



An Roinn Dlí agus Cirt,
Gnóthaí Baile agus Imirce
Department of Justice,
Home Affairs and Migration



Northern
Ireland
Office

INDEPENDENT COMMISSION FOR THE LOCATION OF VICTIMS' REMAINS

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1st August 2025

As Joint Commissioners of the Independent Commission for the Location of Victims Remains (ICLVR), the Competent Organisation concerned with the work to be undertaken below, to which this Determination applies, we provide the notice as required.

Appropriate Assessment Screening Determination in accordance with Regulation 42(11) of the European Communities (Birds and Natural Habitats) Regulations 2011-2015

Proposed Site Investigation at Bragan, Co. Monaghan

Appropriate Assessment Screening of Proposed Site Investigation at Bragan

The Independent Commission for the Location of Victims' Remains (ICLVR) wishes to carry out an investigation of a site located in the Slieve Beagh uplands at Bragan, Co. Monaghan. The site has been identified as the possible location of remains of the victims of violence in Northern Ireland - the 'Troubles.' The proposed investigation may be summarised thusly:

- Mobilising of 2 no. excavating machines to site
- The placement of bog mats as working platforms for the excavators
- Setting out of pegs to establish a search grid
- The excavation of strips of peat in short sections

- The examination of excavated areas by a forensic archaeologist
- Reinstatement of excavated peat and/or clay materials

The works will be carried out using 2 no. 8.5 tonne tracked excavating machines with trenching buckets. These will work from a platform made by 3 no. 3m x 4m bog mats. After the search grid is pegged out, the machines will scrape the peat and other surface material to a depth of 100mm at each pass. The strips shall be excavated to a depth of 1200mm. At this depth, if no evidence is found, the machine will move to the next section and continue as above. The strips shall be dug in one direction. This shall be decided prior to outset of works. The excavated material shall be side-cast and then used to fill the trench that has been created. Finally, the last mound of spoil to be excavated shall be spread across the site to restore it to previous height.

The project is not directly connected to and necessary for the management of sites as European sites.

As the proposed investigation is considered to constitute a project for the purposes of the European Communities (Birds and Natural Habitat) Regulations 2011 (as amended), a screening for appropriate assessment of the Plan was carried out in accordance with Regulation 42(1) of those Regulations, to assess, in view of best scientific knowledge and in view of the conservation objectives of relevant European sites, if the plan, individually or in combination with other plans and projects, would be likely to have a significant effect on a European site. A Screening for Appropriate Assessment report was devised by ecologists of Flynn Furney Environmental Consultants on behalf of the ICLVR. On the basis of this report, ICLVR carried out an Appropriate Assessment Screening and determination.

It was determined under Regulation 42(6) that an appropriate assessment was not required. The Appropriate Assessment Screening concluded that the proposed project would not have a significant effect on European Designated Sites and progression to a Stage 2 Appropriate Assessment is not required. This was based upon the absence of any Special Conservation Interest species from the zone of influence of the proposed works. There are no active Hen Harrier *Circus cyaneus* nests within the zone of influence of the project. Confirmed active Hen Harrier nests in this upland area are outside the zone of influence of any disturbance impacts to which this project might give rise. Potential impacts on habitats from the proposed works are confined to the footprint of the works. No Annex I habitats occur within this area. No habitats on which the Hen Harrier (the sole Special Conservation Interest species of the two Special Protection Areas in this area) depends occur within the footprint of the proposed works. It has therefore been concluded that the proposed works do not have potential for any significant impacts.

Accordingly, having carried out the Stage 1 Appropriate Assessment Screening, the ICLVR has determined that a Stage 2 Appropriate Assessment of the proposed site investigation works is not required as it can be excluded, on the basis of objective scientific information following screening under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011-2015, as amended, that the proposed works, individually or in combination with other plans or projects, will not have a significant effect on any European site.

The Appropriate Assessment Screening report has been made available on the website of the Independent Commission for the Location of Victims' Remains (www.iclvr.ie).

Tim DALTON
Commissioner

Rosalie FLANAGAN
Commissioner