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EU Initiatives Update

The following paper aims to highlight a number of European initiatives from the new 2015 Commission Work Programme that may be of interest to the Committee. It also considers initiatives from the 2013 and 2014 programmes, giving an update where possible. It should be noted that this paper is indicative and in no way exhaustive. Areas not identified can be fully explored at further request.

Background

Decision-making

EU decision-making involves three main institutions:

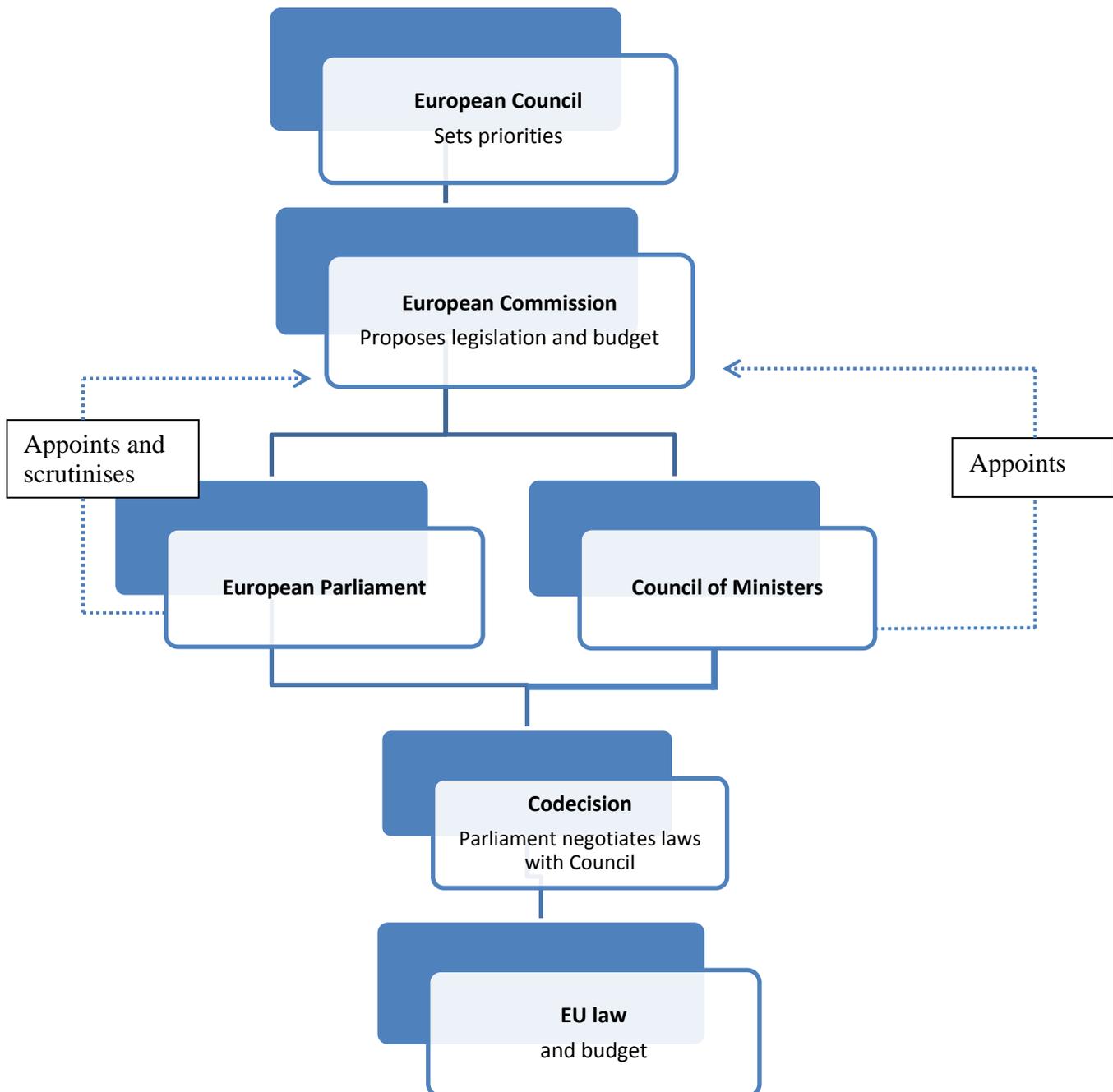
- the European Commission (the Commission) which represents the interests of the EU as a whole,
- the Council of the European Union which represents the individual member states,
- the European Parliament, which represents EU citizens and is directly elected by them.¹

¹EC [online] *European Commission at work* http://ec.europa.eu/atwork/decision-making/index_en.htm

The work programme is drawn up by the Commission. It is essentially an indication of the work that is planned by the Commission to give practical effect to the political priorities set out by the President.

In principle, the European Commission proposes new laws, but it is the Council, together with the Parliament that adopts them before they begin their official legislative journey of consideration.²

The following diagram demonstrates the EU relationship³:



² EC[online] *European Commission at work* http://ec.europa.eu/atwork/planning-and-preparing/work-programme/index_en.htm

³ Taken from BBC article (July 2014) <http://www.bbc.co.uk/news/world-europe-23488006>

The Commission Work Programme

As a mechanism to support Committees' scrutiny of EU issues, RaISe undertakes a review of the European Commission's Annual Work Programme (CWP), identifying new initiatives from the CWP which are of potential interest to Committees.

The CWP, which is usually published in the autumn, is a key document, as the Commission alone has the 'right of initiative' within the European Union. The CWP sets out the legislative (directives, regulations etc.) as well as non-legislative (action plans, green papers, communications, recommendations etc.) proposals which the Commission will bring forward in the forthcoming year.

Briefings on the 2013 and 2014 CWPs were provided by RaISe to the Committee. Given that a new Commission was only appointed in October 2014, the 2015 CWP has just recently been published. A team of 28 Commissioners (one from each EU Member State) is appointed every five years following elections to the European Parliament. Elections to the European Parliament were held in May 2014 and the new Commission's term of office runs from the 1 November 2014 to 31 October 2019.

Jean Claude Juncker is the new President of the Commission and he, together with his team of Commissioners, were responsible for drawing up the new 2015 CWP. The newly appointed Commissioner for the Environment Directorate General (DG) is Karmenu Vella, who is also Commissioner for the Maritime Affairs and Fisheries DG.⁴ Other DGS and Commissioners that may be of interest to the Committee include:

- DG Climate Action and Energy - Commissioner Arias Canete⁵
- DG Transport and Mobility under which road safety sits – Commissioner Violetta Bulc⁶

Further consideration

The Committee may be interested to find out what plans the Department has for engagement with the relevant new Commissioners, and how it proposes to keep the Committee informed.

⁴EC [online] *The Commissioners* http://ec.europa.eu/commission/2014-2019/vella_en

⁵ EC [online] *Climate Action* http://ec.europa.eu/clima/index_en.htm

⁶ EC [online] *Mobility and Transport* http://ec.europa.eu/transport/index_en.htm

Overview of EU Initiatives

The following table gives an overview of EU initiatives identified from the Commission's work programmes from 2013, 2014 and the more recently published 2015 programme. It considers EU development with the initiatives and makes connections with any actions carried out by the Department of Environment that may have relevance, but are not necessarily as a direct consequence. With this in mind, the table also suggests areas the Committee may wish to consider further.

Note: The purpose of the table is to give an overview of an example of initiatives; it is not an exhaustive list.

EU Initiatives from 2013, 2014 and 2015 Commission Work Programme

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
<p>Communication from the Commission on an EU Strategy on Adaptation to Climate Change (2013/CLIMA/002)</p>	<p>This was adopted by the Commission in April 2013.⁷</p> <p>The purpose of this Strategy is to encourage all Member States to adopt their own adaptation strategies using guidelines provided by the Commission. By 2014 the Commission will develop an adaptation preparedness scoreboard, identifying key indicators for measuring Member States' level of readiness. Using this information, in 2017, the Commission will assess whether Member States' action</p>	<p>The Northern Ireland Climate Change Adaptation Programme was laid in the Northern Ireland Assembly on 30 January 2014 for the period 2014-2019⁹.</p>	<p>The new NI Adaptation Programme covers 2014-2019. The Committee may wish for an update on the Programme in due course to ensure compatibility with any new EU Climate Change Adaptation Strategy. This may be of particular importance pending outcomes of assessments by the Commission in 2017.</p>

⁷ EC, *Commission Initiatives adopted in 2013* (p.23) http://ec.europa.eu/atwork/key-documents/index_en.htm

⁹ For more information on the Adaptation Programme see http://www.doeni.gov.uk/index/protect_the_environment/climate_change/climate_change_adaptation_programme.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
	<p>is sufficient. If deemed insufficient, the Commission will consider proposing a legally binding instrument. The Commission will also provide LIFE funding to support capacity building and further action (2013-2020).⁸</p>		
<p>New Climate &Energy Framework for up to 2030. (2013/CLIMA+/007)</p>	<p>This was adopted by the Commission in January 2014¹⁰.</p> <p>The EU is currently focused on making progress towards its climate and energy targets for 2020; however, a policy framework for Member States for the period up to 2030 is needed. The framework suggests a target to reduce EU domestic greenhouse gas emissions by at least 40% below the 1990 level by 2030. This is to ensure that the EU is on track to meeting its objective of cutting emissions by at least 80% by 2050.</p>	<p>The current PFG targets takes NI up to 2025 e.g. 35% reduction in GHG emissions by 2025. The Executive's Greenhouse Gas Action Plan was agreed and published in February 2011, outlining how each department in the Executive will contribute towards meeting the 2025 emission reduction target.</p> <p>The Department's Business Plan for 2014-2015 hopes to reach the 2025 target by having</p>	<p>The Committee asked the Dept. about the development of a Climate Change Bill and the inclusion of short term and long term emission targets to cover up to and beyond 2030.¹⁴ The Department responded that the Northern Ireland Climate Change Bill is not directly reliant on the EC's development of a Climate and Energy Framework.¹⁵</p> <p>While this may be the case, the Committee may wish to ask the</p>

⁸ For more information see EURLex <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52013DC0216>

¹⁰ EC Adopted Commission initiatives since January 2014 (p.10) http://ec.europa.eu/atwork/key-documents/index_en.htm

¹⁴ The use of long or short term targets on the face of the Bill has been an area the Committee has considered before. See the Research paper *Climate Change Legislation and Targets* (June 2013). Available at <http://www.niassembly.gov.uk/Documents/RalSe/Publications/2013/environment/13513.pdf>

¹⁵ Response from the Committee for the Environment on its priorities in relation to the European Commission Work Programme 2013. (February 2013).

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
	<p>The EU emissions trading system (EU ETS) will be reformed and will need to be translated into Member States targets. Sectors covered by the EU ETS (i.e. heavy emitting industries) would have to reduce their emissions by 43% compared to 2005.</p> <p>There are also new targets to increase renewable energy and energy efficiency to 27% by 2030- the responsibility of DETI.¹¹</p>	<p>in place, by March 2015, a partnership agreement with key sectors (Agri-Food, Transport, and Energy) so as to secure a lower carbon approach to their commercial/economic activities.¹²</p> <p>On the basis of advice from the Committee on Climate Change, the Department suggested the introduction of a Climate Change Bill to the Assembly in the 2014/15 legislative programme. To date a pre consultation on the need for a Bill has been held, however, nothing has progressed beyond this point.¹³</p>	<p>Department how it proposes to ensure longer term targets under the 2030 Framework will be considered at the NI level, considering current targets only cover up to 2025.</p>
Review of Thematic Strategy on Air	The purpose of this initiative is to assess the implementation and achievements of	One of the reasons for the review is due to widespread	The Department has made a number of attempts at achieving

¹¹ For more information see the European Commission http://ec.europa.eu/clima/policies/2030/index_en.htm

¹² DOE Business Plan 2014-2015. Available at <http://www.doeni.gov.uk/index/information/foi/recent-releases/publications-details.htm?docid=9811>

¹³ For more information see http://www.doeni.gov.uk/index/protect_the_environment/climate_change/ni_climate_change_bill.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
<p>Pollution and Associated Legislation</p>	<p>current air pollution and air quality policies and legislation.¹⁶</p> <p>The European Commission has recently carried out a review of existing EU air policy in 2011-2013.¹⁷ In 2013 the Commission adopted a new policy package with:</p> <ul style="list-style-type: none"> • A new Clean Air Programme for Europe with measures to ensure that existing targets are met in the short term, and new air quality objectives for the period up to 2030; • A revised National Emission Ceilings Directive with stricter national emission ceilings for the six main pollutants; and • A proposal for a new Directive to reduce pollution from medium-sized combustion installations. 	<p>exceedences of air quality limits for particulate matter and nitrogen dioxide by Member States. Member States with zones not meeting NO2 limit values by the specified date were allowed to apply to the Commission for a time extension (to 2015 at the latest). Applications for time extensions had to be accompanied by Action Plans showing how the limit values would be achieved.</p> <p>Belfast has had ongoing issues with nitrogen dioxide levels and latest figures (for 2013) show that there are a number of locations within the Belfast Metropolitan Area, which did not achieve compliance with the EU limit value for annual mean NO2 during 2013.¹⁸</p>	<p>an extension for the Belfast area; however a report from 2012 informs that the action plan was rejected.¹⁹</p> <p>It may be of interest to ask the Department whether this is still a continued issue. Also, with new and stricter emission ceilings being introduced by the Commission, how will the Department ensure compliance at sites with a history of exceedance over the years?</p>

¹⁶ EC, *Roadmap: Review of Thematic Strategy on Air Pollution and Associated Legislation*. Available at: http://ec.europa.eu/smart-regulation/impact/planned_ia/roadmaps_2013_en.htm#CLIMA

¹⁷ EC, Environment: Review of the EU Air Policy. Available at http://ec.europa.eu/environment/air/review_air_policy.htm

¹⁸ DOE, Air Pollution in Northern Ireland 2013 (p.8) <http://www.airqualityni.co.uk/news-and-reports/technical-reports#item>

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
<p>Environmental Climate and Energy Assessment Framework to Enable Safe and Secure Unconventional Hydrocarbon Extraction</p> <p>(2013/ENV/004)</p>	<p>This was adopted by the Commission on the 22nd January 2014.²⁰</p> <p>The aim is to ensure that opportunities to diversify energy supplies by production of unconventional hydrocarbon can be safely and effectively taken up in Member states that choose to do so. It is suggested by the Commission that public concern over potential health and environmental impacts related to hydraulic fracturing has caused several Member States to prohibit, or plan to prohibit the use of hydraulic fracturing practices.</p> <p>The underlying question is whether the current legal framework of Member States is fit to manage potential new environmental risks of unconventional fossil fuel projects.²¹</p> <p>Therefore the Framework aims:</p>	<p>Currently a two year research programme is underway to further the understanding of the potential impacts on the environment and human health related to specific regions where petroleum licences have been granted by DCENR/DETI. This work is led by a joint committee comprising the Environmental Protection Agency, the Department of Environment, Community & Local Government; DCENR; the Geological Survey of Ireland; Commission for Energy Regulation; An Bord Pleanála; Northern Ireland Environment Agency, the Geological Survey of Northern Ireland and the Health Services Executive.²²</p>	<p>It may be of interest to ask the Department for an update of the research programme and to clarify the level of weight that will be given to the findings when making decisions on planning and environmental impact assessment requirements.</p> <p>The Committee may wish to find out how the Department intends to address changes that may be suggested under a new EU Framework – and how this will tie in with different departmental responsibilities.</p>

¹⁹ DOE, Air Pollution in Northern Ireland 2012 (p.7) <http://www.airqualityni.co.uk/news-and-reports/technical-reports#item>

²⁰ EC Adopted Commission initiatives since January 2014 (p.12) http://ec.europa.eu/atwork/key-documents/index_en.htm

²¹ European Commission, *Roadmap: Environmental assessment framework to enable a safe and secure unconventional hydrocarbon* (e.g. shale gas) extraction. Available at: http://ec.europa.eu/smart-regulation/impact/planned_ia/roadmaps_2013_en.htm#CLIMA

²² NIEA, *Unconventional Gas Exploration & Extraction (UGEE) and High Volume Hydraulic Fracturing (fracking) on the Island of Ireland* http://www.doeni.gov.uk/niea/hydraulic_fracturing.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
	<ul style="list-style-type: none"> To ensure that environmental risks arising from individual projects and cumulative developments are adequately identified and managed, particularly in relation to climate change mitigation and the protection of human health. To help establish a common approach across the EU by providing clarity and predictability for market operators and citizens 		
Review of the Community Guidelines on State aid for environmental protection (2013/COMP/007)	<p>This was adopted by the Commission in June 2014.²³</p> <p>These Guidelines will be applied from 1 July 2014 to 31 December 2020 and replace the 2008 Guidelines on State aid for environmental protection.²⁴</p> <p>According to the Commission, in order to increase the level of environmental</p>	<p>The Department advises applicants applying for grants that they must not contravene state aid rules.</p> <p><i>E.g. "LIFE is open to public and private sector applicants. Private sector participation is possible on a non-commercial</i></p>	<p>There are a number of EU funding programmes that are subject to State Aid Regulations and guidelines. Given the current departmental budget cuts, keeping in line with State Aid guidelines may be of particular interest to the Dept. so as to ensure that both it, and</p>

²³ EC, Adopted Commission initiatives since January 2014 (p.11) http://ec.europa.eu/atwork/key-documents/index_en.htm

²⁴ EURLex, [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014XC0628\(01\)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014XC0628(01))

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
	<p>protection, Member States may use State aid to create incentives on an individual level to achieve a higher level of environmental protection.</p> <p>The new Guidelines will be kept in line with objectives up to and beyond 2030, such as the proposed Framework for Climate and Energy 2030 (proposed by the Commission in January 2014).²⁵</p>	<p><i>basis, respecting EU state aid rules</i>²⁶</p>	<p>applicants, acquire the necessary financial support to continue and promote environmental protection. Therefore it may be of interest to find out from the Department how it proposes to deal with and respond to guideline changes.</p> <p>Also, how does the Department inform applicants on the detail of the guidelines and rules they must comply with?</p>
<p>Communication "Towards a circular economy: a zero waste programme for Europe"²⁷</p>	<p>The European Commission adopted this Communication to establish a common EU framework to promote the circular economy.²⁸ This is to ensure that resources once used, are but put back in the production loop and used for longer.²⁹</p>	<p>The Northern Ireland revised Waste Management Strategy "Delivering Resource Efficiency" was revised in 2013 for the period up to 2020. It contains actions and targets to meet EU Directives and to take into</p>	<p>The Committee has previously looked at the issue of resource efficiency and commissioned a paper illustrating the links between the shift in EU policy and the NI strategy. However, the EU package also makes a</p>

²⁵ *ibid*

²⁶ DOE, *LIFE Programme for the environment and climate action* http://www.doeni.gov.uk/index/protect_the_environment/natural_environment/life.htm

²⁷ EURLex <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014DC0398>

²⁸ EC, *Adopted Commission initiatives since January 2014 (p.1)* http://ec.europa.eu/atwork/key-documents/index_en.htm

²⁹ EC (2014) 'Towards a Circular Economy: A Zero Waste Programme for Europe'. Available at <http://ec.europa.eu/environment/circular-economy/>

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
<p>(2014/ENV+/012)</p>		<p>consideration the current “direction of travel of EU policy towards life cycle thinking and a resource efficient Europe”.³⁰</p>	<p>strong connection between resource efficiency and the concept of the circular economy. It may be of interest to find out if, and how, the Department proposes to integrate this concept in greater detail into its policies.</p>
	<p>As part of the circular economy package, the Commission also adopted a legislative proposal to review recycling and other waste-related targets under existing Directives (such as the Waste Framework Directive, Packaging Directive; and Landfill Directive).³¹ This aims to:</p> <ul style="list-style-type: none"> • Increase recycling/re-use of municipal waste to 70% in 2030; • Increase packaging waste 	<p>The new Strategy also provides for the possibility of a 60% recycling rate of local authority collected municipal waste by 2020. This target has to be consulted on before being introduced; however there is no information as to when this will happen.</p>	<p>When briefed by Dept. Officials on the new Waste Management Strategy, the Committee expressed concerns surrounding the introduction of a 60% recycling target due to the possible cost implications for councils to reach this.</p> <p>Proposals for increased EU recycling targets may encourage the Dept.’s introduction of a 60% recycling target, bringing NI more in line</p>

³⁰ DOE (2006) *Towards Resource Management: The Northern Ireland Waste Management Strategy 2006 – 2020* http://www.doeni.gov.uk/waste_management_strategy

³¹ EURLex <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014PC0397>

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
	<p>recycling/re-use to 80% in 2030</p> <ul style="list-style-type: none"> Phase out landfilling by 2025 for recyclable waste³² 		<p>with future EU targets.</p>
<p>Directive of the European Parliament and of the Council facilitating the cross-border exchange of information on road safety related traffic offences</p> <p>(014/MOVE/019)</p>	<p>This was adopted by the Commission on the 18th July 2014.³³</p> <p>The Directive provides Member States with mutual access to each other's vehicle registration data via an electronic data exchange network. This would allow them to identify drivers when they commit traffic offences abroad, thus removing the anonymity of non-resident drivers and ensuring they are punished for offences. Once the vehicle owner's name and address are known, a letter to the presumed offender may be sent, on the basis of a model established by the Directive. The Member State of offence will decide on the follow up of the traffic</p>	<p>In March 2013 Environment Minister Alex Attwood launched a public consultation on plans for the mutual recognition of penalty points on both sides of the Irish border. It had been intended that the new legislation would be in place by the end of 2014/beginning of 2015.³⁵ However this has been halted, which has been suggested due to legal complexities³⁶</p>	<p>The introduction of such a Directive began back in 2008; however it was rejected due to problems with its legal base. This new Directive is the remedied version.³⁷</p> <p>It may be of interest to find out from the Dept. whether the stall in the introduction of legislation from the Dept. was due to legal problems at the EU level, and whether legislation can be expected in due course.</p>

³² For more information see EC (2014) 'Towards a Circular Economy: A Zero Waste Programme for Europe'. Available at <http://ec.europa.eu/environment/circular-economy/>

³³ EC, *Adopted Commission initiatives since January 2014* http://ec.europa.eu/atwork/key-documents/index_en.htm

³⁵ DOE (March 2013) *Consultation on Mutual Recognition of Penalty Points between Northern Ireland and Ireland*. http://www.doeni.gov.uk/index/information/equality_unit/policies_screened_out_-_july_to_september_2013.htm

³⁶ See Belfast Telegraph (Feb 2014) <http://www.belfasttelegraph.co.uk/life/motoring/plans-for-a-joint-system-on-penalty-points-for-republic-and-northern-ireland-stall-30035841.html>

³⁷ HOC(22 October 2014) *EU Scrutiny Committee Report Road Safety* <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmeuleg/219-xv/21909.htm>

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
	<p>offence.</p> <p>The Commission's review of the Directive is required by November 2016 in time for possible transposition by the UK and Ireland by May 2017.³⁴</p>		
<p>Commission Regulation amending Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste to certain non-OECD countries (2012/TRADE/024)</p>	<p>This was adopted by the Commission in June 2014.³⁸</p> <p>It provides for the conditions for exporting non-hazardous waste from the EU to non-OECD countries. The Regulation was established on the basis of information from partner countries regarding their control procedures for imports of non-hazardous wastes. The Commission is obliged to periodically, usually once a year, re-check the conditions for importing non-hazardous waste set by the partner countries and update the Regulation accordingly.³⁹</p>	<p>The export of waste is handled by the Northern Ireland Environment Agency under the UK wide Transfrontier Shipment of Waste, and is subject to a number of controls.⁴⁰</p>	<p>Guidance on the shipment of waste is produced in conjunction with the UK Environment Agency and provided on the NIEA website.⁴¹</p> <p>It will be up to both Agencies to ensure regulations and controls are updated periodically to keep in line with any changes to the EU Regulation.</p>

³⁴ HOC(22 October 2014) *EU Scrutiny Committee Report Road Safety* <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmeuleg/219-xv/21909.htm>

³⁸ EC, *Adopted Commission initiatives since January 2014* http://ec.europa.eu/atwork/key-documents/index_en.htm

³⁹ EC, *Adopted Commission initiatives since January 2014* (p.13) http://ec.europa.eu/atwork/key-documents/index_en.htm

⁴⁰ More detail can be found from the NIEA *Transfrontier Shipment of Waste* http://www.doeni.gov.uk/niea/waste-home/regulation/transfrontier_shipment_of_waste.htm

⁴¹ See NIEA *Transfrontier Shipment of Waste* http://www.doeni.gov.uk/niea/waste-home/regulation/transfrontier_shipment_of_waste.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
New Initiatives 2015			
Strategic Framework for the Energy Union (Non-legislative/Legislative)	The Strategic Framework will focus on: energy supply security, integration of national energy markets, reduction in European energy demand, decarbonising the energy mix and promoting research and innovation in the energy field. It will include the revision of the EU Emissions Trading System (EU ETS) as part of the legislative framework post 2020. ⁴²	Part of this framework will fall under the remit of DETI. However, the revision of the EU ETS Directive may be of interest to the DOE who will need to update associated guidance documents. ⁴³	The Commission launched a public consultation 19 th December 2014 on the revision of the EU ETS Directive post 2020. It also focuses on a new emission reduction target of at least 40% in 2030 as compared to 1990. The consultation runs until the 15 th March. It may be of interest to ask the Dept. whether it has/intends to feed into the consultation. ⁴⁴
Communication on the Road to Paris-multilateral response	A new international climate change agreement between UN countries is to be developed and adopted at the Paris	This is a non- legislative communication. However, it gives an indication of future	It may be of interest to find out how the Dept. proposes to prepare for the implementation

⁴² EC, *New Initiatives 2015* http://ec.europa.eu/atwork/key-documents/index_en.htm

⁴³ Guidance was produced in 2003 in line with the current ETS. The current guidance is produced in association with DEFRA, Scottish Government, Welsh Assembly and DOE NI <http://www.doeni.gov.uk/niea/eu-ets-guidance01.pdf>

⁴⁴ The consultation is available at: http://ec.europa.eu/clima/news/articles/news_2014121901_en.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
<p>to climate change (Non-legislative)</p>	<p>Climate Conference at the end of 2015 – and implemented from 2020.⁴⁵</p> <p>The objective of the communication is to outline the EU vision and expectations in the context of the 2015 Agreement.</p> <p>It sets out how the EU will contribute to the targets set under the final Agreement – this is based on conclusions made by the European Council in October 2014.⁴⁶</p>	<p>GHG reduction targets, renewable energy and energy efficiency targets for post 2020.</p> <p>This may be of interest to both DETI and DOE when considering longer terms targets.</p> <p>In 2011 the Dept. produced a Greenhouse Gas Emissions Action plan for the period up to 2025.⁴⁷</p> <p>In 2014 an Adaptation Programme was introduced for the period 2015-2019 – setting out actions needed to respond to the impacts of climate change.⁴⁸</p>	<p>of an agreement which sets targets beyond the times scales of current NI action plans or programmes.</p>
<p>Review of GMO decision-making</p>	<p>This will look at how the rules could be changed to better ensure the majority view</p>	<p>Responsibility for GMO falls under the remit of DOE and</p>	<p>It may be of interest to ask the Dept. to clarify its position and responsibility in relation to the</p>

⁴⁵ http://ec.europa.eu/clima/policies/international/negotiations/future/index_en.htm

⁴⁶ The European Council conclusions can be accessed here http://ec.europa.eu/clima/policies/2030/documentation_en.htm

⁴⁷ DOE, (2011) Greenhouse Gases Action Plan http://www.doeni.gov.uk/index/protect_the_environment/climate_change/ni_greenhouse_gas_emissions_annual_progress_reports.htm

⁴⁸ DOE, Adaptation Programme http://www.doeni.gov.uk/index/protect_the_environment/climate_change/climate_change_adaptation_programme.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
<p>process (Legislative)</p>	<p>of Member States is taken into account</p>	<p>DARD.</p> <p>DOE’s remit is in relation to the deliberate release of GMOs into the environment under the Genetically Modified Organisms (Deliberate Release) Regulations 2003.</p> <p>DARD is limited to the enforcement of European law governing seed certification and importing of animal feed.</p> <p>However, the responsibility and NI’s position surrounding GMO cultivation is less clear- with both leading Departments holding opposite views (DOE in favour and DARD against)⁴⁹.</p> <p>A consultation was conducted in 2007 by the Dept. - however nothing has progressed beyond this point.</p>	<p>cultivation of GMOs.</p> <p>Any changes to the EU legislation could impact NI. If ‘the majority view of Member States is taken into account’ – how will this effect NI should its view differ from that of the UK and the majority of Member States?</p>

⁴⁹ See RalSe paper Genetically Modified organism –background and latest EU developments (2010) p.11/12
<http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2010/agriculture-rural-development/10310.pdf>

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
REFIT Actions 2015			
<p>Geological storage of carbon dioxide</p> <p>Reduction of CO2 emissions from light duty vehicles</p> <p>Fuel Quality</p> <p>Environmental Liability</p> <p>Drinking Water</p> <p>Environmental Noise</p> <p>European Pollutant Release and Transfer Register</p> <p>Volatile organic compound emissions Stage I</p> <p>Volatile organic</p>	<p>REFIT is the European Commission's Regulatory Fitness and Performance programme. Under this programme the Commission is to conduct an evaluation of existing legislation covering the areas listed in the previous column. With some of the evaluations- the results are expected in 2015, while others will be started this year.⁵⁰</p> <p>The Commission states that it welcomes input from all member states and level of government with regards to the REFIT Programme.⁵¹</p>	<p>The areas listed in the first column fall under the remit of the DOE. Most of these areas have existing legislation implemented at the NI level - some of these include:</p> <p>Geological storage of carbon dioxide - allowing for the storage of carbon in geological formations under the Groundwater (Amendment) Regulations (Northern Ireland) 2011.</p> <p>Reduction of CO2 from light duty vehicles - the Vehicle Approval Scheme NI which ensures that vehicles meet relevant environmental and safety standards.</p> <p>Environmental Liability under</p>	<p>The outcomes of these evaluations are not yet known, however, should they bring any changes to the EU legislation – this may in turn have impacts on any associated national legislation.</p> <p>On this basis- the Committee may wish to find out whether the Dept. has had any input into these evaluations.</p>

⁵⁰ For more details refer to *Refit Actions* http://ec.europa.eu/atwork/key-documents/index_en.htm

⁵¹ For more information see EC website http://ec.europa.eu/smart-regulation/refit/index_en.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
<p>compound emissions Stage II</p> <p>Wild animals in zoos</p> <p>Combined transport</p>		<p>the Environmental Liability Regulations 2009⁵²</p> <p>Environmental noise -The Dept. published a Noise Policy Statement for NI in 2014 – this deals with environmental noise and not individual noise complaints which are the responsibility of local councils.⁵³</p> <p>Wildlife animals in zoos under the Zoo licensing Regulations (Northern Ireland) 2003⁵⁴</p> <p>DOE is the competent authority in relation to combined transport with regards to monitoring compliance through operator licensing⁵⁵</p>	
<p>Natura 2000 (Birds and Habitats)</p>	<p>Under the Commission’s Regulatory Fitness and Performance Programme, the Commission has reviewed the entire stock</p>	<p>The Birds and Habitats Directives are implemented by the Dept. under the</p>	<p>Once detail on the outcome of the fitness check is released- this may lead to changes in the</p>

⁵² For more information see DOE website http://www.doeni.gov.uk/index/protect_the_environment/local_environmental_issues/environmental_liability.htm

⁵³ Doe [online] *Noise* http://www.doeni.gov.uk/index/protect_the_environment/local_environmental_issues/noise.htm

⁵⁴ DOE [online] *Wildlife Licensing* http://www.doeni.gov.uk/niea/biodiversity/wildlife_management_and_licensing/wildlife.htm

⁵⁵ For more information see DOE website http://www.doeni.gov.uk/index/road_users/tru.htm

Initiative	EU Developments	Relevant Dept. Actions	Committee Consideration
Directives)	<p>of EU legislation and decided on follow up actions – one of which is a ‘fitness check’. This provides an evidence based analysis of whether the regulatory framework is fit for purpose in terms of: effectiveness, efficiency, coherence, relevance and EU added value.⁵⁶</p> <p>This fitness check is ongoing and due to end in 2016.</p>	Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). ⁵⁷	<p>EU and consequently any associated legislation in NI.</p> <p>The Committee may wish to explore whether the Dept. has had any involvement with the fitness check so as to keep informed of any possible legislative changes.</p>

⁵⁶ For more information see EU Commission website *Fitness Check of EU Nature Legislation (Birds and Habitats Directives)*

http://ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm

⁵⁷ For more information- see DOE website *The Natura 200 Network* http://www.doeni.gov.uk/niea/protected_areas_home/natura_2000.htm