

November 21st 2023

Dr. Micheal Ó Cinneide, statement to the Joint Oireachtas Committee on Environment and Climate Action on the Citizens' Assembly on Biodiversity Loss

A Chathaoirligh, a Theachtaí Dálaí, is a Sheanadóirí, go raibh míle maith agaibh as ucht an deis seo a bheith libh inniu, chun na moltaí ó Thionól na Saoránach a phlé.

1. **Introduction.**

I am speaking in a personal capacity, but drawing on my experience as a member of the Expert Advisory Group for the **Citizens' Assembly on Biodiversity Loss**, and previously as a senior manager with a range of Departments and State agencies (EPA, Marine Institute, Fisheries Board and Roinn na Mara).

2. **Progress**

Based on hearings held by the Committee, it is clear that there are positive developments as regards protection of Nature which address some key concerns of the Assembly, notably

- **National Biodiversity Action Plan, 2024** to be placed on a statutory footing
- **Nature Restoration Plan, 2026** in response to new EU Nature Restoration Law, 2024
- **River Basin Management Plan** for Ireland, 2024/27
- Draft **Bill on Marine Protected Areas, 2024.**

While these actions are very welcome, a key challenge for the JOC is to assess:

How far do these initiatives go to address the Assembly's recommendations on biodiversity loss? what key gaps remain?

3. Enforcement

The Assembly report stated that *‘the State has comprehensively failed to fund, implement and enforce existing national and EU legislation. This must change.’*

The JOC has discussed Recommendations # **44, 45** on Enforcement in detail with officials from the National Park & Wildlife Service (NPWS) on 14th November and today has heard about the approach of Inland Fisheries Ireland to its enforcement of Fisheries legislation. A challenge for the JOC is to assess whether the NPWS approach - *‘Everybody in NPWS is responsible for wildlife crime’*- is the most effective, when compared to other enforcement bodies? Can further steps be taken to strengthen the enforcement of our wildlife laws?

4. The Constitution

The Citizens’ Assembly recommended that Ireland adopt the ***‘human right to a clean, healthy, safe environment’*** as a fundamental part of our constitution. Your committee had a detailed discussion on this area with Prof. Ryall and her colleagues on October 17th. Apart from its legal significance, another benefit would be the nationwide public debate which precedes a referendum of the people.

As the Public Participation Network in Galway has written, in a recent letter to this Committee: *“We support the possibility of an amendment, as we feel this would facilitate conversations up and down the country, which could usher in the transformational change that we need”.*

5. Other Recommendations

While the new **National Biodiversity Action Plan** is said to address up to 100 of the Assembly’s recommendations, the Committee needs to consider its position how to progress

other recommendations, which may fall outside of the ‘plans in the pipeline’ and beyond the ambit of Dept of Housing/NPWS? These could include:

#83. ‘People must be encouraged to consume a more Plant Based Diet’. This was the subject of vigorous debate. The implementation of this proposal could be led by the Department of Health and its agencies, including the HSE and Safefood.

#100 ‘The Arterial Drainage Act 1945 must be reviewed and updated, in order to take account of the biodiversity and climate crisis’, OPW and relevant agencies can progress this.

#116, 120 ‘The remit of Bord na Móna & Coillte to be reviewed. / State must reassess the constitution, goals and operations of Coillte and the 1988 Forestry Act. This reassessment must ensure biodiversity protection and ecosystem services are core objectives for Coillte’.

These topic generated much debate at the Assembly; these reviews would link with the EU Restoration Law and Forestry strategy, as recently published by Dept of Agriculture.

6. Conclusion.

The 99 citizens were asked by the Oireachtas to consider how the State can improve its response to the crisis of biodiversity loss that was declared in 2019. Their Report brings fresh thinking, beyond what may be contained in the next Biodiversity Action Plan.

Tackling biodiversity loss will be more successful when it involves a wide range of Government actors and is supported by legal changes and by community energy. The support of this Committee for a broad suite of measures, including but going further than the ‘existing & proposed Plans’ cited above, would send a signal that the voice of our Citizens has been heard.

Go raibh maith agaibh.