aarhus Convention are summarised here.

53. Pillar 2 (land-use planning) illustrates the closed loop that forecloses public participation. Two parallel noise zone systems operate around Dublin Airport. The statutory zones (inner/outer and Public Safety Zones, from the 2007 EIS, based on straight-ahead departures) carry weight through the Regional Spatial and Economic Strategy (RPO 8.19) but have never been updated for actual operations. The operational zones (A through D, maintained by ANCA) were updated in 2024 for actual operations but do not carry equivalent statutory weight. The two systems produce contradictory planning outcomes.
54. At Ratoath (ACP-323566-25, Annexes J6-J7), ABP imposed noise insulation conditions referencing daa's Zone D classification, overriding its own Inspector who found the site was "unzoned" under the Meath County Development Plan and that no noise conditions were required. The conditions are the right response, and NRTG supported them in its Planning Observation to Meath County Council, but the statutory basis is incoherent and the cost falls on homebuyers rather than on daa, whose unauthorized operations created the need.
55. The planning system cannot address this internally. When Fingal's elected members inserted noise insulation provisions into the Development Plan, the Minister directed their removal (upheld in *FoIE v Minister* [2024] IEHC 588, currently on appeal). The Court found noise mitigation is exclusively ANCA's function.
56. This creates a closed loop directly relevant to Articles 6 and 9 of the Aarhus Convention. The statutory noise zones do not reflect actual operations. The elected representatives who attempted to address the inadequacy were overridden by Ministerial Direction. ANCA, which has exclusive competence, has taken no action. The public has no mechanism to compel reconciliation. The planning authorities that observe the noise impact on the ground cannot lawfully respond through their development plans.
57. The Dublin Airport NAP's own data quantifies the scale of the discrepancy. Between 2016 and 2023, the population exposed to 55-59.9 dB Night increased from 375 to 4,297 (an eleven-fold increase), while total movements increased only 12%. The increase is driven not by more flights but by flights over populated areas that the statutory zones never anticipated.

K. Wildlife Hazard

58. daa was required by its 2004 EIS to create compensatory bird habitat at Thorntown. When the departure route was changed, turning departures began overflying this habitat at approximately 2,000 feet, at or below ICAO's recommended minimum altitude over bird-rich areas. Original EIS bird surveys recorded 177-181 birds per hour along the straight-ahead route, with Lapwing peaks of 450 birds in 10-minute scans. The full evidence is set out in the European Commission complaint dossier (Section 6).
59. No wildlife hazard assessment has been conducted for the actual departure route, in breach of EASA Regulation 139/2014 (ADR.OPS.B.020). No assessment has been published, depriving the affected public of information about the wildlife risk created by the route change. This is directly relevant to Articles 4 and 5 of the Convention.

L. FOI Evidence: Absence of Oversight

60. Freedom of Information request 2025.122 (June 2025) sought all Department of Transport records on NPR compliance oversight from August 2022 to May 2025. Only two records were found, both from one week in May 2025, both solicited at the last minute because the Minister was meeting a residents' group. The Department had exercised effectively zero proactive oversight of flight path compliance for nearly three years.

61. Both briefings (from AirNav and IAA) confirmed that neither body mandated the current divergent flight paths and that daa holds primary responsibility. Solutions exist: the missed approach track could be modified to achieve the required divergence (as described in paragraph 22 and Annex J2), or an Alternative Means of Compliance (AltMoC) could be submitted to the IAA, which confirmed it "is available to work with stakeholders" on such a proposal. Neither daa nor AirNav has pursued either pathway.

M. Ombudsman Findings

62. Two Ombudsman complaints have been filed. The first (OMB-158504-Q7T9Q4, filed 25 April 2025) against Fingal for failure to enforce Condition 1 remains open. The Ombudsman investigator found Fingal's response "unsatisfactory," escalated to a face-to-face meeting, and has noted Fingal's systematic obstruction.

63. The second (OMB-163546-W7H8X9, filed 11 October 2025) against the Department of Transport for failure to exercise governance responsibilities was closed on 3 December 2025. The Ombudsman declined to pursue on every element, citing jurisdictional limits and suggesting the complainant pursue individual elements with ANCA, the EU Commission, and other bodies. The closure exemplifies the circular referral pattern: each body directs the complainant elsewhere, and the Ombudsman defers to this same pattern.

N. The Complaint System: Dissemination of False Information at Scale

64. daa operates the sole noise complaint system for Dublin Airport. All complaints from the public are directed to daa, the source of the noise, not to any regulator. ANCA receives aggregated reports but does not handle individual complaints. There is no independent body to which an affected resident can report aircraft noise and receive an independent assessment.

65. Four complaint response letters received by complainants between February and August 2024 (Annex E5) reveal two template variants used by daa's Noise and Flight Track Monitoring Team. In the "no violation" template, daa states: "The aircraft in question remained within the airspace or the Noise Preferential Route (NPR or environmental corridor) and therefore did not infringe any track procedure in force at Dublin Airport." In the "violation" template, daa states: "The departure aircraft in question left the Noise Preferential Route (NPR or environmental corridor) below the releasing altitude of 3,000ft (or 4,000ft when using the North Runway). All departure aircraft must follow the NPR until they reach the releasing altitude unless vectored by air traffic controller for safe separation of aircraft, weather avoidance or emergency." Both templates contain the same deflection: "it is AirNav who is responsible for the routing of aircraft."

66. The logic is circular. As established in paragraph 10 above (and by the UK DfT, Impact Assessment DfT00393, 2017; Annex K1), a Noise Preferential Route is a route set by government to minimise the number of people overflown, with SIDs designed to comply with it. daa has inverted this definition: it drew a corridor around whatever the unauthorised SID flies through, called it "the NPR," and then assessed every complaint against whether the aircraft stayed within a corridor daa itself defined. The GIS analysis (Annex B1) demonstrates the result: the corridor daa calls "the NPR" contains 3,895 homes, compared to 1,077 in the real NPR assessed in the 2007 EIS. The complaint system is designed to produce a "no violation" finding for every on-track aircraft, regardless of whether the track itself is authorised.

67. The scale is significant. More than 200,000 complaint responses have been issued containing this

template language. The complaint reference numbers (reaching 118,683 by August 2024, as confirmed by Annex E5) indicate the volume. Individual complaints are routinely batched into single template responses: one letter in Annex E5 addresses 14 separate complaint references with one identical template.

68. The complaint system has been progressively modified to discourage reporting. Mandatory account registration and email verification are required. A one-hour delay has been added to the Webtrak flight tracking system, preventing real-time identification of noisy aircraft (real-time flight data remains freely available on third-party services). Additional steps have been introduced to increase the effort required to file a report.
69. The complaint system has never been used to take any noise mitigation action. No complaint has resulted in a route change, a noise abatement measure, or any operational modification. The sole outputs are: (a) template responses containing the fabricated NPR terminology, (b) monthly statistics published on the daa website, and (c) aggregated reports to ANCA. ANCA has taken zero enforcement actions in five years of operation.
70. The complaint statistics generated by this system have been used publicly to characterise persistent complainants as unreasonable. Community impact statements from 103 affected residents (Annex I2) confirm the system's futility: 79 respondents who made complaints universally received generic auto-responses or no response at all, and several stopped complaining because the system appeared futile. 54 respondents report anxiety, depression, stress, or irritability linked to the ongoing noise.
71. daa routinely cites community engagement as evidence of its responsiveness, providing figures for the number of meetings held with individuals, community representatives, and local council members. This engagement is entirely one-directional. daa seeks information from residents, answers questions on-site using scripted responses drawn from the same templates used in complaint letters, and changes nothing as a result. No meeting with affected residents has led to a route change, a noise abatement measure, or any operational modification. One-way communication with scripted responses and no resulting action does not constitute genuine engagement within the meaning of Article 6. The complaint system described in paragraphs 64-70 is the primary channel through which daa claims to provide environmental information to affected communities, and it too produces no outcome other than template responses and statistics.

Section IV: Provisions of the Convention Relevant to the Communication

72. The following provisions of the Aarhus Convention are relevant:
73. Article 4 (Access to Environmental Information): Ireland has failed to ensure that accurate environmental information about the flight path change, its noise impact, and its wildlife hazard is made available to the public. daa's misrepresentations of safety requirements and regulatory approval constitute the provision of inaccurate information.
74. Article 5 (Collection and Dissemination of Environmental Information): daa's 2023 EIAR Supplement included updated noise mapping and daa is now insulating houses within the newly drawn contours, relying on this as evidence of "a balanced approach and goodwill." This normalises the breach rather than correcting it: daa is insulating houses where residents should never have been able to hear aircraft at all under the approved flight paths. Environmental mitigation is being used as a substitute for compliance. No wildlife hazard assessment has been published (paragraph 59). ANCA's annual reports

document escalating impact but have led to no action. The complaint system disseminates false information at scale (paragraphs 64-70).

75. Article 6(2) (Notification of the Public Concerned): The 2016 consultation was conducted exclusively in Fingal despite the flight paths being directed over Meath communities. The most affected population was excluded from the consultation.
76. Article 6(4) (Early and Effective Public Participation): The consultation presented options (15/75 degree divergence) that bore no resemblance to the actual operations (30-86 degree turns). Participation occurred at a stage when the options presented were neither the options under consideration nor the options ultimately implemented.
77. Article 6(8) (Due Account of Public Participation): The planning application was withdrawn. The preferred option from the consultation was never implemented. Despite this, daa relies on the consultation as evidence of public engagement.
78. Article 6 is further undermined by the foreclosure of domestic remedies for addressing noise inadequacy. When Fingal's elected members attempted to use the Development Plan process to expand noise insulation (material amendment PA CH 8.1), 167 of 168 public submissions supported the amendment. The Minister directed its removal. The High Court upheld the direction (FoIE v Minister [2024] IEHC 588). The effect is that public participation in the development plan process, the primary domestic mechanism for addressing land-use planning around the airport, has been nullified on this issue. The public participated, expressed a clear view, saw it adopted by their elected representatives, and then saw it overridden by Ministerial Direction. This constitutes a failure to give "due account" to public participation in a decision with significant environmental implications.
79. Article 9(4) (Access to Justice): Ireland fails to provide fair, equitable, timely, and not prohibitively expensive procedures. Administrative enforcement has been paralysed for over three years. Every attempted enforcement action has been blocked by litigation or legislation. The only judicial remedy (High Court) is prohibitively expensive. The IAA's statutory liability shield prevents any action against the regulator.
80. Article 3(8) (Protection Against Penalisation): Ireland has failed to ensure that persons exercising their Convention rights are not penalised or harassed. The complaint system generates statistics that are used to publicly discredit complainants. daa has terminated engagement with the affected community group and publicly characterised their factual objections as "falsehoods."

Section V: Nature of Alleged Non-Compliance

A. Articles 4 and 5: Failure to Provide Accurate Environmental Information

81. daa has systematically misrepresented the nature of the flight path change to the public, to regulatory bodies, and to elected representatives. Three specific claims are demonstrably false:
82. First, daa has claimed that the early turns from the North Runway were required for "safety" by the IAA. The IAA has formally denied this. The IAA confirmed in May 2025 that it assessed the flight procedures for compliance with minimum safety standards only and did not require or mandate the specific route chosen. The IAA CEO has confirmed in a private meeting with NRTG that the IAA's role is strictly limited to ensuring a submission does not fall below minimum acceptable compliance with safety regulation, and that the IAA plays no part in qualitative assessment of flight path design. AirNav Ireland confirmed

that its role is "technical and facilitative" and that daa holds primary responsibility under EU Regulation 139/2014. The decision to turn aircraft north at 400 feet was commercial, not safety-driven.

83. Second, daa has publicly stated that the routes were "approved" by the IAA, conflating the IAA's verification of compliance with minimum safety standards with approval of the environmental and planning implications. The IAA has confirmed it did not check planning permission compliance, NPR compliance, or noise compliance when approving the instrument flight procedures.
84. Third, daa CEO Kenny Jacobs misrepresented the status of a technical review to the Oireachtas. In October 2023, daa asked AirNav Ireland to have NRTG's proposal for a modified missed approach procedure reviewed. During a meeting at daa headquarters, AirNav staff objected to the NRTG draft proposal on the basis that it required a missed approach climb gradient exceeding 2.5%, which they claimed was a maximum. NRTG had given Rome Fiumicino (4.5%) as an example of where a gradient above 2.5% was already in operation, and subsequently provided Cork Airport (6.6% managed by daa, with terminal services provided by AirNav) as another example. The context, therefore, was a request to review a specific, technically grounded proposal from NRTG, not to study Rome Fiumicino in the abstract. CEO Jacobs subsequently adopted the label "Rome Fiumicino option" (reflecting the example given during the meeting) and stated in a letter to the Oireachtas Joint Committee on Transport and Communications (JCTC-33-1216, 4 April 2024) that AirNav had "recently completed" a review and that "the output of the review reaffirms that this is a complex proposal." Had the NRTG solution been studied and some version adopted, it could have been implemented in the first half of 2024.
85. When NRTG subsequently filed an Access to Information on the Environment (AIE) request to AirNav seeking all work products from this claimed review, AirNav responded (7 July 2025) that "no additional modelling, simulations, or technical assessments beyond the regulatory review and discussion with A.S.A.P. were commissioned or undertaken by AirNav Ireland. No internal reports, technical studies, or presentations were prepared by AirNav in this context." The only records AirNav identified were: an email from daa requesting a review (1 November 2023), an internal email summarising a single meeting with AirNav's subcontractor A.S.A.P. (5 November 2023), and AirNav's letter to daa (17 November 2023) stating that a proper aeronautical study would require "considerable resources" and "a significant period of time." No review was conducted. The daa CEO's claim to the Oireachtas was false. The Minister for Transport then reproduced Jacobs' language verbatim in his own response six days later (10 April 2024), demonstrating that the Department adopted the false claim as ministerial policy without independent verification.
86. daa has refused to submit updated noise modelling to ANCA, preventing regulatory review of the actual noise impact and depriving the public of accurate environmental information. ANCA formally required updated noise data from daa in April 2024. daa refused, claiming that the ABP appeal prevented submission, a claim with no legal basis.
87. daa is not subject to the Freedom of Information Acts in Ireland, preventing citizens from accessing information about its environmental decision-making. However, the Commissioner for Environmental Information confirmed in March 2021 (case OCE-93474-R9M5N9) that daa is a "public authority" under the Access to Information on the Environment (AIE) Regulations, which implement the Aarhus Convention. Despite this confirmation, daa's responses to AIE requests have been obstructive and delayed.
88. The pattern of exemption from transparency obligations is striking. daa is expressly exempted from the Freedom of Information Acts. daa is also exempted from the Ombudsman's remit, meaning the primary administrative oversight body for public complaints cannot investigate it. The IAA is similarly exempted from FOI. The only transparency mechanism that has produced any meaningful information is the AIE regime, and Ireland cannot exempt bodies from AIE because those regulations derive from the Aarhus

Convention itself. The effect is that every aspect of regulation and operation of the aviation industry in Ireland is conducted with minimal transparency and is actively shielded by the State from normal public scrutiny. This is directly relevant to Articles 4 and 5: the exemptions do not merely limit access to information in individual cases, but create a structural barrier that prevents public oversight of environmental decision-making at Dublin Airport.

89. The complaint system described in paragraphs 64-70 constitutes a further breach of Article 5. Article 5(6) requires Parties to encourage operators whose activities have a significant impact on the environment to inform the public regularly of the environmental impact of their activities. daa does inform the public through its complaint response system, but the information provided is false. Each of the more than 200,000 responses affirms that aircraft "remained within the Noise Preferential Route," deploying a term daa invented by drawing a corridor around the unauthorised flight path. The system does not inform the public of the environmental impact of daa's activities; it systematically conceals that impact behind fabricated compliance terminology.
90. Article 5(2) requires that the way in which public authorities make environmental information available to the public is "transparent" and that environmental information is "effectively accessible." The Commissioner for Environmental Information confirmed in 2021 that daa is a public authority under the AIE Regulations. As noted at paragraph 71, daa's complaint system is the primary channel through which it claims to provide environmental information to affected residents. That channel is neither transparent (it misuses terms to create a false impression of compliance) nor effectively accessible (the system has been progressively modified to suppress reporting, as described in paragraph 68). The combination of false information and suppressed access amounts to a structural Article 5 failure.
91. The result is that the public has been misled and deprived of accurate environmental information, contrary to Articles 4 and 5. The complaint system amplifies this failure: it delivers fabricated environmental information to affected residents at industrial scale, using terminology daa invented to disguise the unauthorised nature of the flight paths.

B. Article 6: Failure to Ensure Public Participation

92. Two public participation exercises have been conducted in relation to the North Runway (paragraphs 7-15 above): the 2004-2005 EIS process (straight-ahead departures) and the 2016 consultation (15/75-degree divergence). In both cases, the public was given fundamentally different information from what was subsequently implemented. During the EIS process, residents in the area that would later be overflown were told by daa they would not be overflown. Neither the straight-ahead routes nor the 2016 scenarios have ever been flown. These exercises were defective in three respects that breach Article 6.
93. Article 6(2) requires that the public concerned be informed "in an adequate, timely and effective manner." The consultation was conducted exclusively within Fingal County despite daa's own maps showing that the proposed flight paths would overfly Meath communities. No advertising, no leaflets, no events, and no notification to elected representatives occurred in County Meath. Only 3 of 261 survey respondents were from Meath. This was not a failure of outreach; it was the exclusion of the most affected population from the consultation process.
94. Article 6(4) requires that public participation take place "when all options are open and effective public participation can take place." The consultation presented only 15-degree and 15/75-degree options, both based on a misinterpretation of ICAO 9643. The actual operations (30-86 degree turns at 400 feet AGL) were never presented. Entirely different populations are affected by the consulted options and the actual routes. The public was asked to choose between routes that were never implemented while the routes that were implemented were never presented.

95. Article 6(8) requires that the outcome of public participation be taken "due account of." The consultation resulted in a preference for Scenario B. The planning application was then withdrawn. Despite this, daa continued to assert that current routes are "closely aligned with that previously communicated." In fact, none of the consulted routes has ever been flown. The consultation was withdrawn before any decision, yet daa relies upon it as evidence of public engagement.
96. No subsequent consultation has occurred. The 2023 revision of flight paths, which shifted the noise impact to approximately 30,000 residents of East Meath, was implemented without any public participation whatsoever.

C. Article 9: Failure to Ensure Access to Justice

97. Affected residents have no effective remedy for the ongoing breach. Ireland has failed to provide "fair, equitable, timely and not prohibitively expensive" procedures as required by Article 9(4).
98. Fingal County Council, the only body with planning enforcement powers over Dublin Airport, issued a Warning Letter in September 2022 but has failed to issue an enforcement notice on the flight path breach for more than 180 weeks. The Ombudsman has found Fingal's response unsatisfactory, yet Fingal continues to delay.
99. All other bodies with potential jurisdiction deny competence (see paragraphs 25-27 and Section VI below). The IAA, ANCA, the EPA, the Department of Transport, AirNav, and Meath County Council each disclaim responsibility. The accountability chain is documented in full in Section VI.
100. The only remaining remedy for affected residents is a private High Court injunction under Section 160 of the Planning and Development Act 2000. The High Court has been estimated to cost approximately EUR 10,000 per day of hearing. This is prohibitively expensive for individuals and community groups with no funding or resources.
101. The IAA's statutory liability shield (s.16(2) IAA Act 1993) prevents the duties conferred by s.14 from being enforced by court proceedings. Communities can neither compel the IAA to act through the courts nor through the Minister, who has never exercised his direction powers under s.7.
102. When enforcement has been attempted, it has been blocked through litigation (daa's High Court stays on night flight and slot coordination enforcement) or legislation (the Passenger Capacity Bill in response to Fingal's passenger cap enforcement). The effect is that enforcement itself is treated as an obstacle to be removed rather than a mechanism to be respected.

D. The Passenger Capacity Bill as Legislative Override of Enforcement

103. The Dublin Airport (Passenger Capacity) Bill 2026 represents a new dimension of Article 9 non-compliance. It would use primary legislation to override Fingal's enforcement of the passenger cap (the enforcement notice issued in June 2025), which itself remains in abeyance while the High Court awaits the CJEU ruling in Case C-857/24.
104. The Bill would not merely remove the specific condition: it would prohibit any future planning authority from imposing any passenger cap on Dublin Airport (Head 4(1)), retrospectively repeal the transitional provisions that protected existing planning conditions when the 2019 Act was enacted (Head 4(3)(b)), give the Minister for Transport unilateral power to revoke planning conditions with only discretionary consultation (Head 5), eliminate the right of appeal to the Court of Appeal for any challenge (Head 11(17)), and exempt the entire process from Ireland's climate obligations (Head 12). This permanent removal of regulatory authority has a chilling effect on all environmental enforcement. If the Oireachtas

will legislate to remove a planning condition whenever an enforcement body attempts to enforce it, the entire enforcement framework for environmental protection at Dublin Airport is rendered illusory.

105. This is directly relevant to Article 9. Access to justice requires not merely that remedies exist on paper, but that they are effective in practice. A system in which enforcement is met with litigation and legislation to remove the enforced condition does not provide effective access to justice.

E. Article 3(8): Penalisation of Persons Exercising Convention Rights

106. Article 3(8) requires that "persons exercising their rights in conformity with the provisions of this Convention shall not be penalised, persecuted or harassed in any way for their involvement." The complaint statistics generated by daa's system (paragraphs 64-70) have been used to publicly discredit those who persist in complaining. Residents who report noise disturbance multiple times per day have been characterised in public discourse as unreasonable or obsessive, with their complaint volumes cited as evidence of irrationality rather than of persistent noise impact. This use of complaint data to undermine the credibility of complainants constitutes harassment of persons exercising their Convention rights.
107. The complaint data and messaging deployed by daa have also been adopted by airlines to publicly deride those who made complaints. Ryanair CEO Michael O'Leary has routinely used complaint statistics and the framing provided by daa to dismiss affected residents' concerns. The messaging used by Ryanair has closely followed, or perhaps led, that of daa, reinforcing the characterisation of complainants as unreasonable. The effect is that persons exercising their Convention rights face coordinated public dismissal not only from the airport operator but from the airlines whose operations generate the noise.
108. The broader pattern reinforces this finding. daa's Board has terminated engagement with the community group ("no further engagement," 2 May 2025; Annex F7). The daa CEO made a false claim to the Oireachtas about a non-existent review (see paragraph 84). daa has publicly branded factual objections as "falsehoods." The cumulative effect is that affected residents who exercise their rights under the Convention are met not with engagement but with dismissal, misrepresentation, and the weaponisation of their own complaint data.

Section VI: Use of Domestic Remedies

109. The complainant has exhausted domestic remedies or demonstrated that no effective remedy exists. The following bodies have been contacted, and their responses are summarised:

A. Planning Authorities

110. Fingal County Council: Warning Letter issued September 2022 (see paragraphs 28-29). Enforcement notices on two categories blocked (High Court stay, Passenger Capacity Bill). Flight path breach unenforced after 180+ weeks; Fingal confirmed "no further update" (May 2025). Ombudsman found response unsatisfactory.
111. An Coimisiun Pleanála (formerly ABP): Conducted a Relevant Action in 2024 (see paragraph 24). Inspector acknowledged flight path deviation but jurisdiction confined to the application made. daa did not seek retention. Flight paths remain unauthorised.
112. Meath County Council: Denied jurisdiction.

B. Aviation Regulators

113. Irish Aviation Authority (IAA): Role limited to minimum safety standards; "no public interest mandate" (see paragraph 25). Has never used enforcement powers against AirNav under ANTA 2022 s.74B. The IAA receives no State funding: its revenues are generated entirely through charges and fees raised from the airlines and regulated entities it oversees. The AAIU (Air Accident Investigation Unit) has previously established that neither the IAA nor the Department of Transport is performing an oversight role over the aviation industry. The result, as NRTG has observed, is that the aviation industry appears to be operating in an environment of zero oversight, with the IAA functioning less as a State body than as a service provider to the industry it is supposed to regulate.
114. AirNav Ireland: Role "technical and facilitative"; operates at daa's instruction (see paragraph 26). Will not act without daa funding. AirNav receives no State funding. All of its revenue comes from airlines: en-route charges collected via Eurocontrol and terminal charges collected directly from the carriers. The Department of Transport relies on AirNav as its source of technical aviation knowledge for performing oversight functions, yet the body presented as the independent air traffic controller with aviation expertise is, once again, a service provider to the industry, not an independently funded, disinterested statutory entity.
115. ANCA: "No authority over flight path design or operation." 343% increase in night noise exposure documented; zero enforcement actions in five years (see paragraph 51).

C. Government Departments

116. Department of Transport: The only State-funded body in the aviation regulatory chain, yet it has no technical aviation capability. The AAIU established this formally in its investigation of the Rescue 116 helicopter crash (Report No. 2021-008), which killed all four crew members. The Department told investigators it "did not have specialist aviation expertise within the Department to discharge such oversight." The AAIU recommended (IRLD2021031) that the Minister ensure sufficient specialist aviation expertise. In November 2021, the Minister told the Dáil he "fully accepts" the recommendations. In June 2025, FOI (TRA-FOI-2025-0121; Annex G9) confirmed that no records exist outlining qualifications, competencies, or training requirements for Aviation section staff. The organisational chart showed 49 staff, all generalist civil servants, with no role requiring aviation knowledge. The IAA, AirNav, and ANCA are all funded by the industry or the airport operator they regulate. The Department is the only body funded by the State, and FOI confirms it has neither the expertise nor the programme to acquire it. There is no one minding the store. Separately, FOI reveals only two records of oversight across nearly three years. The Department routes all technical queries to AirNav. The Minister has never used statutory direction powers under s.7 IAA Act 1993 or s.5 ANTA 2022.
117. Minister for Housing and Planning: No response to correspondence. A specific letter (11 November 2025) requested clarification on which Department holds responsibility for the Public Safety Zones at Dublin Airport, which were jointly commissioned by Transport and Housing but are now disowned by both. No response was received.

D. Independent Bodies

118. Ombudsman (Case 1: OMB-158504-Q7T9Q4, Fingal enforcement): Open since April 2025. Investigator found Fingal's response unsatisfactory. Fingal continues to delay and obstruct.
119. Ombudsman (Case 2: OMB-163546-W7H8X9, Department governance): Closed December 2025.

Ombudsman declined to pursue on every element, citing jurisdictional limits and directing complainant to other bodies (ANCA, EU Commission).

120. Environmental Protection Agency: Claims no role when the source of environmental impact is aviation.

121. Commissioner for Environmental Information: Confirmed (March 2021) that daa is a "public authority" under AIE Regulations, but this has not led to improved access to information.

E. Corporate and Regulatory Bodies

122. Corporate Enforcement Authority (CEA): Declined jurisdiction (Annex F5), stating "the proper plaintiff to enforce such duties is the company."

123. Standards in Public Office Commission (SIPO): Complaint filed August 2025 regarding daa CEO conflict of interest. Pending.

124. Competition and Consumer Protection Commission (CCPC): Ruled AirNav's monopoly permissible because daa is a State body.

F. Airport Operator and Airlines

125. daa plc: Board responded (2 May 2025 via Company Secretary) with "no further engagement." CEO did not respond to correspondence.

126. Ryanair and Aer Lingus: Both notified of liability for operating on non-compliant routes. Ryanair responded by referring NRTG to daa and disclaiming responsibility. Aer Lingus did not respond.

127. The complainant has contacted every public authority with potential jurisdiction. All deny competence, decline to act, or have been blocked from acting. No effective domestic remedy exists.

Section VII: Use of Other International Procedures

128. The following international procedures have been invoked concerning the same subject matter:

(a) A formal complaint (ID:91249) to the European Commission, filed simultaneously with this communication (2 March 2026), alleging breaches of Directive 2011/92/EU (EIA Directive), Regulation (EU) 598/2014 (Balanced Approach), Directive 2002/49/EC (Environmental Noise Directive), and EU State aid rules. The complaint is pending.

(b) A petition to the European Parliament Petitions Committee (PETI), filed simultaneously with this communication (2 March 2026). The petition is pending.

(c) Case C-857/24 is pending before the Court of Justice of the European Union, referred by the Irish High Court, concerning the legal status of the Dublin Airport passenger cap under the EU Slot Regulation. This reference was not initiated by the communicant. The Advocate General issued his opinion on 12 February 2026 (see paragraphs 35-36).

Section VIII: Confidentiality

129. No confidentiality is requested. This communication may be published in full.

130. The correspondent consents to disclosure of his identity and contact details to the Party concerned (Ireland) and to the public.

Section IX: Supporting Documentation

131. The following supporting documents are provided as annexes. Documents are organised by category and referenced by alphanumeric code throughout this communication. Where a primary source document is accompanied by a summary, both are included.

Ten annexes are marked [Key]: these establish the core communication and are uploaded with this filing. The complete set of 69 annexes is available for download at:

www.dublin-north-runway.com/submission-annexes/

Category A: Planning Permission and EIS (2007)

- A1 [Key]: ABP decision and conditions (PL06F.217429 / F04A/1755)
- A2: EIS Appendix G3: departure route maps (straight-ahead NPR)
- A5: Condition 1 text (verbatim, with context)

Category B: Flight Path Evidence

- B1 [Key]: GIS analysis: 1,077 vs 3,895 directly overflown households (1.5km corridor, first 15km, like-for-like); plus 4,155 in Ashbourne within 3km of SID tracks; 8,050 total affected; newly-affected analysis (538 to 8,050, 15x increase). Includes landscape map and methodology.
- B2: NRTG visual comparison (10-page EIS vs EIAR route comparison)
- B3: EIAR modelled routes (Figure 13B-3, North Runway)
- B5: RNAV-1/RNP-1 deviation analysis (12km actual vs 1NM design tolerance)

Category C: Noise Evidence

- C5 [Key]: ANCA Noise Mitigation Effectiveness Review Report 2024 (343% increase in 55 dB Night exposure since 2019)
- C6: NRTG noise analysis: 11km vs 6.84km to 55 dB(A) contour
- C7: daa EIAR Supplement (September 2023), including flight path admission
- C9: Dublin Airport Noise Action Plan 2024-2028 (Fingal/ANCA, December 2024), including population exposure tables and ICAO BA guidance
- C10: Meath Noise Action Plan 2024-2028, confirming "no part of County Meath falls within Noise Zone A"

Category D: Wildlife and Safety Evidence

- D4: IAA Safety Report (10 September 2023), IAA dismissal, IAA meeting (20 June 2024) revealing dependent mode workaround, and AirNav's refusal to study alternatives
- D8: ERM Public Safety Zones report (2000-2003, 46 pages)
- D9: PSZ 28R overlay vs actual radar tracks (map)

Category E: Consultation Evidence

- E1 [Key]: daa 2016 consultation report (flight paths and change to permitted operations)
- E2: Red C Research survey results (3 of 261 respondents from Meath)
- E3: Venue locations and advertising reach documentation (all events and advertising in Fingal)
- E4: Maps showing consulted routes vs actual routes (side-by-side comparison)
- E5 [Key]: daa noise complaint response templates (four letters, February-August 2024): verbatim template responses issued to complainants, confirming use of fabricated "NPR or environmental corridor" terminology

Category F: Enforcement Evidence

- F1 [Key]: Fingal County Council Warning Letter (21 September 2022, ENF 22/166B)
- F2: OCR transcript of Warning Letter
- F3: Ombudsman Case 1 key correspondence (OMB-158504-Q7T9Q4): complaint, Fingal report, "unsatisfactory" finding
- F4: Ombudsman Case 2 closure decision (OMB-163546-W7H8X9)
- F5: Corporate Enforcement Authority declination letter (1 May 2025)
- F6: Corporate enforcement campaign summary: letters and responses (April-October 2025)
- F7: daa Board "no further engagement" response (2 May 2025)
- F10: Enforcement timeline: 180+ weeks from Warning Letter to date
- F11: Letter to Housing Minister re Public Safety Zone responsibility (11 November 2025)

Category G: FOI Releases

- G1: FOI 2023.0144: Department of Transport records (March-May 2023)
- G2 [Key]: FOI 2025.122: AirNav Ireland briefing to Department of Transport (13 May 2025)
- G3 [Key]: FOI 2025.122: IAA report on IFP approval (13 May 2025)
- G5: Verbatim identical language: daa CEO to Minister (comparison extract)
- G7: daa CEO letter to Transport Committee (JCTC-33-1216, 4 April 2024)
- G8: AirNav AIE response (7 July 2025): no modelling, no reports, no technical assessments conducted
- G9: FOI 2025.0121: Department of Transport Aviation section staff qualifications and organisational chart (30 June 2025)

Category H: Legislative and Regulatory

- H1 [Key]: General Scheme of the Dublin Airport (Passenger Capacity) Bill 2026
- H2: IAA Act 1993, key sections (s.7, s.14, s.16(2))
- H3: ANTA 2022, key sections (s.5, s.74B)
- H4: State Airports Act 2004, key sections (s.9, s.13, s.16)
- H5: Advocate General Opinion in Case C-857/24 (12 February 2026)
- H6: High Court judgment [2024] IEHC 624 (stay on slot coordination)

- H8: Commission Decision C(2026) 919 final (10 February 2026), night flight restrictions non-compliance finding
- H9: OPR Legal Digest Issue 07 (March 2025): FoIE v Minister [2024] IEHC 588 (noise insulation Ministerial Direction upheld) and daa v Fingal [2024] IEHC 589

Category I: Community Impact

- I1: Community impact statement template
- I2 [Key]: Completed community impact statements from 103 affected residents (February 2026)

Category J: Technical Proposal and Precedents

- J1: NRTG Technical Proposal V9 (August 2023)
- J2: International precedents: airports turning the missed approach (Heathrow, Gatwick, Amsterdam, Berlin, Brussels)
- J3: ABP Relevant Action: NRTG submission on Draft Decision (19 December 2024)
- J4: ABP Inspector's Report (PL06F.314485), key sections 12.6.75, 12.11.6, 12.6.113
- J6: ABP Commission Order ACP-323566-25 (Beo Properties, Ratoath, 364 units): Condition 8 imposing noise insulation referencing "Zone D of the Dublin Airport Noise Zone" despite site being "unzoned" under Meath CDP
- J7: ABP Inspector's Report ACP-323566-25 (112 pages): paragraph 9.6.13 finding no basis in Meath CDP for noise conditions; Inspector recommended removing MCC's noise condition; ABP overrode the recommendation

Category K: Reference Sources

- K1: UK DfT Impact Assessment DfT00393 (2 August 2017): Noise Controls, Noise Preferential Routes at Designated Airports. Defines NPR as a government-set route to minimise people overflow, with SIDs designed to comply. Establishes the 1.5km swathe (1991) for track-keeping assessment.

Summary of Requested Findings

132. The correspondent respectfully asks the Committee to find that Ireland is in non-compliance with Articles 3(8), 4, 5, 6, and 9 of the Aarhus Convention in connection with the operation of Dublin Airport's North Runway, and to recommend that Ireland:
133. (a) Ensure accurate and transparent environmental information: Require daa to submit updated noise modelling to ANCA. Conduct and publish a wildlife hazard assessment for the actual departure routes. Correct the public record regarding daa's false claims of safety requirements and regulatory approval. Reform the noise complaint system so that complaints are received by an independent body (not by daa), the system provides accurate information about the legal status of flight paths, and complaint data is not used to discredit complainants.
134. (b) Conduct a new, Aarhus-compliant public consultation: Cover all affected communities, including County Meath. Present the actual flight paths in operation, not previously withdrawn scenarios. Ensure that participation occurs when all options are genuinely open, including the NRTG's alternative flight path design.

135. (c) Establish effective and affordable enforcement mechanisms: Ensure that planning and environmental law can be enforced against State-owned companies without the enforcement being overridden by litigation or legislation. Address the structural conflict of ANCA being embedded within Fingal County Council and directly funded by the entity it regulates (section 5, Aircraft Noise (Dublin Airport) Regulation Act 2019). Amend s.16(2) of the IAA Act 1993 so that the IAA's statutory duties (including its environmental mandate) can be enforced by court proceedings, or provide an alternative enforcement route.
136. (d) Provide appropriate remedies: For the approximately 30,000 residents of East Meath and North Fingal who have been subjected to unassessed, unconsulted, and unenforced noise impacts since 2022. Any environmental assessment conducted as part of such remedies must be performed independently of daa and independently of any contractor or consultant instructed and paid by daa. The depth of distrust between affected communities and the airport operator, after years of false claims, fabricated terminology, terminated engagement, and zero corrective action, is such that no assessment commissioned or funded by daa will be accepted as credible by the communities it purports to assess.

Section X: Signature

Submitted by:

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