



The Centre for Cross Border Studies

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Response to the Northern Ireland Assembly Committee for Agriculture, Environment and Rural Affairs' call for evidence and views on the Climate Change Bill

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About The Centre for Cross Border Studies

The Centre for Cross Border Studies (CCBS), based in Armagh, Northern Ireland, has a strong reputation as an authoritative advocate for cross-border cooperation and as a valued source of research, information and support for collaboration across borders on the island of Ireland, between the island of Ireland and Great Britain, elsewhere in Europe and beyond.

The Centre empowers citizens and builds capacity and capability for cooperation across sectors and jurisdictional boundaries on the island of Ireland and further afield. This mission is achieved through research, expertise, partnership and experience in a wide range of cross-border practices and concerns (for more details visit www.crossborder.ie).

The short submission that follows, therefore, is closely informed by the Centre's particular knowledge of and experience in cross-border socio-economic development involving a range of sectors from both Northern Ireland and Ireland, including public bodies, business and civil society. It will focus only on those questions more relevant to cross-border or transboundary issues.

Section 2

Tell us your views on declaring a Climate Emergency in Northern Ireland.

A declaration of Climate Emergency appears more necessary than ever as Northern Ireland's neighbouring jurisdictions have all made such declarations. The House of Commons approved a motion tabled by the Labour Party to declare a Climate Emergency on 1 May 2019.¹ In Scotland, the Scottish First Minister declared a Climate Emergency on 28 April 2019 at the annual Scottish National Party Conference.² A day later, and following a debate in the Senedd, the Welsh Government made a climate emergency declaration on 29 April 2019,³ while the Houses of the Oireachtas declared a Climate Emergency through an amendment to the report of the Joint Oireachtas Committee on Climate Action on 9 May 2019.⁴ As a result, the declaration of a Climate Emergency in a Northern Ireland Assembly Climate Bill will offer a stronger basis for North-South and East-West cooperation concerning the fight against climate change. In addition, whilst the declaration of Climate Emergency in its neighbouring jurisdictions may not in all cases be legally-binding on governments, its inclusion in a Bill of the Northern Ireland Assembly would be progressive and, if passed, would give it a strong legal-footing and guarantee a long-term perspective for climate actions, regardless of the political and economic challenges in Northern Ireland. For the Centre for Cross Border Studies (CCBS), as promoter of cross-border cooperation, the fact that the declaration of climate emergency will match initiatives in neighbouring jurisdictions and more widely is welcome.

Section 4

Tell us your views on requiring the government to produce Climate Action Plans.

The Centre for Cross Border Studies agrees with the legislative requirement for the government to produce Climate Action Plans, which should set out a transparent and measurable strategy for Northern Ireland to meet its climate action goals, with clear accountability. However, CCBS would urge that the legislation's provisions for the setting of targets should take explicitly into account Northern Ireland's geographical realities, with the wording of Section 3, subsection 4 (b) (ii) to include "and of the bordering territories and waters of neighbouring jurisdictions".

¹ UK Parliament, "'The most important issue of our time,' Opposition calls to declare climate emergency" (1 May 2019), <https://www.parliament.uk/business/news/2019/may/mps-debate-the-environment-and-climate-change/> [last accessed 28/06/2021].

² BBC News, "Nicola Sturgeon declares 'climate emergency' at SNP conference" (28 April 2019), <https://www.bbc.co.uk/news/uk-scotland-scotland-politics-48077802> [last accessed 28/06/2021].

³ Welsh Government, "Welsh Government makes climate emergency declaration" (29 April 2019), <https://gov.wales/welsh-government-makes-climate-emergency-declaration> [last accessed 28/06/2021].

⁴ Houses of the Oireachtas, Dáil Éireann debate – Thursday, 9 May 2019, Vol.982 No.5, <https://www.oireachtas.ie/en/debates/debate/dail/2019-05-09/32/> [last accessed 28/06/2021].

Section 8

Do you think that it is appropriate that the CCC provides advice to the Commissioner? Yes.

Are there other sources of expertise that may be needed to inform progress to achieve the Net Zero target?

Schedule 1, Section 2, subsection 1, notes that the Climate Commissioner may obtain advice from any person who, in the opinion of the Commission, is qualified to give it, which could therefore include persons from outside Northern Ireland. However, and notwithstanding the references to the SEM Committee (Section 3, subsection 7) and the bodies in Part V of the 1998 Northern Ireland Act (Section 3, subsection 10), in contrast to the declaration of climate emergency, the Bill only provides for the advice of the UKCCC to be taken into account, which is not sufficient for the scale of the challenge. In addition, the UKCCC has admitted that some of the scientific evidence is not yet in place, particularly in relation to reducing emissions from food production and land use. We therefore suggest that sufficient scope is given to enable the Irish, European and international dimensions to be included to provide more comprehensive and complete information. This will more effectively facilitate the pathway to Net Zero in Northern Ireland. We therefore consider it important that the legislation provides for a wider possibility for other relevant actors, beyond the Commissioner, to seek advice from the following bodies:

- Climate Change Advisory Council: The CCAC was established by the Irish Climate Change Act 2015, which is an independent advisory body tasked with assessing and advising on how Ireland is making the transition to a low carbon, climate resilient and environmentally sustainable economy by 2050. Geographical realities of the island of Ireland and similarities between the two jurisdictions in key economic sectors, particularly the agri-food sector, would make the CCAC a key body to be consulted by the Commissioner.
- European Commission: the European Programme for climate change was established by the Commission in 2000 with a view to identifying environmental and cost-effective policies at European level in order to cut GHGs emissions. The European Commission's proposed Climate Law 2021 (https://ec.europa.eu/clima/policies/eu-climate-action/law_en) will also establish a Climate change science advisory board. The Bill may wish to take into account advice and recommendations from EU bodies considering that climate change is a common challenge across Europe, regardless of Brexit, and that the Republic of Ireland remains an EU Member State, with Northern Ireland continuing to have significant connections to the EU through the Protocol on Ireland/Northern Ireland.
- International Panel on Climate Change: The IPCC was created in 1988 and has since been responsible for publishing scientific data to both raise climate awareness and help to set legal rules at international level. Its reports have served as the main

resource in the construction of the global climate regime, such as the Paris Agreement in 2015. Given the evolving nature of the climate issue, the Bill may wish to take evidence from IPCC's reports in order to keep pace with international best practice on the reporting of greenhouse gas emissions and removal.

- Universities and their research centres, such as:

The Centre for Sustainability, Equality and Climate Action (SECA) of Queen's University Belfast addresses how to ensure that humanity has a habitable planetary system as the basis for flourishing, good lives for the human population together with prosperous, just and sustainable societies.

The Centre for Environmental Spatial Data Analytics (CESDA) of Ulster University gathers international researchers engaged against global warming. They produce scientific studies to understand interlinked physical, biological and chemical processes operating in the Earth's crust and surface to enable a better understanding of the sustainability of environmental systems and their management.

Section 10

What are your views on how the Bill addresses transboundary issues in relation to Climate Change?

While there is some isolated evidence of awareness of transboundary issues, the Centre for Cross Border Studies would recommend the Bill be amended to ensure transboundary considerations are made evident and that these are enacted by relevant actors, particularly government departments and public bodies. The island of Ireland has a homogenous topography and insularity, which reinforces the proximity between Northern Ireland and the Republic of Ireland. The negative effect of climate change and the pollution of air, grounds and sea overstep jurisdictional borders. Thus, the fight against climate change will be effective if and only if it is led on both sides of the border. Both jurisdictions on the island of Ireland are facing the same climate issues such as flooding and coastal erosion. Their environments are very similar - a predominance of agricultural areas and a lack of natural resources such as forests.

In this context, Northern Ireland and the Republic of Ireland have the same challenges as well as opportunities in terms of renewable energies. For example, a cross-border cooperation mechanism for funding renewable energies, particularly offshore wind, could reduce the cost impacts to consumers and businesses on both sides of the border. Projects such as the North Seas Energy Cooperation Initiative are underlined by the Climate Action Plan 2019 of the Irish Government. It seems to be crucial that cross-border considerations have to be taken into account so as to address common challenges. Cooperation between the two jurisdictions would be the most beneficial and enable a coordinated approach to the risk management of coastal areas. Moreover, sharing the same island means any political decisions or actions in

relation to climate change taken in one jurisdiction are likely to have an impact on the other. We welcome that the Bill encourages the Department to take into account advice and recommendations of North-South institutions when it comes to Carbon and Nitrogen budgets. However, the Bill should broaden this given that carbon and nitrogen flows are only two of many factors which cause climate degradation.

In addition to this, East-West institutions in tackling climate change should also be an essential tool, for transboundary elements do not circulate and stop only on the island of Ireland, but they could originate from Great Britain given its proximity to the island, as underlined in the Bill. Nevertheless, once again, carbon and nitrogen flows are not the only factors to be dealt with: working sectors of the British-Irish Council include environment, energy, transport, and spatial planning, which could prove to be essential sectors to bring climate warming down. The Bill may wish to stress on this point when talking about transboundary considerations, since a synchronisation of policies, regarding both global targets and sectoral plans, across jurisdictions will provide the best solution to climate degradation. Generally, this legislation should act as an impetus to ensure the institutions under Strands II and III of the Belfast/Good Friday Agreement (namely, the North South Ministerial Council and the British Irish Council) are proactive so that every nation is fully cognisant of its neighbours' climate action plans and so that best practice is shared between them.

Do you think that there should be a transboundary approach to Climate Change? Yes.

Section 11

Do you think it is important to assess the impact on rural communities of the proposals provided for in the Bill?

Yes, because people living in rural communities are often those who most feel the impacts of climate change despite the fact that they are not necessarily the main contributors to this effect. Rural communities are vulnerable to environmental degradations engendered by global warming, such as air/water pollution or flooding. Therefore, measures should be taken to preserve them from the potential consequences of climate change. To this end, the climate action plan for mitigation and adaptation should take into account the impact on rural communities in areas such as farming, transportation, or energy supply.

What do you think is the best way to consider the potential rural impacts?

As the Bill offers a framework, it would be very difficult to predict precise rural impacts at the present time. The Climate Action Plan and any sectoral plans will decide which aspects of rural community will be impacted, for example, agriculture, land use, or transport. Thus, these plans should be accompanied by a Rural Needs Impact assessment with the cooperation of public authorities who are subject to the Rural Needs duty. The Assembly should also put this aspect under scrutiny with regard to these plans.

Section 12

Are there any other measures not included in the Bill that you think should be included?

Consideration might be given to the following issues:

- Regarding the potential carbon leakage, should there be a mechanism to ensure that the reduction of emissions at home is not translated into an increase in footprints abroad. For example, increased imports of agri-food products?
- Should there be a creation of a civic society advisory council on Climate Change? And the organisation of a Citizens' Climate Convention two years before every publication of the new climate action plan, provided for by the Bill?

Do you have any other comments you would like to make about the Climate Change Bill?

- As the UKCCC reports how NI should contribute to the UK overall Net zero target by 2050, should the Northern Ireland Assembly's AERA Committee commission a study into how divergences of timetables on net zero targets on the island of Ireland and between these islands would affect the achievement of net zero in Northern Ireland.
- More broadly, all questions regarding the Net zero trajectory, which could be influenced by transboundary elements or international trade, should be kept under review every 5 years in the climate action plan.