

Nature
Matters NI



Nature Matters NI is a campaign for a nature friendly Brexit. Led by the NIEL Brexit Coalition, we are working for more sustainable land use and fisheries, and better environmental protection for Northern Ireland.

Brexit Position Statements



Sustainable
Land-Use &
Agriculture



Marine &
Fisheries



Nature &
Environmental
Protection



The Nature Matters NI Campaign

We believe that:

- The health of the environment is of vital importance to society and the UK's decision to leave the EU hasn't changed that. The challenges for the environment on both sides of the border (e.g. biodiversity loss, air and water quality and climate change), remain as critical now as before the referendum result. Leaving the EU is a pivotal moment, providing an opportunity to protect, restore and enhance NI's environment.
- Brexit provides an opportunity to create new sustainable agriculture and fisheries policies to benefit our environment, communities and economy.
- Farmers and land managers play a crucial role in looking after the environment and should be adequately compensated through public money for the environmental benefits they provide for society.
- Existing EU legislation provides a wide range of environmental protection. It is essential that after Brexit, NI maintains the same or better standards of environmental protection.
- In the absence of the European Commission and the European Court of Justice, it is not clear how environmental standards will be upheld post-Brexit. It is essential that independent and robust shared governance arrangements are put in place to replace any loss of the necessary monitoring, reporting, compliance, and enforcement functions currently carried out by the EU institutions.
- EU funding has provided high levels of investment in the environment and it is essential that this level of support is continued post-Brexit to help halt and reverse biodiversity loss and ensure that the environment is managed sustainably.
- We have a unique challenge associated with the Northern Ireland/ Republic of Ireland land and sea border. The island is one ecosystem, sharing natural assets such as plants, animals, water and air and many environmental problems have a strong cross border dimension. It is crucial therefore that the island of Ireland is considered as a single bio-geographic unit and effective mechanisms are put in place to resolve and manage cross-border environmental issues and prevent unfair competition post-Brexit.

Our Key Sectoral Asks:

1. Nature and Environmental Protection

- Maintain existing or provide better standards for species, habitats, protected areas and the wider environment. This must be consistent with international best practice and at least as strong as that which is currently provided by EU legislation. This should be underpinned by the environmental principles that we presently avail of within the European governance framework.
- Improve action to halt and reverse the ongoing loss of our biodiversity and to restore and maintain healthy and resilient eco-systems on both sides of the border.
- A strong, accountable and independent system of environmental governance to replace that previously supported by the European Commission and European Court of Justice.
- Maintain and extend the protected sites network to meet the global target of ensuring that at least 17% of our land and 10% of our seas are protected and where needed restored through a network of well-managed protected areas by 2020.



2. Sustainable Agriculture

- An ambitious common framework for agriculture in the UK to achieve sustainable management of shared natural resources and address trans-boundary issues, such as climate change and biodiversity conservation, ensuring that the UK can meet international environmental obligations to which it is committed. Regional flexibility will be required to take account of local priorities and devolved regions must be involved in the development of the framework.
- An effective legislative baseline to underpin regulation of environmental standards within agriculture. This should set ambitious common standards that are as high as those set out in existing EU law. This will be key to ensuring a level playing field for producers, and maintaining the confidence of consumers.
- Adequate public funding to meet the policy objectives of an agricultural support system which ensures a sustainable farming industry rewarding farmers and land managers fairly for the essential environmental services they provide to society. An appropriate transition period will be required for any new support system as delivery arrangements are developed, and in some cases piloted.

3. Marine and fisheries

- A co-designed common framework for a world-leading, ecosystems-based, sustainable fisheries management system and marine conservation for NI and the UK supported by fit-for-purpose legislation and cross-sector stakeholder participation, for example, through advisory groups.
- Maintain, and where appropriate enhance, existing legislation relating to marine nature protection and marine environmental governance as the UK leaves the EU which addresses the trans-boundary issues as well as ensuring there is the resources for independent monitoring and compliance in place.
- Complete an ecologically coherent network of Marine Protected Areas within NI waters to protect and restore important areas of our marine environment – with effective management plans in place for all areas.

4. Funding for the environment

- Secure and guarantee sources of funding for nature conservation and developing and supporting world-leading techniques for sustainable fisheries management to replace that previously supported through EU funding such as EMFF, LIFE+ and INTERREG.

5. Cross-border

- The island of Ireland considered as a single bio-geographic unit with effective mechanisms in place to resolve and manage cross border environmental issues and prevent unfair competition post-Brexit.

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Brexit Position Statement: The Future of Agriculture Support in Northern Ireland

1. Key point

We need to rethink the way we manage land in Northern Ireland and why. Whilst the future outside of the EU is uncertain, the requirement to develop new policies presents a unique opportunity to develop a robust and sustainable policy which strategically places agriculture and land-use on a sustainable footing. We now have a once in a generation opportunity to develop new sustainable agriculture policies in NI that are good for nature, fair to farmers and benefit society through the delivery of environmental public goods.

2. Background

In recent decades the CAP has pushed farming in an unsustainable direction. Evidence for this includes poor water quality¹ and the loss of carbon from damaged and degraded habitats, such as blanket bogs. Agricultural intensification is recognised as one of the key reasons for the decline in farmland nature². However, agriculture can be part of the solution, which is evidenced through the role farmers and land managers play in the maintenance of landscapes and delivery of current agri-environment schemes.

The CAP hasn't been effective at meeting one of its key outcomes of helping to build a resilient agricultural industry. In NI 87% of farm income is derived from EU subsidies- compared with 53% for the UK. Without financial support most farming in NI is uneconomically viable. This has been brought into stark relief by the risks posed to future agriculture support and the implications for farming as a result of our decision to leave the EU.

3. Asks

➤ A Common Framework

Our aim of wanting farming to be good for people and nature applies everywhere across the UK. It is imperative that Northern Ireland, Wales, Scotland and England work together on an ambitious common framework for Agriculture that prevents a deregulatory race to the bottom. This must include an appropriate degree of flexibility so as to allow implementation to be tailored to the specific environmental and legislative context in each nation

➤ Effective Legislative Baseline

To secure value for money, it is essential that future payments build from a foundation of effective regulation. Payments should continue to be linked to regulatory compliance where relevant, in order to avoid undermining the effectiveness of public investment

➤ Funding

It is essential that the UK Government and devolved administrations continue to invest in farming and land management policies in order to meet a range of agricultural and environmental objectives. To ensure sufficient investment towards achieving our agricultural and environmental goals, existing levels of funding associated with the CAP

¹ https://www.daera-ni.gov.uk/sites/default/files/publications/daera/ni-environmental-statistics-report-2017_2.PDF (page 41)

² https://www2.rspb.org.uk/globalassets/downloads/documents/conservation-projects/state-of-nature/210-2470-15-16_stateofnature2016_northernireland.pdf

should be maintained, particularly for an initial 10-year period³. Within this, the proportion of funding associated with environmental farming and land management policies should be significantly increased.

➤ Public Goods Payments

The concept of public goods is a way of describing the environmental and social goods and services provided by agriculture and other land uses such as forestry that are not rewarded through the market. These include biodiversity, soil function, resilience to flooding and a range of others⁴ which contribute to NI's Natural Capital. A focus on public goods will demonstrate clear added value to the taxpayer in return for their investment whilst continuing to support farming and land management practises that deliver benefits to society.

➤ A Clearly Defined Transition

We recognise that there is a need to transition from our current policies under the CAP, to a future policy. At a time of significant flux however, it is essential that governments across the UK provide clarity about the road ahead

4. What Next?

DAERA have been working with stakeholders in the Agri-food and the environment industries on a position paper which sets out the post-brexit needs of the sectors. NMNI believes it is within the public interest that this paper is released for consultation to allow for public discourse on this important matter. This would also help ensure that NI is not left behind the rest of the UK when considering options post Brexit.

DEFRA has already consulted stakeholders on this matter, and plans to bring forward legislation in the autumn, the scope of which is to be decided. NMNI preference is that devolution is restored and the NI Assembly is able to bring forward its own legislation for Agriculture in NI, whilst working with the other devolved nations on an ambitious common framework.

5. Who we are:

Nature Matters NI is a campaign for a nature friendly Brexit. Led by the NIEL Brexit Coalition we are working for more sustainable land use and fisheries, and better environmental protection for Northern Ireland.

Our position aligns with UK Environment Links in England, Scotland and Wales, and the principles set out by the Greener UK⁵ paper 'Agriculture at a crossroads: the need for sustainable farming and land use policies'. We will continue to collaborate with UK colleagues on a range of issues relevant to our goal of realising a nature friendly brexit for NI. For more details on our asks follow this link.

For further information on the work of the Sustainable Agriculture Land-Use Group contact: email john.martin@rspb.org.uk or tel: 02890 690836

³https://ww2.rspb.org.uk/Images/Assessing%20the%20costs%20of%20Environmental%20Land%20Management%20in%20the%20UK%20Policy%20Briefing_tcm9-449500.pdf

⁴ Cooper, T., Hart, K. and Baldock, D. (2009) The Provision of Public Goods Through Agriculture in the European Union, Report for DG Agriculture and Rural Development, Contract No 30-CE-0233091/00-28, Institute for European Environmental Policy: London.

⁵ <http://greeneruk.org/>

Brexit Position Statement: Implications of Brexit for Marine and Fisheries

1. Key Marine and Fisheries Asks

- A co-designed common framework for a world-leading, ecosystems-based, sustainable fisheries management system for NI and the UK supported by fit-for-purpose legislation and active cross-sector stakeholder participation.
- Maintain, and where appropriate enhance, existing legislation relating to marine nature protection and environmental governance as the UK leaves the EU which addresses trans-boundary issues and ensures resources for independent monitoring and compliance.
- Complete an ecologically coherent network of Marine Protected Areas with effective management plans within NI waters to protect and restore important habitats and species.
- We must secure sources of funding for nature conservation and developing and supporting sustainable fisheries to replace that previously provided through EU funding.

2. Sustainable Fisheries – An ecosystem-based approach

- The sustainability of commercial fish stocks and our fishing industry is inextricably linked to the health of the wider marine environment.
- Brexit provides an opportunity to develop a world-leading sustainable fisheries management system using an ecosystem-based approach as obligated by existing UK legislation and international agreements including OSPAR, Convention on Biological Diversity and the UK Marine Strategy Regulations (2010).
- The marine environment is dynamic and fish does not respect borders; NI must achieve cooperative management including using cross-sector stakeholder advisory groups for shared stocks with ROI and the UK to avoid negative environmental consequences.
- An ecosystem-based approach requires that fisheries management practices are aligned with marine conservation and environmental targets. The key elements of an ecosystem-based approach include: achieving maximum sustainable yield (MSY) for all fish stocks by 2020; transparent quota allocations using best available scientific advice (ICES); reduction and where possible elimination of bycatch; retaining the Precautionary Principle; all vessels subject to a vessel monitoring system (VMS) and the establishment of robust enforcement mechanisms and effective sanctions.
- An independent UK committee including NI members (equivalent to the STECF) is required to work within a Fisheries Partnership agreement with Europe for scientific cooperation and to support the development of a co-designed common framework.

3. The Future of Marine Legislation

- There are over 200 pieces of EU legislation that have direct repercussions for marine environmental policy and management including the Birds and Habitats Directives, Water Framework Directive and the Marine Strategy Framework Directive.

- The UK & Northern Ireland should transpose the existing EU legislation in order to maintain the legal protection for species, habitats, protected areas and the wider environment and where possible further enhancement in line with international best practice.
- An equivalent for the European Court of Justice is required, alongside an adequately funded independent watchdog to deliver monitoring, accountability and enforcement measures.
- The role of the Loughs Agency (established under the Good Friday Agreement) in managing the cross-border Foyle and Carlingford Lough catchments may need to be extended to provide cooperative management with Ireland across a range of functions.

4. An ecologically coherent network of Marine Protected Areas (MPAs)

- Northern Ireland is committed under OSPAR, the UK Marine Strategy Regulations (2010) and The Marine Act (Northern Ireland) 2013, to achieving an ecologically coherent network of well managed marine protected areas by 2020.
- A Marine Protected Area is a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.
- There are gaps in the NI MPA network for important habitats and species including mud in the Irish Sea and native oysters in Lough Foyle, along with a lack of management plans for many designated sites.
- An effective ecologically coherent network of MPAS in NI which are managed to recover habitats and species could be worth an estimated £66.9 million in ecosystem service provisions (Barnard et al. 2014).

5. Who we are:

Nature Matters NI is a campaign for a nature friendly Brexit. Led by the NIEL Brexit Coalition we are working for more sustainable land use and fisheries, and better environmental protection for Northern Ireland.

The Northern Ireland Marine Task Force (NIMTF) is funded by the Esmée Fairbairn Foundation and is a coalition of environmental organisations campaigning for healthy productive seas. NIMTF contributes to the Marine and Fisheries element of the Nature Matters NI campaign.

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Brexit Position Statement: Future of Environmental Protection in Northern Ireland

1. Opportunities & Challenges for Northern Ireland's environment post-Brexit?

Leaving the EU will have substantial implications for the environment in Northern Ireland. There are significant risks, but it also creates an opportunity to rethink how we legislate for and govern our relationship with the environment to create a more sustainable future.

Northern Ireland and its surrounding waters are home to over 20,000 different species and support nationally important populations of some species, including pine marten, red squirrel and the cryptic wood white butterfly. In addition, the country hosts globally important populations of species such as the Irish damselfly and white-clawed crayfish. Nevertheless, the environment in Northern Ireland faces a number of threats, including biodiversity loss, water and air pollution, climate change and alien invasive species.

The majority of environmental legislation in Northern Ireland is underpinned by EU legislation. To ensure that, post-Brexit, Northern Ireland continues working towards the goal of halting biodiversity loss, the Government must:

- maintain existing environmental legislation and put an effective system of environmental governance in place;
- maintain and extend the network of protected sites in Northern Ireland; and ensure environmental and conservation projects are adequately funded.

2. Legislation

It remains unclear what will happen to EU-derived environmental legislation once the UK leaves the EU. The EU may require the UK to maintain some European environmental standards as part of a final deal to leave but the UK, ultimately, will not be bound to EU environmental legislation.

As a priority, Northern Ireland should maintain the legal protection for species, habitats, protected areas and the wider environment. This will need to be consistent with international best practice and at least as strong as that currently provided by EU legislation. There also needs to be an improvement in implementation to halt and reverse the ongoing loss of Northern Ireland's biodiversity and to restore healthy and resilient eco-systems.

For this reason we believe that legislation needs to be brought forward that ensures:

- That all environmental EU law is transferred into UK legislation without any dilution
- This must include environmental principles and governance

3. Need for Effective Governance

Once the UK leaves the EU, there will no longer be any oversight from the European Commission or European Court of Justice to monitor the implementation of environmental protection legislation. Nature Matters NI is therefore calling for the development of:

- a strong, accountable and genuinely independent environmental governance framework for Northern Ireland to ensure that we not only have high environmental standards but that these are fully implemented and enforced.
- it is important that this is in place as soon as the UK leaves the EU governance framework to ensure that there is no gap in oversight and accountability.

4. New sources of conservation funding

EU funding supports nature in Northern Ireland both through funding for specific conservation projects (from the LIFE+ and INTERREG programmes) and through agri-environment schemes financed under the CAP. The future of these programmes in the UK is unclear post-Brexit.

As well as potential loss of EU funding, government departments for the environment have seen a significant cut in resources, with the NI environmental budget falling by approximately 20% since 2009/10.

There is a clear risk that without adequate funding, many conservation projects may not go ahead in the future. Nature Matters wishes to see:

- A clear commitment from Government that conservation funding will be maintained or increased after Brexit.

5. Cross-Border Issues

The fact that Northern Ireland will continue to share a land border with the European Union gives added imperative for the need to maintain existing EU standards. The Republic of Ireland will still be operating under the EU framework and if Northern Ireland has a significantly different legislative framework, or lower standards, it will be harder for us to work cooperatively to protect our shared environment. We wish to see:

- areas of environmental north-south co-operation and associated bodies protected.
- the island of Ireland recognised as a single biogeographic unit as environmental issues are dependent on close cross-border cooperation.
- common environmental standards that play a crucial role in providing a level playing field and prevent unfair regulatory competition.
- that cross-border cooperation on environmental matters is recognised as a core part of the Good Friday Agreement and is embedded in the common framework of EU law.

6. Who We Are:

Nature Matters NI is a campaign for a nature friendly Brexit. Led by the NIEL Brexit Coalition we are working for more sustainable land use and fisheries, and better environmental protection for Northern Ireland.

For further details on our Nature & Environmental Protection position please contact: Daithí McKay, Email: daithi.mckay@rspb.org.uk or 028 90 690852

Brexit Position Statement: Cross-Border Environmental Cooperation on the Island Of Ireland

In order to ensure that the environment on the island of Ireland is not put at risk by the UK's departure from the EU, any agreement that is reached must fully address the issue of cross-border environmental cooperation. In particular, the pivotal role played by common and enforceable EU standards in facilitating cross-border cooperation and ensuring a level playing field across all areas of environmental policy must be fully taken into account in the outcome of the negotiations. To make progress, we believe that it is the interests of all sides to work together and secure an outcome that guarantees close future cooperation on environmental matters.

1. Key Points - We believe:

- That the island of Ireland and its surrounding seas comprise a single biogeographic unit and that effectively addressing shared environmental issues such as biodiversity loss and the conservation of freshwater and marine resources on an all-island basis relies on close cross-border cooperation.
- That cross-border cooperation on environmental matters is a core part the Good Friday Agreement and is embedded in the common framework of EU law and that any divergence or lowering of environmental standards on the island of Ireland as a result of Brexit could have significant implications for the environment, for citizens, and for businesses.
- That preserving cross-border cooperation and preventing unfair competition in relation to environmental protections post-Brexit will depend on maintaining the closest possible regulatory alignment between Northern Ireland and the Republic of Ireland on all matters currently covered by the EU environmental acquis.
- That appropriate mechanisms need to be put in place to guarantee this close regulatory alignment on environmental matters (i.e. to resolve any regulatory divergences and maintain common minimum standards at least as high as those currently in place). This should include consideration of the potential need to secure the on-going application of key EU Directives across the island of Ireland.
- That to effectively secure equivalence in terms of environmental protection standards, equally robust enforcement mechanisms will also need to be in place on both sides of the border, noting the significant role currently played by EU institutions in overseeing and enforcing compliance with environmental standards on the island of Ireland and securing access to justice for citizens and civil society organisations.
- That there needs to be on-going commitment to the continued provision of appropriate and effective cross-border structures, mechanisms and funding streams to support environmental cooperation and resolve and manage cross-border environmental issues post-Brexit.

2. Background: the Environment, the EU and the Border

- The island of Ireland and its surrounding seas represent a single biogeographic unit with shared land and sea borders. Given that environmental issues do not respect borders, effectively addressing these issues on an all island basis is dependent upon close cross-border cooperation.
- Cross-border cooperation on the island of Ireland is currently deeply embedded in the common frameworks of EU environmental law and policy in place

as a result of our shared membership of the EU. The vast majority of our environmental laws and policies are currently governed by legal frameworks set at the EU level, and much of the funding for cross-border environmental projects comes via EU programmes.

- Working together within this common legislative and funding framework has been the major driver of environmental improvements on the island of Ireland, facilitating cross-border cooperation between both governmental and non-governmental organisations on a broad range of environmental issues. Together, this has enabled us to more effectively address cross-border environmental issues such as the conservation of species and habitats on an all-island basis, with knock-on benefits for the economy and wider society.
- Common environmental standards also play a crucial role in providing a level playing field and preventing unfair regulatory competition across key sectors in relation to cross-border trade, indirectly securing more robust protection of the environment.
- The European Commission (EC) and the Court of Justice of the European Union (CJEU) currently play a crucial role in overseeing and enforcing compliance with these standards and securing access to justice for citizens and civil society organisations, thereby ensuring harmonised implementation and a level playing field for business.

3. Who We Are

Nature Matters NI is a campaign for a nature friendly Brexit. Led by the NIEL Brexit Coalition, we are working for more sustainable land use and fisheries, and better environmental protection for Northern Ireland. In preparation of this all-island paper, the Coalition has worked in close cooperation with the Environment Pillar in the Republic of Ireland. Together we represent almost 100 environmental organisations from across the island of Ireland working together to draw attention to the cross-border environmental implications of Brexit.

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