

What is Coillte?

In the April 06 Woodmark recertification report it is referred to as a private company (Pr.2.1.1) limited by shares held by two ministers of executive govt – “this makes Coillte a State-owned company”. Pr.2.1.1 says that Coillte own 7% of all land in Ireland – “the perception is that land is owned by the people”.

Four points made, yet none clarify the question as to what Coillte is specifically. The only legally based answer is the first point – Coillte is a private company. Coillte are on record as denying they are a state company, in objecting to an FOI request, reviewed by Ombudsman Emily O’Reilly. They say emphatically that - *"Coillte is not an extension of a Government department neither is it an agency, nor under the control of, any Government department... In this context, the lands owned by the company are, in law, private property and the transaction which is the subject of the request is a private law transaction between two entities neither of which is subject to the Freedom of Information Acts."*

What is the nature of this so-called entity?

Ms. O’Reilly’s review also states that *"Coillte's submission makes no mention whatsoever of the binding judgement of the European Court of Justice in which Coillte's view of its status as a private company was rejected. In Case C-339/00, Ireland v. Commission of the European Communities [2003] ECR I-11757, the Court (Fifth Chamber) held that, "as a public undertaking" "* Coillte was not able to receive grant-aid (as a private entity) under the EU afforestation programme.

Furthermore, in response to Parliamentary Question 569 of the 21st March ’06, as to *"the reason Coillte are refusing to answer questions put to it under FOI Act 1997, since the government is the only shareholder in Coillte"*. The Minister for Agriculture and Food, Mary Coughlin (one of the two shareholders in Coillte), responded *"Coillte is not included as a public body"*. This denial of the EU Court of Justice ruling is a direct breach of FSC Principle 1 – that all parties adhere to local, national and international rules and treaties.

In the Tree Council of Ireland’s events guide for National Tree Week, sponsored by Coillte and O2, Coillte describe themselves as a *"State Sponsored Body, which operates in forestry and related businesses on a commercial basis"*.