



Northern Ireland
Assembly

Research and Information Service Briefing Note

Paper 23/22

11th March 2022

NIAR 39-22

Suzie Cave and Mark Allen

AERA Committee prioritised Common Frameworks – North- South considerations

1 Background

At the AERA Committee meeting on 10th March, Members requested some follow up information in support of RaISe briefing paper NIAR 37-22¹.

More specifically, Members asked for an overview of specific and explicit reference to North-South relationships/considerations within the five committee prioritised Common Frameworks (CFs).

2 North-South references in CFs

The following references are made within each CF.

2.1 Agricultural Support²

¹ [AERA Committee prioritised common frameworks – overview and considerations, NIAR 37-22, 10 March 2022](#)

² [Agricultural support common framework, provisional framework, outline agreement and concordat, Cabinet Office website, February 2022](#)

The CF makes specific reference to the fact that land situated within Ireland is not considered to be part of a cross-border holding for the purpose of this concordat

The Framework highlights that Joint Ministerial Committee (JMC) principles also recognise the need to respect the devolution settlements and the democratic accountability of the devolved legislatures. It also states the need to ensure recognition of the economic and social linkages between Northern Ireland and Ireland, as Northern Ireland is the only part of the UK that shares a land frontier with the EU.

No specific reference is made to North/South considerations or representation within the terms of reference for two main decision-making fora, namely UK Policy Collaboration Group (PCG) and UK Agriculture Market Monitoring Group (MMG).

2.2 Chemicals and Pesticides³

The CF references the fact that frameworks will ensure recognition of the economic and social linkages between Northern Ireland and Ireland and that Northern Ireland will be the only part of the UK that shares a land frontier with the EU.

It is stated that respect will be paid to the devolution settlements and to the democratic accountability of the Welsh Government, the Scottish Government and the Northern Ireland Executive This includes the provisions of the Belfast Agreement, with the inclusion of the North/South dimension highlighted in Strand 2 of that Agreement.

No specific reference is made to North-South considerations or representation within the terms of reference for the main decision-making fora such as UK Chemicals Governance Group (UKCGG).

2.3 Animal Health and Welfare⁴

Reference is made within the concordat operational principles around recognising that Northern Ireland shares a land border with the EU and has unique political, epidemiological, social and economic linkages with Ireland.

No specific reference is made to North-South relationships within the terms of reference for three of the main decision-making fora as follows, Animal Disease Policy Group (ADPG), Animal Welfare Policy Group (AWPG), and Aquatic Animal Health Policy Group (AAHPG). The Tuberculosis Liaison Group (TBLG) terms of reference do refer to respect being paid to the devolution settlements and the democratic accountability of each of the UK Administrations, including the provisions of the Good Friday Agreement and the NI/RoI dimension in Strand 3 of that Agreement.

³ [Chemicals and Pesticides Provisional Common Framework Outline Agreement and Concordat, Cabinet Office website, February 2022](#)

⁴ [Animal Health and Welfare Common Framework Provisional Framework Outline Agreement and Concordat, Cabinet Office website, February 2022](#)

The Tuberculosis Liaison Group (TBLG) terms of reference do refer to the fact that additional representatives from other government departments, agencies or other stakeholders may be invited to attend a meeting in order to provide information or share best practice, however, only core members will be involved in decision making.

2.4 Plant Health⁵

The high level principles reference respect being paid to the devolution settlements and the democratic accountability of the devolved governments, including the provisions of the Belfast/Good Friday Agreement and encompassing the North/South dimension in Strand 2 of that Agreement. Current devolution arrangements will be preserved and enhanced.

In relation to the operation of the concordat and the roles and responsibilities of parties, the CF references the fact that there are formal North South Ministerial Council arrangements which provide a context for mutual cooperation and a shared responsibility for plant health on the island of Ireland. A Plant Health and Pesticides Steering Group oversees an annual work programme, which enables DAERA and the Department of Agriculture, Food and the Marine (DAFM) to develop shared strategic partnership approaches.

It also highlights that DAERA Plant Health Division work with partners in the UK Plant Health Service and the Government of Ireland to evaluate and manage the risk of priority pests and diseases identified on the recently published Northern Ireland Plant Health Risk Register.

No specific reference is made to North-South considerations or representation within the terms of reference for three main decision-making fora, namely the UK National Plant Protection Organisation (NPPO), the UK Plant Health Risk Group (PHRG) and the UK Plant Health Policy Group.

2.5 Fisheries Management and Support⁶

The high level principles that underpin the Fisheries Framework Memorandum of Understanding reference respecting devolution, but no specific reference is made to the Belfast/Good Friday Agreement.

No specific reference is made to North-South considerations or representation within the terms of reference for main decision-making fora, namely the Senior Steering Group (SSG).

⁵ [Animal Health and Welfare Common Framework Provisional Framework Outline Agreement and Concordat, Cabinet Office website, February 2022](#)

⁶ [Fisheries Management and Support Common Framework Provisional Framework Outline Agreement and Memorandum of Understanding, Cabinet Office website, February 2022](#)

3 Observations

- Explicit references to North-South relationships/considerations are not extensive across the five prioritised CFs. There are references across all five to respecting devolution, and in the case of Northern Ireland it should be noted that the devolution settlement includes North-South considerations within strand 2 of the Belfast/Good Friday Agreement. Both the Chemicals and Pesticides and Plant Health CFs reference respecting strand 2 of the Belfast/Good Friday Agreement.
- The two CFs with the most extensive reference to North-South relationships/considerations are the Animal Health and Welfare and Plant Health CFs. This should come as no surprise as the island of Ireland had been treated as a single epidemiological unit in relation to animal and plant diseases long before Brexit. As a result, there is architecture to enable the two jurisdictions on the island to work together in these areas.
- Only one of the decision-making fora across the five prioritised CFs makes reference to North-South considerations within its terms of reference, namely the Tuberculosis Liaison Group within the Animal Health and Welfare CF.
- All five CFs include references to stakeholders in areas such as development and review, but the term is not fully defined, most notably in relation to 'other' and 'external'. This raises an obvious question around whether bodies such as the Irish Government could qualify as external stakeholders?