

Roseanna Cunningham MSP
Cabinet Secretary for the Environment, Climate Change and Land Reform
St Andrew's House
Edinburgh



Dear Cabinet Secretary,



Thank you very much for meeting with Scottish Environment LINK members on Tuesday 8 May.

As mentioned in our meeting, we welcome the UK-leading amendments in the Scottish Continuity Bill and commitment to bring forward a consultation on the role of EU environmental principles, and options for addressing the governance gap arising as a result of the UK's exit from the EU. Going forward, it is imperative to ensure that these internationally recognised principles of environmental law receive legislative underpinning. The principles are the foundation of environmental legislation and environmental policies in Scotland should continue to be formulated on this basis. The explicit inclusion of environmental rights within the remit of the First Minister's Advisory Group on Human Rights Leadership highlights the Scottish Government's recognition of the relevance of environmental law to our wellbeing and prosperity; providing legislative underpinning to the principles of environmental law domestically would enact this commitment.

We also welcome your work with the Welsh government on the ambition of future environmental policies across UK countries. We fully support you in taking this forward and our members would welcome an opportunity to provide input. As you will be already aware, LINK members agree with Scottish Government that there are areas where joint approaches or frameworks may be needed. Given the transboundary nature of many environmental issues, collaboration across jurisdictions in some areas will be essential. However, such collaboration should be fully consistent with the devolution settlement and jointly agreed by all four governments.

Beyond the work involved in addressing the challenges of Brexit, we look forward to engaging more closely with SNH and Scottish Government on halting biodiversity loss. The international Aichi targets as well as our own domestic policies look to 2020 as the key date for realising this ambition. However, given mounting threats to biodiversity, it is critical to consider strategic opportunities for further and more effective action beyond 2020. We hope that the upcoming SNH SBS stakeholder conference on 6 June will be an opportunity to refocus efforts ahead of 2020, and to begin a shared dialogue looking beyond. In that regard, we think it would be most helpful to have the most recent assessment of Scotland's progress towards the Aichi targets published well in advance of that meeting, to maximise the event's value to all.

As discussed in our meeting, we remain very concerned about the status of funding for biodiversity in Scotland. This reflects a number of challenges. The relatively few funding opportunities available in Scotland compared to the rest of the UK are captured in a recent [report](#)¹, whilst ongoing uncertainty regarding the future of EU funding sources, including LIFE, is compounding this issue. Increasingly, important work is not being taken forward due to lack of resources. As agreed, we will provide you with further information on this and specific examples where these issues have arisen.

Biodiversity has a very important role to play as healthy ecosystems and habitats can sequester and store carbon and will be needed to meet ambitious emissions reductions targets in the forthcoming Climate Bill. We welcomed the renewed commitment to realising the Land Use Strategy and hope that it can be used as a useful tool to achieving the emissions reductions needed in the agriculture and land use sectors. At a time when science is clearly indicating that our ecosystems are degrading at a faster pace than expected and that biodiversity loss is such that it will have a catastrophic

¹ From 2012 to 2015, private foundation funding for environmental causes in England and Wales amounted to 20 times as much as that available in Scotland (£768 per square kilometre in England and Wales versus £70 per square kilometre of Scotland) while 41 foundations were identified as having given environmental grants in Scotland between 2012 and 2016. In contrast, 141 foundations supported environmental work in the UK as a whole over that period. Of those 41 foundations, only 6 are based in Scotland or focus their giving there.

impact on human wellbeing², it is imperative that resources are dedicated to exploring policy solutions and research that will maximise our ability to sequester carbon while transitioning to a low carbon society.

Our joint letter co-authored with NFUS and supported by 50 organisations in support of carbon-neutral farming by 2050 highlights the appetite for minimising agriculture emissions. We welcomed your response to the letter and look forward to taking forward the positive ideas in the letter through the Agriculture and Climate Change Strategy Group in order to meet the climate-neutral farming vision and Climate Bill targets.

We welcome your leadership on tackling marine litter and recent initiatives to further strengthen an ecosystem-based approach to the protection of our marine environment. This approach must be a key principle not only for the management of Scotland's developing MPA network (the 'sites' pillar of the Marine Nature Conservation Strategy) but equally embedded in fisheries management and marine planning as part of the 'wider seas' pillar of the Strategy.

We welcome your swift response to the dredge damage in Loch Carron, and support the emergency MPA becoming permanent, and support the commitment to improve protection for Priority Marine Features (PMFs) beyond the MPA network. In this latter respect, we wish to highlight our support for potential reasonable means to improve protection of PMFs to be strategically assessed. For example, excluding the most damaging bottom-towed fishing gear from within a set distance from shore or from within a set depth contour, recognising this debate is 'live', would provide the greatest confidence of meeting the requirements of General Policy 9(b) of the National Marine Plan, whilst also contributing to legal duties to enhance the health of Scotland's marine environment and achieve Good Environmental Status. We also support the recommendations from the ECCLR Committee on aquaculture and look forward to engaging as necessary with both the ECCLR and REC portfolios to help ensure the industry does not damage the health of Scotland's marine environment. We also hope to receive an update from Scottish Government on the status of the fifteen marine bird SPAs.

As also discussed in the meeting, we are involved in discussions with stakeholders on the need to ensure that marine tourism activities are managed in a sustainable way and do not impact wildlife, which is often the reason such activities are thriving in the first place. This is an issue which is felt acutely in the EU designated Moray Firth bottlenose dolphin Special Area of Conservation but is relevant to Scotland as a whole as tourism, currently totally unmanaged, on Scotland's diverse and special marine wildlife increases. At the moment, discussions regarding a potential licensing regime in the Moray Firth SAC appear to have stalled, despite unanimous support from local commercial operators. Support is needed to consider how the issue can be addressed adequately. We therefore welcomed your commitment to investigate this further and we look forward to engaging with officials on this towards resolution that protects marine wildlife and allows development of a well-managed tourism sector.

We look forward to continuing the constructive dialogue and hope to have a further opportunity to review progress in the coming months.

Yours sincerely,



Charles Dundas, Scottish Environment LINK Chair
On behalf of the Scottish Environment LINK delegation

² In March 2018, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), a global science body set up under the United Nations in 2012, concluded that we are losing species 1,000 times faster than the natural rate of extinction and as a result we will see mass extinctions that undermine human well-being. The full report is available here: <https://www.ipbes.net/news/media-release-biodiversity-nature%E2%80%99s-contributions-continue-%C2%A0dangerous-decline-scientists-warn>