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CONSULTATION RESPONSE: NORTHERN IRELAND'S DRAFT CLIMATE ACTION PLAN 2023-2027

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Introduction

Northern Ireland's Climate Change Act (Northern Ireland) 2022 sets a binding legal target to reduce Northern Ireland's greenhouse gas (GHG) emissions to net zero by 2050 and requires the production of a climate action plan every five years. The purpose of this plan is set out in detail the policies and proposals required to achieve the necessary reductions in emissions to meet the net zero by 2050 target. The Northern Ireland Assembly agreed the first three carbon budgets and interim emissions reduction targets in December 2024 and the Department of Agriculture, Environment and Rural Affairs (DAERA, which is the Government department responsible for leading the preparation and publication of this draft Climate Action Plan on behalf of the Northern Ireland Executive) are currently consulting on the first draft Climate Action Plan (CAP) which sets out how Northern Ireland will meet its first carbon budget for the period 2023-2027.

Environmental Justice Network Ireland is a community of practice connecting interdisciplinary academic researchers, NGOs and environmental lawyers with community campaigners who have emerged over the last decade on the island of Ireland in response to serious environmental governance failures. EJNI's aim is to enhance knowledge about complex environmental and legal issues that exist on the island of Ireland and to use this knowledge to push for meaningful, positive changes that will have a tangible impact on addressing the root causes of environmental and social injustice on the island of Ireland. This document sets out EJNI's response to Northern Ireland's first draft Climate Action Plan. As an all-island organisation with significant experience assessing climate action plans in Ireland and in broader climate governance and environmental democracy issues on the island of Ireland and the EU, we have, where possible, considered initiatives from Ireland and elsewhere in our response. We have also considered the impact of the plan through an environmental justice lens and have highlighted the critical importance of ensuring that citizens from across the island of Ireland have a say in the development of this plan – the impacts of which will be felt beyond the border.

- **Our overall assessment is that the development of this plan is a positive step towards modernization of Northern Ireland's outdated climate governance but that the plan in its current form will not deliver the necessary action at the speed required for Northern Ireland to meet its legally binding obligations regarding emissions reduction.**
- **The plan lacks the necessary ambition in a number of key areas (e.g. agriculture, buildings and transport) to meet climate obligations and does not align with Paris Agreement obligations. This risks locking Northern Ireland into a low-ambition trajectory, characterised by incrementalism over the transformational change that climate science demands.**
- **There is an issue with sequencing – the plan is part of a suite of climate structures which are designed to operate in tandem, but some of these structures have not yet been established and this delay undermines oversight, transparency and accountability in the development and adoption of NI's first Climate Action Plan – particularly regarding Just Transition.**
- **There are flaws in the methodology, assumptions and pathways which create inconsistencies in the plan. The plan itself acknowledges the gap between planned policies and recommended pathways (e.g. in transport emissions) – this creates a serious credibility gap.**
- **There is also a lack of clarity surrounding the extent to which transboundary consultation on the development of the plan and cooperation with Ireland more generally has occurred.**
- **To address these deficiencies, ambition must be enhanced (particularly regarding agricultural emissions) and greater emphasis should be placed on transboundary cooperation on the island of Ireland to address the shared challenge of the climate crisis.**

Our detailed recommendations covering (1) Governance, monitoring and reporting, (2) Ambition and alignment with international obligations, (3) Policy Framing and Quantification (4) Energy production and supply, (5) Transport, (6) Agriculture, (7) Just Transition (8) Public participation, transboundary consultation and assessments, and (9) Transboundary Cooperation, are set out below.

1. Governance, monitoring and reporting

The draft Climate Action Plan envisages an elaborate governance structure. As a preliminary point, it is not clear whether there is a level of duplication between these various teams, delivery boards and oversight groups. Absent from the draft is a description of how often these various bodies will meet. From a good climate governance perspective, it is also concerning that the draft plan does not explain how it will ensure swift, credible and time-bound course correction policies if Northern Ireland is off course to stay within its first carbon budget for 2023-2027 or to meet its interim and net zero by 2050 target. The draft plan acknowledges that 'the Green Growth and Climate Change Strategic Oversight Group may escalate significant delivery challenges, risks and issues to the Permanent Secretaries for consideration and resolution'. However, it does not indicate the timeframe within which these delivery challenges, risks and issues' will be resolved to ensure there is no overshoot of the first budget.

The draft explains the specific monitoring and reporting activities are based on sections 38-41 of the 2022 Climate Change Act. An interim progress report on this carbon budget period, which is required under section 38, is expected by the end of 2025. Section 38 stipulates that DAERA must publish this report setting out progress implementing policies and measures; departments must provide information on progress, and this interim report must be laid before the Assembly. There is no mention of course correction policies if this interim progress report shows that NI is off course during the first carbon budget period of 2023-2027. The draft plan states that there will be a final statement for carbon budget period by the end of 2029. It also states that by March 2030, in the event that a carbon budget is not met, policies and proposals from departments to compensate for excess emissions in the subsequent budgetary period (2028-2032) must be set out and laid before the Assembly. On the face of it, this seems to be broadly in line with sections 39 and 40, however, it sits uncomfortably with the fundamental purpose underlying the setting of carbon budgets: limiting cumulative emissions. It is also not obvious how a delayed approach to adopting course correction policies and proposals could be compatible with the constraints on banking and borrowing between carbon budgets imposed by section 28(2) and (3) of the 2022 Act. These provisions specifically state that where the Department decides to 'borrow' from the subsequent carbon budget, this must not exceed 1% of the carbon budget for the later period. The only way to not borrow excessively from a subsequent carbon budget is to adopt emergency course correction measures in 2025 if it is anticipated that NI will exceed its first carbon budget. The finalised plan needs to clearly explain how it will urgently course correct if necessary, before the end of the first carbon budget period.

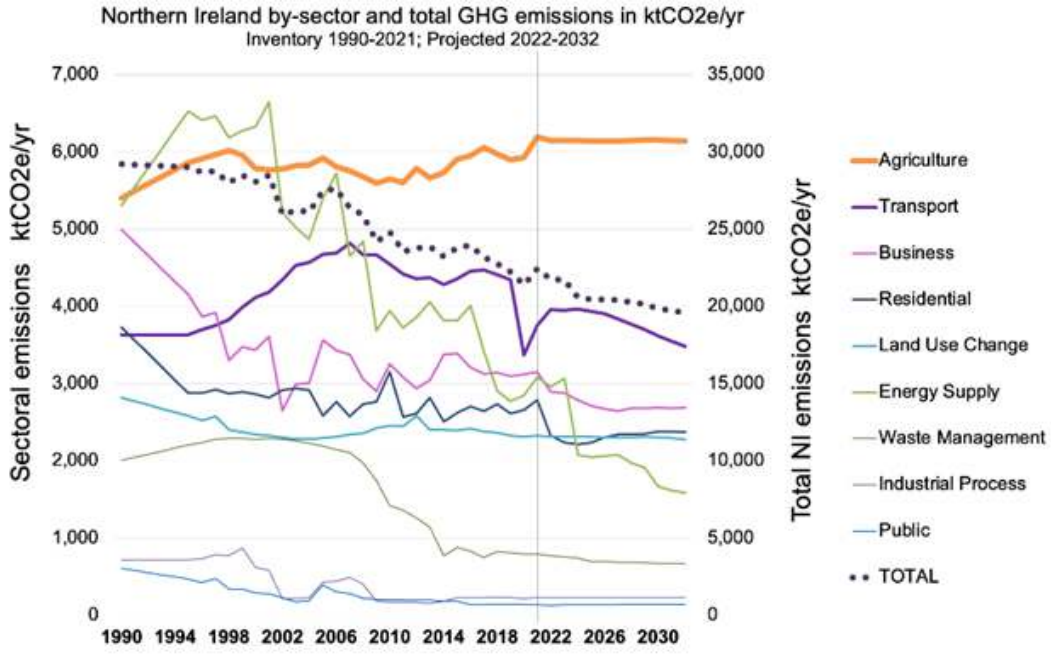
In addition to the departmental governance structures, the 2022 Act also makes provision for a Northern Ireland Climate Commissioner and a Just Transition Commission. It is positive that the draft plan details some progress in the establishment of these two crucial bodies, but EJNI has serious concerns that the delay in establishing these bodies removes a significant layer of oversight, transparency and accountability in the development and adoption of NI's first Climate Action Plan. In terms of sequencing, it is regrettable that neither of these bodies were established in advance of the publication of the draft plan.

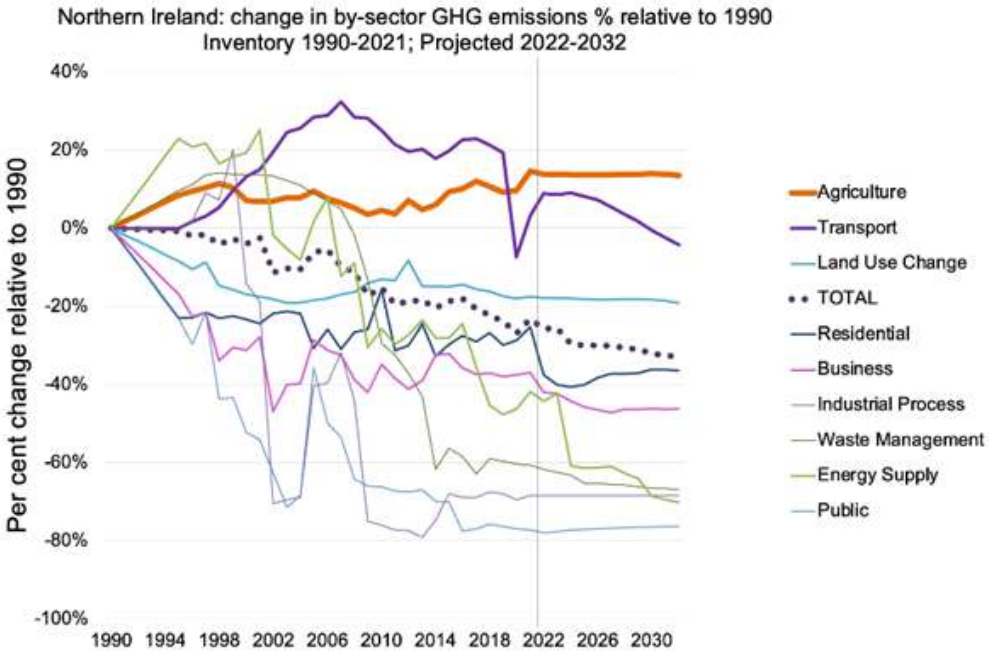
The final Climate Action Plan should include further detail on how often the various bodies established under the Climate Change (NI) Plan 20222 will meet, and on how course correction procedures will operate. Establishment of the outstanding governance structures, in particular the Climate Commissioner and Just Transition Commission should occur as soon as possible.

2. Ambition and alignment with national and international obligations

Ambition remains low in key areas, notably agriculture as highlighted in the charts (based on the 2024 NI inventory/projections data for 1990 to 2032) below which show Greenhouse Gas (GHG) sectoral totals and change vs 1990 levels.

Northern Ireland's emission reduction efforts must be considered as part of the global push towards climate neutrality. However, the Paris Agreement is only mentioned once, and no comparison appears to be made between the UK's Paris Agreement Nationally Determined Contribution (NDC), the NI share of this and the emissions reductions in the plan, which is a failure to have regard to a key binding obligation under international law.





It is vital that consideration is given to a more ambitious plan that ensures emissions reductions occur across all sectors. More consideration should also be given to how Northern Ireland's plan aligns with the UK's commitments under the Paris Agreement. It is also important that alignment between Northern Ireland's and Ireland's plans is considered, as well as the potential impact of any divergence (see below).

3. Policy framing and quantification

The quantification methodology used to calculate emissions reductions from policies and proposals in the draft Climate Action Plan 2023-2027 is set out in the Annex A - Quantification Report. The basic 'by-source' method of reporting emissions – attributing emissions directly to the sector that emits them – and using the GWP100 basis for GHG accounting in inventory and scenarios is as per standard UNFCCC emissions accounting practices. The policies and measures adopted are categorised according to delivery scenarios aligned with the UK-CCC naming: Central (expected outcome), Tailwinds (optimistic) and Headwinds (least optimistic).

However, a serious issue with this plan basis is that the draft Plan only looks at the very short policy period of 2023-2027 (a timespan already more than half over) whereas the CCC scenarios run to 2050 and the aligned carbon budgets for associated ambition paths to Net Zero and beyond. This is problematic because the long-term outcomes of the CCC's different long-term scenarios include major societal and technological changes that require related early policy and investment actions, whereas such early actions are liable to be ignored or downplayed if only the near-term is examined, as is the case in the draft Plan.

The Plan is also overly reliant on scaling factors to adjust from UK to Northern Ireland level emissions rather than setting out a strong evidence basis to show that the projected mitigation will be delivered without fail. The policies and proposals in the Climate Action Plan typically depend on judgements of policy "feasibility" and typically assume that technology and efficiency GHG savings result in overall mitigation. But this often ignores the resultant economic rebound that often increases activities and total emissions unless economic downturns counter this growth effect.

Precautionary policy would directly limit the upstream key input drivers of societal emissions – the wasteful use of fossil fuels in energy and nutrients in agriculture – to ensure carbon budgets and methane mitigation targets are met without fail. It would correspondingly then direct policy supports and regulation accordingly. As climate experts recently testified to Ireland's parliamentary Oireachtas joint committee:

It is no longer a question of merely "doing our best": we must do what is necessary. There is now a very strong case for the establishment of mechanisms to dynamically regulate the upstream inputs to societal activities, such as fossil fuels, via some form of equitable rationing.

Other testimony has therefore pointed out that measures now need to actively restrict fossil fuel use (such as by early phase out of internal combustion engine vehicles and limiting data centre construction) and noted that the production of animal-sourced foods in wealthy nations largely benefits only wealthy markets, and often relies on imported feed, contributing to indirect land use change.

By contrast, the draft Plan fails to show such precautionary whole-system, long-term policy framing and the required associated quantification to avoid the high costs of policy delay, particularly in regard to the sectors with the highest emissions: transport and agriculture. As peer-reviewed study has shown, an 'explicit policy focus on phasing out fossil fuels is required to complement policies to stimulate zero-carbon energy' and 'delayed action cases postpone the phase-out of fossil fuel technologies, leading to carbon lock-in and stranded assets'. Where the draft Plan identifies such system change urgency (as in transport modelling, and in small business importance to mitigation achievement) it also acknowledges a lack of supporting detailed data and evidence specific to Northern Ireland. Too many of the policies and proposals are unquantified or depend on NI/UK scaling assumptions.

On the role of agriculture, Annex D of the Plan frequently references the Ireland's Teagasc MACC measures, despite the fact that in more than a decade of MACC-influenced policy the Ireland's total agricultural emissions steadily increased, especially due to dairy expansion. It would be best to avoid directing agriculture based on what is an exemplar of national agriculture mitigation policy failure. By contrast, the draft Plan notes that CCC near-term actions (by 2030) include '*Reduction in livestock by 2030: 22% dairy cattle,17% beef cattle, 18% sheep, pigs and poultry*', yet the draft Plan Annex D recommendations fail to provide any reasoning for ignoring the CCC guidance.

Also on agriculture, in the draft Plan and Annex D, DAERA confusingly appeal to non-peer-reviewed work using alternative methane climate warming assessment methods such as GWP* to assess agriculture GHGs, but as the Plan already notes (p. 47), such calculation only confirms the crucial mitigation importance of early, deep and sustained cuts in agricultural methane emissions if Northern Ireland is to meet Paris Agreement commitments to limit to 1.5°C equitably. DAERA is being inconsistent by suggesting the usefulness of GWP* or similar calculation and yet failing to provide the essential basis for such calculation: separate by-gas historic inventory and scenario projections pathway data to 2050 (not just 2022-2027) for each of the key agricultural emissions gases – methane and, nitrous oxide, as well as carbon dioxide. Without separate methane and nitrous oxide reporting, and clear by-gas pathway targeting to 2050 (not merely to 2027), the effect of agricultural mitigation measures remains unclear, to the benefit of agri-food vested-interests profiting from business-as-usual preferences.

To direct policies and proposals, a primary focus has to be on directly curtailing the use of high emitting activities using fossil fuels for energy use and nutrients for animal agriculture. Therefore, the Climate Action Plan for Northern Ireland needs to set out the annual total input *quantities* of fossil fuels (oil, gas, coal peat) and agricultural nutrients (from fertiliser and feeds), and directly relate them to the UK-CCC carbon budget scenarios for 2022-2050, not just for the period 2022-2027. This would avoid the current policy framing reliance on near-term preferences rather than planning the necessary system transformation to 2050 and beyond. Far more sectoral data and whole system modelling specific to Northern Ireland is required to support the Plan, especially in transport and agriculture. Diversionary appeals to alternative GHG accounting that obscures the urgent need for early and deep agricultural methane mitigation should be avoided. Emission pathways for agriculture (past and present) need to report each principal greenhouse gas separately – for methane and nitrous oxide –as well as giving the sectoral and sub-sectoral CO_2 equivalent values.

4. Energy Production and Supply

The Draft Climate Action Plan's proposals for energy production and supply are inadequate in ambition and risk locking Northern Ireland into a low ambition trajectory. While the plan notes progress since 1990 and projects that energy-sector emissions during the first carbon budget (2023–2027) will be slightly *below* the Climate Change Committee's (CCC) pathway, this should not be misrepresented as success. The CCC has been clear that energy emissions must fall by around 51% by 2030, yet Northern Ireland's renewable generation growth has stagnated since 2018. The plan relies heavily on an 80% renewable electricity target by 2030, a figure that lags behind CCC advice that very high levels of decarbonisation of electricity with renewables, storage, and backup solutions should be scaled up significantly by that date.

The plan highlights that current proposals would deliver 12.33 $MtCO_2e$ of emissions in the first budget versus 12.85 $MtCO_2e$ under the CCC-adjusted pathway. However, this narrow margin masks significant structural risks including planning delays, grid constraints, and lack of investment - all identified in the plan itself as major barriers. Setting out a new Renewable Electricity Support Scheme and a Smart Systems Flexibility Plan by the mid-2020s is too little, too late. EJNI is concerned that the plan prioritises incrementalism over the transformational change that climate science demands.

From a justice perspective, the energy chapter of the plan falls short. It acknowledges affordability and consumer protection in vague terms but fails to propose concrete measures to address Northern Ireland's fuel poverty crisis. Without a large-scale, publicly funded retrofit programme, mandatory zero-carbon standards for all new homes, and explicit prioritisation of vulnerable households, the transition risks being regressive. Wealthier households will capture the benefits of solar, storage, and electrified heat, while low-income households remain exposed to volatile fossil fuel costs. The draft plan gestures at fairness but contains no redistributive mechanisms or guarantees. If the Executive is serious about a just transition, it must put equity at the centre of energy policy by ensuring that clean energy reduces inequality rather than exacerbating it.

To strengthen the Draft Climate Action Plan, EJNI urges the Executive to adopt a more ambitious pathway for clean energy, with clear commitments to accelerate renewable deployment, upgrade planning and grid systems, and invest in long-term decarbonisation solutions. The transition must also prioritise fairness by addressing fuel poverty, ensuring new homes meet zero-carbon standards, and guaranteeing that vulnerable households and communities benefit from affordable, secure clean energy. A credible plan must go beyond meeting minimum carbon budgets and instead set Northern Ireland firmly on a path to a just, science-based energy transition.

5. Transport

The draft plan is weak on transport. Despite transport being Northern Ireland's second-largest and still growing source of emissions, the plan admits that its own policies will leave the sector over one million tonnes of CO_2 above the CCC's recommended pathway by 2027. That is a glaring credibility gap. The heavy reliance on private electric vehicle uptake as the primary emissions reduction lever is problematic because it ignores the structural issues of NI's car dependency and underfunded public transport. There is no realistic prospect of reaching the 2050 goal while transport emissions are still higher than the 1990 baseline year. The absence of explicit targets and milestones for reducing car kilometres, increasing public transport journeys, or expanding active travel undermines the scientific basis of the Plan.

From a justice perspective, the draft plan does not take the needs of ordinary people seriously. Electric vehicles remain unaffordable for many households, yet the plan proposes no clear measures to ensure equitable access, nor does it set out a vision for rural communities who are currently locked into car use. Meanwhile, Northern Ireland spends less on public transport and active travel than any other UK nation, but the plan fails to address this chronic underinvestment. The Climate Change Act's requirement to allocate 10% of the transport budget to active travel is mentioned but not expanded upon, when in fact doubling or trebling that level would be necessary to meet the demand for safe, affordable, low-carbon travel.

To align the Draft Climate Action Plan with science and justice, EJNI recommends that the Executive adopt clear targets for reducing car dependence while significantly scaling up investment in public and active travel. The transition must ensure affordable, accessible, and reliable transport for all communities, including rural and low-income groups, while supporting equitable access to zero-emission vehicles.

6. Agriculture

The draft Plan is exceptionally weak on agriculture, the sector with the worst climate mitigation record, particularly in recent years due to dairy expansion since 2010. Despite agriculture being Northern Ireland's largest source of emissions, the Plan admits that the sector's 2023-2027 emissions will be nearly one million tonnes of CO2e higher than the CCC's adjusted pathway. Of all sectors, only agriculture has increased its emissions since 2010. The most recent (2024) GHG projections data indicates that the agriculture sector will achieve almost no emissions reduction at all up to 2032 and showed its emissions are likely to remain 14% above the 1990 baseline level.

The agriculture mitigation policies and measures identified in the draft Plan lack credibility, being heavily reliant on vaguely assumed farmer voluntary uptake of poorly quantified and unproven technical measures. For example, precautionary policy to ensure deep cuts in total methane emissions from agriculture (primarily from beef and dairy cattle) is crucial to Northern Ireland's climate action; however, the draft Plan relies on non-precautionary assumptions of beef and dairy farming use of unproven and costly feed additives to cut methane. The draft Plan suggests that the public will likely be asked to fund such additives, but this is directly contrary to DAERA's own polluter-pays principle advice.

Moreover, profitable measures for farmers to adopt, such as ruminant genetics improvement, will generally increase sectoral emissions because farmers reinvest the profits by increasing total production, but this basic fact is ignored. Drawbacks to measures that aim to sustain animal agriculture production are repeatedly ignored by the draft Plan. For example, changing fertiliser from CAN (calcium ammonium nitrate) to protected urea is proposed to cut nitrous oxide emissions but the mitigation effect in Northern Ireland weather conditions is uncertain and unless sales of straight urea are banned then increased ammonia emissions are likely. The use of legumes-rich pasture, including clover, is also recommended to reduce fertiliser emissions, but this measure likely does nothing to cut ruminant methane emissions or nitrate water pollution from cattle.

Likewise, supporting biomethane production from anaerobic digestion of farm manure and silage is simplistically assumed as a beneficial measure, even though multiple known negative issues are unaddressed, including excessive methane leakage from AD plants, allowing additional nitrogen use from "Renure"-use, and the danger of resulting systemic "lock-in" perpetuating the GHG-intensive animal agriculture and greenwashing the fossil gas grid, as evidenced by such policies in California.

Contrary to the draft Plan, there are no "distinct characteristics of [agricultural] biogenic methane" that require corrections in GHG accounting relative to fossil methane – methane from agriculture is chemically identical to that from fossil sources. (Additional CO_2 from fossil methane is a minor, separate matter that does not benefit livestock accounting.) The use of "bio" to describe farmed animal methane is therefore highly misleading given that methane from farm animal sources is *anthropogenic*, meaning the amount emitted and its mitigation is primarily directed by government policies and measures, as demonstrated by the recent large increases in dairy production and its resultant polluting GHG emissions and nutrient losses.

The draft Plan notes the CCC pathways to net zero by 2050 that include major reductions in livestock numbers, by a third to a half, and major human dietary changes away from meat and dairy, to increase net *food* production and cut emissions, yet the Plan fails to set out policies and measures to ensure that Northern Ireland's agri-food and farming sectors will align with this more sustainable future without fail.

To align the Draft Climate Action Plan with scientific principles and a just transition, EJNI recommends that the Executive adopt clear and enforceable targets for reducing agricultural emissions, especially methane. In line with CCC recommendations to 2050, precautionary climate and biodiversity policy requires a substantial reduction in Northern Ireland nutrient-inefficient production of milk and meat, which is heavily reliant on imported fertiliser and feed. Limits on total annual milk and meat production could be set to align with emission reduction targets and watershed nutrient load limits. Farm diversification in line with increasing global food security should focus on supporting farm diversification to low-GHG, nutrient-efficient tillage and horticulture, including insurance against crop failure, while reducing policy support for polluting high emissions animal agriculture. A revised Plan needs to guide farming and agri-food transition toward herd reduction and human dietary change, with reduced reliance on fertiliser and feed imports, to cut agricultural climate and nutrient pollution to water and air, while improving conditions and increasing space for nature.

7. Achieving a Just Transition in Northern Ireland

The draft Climate Action Plan acknowledges that sectoral plans and policies implemented to decarbonise the energy sector must consider the impact of the transition on consumers, particularly on the most vulnerable, however, the plan lacks concrete and robust short *and* long-term measures to address existing and potentially exacerbated inequalities for vulnerable and marginalised communities. Without assessing the disproportionate impact on vulnerable groups and implementing policies and initiatives that directly address the social risks of decarbonisation, NI's draft plan remains incompatible with a path to a just, equitable and fair transition.

In addition, research strongly presents climate change on the island as a shared challenge, and therefore adaptation delivery and implementation on both sides of the border will require strong cross-border collaboration and cooperation. However, Northern Ireland's progress on ensuring a fair and equitable transition has been much slower than the South, partially due to the collapse of Stormont, as Renewable NI highlighted "*the year-long hiatus at Stormont has, unfortunately, delayed both the creation of the Commission and delivery of a Just Transition and just transition objectives. Northern Ireland is on the backfoot*". The ongoing failure to establish specific climate governance structures, such as the Just Transition Commission and Climate Commissioner, has stymied cooperation across the border and limits effective engagement with parallel structures in Ireland. Overall, this has hindered the development of all-island policies reconciling environmental and social goals and could result in significant disadvantages for citizens and communities in the North.

Other factors have also contributed to this "two-speed transition". Firstly, Ireland adopted its *Climate Action and Low Carbon Development Act 2015,* which was substantially amended in 2021 to incorporate core just transition principles and a net zero target in line with European Climate Law. Therefore, Ireland has already gone through a decade of policy and legal development stemming from obligations laid out in the Climate Act. Secondly, it is clear from recent analysis that EU supranational obligations have played a significant role in determining the direction of travel and level of progress towards a fair and just transition, the removal of these obligations for Northern Ireland as a consequence of Brexit has played a partial role in the slow establishment of just transition initiatives in this jurisdiction. Under these EU supranational obligations Ireland has access to various funding mechanisms (Just Transition Fund, Social Climate Fund etc) to assist in mitigating some of the socio-economic consequences of the green transition. NI's draft Climate Action Plan demonstrates that significant investment will be required to deliver the actions set out in the plan, however, questions remain around the lack of access to funds that specifically tackle the socio-economic impacts of decarbonisation. It is unclear throughout the plan and across sectoral policies how measures, such as large-scale energy efficiency upgrades for residential buildings, will be financially supported, but rather contingent on aspirational or future "increased" budgets.

In addition, the Act also mandates the establishment of a Just Transition Fund for Agriculture. It is positive to see that the plan sets out the Executive's agreement to set aside dedicated funds in 2025/26 for the Just Transition Fund for Agriculture in the budget. However, significant questions and concerns remain around its purpose and funding in its absence, especially considering NI's agriculture emissions are nearly three times that of the UK as a whole. In the interim, NI's draft plan details that the majority of actions to support the agriculture sector in the first carbon budget will be developed through DAERA's new Sustainable Agriculture Programme (SAP), and that the schemes introduced through this programme will be essential levers in contributing to Northern Ireland's statutory obligations under the Act and achieving "a genuinely just transition". While the "nature and scale of the future bespoke Just Transition Fund for Agriculture will be determined by emerging needs and the advice from the Just Transition Commission", the new Sustainable Agriculture Programme was not subject to such evaluation.

Northern Ireland's failure to effectively address energy poverty and reliance on fossil fuels for home heating continues to jeopardise NI's progress towards a fair and just transition. Energy service provision acts as a significant driver of energy demand and associated carbon emissions - the UK housing stock accounts for 27% of national energy demand, with 80% due to heating. Taking steps to change the way in which we heat our homes and buildings is an essential part of NI's emission reduction efforts. However, the lack of implementation of the Climate Act including the failure to establish a Just Transition Commission and Climate Commissioner, seriously hinders cross-departmental collaboration to address a range of just transition issues including the high levels of energy poverty across NI.

It is disappointing that the promised "*NI Fuel Poverty Strategy*" was not published before the consultation opened on NI's Climate Action Plan and therefore not integrated into NI's overarching decarbonisation strategy, especially considering the CAP states that the Fuel Poverty Strategy will play a key role in delivering a just transition for the residential sector. As a result, the proposals and policies included in the CAP to address fuel poverty are vague in their scope and delivery, and largely aspirational considering measures designed to address fuel poverty are "*subject to necessary procurement and funding*". EJNI

provided a comprehensive response to the consultation held on NI's Fuel Poverty Strategy in March 2025 that provided a range of detailed recommendations that should be incorporated to ensure that the strategy is consistent with the just transition principle.

One of the key measures proposed is a new *Warm and Healthy Homes Scheme* to come into effect after the cessation of the existing *Affordable Warmth Scheme*. The plan acknowledges that the consultation on the Fuel Poverty Strategy will be used to consult on key aspects of the proposed scheme and that the new scheme will tackle energy poverty and support energy efficiency upgrades in residential buildings. However, while the new scheme refers to key aspects including eligibility criteria, income thresholds and energy efficiency measures, sufficient detail is lacking on how the new scheme aims to integrate just transition considerations, prioritise the most vulnerable, and how/ when these proposals will be implemented.

A recent report from University College Dublin and Pobal investigated the relationship between area-level deprivation and household renewable energy usage using the Pobal Deprivation Index. The findings reveal a stark divide in Ireland's clean energy transition, in that disadvantage communities are almost five times less likely to benefit from renewable energy at home. NI's proposed new scheme must mitigate these risks of unequal distribution of costs and benefits of the green transition and ensure that wealthier households do not solely capture the benefits of renewable deployment, avoiding locking in vulnerable households to cycles of energy poverty and fossil fuel reliance. The new scheme must also address the barriers identified from the implementation of the existing Affordable Warmth Scheme. For example, only 5-8% of landlords took up the 50% government funding allowance as part of the current Affordable Warmth Scheme to implement energy efficient upgrades. The Department for Communities should look to international best practice on the introduction and implementation of Minimum Energy Efficiency Standards in the Private Rented Sector, as it continues to undertake further consultation on the new scheme and legislation. For e.g. the Irish Government has put in place several supports for landlords to help overcome this barrier including a range of grants, a tax incentive, and the forthcoming home energy upgrade loan scheme, these measures should be explored as options in the North. In order to address the extent and nature of energy poverty that many private sectors tenants experience, property owners themselves must be encouraged, enabled, and to a certain degree obliged, to engage with home energy upgrade schemes.

Overall, measures to address energy poverty in NI's draft climate action plan are missing a core justice dimension, groups that are more vulnerable to experiencing energy poverty in addition to those living with low incomes include women, disabled people, migrants, people seeking refuge and asylum, travellers and lone parents. NI's draft climate action plan does not adequately consider or address the gender dimension of the green transition and there is a notable lack of intersectional analysis or approach. For example, the plan omits the cultural and gendered associations that see women carrying out most caring work in the home has implications for gendered vulnerability to energy poverty. Both exclusion from the economy and unpaid caring or domestic roles have impacts on energy use and vulnerability to energy poverty for women, therefore it is imperative to connect energy poverty to wider income and material poverty associated with gender inequality as opposed to solely income related barriers.

While Just Transition obligations are strongly integrated in Northern Ireland's Climate Act, NI's first Climate Action Plan clearly falls short in adhering to these obligations and fails to integrate just transition considerations across sectoral plans and policies. EJNI recommends applying a vulnerability lens to the design and implementation of its decarbonisation strategy, ensuring active and meaningful engagement with disadvantaged communities and vulnerable groups who will disproportionately experience the socioeconomic impacts of the green transition. To ensure that NI's climate plans and policies align with a fair, just and equitable transition, it is imperative that key climate governance infrastructure and dedicated funding mechanisms (including expanding the JTF beyond agriculture) are established as soon as possible. Tackling energy poverty is a core dimension of achieving a just transition in Northern Ireland, EJNI urges DAERA to approach energy poverty as a cross-departmental issue, addressing housing justice and energy poverty in tandem through a range of robust, targeted measures including a strong and expansive National Retrofit

Plan. The draft CAP must provide more detail on how exactly the new *Warm and Healthy Homes* scheme aims to prioritise the most vulnerable, including details on an eligibility criterion that captures the multi-dimensional nature of energy poverty, provides time-bound targets for reduction in the number of households in energy poverty and how the scheme aims to achieve energy efficiency targets in the private rental sector while mitigating risks such as "renovictions" or "split incentives".

8. Public participation, transboundary consultation and assessments

The lack of substantial analytical data supporting the conclusions of the Strategic Environmental Assessment (SEA, Annex H (vi)) that justify the choices of alternatives makes it impossible for any real engagement with the assessment of alternatives. Therefore, this does not comply with the obligation to provide the public with information sufficient to make a meaningful engagement with the plan. Aspects of EU law applicable in Northern Ireland as a result of the Windsor Framework/Article 2 non-diminution guarantee (as discussed in recent research commissioned by the Northern Ireland Human Rights Commission) are ignored in the grounding assumptions for the SEA. The area of buildings is a case in point - the EU's Energy Performance of Buildings Directive (either the pre-2019 or post-2019 revised Directive) is not mentioned in the relevant legislation framework set out in that section. The NI EPBD Certification Regulations 2008 as amended are mentioned but these only really deal with BER certificates whereas the amended EU legislation goes much further. To avoid risking a breach of the non-diminution guarantee established by the Windsor Framework, EU legislation should be mentioned in Para 5.42 as a relevant underpinning policy alongside the key underpinning policies identified as:

a. the EU Ecodesign Directive and the Energy Labelling Framework Regulation (UK-wide policy), which set minimum performance and information requirements respectively for energy-using products.

b. the F-Gas Regulations (UK-wide policy), which implemented a new ban on fluorinated gases with a high Global Warming Potential (GWP) in foams, used in building insultation and fire equipment, and which came into operation in January 2023.

c. the 2012 and 2022 Uplifts to Part F (Conservation of Fuel and Power) of the Building Regulations in Northern Ireland, which implements improved fabric standards and focuses on an expectation that renewable technologies should be included in most new building.

Regarding the Habitats Regulations Assessment (Annex H (vii)), the conclusion that this plan will have no impact on habitats in Northern Ireland is unsupported by the preceding material in the Habitats Regulations Assessment report. The draft Climate Action Plan chooses certain pathways which will set the framework for development along certain pathways (e.g. promoting construction of new marine renewables infrastructure) that the report itself highlights will definitely have an impact on habitats. The report should present a more detailed engagement on how certain pathways will present specific habitats risks and how these will be prevented or mitigated (e.g. strong guidelines on marine renewables siting at the project stage). The report also fails to consider reasonable alternatives.

Finally, it is also unclear whether any consultation with citizens or stakeholders in Ireland has taken place or is planned.

Flaws in the SEA and Habitats Assessment Reports should be rectified. Given the obvious impact that this plan will have on the island as a whole and legal obligations to undertake transboundary consultations, it is imperative that citizens and stakeholders in Ireland are consulted on the development of the plan.

9. Transboundary cooperation on the environment

The environment and related climate change recognise no borders. The Irish Environmental Network describe the island of Ireland as:

'a single biogeographic unit with shared landscapes, water sources, flora and fauna. We are in the midst of a climate and biodiversity crisis on the island and both jurisdictions face similar challenges in addressing these crises. Protecting this common environment is dependent on coherent policy-making, high standards and regulations and enforcement on both sides of the border. Increasing cross border cooperation and policy-making provides a real opportunity to improve the environment on an all-island basis. '

Climate change is a shared environmental challenge for the island of Ireland. Predictably, Ireland and Northern Ireland have a similar emissions profile. The industrialised, chemicalised grass-based beef and dairy-agricultural model is itself a large user of direct and indirect carbon energy. Like Ireland, Northern Ireland is an administration where LULUCF (Land Use, Land Use Change and Forestry) is source of emissions rather than a sink.

Research confirms that a pre-requisite for responding to the shared challenge of the climate crisis on the island of Ireland is substantive and enduring cooperation between Northern Ireland and Ireland, and has highlighted the risks associated with regulatory divergence on the island of Ireland as well as significant human rights and legal implications associated with this divergence. The need for cooperation on the environment has also been recognised explicitly in the Annex to Strand Two of The Good Friday/Belfast Agreement. In addition, the Irish Government committed to 'all-island cooperation and coordination to tackle climate breakdown' in the 2020 'New Decade, New Approach political agreement. Finally, the Climate Change (NI) Act 2022 provides strong foundations for co-operation and collaboration across the island in the specific contact of climate action - s.23(3) of the NI Climate Change Act 2022 requires that "the Department is to give due regard to the expertise and advice" of both the IPCCC and the Irish Climate Change Advisory Council before setting carbon budgets and on other environmental issues.

The plan and its annexes provide some information on transboundary cooperation which has occurred to date (e.g. co-design of a Bioeconomy Demonstration Initiative with Ireland's Department of Food, Agriculture and the Marine), or planned cooperation in areas such as behaviour change and communications, transport, residential buildings and reporting). However, this information is at times vague and lacking in detail (e.g. 'we will continue to work closely with', or 'work is ongoing') and it is unclear with whom exactly the cooperation will occur ('UK, Republic of Ireland and elsewhere') and its nature or extent. Details of engagement undertaken (or planned engagement) in respect of sector policies and proposals is outlined in Annex C. However, it is unclear whether engagement has occurred, is occurring or is 'anticipated', e.g. re the delivery of the Northern Ireland Peatland Strategy and whether this engagement has been limited to 'discussions' e.g. re land use and forestry. A more positive example of concrete cooperation is the development of the All-Island Strategic Rail Review.

Finally, the plan acknowledges the necessity for future cooperation between the not yet established Just Transition Commission and relevant stakeholders including public bodies such as the UK's Climate Change Committee and "Just Transition Commissions in other jurisdictions" but does not specify cooperation with these bodies in Ireland directly, nor does it mention Ireland's Climate Change Advisory Council. The delay in establishing the Northern Ireland bodies has prevented engagement between the respective Just Transition Commissions on the island.

The advice of the IPCCC and Irish Climate Change Advisory Council should be formally sought as the final plan is developed and, the extent to which advice has already been sought and how this has informed the development of the draft plan should be made clear. Far more emphasis should be placed on all-island cooperation and coordination to tackle climate breakdown and more detail provided on the extent and nature of ongoing or planned engagement and cooperation.