

From: "valab" <email address redacted>
To: Aarhus Compliance,
Cc: Fiona Marshall, mauri, madeleine kura <email address redacted>
Date: 07/09/2015 18:14
Subject: case ACCC/C/2013/81 (Sweden).

7.9.2015

To
Fiona Marshall
Environmental Affairs Officer - Secretary to the Compliance Committee

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)
United Nations Economic Commission for Europe
Environment Division

Case ACCC/C/2013/81 (Sweden)

In view of the letter from the Swedish Government to the Aarhus Convention Compliance Committee dated 4.9.2015 I emit these comments.

The government answered - Quotes of the issues described in your email of 31.8.2015.

I oppose further confused information from the Swedish Government in the case ACCC/C/2013/81 (Sweden).

My definitions:

Rågranne - boundary neighbor

Avvisa – inadmiss

Avslå - rejekt

Länsstyrelsen - County Administrative Board - LN

Land and environmental court in Nacka – Nacka

The superior environmental court – Svea

I do not accept the difficulty that the ACCC expressed in paragraph 1- If he had indeed appealed the decisions in his own name, should he not then have been mentioned in the decisions, and should he not then have been on the sending lists at the end of the decisions in his own name, regardless of whether his appeal was accepted or rejected?-

All three decisions in LN 15.12.2011, 01.04.2012, 03.23.2012 are the same cases as I evidently have appealed, in my own name in the case 15.12.2015.

We have no information on why LN takes the confusing measures to the breakdown inadmiss and rejekt.

We cannot accept the ACCC's need of further confusing answer from the Swedish government under paragraph 2- because Mr. Stümer had not appealed the building permit in his own name, or did the court arrive at this conclusion because it simply accepted the reasoning of the County Board without re-considering Mr Stümer's

evidence?-

I have constantly pointed out and proved with documents that I appealed the building permit. I am against that ACCC cannot accept this as fact without constantly repeating the doubts .

I am against that ACCC constantly is asking our counterpart, the Swedish Government if - clarify whether Mr. Stümer did appeal in his own name,- I have shown facts and substantiate these with documents. It is irrelevant what the government responds on this facts.

I am against that ACCC - that it is still concerned with the capacity of Mr. Stümer when appealing, and whether that or other factors were decisive for the decision of the Environment and Land Court to reject his appeal.-

I cannot accept that ACCC does not understand that Stümer has appealed in the case Nacka 05/15/2014 Reg P 129-12 which is the case that Nacka has created on the question of locus standi.

Through documents I have shown that Stümer has appealed LN's decision 15.12.2011 to inadmissible his and others' access to standing.

The information that I have not appealed which Nacka argues as a ground even though they accept my complaint is untrue nonsense.

I did not care about this nonsense because the building permit was revoked and I knew about the Swedish courts' refusal of a locus standi. That matter would be continued internationally.

I oppose in the strongest terms that the Swedish government will be offered further opportunities to create confusion with its reply on requirements for further questions 4.9.2015.

The case aisled below is crystal clear and should be understood by anyone.

Regardless of the significance of the Swedish dismissing or rejecting it is a fact that we complainants in the case of wind power plants in Sweden and Helgarö / Strängnäs have been deprived our legal standing.

The responsible Swedish government is trying to tell falsehoods and irrelevant questions to create the confusion that allows the government and its agencies to continue these offenses.

This is not acceptable.

Summary

Inadmission and rejection of the case ACCC / C / 81

The progress of the case on locus standi

NOTE my whole case applies to County Administrative Board's decision on locus standi LN 15.12.2011 403-4710-2010 m fl and nothing else.

LN

LN inadmiss 15.12.2011 Bernd Stümer two times 403-4710-2010 m fl

LN rejekt 4.1.2012 7 st L, och J. Andersson boundary neighbors the rest not
Dnr 403-4718-2010, 403-4733-2010, 403-2045-2011

LN rejekt 23.3.2012 Thorneforss (2), K. Karlsson boundary neighbors
Dnr 403-993-2012, 403-994-2012

Nacka

inadmiss 15.5.2014 Dnr P 129-12 J.Andersson boundary neighbor
rejekt the rest, 30 Stümer and even L.Andersson boundary neighbor

Svea

9.3.2015 Dnr P 5593-14, P 5594-14

Rejekt all locus standi

NOTE the case applies to County Administrative Board's decision on locus standi
15.12.2011, 4.1.2012 och 23.3.2012 and nothing else. These cases are not the case
building permit.

NOTE. B.Stümer involved only in LN 15.12.2011 403-4710-2010 m fl

NOTE LN cases 4.1.2012 and 23.3.2012 are not of B.Stümers concerne but other
named persons.

LN-cases are:

403-4710-2010 m fl

403-4718-2010, 403-4733-2010, 403-2045-2011

403-993-2012, 403-994-2012

LN both inadmiss and rejects the appeal on locus standi

Nacka

makes a new case on locus standi P 129-12

Rejekt and inadmiss locus standi

Svea

Court of Appeal makes yet another case number P 5593-14, P 5594-14

Rejects all locus standi.

Courts specifies no criteria for the decision to reject or inadmiss.

Courts have only entered the ground distance for decisions both to reject and
dismiss. We have pointed out several times that the basis for rulings, distances
between the machine and the local residents, are inadequate and unsupported by
the Swedish- as well as international law.

The distance is of course no basis for judgements, but of course, the extent of
disturbance from the machine is it.

Courts does not identify any other investigations on the grounds for judgements
which have led to the complaint has been rejected and been inadmissible.

These facts and the confusion of the purposes of rejecting or inadmissible the comparison above is showing, leads to the conclusion that objective grounds for rejecting or inadmissible does not exist and that the courts' verdict are therefore based purely on unlawful arbitrariness.

This is contrary to the very foundation of the rule of law and violates even all the laws on citizens' rights including the rights in the Aarhus Convention.

We oppose in the strongest terms this illegal handling of our rights.

Additional, I leave copies of the judgments that constitute my appeal on standing.

Bernd Stümer
Väla Gård, Helgarö
Sweden