

**Northern Ireland Environment Link
(NIEL)**

**Brexit Briefing to the
Committee for Agriculture,
Environment and Rural Affairs:
30th June 2016**



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Present: Patrick Casement, Chair NIEL; Craig McGuicken, CEO NIEL; Sean Kelly, Parliamentary and Development Officer NIEL; Joanne Sherwood Director RSPB NI; Jennifer Fulton CEO Ulster Wildlife

NIEL is the networking body for non-statutory organisations concerned with the environment of Northern Ireland. 70+ Full Members bring together a range of knowledge and expertise across a wide range of environmental fields.

Key Message on Implications of Brexit

We believe that the environment underpins our health, well-being and economy. Most of all, our environment is something for people to enjoy - we believe that increasing peoples access to the environment is the best way to ensure its preservation.

Through EU legislation, a wide range of environmental protection has been set out, and it is essential that following Brexit NI maintains a high level of environmental protection. The EU has also provided high levels of investment in the environment, and again, it is essential that this level of support is continued.

Northern Ireland's environmental NGOs are offering our assistance to work with the Committee and Department to meet the challenges that lie ahead.

The Challenges of Brexit

Regardless of which camp people fall into, nature and the environment is something which unites us. This should be our starting point.

- The challenges for the NI environment such as Biodiversity loss, Climate Change, Air and Water Quality remain the same now as before the UK vote to leave the EU;
- EU environmental directives have been the major driver to environmental protection and improvement in Northern Ireland, for example the Birds and Habitats, Water Framework, Marine Strategy Framework, Waste and Landfill Directives. European funding for environmental improvement in NI has been largely aligned to the objectives outlined within these Directives and is provided through a range of funds including; LIFE, Interreg and Agri-environment measures under the CAP. The Brexit vote has therefore introduced a number of uncertainties around the continuity of legislative and funding support for our environment;
- The recent review of the Nature Directives had the highest response ever seen in Europe and was broadly in favour of retaining the Directives in the current state;
- There are broadly 2 options following Brexit: Inside EEA and full Brexit:

	Inside EEA	Full Brexit
Does UK retain access to single market	Yes	No, to be negotiated
Does UK contribute to EU budget	Yes, with lower budget contribution	Yes, if access is negotiated to single market
Do Common Agriculture Policy and Fisheries Policy Apply	No	No
Do EU Environmental laws apply	Most – but not the nature directives and bathing water directive	No
Does UK have say in formulation of EU policy	Consultation only, no vote	No
Would UK be subject to mechanisms to ensure compliance and penalties	Yes	No
Would it be necessary to negotiate new trade arrangements which could impact environment	In some areas yes – inc agriculture and fisheries	Yes
Could a future UK government lower current environmental standards	Not in the majority of cases	Yes - although UK exporters to EU would have to abide by EU product standards

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Areas of Uncertainty:

- In the absence of EU Environmental Directives what will be the driver for environmental protection and enhancement and which issues will be prioritised?
- What level of financial support will be available to undertake environmental work to meet these environmental challenges?
- Environment cuts across national boundaries and in the absence of EU membership will there be an opportunity/mechanism to work at an international level to address common problems?
- Many Environmental Directives have been underpinned by national legislation that also facilitates other International agreements beyond the EU level in areas such halting Biodiversity loss, the Aarhus Convention etc. This national and other international legislation will also need to be reviewed.
- Over 40 years of environmental legislation in Northern Ireland will need to be reviewed and audited. NIEL's guide to *European Environmental Directives in Northern Ireland* produced for the All Party Group on European Environmental Regulations in 2014, identified over 30 Environmental Directives currently applying to NI.

- DAERA have lost over 400 staff through the VES. We have concerns that a considerable amount of time and resource would need to be committed to Brexit arrangements to the detriment of active environmental protection.
- In terms of future environmental policy would NI develop its own approach or would this be decided or influenced by priorities set at a wider GB level?
- Many of the current European Funding programmes are due to run to 2020 (possibly beyond). Can letters of offer be honoured as we may leave the EU prior to 2020? Similarly, SEUPB is currently awaiting guidance from the Department of Finance on INTERREG VA which has earmarked some €112 million for a range of habitat, species, fresh water, marine and sustainable transport measures until 2020.
- NI Government has agreed to provide match funding for the duration of a number of European programmes. Will this commitment be honoured? Similarly the non-availability of match-funding from EU sources will increase the pressure on government funds.
- Given the farming industry's reliance on CAP payments, a decline in farm payments (Pillar 1 and Pillar 2) would have a devastating social, economic and environmental impact. Farmers and environment are already struggling, they cannot afford to be further penalised.
- Certain measures with the Going for Growth Strategy (particularly in relation to research) and the corresponding Sustainable Agriculture Land Management Strategy may be reliant upon EU funds.
- The environmental NGO sector plays a key role in helping government to meet its national and international environmental obligations. A key aspect is our ability to lever additional funds from EU sources to meet these commitments. An alternative mechanism is required to help the NGO sector to meet these international obligations in particular.
- The environmental NGO sector has been through a very difficult time and huge financial uncertainty. Last year many organisations were threatened with 100% funding cuts. EU funding has been an important part of eNGOs funding cocktail.
- The current uncertainty is damaging; we feel that we need a clearer understanding of the issues and solutions as soon as possible, but are concerned by the scale of the issue.

Further Considerations

- The Programme for Government is currently being consulted upon. Given the long term impact of Brexit should consideration be given to reviewing the PfG or allowing a further consultation period?

- That the Committee consider undertaking an enquiry into the impact of Brexit in order to obtain the views of the Agriculture, Environment and Rural sector and identify the best response for Northern Ireland?

Environmental NGOs want to work with government to ensure the best outcomes for our environment, whatever the mechanisms or political situation. Many environmental organisations have the experience and expertise to offer assistance in the time ahead and look forward to working with the Committee and Department to meet these environmental challenges.