

From: "valab" <email address redacted>
To: Aarhus compliance
Cc: Fiona Marshall
Date: 06/04/2015 21:38
Subject: info on case ACCC/C/2013/81)

6.4.2015

To

FN

Fiona Marshall

Secretary to the Aarhus Convention Compliance Committee

Palais des Nations

CH- 1211 Geneva 10, Switzerland

Tel.:+41 22 917 4226

Email: aarhus.compliance@unece.org

Fiona.Marshall@unece.org

Information to

Communication to the Aarhus Convention Compliance Committee concerning compliance by Sweden with provisions of the Convention in relation to permits issued for wind turbines and the applicable legislation in general (ACCC/C/2013/81) and in response to the comments made at the meeting 03.26.2015 In Geneva. Through the Swedish government's constantly attempts to persuade the UN / ECE to drop the case precious time was spent unnecessarily.

The question of my locus standi has been addressed in each trial of the case in Sweden.

I have appealed every decision in every instance in the case of wind turbines Helgarö / Strängnäs.

I have complained as an individual, as a member the Association FLIS and as a representative.

When the land and environment Court in its judgment 2014-05-15 Case No. P 635-12 P 1924-12 writes that Mr Stümer and Kerstin Stümer was not a party to the contested decision it is irrelevant when my case is that I have been denied locus standi all the time.

28/06/2014 I have provided more detailed information about my standing.

09/18/2014 I examined carefully the various judgments off of my appeals.

25/09/2014 I made further clarification of my locus standi.

It would be advisable that the Swedish government could be persuaded to not continue to take up more time to the question on Stümers standing.

That question has been determined.

Secondly, I note once again that there is no support for certain distances between wind turbines and accommodation where the public concerned has locus standi.

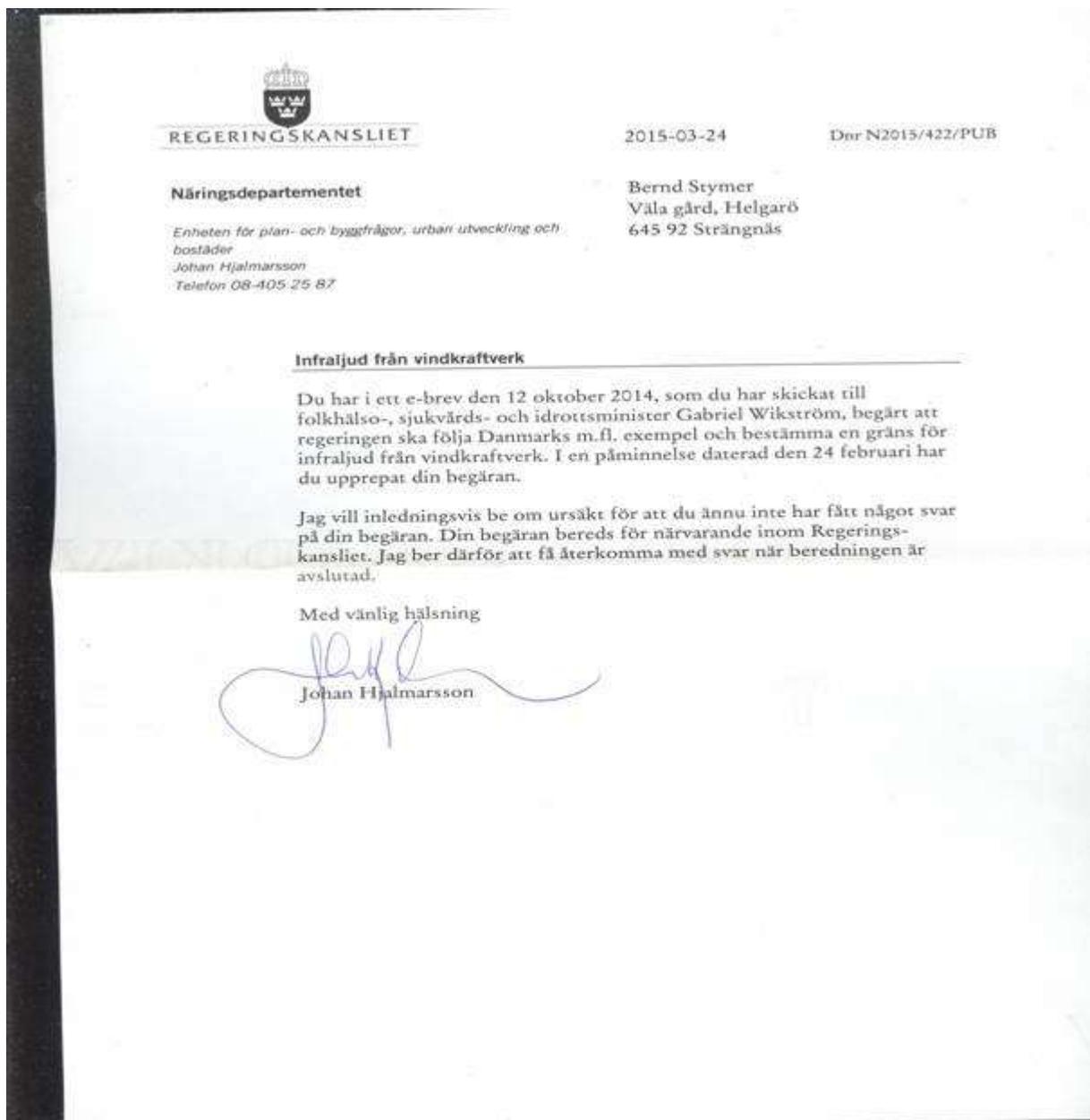
There is no support for this limitation either in Swedish or foreign law.

Obviously, it interferes with the disturbance that affect the individual, which is the basis for locus standi.

Of course it is important that the interference must be measured accurately which takes into account landskapets design and sound disturbance to the nature along the entire audio band right down to zero Hz.

We complainants have since long time pointed out that the Swedish authorities refused to perform adequate measurements even of the low frequency and infra sounds.

Nowadays, the authorities must change their erroneous position, see the attached letter from the government, "Your request is currently being processed in the Government Offices."



Thirdly, I want to express my surprise about questions e.g. the manner in which the handling of the case Helgarö was contrary to Article 4,

and 5 of the Convention.

On page 4 of my notification 27.02.2013 I enter that we complainant were denied any kind of information which of course led to that we do not have any rights at all under the Convention.

The municipal and county administrative officials refused to answer questions about the flora and fauna, Safety of machinery. No questions were answered at all

The question of how the safety requirements of the Machinery Directive are met, we asked a number of times, but we never got answers.

Consultations according to the Environmental Code were never kept, and therefore we could not get information even here.

About JO

2.7.2008 notifies the Ombudsman that he received my notification.

23.9.2013 in my Reply to Compliance Committee's Questions 26.4.2013 – Communication ACCC/C/2013/81 I go carefully through my notification to JO

The whole JO-matter 2008-2009 is Founded in Strängnäs not gave access to copies of the supporting documents for the decision on three wind turbines on Selaö / Strängnäs and two Helgarö / Strängnäs.

To this day we have not received copies of these decisions, reports, consultation reports, etc. There was apparently no basis for decisions to copy.

Decisions on planning permission had been made in pure confusing green frenzy to save Earth's climate.

No objective basis for decision was therefore carried out not in the municipality and when I insisted to request copies of decisions the municipality announced "file not stored on the municipality".

With that answer also JO was settle.

Swedish Parliamentary Ombudsman can only criticize but can not force authorities. This is also the case with the European Ombudsman who 2014 could not force the EU Commission to answer three questions about the implementation of the Machinery Directive in Sweden.

Best regards

Bernd Stümer
Våla Gård, Helgarö
64592 Strängnäs