



Windsor Framework Democratic Scrutiny Committee

OFFICIAL REPORT (Hansard)

COM/2025/652 Proposal for a Regulation Amending
Regulation (EU) 2023/1115 as regards Certain Obligations
of Operators and Traders:
Department of Agriculture, Environment and Rural Affairs

11 December 2025

NORTHERN IRELAND ASSEMBLY

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COM/2025/652 Proposal for a Regulation Amending Regulation (EU) 2023/1115 as regards Certain Obligations of Operators and Traders:
Department of Agriculture, Environment and Rural Affairs

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Members present for all or part of the proceedings:

Mrs Ciara Ferguson (Chairperson)
Mr David Brooks (Deputy Chairperson)
Dr Steve Aiken
Mr Cathal Boylan
Mr Jonathan Buckley
Mr Declan Kearney
Mr Peter Martin
Ms Kate Nicholl
Mr Eóin Tennyson

Witnesses:

Mr Matthew Carson	Department of Agriculture, Environment and Rural Affairs
Ms Catherine Fisher	Department of Agriculture, Environment and Rural Affairs

The Chairperson (Ms Ferguson): I welcome Catherine Fisher, grade 5, and Matthew Carson, grade 7, of the Windsor framework implementation directorate. Thank you for attending. You may brief the Committee when you are ready.

Ms Catherine Fisher (Department of Agriculture, Environment and Rural Affairs): Thank you very much, Chair, for the welcome, and good morning, everyone. I am director of the Windsor framework implementation directorate in DAERA, and I am joined by my colleague Matthew Carson.

I will start by saying a few words about the EU deforestation regulation (EUDR). Regulation (EU) 2023/1115 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing regulation (EU) 995/2010, commonly referred to as the "EU deforestation regulation" — "EUDR" in short — was adopted to reduce deforestation and forest degradation. The EUDR lays down rules regarding the placing and making available on the Union market as well as the export from the Union of relevant products that contain, have been fed with or have been made using the following commodities: cattle, cocoa, coffee, palm oil, rubber, soy and wood. In particular, it aims to ensure that those commodities in relevant products are placed or made available on the EU market or exported only if they are deforestation-free, have been produced in accordance with the relevant legislation of the country of production and are covered by a due diligence statement.

Most of the provisions of the EUDR were originally to apply from 30 December 2024. Committee members may remember considering regulation (EU) 2024/3234, which amended the application date

of the EUDR by 12 months to 30 December 2025 for large and medium enterprises and to 30 June 2026 for micro and small enterprises. Following engagement with member states and stakeholders on 21 October 2025, the Commission proposed to postpone the application of the regulation by a further six months and to introduce simplifications. That is the subject of the proposal being considered today — the proposal for a regulation of the European Parliament and of the Council amending regulation (EU) 2023/1115 as regards certain obligations of operators and traders — which proposes to further delay the application date of the EUDR.

The proposal, as the Cabinet Office has noted, has been subject to amendments as it progressed through the EU institutions. The latest position is that, on 4 December, the Council and the Parliament reached a provisional political agreement on the targeted revision that includes a delay on the application of the EUDR until 30 December 2026 for large and medium enterprises and until 30 June 2027 for micro and small enterprises.

Dr Aiken: Sorry. For clarification: that means that the application date for micro enterprises is before the application date for large ones.

Ms Fisher: No. The date for large and medium enterprises is 30 December 2026, and the date for micro and small enterprises is 30 June 2027. Apologies if I gave the wrong dates.

Dr Aiken: Sorry, I just got the year wrong there.

Ms Fisher: The proposal also introduces simplifications to ease the administrative burden associated with the EUDR, reducing some obligations that are related to due diligence statements and simplifying the declarations that are required of micro and small enterprises. Certain printed products, such as books and newspapers, and printed pictures will also be removed from the scope of the regulation.

The European Parliament is scheduled to vote on the provisional political agreement next week, with a vote provisionally scheduled for 16 December. Once agreed, the regulation must be published in the Official Journal before 30 December 2025, the current application date of the EUDR, for it to take effect.

The EUDR and the current proposal are focused primarily on the trade of goods and their impact on global deforestation. They are, therefore, reserved matters, with responsibility sitting with the UK Government. The Department for Environment, Food and Rural Affairs (DEFRA) leads on the EUDR. DAERA has received queries from businesses regarding the application of the EUDR that the Department has passed on to DEFRA. DEFRA has advised that the UK Government will communicate the relevant arrangements at the earliest possible opportunity and that the UK Government are currently considering how best to implement deforestation policy across the UK.

Given the current lack of clarity on the application of the EUDR, the delay to implementation that is being applied through the proposed regulation is welcome. The further 12-month postponement will give traders and operators additional time to prepare and the UK Government time to confirm the relevant arrangements. It appears likely that the delay to the implementation of the EUDR through the application of the proposal would not have a significant impact specific to the everyday life of communities in Northern Ireland in a way that is liable to persist, as there would be no change to the current position. It would be likely that not applying the proposed amending EU regulation would place Northern Ireland operators and traders who are impacted on by the EUDR at a disadvantage compared with their counterparts in the rest of the EU. In such a circumstance, Northern Ireland would be the only place where implementation of the EUDR would not be delayed.

I hope that you found that summary useful. Thank you for your time. We welcome any questions.

The Chairperson (Ms Ferguson): Thank you, Catherine.

Dr Aiken: Thanks, Catherine. Previously, the Ulster Farmers' Union and others reached out to me with concerns about it. When it was first coming through, there were concerns about stakeholder engagement and how it would affect them. What have stakeholders said about that?

Ms Fisher: We have not engaged directly with stakeholders because it sits with the UK Government. However, I think that your question includes DEFRA, which has engaged with stakeholders. It tells us that it is conducting ongoing engagement with businesses and trade associations in sectors that are

within scope and that, while it has not engaged businesses on the current EU proposal, as it has not been finalised, it continues to monitor the progress of the proposal.

Dr Aiken: Basically, it will not engage with anybody until it has seen the formal proposal.

Ms Fisher: For that regulation, yes.

Dr Aiken: Therefore, the concerns of people such as those in the Ulster Farmers' Union are still extant.

Ms Fisher: They would be concerned about the EUDR itself, not about the proposal, which is about simplification. The simplification is likely to be welcomed by stakeholders because it simplifies and reduces the administrative burden being introduced by the regulation. The UK Government have stated that they have not engaged directly with stakeholders on the application of the EUDR or the simplification because the proposal has not been finalised; it is still being amended.

Mr Martin: Thank you, Catherine. I will start with what Steve picked up. You begin your answer to four of the five questions that we put to DAERA by stating, "DEFRA has advised". If I were in that area in Northern Ireland, I would be a little concerned that there is a stand-off attitude from DAERA: what do you say to that?

Ms Fisher: It is a reserved matter, and, therefore, DAERA has no functions in relation to the EUDR. It is with the UK Government. DEFRA is in the lead, so it is advising.

The Chief Veterinary Officer has been attending those meetings with DEFRA and stakeholders, so that he can hear at first hand the comments and provide any input.

Mr Martin: It is commonplace in the Committee that we deal with reserved matters. That is absolutely standard. We in the Committee have been clear about wanting more proactive engagement. I understand that DEFRA leads on this, but we have been consistent in trying to get more open engagement from the lead Department in Northern Ireland. A three-page answer document has been provided, but it really does not tell me much about the engagement that DAERA has been having on the issue; it simply quotes paragraphs from DEFRA. That is disappointing, but I will park that for a second.

The AERA Minister recently stated:

"we still require urgent clarity on the extent to which the EU deforestation regulation will apply in Northern Ireland." — [Official Report (Hansard), 1 December 2025, p80, col2].

Do you still require that urgent clarity?

Ms Fisher: Yes. We await confirmation from DEFRA of the extent of the application of the EUDR in Northern Ireland.

Mr Martin: Right. So that still applies.

Ms Fisher: It does. The one-year delay, which is the latest position, will give more time to consider that, but, yes, that is still outstanding.

To come back to your previous comment, the Department has no function. The EUDR sits under the direction and control of the Secretary of State. Any responses from the Department have to be cleared by DEFRA, instead of the AERA Minister, which would be the case for any matters that are not under the direction and control of the Secretary of State.

Dr Aiken: Just for clarity, does our Chief Veterinary Officer sit on that committee?

Ms Fisher: He has been attending meetings with DEFRA and stakeholders that they have had on EUDR.

Dr Aiken: What is the Chief Veterinary Officer saying about it?

Ms Fisher: I do not know, because he is not here today. It is not a committee that he has been attending; it is engagement events. He has been attending those to hear the comments from members.

Dr Aiken: It would be useful to hear from him.

Mr Martin: Absolutely.

You said that the AERA Minister still requires urgent clarity on the extent to which the act will apply. However, DAERA has been clear in its departmental assessment that:

"It does not appear likely that the application of the proposed replacement EU act would have a significant impact"

and

"It does appear likely that not applying the proposed replacement EU act would have a significant impact".

How do you reconcile those two statements? You are definitive on its application, but you still have an incredibly significant question that you have not had an answer to yet about how much of it will apply to Northern Ireland.

Ms Fisher: That is because the Minister's statement is about the application of the EUDR itself. That is where the details are required. Our assessment is only of the application of the delay to the EUDR. If the delay did not apply in Northern Ireland, the EUDR would apply here from 30 December 2025. The two are different because they refer to different legislation.

Mr Martin: OK. That is great. Thank you.

The Chairperson (Ms Ferguson): On behalf of the Committee, I thank you, Catherine and Matthew, for your attendance this morning.