



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - Implementation & Support to Member States
ENV.E.3 - Environmental Enforcement

Brussels,
ENV.E.3/PS/vp/

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Dear Ms Gibson,

Thank you for your e-mails of 7 October 2019 in reply to my letter of 26 July 2019.

Please note that your latest mail cannot be treated as a confirmatory application with regards to an access to documents request, because you were not asking for a document in your e-mail of 10 July 2019, but rather were requesting information. An e-mail informing you that for this reason your e-mail would be treated as a request for information under the Code of Good Administrative Behaviour was sent to you on 16 July 2019. This was also explained in the response of 26 July 2019.

It is our understanding that the purpose of your latest e-mail is to request a review the content of the response of 26 July 2019 and that DG Environment further looks into the situation of who is responsible for protecting Northern Ireland's environment, not a review into whether the response breaches the Code of Good Administrative Behaviour.

In your latest e-mail, you state that DAERA (the Northern Ireland Department responsible for the environment) do not carry out assessments and do not have the responsibility of rectifying and/or preventing environmental destructive activities as in other parts of the United Kingdom or in other Member States. You also suggest that DAERA does not provide the same protection levels as other agencies do for the rest of the United Kingdom.

I would like to reassure you that we are not complacent about the environmental governance challenge in Northern Ireland. We have sent pre-infringement queries (EU Pilots) on several occasions and have raised the issues in package meetings (formal meetings discussing implementation of EU law in the United Kingdom). We are still monitoring issues around the implementation of the Environmental Impact Assessment and Waste Framework Directives in particular. We have also raised issues of non-conformity relating to how EU law is transposed in relation to Northern Ireland.

We will continue to pursue these issues whilst the UK remains a Member State of the EU.

Yours sincerely,

e-signed

Paul Speight
Head of Unit

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