

Northern Ireland Environment Link & the Environmental Pillar

**Submission to the Joint Committee on the Implementation of the Good Friday Agreement
1 June 2017**

Brexit and Shared Environmental Issues between Northern Ireland and the Republic of Ireland with specific regard to cross-border issues

Introduction

Northern Ireland Environment Link (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 formally launched in 1990 to complete the UK network: Scottish Environment Link, Wales Environment Link and Wildlife and Countryside Link and works in close cooperation with the Irish Environmental network on strategic cross-border environmental issues.

- 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. 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

The Environmental Pillar

The Environmental Pillar is comprised of 26 national environmental NGOs, who work together to represent the views of the Irish environmental sector. The main aim of the organisation is to create and promote policies that advance sustainable development. It also provides a channel for the government and other social partners to engage with the environmental sector on policy matters. The staff of the Environmental Pillar also work as a single secretariat for the Irish Environmental Network, an umbrella network that works to support environmental NGOs through access to funding and services.

The Environment, the EU and the Border: Key Messages

Through EU legislation, a wide range of important environmental protections have been set out, and it is essential that following Brexit NI maintains a level of environmental protection that is at least as high as current EU standards. The EU has also provided high levels of investment in the environment, and again, it is essential that this level of support is continued. A key aspect of our submission is that post Brexit provision will be made to ensure on-going cross-border environmental co-operation as all nature (terrestrial and marine) does not recognise national boundaries.

The main logic in favour of cooperative EU action is that there are environmental benefits to devising common standards as a means of more effectively and efficiently tackling cross-border environmental challenges. Joint cross-border action is both necessary and more likely to be successful. In addition, working together can also enable more ambitious action to be taken. By providing a 'level playing field' for economic actors, such common standards can also help to facilitate compliance (by avoiding inconsistencies and fragmentation). In their absence, there is a risk of a potential 'race to the bottom' whereby individual administrations successively lower their standards as a means of securing a competitive advantage. As such, cooperative approaches can help to avoid distortions in competition/unfair competition as a result of differing standards.

We are encouraged therefore by the Prime Minister's assurances in the UK Government's Brexit White Paper published on 2nd February 2017 that the nation will remain a "leading actor" on climate change and environmental policy following its imminent departure from the EU. We also welcome her commitment to ensure the Government becomes the first "to leave the environment in a better state than we found it" as well as her pledges to use the upcoming Great Repeal Bill to translate the current framework of EU environmental regulation into UK law once the nation leaves the bloc." We therefore look forward to the implementation of the practical actions required to achieve this environmental commitment.

Similarly, we note the Taoiseach's statement in his address, to the Institute of International and European Affairs in February 2017, that while he wishes to see the closest possible future relationship between the EU and UK, this must be based on a level playing field. In this context he added that 'ensuring regulatory convergence and equivalence between the EU and the UK with regard to standards relevant to economic activity, such as environmental, and employment standards, will be essential.' This position was reiterated in the subsequent Irish Government's publication, *Ireland and the negotiations on the UK's withdrawal from the European Union* (May 2017).

Shared Environmental Issues between Northern Ireland and the Republic of Ireland:

- The EU currently has in force over 650 pieces of legislation to protect the environment, covering a range of policy areas such as water and air pollution, waste and flora and fauna conservation.
- EU legislation was formed around the concept that environmental issues often transcend national borders and therefore need cooperative action.
- EU environmental legislation has been the major driver of environmental protection and improvement in both the Republic of Ireland and Northern 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.
- NI, UK and Republic of Ireland seas all sit within the wider Celtic Seas region of the OSPAR North East Atlantic area. The international management of this shared marine

area will require ongoing cross-border cooperation on mobile species, protected areas and other relevant marine issues.

- Key environmental issues that need to be addressed on a cross-border basis include shared overarching issues such as biodiversity loss and the condition of our freshwater and marine habitats. Other matters that also warrant co-ordinated cross-border action include climate change, air quality and energy supply.
- 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. Of particular importance to Northern Ireland and the Border Counties of Ireland is the EU INTERREG VA Programme 2014-2020 which currently provides funding to: (i) promote cross-border co-operation in the recovery of selected protected habitats and priority species (value: €11m) and (ii) develop cross-border co-operation capacity for the monitoring and management of marine protected areas and species (value: €11m); to improve (i) water quality in shared transitional waters (value: €30m) and (ii) freshwater quality in cross-border river basins (value: €20m). The Brexit vote has therefore introduced a number of significant uncertainties around the continuity of legislative and long-term funding support for our environment.

The Challenges of Brexit and the Border

- The implications of Brexit for Northern Ireland differ from Great Britain in that we share a land border with another EU Member State. Our shared border with the Republic of Ireland will become an external border of the European Union.
- To date, there has been little discussion of the environment, environmental protection or sustainable development in the context of Brexit and in particular the effect of the border with the Republic of Ireland.
- Nevertheless, the challenges for the environment on both sides of the border, such as biodiversity loss, climate change, air and water quality remain the same now as before the UK voted to leave the EU.
- We believe that the single greatest environmental challenge posed by Brexit is continued legislative protection for the natural environment. Depending on the outcome of the upcoming negotiations between the UK and the EU, it seems likely that the UK will no longer be bound by **at least some key elements** of the EU environmental acquis (e.g. the Birds and Habitats Directives and **some aspects** of the Water Framework and Marine Strategy Framework Directives). Given the proven effectiveness of these Directives where properly implemented, a priority for the UK/NI government moving forward should be to effectively retain these high standards of legislative protection for nature in domestic law post-Brexit. This will be vital in order to ensure the conservation of our shared natural heritage for future generations and to effectively deliver on our remaining commitments under international agreements such as the Convention on Biological Diversity, the Bern and Bonn Conventions, the Ramsar Convention, the Ospar Convention, the Aarhus Convention and the UN Framework Convention on Climate Change.

- 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. In particular, it is not clear what governance arrangements will be put in place to replace the loss of the necessary oversight, accountability, and enforcement functions currently carried out by the EU institutions. The Northern Ireland government could, for example find itself in the position of being both prosecutor and accused. This situation will not be helped by the fact that Northern Ireland does not, unlike England, Scotland, Wales and the Republic of Ireland, have an independent Environmental Protection Agency. Concerns also remain around the capacity of the Department of Agriculture, Environment and Rural affairs (DAERA), given the loss of expertise in the recent Voluntary Exit Scheme and in the absence of additional resourcing to deal with the practical out-workings of Brexit.

Key Recommendations:

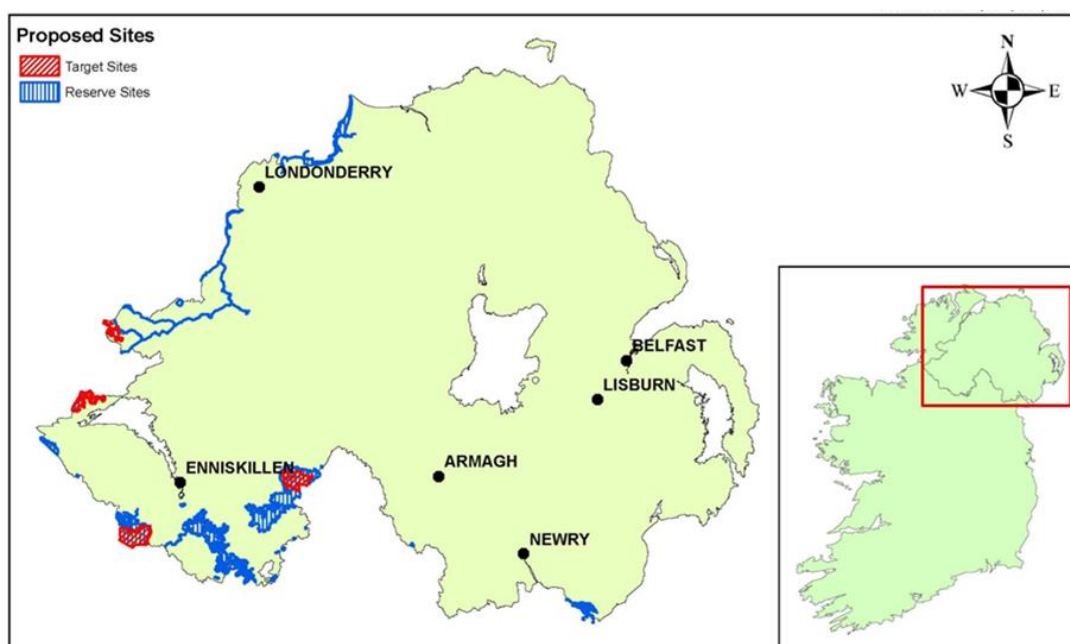
- Cognisance is taken of the conclusions of the recent House of Lords EU Committee report on Brexit: Environment and Climate Change Report (February 2017) and, in particular the conclusion that *"The land boundary in the island of Ireland presents particular and significant environmental challenges."* The Committee urged the UK Government *"...to work with the Northern Ireland Executive, the Irish Republic and EU partners to enable effective long-term management of the environment on both sides of the border."*
- Given that we have a unique challenge associated with the Northern Ireland – Republic of Ireland land and sea border - 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 that effective mechanisms exist to resolve and manage cross border environmental issues post Brexit.
- From an environmental perspective, there are clear advantages to seeking to maintain minimum common environmental standards and approaches across England, Scotland, Wales and Northern Ireland (the four nations), ideally with the freedom for any of the nations to take a more ambitious approach if they so choose. From a practical perspective, a degree of alignment will also be required to maintain the UK's own 'internal market' and to enable the UK Government to effectively negotiate international trade agreements. Given our additional shared land and sea borders with an EU member state, we believe that for NI these common standards also need to be aligned as closely as possible with Republic of Ireland standards if we are to effectively tackle environmental cross-border challenges.
- A new set of funding arrangements for the devolved nations will also need to be developed to replace the loss of EU funding streams including those that facilitate and enable cross-border environmental projects.

Biodiversity Issues

The key challenges for Northern Ireland are similar to those faced by the Border Regions of the Republic of Ireland in seeking to address common environmental issues and in particular when it comes to the EU Biodiversity Strategy’s overall aim to “halt biodiversity loss by 2020”. 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. The State of Nature Report 2016 – Northern Ireland showed more clearly than ever before, that nature is in serious decline. Over 1,400 species known to occur in Northern Ireland have been assessed using modern Red List criteria. Of these, 295 (20%) are at risk of extinction from the island of Ireland.

There are a number of important cross-border designated areas (ASSIs, SPAs SACs); such as Special Protected Areas under the Birds Directive. These include Lough Foyle, Carlingford Lough, Pettigo Plateau and Slieve Beagh/Mullaghfad/Lisnaskea.

Figure 1: Proposed INTERREG VA Cross-Border Biodiversity Sites



Nevertheless, in Northern Ireland and the ROI recent reporting on biodiversity loss (under the EU Habitats Directive, Article 17) has indicated that, despite significant conservation efforts, biodiversity loss is still occurring – with almost all of our European protected habitats in unfavourable condition. The recent Fitness Check of the Nature Directives has concluded that these laws are “fit for purpose” but that improved implementation is urgently required in order to halt and reverse the loss of biodiversity.

Post-Brexit, it will be important that NI and the ROI build upon the common approach to addressing biodiversity issues currently in place as part of our common membership of the EU. Good examples of collaborative approaches include the following:

- Previous All-Island Cooperation on Invasive Alien Species including a joint website to raise awareness and provide contact details to record sightings. In 2013 the estimated annual cost of invasive species to the economies of Ireland and Northern

Ireland was £161,027,307 (€202,894,406) and £46,526,218 (€58,623,034) respectively. The combined estimated annual cost on both economies is £207,553,528 (€261,517,445).

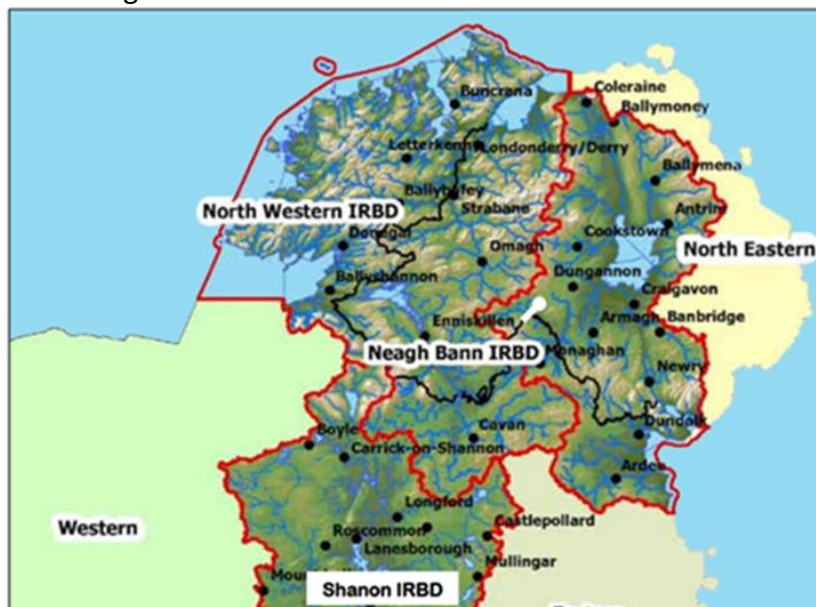
- All-Island Pollinator Plan - One third of our bee species are threatened with extinction. The plan provides an important framework to bring together pollinator initiatives from the North and South, and is the start of a process by which we can collectively take positive steps to protect our pollinators and the service they provide into the future. It is a shared plan of action.
- Plant health initiatives - Agriculture and forestry bodies on both sides of the border work very closely together on a number of initiatives involving plant health, particularly threats to trees from pathogens such as *Phytophthora ramorum* and Chalara/Ash Die-back. These diseases do not respect national boundaries, and are major threats to both natural and planted woodland ecosystems.
- The Loughs Agency, an agency of the Foyle, Carlingford and Irish Lights Commission (FCILC), established as one of the cross-border bodies under the 1998 Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland. The Agency aims to provide sustainable social, economic and environmental benefits through the effective conservation, management, promotion and development of the fisheries and marine resources of the Foyle and Carlingford Areas, including three SACs and two SPAs. How the Agency will operate and be funded post-Brexit is shrouded in uncertainty.

Freshwater Issues

The Water Framework Directive (WFD) requires the production of River Basin Management Plans for each River Basin District. Northern Ireland has four River Basin Districts, three of which cross the border and are managed in close co-operation with the Republic of Ireland. NI currently works in co-operation with the ROI for the management of the three cross border River Basin Management Districts under the WFD. Figure 2 shows the three IRBDs and the one wholly contained river basin district in Northern Ireland:

- The North Eastern River Basin District is the only one contained wholly within NI;
- The North Western International River Basin District, including the Erne and Foyle river basins, together with the basins of Lough Melvin, Bradoge River, Lough Swilly and related small coastal river basins in west County Donegal;
- The Neagh Bann International River Basin District, including the Lough Neagh and River Bann basins as well as river basins draining to the outer estuarine limits of Dundalk Bay (Rivers Fane, Castletown, Glyde, Dee, Cull y Water, Kilcurry, Ballymascanlan and Flurry) and Carlingford Lough (Newry River);
- The Shannon International River Basin District, including the Shannon river basin, which drains the midlands of Ireland and also a small portion of County Fermanagh in Northern Ireland.

Figure 2: River Basin Districts in Northern Ireland



The WFD requires us to classify the water environment as Bad, Poor, Moderate, Good or High. Results indicate that 25% of our rivers, six lakes and six marine water bodies did not achieve our 2015 WFD objectives. In addition eleven groundwater bodies are at risk of not meeting their 2021 WFD objectives. Furthermore 15% of our rivers, 5 of our lakes and one marine water body remain at risk of deterioration. Improved implementation and on-going co-operation with the Republic of Ireland in the management of river basins will be vital post Brexit to protect and improve individual water bodies for the next three river basin planning cycles to 2015, 2021 and 2027.

Marine Issues

Northern Ireland has devolved powers over inshore waters which extend out to 12 nautical miles (nm) from the coast. NI inshore waters therefore share a border with the Republic of Ireland on the north coast at Lough Foyle and in County Down at Carlingford Lough.

Sustainability of fish stocks is inextricably linked with the health of our wider marine environment, and fish do not respect borders. UK fisheries management is largely a devolved matter but has been determined by the EU Common Fisheries Policy (CFP). After Brexit, the UK will no longer be bound by the CFP but will still be a signatory of international fisheries agreements, including the UN Convention on the Law of the Sea and the UN Fish Stocks Agreement. Through these, the UK is obligated to determine catch limits and ensure the maintenance of fish stocks through conservation and management measures.

Cross-border cooperation is crucial to ensure we achieve healthy, productive seas. The UK Government has indicated its intention to continue to work towards fishing at sustainable levels (Maximum Sustainable Yield; MSY) and stopping the practice of discards, key aspects of the reformed CFP. Achieving these goals for Irish Sea fisheries will benefit from a standardised approach with ROI to ensure equal competition and avoid environmental damage.

One of the main Irish Sea fisheries is for nephrops (known commonly as Norway lobster, Dublin Bay prawn, langoustine or scampi), a low mobility prawn species. Other more mobile

species include herring, haddock, mackerel, plaice and sole. Annual catch limits are based on ICES scientific advice which is given for the entire Irish Sea area (i.e. covering UK, NI and ROI waters). The UK, devolved NI administrations and ROI must use this advice in negotiations to agree sustainable levels of fishing throughout the Irish Sea. Cooperation regarding fisheries management for shared stocks is necessary to avoid over-exploitation of Irish Sea resources and to ensure long-term sustainability of stocks. The enforcement of fisheries management, which is currently a devolved responsibility in NI, will be important at border areas.

Outside the EU, NI will be obligated to cooperate in wider marine management measures relevant to the Celtic Seas area (which covers the NI/ROI sea border) under UK commitments to the Convention on Biological Diversity and the OSPAR Convention. This includes the requirement to complete an ecologically coherent network of Marine Protected Areas (MPAs) which protects at least 10% of our marine and coastal habitats. The process to designate national MPAs in NI is advanced; known as Marine Conservation Zones, these sites add to the existing range of MPAs to fill the remaining gaps in the network. ROI has designated a number of European Marine Sites and has recently announced that new marine protection legislation, aimed at completing the MPA network, is imminent (Minister Coveney statement, April 2017). Cross border cooperation will be required to ensure that each country's MPA network is connected and effective across the entire Irish and Celtic Seas.

With the marine environment coming under increasing pressure from human activity, such a network will ensure that biodiversity is safeguarded. The need for a coherent approach across regions is particularly relevant in this area because of the shared waters of Lough Foyle and Carlingford Lough, currently managed by the cross-border Loughs Agency.

Opportunities may arise post Brexit as studies illustrate that the marine environment shared by Northern Ireland the Republic of Ireland and Scotland are regarded as having one of the greatest renewable energy resources in Europe, with the capacity to support economically viable wind, wave and tidal energy projects. Other sectors which will gain benefit from cross border co-operation include eco-tourism, recreation, aquaculture & mariculture, cruise ships and recreational sea angling. Within the confines of a network of Marine Protected Areas, developments need to be managed and mitigated in a manner which will promote sustainability while maintaining the conservation objectives of the site specific features.

Climate Change

As NI shares a land and sea border with the Republic of Ireland, climate change adaptation planning must negotiate and collaborate with both governance systems. Close working with other UK regions and cross-border working with the Republic of Ireland is essential for climate change adaptation planning and for successful implementation. The need for cross-border working will become even more important as Brexit progresses, with uncertainty around environmental regulation, currently taking cues from EU Directives (which will still be in place in the Republic of Ireland). Other issues worthy of consideration include:

- The impact of the altered policy landscape on climate action across the island of Ireland with the removal of cohesive EU climate policies across the island.
- Risk of a lack of cohesive and collaborative work on cross-border climate issues given Northern Ireland's lack of climate legislation compared to the *National Climate Action and Low Carbon Development Bill* in the Republic.

- The negative effect of ending of EU Funding available in Northern Ireland for climate action in carbon efficiency and resilience, leading to increased difficulty in collaboration with the Republic of Ireland due to funding shortages and ineligibility to new calls.
- The impact of land use planning in cross-border infrastructure projects such as the North-South Inter-connector. The implementation of this project has huge ramifications for the future of renewable energy on the island.
- Catchment management projects such as the Futurescapes project by RSPB could also be harder to implement. Experts increasingly recognise that these are vital to enhancing resilience against flooding in urban areas and securing or increasing carbon sequestration in wetlands and grasslands.

Air Quality

It is widely recognised that tackling air pollution relies upon policy initiatives and actions at a local, regional and national level, as well as cooperation between neighbouring Member States. The EU's Clean Air Policy Package aims to improve European air quality and public health over the next decade and beyond, moving towards the WHO standards.

Northern Ireland and the Republic of Ireland have already initiated joint activities to improve the health of citizens by devising actions and policies to reduce pollutant emissions. Examples include:

- The recently published Residential Solid Fuel and Air Pollution Report (2016) prepared by the North South Ministerial Council and jointly commissioned by Department of Environment for Northern Ireland and the Department of Environment, Community & Local Government, Ireland
- The Unconventional Gas Exploration and Extraction (UGEE) Joint Research Programme *Environmental Impacts of Unconventional Gas Exploration and Extraction Report Summary Report 3: Baseline Characterisation of Air Quality (2014-W-UGEE-1)*. Project A3 (Air Quality) dealt with the requirements and needs for additional air baseline monitoring (in terms of the frequency, location and type of pollutants to be covered) in the context of Environmental Impact Statements (EISs)

Energy Supply

Energy flows across national borders within the EU. At the European level the European Commission has ambitious plans for an 'energy union' (Europe 2020) that seeks to secure affordable energy for EU citizens, places emphasis on the need for climate friendly energy, lower carbon emissions, combats global warming and aims to enable Europe to speak with a single voice on global energy matters.

Northern Ireland depends on the Single Market for wholesale electricity within the island of Ireland, and in particular on the availability of surplus power from south of the border, to make up for insufficient local generation capacity. Planning approval is currently being sought for a new overhead line to connect the electricity grids in Northern Ireland and the Republic of Ireland (also known as the North South Interconnector). If approved, the Tyrone to Cavan

Interconnector will run through counties Tyrone, Armagh, Cavan, Monaghan and Meath. Currently planning approval has been received for the southern section, with a decision on the northern not expected until mid-or-late 2017.

It is not yet clear how Brexit will impact on the supply of electricity from the Republic of Ireland and the idea of a single market for electricity on the island of Ireland. It is also uncertain as to whether investment in the North South interconnector and therefore the security of Northern Ireland's energy supply might be at risk.

Agriculture

Agriculture is more significant in Northern Ireland than any other part of the UK in terms of employment and economic contribution and as such anything that affects the sector, either negatively or positively, will have significant impacts. Currently a number of factors make the sector particularly vulnerable:

- Direct payments are critical to the short term survival, never mind long term sustainability of many farms, particularly given the variation in farm incomes.
- The high level of LFA land within Northern Ireland, combined with the small average farm size may present challenges for farm profitability.
- 87% of farm income comes from EU subsidies (2013/14 figures).
- The heavy reliance on cattle (dairy and beef) and sheep within Northern Ireland may make local agriculture particularly sensitive to any changes to policy affecting these sectors.
- Farm incomes within Northern Ireland over the last five years have shown considerable volatility and this presents challenges for the long-term sustainability of the industry.
- Great Britain is the biggest market for the entire food and drink processing sector, whilst the Republic of Ireland is the largest export market accounting for 55% of exports. The rest of the EU is a significant export market for the beef and sheepmeat and milk and milk products subsectors accounting for 10% and 24% of total sales respectively.
- The rest of the world, which refers to those countries outside the EU accounts for a relatively small proportion of export sales across all subsectors.
- A number of subsectors are more reliant on EU exports (milk and milk products, fish and drinks) and as such could face greater impacts from trading changes in the UK and EU relationship.
- The food processing industry is increasingly integrated across the whole island, with 25% of NI raw milk being processed in the Republic, and more than 40% of NI lamb being slaughtered south of the border.

- The food processing industry is also highly dependent on EU labour and the continued free movement of people within the EU.

The potential of a 'Hard' Brexit in leaving the European Economic Area and the European Customs Union makes the possibility of a 'hard' border more likely. This would have serious repercussions on the agri-food sector, arising from possible tariffs, quotas, customs inspections and border delays for products with limited transport times. In the future there could also be issues arising from different animal health and welfare regimes on each side of the border. Developing local capacity within NI will take significantly longer than the two years forecast until we leave the EU. There are long-term implications for the sector including major restructuring of farming, further intensification, and widespread abandonment - particularly in upland areas.

The impact of such major changes on the environment are of major concern to the environmental sector. Currently it is widely recognised that the CAP is failing to deliver on its objectives regarding the sustainable management of natural resources. The State of Nature Report 2016 (NI) - outlines that the intensification of agriculture has had a significant 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 and farming policy that they are dependent on for their livelihoods. Whilst agricultural intensification has undoubtedly had a negative impact on nature, it is also the case that targeted agri-environment support schemes have delivered real benefits for farmers and wildlife. Much of the delivery of our Biodiversity Strategy in the wider countryside depends on such schemes and the involvement of farmers and landowners. In the absence of active farming, particularly grazing, in much of our landscape there would be major changes to habitats and no mechanism for management. Some of the changes might be environmentally beneficial, such as more tree and scrub cover, but there is also the strong probability that much of the uplands could become covered in alien species such as Sitka Spruce and *Rhododendron ponticum*.

It is clear that under all of the Brexit scenarios that have been discussed, the UK would not continue to participate in the CAP. Therefore an alternative framework for agricultural support is required. We believe that:

- Brexit provides a potential opportunity to develop a bespoke agricultural policy for the UK which effectively integrates agriculture and environmental needs and priorities, delivering a simpler system for farmers, better value for money, and multiple benefits to society.
- It potentially provides the UK and the devolved administrations with the opportunity 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.
- 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.

- It is important that the recently published Northern Ireland Sustainable Land Management Strategy – produced and approved by the Minister for Agriculture, Environment and Rural Affairs - receives the necessary resourcing required for its full implementation.
- Environmental NGOs (e.g. Northern Ireland, Scotland, Wales and Wildlife & Countryside Links, Greener UK, etc.) can work with Westminster, and the Devolved Administrations to come forward with recommendations for an improved policy of making our agriculture more resilient while benefiting the environment.

However, there remains a lack of clarity regarding the support that is likely to be provided post-Brexit, and there are clear risks in terms of enabling important cross-border trade to avoid issues such as land abandonment and intensification.

A recent report by the Environmental Audit Committee (2017) entitled ‘The Future of the Natural Environment after the EU Referendum’ which considered the implications of Brexit for the future of land management and environmental protections in the UK noted the role currently played by EU policy in this area in providing “*a framework with common standards for the four nations, which then devise and implement their own policies*”. The report went on to recommend that post-Brexit the UK Government should:

“...ensure there is sufficient coordination within and between the devolved nations to ensure a common, high level approach to environmental protection, within which framework the devolved nations can determine their own priorities and implementation approach.”

We would endorse this finding and we believe that for Northern Ireland these common standards also need to be aligned as closely as possible with Republic of Ireland standards if we are to retain what is currently our largest agricultural export market.

Continued Importance of Cross-Border Environmental Co-operation

The North South Ministerial Council (NSMC) was established under the Belfast/Good Friday Agreement (1998), to develop consultation, co-operation and action within the island of Ireland. Environmental issues were and continue to be deemed of enough importance to warrant being one of the six Areas of Co-operation, whereby common policies and approaches are agreed in the North South Ministerial Council but implemented separately in each jurisdiction. The Council makes decisions on common policies and approaches in areas such as environmental protection, pollution, water quality management and waste management in a cross-border context. Whatever form Brexit takes, NIEL believes an on-going commitment is required for the provision of an all-island forum to maximise the opportunities and minimise the threats to our natural environment.

Continued Importance of the British-Irish Council Environmental Co-operation

Another important institution created under the Belfast/Good Friday Agreement was the British-Irish Council (BIC). Its objectives are to: further promote positive, practical relationships among the people of the islands; and, to provide a forum for consultation and co-operation. Membership of the Council comprises representatives of the Irish and British governments and of the devolved institutions in Northern Ireland, Scotland and Wales,

together with representatives of the Isle of Man, Guernsey and Jersey. The Environment 'work programme' was established at the first British-Irish Council Summit in 1999 where it was agreed that the UK Government would lead. Topics addressed include: Sustainable Development, Marine, Waste, Natural Capital, Climate Change Adaptation, Biodiversity and Invasive Species.

As highlighted earlier, provision of a 'level playing field' can help to facilitate compliance by avoiding inconsistencies and fragmentation. If not, there is a risk of a potential 'race to the bottom' with individual administrations lowering their standards in order to secure a competitive advantage. We believe that the role and contribution of the British-Irish Council could be central to the achievement of common good environmental standards.

Conclusion

Northern Ireland Environment Link and the Environmental Pillar are committed to working with our respective governments 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, national and all-island basis to meet these environmental challenges.