

CELT (Centre for Environmental Living & Training) make the following submission regarding the Draft Agriculture Appeals (Amendment) Bill 2020 :

The bill proposes to:

- Limit which individuals, groups and bodies are entitled to appeal.
- Give the Minister powers to:
 - o Introduce fees for making an appeal on forestry licences;
 - o Specify a whole range of additional criteria to qualify as an environmental group, creating more obstacles to the right of appeal for small local groups and eNGOs.
- Enable the Minister issue directions to the Forestry Appeals Committee, raising issues about its independence. It also changes how it operates, and reduces oversight by its chair.

The draft legislation follows on from the 2019 McKenna Report which states that the opportunities that people have to comment and object to forestry proposals represents 'a barrier to efficient decision-making' and has 'created further delays with significant administrative costs' so the case for a fee is 'unarguable'.

The bill is contrary to :

- The 2003 EU Directive on public participation which says that participation should be 'fostered'.
- The Aarhus Convention ratified by Ireland in 2012 which seeks to 'guarantee rights of public participation in decision-making in environmental matters in order to contribute to the protection of the right to live in an environment which is adequate for personal health and well-being.'
- The 2013 United Nations Sustainable Development Goals[SDG] which requires Ireland to 'Protect, Restore and Promote Sustainable Use of Terrestrial Ecosystems, Sustainably Manage Forests, Combat Desertification, and Halt and Reverse Land Degradation and Halt Biodiversity Loss' and which is the basis of the current EU Green Deal.

Conclusion

The proposed legislation goes against public rights and international efforts to address sustainable forest management and biodiversity loss and is therefore unacceptable and must be abandoned.

We call for Minister Hackett to:

- Abandon her proposed bill which limits appeals and impacts on the independence of the Forestry Appeals Committee.
- Prioritise a focus on improving the quality of licensing decisions by addressing longstanding issues within the system, and by correcting issues in forestry legislation.
- Put the creation of a new forestry programme front and centre and ensure that it recognises community and environmental concerns
- Reform the forestry grants system so that it incentivises delivery of a new positive forestry model that addresses climate change and biodiversity loss.

- Reject the Mackinnon report. It is the basis for the bill's proposal to introduce fees for forestry appeals. It also contains other deeply problematic recommendations which will impact on our most sensitive sites for rare and endangered species and habitats.