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Committee on the Environment, Public Health and Food Safety

2013/0307(COD)

13.1.2014

AMENDMENTS

161 - 250

Draft report

Pavel Poc

(PE524.576v01-00)

on the proposal for a regulation of the European Parliament and of the Council
on the prevention and management of the introduction and spread of invasive
alien species

Proposal for a regulation

(COM(2013)0620 – C7-0264/2013 – 2013/0307(COD))

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PE526.298v01-00

EN

United in diversity

EN

Amendment 161
Gerben-Jan Gerbrandy

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

National derogations for invasive alien species of Union concern

1. Invasive alien species of Union concern which are native in a Member State shall not be subject to the restrictions referred to in points (b) to (g) of Article 7(1) and in Articles 8, 11 to 15 and 19 in the territory of the Member State where they are native.

2. Member States may submit to the Commission an application for a derogation from any or all of the restrictions referred to in points (b) to (g) of Article 7(1) and in Articles 8, 11 to 15 and 19 for an invasive alien species of Union concern.

3. An application for a derogation shall be submitted only if one of the following conditions is met:

(a) it is demonstrated on the basis of sound scientific evidence that that species is not invasive to the territory of that Member State, nor is it causing significant damage in neighbouring Member States;

(b) a cost-benefit analysis demonstrates, on the basis of the available data and with reasonable certainty, that the costs will be exceptionally high and disproportionate to the benefits, taking into account the socioeconomic situation of that Member State.

4. An application for a derogation shall be duly reasoned and shall be accompanied by the evidence referred to in point (a) or

(b) of paragraph 3.

5. The Commission shall decide, by means of implementing acts, to approve or reject the application. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

6. Member States shall ensure that containment measures are in place to avoid further spread of the species until the decision referred to in paragraph 5 is adopted.

Or. en

Justification

The new Article added by the Rapporteur gives Member States more flexibility and makes it possible to include species that are native in one region and invasive in another in the IAS list of Union concern. We should however take into account if these species cause significant damage in neighbouring Member States.

Amendment 162 **Jolanta Emilia Hibner**

Proposal for a regulation **Article 5 – paragraph 1 – introductory part**

Text proposed by the Commission

1. The Commission *or the Member States, as relevant*, shall carry out the risk assessment referred to in Article 4(2)(c) and (3)(b) having regard to the following elements:

Amendment

1. The Commission shall carry out the risk assessment referred to in Article 4(2)(c) and (3)(b), *on the basis of an opinion delivered by the Committee composed of Member State representatives*, having regard to the following elements:

Or. pl

Amendment 163 **Romana Jordan**

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission *or the Member States, as relevant, shall* carry out the risk assessment referred to in Article 4(2)(c) and (3)(b) having regard to the following elements:

Amendment

1. The Commission *shall have the primary responsibility to* carry out the risk assessment referred to in Article 4(2)(c) and (3)(b), *in order to have common standards and response measures*, having regard to the following elements:

Or. en

Amendment 164
Renate Sommer

Proposal for a regulation
Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) a description of its reproduction and spread patterns including an assessment of whether the environmental conditions necessary for reproduction and spread exist;

Amendment

(b) a description of its reproduction and spread patterns *and dynamic* including an assessment of whether the environmental conditions necessary for reproduction and spread exist;

Or. en

Amendment 165
Andrés Perelló Rodríguez

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) a description of the potential pathways of *entry* and spread, both intentional and unintentional, including where relevant the commodities with which the species are generally associated;

Amendment

(c) a description of the potential pathways of *introduction* and spread, both intentional and unintentional, including where relevant the commodities with which the species are generally associated;

Amendment 166
Andrés Perelló Rodríguez

Proposal for a regulation
Article 5 – paragraph 1 – point d

Text proposed by the Commission

(d) a thorough assessment of the risk of **entry**, establishment, spread in relevant biogeographical regions in current conditions and in foreseeable climate change conditions;

Amendment

(d) a thorough assessment of the risk of **introduction**, establishment, spread in relevant biogeographical regions in current conditions and in foreseeable climate change conditions;

Or. es

Amendment 167
Julie Girling, Chris Davies, Pavel Poc

Proposal for a regulation
Article 5 – paragraph 1 – point e

Text proposed by the Commission

(e) a description of the current distribution of the species including whether the species is already present in the Union or in neighbouring countries;

Amendment

(e) a description of the current distribution of the species including whether the species is already present in the Union **as a native or alien species** or in neighbouring countries **and a projection of its likely future distribution**;

Or. en

Amendment 168
Renate Sommer

Proposal for a regulation
Article 5 – paragraph 1 – point f

Text proposed by the Commission

(f) a description of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on human health and the economy ***including an assessment of the magnitude of future impact***;

Amendment

(f) a description of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on human health and the economy;

Or. en

Amendment 169

Gerben-Jan Gerbrandy, Pavel Poc, Chris Davies

Proposal for a regulation

Article 5 – paragraph 1 – point f

Text proposed by the Commission

(f) a description of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on ***human*** health and ***the economy*** including an assessment of the magnitude of future impact;

Amendment

(f) a description of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on ***the economy, public*** health and ***safety*** including an assessment of the magnitude of future impact;

Or. en

Amendment 170

Esther de Lange

Proposal for a regulation

Article 5 – paragraph 1 – point f

Text proposed by the Commission

(f) a description of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on human health and the economy including an assessment of the magnitude of future impact;

Amendment

(f) a description of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on ***safety***, human health and the economy including an assessment of the magnitude of future

impact;

Or. nl

Amendment 171
Julie Girling, Chris Davies, Pavel Poc

Proposal for a regulation
Article 5 – paragraph 1 – point f

Text proposed by the Commission

(f) a description of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on human health and the economy including an assessment of the magnitude of future impact;

Amendment

(f) a description, ***or estimation based on the best available scientific knowledge***, of the negative impact on biodiversity and ecosystem services, including on native species, protected sites, endangered habitats, on human health and the economy including an assessment of the magnitude of future impact;

Or. en

Amendment 172
Oreste Rossi

Proposal for a regulation
Article 5 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) a description of the negative impact on plant health as defined in Article 2 of Regulation (EU) [Regulation of the European Parliament and of the Council on protective measures against pests of plants] and agriculture as a whole, including an assessment of the magnitude of future impact;

Or. en

Justification

The Commission's proposal lacks clear reference to the impact of IASs on agriculture and more specifically on plant health, from an environmental, social and economic point of view.

Amendment 173
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) a quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the overall damage would outweigh the cost of mitigation; **deleted**

Or. es

Justification

It is not always possible to quantify the damage costs, particularly in advance, as this proposal for a regulation sets out to do, or in the case of certain species that have not entered the Union. This provision should therefore be deleted.

Amendment 174
Chris Davies

Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) a quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the overall damage would outweigh the cost of mitigation; **(g) an assessment of the potential costs at Union level**

Or. en

Justification

Potential risks and costs posed by invasive species are difficult to quantify.

Amendment 175
Julie Girling, Pavel Poc

Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

(g) a quantified **forecast** of the **damage** costs at Union level demonstrating the significance for the Union, **so as to further justify action because the overall damage would outweigh the cost of mitigation;**

Amendment

(g) a quantified **assessment** of the **potential** costs **of damage** at Union level demonstrating the significance for the Union;

Or. en

Amendment 176
Oreste Rossi

Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

(g) a quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the **overall damage** would outweigh the cost of mitigation;

Amendment

(g) a quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the **cost arising from damages caused by the species** would outweigh the cost of mitigation

Or. en

Justification

The Commission's proposal to aggregate the different reasons of damages occurring from IAS by assessing the overall damage ignores the complexity of the negative impacts to economy in addition to biodiversity loss. Therefore, this rewording, in combination with the amendment in Art.5.2, ensures that proper attention is given also to the economic costs occurring from spreading of IAS.

Amendment 177
Véronique Mathieu Houillon

Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

(g) a quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the **overall** damage would outweigh the cost of mitigation;

Amendment

(g) a quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the **total cost of the damage caused by the species** would outweigh the cost of mitigation;

Or. fr

Amendment 178
Andrés Perelló Rodríguez

Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

(g) **a** quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the overall damage would outweigh the cost of mitigation;

Amendment

(g) **an approximate** quantified forecast of the damage costs at Union level demonstrating the significance for the Union, so as to further justify action because the overall damage would outweigh the cost of mitigation;

Or. es

Amendment 179
Véronique Mathieu Houillon

Proposal for a regulation
Article 5 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) a description of the negative effects on plant health and agriculture as a whole, together with an assessment of the extent of future effects;

Amendment 180
Daciana Octavia Sârbu

Proposal for a regulation
Article 5 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The European Environment Agency shall assist Member States with the supply of information on the above elements if they so request.

Or. en

Justification

The EEA should assist Member States, if they so request, with information relating to the risk assessment. The agency is well placed to coordinate information exchange on a number of elements, such as species history, reproduction and spread patterns, and forecast of costs at Union level, to avoid unnecessary repetition by individual national authorities.

Amendment 181
Jolanta Emilia Hibner

Proposal for a regulation
Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The risk assessment shall be carried out with due regard for biogeographical regionalisation.

Or. pl

Amendment 182
Oreste Rossi

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts, in accordance with Article 23 to further specify the type of admissible scientific evidence referred to in Article 4(2)(b) and to provide a detailed description of the application of the elements set out in paragraph 1(a) to (h) of this Article, including the methodology to be applied in the assessment of such elements, taking into account relevant national and international standards and the need to prioritise action against species associated with or that have the potential to cause significant ***economic damage, including that deriving from*** biodiversity loss.

Amendment

2. The Commission shall be empowered to adopt delegated acts, in accordance with Article 23 to further specify the type of admissible scientific evidence referred to in Article 4(2)(b) and to provide a detailed description of the application of the elements set out in paragraph 1(a) to (h) of this Article, including the methodology to be applied in the assessment of such elements, taking into account relevant national and international standards and the need to prioritise action against species associated with or that have the potential to cause significant ***cost for the economy and to cause damages due to*** biodiversity loss.

Or. en

Justification

This rewording, in combination with the amendment in Art.5(1)(g), ensures that both the economic aspects and damages due to biodiversity loss are properly taken into account in the risk assessment.

Amendment 183
Renate Sommer

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts, in accordance with Article 23 to further specify the type of admissible scientific evidence referred to in Article 4(2)(b) and to provide a detailed description of the application of the elements set out in paragraph 1(a) to (h) of this Article, including the methodology to be applied in the assessment of such elements, taking into account relevant

Amendment

2. The Commission shall be empowered to adopt delegated acts, in accordance with Article 23 to further specify the type of admissible scientific evidence referred to in Article 4(2)(b) and to provide a detailed description of the application of the elements set out in paragraph 1(a) to (h) of this Article, including the methodology to be applied in the assessment of such elements, taking into account relevant

national and international standards and the need to prioritise action against species associated with or that have the potential to cause significant *economic damage*, including that deriving from biodiversity loss.

national and international standards and the need to prioritise action against species associated with or that have the potential to cause significant *damage to human health and the economy*, including that deriving from biodiversity loss.

Or. en

Amendment 184
Andrés Perelló Rodríguez

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

National lists of invasive alien species of concern to the Member State

Each Member State may introduce national lists or keep existing ones in order to prevent the introduction, establishment and spread of invasive alien species of concern to that Member State, applying to these species within its territory any or all of the prohibitions referred to in Article 7(1).

2. Member States shall ban any intentional release into the environment, that is to say the process by which an organism is placed into the environment, for any purpose, unless a risk assessment shows that there is no risk to biodiversity and the competent authority of the Member State issues a permit for such release.

3. Each Member State shall inform the Commission and the other Member States of the invasive alien species of concern to it.

4. Any Member State may cooperate with neighbouring EU countries in taking measures to control invasive alien species

of concern to it.

Or. es

Justification

The addition of Article 6a (new) is proposed for the purpose of ensuring that Member States are able to take all regulatory measures necessary to control and combat invasive alien species, including a ban on trade in such species nationwide.

Amendment 185

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

1. Species ***included on the list referred to*** in Article 4(1) shall ***not be*** intentionally:

(a) ***brought*** into or ***transited*** through the Union; ***territory***;

(b) ***permitted to reproduce***;

(c) transported, except for the transportation of species to facilities for eradication;

(d) placed on the market;

(e) used or exchanged;

(f) ***kept or*** grown, including in contained holding;

(g) released into the environment.

Amendment

1. Species ***listed*** in Article 4(1) shall ***neither*** intentionally ***nor through negligence be***:

(a) ***introduced*** into or ***subject to transit*** through the Union ;

(b) ***reproduced***;

(c) transported, except for the transportation of species to facilities for eradication;;

(d) placed on the market;

(e) used or exchanged;

(f) grown, including in contained holding;

(g) released into the environment.

Or. es

Justification

It is necessary to improve the wording of this article, using the terms 'introduced 'or 'subject to transit', in line with EU legal terminology relating to such operations..

Amendment 186
Andrea Zanoni

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. Species included on the list referred to in Article 4(1) shall **not** be **intentionally**:

- (a) **brought into or transited** through the Union territory;
- (b) **permitted** to reproduce;
- (c) **transported**, except for the transportation of species to facilities for eradication;
- (d) **placed** on the market;
- (e) **used or exchanged**;
- (f) **kept or grown**, including in contained holding;
- (g) **released** into the environment.

Amendment

1. **For** species included on the list referred to in Article 4(1), **it** shall be **prohibited**:

- (a) **to bring or convey them** through the Union territory;
- (b) **to permit them to** reproduce;
- (c) **to transport them**, except for the transportation of species to facilities for eradication;
- (d) **to place them** on the market;
- (e) **to use or exchange them**;
- (f) **to keep or grow them**, including in contained holding;
- (g) **to release them** into the environment.

Or. it

Amendment 187
Jolanta Emilia Hibner

Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) permitted to reproduce;

Amendment

(Does not affect English version.)

Or. pl

Amendment 188
Carl Schlyter

Proposal for a regulation
Article 7 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) transported, except for the transportation of species to facilities for **eradication**;

(c) transported, except for the transportation of species to facilities for **destruction, or in the case of vertebrates, humane euthanasia**;

Or. en

Justification

'Eradication' is to remove all individuals from the population (see definition 12). Once removed from the environment, the invasive alien species may be transported to facilities for destruction. The term 'destruction' is appropriate for plants and most invertebrates, however in the case of vertebrates, 'humane euthanasia' is more appropriate.

Amendment 189

Jolanta Emilia Hibner

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) placed on the market;

(d) placed on the market **or offered for sale**;

Or. pl

Amendment 190

Renate Sommer

Proposal for a regulation

Article 7 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) kept or grown, including in contained holding;

(f) **notwithstanding Article 8**, kept or grown, including in contained holding;

Or. en

Amendment 191
Jolanta Emilia Hibner

Proposal for a regulation
Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may introduce and apply provisions that are more stringent than those laid down in paragraph 1.

Or. pl

Amendment 192
Andrea Zanoni

Proposal for a regulation
Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall prohibit the import, trading, exchange, release and transport of captured wild animals that are alien to the wild fauna of the European Union.

Or. it

Amendment 193
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 8 – title

Text proposed by the Commission

Amendment

Permits for research and ex-situ conservation

Exemptions from prohibitions of invasive alien species of concern to the Union

Or. es

Amendment 194
Jolanta Emilia Hibner

Proposal for a regulation
Article 8 – title

Text proposed by the Commission

Permits for research and *ex-situ*
conservation

Amendment

Permits for research and *for zoos or*
botanical gardens

Or. pl

Amendment 195
Christel Schaldemose, Anna Rosbach

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. By way of derogation from the *bans* set out in points (a), (b), (c), (e) *and* (f) of *Article 7(1)*, Member States shall establish a permit system *allowing establishments that are authorised to carry out research or ex-situ conservation to perform such* activities on invasive alien species of Union concern.

Amendment

1. By way of derogation from the *restrictions* set out in *Article 7(1)*, points (a), (b), (c), (e), (f) *and* (g), Member States shall establish a permit system *regarding* activities on invasive alien species of Union concern. *Activities involving farming of animal species shall also be allowed provided that they are covered by Directive 1998/58/EC and without prejudice to point (b) of Article 22 of Directive 92/43/EEC and Article 11 of Directive 2009/147/EC. In exceptional cases of undeniable contribution to human health, if there is no other option than the use of invasive alien species of Union concern, Member States can also permit their medicinal use.*

Or. en

Amendment 196
Renate Sommer

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. By way of derogation from the **bans** set out in points (a), (b), (c), (e) **and (f) of Article 7(1)**, Member States shall establish a permit system allowing establishments that are authorised to carry out research or ex-situ conservation **to perform such activities** on invasive alien species of Union concern.

Amendment

1. By way of derogation from the **restrictions** set out in **Article 7(1)**, points (a), (b), (c), (e), (f) **and (g)**, Member States shall establish a permit system allowing establishments that are authorised to carry out research or ex-situ conservation on invasive alien species of Union concern. **Activities involving farming of animal species shall also be allowed provided that they are covered by Directive 1998/58/EEC and Article 11 of Directive 2009/147/EC.**

Or. en

Amendment 197
Jolanta Emilia Hibner

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. By way of derogation from the bans set out in points (a), (b), (c), (e) and (f) of Article 7(1), Member States shall establish a permit system allowing establishments that are authorised to carry out research or **ex-situ conservation** to perform such activities on invasive alien species of Union concern.

Amendment

1. By way of derogation from the bans set out in points (a), (b), (c), (e) and (f) of Article 7(1), Member States shall establish a permit system allowing establishments that are authorised to carry out research or **zoos or botanical gardens** to perform such activities on invasive alien species of Union concern. **The research shall be geared to mitigating the impact of biological invasions and may be carried out by establishments whose remit includes such activities.**

Or. pl

Amendment 198
Christel Schaldemose, Anna Rosbach

Proposal for a regulation
Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) the activity is to be carried out by personnel possessing the scientific **and** technical qualifications prescribed by the competent authorities;

Amendment

(b) the activity is to be carried out by personnel possessing the scientific **or** technical qualifications prescribed by the competent authorities;

Or. en

Amendment 199
Christel Schaldemose, Anna Rosbach

Proposal for a regulation
Article 8 – paragraph 2 – point d

Text proposed by the Commission

(d) in case of invasive alien species that are animals, they are marked where possible;

Amendment

deleted

Or. en

Amendment 200
Jolanta Emilia Hibner

Proposal for a regulation
Article 8 – paragraph 2 – point d

Text proposed by the Commission

(d) in case of invasive alien species that are animals, they are marked ***where possible***;

Amendment

(d) in case of invasive alien species that are animals, they are marked ***in accordance with Commission Regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the***

implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 166, 19.6.2006, p. 1), with the exception of taxa, which cannot be marked;

Or. pl

Amendment 201
Kartika Tamara Liotard

Proposal for a regulation
Article 8 – paragraph 2 – point d

Text proposed by the Commission

(d) in case of invasive alien species that are animals, they are marked where possible;

Amendment

(d) in case of invasive alien species that are animals, they are marked where possible ***using methods that do not cause any pain, distress or suffering;***

Or. en

Justification

Animals should only be marked using non-invasive methods that do not cause any pain, distress or suffering. For example, passive integrated transponder (PIT) tags inserted under the skin may be acceptable, but hot branding would not.

Amendment 202
Kartika Tamara Liotard

Proposal for a regulation
Article 8 – paragraph 2 – point f

Text proposed by the Commission

(f) a continuous surveillance and a contingency plan to cater for possible escape or spread is drawn up, including an eradication plan.

Amendment

(f) a continuous surveillance and a contingency plan to cater for possible escape or spread is drawn up, including an eradication plan. ***Such plans should follow a process that ensures they are last, not first, resorts and that methods suggested***

are humane and cause no pain, distress or suffering to any animals, both target and non-target.

Or. en

Justification

Eradication plans should follow a process that ensures they are last, not first, resorts and that methods suggested are humane and cause no pain, distress or suffering to any animals, both target and non-target.

Amendment 203

Christel Schaldemose, Anna Rosbach

Proposal for a regulation

Article 8 – paragraph 2 – point g

Text proposed by the Commission

(g) The permit referred to in paragraph 1 shall be limited to the ***number of species and specimens that is necessary for the research or ex-situ conservation concerned and shall not exceed the*** capacity of the closed facility. It shall include the restrictions necessary to mitigate the risk of escape or spread of the species concerned. It shall accompany the invasive alien species to which it refers at all times when these are kept, brought into and transported within the Union.

Amendment

(g) The permit referred to in paragraph 1 shall be limited to the capacity of the closed facility. It shall include the restrictions necessary to mitigate the risk of escape or spread of the species concerned. It shall accompany the invasive alien species to which it refers at all times when these are kept, brought into and transported within the Union.

Or. en

Amendment 204

Jolanta Emilia Hibner

Proposal for a regulation

Article 8 – paragraph 2 – point g

Text proposed by the Commission

(g) The permit referred to in paragraph 1

Amendment

(g) The permit referred to in paragraph 1

shall be limited to the number of species and specimens that is necessary for the research or *ex-situ conservation* concerned and shall not exceed the capacity of the closed facility. It shall include the restrictions necessary to mitigate the risk of escape or spread of the species concerned. It shall accompany the invasive alien species to which it refers at all times when these are kept, brought into and transported within the Union.

shall be limited to the number of species and specimens that is necessary for the research or *the zoo or botanical garden* concerned and shall not exceed the capacity of the closed facility. It shall include the restrictions necessary to mitigate the risk of escape or spread of the species concerned. It shall accompany the invasive alien species to which it refers at all times when these are kept, brought into and transported within the Union.

Or. pl

Amendment 205
Renate Sommer

Proposal for a regulation
Article 8 – paragraph 3 – point a

Text proposed by the Commission

(a) they are physically isolated and they cannot escape or spread or be removed from the facilities *were* they are kept by unauthorised persons; cleaning and maintenance protocols shall ensure that no specimens or reproducible parts can escape, spread or be removed by unauthorised persons;

Amendment

(a) they are physically isolated and they cannot escape or spread or be removed from the facilities *where* they are kept by unauthorised persons; cleaning, *waste handling* and maintenance protocols shall ensure that no specimens or reproducible parts can escape, spread or be removed by unauthorised persons;

Or. en

Amendment 206
Christel Schaldemose, Anna Rosbach

Proposal for a regulation
Article 8 – paragraph 3 – point a

Text proposed by the Commission

(a) they are physically isolated and they cannot escape or spread or be removed from the facilities *were* they are kept by

Amendment

(a) they are physically isolated and they cannot escape or spread or be removed from the facilities *were* they are kept by

unauthorised persons; cleaning and maintenance protocols shall ensure that no specimens or reproducible parts can escape, spread or be removed by unauthorised persons;

unauthorised persons; cleaning, **waste handling** and maintenance protocols shall ensure that no specimens or reproducible parts can escape, spread or be removed by unauthorised persons;

Or. en

Amendment 207

Andrea Zanoni

Proposal for a regulation

Article 8 – paragraph 3 – point b

Text proposed by the Commission

(b) their removal from the facilities **or disposal or destruction** is done in such way as to exclude propagation or reproduction outside of the facilities.

Amendment

(b) their removal from the facilities is done in such way as to exclude propagation or reproduction outside of the facilities.

Or. it

Amendment 208

Carl Schlyter

Proposal for a regulation

Article 8 – paragraph 3 – point b

Text proposed by the Commission

(b) their removal from the facilities or disposal or destruction is done in such way as to exclude propagation or reproduction outside of the facilities.

Amendment

(b) their removal from the facilities or disposal or destruction, **or in the case of vertebrates, humane euthanasia**, is done in such way as to exclude propagation or reproduction outside of the facilities.

Or. en

Justification

The term ‘destruction’ is not appropriate for vertebrates and should be amended to include “humane euthanasia”.

Amendment 209
Andrea Zanoni

Proposal for a regulation
Article 8 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) their disposal or destruction, permitted exclusively for plants, insects, fungi or micro-organisms, is done in such way as to exclude propagation or reproduction outside of the facilities.

Or. it

Amendment 210
Kartika Tamara Liotard

Proposal for a regulation
Article 8 – paragraph 4

Text proposed by the Commission

Amendment

4. When applying for a permit, the establishment shall provide all necessary evidence to allow the competent authority to assess whether the conditions referred to in paragraphs 2 and 3 are fulfilled.

4. When applying for a permit, the establishment shall provide all necessary evidence to allow the competent authority to assess whether the conditions referred to in paragraphs 2 and 3 are fulfilled. ***The establishment shall be subject to regular inspections by the Member State competent authority.***

Or. en

Justification

To ensure compliance with the conditions on the permit, establishments should be inspected at regular intervals. These establishments, although ‘closed’ could be a potential source of invasive alien species through escapes or deliberate releases. This is analogous to fur farms which were also ‘closed’ establishments, but have been responsible for several invasive species (e.g. mink, raccoon dogs, muskrat).

Amendment 211
Christel Schaldemose, Anna Rosbach

Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall once a year inform the Commission of the number of granted permits.

Or. en

Amendment 212
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. A copy of the permits referred to in paragraph 1 shall be sent to the Committee set up under Article 22, which shall have two months to forward its observations, failing which the permit shall be considered valid.

Or. es

Justification

Proposed addition to ensure coordination through the Committee of exemption permits in respect of activities prohibited under in Article 7.

Amendment 213
Renate Sommer

Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall ensure that inspections are carried out by the competent authorities to ensure the facility's compliance with the conditions set out for the permit issued.

Or. en

Amendment 214

Christel Schaldemose, Anna Rosbach

Proposal for a regulation

Article 8 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Member States shall ensure that inspections are carried out by the competent authority to ensure the facility's compliance with the conditions set for the permit issued.

Or. en

Amendment 215

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Article 8 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. No exemptions regarding the activities prohibited under Article 7 in respect of invasive alien species of concern to the Union shall apply in areas containing threatened species referred to in Directives 2009/147/EC and 92/43/EEC, where it is scientifically proven that invasive alien species of concern to the Union have a direct impact on them.

Justification

Proposed addition to ensure coordination through the Committee of exemption permits in respect of activities prohibited under in Article 7. It is also necessary to ensure the protection of threatened species and habitats by imposing maximum restrictions in the areas where they are situated.

Amendment 216
Christel Schaldemose, Anna Rosbach

Proposal for a regulation
Article 8 – paragraph 4 c (new)

Text proposed by the Commission

Amendment

4c. Member States shall submit to the Commission reports on the inspections required pursuant to paragraph 4b.

Amendment 217
Véronique Mathieu Houillon

Proposal for a regulation
Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Permits for breeding invasive alien species

1. By way of derogation from the prohibitions laid down in points (a), (b), (c), (d) and (e) of Article 7(1), Member States shall establish a system of permits for the breeding of invasive alien species.

2. Member States shall empower the competent authorities to issue the permits referred to in paragraph 1 for activities carried out in closed facilities which fulfil all of the following conditions:

(a) the invasive alien species is kept and handled in secure facilities ensuring that the species cannot escape, spread or be released from those facilities;

(b) the cleaning and maintenance protocols ensure that no specimens can escape from the facilities;

(c) the risks of escape, spread or removal are effectively managed, taking into account the identity, biology and means of dispersal of the species, the activities and the closed facility concerned, the interaction with the environment and other relevant factors relating to the risk posed by that species;

(d) the activity must be inspected annually by the competent authorities;

(e) transport to and from the closed facility, as defined by the competent authority, is carried out in such a way as to prevent the invasive alien species from escaping;

(f) continuous surveillance and a contingency plan to cater for possible escape or spread is drawn up; this shall include an eradication plan;

(g) the permit referred to in paragraph 1 shall accompany the invasive alien species to which it refers at all times when it is kept, brought into or transported within the Union.

3. When applying for a permit, the establishment shall provide all necessary evidence to allow the competent authority to assess whether the conditions referred to in paragraphs 1 and 2 are fulfilled.

Or. fr

Amendment 218
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. Where a Member State has evidence concerning the presence in, or imminent danger of **entry** into its territory of an invasive alien species, which is not included on the list referred to in Article 4(1) but which the relevant competent authorities have found, on the basis of preliminary scientific evidence, to be likely to meet the criteria set out in Article 4(2), it may immediately take emergency measures, consisting of any of the bans set out in Article 7(1).

Amendment

1. Where a Member State has evidence concerning the presence in, or imminent danger of **introduction** into its territory of an invasive alien species, which is not included on the list referred to in Article 4(1) but which the relevant competent authorities have found, on the basis of preliminary scientific evidence, to be likely to meet the criteria set out in Article 4(2), it may immediately take emergency measures, consisting of any of the bans set out in Article 7(1).

Or. es

Amendment 219
Renate Sommer

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. The Member State concerned shall carry out a risk assessment pursuant to Article 5 for the species subject to the emergency measures without delay, given the available technical and scientific information, and in any case within **24** months from the day of the adoption of the decision to introduce emergency measures, with a view to include those species on the list referred to in Article 4(1).

Amendment

3. The Member State concerned shall carry out a risk assessment pursuant to Article 5 for the species subject to the emergency measures without delay, given the available technical and scientific information, and in any case within **12** months from the day of the adoption of the decision to introduce emergency measures, with a view to include those species on the list referred to in Article 4(1).

Or. en

Amendment 220
Jolanta Emilia Hibner

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. The **Member State concerned** shall carry out a risk assessment pursuant to Article 5 for the species subject to the emergency measures without delay, given the available technical and scientific information, and in any case within 24 months from the day of the adoption of the decision to introduce emergency measures, with a view to include those species on the list referred to in Article 4(1).

Amendment

3. The **Commission** shall carry out a risk assessment pursuant to Article 5 for the species subject to the emergency measures without delay, given the available technical and scientific information, and in any case within 24 months from the day of the adoption of the decision to introduce emergency measures, with a view to include those species on the list referred to in Article 4(1).

Or. pl

Amendment 221
Mark Demesmaeker

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. The Member State concerned shall carry out a risk assessment pursuant to Article 5 for the species subject to the emergency measures without delay, given the available technical and scientific information, and in any case within 24 months from the day of the adoption of the decision to introduce emergency measures, with a view to include those species on the list referred to in Article 4(1).

Amendment

3. The Member State concerned **or the Commission where applicable**, shall carry out a risk assessment pursuant to Article 5 for the species subject to the emergency measures without delay, given the available technical and scientific information, and in any case within 24 months from the day of the adoption of the decision to introduce emergency measures, with a view to include those species on the list referred to in Article 4(1).

Or. en

Justification

In case the Commission has already conducted an impact assessment in regard of article 5

(1), the Member States should be able to use this information.

Amendment 222
Renate Sommer

Proposal for a regulation
Article 9 – paragraph 4

Text proposed by the Commission

4. Where the Commission receives the notification referred to in paragraph 2 or has other evidence concerning the presence in or imminent danger of entry into the Union of an invasive alien species which is not included on the list referred to in Article 4(1) but is likely to meet the criteria set out in Article 4(2), it shall, by means of an implementing act, conclude on the basis of preliminary scientific evidence whether the species is likely to meet these criteria and adopt emergency measures for the Union consisting of any of the bans set out in Article 7(1) for a limited time as regards the risks posed by that species, where it concludes that the criteria set out in Article 4(2) are likely to be fulfilled. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

Amendment

(Does not affect the English version.)

Or. de

Justification

(Does not affect the English version.)

Amendment 223
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 9 – paragraph 4

Text proposed by the Commission

4. Where the Commission receives the

Amendment

4. Where the Commission receives the

notification referred to in paragraph 2 or has other evidence concerning the presence in or imminent danger of **entry** into the Union of an invasive alien species which is not included on the list referred to in Article 4(1) but is likely to meet the criteria set out in Article 4(2), it shall, by means of an implementing act, conclude on the basis of preliminary scientific evidence whether the species is likely to meet these criteria and adopt emergency measures for the Union consisting of any of the bans set out in Article 7(1) for a limited time as regards the risks posed by that species, where it concludes that the criteria set out in Article 4(2) are likely to be fulfilled. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

notification referred to in paragraph 2 or has other evidence concerning the presence in or imminent danger of **introduction** into the Union of an invasive alien species which is not included on the list referred to in Article 4(1) but is likely to meet the criteria set out in Article 4(2), it shall, by means of an implementing act, conclude on the basis of preliminary scientific evidence whether the species is likely to meet these criteria and adopt emergency measures for the Union consisting of any of the bans set out in Article 7(1) for a limited time as regards the risks posed by that species, where it concludes that the criteria set out in Article 4(2) are likely to be fulfilled. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

Or. es

Amendment 224

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Article 9 – paragraph 5

Text proposed by the Commission

5. If provided for in the implementing acts referred to in paragraph 4 the measures taken by the Member States pursuant to paragraph 1 ***shall be repealed or amended.***

Amendment

5. If provided for in the implementing acts referred to in paragraph 4 the measures taken by the Member States pursuant to paragraph 1 ***may be modified for implementation in the remainder of the Union.***

Or. es

Amendment 225

Jolanta Emilia Hibner

Proposal for a regulation

Article 9 – paragraph 6

Text proposed by the Commission

6. The Member State taking emergency measures may maintain those measures until an implementing act has been adopted, establishing emergency measures at Union level in accordance with paragraph 4 or including the species on the list referred to in Article 4(1) on the basis of the risk assessment performed by the **Member State concerned** pursuant to paragraph 3.

Amendment

6. The Member State taking emergency measures may maintain those measures until an implementing act has been adopted, establishing emergency measures at Union level in accordance with paragraph 4 or including the species on the list referred to in Article 4(1) on the basis of the risk assessment performed by the **Commission** pursuant to paragraph 3.

Or. pl

Amendment 226

Gaston Franco

Proposal for a regulation

Article 10

Text proposed by the Commission

Article 10

Restrictions on the intentional release of invasive alien species of Member State concern

1. Member States shall ban any intentional release into the environment, that is the process by which an organism is placed into the environment, for any purpose, without the necessary measures to prevent its escape and spread, of invasive alien species other than invasive alien species of Union concern for which Member States consider, on the basis of scientific evidence, that the adverse impact from their release and spread, even where not fully ascertained, is of significance on their national territory ('invasive alien species of Member State concern').

2. Member States shall inform the Commission and the other Member States

Amendment

deleted

of the species it considers as invasive alien species of Member State concern.

3. The competent authorities of Member States may issue authorisations for certain intentional releases of invasive alien species of Member State concern, provided that the following conditions have been fully taken into account:

a) there are no alternative non-invasive species that can be used to obtain similar benefits;

b) the benefits of the release are exceptionally high in comparison to the risks of damage of the species concerned;

c) the release will include risk mitigation measures so as to minimise the impact on biodiversity and ecosystem services as well as on human health and the economy;

d) adequate surveillance is in place and a contingency plan is drawn up to eradicate the species to be applied in case the damage caused by the species is considered by the competent authority to be unacceptable.

4. Any authorisation for the introduction of alien species for their use in aquaculture shall be issued in accordance with the provisions of Regulation (EC) No 708/2007.

Or. fr

Justification

The wording of this article is restrictive, which could discourage Member States from adopting ambitious national measures to tackle the proliferation of species not on the list of species of Union concern but which nevertheless pose a threat to their biodiversity. The article risks infringing not only the subsidiarity principle but also the principle of effectiveness.

Amendment 227

Andrés Perelló Rodríguez

Proposal for a regulation
Article 10

Text proposed by the Commission

Amendment

Article 10

deleted

***Restrictions on the intentional release of
invasive alien species of Member State
concern***

- 1. Member States shall ban any intentional release into the environment, that is the process by which an organism is placed into the environment, for any purpose, without the necessary measures to prevent its escape and spread, of invasive alien species other than invasive alien species of Union concern for which Member States consider, on the basis of scientific evidence, that the adverse impact from their release and spread, even where not fully ascertained, is of significance on their national territory ('invasive alien species of Member State concern').***
- 2. Member States shall inform the Commission and the other Member States of the species it considers as invasive alien species of Member State concern.***
- 3. The competent authorities of Member States may issue authorisations for certain intentional releases of invasive alien species of Member State concern, provided that the following conditions have been fully taken into account:***
 - (a) there are no alternative non-invasive species that can be used to obtain similar benefits;***
 - (b) the benefits of the release are exceptionally high in comparison to the risks of damage of the species concerned;***
 - (c) the release will include risk mitigation measures so as to minimise the impact on biodiversity and ecosystem services as well as on human health and the economy;***

(d) adequate surveillance is in place and a contingency plan is drawn up to eradicate the species to be applied in case the damage caused by the species is considered by the competent authority to be unacceptable.

4. Any authorisation for the introduction of alien species for their use in aquaculture shall be issued in accordance with the provisions of Regulation (EC) No 708/2007.

Or. es

Justification

Article to be deleted in line with the proposed addition of Article 6a (new) regarding European lists existing alongside national lists, specifying that restrictions may only be lifted if the risk assessment is favourable.

Amendment 228
Julie Girling, Chris Davies

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

1. Member States *shall ban any intentional release into the environment, that is the process by which an organism is placed into the environment, for any purpose, without the necessary measures to prevent its escape and spread, of* invasive alien species other than invasive alien species of Union concern *for which Member States consider, on the basis of scientific evidence, that the* adverse impact *from their release and spread, even where not fully ascertained, is of significance* on their national territory ('invasive alien species of Member State concern').

Amendment

1. Member States *may establish measures, legislative or otherwise, including any of the prohibitions set out in Article 7(1), on* invasive alien species other than invasive alien species of Union concern *that they* consider *could have an* adverse impact on their national territory ('invasive alien species of Member State concern'), *for the purpose of preventing their introduction or of controlling the establishment and development of populations.*

Or. en

Justification

This Regulation should not supersede existing measures for species covered by Member State legislation.

Amendment 229 **Franco Bonanini**

Proposal for a regulation **Article 10 – paragraph 1**

Text proposed by the Commission

1. Member States shall ban any intentional release into the environment, that is the process by which an organism is placed into the environment, for any purpose, without the necessary measures to prevent its escape and spread, of invasive alien species other than invasive alien species of Union concern for which Member States consider, on the basis of scientific evidence, that the adverse impact from their release and spread, even where not fully ascertained, is of significance on their national territory ('invasive alien species of Member State concern').

Amendment

1. Member States shall ban any intentional release into the environment, that is the process by which an organism is placed into the environment, for any purpose, without the necessary measures to prevent its escape and spread, of invasive alien species other than invasive alien species of Union concern for which Member States consider, on the basis of scientific evidence, that the adverse impact from their release and spread, even where not fully ascertained, is of significance on their national territory ***or part of it which may have a distinctive ecosystem, with particular reference to protected areas and sites of Community importance pursuant to Directive 92/43/EEC*** ('invasive alien species of Member State concern').

Or. it

Amendment 230 **Andrea Zanoni**

Proposal for a regulation **Article 10 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

2a. Member States shall ensure coordination of their activities with relevant neighbouring Member States

when adopting measures on invasive alien species of Member State concern in their national territory, if there is a significant risk of spread of such an invasive alien species to the territory of neighbouring Member States, or where a joint action would prove more effective, with the aim of producing joint action plans for such species.

Or. en

Justification

In the case of species, which are likely to spread to neighbouring MS or for which a joint action would be more effective, and in line with the precautionary approach, neighbouring Member States should be required to coordinate activities and strive to adopt joint action plans.

Amendment 231 **Julie Girling**

Proposal for a regulation **Article 10 – paragraph 3**

Text proposed by the Commission

Amendment

3. The competent authorities of Member States may issue authorisations for certain intentional releases of invasive alien species of Member State concern, provided that the following conditions have been fully taken into account:

deleted

(a) there are no alternative non-invasive species that can be used to obtain similar benefits;

(b) the benefits of the release are exceptionally high in comparison to the risks of damage of the species concerned;

(c) the release will include risk mitigation measures so as to minimise the impact on biodiversity and ecosystem services as well as on human health and the economy;

(d) adequate surveillance is in place and a

contingency plan is drawn up to eradicate the species to be applied in case the damage caused by the species is considered by the competent authority to be unacceptable.

Or. en

Justification

Authorisations are a Member State concern and do not warrant inclusion in this Regulation.

Amendment 232
Andrea Zanoni

Proposal for a regulation
Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall consult relevant neighbouring Member States when considering issuing such authorisation for intentional releases.

Or. en

Justification

With the view to prevent the spread of invasive alien species of MS concern to the territory of neighbouring MS, Member States concerned should consult each other on issuing authorisations for intentional releases.

Amendment 233
Gaston Franco

Proposal for a regulation
Article 10 a (new)

Text proposed by the Commission

Amendment

Article 10a

Invasive alien species of Member State concern

Each Member State shall ensure that all appropriate measures are taken to avoid the spread of invasive alien species not included on the list of species of Union concern but which nevertheless represent a threat to their biodiversity or that of the territory of other Member States.

After having identified the invasive alien species of concern to them, Member States shall inform the Commission and the other Member States of the list of these species and of the measures they have taken to combat their spread.

Member States must take all measures to contain within their territory a native species which could constitute a threat to the biodiversity or ecosystem services of another Member State.

Or. fr

Amendment 234

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation Article 11 – title

Text proposed by the Commission

Action plans on the pathways of invasive alien species

Amendment

Action plans on the pathways of **introduction of** invasive alien species

Or. es

Amendment 235

Jolanta Emilia Hibner

Proposal for a regulation Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall, by [18 months from the entry into force of **this Regulation**

Amendment

1. Member States shall, by [**24** months from the **date of** entry into force of **the list**

– *date to be inserted*] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require priority action ('priority pathways'), because of the volume of species or of the damage caused by the species entering the Union through them. In doing so, Member States shall in particular focus on an analysis of the pathways of introduction of invasive alien species of Union concern.

referred to in Article 4(1)] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require priority action ('priority pathways'), because of the volume of species or of the damage caused by the species entering the Union through them. In doing so, Member States shall in particular focus on an analysis of the pathways of introduction of invasive alien species of Union concern.

Or. pl

Amendment 236
Sandrine Bélier

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall, by [18 months from the entry into force of this Regulation – *date to be inserted*] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require priority action ('priority pathways'), because of the volume of species or of the *damage caused by* the species entering the Union through them. ***In doing so, Member States shall in particular focus on an analysis of the pathways of introduction of invasive alien species of Union concern.***

Amendment

1. Member States shall, by [18 months from the entry into force of this Regulation – *date to be inserted*] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require priority action ('priority pathways'), because of the volume of species or of the ***potential risk associated with*** the species entering the Union through them.

Or. en

Justification

In the EC proposal art. 7 on bans refers to intentional introduction and art. 11 on pathways to unintentional introduction; however there is no reason to exclude intentional introduction from the regulation of pathways. The imposition that pathway action plans should focus on

the species of Union concern is also an unnecessary limitation. The identification of 'priority pathways' has to be done on the risk posed by species, not on the damage they cause.

Amendment 237

Julie Girling, Chris Davies

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall, by [18 months from the entry into force of this Regulation – date to be inserted] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require priority action ('priority pathways'), because of the volume of species or of the **damage caused by** the species entering the Union through them. In doing so, Member States shall in particular focus on an analysis of the pathways of introduction of invasive alien species of Union concern.

Amendment

1. Member States shall, by [18 months from the entry into force of this Regulation – date to be inserted] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require priority action ('priority pathways'), because of the volume of species or of the **potential risk associated with** the species entering the Union through them. In doing so, Member States shall in particular focus on an analysis of the pathways of introduction of invasive alien species of Union concern.

Or. en

Amendment 238

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall, by [18 months from the entry into force of this Regulation – date to be inserted] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require

Amendment

1. Member States shall, by [18 months from the entry into force of this Regulation – date to be inserted] at the latest carry out a comprehensive analysis of the pathways of unintentional introduction and spread of invasive alien species in their territory and identify the pathways which require

priority action ('priority pathways'), because of the volume of species or of the damage caused by the species entering the Union through them. In doing so, Member States shall in particular focus on an analysis of the pathways of introduction of invasive alien species of Union concern.

priority action ('priority **introduction** pathways'), because of the volume of species or of the damage caused by the species entering the Union through them. In doing so, Member States shall in particular focus on an analysis of the pathways of introduction of invasive alien species of Union concern.

Or. es

Amendment 239
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall evaluate the analysis of the pathways of introduction carried out by the Member States under Article 11(1) and propose a number of joint priority pathways for inclusion in the timetable for action referred to in Article 11(2).

Or. es

Justification

While it is accepted that project assessment and realisation is the competence of the Member States, inclusion of the above provision seeking to encourage cooperation in this respect is considered necessary.

Amendment 240
Jolanta Emilia Hibner

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. By [3 years from the entry into force of ***this Regulation - date to be inserted***] at the

2. By [5 years from the ***date of*** entry into force of ***the list referred to in Article 4(1)***]

latest, each Member State shall establish and implement an action plan to address the priority pathways it has identified pursuant to paragraph 1. That action plan shall include a timetable for action and shall describe the measures to be adopted to address the priority pathways and to prevent the unintentional introduction and spread of invasive alien species into the Union and into or within the environment.

at the latest, each Member State shall establish and implement an action plan to address the priority pathways it has identified pursuant to paragraph 1. That action plan shall include a timetable for action and shall describe the measures to be adopted to address the priority pathways and to prevent the unintentional introduction and spread of invasive alien species into the Union and into or within the environment.

Or. pl

Amendment 241
Julie Girling, Chris Davies

Proposal for a regulation
Article 11 – paragraph 3 – introductory part

Text proposed by the Commission

3. The action plan referred to in paragraph 2 shall include measures ***designed on the basis of an analysis of costs and benefits with at least the following:***

Amendment

3. The action plan referred to in paragraph 2 shall include, ***but not be limited to,*** measures, ***including as appropriate, regulatory or voluntary actions and codes of good practice to:***

Or. en

Justification

The measures used in pathway action plans should be the most suitable and not be limited to regulatory measures

Amendment 242
Sandrine Bélier

Proposal for a regulation
Article 11 – paragraph 3 – introductory part

Text proposed by the Commission

3. The action plan referred to in paragraph 2 shall include ***measures designed on the basis of an analysis of costs and benefits***

Amendment

3. The action plan referred to in paragraph 2 shall include at least the following ***measures:***

with at least the following:

Or. en

Amendment 243

Sandrine Bélier

Proposal for a regulation

Article 11 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) awareness raising measures;

(a) **public information and** awareness raising measures;

Or. en

Amendment 244

Julie Girling

Proposal for a regulation

Article 11 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) awareness **raising measures**;

(a) **raise** awareness;

Or. en

Justification

For linguistic consistency with amendment to introductory paragraph.

Amendment 245

Sandrine Bélier

Proposal for a regulation

Article 11 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) regulatory measures to minimise

(b) regulatory measures to minimise **the**

contamination by invasive alien species of goods and commodities, **and any vehicle and equipment, including measures tackling transport of invasive alien species** from third countries;

risk of introduction of invasive alien species **as unwanted travellers in the transport** of goods and commodities, **and in the movement of vehicles and equipment**, from third countries;

Or. en

Amendment 246
Julie Girling, Chris Davies

Proposal for a regulation
Article 11 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) **regulatory measures to minimise contamination by** invasive alien species of goods and commodities, **and any vehicle and equipment, including measures tackling transport of invasive alien species** from third countries;

(b) **minimise the risk of introduction of** invasive alien species **as unwanted travellers in the transport** of goods and commodities **and the movement of vehicles** and equipment, including measures tackling transport of invasive alien species from third countries;

Or. en

Justification

The measures used in pathway action plans should be the most suitable and not be limited for example to regulatory measures.

Amendment 247
Julie Girling, Chris Davies

Proposal for a regulation
Article 11 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) **regulatory measures to** ensure appropriate checks at the Union borders, other than the official controls pursuant to Article 13;

(c) ensure appropriate checks at the Union borders, other than the official controls pursuant to Article 13;

Justification

For linguistic consistency with amendment to introductory paragraph.

Amendment 248
Sandrine Bélier

Proposal for a regulation
Article 11 – paragraph 3 – point c

Text proposed by the Commission

(c) regulatory measures to ensure appropriate *checks at the Union borders, other than the official controls pursuant to Article 13;*

Amendment

(c) regulatory measures to ensure appropriate *border checks;*

Amendment 249
Julie Girling

Proposal for a regulation
Article 11 – paragraph 3 – point d

Text proposed by the Commission

(d) the measures of the International Convention for the Control and Management of Ships Ballast Water and Sediments.

Amendment

deleted

Justification

It is not appropriate to bind the European Union to a convention which has only been signed by four Member States. Moreover, ballast water is just one pathway of many, so it is not appropriate to single it out.

Amendment 250

Gerben-Jan Gerbrandy, Pavel Poc, Chris Davies

Proposal for a regulation

Article 11 – paragraph 3 – point d

Text proposed by the Commission

(d) the measures of the International Convention for the Control and Management of Ships Ballast Water and Sediments.

Amendment

(d) the measures of the International Convention for the Control and Management of Ships Ballast Water and Sediments ***and related IMO guidelines;***

Or. en

Justification

On ballast water, several articles and regulations of the Ballast Water Convention refer to guidelines to be developed by the IMO, and this should also be referred to.