

# **A review of water and marine related commitments within Ireland's Programme for Government: Progress, challenges for implementation, and gaps in existing commitments**

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## List of acronyms and abbreviations

An Fóram Uisce	The Water Forum
ASSAP	Agricultural Sustainability Support and Advisory Programme
BER	Building Energy Rating
DHLGH	Department of Housing, Local Government and Heritage
EPA	Environmental Protection Agency
LAWPRO	Local Authority Water Programme
MPA	Marine Protected Area
NFGWS	National Federation of Group Water Schemes
PFAS	Per- and polyfluoroalkyl substances
PfG	Programme for Government
RBMP	River Basin Management Plan
SEAI	Sustainable Energy Authority of Ireland
THM	Trihalomethane
Uisce Éireann	formerly Irish Water

# Abstract

This report presents a comprehensive analysis of the progress made from 2020 to date on the implementation of water and marine commitments in the current Programme for Government. It draws on the well-regarded Environmental Report Card of Government produced by Friends of the Earth Ireland along with stakeholder interviews conducted for this research. Overall, the analysis shows that progress has varied across the commitment categories, with progress on drinking water and wastewater scoring highest, while progress on water quality and conservation has been extremely poor. Key barriers impeding progress across the commitment categories include financial and staffing resources, cross-sectoral policy coherence issues, planning delays, and conflicting sectoral policy priorities. Emerging issues of concern were also noted across all commitment categories, with climate change and agriculture being the most frequently highlighted by stakeholders working in the water and marine sectors. A set of recommendations have been suggested to improve progress in achieving Government commitments by addressing systemic barriers to provide multiple benefits.

## 1. Introduction

Since the 1970s, Ireland's legislative capacity has grown considerably, aligned with the country's economic development and its initiation into Member State status. Ireland, like other European Union Member States, has developed unprecedented levels of environmental policy, particularly in recent years and especially since 2020 when the Green Party entered a coalition with two larger political parties to form the current government (Ladrech & Little, 2020; Torney & O'Gorman, 2019; Department of the Taoiseach 2020). While *development* of environmental policies has increased as part of efforts to address the global climate and biodiversity crises, *implementation* of environmental policies has been highlighted across EU Member States as a significant obstacle in moving towards a more sustainable society (e.g., Burns et al. 2020; Smith et al. 2022).

Likewise, in Ireland, the implementation stage is viewed as the 'Achilles' heel' of the environmental policy process (Connaughton, 2019). For example, in spite of several relevant commitments by the current government, the country's water quality continues to decline, with 44% of river bodies and 45% of lakes classified in the less than satisfactory biological status category in 2022 (EPA, 2022). Ireland's 2020 Programme for Government (PfG) (Department of the Taoiseach, 2020) set out 297 environmental commitments by the current Government, 28 of which relate to water quality or water services and 20 of which relate to the marine environment.

The aim of this report is to provide an analysis of progress made on these commitments based on expert stakeholder interviews and a review of literature regarding current Government commitments.

### **The specific research objectives were to:**

1. Assess the progress and barriers for achieving water and marine commitments within the Programme for Government.
2. Identify emerging water and marine issues or gaps in existing water and marine commitments, which should be considered for future Government programmes.
3. Recommend policy actions to overcome barriers and meet water and marine commitments.

## 2. Methodology

Three research questions were investigated to achieve the objectives of this research:

1. What progress has been made to date in achieving the Government's water and marine related commitments published in their 2020 Programme for Government?
2. What barriers exist that may be preventing the Government from achieving those commitments?
3. What water and marine related issues are emerging which are not covered in the 2020 Programme for Government but could require consideration in a future Government?

Efforts to answer the first research question relied on stakeholder interviews conducted as part of this research project, together with additional stakeholder interviews beginning in 2021 as part of

Friends of the Earth Ireland’s annual ‘Environmental Report Card of Government’, hereto referred to as the “Report Card”. Table 1 presents a breakdown of the types of participants consulted annually from 2021-2023, including both Report Card stakeholders (2021-2023a) and new stakeholders (2023b) included specifically for this research.

**Table 1: Interview participants by category**

Year	Government	Opposition Parties	State Agency	Industry	Academic	Media	Civil Society	Total
2021	1	0	0	0	3	0	9	13
2022	6	1	0	2	7	2	10	28
2023a*	9	4	0	3	12	3	15	46
2023b*	4	0	5	0	0	0	3	12
<b>Total</b>	<b>20</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>24</b>	<b>5</b>	<b>37</b>	<b>99</b>

*\*2023a interviews were conducted as part of the Friends of the Earth Report Card assessment process in June-July 2023 (see Section 2.1 for more details). 2023b interviews were conducted for the Water Forum research project in September-October 2023.*

It is important to note that the assessment process has evolved since its inception, as increased resources have expanded the scope of the research that could be undertaken. As a result, both the number of stakeholders interviewed and the number of topics covered in the interviews have increased over the three assessments - for example, questions on overarching barriers and emerging issues of concern were not included in stakeholder interviews until the 2023a assessment, while water and marine topics were more explicitly addressed in the 2023b interviews. However, the underlying methodology used for the assessment has remained consistent. For clarification, where particular datasets form the basis of the analysis in specific sections below, this is noted in the text.

## 2.1. Report Card methodology

The quality and circulation of information on government policies can have a positive impact on how such policies are perceived, framed and accepted (Cregard & Sobis, 2017; Feldman et al., 2012), and public accountability and external scrutiny are primary motivators for organisations to shift behaviour and strategy (Frumkin & Galaskiewicz, 2004). Independent assessments of government performance are part of the toolbelt of civil society groups and other organisations and can act as a powerful mechanism in the evaluation of government policy implementation in a wide range of areas. The use of such assessments has increased due to their ability to maintain accountability and their use as trustworthy beacons to identify problem areas in policy implementation.

One increasingly popular form of such independent assessment is organisational report cards. An organisational report card is defined as a regular effort to collect data on two or more other

organisations in the public or private sector; apply that data to assess performance; and transmit that performance information to an external audience (Gormley & Weimer, 1999). They allow complex issues and calculations to be simplified into succinct and comprehensive reports that can be clearly communicated to the public (Piotrowski & Ansah, 2010). Existing literature highlights the role of organisational report cards in improving internal government performance, communicating with the public and maintaining government accountability (De Lancer Julnes & Holzer, 2001; Wu et al., 2018).

Organisational report cards are commonly produced to hold Governments accountable for implementation of environmental policies, including globally through assessments such as the Climate Change Performance Index (Burck et al., 2023) and OECD's environmental performance reviews of countries (OECD, 2023); regionally through assessments such as the Green Provinces and States Report Card (Corporate Knights, 2014) and the Queensland State of the Environment report (State of Queensland, 2021). Such assessments demonstrate accountability to the public, improve public confidence, and boost public participation in the policy making process (Martin & Sanderson, 1999). They have also been credited with improving environmental pollution mitigation strategies (Wu et al., 2018).

Since 2021, Friends of the Earth Ireland's annual Environmental Report Card of Government (Friends of the Earth Ireland, 2023a) has annually assessed the government's own commitments related to environment and climate as part of the 2020 PfG and this assessment forms the basis for this report. For the assessment, the Government's 297 environmental commitments were divided into nine categories: *Climate; Nature and Biodiversity; Waste and the Circular Economy; Water and Marine; Air Quality; Transport; Buildings; Energy; and Agriculture and Forestry*. Each year, a range of stakeholders across a wide range of civil society organisations, sectoral interest groups, political parties, academic institutions, media organisations and Government bodies were contacted to gather data and insights on progress made in each of the Government's environmental commitments, all of which was reported in an annual compendium (Friends of the Earth Ireland, 2023a). Three academic experts were then commissioned to examine these compendia and score each of the nine categories in order to determine how well the Government was delivering on their climate and environmental commitments. For the purposes of this report, the information published in Friends of the Earth's annual compendia for the 2021-2023 period (Friends of the Earth Ireland, 2023b) was included as data to support the first research objective - assessing Government progress in achieving water and marine commitments within the Programme for Government.

## 2.2. Qualitative research methodology

To further understand Government progress on their water and marine commitments (research question 1) as well as to assess the potential barriers in achieving these commitments (research question 2) and identify emerging issues or gaps (research question 3), selected individuals across Irish society were interviewed in more detail in 2023 through semi-structured expert interviews. The respondents included stakeholders consulted as part of the 2023 Report Card process, together with

other stakeholders (recommended by an Fóram Uisce) who provided more detail on specific water and marine commitments (as outlined in Table 1 above). In total, 58 stakeholders were interviewed to inform the three research questions.

The stakeholder interview process utilised a qualitative approach to collect data, similar to that of Agyekum et al. (2019) and Reeve et al. (2018). Ethics approval was obtained from UCD's Office of Research Ethics. Interviews were conducted over Zoom, with an average interview time of 40-50 minutes. Prior to the data collection stage, an interview guide was created to maintain a semi-structured approach to the research. A list of relevant Government commitments and primary questions was provided to participants in advance of their interviews. Additional research within relevant grey literature (e.g. Oireachtas testimonies, Government press releases, media coverage and Government reports) was also conducted to support the objectives.

**The interview included three primary questions, based on the research objectives:**

1. Do you have any updates or comments on specific commitments within the Programme for Government?
2. What barriers are preventing these commitments from being achieved? These may be specific to certain commitments or relevant for the sector as a whole.
3. Are there any emerging issues or gaps that are not in the current Programme for Government that should be considered for a future Government?

Follow-up questions were formulated where required, based on the informant response if deemed necessary. The collected interview data were transcribed and anonymised, and transcripts were then analysed using QSR NVivo computer software to conduct thematic content analysis, revealing detailed aspects of the research (Braun & Clarke, 2006; Vaismoradi et al., 2013) while also generating connections between themes (Chun Tie et al., 2019).

## **2.3. Evaluating progress on water and marine commitments**

Progress, as defined by Schroeder (2013), is an improvement process that enhances outcomes. This aligns with other research emphasising balanced improvement across social, civil, economic, and ecological dimensions (Weber et al., 2014; Miljand, 2019), as well as the importance of using progress and outcome measures in planning and program management (Newman et al., 1987; VIPPAL, 2012). Vandermoortle et al. (2014) add a crucial equity lens to this definition, emphasising the consideration of the quality of progress achieved, not just the quantity. To assess progress of Government commitments for this research, results from stakeholder interviews and grey literature from 2021-2023 - including data from the Friends of the Earth's annual compendia for the 2021-2023 period (Friends of the Earth Ireland, 2023b) - were summarised by year for a total of 48 specific Government water and marine commitments, as presented in Appendix 1 and summarised in Table 2 below. The water and marine commitments were allocated to one of three categories: 1. Drinking and wastewater



infrastructure (16 commitments); 2. Water quality and conservation (12 commitments); and 3. Marine sustainability (20 commitments).

**Table 2: List of 48 water and marine-related commitments in the 2020 Programme for Government\***

<p><b>1. Drinking and Wastewater Infrastructure Commitments</b></p> <p><b>1.1. Infrastructure (7 commitments)</b></p> <p><b>1.1a.</b> "As a very significant user of electricity, we will review the electricity requirements of water and wastewater treatment plants and carry out a series of pilot projects to incorporate onsite renewable energy generation</p> <p><b>1.1b.</b> "Ensure that the Rural Regeneration and Development Fund supports the development of such projects."</p> <p><b>1.1c.</b> "We will develop a scheme between local authorities and Irish Water to provide drinking water fountains nationwide to reduce plastic bottle litter."</p> <p><b>1.1d.</b> "We will continue to help fund upgrades to wells."</p> <p><b>1.1e.</b> "Support continued investment in reducing leakage across the network."</p> <p><b>1.1f.</b> "We will support the National Federation of Group Water Schemes, to ensure that issues of quality and security of supply are addressed."</p> <p><b>1.1g.</b> "We will continue to invest in a multi-annual capital funding programme to improve the quality of drinking water in group water schemes, while protecting water quality."</p> <p><b>1.2. Irish Water / Uisce Éireann (9 commitments)</b></p> <p><b>1.2a.</b> "Retain Irish Water in public ownership as a national, standalone, regulated utility." 2021</p> <p><b>1.2b.</b> "Ensure that Irish Water is sufficiently funded to make the necessary investment in drinking water and wastewater infrastructure."</p> <p><b>1.2c.</b> "Mandate Irish Water to develop plans to ensure security of supply and sufficient capacity in drinking and wastewater networks to allow for balanced regional development."</p> <p><b>1.2d.</b> "The Government will fund Irish Water's capital investment plan for drinking water and wastewater infrastructure on a multi-annual basis and deliver the €8.5 billion funding package committed to in Project Ireland 2040."</p> <p><b>1.2e.</b> "Support take-up of Irish Water's Small Towns and Villages Growth Programme 2020-2024, which will provide water and wastewater growth capacity in smaller settlements that would otherwise not be provided for in Irish Water's capital investment plan."</p> <p><b>1.2f.</b> "Fully consider the review from the Commission for Regulation of Utilities to Irish Water's proposed approach to the Water Supply Project for the Eastern and Midlands Region."</p> <p><b>1.2g.</b> "Ensure that Irish Water progresses works to reduce the number of schemes on the Environmental Protection Agency's (EPA) Remedial Action List."</p> <p><b>1.2h.</b> "Support Irish Water in its programme to remove lead pipes from the public supply."</p> <p><b>1.2i.</b> "Ensure that Irish Water develops Drinking Water Safety Plans to protect abstraction sources; and reduces public health risks, including Trihalomethane (THMs) exceedances in treatment plants."</p>
<p><b>2. Water Quality and Conservation commitments</b></p> <p><b>2.1. Water Quality (7 commitments)</b></p> <p><b>2.1a.</b> "Ensure that the State complies with the EU Water Framework Directive"</p> <p><b>2.1b.</b> "Continue to support the Local Authority Waters Programme and expand the Community Water Development Fund."</p> <p><b>2.1c.</b> "Expand programmes, including the Agriculture Sustainability Support and Advisory Programme (ASSAP), and work with farmers, industry, and advisory services, to protect and deliver improvements in water quality."</p> <p><b>2.1d.</b> "Launch a new revised and strengthened River Basin Management Plan in 2022, drawing on a collaborative approach between all stakeholders."</p> <p><b>2.1e.</b> "We will continue to work with An Fóram Uisce to review and develop water-quality strategies."</p> <p><b>2.1f.</b> "We will continue to help fund upgrades to domestic wastewater treatment systems, including septic tanks."</p> <p><b>2.1g.</b> "We will review and work to improve the inspection regime for the 500,000 domestic wastewater systems and incentivise upgrading works."</p> <p><b>2.2 Water Conservation (5 commitments)</b></p> <p><b>2.2a.</b> "We will commission a range of research projects to explore innovative ways of improving our water infrastructure and reducing consumption."</p> <p><b>2.2b.</b> "Implement the recommendations of the Committee on Future Funding of Domestic Water Services in relation to excess use."</p>

- 2.2c. "Conduct a feasibility study examining how further assistance can be given to low-income households for the installation of water efficient appliances
- 2.2d. "We fully support the work of the Water Services Innovation Fund, which aims to investigate solutions to promoting greater efficiency in water usage."
- 2.2e. "Advocate at EU level for more water and energy-efficient white goods."

### **3. Marine Sustainability commitments**

#### **3.1. Marine Environmental Conservation (11 commitments)**

- 3.1a. "Develop a new integrated marine sustainable development plan, as a successor to Harnessing Our Ocean Wealth, focusing on all aspects of the marine, with a greater focus on sustainability and stakeholder engagement and centrally coordinated by the Department of the Taoiseach, to be implemented over the life of the Government."
- 3.1b. "Progress a national policy on coastal erosion and flooding having regard to climate change."
- 3.1c. "We will task the Marine Institute with a collaborative EU-wide research initiative, aimed at investigating the climate-change mitigation potential of blue carbon and working towards a means of creating a validated inventory that will in the future assist the EU in meeting our climate-change objectives"
- 3.1d. "We support the principles and ambition of the EU Biodiversity Strategy and will develop comprehensive legislation for the identification, designation, and management of Marine Protected Areas (MPAs) in Irish territorial waters."
- 3.1e. "We will realise our outstanding target of 10% under the Marine Strategy Framework Directive as soon as is practical and aim for 30% of marine protected areas by 2030."
- 3.1f. "This will be done on the basis of scientific expertise and in close consultation with all stakeholders, in particular the fishing industry, as well as environmental and community representatives. This consultation process will begin in the first 100 days of Government."
- 3.1g. "We will examine the establishment of an offshore maritime area as Ireland's seventh national park."
- 3.1h. "The Government will prioritise the passage of a balanced and Aarhus Convention compliant Marine and Planning and Development Management Bill through the Oireachtas... Give cross government priority to the drafting of the Marine Planning and Development Bill, so that it is published as soon as possible and enacted within nine months."
- 3.1i. "We will bring forward Ireland's first ever National Marine Planning Framework. This will introduce a planning system for the development of Ireland's maritime area in the same way that the National Planning Framework fulfils this function on land."
- 3.1j. "These two documents will form the basis for Project Ireland Marine 2040, our long-term overarching strategy to manage Ireland's seas for the benefit of all its people."
- 3.1k. "A marine planning oversight delivery board on the same model as the Project Ireland 2040 Delivery Board will be established to provide leadership and oversight to the implementation of these policies."

#### **3.2. Aquaculture and Fisheries (9 commitments)**

- 3.2a. "Ensure that inshore waters continue to be protected for smaller fishing vessels and recreational fishers and that pair trawling will be prohibited inside the six-mile limit."
- 3.2b. "Aggressively tackle the issue of waste, ghost nets and illegal dumping in the marine environment, through rigorous implementation of the Port Reception Facilities Directives and by requiring all Irish fishing trawlers to participate in the Clean Oceans Initiative, ensuring that plastic fished up at sea is brought ashore."
- 3.2c. "Work to develop the aquaculture sector in a sustainable way, including shellfish aquaculture, using native species, and implement the recommendations of the report of the Independent Aquaculture Licencing Review Group, to ensure that feed products for aquaculture are sourced and produced in the most sustainable manner possible."
- 3.2d. "We are fully committed to the environmental objectives of the CFP [Coming Fisheries Policy]"
- 3.2e. "Actively promote setting annual quotas, in line with Maximum Sustainable Yield principles."
- 3.2f. "Promote the introduction of constructive technical measures that promote sustainability, decrease by-catch and protect fish stocks for the future."
- 3.2g. "Work to eliminate illegal fishing and promote a culture of compliance by all EU vessels in our 200-mile zone, in order to protect the fish stocks on which the Irish fishing industry depends."
- 3.2h. "Implement the Sea Fisheries Protection Authority (SFPA) capability review, with a view to enhancing governance issues, and consider any other measures that may be necessary." 2021
- 3.2i. "Implement a fair EU points system, in order to protect fish stocks and ensure the release of suspended EU funding."

*\*Full text for each commitment along with annual status updates is presented in Appendix 1*

### 3. Progress and barriers to action on water and marine commitments

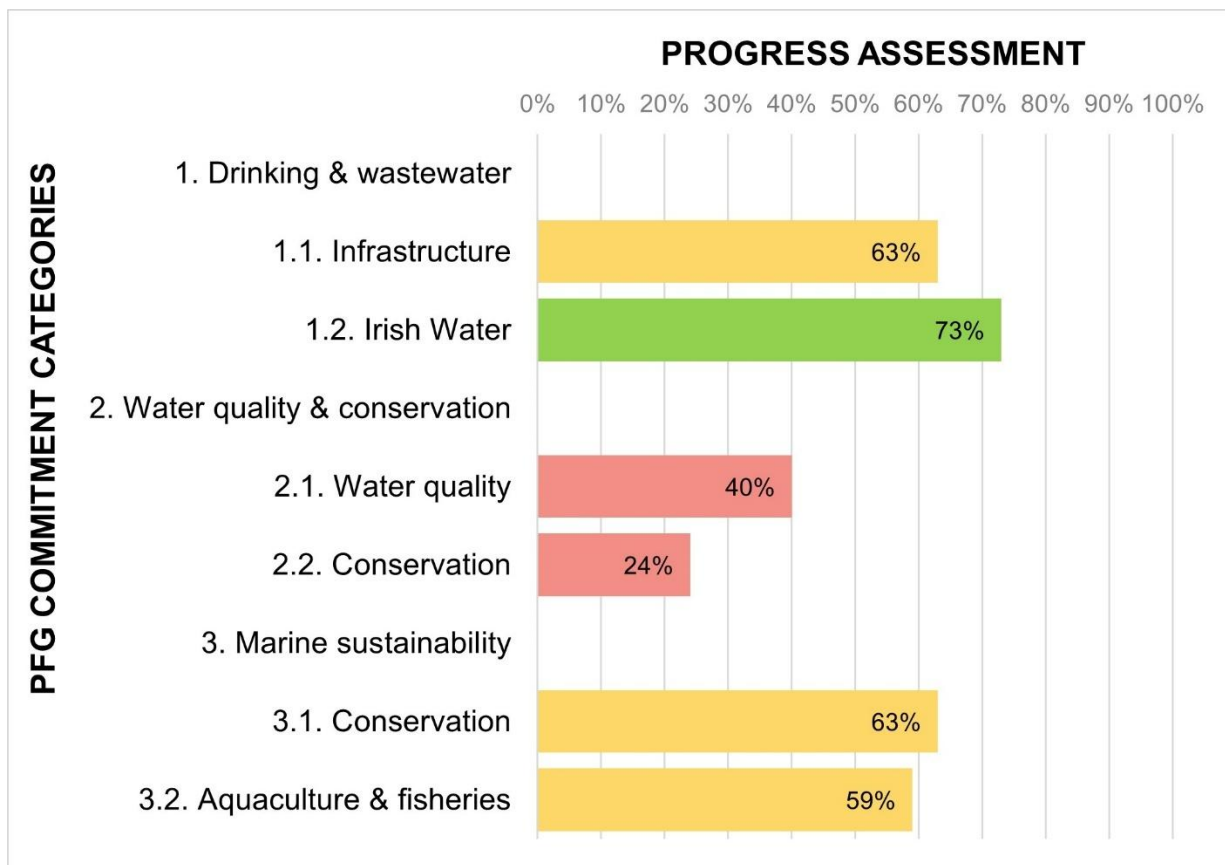
This section presents the results of research question 1, relating to progress made to date in achieving the Government's water and marine related commitments in the 2020 Programme for Government. In addition, the specific barriers that may be preventing the Government from achieving those commitments are also identified, as per research question 2, with overarching barriers being presented in Section 4.

The *detailed* assessment of progress on water and marine commitments for each year of the current Government's tenure (2020-2023) is presented in Appendix 1. Here, a *summary* quantitative assessment of progress for the six categories of commitments is presented. Progress within each commitment was assessed based on three criteria:

- 1) the extent of actions achieved over the three-year period;
- 2) the quality of the processes undertaken to achieve those actions;
- 3) the quality of the outcomes achieved within the three-year period to achieve each Government commitment.

Based on the information provided in Appendix 1, for each commitment, each of the three criteria were scored out of five points, so that each commitment could receive a maximum of 15 points for this assessment of progress. The scores for each commitment were then added together for each commitment category and converted into a percentage of the maximum points possible for that category.

Results are summarised in Figure 1 below, followed by a discussion of the results for each category, which also highlights specific barriers impacting progress on the commitments. Overall, significant progress was demonstrated in the Government's commitments related to Uisce Éireann, while very low levels of progress were demonstrated in the areas of water quality and conservation.



**Figure 1: Assessment of progress in water and marine commitments within the 2020 Programme for Government, as of October 2023**

### 3.1. Commitments on drinking and wastewater infrastructure

Analysis of progress on the Government’s drinking and wastewater infrastructure commitments (Category 1 in Figure 1 above) indicated that there has been a significant level of action in this area, particularly with respect to investment in wastewater treatment plants, leak reduction efforts and community water schemes. However, action has not been entirely matched by the necessary process and quality outcomes to support achievement of the specific commitments. Thus, this category received an assessment score of 63% in terms of its overall progress. For example, there has been little progress on the commitment to fund well upgrades (commitment 1.1d), with stakeholders expressing the need for a review of upgrade grant conditions and a view that a lack of resourcing of local authorities was a primary barrier to achievement of this commitment, particularly due to the expectation that local authorities take the lead role in implementing water management legislation at the local level. Further concerns were expressed by stakeholders about the risk posed for urban wastewater infrastructure in relation to predicted climate change impacts such as flooding. This is discussed more fully in Section 5.2.2 on emerging issues below.

More successfully, stakeholder interviews and media reports demonstrated that installation of drinking fountains and water refill stations were increasing, as per the relevant commitment (commitment 1.1c). This was partly the result of the Department of Housing, Local Government, and Heritage (DHLGH) partnering directly with the National Federation of Group Water Schemes, providing a model of cooperation that could be replicated. However, it should also be noted that some Local Authorities did successfully install water refill stations themselves.

In addition, administrative barriers or “*enormous amounts of red tape*” was identified as a significant impediment to the adoption of new programmes and policy schemes such as those related to well upgrades:

*“It’s just the process of getting it [i.e. grants], it’s making it so difficult for community-owned schemes. At the end of the day, they just want to supply good quality water to their members. It seems to be putting a massive administrative barrier in place.”*

The large number of key players requiring approval for such programmes was highlighted as one such administrative barrier. Similarly, cumbersome regulatory frameworks were identified as an area which prevented stakeholders from expanding certain policies or schemes which had been demonstrated as effective. More generally, delays in achieving commitments related to drinking and wastewater infrastructure were attributed to a lack of specialist resources across departments, with numerous specialist positions remaining vacant.

The most successful water and marine-related area of Government commitments was with respect to the nine commitments related to Uisce Éireann (Section 1.2, Appendix 1), which received an assessment score of 73% for overall progress. As committed to in the PfG, Irish Water is now a single public utility which came into effect in January 2023 and has since been rebranded as Uisce Éireann. The National Development Plan 2021-2030 committed to a EUR 6bn investment (Dáil Éireann, 2022a) and Budget 2024 allocated €1.6 billion to Uisce Éireann (O’Halloran, 2023), an amount similar to previous years, and one which most stakeholders felt demonstrated significant investment in the organisation. Uisce Éireann’s capital investment plan continues until 2024 (Dáil Éireann, 2022b); however, it was noted by stakeholders that the organisation requires a steady flow of funding to maintain the capacity for wastewater treatment and management and the annual budgeting structure of the Government makes such long-term funding difficult to guarantee.

Progress was less successful in relation to some Uisce Éireann commitments. For example, the review of its proposed approach to the Water Supply Project for the Eastern and Midlands Region (commitment 1.2f) is not expected to be completed until the first quarter of 2024. Progress has also been slow in reducing the number of public water supply schemes listed for remedial action (commitment 1.2g) as the overall number of listed schemes increased from 53 in 2021 to 58 in 2023. However, work has been completed or is underway on some of these, according to one stakeholder. In addition, action and outcomes have been poor in relation to the development of drinking water safety plans and reducing trihalomethane (THM) exceedances in treatment plants (commitment 1.2i), with an infringement case for non-compliance with THM standards still ongoing in the European Court

of Justice. However, one stakeholder confirmed work is now underway by Uisce Éireann on developing water safety plans.

## **3.2. Commitments on water quality and conservation**

Government progress in the areas of water quality and conservation lags far behind other water and marine commitments, receiving overall progress scores of 40% and 24%, respectively in this assessment (Figure 1). For clarification, this category does not include action relating to water leakage reduction, which was included in Category 1.1 on infrastructure. Regarding water quality, the commitment to ensure the State complies with the EU Water Framework Directive (WFD) is far from being achieved (commitment 2.1a), with Ireland being referred to the European Court of Justice in January 2023 for non-compliance. Several barriers are viewed as impeding action on this commitment. At a practical level, these include Ireland's lack of an integrated catchment management approach; an historic under-resourcing of water quality management efforts; and the fragmented, cross-departmental nature of water legislation. Politically, stakeholders perceived a prioritisation of economic interests on the part of the State as conflicting with the achievement of this commitment. Stakeholders also perceived a lack of political will to make difficult decisions regarding implementation of the WFD in relation to the agricultural sector.

Failure to meet the requirement for treating domestic wastewater (commitment 2.1f and 2.1g, Appendix 1) - as required under the EU Water Framework Directive - was considered a significant problem among stakeholders, in part due to issues regarding inspection of wastewater treatment systems and septic tanks. It was also noted that the completion of projects in this sector required a significant amount of time due to the lengthy planning processes.

A lack of resources was also considered as a primary barrier toward achievement of the Government's commitment to expand farming programmes to improve water quality, such as the Agriculture Sustainability Support and Advisory Programme (commitment 2.1c). Stakeholders pointed out that expansion of such programmes is resource-intensive, requiring an increase in advisor numbers that is currently not provided for. More investment in the water sector generally was considered crucial to make further progress on Government commitments.

There was a failure to publish the revised River Basin Management Plan (RBMP) in 2022 (commitment 2.1d), with a draft plan published in 2021 and a draft of the final plan expected by the end of 2023. At the time of the 2023b stakeholder consultation, there was criticism that the draft RBMP which was open for public consultation in 2021 lacked ambition, effective implementation measures and cohesion in terms of addressing water quality impacts from agriculture and forestry. In addition, numerous stakeholders expressed concern about the delay of publication, feeling that the focus should be on implementation by now and that delay would cause Ireland to fall short of its 2027 targets.

Regarding the quality of the processes within this commitment, stakeholders generally felt engagement with the Government had been substantial and hoped that delayed publication of the plan was an indication of increased ambition as a result of this engagement process. A new draft of the RBMP was circulated to stakeholders in November 2023 after the 2023b consultation period and three weeks was provided to review and develop final advice, which is currently being considered by DHLGH. Similar to other commitments, a key barrier to achieving timely publication of the plan was attributed to a lack of capacity regarding the human resources to complete all the necessary parts of the RBMP within a certain time frame.

In relation to water conservation actions (commitments under Category 2.2), stakeholders were concerned about the lack of investment by the government in research on water infrastructure and consumption issues (commitment 2.2a), despite the increasing urgency of water conservation given predicted climate change impacts. An Fóram Uisce has, however, included the commissioning of research in their own work programme, despite not being mandated to do so. Furthermore, stakeholders felt there was a lack of political will to tackle meaningful water conservation legislation and commitments. This barrier was particularly noticeable with respect to the lack of action on implementing the recommendations of the Committee on Future Funding of Domestic Water Services in relation to excess water use (commitment 2.2b), where stakeholders regarded the Committee's original recommendations as having been weakened "*to make the plan more politically digestible*".

### **3.3. Commitments on marine sustainability**

While the level of action in achieving the Government's marine-related commitments has been relatively good to date, the quality of processes and outcomes has been less successful, resulting in assessment scores of 63% and 59% for both marine conservation commitments (Figure 1, Category 3.1) and aquaculture and fisheries commitments (Category 3.2). In terms of positive progress, structures are now in place for marine planning and development (commitment 3.1i), with the National Marine Planning Framework established in July 2021. However, significant concerns about the framework have been highlighted by NGOs, including concerns regarding delays in implementation. There has been some progress on Marine Protected Areas (commitment 3.1d) with the establishment of the new Maritime Area Regulatory Authority (MARA) (commitment 3.1k), which is expected to accelerate developments in this area. In relation to implementation of the Common Fisheries Policy (CFP), overfishing continues but there have been improvements in enforcement (commitment 3.2d).

Stakeholders expressed concerns about the lack of discussion and clear objectives regarding the Government's commitment to examine the establishment of an offshore maritime area as Ireland's seventh national park (commitment 3.1g). No announcements were made on this commitment in 2021-2022, but, in 2023, a source confirmed this commitment will be subsumed into the early stages of the Marine Protected Areas (MPAs) process. However, Government commitments to legislate for and develop MPAs (commitments 3.1d-f) remain plagued with delays. An exceptionally long six-

month public consultation on MPAs concluded at the end of July 2021, but the review of this public consultation was not published until March 2022 and no official timeline was provided at any point in the process (Department of Housing, Local Government & Heritage, 2022).

Oireachtas testimony by civil society organisations in February 2023 pointed out that Ireland is nine years late delivering on the obligation to provide for MPAs under the EU Marine Strategy Framework Directive (Joint Committee on Housing, Local Government and Heritage, 2023). Media reports from November 2023 confirm that the MPA Bill went through a rigorous process of pre-legislative scrutiny in the Oireachtas committee, but civil society groups strongly criticised the Government for failing to publish legislation to protect Irish waters by designating 30% of Ireland's ocean as Marine Protected Areas (MPA), including 10% as strictly protected areas (GreenNews.ie, 2023). At the time of this research, the Bill was expected to be published early in 2024 and would include the 10% and 30% statutory MPA targets (Dáil Éireann, 2023). With MPA coverage currently at approximately 8.3%, stakeholders expect the 10% target will be reached before the Bill is published (Department of Housing, Local Government & Heritage, 2023a).

While most marine related commitments have progressed to at least some extent, the commitment to develop Project Ireland Marine 2040 as a long-term overarching strategy to manage Ireland's seas (commitment 3.1j) does not appear to have been progressed, despite its inclusion in the National Marine Planning Framework published in July 2021 (Department of Housing, Local Government & Heritage, 2021). This may be due to the newly formed Offshore Wind Energy Delivery Task Force fulfilling a similar role, with the necessary support to do so (Department of the Environment, Climate & Communications, 2022). The role of Project Ireland Marine 2040 was described by a stakeholder as an example of lack of political cohesion between marine and climate commitments.

Overall, insufficient planning regimes and inadequate delegation of MPAs were identified by stakeholders as the main components for slow progress in the marine protection sector. Similar to the barriers achieving water conservation commitments (Section 4), a lack of political will and momentum were seen as barriers to enacting sufficient new marine protection laws. Additionally, there was an acknowledgement that relevant Government departments lacked sufficient resources, particularly low team capacity, to progress marine related commitments.

## **4. Overarching barriers to achieving water and marine commitments in the Programme for Government**

Examination of policies, their implementation, and their outcomes can identify gaps, weaknesses, and opportunities for improvement (Hajer et al., 2003). There is a rich foundation of research in environmental policy design principles and evaluation over the past three decades (e.g., Hahn 1989; Helm 2000; Mickwitz, 2006; Jordan & Gravey, 2021). However, research exploring the barriers to environmental policy implementation is relatively limited, even though failure to implement existing environmental policies is considered a significant contributing factor to the continued decline of



environmental health and sustainability. For example, Howes et al. (2017) found the foremost causes for poor environmental policy delivery and implementation across most jurisdictions include economic and political structures, communication failures, and a lack of incentives. Within the EU, factors influencing successful environmental policy implementation include national institutional and legislative structures (Riegstra-Voslamber, 1997), economic issues (Melidis, 2020), and competition between EU and national policy priorities (Jordan, 1999), as well as supranational action on enforcement (Hedemann-Robinson, 2017).

Given this, the aim of the current research was to support water and marine policy implementation in Ireland by identifying overarching barriers through thematic analysis of stakeholder views (Objective 1). By analysing such barriers, the research provided insights which can be used to close the "say-do" implementation gap. Thirty-eight of the 58 stakeholders (65%) interviewed in 2023 for this research shared pertinent responses to the question regarding the identification of barriers in achieving the government's environmental commitments. These responses resulted in five primary themes emerging in the data regarding key overarching barriers: 1) internal and external capacity, 2) Government structure, 3) planning delays, 4) financial constraints, and 5) competing political priorities. How these barriers arise in relation to water and marine commitments in particular is explored below.

#### 4.1. Internal and external capacity

Half of all stakeholders interviewed in 2023 highlighted issues relating to staffing resources as a barrier to progressing action on PfG commitments. Stakeholders felt the water sector suffered from low staff resourcing generally, with many departments dedicating just one staff member to a certain issue area that would have an entire team dedicated to it elsewhere. This is evident in stakeholder comments such as:

*"But capacity is always a barrier...I think, in total, there are eight or ten people [in the Marine section]"*

This situation was considered particularly acute for specialist staff in the marine sector:

*"Capacity is [a] huge [issue]. Resources is huge. The other thing I would say, and this is definitely a marine problem, and the planning problem is specialist resources."*

Another example mentioned by stakeholders was the need for experienced advisors on the Agriculture Sustainability Support and Advisory Programme, as well as for sufficient numbers of catchment scientists who provide these advisors with the necessary data and information required to advise farmers correctly. In this regard, funding has recently been allocated for the recruitment of additional ASSAP advisory staff and farm inspection staff, as well as Local Authority Water Programme (LAWPRO) staff. However, local authorities in particular still require additional staffing resources for water-related work. A related issue highlighted by stakeholders is the prevalence of short-term and fixed contracts in the water and marine sectors which is affecting staff retention. One example mentioned was of LAWPRO staff taking up local authority positions in climate and

biodiversity due to the availability of longer-term and / or permanent contracts being available in these areas.

The potential for insufficient staffing resources to affect policy implementation has been noted in the literature, both in the Irish context and elsewhere. There are difficulties in the recruitment and retention of staff for water and wastewater services at local government level, for example, (DHLGH, 2021), as well as in areas such as planning services, which can have consequential impacts in the water and marine areas.

In related areas, Torney and O’Gorman (2019) have highlighted the lack of Irish institutional capacity on environmental law, as has Scannell (2011). Pender et al. (2023) also noted similar issues in relation to Irish bioeconomy policy implementation. More widely, human resource issues have been highlighted as part of capacity challenges facing institutions in countries such as the UK, Germany and Sweden, as well as the EU, in relation to integrated policy assessment and government (Turnpenny et al., 2008; Weitz et al., 2017).

## 4.2. Government structure

Almost half of the stakeholders interviewed mentioned issues regarding policy structures impeding action in achieving Government commitments. For example, fragmentation of water and marine sector management was regarded as a key barrier, particularly in relation to the provision of drinking water fountains and the upgrading of domestic wells (commitments 1.1d-e) and evident from comments such as the following:

*“The first one that springs to mind is structural, just in terms of barriers. So a lot of these commitments are split across different departments. And in particular, [Department of Housing, Planning and Local Government] and Environment being separate. It can be a challenge at times.”*

Specific challenges include a lack of efficient policy adoption, with stakeholders of the view that there is a lack of policy coherence and integration across the water and marine sectors:

*“There’s probably been a duplication going on, that we’re doing a piece of work, and somewhere off in some other department that you wouldn’t think about, like Rural and Community Development, they’re also doing a similar piece of work. And those two things could be merged if there was kind of a proper cross-governmental approach.”*

One example cited in this regard was the apparent overlap between marine and climate policy, where the newly-formed Offshore Wind Energy Delivery Task Force appears to have superseded commitments in the Project Ireland Marine 2040 strategy, as mentioned in Section 3.3 above.

Another barrier highlighted by stakeholders was a failure to cohesively draft legislation to fit conflicting department interests, as well as challenges in maintaining strong lines of communication:

*“And, obviously, two of the big influences here are the two departments, Department of Housing and Local Government and now Agriculture being another key player here. And they have conflicting interests, shall we say, to put it mildly.”*

This is compounded by legal transposition of EU directives and legislation spread out across a number of departments and regulations. This issue has been a particular challenge in relation to action on implementation of the Water Framework Directive (commitment 2.1a):

*“...You have the structural element of, you know, we're responsible for water quality, and other departments are responsible for other large areas of policy that might impact on water quality.”*

These stakeholder views echo several other findings from the literature, which also highlight coherence issues (Setec Hydratec and An Fóram Uisce, 2022), coordination and collaboration gaps in existing water management structures (Antwi et al., 2021), barriers affecting coherence in relation to climate change and the land-sea interface (Smith et al., 2022), as well as issues with implementation of EU environmental policy (Torney & O’Gorman, 2020). However, other evidence points to some success in relation to integrated water management in Ireland and a gradual transformation of old top-down management approaches (CSO, 2021). Outside of Ireland, countries such as the Netherlands, for example, have struggled with initial implementation of primary environmental EU Directives due to excessive administrative and structural barriers established by the EU legislative framework (Beunen et al., 2009). Steinebach (2019) also highlights coherence issues across 14 OECD countries in relation to implementation of air quality legislation. A similar lack of cross-sectoral coherence in Ireland and elsewhere has been noted in relation to other policy areas such as the bioeconomy (Marvik & Philp, 2020; Pender et al., 2023).

### **4.3. Planning delays**

Approximately one-third of stakeholders in 2023 highlighted aspects of the Irish planning and development control system impacting on policy progress, evident from comments such as:

*“I would assume the linear planning processes, the linear methodologies of obtaining planning consents, is a big delay in the delivery of any project, be it small, medium or large. So that's one of the barriers.”*

As noted earlier in this report, progress on commitments such as the upgrading of domestic wastewater treatment systems and the designation of marine protected areas is perceived to have been impeded by lengthy planning process requirements. This is compounded by staffing resource issues, particularly in the marine area, as noted in Section 4.1 above. However, the recent establishment of the new Maritime Area Regulatory Authority (MARA) may facilitate more efficient planning and consenting in relation to marine activities.

In addition, stakeholders were of the view that there is an excessive use of judicial reviews in Ireland in relation to the challenging of planning decisions and that a litigious culture prevents the necessary

system of openness and collaboration. However, other research suggests Irish public engagement structures in general are excessively top-down and exclusive in nature, resulting in the undermining and marginalisation of different groups who may subsequently pursue action in the courts as a last resort (Ryall, 2009; Revez et al., 2022).

A recent development was the long-awaited publication of the Planning and Development Bill in November 2023, which promises a complete overhaul of planning legislation. It aims to provide, amongst other things, increased certainty across the planning system through the introduction of statutory timelines for decision-making, as well as a reform of the planning judicial review process (Department of Housing, Local Government & Heritage, 2023b). However, it may also further increase the resource constraints facing local authorities in relation to the availability of suitably qualified planning staff, as noted in Section 4.1 above.

#### **4.4. Financial constraints**

There is a long history of under-funding of water services and conservation measures in Ireland, stemming in no small part from the abolishment of local authority water rates in the late 1970s and subsequent chequered attempts to re-introduce some form of charges by various local authorities and within group water schemes (Murray, 2012; Jollands & Quinn, 2015; Antwi et al., 2021). This has been compounded by the failed introduction of national domestic water charges in 2014, leaving Ireland as the only EU member state largely reliant on central exchequer allocations to fund the provision of water services (Pender & Clinch, 2019; Antwi et al., 2023).

This situation was recognised by approximately one-third of stakeholders interviewed, who noted that the amount of water and marine policy targets and commitments have increased without the necessary resources and funding to complete all of them. This is impacting all levels, especially in local authorities:

*“Rural water sections in local authorities, this is probably the fundamental issue at the minute, I have to say, are under-resourced.”*

It also has implications for the capacity of smaller stakeholders to engage in their work and contribute to various PfG commitments. Furthermore, the availability of finance is a key issue for public engagement with water policy commitments such as well upgrades, where sufficient support in the form of grants and other supports is usually necessary to incentivise such action.

There was a view that the Government is hesitant with public spending in the water and sector; however, this may partly be a consequence of water and marine services competing with other policy areas, such as housing and health, for central exchequer funds. The need for a steady source of funding was noted, along with a recognition that this money needs to be spent efficiently and effectively to maximise positive outcomes:

*“The challenge for the Government side is to make sure that they get that steady state of money coming through, and that they're able to spend that efficiently and effectively to deliver as much as they possibly can through their system.”*

Overall, financial constraints are affecting resourcing for both staffing and infrastructural work, highlighting how this barrier is intertwined with other overarching barriers of internal and external capacity (Section 4.1) and planning delays (Section 4.3). This illustrates the systemic nature of barriers to policy implementation, on which basis the recommendations in Section 5 below have been designed.

## **4.5. Competing political priorities**

Another barrier that was noted by over a third of stakeholders related to the impact that differing political priorities between sectors can have on policy development and implementation. At a high level, they mentioned how the political system itself can present a barrier to action, where short policy cycle timelines put pressure on delivery of policy commitments despite pre-existing low levels of capacity and resourcing.

At the sectoral level, there was recognition of tensions between policy areas with different - and potentially conflicting - policy goals that can impede progress on commitments. For example, recent strategies to boost the agri-food sector have resulted in increased herd size which in turn is impacting on water resources. This has been recognised elsewhere, with the EPA identifying agricultural practices as one of the main pressures responsible for the decline in water quality nationally (EPA, 2020). Similar tensions were perceived as presenting barriers to action on water conservation commitments and marine protection legislation. The potential for key domestic policy actors to influence implementation of legislation to suit their own priorities has also been noted in the literature (Laffan & O'Mahony, 2008).

Stakeholders also drew attention to the disparity between the level of political will and momentum to address issues such as climate change compared to that directed towards water and marine policy:

*“There is lots and lots of political will and momentum behind addressing climate issues and in terms of specifically offshore renewable energy targets. There's been a huge cross-departmental drive on all sorts of levels to make sure that happens, and we don't see that same political drive at a cross-departmental level and a momentum to make MPAs [Marine Protected Areas] to tackle biodiversity loss at sea.”*

Research also points to a similar situation facing other new or emerging policy areas such as the bioeconomy (Pender et al., 2023). However, while stakeholders felt that there is a certain lack of political will to address these tensions, they did acknowledge the challenges involved:

*“So there's a huge amount of balancing, and then we also have to balance across political desires and needs in terms of Government, and resource availability, and practicality, and achievability.”*

## **5. Emerging issues**

This section relates to the second research question, presenting findings on key water and marine issues not covered in the 2020 Programme for Government but emerging as areas of concern for future action. The issues emerged in response to a specific question posed during the 2023a and 2023b stakeholder interviews in 2023 and are presented below in relation to the commitment categories outlined in Table 2 above. Overall, stakeholders were of the view that there is a disconnect between policy development and actual implementation on the ground. They felt that more alignment between different sectors in the PfG, such as water, biodiversity and climate, was essential to facilitate more cohesive and effective plans and actions.

In addition, the amount of work involved in implementing commitments relating to water and marine policy has increased massively, resulting in a need for sufficient resources to enable this work to be completed in a timely manner. At the same time, however, the water and marine sectors continue to face significant challenges in terms of funding and staffing, particularly at local authority level and for specialist staff required in certain areas. This situation is likely to be compounded by ambitious commitments in relation to upcoming policy developments such as the EU Nature Restoration Law, which sets a target of restoring a minimum of 20% of Europe's damaged land and sea areas by 2030 and 100% of such areas by 2050 (European Parliament, 2023).

### **5.1. Emerging issues related to drinking water and wastewater infrastructure**

Several emerging or intensifying areas of concern were highlighted by stakeholders in relation to drinking and wastewater infrastructure (Category 1). For example, stakeholders expressed concern regarding the ongoing situation with regard to substandard wastewater and sewage treatment infrastructure, calling for a more even completion of upgrades across the country, especially outside of major urban centres such as Dublin and Cork. This situation is exacerbated by the impact of the housing crisis on the water sector, with an expected increase in demand for water and sewage infrastructure as a result of new housing and other urban developments.

Land drainage and management was identified as another area that needs to be addressed due to the impact on climate and biodiversity but the current PfG lacks measures in this regard. Stakeholders considered that a review of the Arterial Drainage Act would be a crucial first step. There is also a need for a more effective system to screen industrial wastes and discharges and prevent contamination of water bodies, as well as for continuing research to determine the level of risk to water bodies and

drinking water sources from contaminants such as PFAS, although the EPA has commenced analysis of higher-risk waterbodies for PFAS (EPA, n.d.).

The need for succession planning in relation to staff in the water infrastructure sector presents another emerging challenge, as older employees begin to age out of positions and risk not passing along their years of knowledge and expertise to the next generation. This links to already-existing issues in relation to staffing resources, as discussed in Sections 4.1 and 4.3 above, and which have been exacerbated by previous public sector recruitment embargos during the post-2008 recession period.

Finally, digitalisation of the water sector was identified as both an emerging challenge and opportunity, with the potential for new tools to deliver services, manage networks and identify problems such as leakage and pollution. However, there is also a risk that these longer-term opportunities for water and infrastructure management will be lost if the necessary investment is not made in the shorter-term.

## **5.2. Emerging issues related to water quality and conservation**

In relation to water quality and conservation (Category 2), some specific issues were highlighted as presenting emerging and/or growing challenges, along with the two overarching topics of climate change and agriculture. Emerging issues related to the Government's commitment to work with An Fóram Uisce (commitment 2.1e) are also explored, which may provide additional value to the latter, who are sponsors of this research.

### **5.2.1. Specific emerging issues in water quality and conservation**

Stakeholders noted a range of issues presenting emerging challenges in the area of water quality and conservation. For example, the introduction of the Water Environment (Abstractions and Associated Impoundments) Act in 2022 was welcomed as progress on managing abstraction and ecological impacts. However, the high thresholds set out in the Act were criticised for lacking capacity to deal with certain challenges; these include the cumulative impact of low-level abstractions in the context of future climate change impacts such as changing rainfall patterns and persistent droughts. Another related issue was that the commitment in the PFG for a land use review should focus on a more catchment-based approach. Several water issues relating to industry were highlighted, such as the following: the building regulations should be revised and updated to promote water conservation and ensure greater water efficiency; there is a need for further research to determine the level of threat posed by contaminants such as PFAs; and mandatory water efficiency labelling similar to that in operation in the UK would be effective in driving the production of more water and energy-efficient white goods.

### **5.2.2. Emerging impact of climate change on water quality and conservation**

As the impacts of climate change worsen, adopting a forward-thinking approach for water conservation is an important factor to include in a future Programme for Government (An Fóram Uisce, 2023). Climate change was identified by over half of 2023b stakeholders in particular as both a present and growing area of concern - for example, the current and future predicted increase of climate change-related flooding and droughts across the country was mentioned as a clear indication of the relevance of this emerging issue to the water and marine sectors. This was compounded by views that urban wastewater infrastructure in general is not equipped to cope with these predicted impacts. The literature also indicates that there are significant potential impacts of climate change-related temperature changes on water quality: for example, temperature increases will directly impact the aquaculture farming of cold-water species. In addition, increased levels of dissolved organic carbon (DOC) in certain water bodies are expected with the predicted degradation of peatlands as a result of rising temperatures, which further increases the risk of THM levels in drinking water as the DOC reacts with chlorine in the water treatment process (Ferretto et al., 2021).

### **5.2.3. Emerging impact of agriculture on water quality and conservation**

The second overarching area of emerging concern with stakeholders related to the agricultural sector. There was a general view that the agricultural sector must be held compliant to water quality and management standards, given growing evidence of the sector's contribution to the decline in river water quality in particular (EPA, 2020). In particular, stakeholders noted that the increased herd sizes in recent years on foot of national agri-food strategy goals are resulting in several issues: for example, nitrates contamination in water across the country from farmland run-off has increased, bringing with it concerns over water treatment solutions and the necessary resourcing and funding involved. Growth in herd size is also leading to increased levels of non-domestic water usage, putting further pressure on rural water supplies. These and other agriculture-related impacts on water reinforce the point in Section 4.2 above regarding conflicting sectoral priorities and goals.

## **5.3. Emerging issues related to marine sustainability**

Certain issues were noted as presenting emerging challenges for the marine sector (Category 3), particularly relating to commitments to develop Marine Protected Areas (MPAs) and targets under the Marine Strategy Framework Directive (commitments 3.1d-f). As detailed in Appendix 1, stakeholders highlighted that Ireland is nine years late delivering on the obligation to provide for MPAs under the EU Marine Strategy Framework Directive, with draft legislation expected in early 2024 (Dáil Éireann, 2023). They expressed concern over the poor systems currently in place to establish MPAs, stating that the first step to the process should be establishing the areas, not the planning regime. The need for more focus on achieving good environmental status for all sea areas was also highlighted, including those outside MPA boundaries which potentially account for just 30% of marine and coastal waters. Stakeholders also highlighted the need to expand data collection in numerous areas, especially in the fisheries sector: for example, there have been significant delays in establishing



AQUAMIS - the aquaculture data management and information system on foot of a 2017 review (commitment 3.2c).

## 5.4. Future development of An Fóram Uisce

An Fóram Uisce is mentioned as a partner in water quality strategy review and development as per this commitment of the PfG: “*We will continue to work with An Fóram Uisce to review and develop water-quality strategies*” (commitment 2.1e). Engagement with the Government has commenced and progressed, particularly in relation to water conservation and the River Basin Management Plan and several stakeholders provided their views regarding the future development of the Forum.

Despite some initial concerns that the Forum would just become a ‘box ticking exercise’ for the Government, views from the 2023b stakeholders indicate engagement has been positive to date and that it is providing “*an extremely effective mechanism to engage with stakeholders.*” However, there was some concern that Government engagement with the Forum has been poor in relation to the rural water sector, with one stakeholder suggesting that the Forum should be represented on the Government’s Rural Water Working Group (chaired by the DHLGH) to support its advisory role in rural water.

There was also a view that an Fóram Uisce should ensure better representation in terms of gender balance, economic status and ethnic backgrounds in the representation of its member organisations so as to be more representative. In addition, it was felt that there could be a benefit from stepping out of the typical consultation format and exploring other engagement models such as the Citizens’ Assembly, for example. Overall, there was a view that An Fóram Uisce should take a more challenging and assertive approach to collaboration with the Government in order to reach targets, but there are positive indications of its potential to effectively bring stakeholder concerns into the policy-making process and drive action on water policy commitments.

## 6. Recommendations

This section addresses the third research question on recommendations for policy actions to overcome barriers and meet water and marine commitments. The analysis for this report revealed five overarching barriers impeding progress on water and marine commitments in the PfG (as outlined in Section 4), and this points to the potential to utilise a more systemic approach to the recommendations by presenting a set of cross-cutting policy interventions, which could produce multiple positive outcomes. Interest has grown in recent years in such systemic responses, which aim to support action on a range of issues simultaneously. This approach is being applied to implementation of the UN Sustainable Development Goals which, like many areas of water and marine policy, are inherently cross-sectoral in nature (Miola et al., 2019; Weitz et al., 2019) and has already been used in this regard in the Irish context (Le Tissier & Whyte, 2021).

In this regard, a set of recommendations arising from this research are now outlined below for An Fóram Uisce to consider, with the acknowledgement that not all of the recommendations may fall within its remit. The recommendations are made under five key themes:

- Address constraints in relation to financial and staffing resources
- Support greater cross-sectoral and cross-departmental collaboration on water and marine policy
- Explore the potential for more innovative policy implementation tools
- Identify administrative barriers that are impeding progress on commitments
- Prioritise action on water quality and water conservation commitments
- Support future report card assessments of PfG commitments.

## **6.1. Address constraints in relation to financial and staffing resources**

A key thread running through the assessment of progress on PfG water and marine commitments was a lack or delay in funding various actions required for implementation. These include infrastructural investment for items such as wastewater treatment plants, as well as the provision of grants for domestic well upgrades, etc. Insufficient staffing resources are also impeding progress across many of the PfG commitments, as outlined in Section 4.1. Lack of capacity was cited as a factor in relation to water issues, such as the completion of the River Basin Management Plan within the required timeframe, as well as marine-related commitments. This also has implications for successful succession planning among staff in the water infrastructure area.

In this regard, the following recommendations are suggested:

- The constraint imposed as a result of water investment being significantly dependent on central exchequer funds needs to be examined, as it results in the water and marine sectors having to compete with other policy areas such as housing, health and agriculture. Another constraint is the continued lack of effective charging for domestic water services, which in the past provided a revenue stream to local authorities to fund such services.
- There is also a need to examine Government funding structures which may be impeding the allocation of long-term finance where required. This was highlighted in Section 3.1 in relation to the need for secure multi-year funding for Uisce Éireann, for example.
- An audit should be carried out of the current number and type of vacancies affecting water and marine-related policy implementation, both at central and local government level, as well as in relevant agencies. This would enable an assessment to be made of the amount and timing of investment required to fill these vacancies.

Increasing financial and staffing resources has the potential to deliver several benefits such as:

- More progress on implementing current commitments would be possible as sufficient investment and staff become available. This would benefit both environmental and human health, support productivity in industry and agriculture, and potentially boost public support for the Government.

- More timely development and implementation of water and marine-related legislation would be likely, which would reduce the risk of infringement proceedings for failure to implement EU water and marine-related legislation and the significant financial penalties accompanying such rulings. Funds which would otherwise have been spent on these penalties will then be available for investment in PfG commitments.
- Results of the vacancies audit, if carried out, could also help to inform policy to address future third-level and further education training and skills needs.

## **6.2. Support greater cross-sectoral collaboration**

As noted in Section 4.2, policy fragmentation and lack of collaboration between policy-makers and with other sectoral stakeholders was perceived as a barrier to effective implementation of PfG commitments in a range of areas. In addition to slowing down delivery of commitments, these issues may also result in duplication of effort as well as inefficient use of funding.

To address this situation, the following recommendations are suggested:

- Review current levels of alignment and / or tension between water and marine policy and other key areas such as climate change and agriculture, where emerging issues are likely to present further challenges to the achievement of PfG commitments.
- Conduct an assessment of current levels of coherence and alignment between different departments and agencies in relation to water and marine policy to identify areas for improvement. Similar issues have been identified in relation to other policy areas in Ireland such as the circular economy, where the OECD (2022) highlighted the need to foster policy coherence and transcend silos.
- Explore the potential for the development of a high-level national water and marine strategy to provide an overarching and cohesive vision for water and marine policy targets over the longer-term and enable greater alignment between different policy areas. Germany, for example, adopted its first national water strategy in March 2023 (Umwelt Bundesamt, 2023).

Potential benefits arising from these recommendations include the following:

- Greater alignment between water and marine policy and other sectoral policy would be likely to result in more coherent policy development and implementation.
- Minimising or avoiding any duplication of actions could lead to more efficient use of resources, both financial and staffing-related.
- Improved cross-sectoral collaboration may enable progress on reconciling areas of conflicting sectoral interests.

### 6.3. Explore the potential for more innovative approaches to policy implementation

Policymakers are increasingly challenged to deliver on policy commitments and targets in a context where ambitious and urgent action is required (Hejnowicz & Thorn, 2022). Thus, there is a need for more innovative and transformative approaches to policy design and implementation (Jacob & Ekins, 2020). These can involve experimentation within the policy-making process as well as in relation to stakeholder engagement. Some examples include the Netherlands' Green Deal model which provides for roundtable discussions between stakeholders and government to work through regulatory or policy barriers (van Langen & Passaro, 2021) and, in the Irish context, the establishment of An Fóram Uisce in 2018 to provide a platform for stakeholder engagement on water issues and policy. However, public engagement in water governance in Ireland is still regarded as siloed, fragmented, and prone to marginalisation of different groups (Revez et al., 2022), with a continued reliance on expert-driven engagement processes and information-deficit perspectives (Bresnihan & Hesse, 2019).

In order to support more innovative and effective policy implementation, the following recommendations are suggested:

- Explore the potential to increase the use of innovative and partnership-based tools, drawing on examples such as An Fóram Uisce, as well as the experience in the Netherlands with their Green Deal roundtable model.
- Drawing on existing research by An Fóram Uisce and others, further explore how best to ensure that stakeholder engagement in water and marine policy development and implementation produces meaningful outcomes and is not limited to tokenistic involvement by stakeholder groups.
- Ensure continued funding to a) support the work of An Fóram Uisce in enabling engagement in the water and marine policy process by stakeholder groups and b) replicate successful pilot initiatives in water and marine policy delivery.

Potential benefits include the following:

- Innovative and partnership-based approaches can lead to speedier and more effective implementation of policy commitments than traditional top-down ones.
- They can also help to resolve conflicting interests and avoid undermining or derailing of the policy process by vested interests.
- More participatory approaches can increase support for policy actions as a result of greater “buy-in” from stakeholders.
- They can also help to build trust, something which has particular resonance for the Irish context given the fallout from the failed introduction of domestic water charges in particular.

## 6.4. Identify administrative barriers impeding progress on commitments

There is growing interest in understanding how administrative burdens impact the success of policy initiatives (Herd & Moynihan, 2018; Halling & Baekgaard, 2023). These include difficulties in accessing information or services, along with complicated paperwork and other bureaucratic requirements that can reduce the levels of engagement with initiatives, take-up of grants, etc. Instances of such burdens have been highlighted in this report, such as conditions relating to grants for domestic well upgrades (Section 3.1) and group water schemes (commitment 1.1e), as well as eligibility requirements for septic tank upgrades (commitments 1.1i-j).

Two suggested recommendations in this regard are:

- Consider the value in identifying and documenting key administrative burdens in relation to water and marine policy which are impeding progress on PfG commitments. A similar project currently underway is the EPA-funded ABICAP research project (involving some authors of this report), which aims to identify key administrative burdens acting as a barrier to implementation of policies in Ireland’s 2021 Climate Action Plan (ABICAP, 2023).
- Explore the potential learnings for water and marine policy implementation from current initiatives such as SEAI’s “One Stop Shop Service” for home energy upgrades (SEAI, 2023), where staff in 18 centres nationwide guide homeowners through the domestic energy upgrade process from initial assessment to grant application and final BER certification.

Potential benefits from implementing these recommendations include:

- Greater uptake of grants such as those for upgrades of domestic wells and septic tanks.
- Speedier progress on PfG commitments.
- More positive public engagement experiences, which can also help to increase trust in government, local authorities and state agencies.

## 6.5. Prioritise action on water quality and water conservation commitments

As outlined in Section 3.2 above, water quality and conservation commitments had the lowest level of progress of the three categories assessed, with both practical and political factors contributing to the poor performance. This situation is made more urgent by the continuing decline in water quality in Ireland (EPA, 2019; Trodd et al., 2022) along with increasing pressure on water supplies resulting from factors such as population growth, agricultural expansion and climate change (Uisce Éireann, 2015; EPA, 2020; Cotterill & Melville-Shreeve, 2021).

Given this, the following recommendations are suggested:

- Consider the recent recommendations made by An Fóram Uisce (2023) for priority action, especially in relation to the urgent need to address water conservation issues.
- Ensure water quality and conservation issues are included in any future national water and marine strategy (as recommended in Section 6.2).
- Future water quality and conservation Government commitments could follow the SMART criteria (i.e. specific, measurable, achievable, relevant and time-bound -Doran, 1981) when

designing realistic and practical environmental targets.

Potential benefits of these recommendations include:

- Prevention of further decline in the quality of Ireland's water bodies.
- Increased security of supply for domestic, agricultural and industrial water users
- More achievable commitments with greater potential for both internal and external monitoring and assessment throughout the lifetime of the PfG.

## 6.6. Support future report card assessments

Research in tracking the impact of Friends of the Earth Ireland's annual environmental report card assessment of Government indicates that it is having several impacts on the decision-making of policy actors (Augustenborg et al., In Review). Stakeholder interviews have revealed a positive consensus towards the Government assessment process as a whole. In particular, respondents emphasised the usefulness of such a report card in seven main areas, including: public accountability, policy making processes; awareness-raising and engagement trust; and limitations of the report card assessment tool. The consumption of misinformation and emerging narratives around 'false news' continue to undermine environmental policy. Therefore, government evaluations completed by independent organisations, such as this Report Card, can be useful tools to address the misinformation issue.

The Friends of the Earth Ireland Report Card of Government has been an evolving assessment process undertaken with limited funding and resources over the past three years. Since its inception in 2021 with just one staff member undertaking the work, it has expanded to five staff members in 2023, along with a significant increase in media attention - for example, daily readership numbers for the Report Card coverage increased from approximately 1.3 million in 2021 to 3.3 million in 2023 with the 2023 assessment reported in five national newspapers, discussed in four national radio reports, and covered on Tánaiste Mícheál Martin's own *In Conversation* podcast. However, no additional financial support has been provided to continue this work going forward, a situation which threatens the viability of the assessment in the long-term.

To address this situation, the following recommendation is suggested:

- Identify new sources of funding to ensure the continued production of an annual environmental Report Card assessment over a multi-year period.

The major benefit of implementing this recommendation would be to safeguard the future production of this valuable assessment and so contribute to the ongoing independent oversight and evaluation of government environmental policy commitments, particularly in the water and marine areas.

## 7. Conclusion

This report has presented a comprehensive analysis of the progress made from 2020 to date on implementing water and marine commitments in the current Programme for Government. It draws on the well-regarded Environmental Report Card of Government produced by Friends of the Earth Ireland along with stakeholder interviews conducted for this research. Overall, the analysis shows that progress has varied across the commitment categories, with progress on drinking water and wastewater scoring highest, while progress on water quality and conservation was poor. Key cross-cutting barriers impeding progress included financial and staffing resources, cross-sectoral policy coherence issues, planning delays and conflicting sectoral policy priorities. Emerging issues of concern were also noted across all commitment categories, with climate change and agriculture being the most frequently highlighted.

A set of recommendations have been suggested for improving this situation, aiming to address systemic barriers and provide multiple benefits. However, implementing these will require significant and ongoing provision of resources, something that remains challenged by issues with the current model of funding for water services in Ireland. Overall, it is promising to note the level of positive engagement from stakeholders interviewed for this research, which organisations such as An Fóram Uisce are well-placed to harness in the service of better water and marine policy design and implementation.

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## Appendix 1: Progress on specific water and marine commitments

### Progress update on specific water and marine commitments in the 2020 Programme for Government as of October 2023

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The Government of Ireland's Programme for Government (PfG), published in 2020, contains nearly 300 environment or climate related commitments (Department of the Taoiseach, 2020). This appendix summarises the most up-to-date status of all water or marine-related commitments in Ireland's 2020 Programme for Government as of October 2023. The information was compiled based on extensive stakeholder consultation and independent research. The research team consulted 58 expert stakeholders, including from within Government, civil society organisations, industry bodies, and opposition political parties from July 2021 through October 2023. Following this qualitative data collection, the team conducted additional research in the grey literature, including through Oireachtas testimonies, Government press releases, media coverage and Government reports. In each category, relevant commitments within the PfG have been identified (*in blue italics*) and status updates on each commitment have been developed in consultation with stakeholders.

**Disclaimer:** This report was developed with the input of many organisations and does not represent the views of any specific individual or organisation.

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## Water and Marine Commitments in the 2020 Programme for Government

The commitments are presented below under the category headings used in the main body of the report for the assessment of progress, namely:

### 1. Drinking water and wastewater commitments

- 1.1 Infrastructure
- 1.2 Uisce Éireann

### 2. Water quality and conservation

- 2.1 Water quality
- 2.2 Water conservation

### 3. Marine sustainability

- 3.1 Marine conservation
- 3.2 Aquaculture and fisheries.

## 1. Drinking water and wastewater commitments

### 1.1. Infrastructure

*1.1a. "As a very significant user of electricity, we will review the electricity requirements of water and wastewater treatment plants and carry out a series of pilot projects to incorporate onsite renewable energy generation."*

**2021 Progress:** No major announcements were made on either a review or of any pilot projects. Despite this, Uisce Éireann completed renewable energy projects in their wastewater treatment sites. In particular, solar panel projects were installed at the [Newcastle West Wastewater](#) Treatment Plant and the [Nenagh Wastewater](#) Treatment Plant.

**2022 Progress:** No announcements on this commitment were made in 2022. Although there was a lack of progress in the electricity review, new wastewater treatment facilities were constructed.

**2023 Progress:** In March 2023, Uisce Éireann [announced](#) a €70m solar energy project to implement solar panels at water and wastewater facilities. However, there were no announcements of a review of the electricity requirements. An NGO representative mentioned there was discussion of this but had no further information.

*1.1b. "Ensure that the Rural Regeneration and Development Fund supports the development of such projects."*

**2021-2022 Progress:** There were no major announcements made detailing the use of this fund in relation to water infrastructure in 2021-2022.

**2023 Progress:** The delivery of projects under this fund [was delayed](#) following the COVID-19 pandemic. By April 2023, [30 projects were completed with 81 projects expected](#) to be completed by the end of the year. LAWPro was working with the local authority sector and the Department of Housing, Local Government and Heritage to incorporate more [nature-based solutions](#) in large projects, especially those within the RRDF and the Urban Regeneration and Development Fund.



**1.1c. "We will develop a scheme between local authorities and Irish Water to provide drinking water fountains nationwide to reduce plastic bottle litter."**

**2021 Progress:** While there were small developments such as the installation of five water fountains in Limerick city, there were no announcements made regarding an overarching scheme.

**2022 Progress:** In an answer to a Parliamentary Question regarding this commitment in February 2022, Minister Darragh O'Brien stated a "Drinking Water Expert Group" had been convened. The Minister also stated that the Department of Housing, Local Government and Heritage had made provisions in their budget for the development of a pilot scheme to provide water fountains in cooperation with local authorities and Irish Water. A source confirmed there was a pilot fund of €50,000 for water fountains in 2022.

**2023 Progress:** A [charge of €2,272 remained in place](#) for the installation of water fountains and acted as a barrier for local authorities. Nevertheless, one stakeholder organisation noted that fountain installations appeared to be increasing. Media reports indicated the [installation of water fountains in Laois](#) and [further pilot water stations](#) were planned. [Water refill stations](#) were installed in Crosserlough in Cavan and Lough Carra in Mayo. In August 2023, the Department of Housing, Local Government and Heritage [provided](#) the National Federation of Group Water Schemes with an additional €100,000 to continue the water fountain installation project. Across the group water schemes sector, 30 fountains have been installed, with an additional 16 planned for the rest of 2023. In this scheme, the DHLGH directly partnered with the NFGWS, bypassing participation of local authorities and Uisce Éireann.

**1.1d. "We will continue to help fund upgrades to wells."**

**2021 Progress:** The Government [continued to fund well upgrades](#) under the Housing (Private Water Supply Financial Assistance) Regulations 2020 (SI No. 192 of 2020). These regulations were passed under the previous Government.

**2022 Progress:** Under the Rural Water Programme, [grants to upgrade, install and/or improve the water quality of private wells were available](#). Grants were also available for Group Water Schemes from local authorities, provided appropriate conditions were met.

**2023 Progress:** Stakeholders acknowledged there was still [a grant available](#) for wells in 2023, but the grant was [subject to different conditions](#). While funding for upgrades to wells was evident, stakeholders noted that meetings were taking place within the rural water section to establish whether these grants needed to be reviewed. It was mentioned that other reviews were being put in motion in the rural water section, but the review of grants for wells was "not on the priority list". One stakeholder stated that the review within the rural water sector was ongoing and currently with the Department. Outcomes of the grant programme remained unclear, despite two to three years of data available. According to a stakeholder, there were no major announcements regarding the domestic wells situation and very little progress has been made.

**1.1e. "Support continued investment in reducing leakage across the network."**

**2021-2022 Progress:** Irish Water estimated that 2.2 million litres of water were saved each day through find and fix alone. However, a report from the independent Water Advisory Board stated that progress on water supplies in need of fixing across the country went backwards in the second quarter of 2021. See commitment 1.3b for additional progress.

**2023 Progress:** A [national leakage reduction programme](#) is ongoing and this commitment [remains on track](#) to reach leakage reduction targets. In 2023, Uisce Éireann carried out numerous leakage reduction projects and infrastructure upgrades. In November 2023, Uisce Éireann [invested](#) in infrastructure upgrades within County Waterford, with water main replacements occurring for both public and private pipework systems. In Cork City, Uisce Éireann [achieved](#) a 50% reduction (or 17 million litres of water daily) in leakage through 1220 repaired leaks and forty pressure management valves situated. [Media reports](#) from June 2023 highlighted County Donegal receiving benefits from the leakage reduction programme while also underlining continued

investments of [250 million every year until 2030](#). Stakeholders confirmed leakage was reducing, and while progress was considered “slow”, they felt “ambitious targets” were evident.

**1.1f. "We will support the National Federation of Group Water Schemes, to ensure that issues of quality and security of supply are addressed." AND**

**1.1g. "We will continue to invest in a multi-annual capital funding programme to improve the quality of drinking water in group water schemes, while protecting water quality."**

**2021 Progress:** In March 2021, funding of €500,000 was announced to implement targeted drinking water source protection actions in group water scheme catchments as part of the National Federation of Group Water Schemes source protection strategy.

**2022 Progress:** A review of the funding and support provided to water schemes in rural communities was [underway](#) but was not yet completed and therefore not acted upon.

**2023 Progress:** Stakeholders confirmed that support for the National Federation of Group Water Schemes was in place along with multi-annual capital funding for group water schemes [with more funding becoming available for 2023](#). The National Federation of Group Water Schemes continue to receive an annual fund of €500,000 each year from the Department of Housing, Local Government and Heritage. The NFGWS is currently waiting for the outcome of a business case with the department, to increase funding and expand organisational capacity. One stakeholder confirmed that the capital funding programme has failed to move forward or advance. A draft framework of the new programme was [released](#) in May of 2023 and was heavily criticised for being burdensome on the group water scheme sector. The publication of the 2022-2024 Multi-Annual Rural Water Programme (MARWP) has been delayed for two years, following a massive overhaul of the previous 2019-2021 programme. In September 2023, the NFGWS [expressed](#) concern over the ongoing delays of the programme publication at the Rural Water Services Conference.

## 1.2. Irish Water / Uisce Éireann

**1.2a. "Retain Irish Water in public ownership as a national, standalone, regulated utility."**

**2021 Progress:** Irish Water remained in public ownership.

**2022 Progress:** Remained, as above.

**2023 Progress:** This commitment is now complete as Irish water is a single public utility which came into [effect in January 2023](#) and has since been rebranded as [Uisce Éireann](#).

**1.2b. "Ensure that Irish Water is sufficiently funded to make the necessary investment in drinking water and wastewater infrastructure."**

**2021 Progress:** In 2020, Minister Darragh O’Brien announced two stimulus packages for Irish Water, totalling €87 million. The works funded by these packages included the delivery of 67 km of new water mains, the replacement of 1,131 lead services, 55 pressure management valves which allowed crews to find and fix leaks. Irish Water [estimate](#)d 2.2 million litres of water were saved each day through find and fix measures from these stimulus packages, enough to provide for a population of 17,000 people. However, a [report](#) from the independent Water Advisory Board, while recognising these significant improvements, stated that progress made on water supplies in need of fixing across the country had gone backwards in the second quarter of 2021.

**2022 Progress:** The EPA [‘Urban Wastewater Treatment’ report](#) (November 2021) stated that “Ireland must provide substantial and sustained funding for waste water infrastructure to protect our environment and public health and reduce the risk of European Union fines”. Urban waste discharge was the [main source of pollution in 208 water bodies](#) in Ireland, yet there were no targeted measures in the *‘Draft River Basin Management Plan for Ireland’* to address this within the water bodies. There was slow progress in wastewater treatment

since the PfG commenced. Stakeholders indicated there was a lack of transparency in the figures that Uisce Éireann had presented regarding funding. Under the Water Framework Directive, polluted/impacted waters must be identified. A program of measures must be developed by 2027 to alleviate this, and if these waters cannot be treated, the Member State must explain why. Stakeholders felt Ireland's obligation to comply with this needed to be better prioritised.

**2023 Progress:** [The 2022 EPA Urban Wastewater report](#) called for more investment. [The National Development Plan 2021-2030](#) committed to a €6bn investment into [Uisce Éireann](#). Uisce Éireann's [capital investment plan continues until 2024](#), and a feasibility study is being carried out to assess infrastructure issues within wastewater infrastructure. [Budget 2023](#) provided funding of more than €1.68 billion to support water services. [Multiple programmes](#) exist to improve wastewater infrastructure. One stakeholder confirmed that funding issues are regularly raised by Uisce Éireann. However, they were assured by the Department that the body is sufficiently funded. Conversely, another stakeholder group felt this commitment is one of the more "significant pressures" and is not being met. In October 2023, the Government of Ireland released [Budget 2024](#), which allocated [€1.6 billion](#) to Uisce Éireann similar to previous years. One stakeholder felt this annual budget continued to demonstrate significant investment in Uisce Éireann.

**1.2c. "Mandate Irish Water to develop plans to ensure security of supply and sufficient capacity in drinking and wastewater networks to allow for balanced regional development."**

**2021 Progress:** No such plans were made public.

**2022 Progress:** Progress was made on this commitment in 2022. Phase 2 of the National Water Resource Plan was delivered as a [series of regional water resource plans](#) developed by Uisce Éireann, the drafts of which were being reviewed by the Regulator. However, this was planned prior to the publication of the PfG. [In late 2022, regional development plans progressed](#). Stakeholders confirmed that four regional plans have been developed, with two being published, one being a finished consultation and one open for consultation. [These regional plans](#) were acknowledged as "very detailed plans" by one stakeholder.

**2023 Progress:** The 2022 National Water Resources Plan resulted in four regional development plans. According to a stakeholder, two of the plans have been adopted, while the other two are expected to be adopted before the end of this year.

**1.2d. "The Government will fund Irish Water's capital investment plan for drinking water and wastewater infrastructure on a multi-annual basis and deliver the €8.5 billion funding package committed to in Project Ireland 2040."**

**2021 Progress:** In 2021, the [voted provision to Irish Water](#) by Minister O'Brien's Department was €1.3 billion.

**2022 Progress:** Under Budget 2022, [€1.459 billion was secured for domestic water services provision](#) by Irish Water.

**2023 Progress:** [As part of the 2023 budget, funding of more than €1.557 billion](#) was included in relation to domestic water services provision by Irish Water (now Uisce Éireann). It was highlighted that this investment would bring improvements for water and wastewater. [The National Development Plan](#) pledged to deliver €6 billion in investment to Irish Water. [The €1.557 billion in 2023 for Uisce Éireann was recognised as a "record" level of funding](#). In October 2023, Uisce Éireann secured €1.6 billion in funding in [Budget 2024](#). Currently, Uisce Éireann operates within the [Capital Investment Plan](#) and Strategic Funding Plan Period of 2020-2024 and are on track to deliver over €5 billion euros in investments across their assets within this period. One stakeholder felt this commitment was making good progress. Uisce Éireann's Strategic Funding Plan [stipulates](#) a €11 billion funding requirement, including a €6.1 billion investment in infrastructure and assets, with €4.9 billion allocated to operating costs.

***1.2e. "Support take-up of Irish Water's Small Towns and Villages Growth Programme 2020-2024, which will provide water and wastewater growth capacity in smaller settlements that would otherwise not be provided for in Irish Water's capital investment plan."***

**2021 Progress:** While there were individual announcements, such as Carrigallen wastewater treatment plant being selected for upgrade as part of the Small Towns and Villages Growth Programme, there was little to no public information available on support for this programme.

**2022 Progress:** €97.5 million was [allocated to Irish Water](#) for this programme, approved by the CRU. In September 2021, [21 additional projects](#) were selected for upgrade under this programme.

**2023 Progress:** [The CRU provided](#) nearly 100 million euro for the "small towns and villages programme 2020-2024". In addition to this, the [Multi-Annual Rural Water Programme 2022-2025](#) used exchequer funding to improve water services in rural Ireland. A stakeholder indicated that Uisce Éireann was expected to surpass the €97.5 million budget that was allocated in 2022 for the Small Towns and Villages Growth Programme. As of October 2023, this programme had [progressed](#) thirty-nine projects to date, aimed at increasing capacity and supporting growth in regional communities (See commitment 1.3c). An additional 11 projects are being completed outside this programme, which utilise synergies of other projects. Several stakeholders highlighted Uisce Éireann's strong engagement in this programme with local authorities. Uisce Éireann's Small Towns and Villages Growth Programme has [progressed](#) thirty-nine projects to date, aimed at increasing capacity and supporting growth in regional communities. Out of the thirty-nine projects, two are in the implementation phase.

***1.2f. "Fully consider the review from the Commission for Regulation of Utilities to Irish Water's proposed approach to the Water Supply Project for the Eastern and Midlands Region."***

**2021 Progress:** No process of considering this review was made public.

**2022 Progress:** There was nothing in the public domain regarding this commitment.

**2023 Progress:** The [Water Supply Project for the Eastern and Midlands Region](#) has gone through numerous non-statutory consultations. [The last updated review was carried out in 2018](#). As part of the Regional Plan for the Eastern and Midlands region, the 'preferred approach' for addressing water supply to the GDA was through a large water transfer from the River Shannon. This was approved and is now included in the published Regional Plan for the Eastern and Midlands project, which underwent public consultation in 2022. A stakeholder indicated that another review by the Commission for Regulation of Utilities (CRU) is expected to be completed in Q1 of 2024. The Government will bring both this review and Uisce Éireann's preliminary business case to cabinet for a decision. In the case of approval of the new public spending code guidelines, Uisce Éireann will be equipped to further public engagement and submit the planning application with An Bord Pleanála.

***1.2g. "Ensure that Irish Water progresses works to reduce the number of schemes on the Environmental Protection Agency's (EPA) Remedial Action List."***

**2021 Progress:** As of July 2021, there were 53 public water supplies on the EPA's [Remedial Action List](#). EPA published the quarterly [Public Water Supplies Remedial Action List](#) with an increase of 1 supply from January 2020.

**2022 Progress:** As of January 2022, there were [52 water supplies](#) on this list.

**2023 Progress:** An updated list of the [remedial action list](#) was published in 2023 with 58 water supplies. An NGO representative felt this commitment had not improved since 2021. However, of the 58 water supplies listed in the [2023 Remedial Action List](#), Uisce Éireann has completed work on a number of them and are currently engaging with the EPA to get those supplies removed from the list. A stakeholder confirmed that Uisce Éireann has either developed dedicated action plans or is in the construction phase for listed supplies.

**1.2h. "Support Irish Water in its programme to remove lead pipes from the public supply."**

**2021 Progress:** A report by the Water Advisory Body [released](#) in January said that it was "concerned with the lack of progress by Irish Water during 2020 to replace lead connections, with little progress made".

**2022 Progress:** The Water Advisory Board noted in [their Q1 2022 report](#) that Irish Water replaced 3,152 lead connections in Q4 2021, ahead of 2021 targets (1,500 replacements). However, the Q1 2022 report also noted that replacement of lead connections must be accelerated and that the Department of Housing, Planning and Local Government should publish a progress report on the National Lead Strategy. There were no new regulations on this commitment. However, ["€68.5 million for legacy issues in relation to lead pipe remediation"](#) was secured under the National Development Plan.

**2023 Progress:** A stakeholder confirmed there was still a lead replacement scheme, including [the domestic lead remediation grant scheme](#) available for households in 2022. By June 2023, a [grant for older homes](#) was launched along with [an information campaign](#) to increase homeowner's awareness of this grant. Uisce Éireann's [Leakage Reduction Programme](#) contains an initiative to conduct service on lead mains, in preparation for the National Lead Strategy, removing all lead mains in Ireland. A stakeholder shared that Uisce Éireann has additional funding under the programme to replace lead pipes that are from the property boundary to the doorway of private homes. In addition to the Government grant scheme, [Uisce Éireann](#) has an opt-in lead pipe removal scheme, which allows homeowners the opportunity to have Uisce Éireann determine that a service connection no longer contains lead pipes. The Lead Remedial Action Group meets quarterly.

**1.2i. "Ensure that Irish Water develops Drinking Water Safety Plans to protect abstraction sources; and reduces public health risks, including Trihalomethane (THMs) exceedances in treatment plants."**

**2021 Progress:** Although Irish Water (now Uisce Éireann) stated its intention to develop Drinking Water Safety Plans for all Water Supply Zones by the end of 2021, no such plans were made public. A stakeholder confirmed that, in 2021, the Department of Housing, Local Government and Heritage completed a research and pilot project with the National Federation of Group Water Schemes, aiming to increase awareness around emergency situations, like drinking water safety.

**2022 Progress:** The EPA's ["Drinking Water Quality in Public Supplies 2020"](#) report (2021) anticipated the transposition of the Drinking Water Directive (due to be transposed into Irish law in January 2023) would place this requirement on a statutory footing. The report also stated that 35 public water supplies failed to meet THM standards, a reduction from 46 in 2020. There was an [infringement case](#) before the Court of Justice of the European Union due to 30 supply zones failing to meet safety standards for THMs. The European Commission [welcomed Ireland's progress in addressing THM levels](#). However, the Commission also stated that, more than three years after the opening of the infringement case, several water supply zones still did not comply with the requirements of the Drinking Water Directive. According to the EPA, there was currently [no water quality standard for microplastics](#) in the Drinking Water Regulations.

**2023 Progress:** [A new Drinking Water Directive](#) was implemented. Within [the Directive](#), Member States are obliged to make drinking water safety plans. Stakeholders believed Uisce Éireann were progressing well on this commitment but lacked evidence to say this with certainty. However, another stakeholder confirmed that Uisce Éireann was making progress with drinking water safety plans internally. In 2023, [the EPA reported](#) that 45 public supplies failed to meet the standard for THMs at least once in 2022, a slight decrease from 58 in 2021. In 2022 the number of supplies with persistent or repeated THM breaches on the EPA's Remedial Action List (RAL) increased to 23 (impacting 235,000 people), in comparison to 19 supplies (impacting 110,000 people) in 2021 which indicates a worsening situation. Significantly, the Limerick City supply which supplies 115,000 people was added to the RAL in 2022.

## 2. Water Quality and Conservation commitments

### 2.1. Water Quality

#### *2.1a. "Ensure that the State complies with the EU Water Framework Directive"*

**2021 Progress:** The draft 3rd River Basin Management Plan (RBMP), the main implementation tool/plan of the Water Framework Directive (WFD) for 2021-2027, was not published though it was required to be published by December 22nd, 2020. In September 2021, public consultation [opened](#) for the draft RBMP 2022-2027, with plans to publish the plan in 2022. In addition, the General Scheme of the Water Environment (Abstractions) Bill had reached pre-legislative scrutiny stage, advice from The Office of Parliamentary Legal Advisers to the Housing Committee concurred with the position of SWAN Ireland that the Heads of Bill as presented were not in compliance with the WFD. The 'National Land Use Review', committed elsewhere in the Programme for Government, has the potential to deliver the integrated catchment management approach required to achieve WFD targets as part of phase two of the Review, which has not yet commenced.

**2022 Progress:** In July 2022, the consultation report from the third draft River Basin Management Plan 2022-2027 was [published](#), with plans to publish the third cycle RBMP in Q3/Q4 of 2022. [More than half of Ireland's "rivers, lakes and estuaries" were failing to meet Water Framework Directive status.](#) Nitrate pollution in Irish water bodies rose significantly, primarily due to agricultural activities, with 47% of Irish rivers containing an unsatisfactorily high concentration of nitrates. Total nitrogen and phosphorus loads from rivers to the marine environment increased [by "26% and 35% respectively since \[the\] 2012-2014" reporting period.](#) Referring to the question of whether all water bodies would be of good quality by 2027 (as stipulated by the Water Framework Directive), NGOs stated there was ["no chance of that happening"](#). According to the EPA's [Water Quality Indicators 2020 Report](#), ["continued and sustained investment is needed to address water quality issues from urban waste water"](#) to meet Ireland's obligations under the Water Framework Directive (WFD). See [Commitment 3e below](#) for more information regarding implementation of the WFD.

**2023 Progress:** In January 2023, [the European Commission referred Ireland to the EU Court of Justice](#) for its failure to correctly transpose the Water Framework Directive (WFD) into law. NGO representatives felt the State was not willing to make the changes necessary to comply with the WFD and was ["not anywhere near complying with the WFD"](#). One stakeholder highlighted the significance of the [EPA indicators report](#) in showing the poor level of compliance with the WFD. While another stakeholder acknowledged the signing of the [Abstraction Act](#) into [legislation](#), but felt it neglected the requirements of the WFD and set the threshold too high. [Media reports](#) also highlighted a lack of compliance with the WFD. A stakeholder acknowledged that this commitment is hugely complex and requires a massive amount of ongoing work behind the statement, though ultimately this stakeholder concluded that in terms of this commitment, ["We're in a better place now than we were,"](#) and felt that policy coherence in this area has improved. In contrast, another stakeholder expressed discontent with the lack of progress and ongoing delays with the River Basin Management Plan. In May 2023, the Minister for Housing, Local Government and Heritage, Darragh O'Brien, [adopted](#) new Drinking Water Regulations, which one stakeholder highlighted as increasing the potential for coherence and consistency with the WFD on a catchment basis.

#### *2.1b. "Continue to support the Local Authority Waters Programme and expand the Community Water Development Fund."*

**2021 Progress:** The Local Authority Waters Programme (LAWPro) launched its Community Water Development Fund 2021 in November 2020. The 2021 fund was [increased](#) to €360,000, from €225,000 in 2020.

**2022 Progress:** The Budget for this fund increased to €500,000 in 2022. However, this scheme was described as completely oversubscribed by stakeholders with funding remaining insufficient when measured against public interest. LAWPro was also described as understaffed. At the time of assessment, there were 13

Community Water Officers while [a SWAN assessment](#) found at least 46 were required.

**2023 Progress:** EUR [523,000](#) was allocated to the Community Water Development Fund in 2023. [The fund applications in 2023 were twice the grant aid available](#). Stakeholders confirmed that financial resources were expected to increase along with the Community Water Development Fund and acknowledged good progress in relation to this commitment. LAWPro received an increase in funding for 15 additional staff positions, across all disciplines. In July 2023, the Department of Agriculture, Food and the Marine (DAFM) [announced](#) the €60 million European Innovation Partnership (EIP) project between LAWPro, Teagasc and Dairy Industry Ireland (DII). In collaboration with the National Exchequer and the EU, DAFM will contribute €50 million to farmers participating in the project, while the Department of Housing, Local Government and Heritage (DHLGH) will provide the final €10 million for administrative expenses. This project [aims](#) to support 15,000 farmers by 2027, to improve nutrient management, adopt nature-based solutions, and tackle local issues. LAWPro originally submitted this bid in December 2022 and the project is expected to allocate an additional 24 staff members to LAWPro.

**2.1c. "Expand programmes, including the Agriculture Sustainability Support and Advisory Programme (ASSAP), and work with farmers, industry, and advisory services, to protect and deliver improvements in water quality."**

**2021 Progress:** There was no publicised expansion of ASSAP in 2021.

**2022 Progress:** While there was no published expansion of ASSAP in 2022, one stakeholder felt it was questionable whether ASSAP adequately addressed water quality issues in the first place. There was no published water quality data/empirical evidence that demonstrated this program was effective. An [independent review](#) commissioned by the Government and carried out by an independent expert advisory panel stated that *"the design of ASSAP is relevant and it is a vital element for addressing the water quality challenges in Irish agriculture"*. However, the review recommended numerous measures to strengthen ASSAP, which did not appear to have been implemented.

**2023 Progress:** In relation to the independent review, one of the [recommendations to expand and continue the programme](#) had been committed to and was funded by the Government. However, an NGO representative highlighted that there was "no evidence that the programme has delivered any water quality results". Another stakeholder confirmed that they are expanding the programme. However, they felt there needed to be more correlation between the advisors in ASSAP and catchment scientists to provide sufficient advice. Once implemented, the Water European Innovation Partnership (EIP) with LAWPro will [support](#) the Agricultural Sustainability Support and Advisory Programme (ASSAP), giving farmers the opportunity to apply for funding to make the necessary changes revealed during programme participation. One stakeholder shared that the programme employs around 50 advisors and has completed approximately 5,000 farm inspections to date, emphasising an increase in programme analysis.

**2.1d. "Launch a new revised and strengthened River Basin Management Plan in 2022, drawing on a collaborative approach between all stakeholders."**

**2021 Progress:** The Department of Housing, Planning and Local Government published a document outlining the significant water management issues for the third River Basin Management Plan for Ireland as part of public consultation. This public consultation closed in August 2020. The draft River Basin Management plan was required to be published by 22 December 2020 but was instead published in September 2021.

**2022 Progress:** The Draft River Basin Management Plan was [criticised for a lack of ambition and for lacking a central body](#) to oversee the implementation of this plan. The plan pointed to policies and measures already in place which were not working as demonstrated by water quality's continued decline. Furthermore, there was no mention of how many water bodies the plan was targeting to achieve good status under the WFD. Lack of policy cohesion between agriculture/forestry and water quality was described as a *"huge issue"* by NGO representatives. Forestry operations, which can have a significant cumulative impact on catchment areas,

were not addressed in the plan. Despite the addition of some measures to address nitrate pollution, the plan was criticised for [failing to adequately address this problem](#). There was significant pressure from the public to address water pollution, with over 79% of Irish households rating water pollution as a “very important” issue. An NGO representative described the plan as “marginally strengthened” compared to the previous iteration of the plan. However, it was difficult to assess the ‘collaborative’ aspect of this commitment as the finalised plan had not been published at the time of assessment.

**2023 Progress:** According to a source, a draft of the final River Basin Management Plan (RBMP) was expected to be sent to the Water Policy Advisory Committee and An Fóram Uisce in October 2023. An Fóram Uisce received a draft RBMP in mid-November 2023 and developed a submission on this draft. This was presented to the Water Policy Advisory Committee on the 29th November, and was being considered by the Department at the time of publication. The plan was expected to be published by the end of 2023. Numerous stakeholders expressed concern about the delay of publication, feeling that by now the focus should be on implementation. One stakeholder expressed disappointment over the fact that the RBMP delay will cause Ireland to fall short of its 2027 targets. The stakeholder also stated that stakeholder engagement has been substantial, but it is essential that the RBMP outputs reflect this collaboration to prevent disillusionment. Another stakeholder stated that collaboration between the Department and An Fóram Uisce on this commitment has been significant. Media reports confirm that [departments are working on revised and "strengthened" river basin management plans](#). Stakeholders hoped the delayed plan was an indication of increased ambition. However, one NGO representative voiced concern over the content of the draft not being sufficient and felt that collaboration between stakeholders was not happening to the extent that was promised.

#### *2.1e. “We will continue to work with An Fóram Uisce to review and develop water-quality strategies.”*

**2021 Progress:** No review or development of water-quality strategies was published.

**2022 Progress:** There was no publicly available evidence of An Fóram Uisce’s input being integrated into policy in 2022.

**2023 Progress:** A stakeholder confirmed this commitment is now progressing and there is engagement with An Fóram Uisce regarding both water conservation and the third River Basin Management Plan. An Fóram Uisce has also engaged with the Ministers and Department officials on the management of Invasive Alien Species in Ireland and is actively contributing to the development of the new National Invasive Species Management Plan. Stakeholder input and engagement with the Government was considered positive. One source felt engagement between the Government and An Fóram Uisce was very strong and was an “extremely effective mechanism to engage with stakeholders”. A stakeholder expressed interest in An Fóram Uisce taking a more challenging and assertive approach to collaboration with the Government in order to reach targets. Another stakeholder felt An Fóram Uisce should dedicate more time and engagement to the rural water sector.

#### *2.1f. “We will continue to help fund upgrades to domestic wastewater treatment systems, including septic tanks.” AND*

#### *2.1g. “We will review and work to improve the inspection regime for the 500,000 domestic wastewater systems and incentivise upgrading works.”*

**2021 Progress:** In July 2020, the EPA reported the grant scheme for septic tanks was expanded to cover specific areas where work was focused on improving water quality under the National River Basin Management Plan, meaning that more people would qualify for a grant. In September 2021, the Environmental Protection Agency published a review of the [National Inspection Plan for Domestic Waste Water Treatment Systems](#) 2018-2021, emphasising further need for engagement initiatives and resourcing.

**2022 Progress:** Stakeholders expressed concern regarding the eligibility requirements for septic tank upgrades – Tanks located in areas of high pollution were not necessarily [eligible for an upgrade](#) and had to be registered prior to the 1st of February 2013. Stakeholders also felt the inspection regime was never adequate, stating



that the EPA review of the inspection plan was poor, and the plan was not significantly improved. While the [2022-2026 plan](#) aimed to increase the number of inspections, SWAN Ireland's [review of this plan](#) stated that all dwellings where wastewater treatment was a detriment to water quality should be inspected.

**2023 Progress:** A stakeholder confirmed that while wastewater and septic tanks [were being funded with certain eligibility standards](#), the uptake of the grant was low and thus the grant scheme was being reviewed. NGO representatives felt the current [inspection plan](#) was not working successfully and highlighted that a lot of failures in relation to septic tanks were "not being addressed". There was concern surrounding the worsening of the problem and insufficiency of the inspection regime. [Shortcomings in relation to inspections](#) were raised in 2022 and were expected to be completed in 2023. In 2023, the EPA [reported](#) that half of domestic wastewater treatment systems failed inspection in 2022, with 20% posing a threat to human health and the environment. The report identified poor enforcement and penalisation by local authorities as a central reason for this rate of failure. One stakeholder stated that the current grant scheme for upgrading or replacing substandard septic treatment plants and domestic septic systems was inadequate. The Water Forum recommended that the DHLGH and EPA should ensure the grant scheme is optimal and effective at reducing the risk of septic tanks to water bodies, and also to secure funding to expand the grant scheme to increase the criteria for grant applications. The DHLGH [offered](#) grants for domestic septic systems through three schemes, which are administered by local authorities on behalf of the department. One stakeholder expressed concern over the clause requiring household buy-in as of 2013 for grant eligibility.

## 2.2. Water Conservation

*2.2a. "We will commission a range of research projects to explore innovative ways of improving our water infrastructure and reducing consumption."*

**2021-2022 Progress:** There were no announcements regarding this commitment.

**2023 Progress:** [In July 2022, there was a call for research on conservation by the Water Forum](#). Following this, [the Water Forum](#) submitted a policy position document on water conservation to the department, focusing on why water conservation is necessary in Ireland. Stakeholders were concerned about this commitment, noting that the Government has not commissioned any research projects to improve water infrastructure and minimise consumption levels. An Fóram Uisce have taken an [active role](#), within their own work programme, to research [domestic water conservation](#) though they are not mandated to do so.

*2.2b. "Implement the recommendations of the Committee on Future Funding of Domestic Water Services in relation to excess use."*

**2021-2022 Progress:** There was no evidence that these recommendations were implemented.

**2023 Progress:** Stakeholders confirmed that although recommendations have been made on water conservation, this commitment has not progressed. One stakeholder felt this commitment is unlikely to progress due to the concerns over financial penalties for excess water use during a cost-of-living crisis.

*2.2c. "Conduct a feasibility study examining how further assistance can be given to low-income households for the installation of water efficient appliances."*

**2021-2022 Progress:** No such feasibility study had been made publicly available.

**2023 Progress:** Stakeholders confirmed that nothing had been done in relation to this commitment.

*2.2d. "We fully support the work of the Water Services Innovation Fund, which aims to investigate solutions to promoting greater efficiency in water usage."*

**2021 Progress:** Without the publication of a new Water Services Innovation Fund report, it was difficult to find information on this commitment in 2021.

**2022 Progress:** According to the "[Water Services Innovation Fund Annual Report 2020](#)" (November 2021), the CRU allowed Irish Water €4 million under the Fund for the period 2020-2024.

**2023 Progress:** While one stakeholder confirmed that this commitment had not progressed, Uisce Éireann [lists](#) ten projects funded under the Water Services Innovation Fund, with seven completed and three ongoing.

### *2.2e. "Advocate at EU level for more water and energy-efficient white goods."*

**2021-2022 Progress:** There was no information available on how the Government had advocated at an EU-level on these issues.

**2023 Progress:** A stakeholder confirmed that no progress had been seen on this commitment though they felt it was within the remit of the Dept. of Enterprise, Trade and Employment to engage with this commitment.

## **3. Marine Sustainability commitments**

### **3.1. Marine Environmental Conservation**

*3.1a. "Develop a new integrated marine sustainable development plan, as a successor to Harnessing Our Ocean Wealth, focusing on all aspects of the marine, with a greater focus on sustainability and stakeholder engagement and centrally coordinated by the Department of the Taoiseach, to be implemented over the life of the Government."*

**2021-2022 Progress:** There was no information in the public domain that this commitment had progressed.

**2023 Progress:** [Improvements have been made within fishing control laws](#). In summer 2023, a stakeholder confirmed new fishery control regulations were on the way to being passed.

*3.1b. "Progress a national policy on coastal erosion and flooding having regard to climate change."*

**2021 Progress:** The National Coastal Change Management Strategy Steering Group met for the first time in September 2020. The group aimed to report initial findings and recommendations to the Government within six months. No such findings or recommendations were published in 2021.

**2022 Progress:** There was no progress on this commitment in 2022. The Climate Change Advisory Council's [2021 Annual Review](#) noted the Government had committed to the development of a Coastal Change Strategy and established a cross departmental working group to bring this work forward on a whole of Government basis. However, the initial findings and recommendations of the group which were due in Spring 2021 remained overdue.

**2023 Progress:** In a May 2023 debate, Minister of State Patrick O'Donovan [stated](#) that the Department of Public Expenditure and Reform was assisting Local Authorities in coastal erosion management. Minister O'Donovan further stated that the Office of Public Works had begun a national assessment of coastal erosion through the Irish Coastal Protection Strategy Study (ICPSS). On 26th October 2023, the Department of Housing, Local Government and Heritage and the Office of Public Works (OPW) [published](#) the Coastal Change Management Strategy Report. The Government established the Inter Departmental Group on Managing Coastal Change Strategy to institute a strategy to tackle coastal change and the impacts of climate change on coastal environments.

*3.1c. "We will task the Marine Institute with a collaborative EU-wide research initiative, aimed at investigating the climate-change mitigation potential of blue carbon and working towards a means of creating a validated inventory that will in the future assist the EU in meeting our climate-change objectives."*

**2021 Progress:** In June, the Marine Institute launched a funding call for a major programme of research in the area of [Blue Carbon](#). Funding of up to €1.6m was earmarked for the call to support a large-scale research project to run from 2021 to 2026.

**2022 Progress:** The successful recipients of funding, 'BlueC' and 'Quest' were [announced in February 2022](#). These projects received €2.6 million in research funding. However, it will take time to determine whether these projects would have a successful impact.

**2023 Progress:** In a June 2023 debate, Minister Eamon Ryan [discussed](#) Ireland's involvement in the European Commission's proposal for an EU-wide blue carbon certification system by 2030, stating engagement with the Department of Agriculture, Food and the Marine and the Department of the Environment, Climate and Communications. However, a stakeholder for this research explained that Ireland does not currently consider blue carbon in their accounting. Another stakeholder indicated that carbon sequestration is currently being integrated into marine policy processes, for example within the designation of Marine Protected Areas. The Marine Strategy Framework Directive of 2023 [considers](#) the benefits of nature-based solutions in carbon sequestration and blue carbon.

*3.1d. "We support the principles and ambition of the EU Biodiversity Strategy and will develop comprehensive legislation for the identification, designation, and management of Marine Protected Areas (MPAs) in Irish territorial waters." AND*

*3.1e. "We will realise our outstanding target of 10% under the Marine Strategy Framework Directive as soon as is practical and aim for 30% of marine protected areas by 2030." AND*

*3.1f. "This will be done on the basis of scientific expertise and in close consultation with all stakeholders, in particular the fishing industry, as well as environmental and community representatives. This consultation process will begin in the first 100 days of Government."*

**2021 Progress:** There were no MPA designations made under the current Government in 2021, but an expert report on MPAs initiated under the last Government was published in early 2021. In the opinion of the Irish Wildlife Trust, new legislation to define an MPA in law was, at best, a year away and, more likely, two years away from enactment. Multiple NGO representatives expressed the opinion that this [legislation would be necessary](#) if there is any chance to meet the 30% by 2030 target, asserting that existing MPAs remained mismanaged while the criteria for deciding where new MPAs should go had not been determined. An exceptionally long six-month public consultation on MPAs concluded at the end of July 2021. It was unclear when the outcome of this consultation would be published and, according to NGO representatives, there was no official timeline given at any point in the process. The content of the MPA Advisory Group report, upon which the public consultation was based, was well-received by NGO representatives. No discernible action was taken in 2021, despite a number of SACs ready to come under MPA status. One NGO representative raised concerns around the lack of funding allocated to progress research, consultation, designation and management.

**2022 Progress:** Legislation for the identification, designation, and management of Marine Protected Areas (MPAs) was being drafted in 2022. Draft legislation was aimed to be published the same year, with the legislation due to be enacted in early 2023. [According to Minister Noonan](#), the target of 30% would be included in this legislation. However, the quality of this legislation remained unknown until the draft was published. Stakeholders felt Ireland was well behind on achieving the targets outlined in this commitment as only 2.1% of Ireland's marine and coastal areas were designated as MPAs. The phrasing "as soon as is practical" in this PfG commitment was criticised for not providing any kind of timeline. The [review of the public consultation](#)

[on the MPA Advisory Group report was](#) published in March 2022, demonstrating overwhelming public support (>99% of submissions) for MPAs.

**2023 Progress:** [Oireachtas testimony](#) by civil society organisations in February 2023 pointed out that Ireland is nine years late delivering on the obligation to provide for MPAs under the EU Marine Strategy Framework Directive. In summer 2023, an NGO representative confirmed MPA legislation was being drafted. However, they expressed concern over the MPA Bill due to the expectation for this to be introduced to the Oireachtas by July 2023 but now delayed until Autumn 2023. The representative felt there had been good progress, but it had “slowed recently”. In the same summer, another source confirmed the MPA legislation had been developed and that [marine protected area coverage](#) has increased to 8.3% and it was hoped there would be a 10% target under the Marine Strategy Framework Directive, further noting that the Government is “on track” for 30% MPAs by 2030. However, stakeholders have expressed concern over the poor systems currently in place to establish MPAs, stating that the first step to the process should be establishing the areas, not the planning regime. By October 2023, a source confirmed that final instructions for the Marine Protected Areas (MPAs) Bill were sent to the Office of Parliamentary Counsel for the drafting of the Bill. One stakeholder stated that the bill is expected to be published before the end of the year. The Bill includes the 10% and 30% statutory targets. With MPA coverage currently [around](#) 8.3%, stakeholders expect the 10% target will be reached before the Bill is published. The MPA Bill will [establish](#) an expert advisory board to conduct scientific analysis, including representatives across the scientific, social science and economic sectors. The Bill will also provide ample opportunity for stakeholder and public engagement, with a call for features and public consultations. The MPA advisory group has already been constituted and published a final report, [Expanding Ireland’s Marine Protected Area Network](#), in October 2020. A source shared that a second sensitivity analysis is planned for the South Coast in this quarter.

### ***3.1g. "We will examine the establishment of an offshore maritime area as Ireland’s seventh national park."***

**2021-2022 Progress:** No announcements were made on this commitment.

**2023 Progress:** A source explained that this commitment will be subsumed into the Marine Protected Areas (MPAs) process. An ocean environment policy statement is currently advancing as part of the [MPA](#) process, and it is expected to be revised every six years. This statement establishes priorities for the marine environment. This commitment will be a priority in the early stages of the MPA process.

### ***3.1h. "The Government will prioritise the passage of a balanced and Aarhus Convention compliant Marine and Planning and Development Management Bill through the Oireachtas... Give cross government priority to the drafting of the Marine Planning and Development Bill, so that it is published as soon as possible and enacted within nine months."***

**2021 Progress:** This Bill commenced under the previous Government and, although progress was quite rapid at the start of the current Government, work slowed in 2021. A Joint Oireachtas Committee session was held in relation to the Bill with many NGOs attending and giving evidence. Following this, the Committee put forward a number of recommendations regarding how the Bill could be improved, specifically around marine protection, as no provisions for MPAs or interim protection for the marine environment had been included. The Marine and Planning and Development Bill was replaced by the Maritime Area Planning Bill and work was expected to resume on it in Autumn 2021. This was beyond the nine-month timescale that was committed to. According to one NGO representative, the Maritime Area Planning Bill, by failing to make provisions for marine protection, could be described as failing to meet the “balanced” criteria the Government committed to in the Programme for Government. It was not known whether the recommendations to remedy this as put forward by the Joint Oireachtas Committee would be incorporated.

**2022 Progress:** This commitment resulted in the [‘Marine Area Planning Act’, which](#) went through the Oireachtas in December 2021. Several stakeholders expressed concern over the Act’s compliance with the Aarhus Convention. Furthermore, the Act was criticised for not addressing interim protection of areas before

designation. Other concerns within the legislation included the [impact of the planning process on biodiversity and the process of judicial review](#).

**2023 Progress:** Stakeholders confirmed this commitment was now complete. The Marine Area Planning Act and National Marine Planning Framework were agreed in 2021, but there are a few amendments to the Maritime Area Planning Act currently underway at the time of this assessment in October 2023.

*3.1i. "We will bring forward Ireland's first ever National Marine Planning Framework. This will introduce a planning system for the development of Ireland's maritime area in the same way that the National Planning Framework fulfils this function on land."*

**2021 Progress:** The National Marine Planning Framework (NMPF) was [approved](#) by the Dáil on 12<sup>th</sup> May 2021. A public consultation on the draft NMPF was launched by the previous Government on 12<sup>th</sup> of November 2019. According to an NGO representative, a minimal number of recommendations put forward by the NGO sector were adopted in the final plan. When the final plan was published, there were calls from NGOs, the fishing sector, and opposition parties to allow for more scrutiny of the plan. According to an NGO representative, the Government did not allow this and essentially vetoed a public session by the Joint Oireachtas Committee on the final NMPF. There was a very brief debate in the Dáil before the NMPF was passed. According to NGO representatives, the new NMPF was not compliant with the EU's Maritime Spatial Planning Directive.

**2022 Progress:** The National Marine Planning Framework was established 1 July 2021. NGOs raised significant issues with this framework. SWAN's report on the NMPF stated that the NMPF cannot be considered a spatial plan as required under the Directive because it does not ["allocate where activities will take place at sea or set out regionally differentiated priorities for the use and protection of Ireland's marine space"](#). Furthermore, the plan did not address the volume or intensity of planned activities, which are necessary to conduct assessments of capacity and cumulative impacts nor did it take an ecosystem-based approach.

**2023 Progress:** A stakeholder confirmed this commitment is now complete. However, [Oireachtas testimony](#) by civil society organisations in February 2023 noted the delay in the MPA process compromises Ireland's implementation of the Maritime Spatial Planning Directive, including Ireland's Maritime Spatial Plan and the NMPF. In addition, the maritime developments and activities needed under the Maritime Area Planning Act 2021 and other legislation are delayed due to lack of information on where they can or cannot take place. One source felt this commitment had been completed as early as 2021 as the initial spatial element of the plan includes maritime area planning for offshore renewable energy off the South coast of Ireland. A source confirmed that the Department of Environment, Climate and Communication is currently completing public consultations regarding this spatial planning. On 6 October 2023, DECC [closed](#) a consultation regarding the "South Coast DMAP Proposal". This first proposal is expected to go to the Dáil in 2024.

*3.1j. "These two documents will form the basis for Project Ireland Marine 2040, our long-term overarching strategy to manage Ireland's seas for the benefit of all its people."*

**2021 Progress:** In July 2021, the [National Marine Planning Framework](#) was published, outlining the role of Project Ireland Marine 2040 in working with the Project Ireland Delivery Board. As only one out of two of these documents was published, the details of this "long-term, overarching strategy" were yet to be published in 2021.

**2022 Progress:** Both documents were published by 2022. However, NGOs expressed numerous concerns over their quality.

**2023 Progress:** A source confirmed that there was no progress on Project Ireland Marine 2040 since the Government committed to it in 2020. However, Minister Eamon Ryan established an [Offshore Wind Delivery Task Force](#) in 2022 under Climate Action Plan 2021. This task force completes a portion of this project regarding the acceleration of offshore energy delivery. One source felt this commitment has been set aside so as not to replicate work by the Offshore Wind Delivery Task Force.

**3.1k. "A marine planning oversight delivery board on the same model as the Project Ireland 2040 Delivery Board will be established to provide leadership and oversight to the implementation of these policies."**

**2021 Progress:** While there was reference to the Delivery Board in the National Marine Planning Framework, there were no reports of any appointments, meetings or action taken by the board in 2021.

**2022 Progress:** The Maritime Area Regulatory Authority was intended to be [established and operational from next year](#). According to Deputy Ossian Smyth, "The establishment of this authority is one of the highest priorities for the Government".

**2023 Progress:** Within the [Climate Action Plan 2023](#), there was a focus on marine planning and the establishment of the Marine Area Regulatory Authority (MARA) in 2023. MARA will hold the role of delivering permits and implementation of actions within the marine space. In July 2023, MARA was [established](#) in Rosslare under the Department of Housing, Local Government and Heritage. MARA is the State's primary body for maritime planning and consenting. The organisation maintains an enforcement role with responsibility for investigations and prosecutions on infractions in addition to judging applications of maritime area consents, issuing permitting licences, and imposing regulations for developments and activities in Ireland's maritime area.

## 3.2. Aquaculture and Fisheries

**3.2a. "Ensure that inshore waters continue to be protected for smaller fishing vessels and recreational fishers and that pair trawling will be prohibited inside the six-mile limit."**

**2021 Progress:** In October 2020, the High Court ruled that the Policy Directive excluding large vessels from trawling in inshore waters within 6 miles of the coast was void/or of no legal effect. Minister McConalogue brought an appeal against this decision, and as of March 2021, the Court of Appeal had reinstated the Policy Directive until the full hearing of the appeal. The substantive hearing by the Court of Appeal was due to take place on the 22nd of June 2021.

**2022 Progress:** Vessels resumed trawling in the waters inside six nautical miles and no progress was made on appeals with judgement being reserved. According to [Minister Charlie McConalogue in May 2022](#) - "I am awaiting the decision of the Court of Appeal to inform next steps. As the matter is sub-judice, I cannot comment further until the matter can be resolved before the Courts". The resumption of trawling within the six-mile limit was highlighted by NGOs such as [Birdwatch Ireland](#) as a critical issue that required urgent State action.

**2023 Progress:** [A Parliamentary Question](#) in 2023 in relation to pair trawling indicated there were legal proceedings still ongoing which prevented progress on this commitment. Trawling [remained permitted](#) after the policy directive was reversed. However, there was a strong public [appeal for action](#) in 2018-2019 including 900 submissions with people sufficiently engaged to appeal to the Minister to act. In March 2023, [two fishermen](#) won an appeal over a "trawling ban" where it was indicated that the Government's policy did not have legal effect. [The Irish Wildlife Trust](#) acknowledged years of trying to protect inshore waters from trawling as "another failure". However, one stakeholder consulted for this research felt that a lot of work has been done around recreational fishing and species protection. In October 2023, the EU Parliament [authorised](#) new fisheries controls, with stipulations for recreational fishers to declare catches for the first time.

**3.2b. "Aggressively tackle the issue of waste, ghost nets and illegal dumping in the marine environment, through rigorous implementation of the Port Reception Facilities Directives and by requiring all Irish fishing trawlers to participate in the Clean Oceans Initiative, ensuring that plastic fished up at sea is brought ashore."**

**2021 Progress:** In July 2020, it was [reported](#) that 96% of Irish trawlers signed up to the Clean Oceans Initiative, and the Government continued to support the initiative. However, there was no clear evidence of participation

in this scheme made as a strict requirement. There was insufficient information available on the implementation of the Port Reception Facilities Directive.

**2022 Progress:** In June 2022, Minister McConalogue announced the [‘Clean Oceans Initiative Fishing Gear Retirement Scheme’](#), where fishing gear could be disposed of as part of a free drop-off service. However, this scheme was voluntary. According to stakeholders, industry-led initiatives were also progressing, but it was unclear how these were monitored if at all. There was no legislative action to address this commitment. As of April 2022, there were *“no incentives in place in respect of the use of selective fishing gear or using fishing techniques with reduced environmental impact”*, according to Minister McConalogue.

**2023 Progress:** The Marine Strategy Framework Directive [acknowledged](#) marine litter as a primary threat to the marine environment, while setting threshold values for seabed litter. [In February 2023, the Government announced a programme of measures](#) to tackle strain on Ireland’s Marine environment and achieve Ireland’s targets for a clean marine environment. One of the main measures [in the programme of measures](#) was the aim to reduce litter in the seas through the implementation of the Single-Use Plastics Directive and Circular Economy Act. One stakeholder stated that “it’s a brilliant scheme” and actively engages with the fishing industry. Failure to adhere to litter thresholds will result as a breach of the Directive. As part of the Clean Oceans Initiative, An Bord Iascaigh Mhara (BIM) actively [tackles](#) marine litter with schemes such as the Fishing for Litter, Co-ordinated Local Aquaculture Management Systems ([CLAMS](#)) scheme.

*3.2c. "Work to develop the aquaculture sector in a sustainable way, including shellfish aquaculture, using native species, and implement the recommendations of the report of the Independent Aquaculture Licencing Review Group, to ensure that feed products for aquaculture are sourced and produced in the most sustainable manner possible."*

**2021 Progress:** Minister McConalogue announced in July the award of €1 million in grants to [13 aquaculture enterprises](#) under his Department’s European Maritime and Fisheries Fund Programme. However, according to NGO representatives, feed products for aquaculture were not sourced in a sustainable manner with sprat stocks being cited as poorly managed by being overfished in the last number of years.

**2022 Progress:** On the 28th of June 2022, the online Aquaculture Information Management System (AQUAMIS) [was launched](#) in line with the [Independent Aquaculture Licencing Review Group’s recommendation](#) to “Develop a data management and information system with online aquaculture licence application and tracking functionality and spatial mapping of aquaculture sites and exclusion areas”. This was described as Phase 1 of implementing the Review Group’s recommendations. Phase 2 was planned to be delivered [over a 24-month period](#). However, implementation of these recommendations was well overdue as the review was published in 2017. According to AQUAMIS, there were [551 licensed aquaculture sites](#) for pacific oysters. These were classified as an invasive species and are becoming naturalised in Irish bays. [According to Irish ecologists](#), this has the potential to displace native species (including shore birds) and disrupt existing marine habitats.

**2023 Progress:** In December 2022, the EU Commission [adopted](#) the European Maritime, Fisheries and Aquaculture Fund (EMFAF) Programme 2021-27 for Ireland, with a budget of €258 million, of which €134 million is from EU contribution and €116 million is from the Government of Ireland. One stakeholder consulted for this research expressed the importance of sustainable aquaculture and the need to prevent its impact on wild species. Another stakeholder highlighted issues threatening salmon aquaculture, like sea lice and escaping in salmon farms. In October 2023, the EU Parliament and the DG for Internal Policies of the Union [published](#) the third instalment of their study on the “challenges and opportunities EU fisheries and aquaculture,” under the European Green Deal. On October 5th 2023, Minister Charlie McConalogue [published](#) the new National Strategic Plan for Sustainable Aquaculture Development (NSPSA) 2030. This new plan [emphasises](#) the opportunity of underused shellfish aquaculture sites.

### 3.2d. “We are fully committed to the environmental objectives of the CFP [Coming Fisheries Policy]”

**2021 Progress:** In the words of the [Irish Wildlife Trust](#), “The fishing industry is in a tailspin due to Brexit and allegations of illegal fishing resulting in changes to rules on how fish can be landed. There’s a lot of money swishing around and talk of using this to tie up boats. However, there is no talk that this should be done to help end overfishing and stop dumping unwanted marine life, as stipulated in the Common Fisheries Policy (CFP). If anything, the level of overfishing is getting worse and there is no indication that the Government is planning anything but business as usual.” According to one NGO representative, Ireland and the EU failed to implement the CFP and in particular the obligations to end overfishing by 2020 and end discarding fish by January 2019. This representative stated Ireland played a negative role at an EU level, contributing to this outcome by advocating for sustainable fishing limits, which the representative defined as overfishing, and by taking insufficient action to ensure that the landing obligation was complied with.

**2022 Progress:** According to multiple NGO representatives, the CFP had not been implemented properly in Ireland. Birdwatch published a review of the CFP in 2020, entitled “[Common Fisheries Policy 2020 - A Discarded Opportunity](#)”, describing Ireland’s failure to prevent overfishing. According to NGO representatives, little had been done to address the concerns raised in this review. In February 2022, a CFP Review Group [was announced following a call made by the High Court of Ireland for the Court of Justice of the European Union to decide whether EU ministers have illegally set unsustainable fishing limits, following a case taken by Friends of the Irish Environment](#). The CFP Review Group undertook a review of the CFP and its implementation in Ireland and this was expected to be published in 2022. From this, recommendations were to be made regarding how the implementation of this policy could be improved. While this demonstrated a desire to improve on this commitment, stakeholders were not convinced that this would lead to significant change as there are issues which go well beyond Ireland’s borders. The wording of this commitment was also considered by stakeholders to enable the Government to segregate the CFP into environmental objectives and other objectives, thus ignoring the full implementation of this policy.

**2023 Progress:** A stakeholder confirmed there was a [national review of the CFP](#) last year with many recommendations sent to the Minister in terms of what needed to change within the CFP from a national perspective. Issues around overfishing and insufficient compliance in relation to the objectives of the CFP [continued to be reported](#). [The Irish Wildlife Trust](#) stated that, rather than being committed to the CFP environmental objectives, the “Irish Government tried to defend overfishing in the High Court”. One stakeholder felt there was no progress on this commitment while it remained in the courts. In April 2023, Minister Charlie McConalogue [announced](#) funding for inshore boats to support the sector, ranging between €2,700 and €4,000.

### 3.2e. “Actively promote setting annual quotas, in line with Maximum Sustainable Yield principles.”

**2021 Progress:** In the opinion of an NGO representative, Ireland played a negative role at EU level, contributing to the EU’s failure to implement Maximum Sustainable Yield (MSY) principles by advocating for practices which resulted in overfishing.

**2022 Progress:** Ireland continued to press for total allowable catches above scientific advice, still setting catches in excess for many fisheries and species. In October 2022, Minister for Agriculture, Food and the Marine, Charlie McConalogue [stated](#) that, for 2022, 38 stocks were fished below the MSY, while for 2013 only 20 were fished at that level. Minister McConalogue further stated that 15 stocks were overfished in 2022, as of October, which was reduced from previous years from 22.

**2023 Progress:** An NGO representative confirmed Ireland was advocating for quotas outside scientific advice. [The Marine Strategy Framework Directive](#) introduced twelve new measures to the Programme of Measures and highlighted the review of the Common Fisheries Policy, which focused on an ecosystem-based approach when considering the MSY. However, concerns were raised by stakeholders in relation to this commitment and a need for more work to be done in this area.



**3.2f. "Promote the introduction of constructive technical measures that promote sustainability, decrease by-catch and protect fish stocks for the future."**

**2021 Progress:** The Sea-Fisheries (Technical Measures) Regulations 2020 (S.I. No. 440/2020) was enacted in October 2020, giving full effect to the Commission Implementing Regulation (EU) 2020/967. One NGO representative welcomed the fact that Ireland was supporting such constructive technical measures but argued that more could be done to ensure they are implemented as the uptake of certain measures was poor within the industry. It was acknowledged that this is partly a broader regional issue within the EU.

**2022 Progress:** BIM [trialled technical measures](#) such as nets with altered mesh sizes for the purposes of improving environmental and economic sustainability. BIM also published technical guidelines on reducing the number of unwanted catches. However, stakeholders indicated the extent to which uptake of these measures were promoted remained questionable, and there appeared to be no legislative backing for the use of such measures.

**2023 Progress:** One NGO representative confirmed reports were carried out on technical measures for increasing sustainability, e.g. [the fisheries conservation report in June 2023](#). In an October 2023 Joint Committee meeting, Minister Charlie McConalogue [confirmed](#) that 39 fish stocks of interest are fished "at or below the maximum sustainable yield," reflecting advancement since the 20 stocks at this level in 2013.

**3.2g. "Work to eliminate illegal fishing and promote a culture of compliance by all EU vessels in our 200-mile zone, in order to protect the fish stocks on which the Irish fishing industry depends."**

**2021 Progress:** In February 2021, the findings of a formal administrative inquiry undertaken by the European Commission were reported. Auditors found evidence of large-scale overfishing between 2012 and 2016, declaring Ireland's systems for controlling and sanctioning compliance with the rules as "unsatisfactory". They imposed a "concrete and specific package of measures" to address the failures, including penalties. As a result, Ireland will have tens of thousands of fish deducted from its quotas and could lose up to [€40 million in EU funding](#). According to NGO representatives, many of the issues remained unaddressed. Land and sea inspections of fishing vessels also [dropped by 30%](#) in 2020, with a drop of over 60% sea boardings by the Naval Service due to Covid-19 redeployment.

**2022 Progress:** New control regulations had not yet been agreed by the EU. The number of fisheries boardings by the Naval Service continued to decrease. In 2021, the Naval Service undertook [269 boardings](#) relating to fisheries, resulting in nine detentions, compared to [309 boardings in 2020](#). Illegal discarding continued to be a significant issue in Irish waters. In November 2021, the European Commission [issued a formal notice](#) to Ireland requesting a response regarding how this issue would be tackled. Infringement proceedings were a possible consequence of an unsatisfactory response.

**2023 Progress:** An NGO representative confirmed this commitment as a "tick box" in terms of progress, but noted prosecutions taking place in terms of illegal fishing. For example, [fines were being implemented for illegal fishing](#) in March 2023. In July 2022, [media reports](#) shared that more than 100 prosecutions were charged for illegal fishing. In September 2023, [Inland Fisheries Ireland](#) successfully secured convictions for illegal fishing infringements against three men, caught illegally capturing salmon in the River Shannon. One stakeholder confirmed that the elimination of illegal fishing for salmon remains a challenging issue.

**3.2h. "Implement the Sea Fisheries Protection Authority (SFPA) capability review, with a view to enhancing governance issues, and consider any other measures that may be necessary."**

**2021 Progress:** According to Minister's Questions in April 2021, an [independent Advisory Board](#), nominated by DAFM, was established to assist the management of the SFPA in the implementation of the Report.

**2022 Progress:** A [Parliamentary Question Ministerial response](#) in June 2022 stated the "advisory board has no legal responsibility and is solely advisory in nature. The responsibility to implement the SFPA capability review is solely with the SFPA". In December 2021, the SFPA published their [three-year strategy](#). One of the KPIs under this strategy was to implement the recommendations of the review by the end of 2022.

**2023 Progress:** In November 2022, Sea-Fisheries Protection Authority (SFPA) [published](#) their 2021 annual report. This report highlights many successful milestones for SFPA, with “47,000 landings valued at over €435 million in 2021” and “1,345 vessel inspections undertaken by SFPA Officers.” SFPA states that their Organisational Capability Review reflects the ongoing progress of the organisation. The protection authority is in the middle of a [three-year strategy](#), from 2021-2023, and most recently published a detailed [progress report](#) in Q1 2023. In July 2023, the Irish Wildlife Trust [praised](#) the SFPA for its enforcement of fishing regulations under the [new rules](#) set forth in the Common Fisheries Policy.

In October 2023, [Sea-Fisheries Protection Authority \(SFPA\)](#) published their 2022 Annual Report, highlighting the “1,903 inspections, 45,031 landings of 267,517 tonnes, and 161 Infringements detected” in 2022. This report states that the recommendations made in the 2020 Organisational Capability Review are expected to be completed in 2023.

### ***3.2i. "Implement a fair EU points system, in order to protect fish stocks and ensure the release of suspended EU funding."***

**2021 Progress:** In August 2020, laws were introduced providing the Sea Fisheries Protection Authority with powers to [apply penalty points](#) against licenced fishing vessels for serious infringements of the European Common Fisheries Policy.

**2022 Progress:** The [Sea-Fisheries \(Miscellaneous Provisions\) Act 2022](#) amended the European Union (Common Fisheries Policy) (Point System) Regulations 2020, inserting a paragraph to establish that, where “*a notification has been issued in respect of an Irish sea-fishing boat, the Authority shall assign the appropriate number of points to the holder of the Irish licence relating to the boat concerned for the serious infringement.*”

**2023 Progress:** In January 2023, [the Sea Fisheries Protection Authority \(SFPA\)](#) received notice of an infringement regarding a registered master of a sea-fishing boat. [In a Q1 2023 progress report](#), the SFPA stated that the Licencing Authority for Irish Sea Fishing Boats had been informed that, in serious infringements, three points are to be administered to the Fishing Vessel Licence Holder and the Master of the Fishing Vessel. In June 2023, the SFPA [detained](#) a fishing vessel for failing to comply with EU fishing controls, as it was using gillnets, while lacking acoustic deterrent devices (ADD).