

Northern Ireland Environment Link (NIEL) submission to the All-island Civic Dialogue on Brexit

NIEL is the networking and co-ordinating body for non-statutory organisations concerned with the environment of Northern Ireland. It has 70+ Full Member organisations, who represent more than 100,000 individual members, bringing together a range of knowledge and expertise across a wide range of environmental fields.

NIEL was delighted to receive an invitation to participate in the All-island Civic Dialogue at Kilmainham on the 5th November, and our Chairman, Patrick Casement duly attended. He was somewhat surprised to find that he appeared to be the only person present representing environmental interests, and that no-one from this sector had been invited to give a short presentation in the second session of the day. When he tried to give an environmental perspective in the afternoon workshop, the Chair appeared to cut him off short, and then subsequently failed to mention the environment in her summing up to the final plenary. In the recent update of the 16th November, reporting on the deliberations of the Cabinet and announcing the next steps, the environment was again not included in the sectors which would be considered. This failure to take the sector seriously is extremely disappointing, and we have therefore taken the step of preparing this written submission for consideration. We would like to see this more widely circulated and would welcome a further opportunity to discuss the issues with the wider forum in the future.

The Value of the Environment Sector in Northern Ireland:

- Estimated around 900 FTEs
- Volunteer workforce of over 350,000
- Manages over 314,000 acres of land for public benefit
- Spends over £20m per annum in the NI economy
- Leverages in between £3 and £7 for every £1 invested in core funding

We believe that the environment underpins our health, well-being and economy. It belongs equally to all our people, and represents a neutral space where they may come together for mutual benefit. 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.

The Challenges of Brexit:

- Uncertainty about the future makes forward planning exceptionally difficult for everyone. Coming on top of a major reorganisation of Government departments and a significant loss of expertise from NI Environment Agency in the recent Voluntary

Exit Scheme, issues around Brexit mean that there is a lack of strategic direction for the sector.

- Economic issues have dominated discussions of post-Brexit negotiations and triggering of Article 50, and to date there has been little discussion of the environment, environmental protection or sustainable development.
- The challenges for the NI environment such as Biodiversity loss, Climate Change, Air and Water Quality remain the same now as before the UK voted to leave the EU.
- EU environmental directives have been the major driver to environmental protection and improvement in Northern Ireland. 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 long-term funding support for our environment.
- We believe that the single greatest environmental challenge posed by Brexit is continued legislative protection for the natural environment. Depending on the trading option chosen by the UK, much of the current suite of EU environmental legislation may still apply, with the exception of the Nature Directives and the Water Framework Directive. A priority for the UK/NI government moving forward should be to effectively address this gap through future-proofing domestic legislation to ensure the UK/devolved regions protect their natural heritage and effectively deliver on global agreements including the Convention on Biological Diversity, the Bern and Bonn Conventions, the Ramsar Convention, the Oskar Convention, the Aarhus Convention and the UN Framework Convention on Climate Change.
- The environmental NGO sector plays a key role in helping government to meet its national and international environmental obligations, delivering a significant proportion of national effort into conserving wildlife and habitats. A key aspect is our ability to lever additional funds from EU sources to meet these commitments. An alternative mechanism is required to help support the NGO sector to meet these international obligations.
- The recent review of the Nature Directives had the highest response ever seen in Europe with more than 500,000 responses and was broadly in favour of retaining the Directives in the current state.

Issues around the border between Northern Ireland and the Republic of Ireland:

- The island of Ireland comprises a single bio-geographic unit, with the two countries sharing common geology, landscapes, water catchments, and flora and fauna. It is important that these are cared for in a consistent and coordinated way.

- There are a number of important cross-border designated areas such as Special Protected Areas under the Birds Directive. These include Lough Foyle, Carlingford Lough, Pettigo Plateau and Slieve Beagh/Mullaghfad/Lisnaskea.
- The EU, through its Nature Directives has provided common policies and approaches, which have ensured consistent protection of habitats and species on both sides of the border, but if the Nature Directives are repealed in the UK, this approach will become more difficult.
- Good examples of the collaborative approach include:
 - All-Ireland Strategy on Invasive Alien Species
 - All-Ireland Pollinator Plan

Other Areas of Uncertainty:

- Certain measures with the Going for Growth Strategy (particularly in relation to research) and the corresponding Sustainable Agriculture Land Management Strategy, which have profound implications for the state of the environment, may be reliant upon EU funds.
- Brexit provides an opportunity to develop bespoke agricultural policy for the UK which effectively integrates agriculture and environmental needs and priorities. This could however lead to different environmental standards in different parts of the UK, as well as between Northern Ireland and the republic of Ireland.
- There is a danger of environmental protections being eroded in a ‘race to the bottom’ as the UK seeks to undercut EU competitiveness and attract businesses to UK by offering a ‘low regulation’ zone.
- Even if lower standards are not the result, there may be lack of enforcement of comparable environmental standards by UK agencies. In the absence of the EU and the European Court of Justice it is not clear who will enforce the commitments to international agreements, and the government could find itself in the position of being both prosecutor and accused. This situation will not be helped by the fact that not only does Northern Ireland not have an independent Environmental Protection Agency but there is also an issue around the capacity of DAERA, given the loss of expertise in the recent Voluntary Exit Scheme.

Opportunities arising from Brexit:

- It is widely recognised that the CAP is not the ideal mechanism for both supporting agriculture and benefiting the environment. The State of Nature Report 2016 (NI) - outlines that the intensification of agriculture has had the biggest negative impact on wildlife over the past 40 years. This biodiversity loss is not a failing or a criticism of farmers, but of the farming system that they are dependent on for their livelihoods. Whilst agriculture has undoubtedly had a negative impact on nature, there are some

good news stories and we believe that farmers and improved agricultural policies are part of the solution.

- Brexit provides a once in a life time opportunity to develop bespoke agricultural policy for the UK which effectively integrates agriculture and environmental needs and priorities
- The flexibility for the UK to design a policy mechanism that is strategic and long term, effectively recognising the need for land management systems to deliver multiple benefits for society
- This opportunity provides the option of streamlining administration to reduce costs and deliver better value for money for the UK tax payer
- In addition policy tools could more effectively integrate capacity building to underpin the policy implementation and maximise impact. This provision exists within the current CAP, however is not fully utilised
- The policy design process could integrate EU standards associated with any future trade agreement (where relevant) and build on international best practice
- It could effectively recognise the multiple 'public goods' that can be delivered by land managers as custodians of our natural heritage and natural resources – e.g. water quality, soil condition, natural capital, carbon storage, public access - through investment of public funds targeted to achieve specific outcomes
- It could continue to support a viable and sustainable agricultural industry by recognising the role of land owners as 'custodian of the countryside' whilst addressing the current 'silo mentality' that exists with respect to food production.
- A number of national eNGOs (Campaign to Protect Rural England, a consortium of the National Trust, the Wildlife Trusts, the WWF and the RSPB, and the Green Alliance) have come forward with recommendations for an improved policy of making our agriculture more resilient while benefiting the environment.
- In Northern Ireland a Sustainable Land Management Strategy has just been produced and accepted by the Minister for Agriculture, Environment and Rural Affairs as a positive way forward.

Environmental NGOs intend 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 on a local, regional and all-island basis to meet these environmental challenges.