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Committee on the Environment, Public Health and Food Safety

2013/0307(COD)

13.1.2014

AMENDMENTS

57 - 160

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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Amendment 57
Gaston Franco

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The appearance of alien species, whether animals, plants, fungi or micro-organisms, in new locations is not always a cause for concern. However, a significant subset of alien species can become invasive and have serious adverse impacts on biodiversity and ecosystem services, as well as other economic and social impacts, which should be prevented. Some 12 000 species in the environment in the Union and other European countries are alien, of which roughly 10 to 15 % are estimated to be invasive.

Amendment

(1) The appearance of alien species, whether animals, plants, fungi or micro-organisms, in new locations is not always a cause for concern. However, a significant subset of alien species can become invasive and have serious adverse impacts on biodiversity, ***in both rural and urban areas***, and ***on*** ecosystem services, as well as other economic and social impacts, which should be prevented. Some 12 000 species in the environment in the Union and other European countries are alien, of which roughly 10 to 15 % are estimated to be invasive.

Or. fr

Amendment 58
Gerben-Jan Gerbrandy, Pavel Poc, Chris Davies

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) To support the achievement of the objectives of Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds⁷, Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora⁸, Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine

Amendment

(6) To support the achievement of the objectives of Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds⁷, Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora⁸, Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine

environmental policy (Marine Strategy Framework Directive)⁹ and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy¹⁰, the primary objective of this Regulation should be to prevent, minimise and mitigate the adverse effects of invasive alien species on biodiversity **and** ecosystem services, as well as to reduce their economic and social impact.

⁷ OJ L 20, 26.1.2010, p. 7.

⁸ OJ L 206, 22.7.1992, p. 7.

⁹ OJ L 164, 25.6.2008, p. 19.

¹⁰ OJ L 327, 22.12.2000, p. 1.

environmental policy (Marine Strategy Framework Directive)⁹ and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy¹⁰, the primary objective of this Regulation should be to prevent, minimise and mitigate the adverse effects of invasive alien species on biodiversity, ecosystem services, **public health and safety**, as well as to reduce their economic and social impact.

⁷ OJ L 20, 26.1.2010, p. 7.

⁸ OJ L 206, 22.7.1992, p. 7.

⁹ OJ L 164, 25.6.2008, p. 19.

¹⁰ OJ L 327, 22.12.2000, p. 1.

Or. en

Justification

Invasive alien species can cause great damages to public health and safety, e.g. in the Netherlands where flooding is a serious concern if the musk rat is not contained, as this invasive alien species causes severe damage to waterworks.

Amendment 59 **Esther de Lange**

Proposal for a regulation **Recital 6**

Text proposed by the Commission

(6) To support the achievement of the objectives of Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds⁷, Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora⁸, Directive 2008/56/EC of the European Parliament and of the Council of

Amendment

(6) To support the achievement of the objectives of Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds⁷, Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora⁸, Directive 2008/56/EC of the European Parliament and of the Council of

17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)⁹ and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy¹⁰, the primary objective of this Regulation should be to prevent, minimise and mitigate the adverse effects of invasive alien species on biodiversity *and* ecosystem services, as well as to reduce their economic and social impact.

⁷ OJ L 20, 26.1.2010, p. 7.

⁸ OJ L 206, 22.7.1992, p. 7.

⁹ OJ L 164, 25.6.2008, p. 19.

¹⁰ OJ L 327, 22.12.2000, p. 1.

17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)⁹ and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy¹⁰, the primary objective of this Regulation should be to prevent, minimise and mitigate the adverse effects of invasive alien species on biodiversity, ecosystem services, *safety and public health* as well as to reduce their economic and social impact.

⁷ OJ L 20, 26.1.2010, p. 7.

⁸ OJ L 206, 22.7.1992, p. 7.

⁹ OJ L 164, 25.6.2008, p. 19.

¹⁰ OJ L 327, 22.12.2000, p. 1.

Or. nl

Amendment 60 **Renate Sommer**

Proposal for a regulation **Recital 7**

Text proposed by the Commission

(7) Some species migrate naturally in response to environmental changes. Therefore they should not be considered as alien species in their new environment and are thus excluded from the scope of the new rules on invasive alien species.

Amendment

(7) Some species migrate naturally in response to environmental changes. Therefore they should not be considered as alien species in their new environment and, ***provided that they do not endanger existing ecosystems***, are thus excluded from the scope of the new rules on invasive alien species.

Or. de

Amendment 61 **Andrés Perelló Rodríguez**

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) At Union level, the proposal for a new Regulation of the European Parliament and the Council on Animal Health¹¹ include provisions on animal diseases, and the new Regulation of the European Parliament and the Council on protective measures against pests of plants¹² provides rules for pests of plants, and Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC¹³ sets out the regime applicable to genetically modified organisms. Therefore, the new rules on invasive alien species should align and not overlap with those Union acts and shall not apply to the organisms targeted by those acts.

¹¹ COM(2013) 260 final.

¹² COM(2013) 267 final.

¹³ OJ L 106, 17.4.2001, p. 1.

Amendment

(8) At Union level, the proposal for a new Regulation of the European Parliament and the Council on Animal Health¹¹ include provisions on ***disease agents that cause*** animal diseases, At Union level, the proposal for a new Regulation of the European Parliament and the Council on Animal Health¹¹ include provisions on animal diseases, and the new Regulation of the European Parliament and the Council on protective measures against pests of plants¹² provides rules for pests of plants, and Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC¹³ sets out the regime applicable to genetically modified organisms. Therefore, the new rules on invasive alien species should align and not overlap with those Union acts and shall not apply to the organisms targeted by those acts.

¹¹ COM(2013) 260 final.

¹² COM(2013) 267 final.

¹³ OJ L 106, 17.4.2001, p. 1.

Or. es

Justification

Since the Regulation relates to species, it would be more appropriate and clearer to insert the term 'disease agents' alongside that of 'animal diseases'.

Amendment 62
Gerben-Jan Gerbrandy, Pavel Poc

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture¹⁴, Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products¹⁵ and Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC¹⁶ provide for rules concerning the authorisation for the use of certain alien species for particular purposes. The use of certain species has already been authorised under those regimes at the time of entry into force of these new rules as they do not pose unacceptable risks to the environment, human health and the economy. In order to ensure a coherent legal framework, those species should thus be excluded from the new rules.

¹⁴ OJ L 168, 28.6.2007, p.1.

¹⁵ OJ L 167, 27.6.2012, p. 1.

¹⁶ OJ L 309, 24.11.2009, p. 1.

Amendment

(9) Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products¹⁵ and Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC¹⁶ provide for rules concerning the authorisation for the use of certain alien species for particular purposes. The use of certain species has already been authorised under those regimes at the time of entry into force of these new rules as they do not pose unacceptable risks to the environment, human health and the economy. In order to ensure a coherent legal framework, those species should thus be excluded from the new rules.

¹⁴ OJ L 168, 28.6.2007, p.1.

¹⁵ OJ L 167, 27.6.2012, p. 1.

¹⁶ OJ L 309, 24.11.2009, p. 1.

Or. en

Justification

Regulation (EC) 708/2007 addresses invasive alien species used in aquaculture in the Union, and the species listed in its Annex IV are excluded from the procedures it sets. The scope of the Invasive Species regulation is broader, as it includes invasive alien species used in other industries and in other areas, e.g. in the pet trade or in zoos and aquaria. While it is therefore expedient to exclude the Annex IV species from the procedures set out in EC 708/2007, for the purposes of the invasive species regulation these species should be included and subject to the

procedures it proposes.

Amendment 63

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture¹⁴, Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products¹⁵ and Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC¹⁶ provide for rules concerning the authorisation for the use of certain alien species for particular purposes. The use of certain species has already been authorised under those regimes at the time of entry into force of these new rules ***as they do not pose unacceptable risks to the environment, human health and the economy.*** In order to ensure a coherent legal framework, those species should thus be excluded from the new rules.

14 OJ L 168, 28.06.07, p. 1.

15 OJ L 167, 27.06.12, p. 1.

16 OJ L 309, 24.11.09, p. 1.

Amendment

(9) Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture, Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products and Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC provide for rules concerning the authorisation for the use of certain alien species for particular purposes. The use of certain species has already been authorised under those regimes at the time of entry into force of these new rules. In order to ensure a coherent legal framework, those species should thus be excluded from the new rules.

14 OJ L 168, 28.06.07, p. 1.

15 OJ L 167, 27.06.12, p. 1.

16 OJ L 309, 24.11.09, p. 1.

Or. es

Justification

Some of the species listed in the annexes to Council Regulation (EC) No 708/2007 of 11 June

2007 carry with them several potential risks, including the alteration of native species' habitats, competition with native species for food resources, predation on native species and, in some cases, transmission of diseases via fungi and bacteria.

Amendment 64

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected. ***In order to ensure that the subset of invasive alien species of Union concern remains proportionate, the list should be developed in line with a gradual and phased-in approach including an initial capping of the number of invasive alien species of Union concern to the top 3% of some 1500 invasive alien species in Europe and be focused on those species that cause or are likely to cause significant economic damage, including that deriving from biodiversity loss.***

Amendment

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected.

Or. es

Justification

The percentage quoted is arbitrary and unjustifiable and therefore cannot be supported.

Moreover, inclusion on the list should be based on clear criteria, without any limit being set.

Amendment 65

Kartika Tamara Liotard

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected. In order to ensure that the subset of invasive alien species of Union concern *remains proportionate, the list should be developed in line with a gradual and phased-in approach including an initial capping of the number of* invasive alien species of Union concern *to the top 3% of some 1500 invasive alien species in Europe and be focused on those species that cause or are likely to cause significant economic damage, including that deriving from biodiversity loss.*

Amendment

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected. In order to ensure that the subset of invasive alien species of Union concern *meets the objective of placing the emphasis on prevention, it is essential that the list is constantly revised and kept up-to-date, as novel* invasive alien species *are identified and are considered to be a risk. The list should include as well, groups of species with similar ecological requirements to prevent the trade switching from a species on the list of Union concern to a similar but unlisted species.*

Or. en

Justification

This cap is inconsistent with the objectives and requirements outlined in Recitals 14 and 16. If the intention of the legislation is to prevent invasive alien species being introduced and becoming established, a capped list will be ineffective and any list should be open, constantly

revised and be kept up-to-date as new invasive species are identified or if new scientific information becomes available.

Amendment 66

Julie Girling

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected. In order to ensure that the subset of invasive alien species of Union concern *remains proportionate, the list should be developed in line with a gradual and phased-in approach including an initial capping of the number of invasive alien species of Union concern to the top 3% of some 1500 invasive alien species in Europe and be focused on those species that cause or are likely to cause significant economic damage, including that deriving from biodiversity loss.*

Amendment

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected. In order to ensure that the subset of invasive alien species of Union concern *meets the objective of focusing on prevention, it is essential that the list is regularly revised as new invasive alien species are identified and considered to pose a risk.*

Or. en

Justification

The cap on the list of invasive alien species of Union concern limits the scope for prevention, which should be the objective of the regulation. Rather, the list should be open and the focus

should be on keeping the list up-to-date as new species are identified.

Amendment 67
Renate Sommer

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected. In order to ensure that the subset of invasive alien species of Union concern remains proportionate, the list should be developed in line with a gradual and phased-in approach including an initial capping of the number of invasive alien species of Union concern to the top **3% of some 1500** invasive alien species in Europe and be focused on those species that cause or are likely to cause significant economic damage, including that deriving from biodiversity loss.

Amendment

(10) As invasive alien species are numerous, it is important to ensure that priority is afforded to addressing the subset of invasive alien species considered to be of Union concern. A list of such invasive alien species considered to be of Union concern should therefore be drawn up. An invasive alien species should be considered of Union concern if the damage it is causing in the affected Member States is so significant that it justifies the adoption of dedicated measures the scope of which extends across the Union, including in the Member States that are not yet affected or even unlikely to be affected. In order to ensure that the subset of invasive alien species of Union concern remains proportionate, the list should be developed in line with a gradual and phased-in approach including an initial capping of the number of invasive alien species of Union concern to the top **6% of** invasive alien species in Europe and be focused on those species that cause or are likely to cause significant economic damage including that deriving from biodiversity loss, **and/or endanger human health.**

Or. en

Amendment 68
Jolanta Emilia Hibner

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) The criteria to list invasive alien species considered to be of Union concern is the core instrument to apply these new rules. ***The Commission will do its utmost to submit a proposal for a list based on those criteria within one year of the entry into force of this legislation to the Committee.*** The criteria should include a risk assessment pursuant to the applicable provisions under the Agreements of the World Trade Organisation on placing trade restriction on species.

Amendment

(11) The criteria to list invasive alien species considered to be of Union concern is the core instrument to apply these new rules. The criteria should include a risk assessment pursuant to the applicable provisions under the Agreements of the World Trade Organisation on placing trade restriction on species.

Or. pl

Amendment 69
Julie Girling

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) The criteria to list invasive alien species considered to be of Union concern is the core instrument to apply these new rules. The Commission will do its utmost to submit a proposal for a list based on those criteria within one year of the entry into force of this legislation to the Committee. The criteria should include a risk assessment pursuant to the applicable provisions under the Agreements of the World Trade Organisation on placing trade restriction on species.

Amendment

(11) The criteria to list invasive alien species considered to be of Union concern is the core instrument to apply these new rules. The Commission will do its utmost to submit a proposal for a list based on those criteria within one year of the entry into force of this legislation to the Committee. The criteria ***for inclusion on the list should be based on the best available scientific evidence and should follow a framework which identifies the risk in relation to the main stages of biological invasions: transport, establishment, spread and impact. The criteria should also*** include a risk assessment pursuant to the applicable provisions under the Agreements of the World Trade Organisation on placing trade

restriction on species.

Or. en

Justification

Whilst the proposed Regulation includes details of the risk assessments that should be undertaken to inform the selection of species that will be subject to the regulations, there is no indication of what the basis of the selection criteria will be.

Amendment 70

Andrés Perelló Rodríguez

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) In order to ensure compliance with the rules of the World Trade Organisation and ensure the coherent application of these new rules common criteria should be established to perform the risk assessment. Those criteria should use when appropriate existing national and international standards and should encompass different aspects of the characteristics of the species, the risk and modes of **entry** into the Union, the negative economic, social and biodiversity impacts of the species, the potential benefits of uses and the costs of mitigation to weight them against the negative impacts, as well as **a** quantified forecast of the environmental, economic and social damage costs at Union level demonstrating the significance for the Union, so as to further justify action. In order to develop the system progressively and build upon the experience gained, the overall approach should be evaluated after five years.

Amendment

(12) In order to ensure compliance with the rules of the World Trade Organisation and ensure the coherent application of these new rules, common criteria should be established to perform the risk assessment. Those criteria should use, when appropriate, existing national and international standards and should encompass different aspects of the characteristics of the species, the risk and modes of **introduction** into the Union, the negative economic, social and biodiversity impacts of the species, the potential benefits of uses and the costs of mitigation to weight them against the negative impacts, as well as **an approximate** quantified forecast of the environmental, economic and social damage costs at Union level demonstrating the significance for the Union, so as to further justify action. In order to develop the system progressively and build upon the experience gained, the overall approach should be evaluated after five years.

Or. es

Justification

Linguistic amendment consistent with the term ‘introduction’ defined in Article 3. This change should be applied throughout the text. The fact that it is not possible to reliably quantify the costs should not stop action being taken.

Amendment 71

Julie Girling

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Some invasive alien animals are included in Annex B to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein¹⁷, and their import into the Union is prohibited because their invasive character has been recognised and their introduction into the Union has a negative impact on native species. These species are: *Callosciurus erythraeus*, *Sciurus carolinensis*, *Oxyura jamaicensis*, *Lithobates (Rana) catesbeianus*, *Sciurus niger*, *Chrysemys picta*, *Trachemys scripta elegans*. To ensure a coherent legal framework and uniform rules at Union level on invasive alien species, those invasive alien animals should be ***considered as a matter of priority for listing as*** invasive alien species of Union concern.

¹⁷ OJ L 61, 3.3.1997, p. 1.

Amendment

(13) Some invasive alien animals are included in Annex B to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein¹⁷, and their import into the Union is prohibited because their invasive character has been recognised and their introduction into the Union has a negative impact on native species. These species are: *Callosciurus erythraeus*, *Sciurus carolinensis*, *Oxyura jamaicensis*, *Lithobates (Rana) catesbeianus*, *Sciurus niger*, *Chrysemys picta*, *Trachemys scripta elegans*. To ensure a coherent legal framework and uniform rules at Union level on invasive alien species, those invasive alien animals should be ***included on the list of*** invasive alien species of Union concern, ***whilst continuing to remain on Annex B to Regulation (EC) No 338/97.***

¹⁷ OJ L 61, 3.3.1997, p. 1.

Or. en

Justification

Assuming that proposed amendments to remove the cap on the list of invasive alien species of Union concern are adopted, there is no reason not to immediately include these species on the list and thus ensure coherence with Regulation EC No. 338/97. The Commission text did not

make it clear whether those species would remain on the Annex to that Regulation once included in the list of invasive alien species of Union concern, so this amendment clarifies this point.

Amendment 72

Kartika Tamara Liotard

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Some invasive alien animals are included in Annex B to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein¹⁷, and their import into the Union is prohibited because their invasive character has been recognised and their introduction into the Union has a negative impact on native species. These species are: *Callosciurus erythraeus*, *Sciurus carolinensis*, *Oxyura jamaicensis*, *Lithobates (Rana) catesbeianus*, *Sciurus niger*, *Chrysemys picta*, *Trachemys scripta elegans*. To ensure a coherent legal framework and uniform rules at Union level on invasive alien species, those invasive alien animals should be ***considered*** as a matter of priority ***for listing as*** invasive alien species of Union concern.

¹⁷ OJ L 61, 3.3.1997, p. 1.

Amendment

(13) Some invasive alien animals are included in Annex B to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein, and their import into the Union is prohibited because their invasive character has been recognised and their introduction into the Union has a negative impact on native species. These species are: *Callosciurus erythraeus*, *Sciurus carolinensis*, *Oxyura jamaicensis*, *Lithobates (Rana) catesbeianus*, *Sciurus niger*, *Chrysemys picta*, *Trachemys scripta elegans*. To ensure a coherent legal framework and uniform rules at Union level on invasive alien species, those invasive alien animals should be ***included*** as a matter of priority ***on the list of*** invasive alien species of Union concern.

¹⁷ OJ L 61, 3.3.1997, p. 1.

Or. en

Justification

If the proposed cap of 50 species is scrapped, the seven species of vertebrates listed on Annex B to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (Wildlife Trade Regulations) should be added to the list of invasive alien species of Union concern. Import of these seven species into the EU is currently prohibited but not the using, sale, breeding, keeping and transport.

Amendment 73
Jolanta Emilia Hibner

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) Some invasive alien animals are included in Annex B to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein¹⁷, and their import into the Union is prohibited because their invasive character has been recognised and their introduction into the Union has a negative impact on native species. These species are: *Callosciurus erythraeus*, *Sciurus carolinensis*, *Oxyura jamaicensis*, *Lithobates (Rana) catesbeianus*, *Sciurus niger*, *Chrysemys picta*, *Trachemys scripta elegans*. To ensure a coherent legal framework and uniform rules at Union level on invasive alien species, those invasive alien animals should be considered as a matter of priority for listing as invasive alien species of Union concern.

¹⁷ OJ L 61, 3.3.1997, p. 1.

Amendment

(13) Some invasive alien animals are included in Annex B to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein¹⁷, and their import into the Union is prohibited because their invasive character has been recognised and their introduction into the Union has a negative impact on native species. These species are: *Callosciurus erythraeus*, *Sciurus carolinensis*, *Oxyura jamaicensis*, *Lithobates (Rana) catesbeianus*, *Sciurus niger*, *Chrysemys picta*, *Trachemys scripta elegans*. To ensure a coherent legal framework and uniform rules at Union level on invasive alien species, those invasive alien animals should be considered as a matter of priority for listing as invasive alien species of Union concern. ***This Regulation and Regulation (EC) No 338/97 should be viewed as mutually complementary instruments.***

¹⁷ OJ L 61, 3.3.1997, p. 1.

Or. pl

Amendment 74
Gaston Franco

Proposal for a regulation
Recital 14 a (new)

(14a) Some of the species that are invasive in the Union as a whole are native in particular Member States. A differentiated system should therefore be drawn up, based on the EU's nine biogeographical regions as referred to in the Habitats Directive (92/43/EEC): the Alpine, Atlantic, Black Sea, Boreal, Continental, Macaronesian, Mediterranean, Pannonian and Steppic regions.

Or. fr

Justification

It is scientifically more appropriate to draw up nine different lists to take into account the diversity of ecosystems, while avoiding using the system of derogations. Having a system of derogations for certain Member States would go against the spirit of the regulation, which encourages a preventive and reactive approach before the situation gets out of control. It would hamper effective implementation, by sending out negative signals as regards its binding nature.

Amendment 75

Kartika Tamara Liotard

**Proposal for a regulation
Recital 15**

(15) Some of the species that are invasive in the Union may be native in some of the Union's Outermost Regions and vice versa. In the Communication from the Commission on 'The outermost regions: an asset for Europe'¹⁸ it was recognised that the remarkable biodiversity of the outermost regions calls for the development and implementation of measures to prevent and manage invasive alien species in those regions as defined by the Treaty on the Functioning of the

(15) Some of the species that are invasive in the Union may be native in some of the Union's Outermost Regions and vice versa. In the Communication from the Commission on "The outermost regions: an asset for Europe" it was recognised that the remarkable biodiversity of the outermost regions calls for the development and implementation of measures to prevent and manage invasive alien species in those regions as defined by the Treaty on the Functioning of the

European Union taking into account European Council Decisions 2010/718/EU of 29 October 2010 amending the status with regard to the European Union of the island of Saint-Barthélemy¹⁹ and 2012/419/EU of 11 July 2012 amending the status of Mayotte with regard to the European Union²⁰. Therefore all the provisions of these new rules should apply to the Union's Outermost Regions except for provisions relating to invasive alien species of Union concern which are native to those regions. In addition, to allow for the necessary protection of the biodiversity in such regions, it is necessary that the concerned Member States draw up, as a complement to the list of invasive alien species of Union concern, specific lists of invasive alien species for their Outermost Regions to which these new rules should also apply.

¹⁸ COM (2008)642 final.

¹⁹ OJ L 325, 9.12.2010, p. 4.

²⁰ OJ L 204, 31.7.2012, p. 131.

European Union taking into account European Council Decisions 2010/718/EU of 29 October 2010 amending the status with regard to the European Union of the island of Saint-Barthélemy and 2012/419/EU of 11 July 2012 amending the status of Mayotte with regard to the European Union. Therefore all the provisions of these new rules should apply to the Union's Outermost Regions except for provisions relating to invasive alien species of Union concern which are native to those regions. In addition, to allow for the necessary protection of the biodiversity in such regions, it is necessary that the concerned Member States draw up, as a complement to the list of invasive alien species of Union concern, specific lists of invasive alien species for their Outermost Regions to which these new rules should also apply. ***Those lists shall be open and constantly revised and kept up-to-date, as novel invasive alien species are identified and are considered to be a risk.***

¹⁸ COM (2008)642 final.

¹⁹ OJ L 325, 9.12.2010, p. 4.

²⁰ OJ L 204, 31.7.2012, p. 131.

Or. en

Justification

The list of species of concern for Outermost Regions should not be capped and should be constantly revised and kept up-to-date and the suggested amendment reflects this. A capped list would be a barrier to the Regulation meeting its objectives of preventing invasive alien species becoming established in the Outermost Regions.

Amendment 76

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) The risks and concerns associated with invasive alien species represent a cross-border challenge affecting the whole of the Union. It is therefore essential to adopt at Union level a ban on ***intentionally bringing into the Union, reproducing, growing, transporting, buying, selling, using, exchanging, keeping and releasing*** invasive alien species of Union concern, to ensure that consistent action is taken across the Union so as to avoid distortions of the internal market and to prevent situations where action taken in one Member State is undermined by inaction in another Member State.

Amendment

(16) The risks and concerns associated with invasive alien species represent a cross-border challenge affecting the whole of the Union. It is therefore essential to adopt at Union level a ban on ***the deliberate introduction*** into the Union ***and reproduction, growing, transportation, purchase, sale, use, exchange, possession and release there***, of invasive alien species of Union concern, to ensure that consistent action is taken across the Union so as to avoid distortions of the internal market and to prevent situations where action taken in one Member State is undermined by inaction in another Member State.

Or. es

Justification

In line with the amendment to Article 7.

Amendment 77

Jolanta Emilia Hibner

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) With a view to enabling scientific research and ***ex-situ conservation*** activities, it is necessary to provide specific rules for the invasive alien species of Union concern subject to those activities. Those activities should be carried out in closed facilities where the organisms are in contained holding and with all the necessary measures taken to avoid the escape or unlawful release of invasive alien species of Union concern.

Amendment

(17) With a view to enabling scientific research ***by establishments that are authorised to carry out such research*** and ***the activities carried out by zoos and botanical gardens***, it is necessary to provide specific rules for the invasive alien species of Union concern subject to those activities. Those activities should be carried out in closed facilities where the organisms are in contained holding and with all the necessary measures taken to avoid the escape or unlawful release of

invasive alien species of Union concern.

Or. pl

Amendment 78

Mark Demesmaeker, Pavel Poc, Catherine Bearder, Kartika Tamara Liotard

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) There may be cases where alien species not yet recognised as invasive alien species of Union concern appear at the Union borders or are detected in the Union territory. Member States should therefore be granted the possibility to adopt on the basis of available scientific evidence certain emergency measures. Such emergency measures would allow immediate reaction against species which may pose risks related to their introduction, establishment and spread in those countries, while Member States assess the effective risks posed by them, in line with the applicable provisions of the Agreements of the World Trade Organisation, in particular with a view to having those species recognised as invasive alien species of Union concern. There is a need to couple national emergency measures with the possibility of adopting emergency measures at Union level in order to comply with the provisions of the agreements of the World Trade Organisation. Furthermore, Union level emergency measures would equip the Union with a mechanism to act swiftly in case of presence or imminent danger of entry of a new invasive alien species in accordance with the precautionary principle.

Amendment

(18) There may be cases where alien species not yet recognised as invasive alien species of Union concern appear at the Union borders or are detected in the Union territory. Member States should therefore be granted the possibility to adopt on the basis of available scientific evidence certain emergency measures. Such emergency measures would allow immediate reaction against species which may pose risks related to their introduction, establishment and spread in those countries, while Member States assess the effective risks posed by them, in line with the applicable provisions of the Agreements of the World Trade Organisation, in particular with a view to having those species recognised as invasive alien species of Union concern. There is a need to couple national emergency measures with the possibility of adopting emergency measures at Union level in order to comply with the provisions of the agreements of the World Trade Organisation. Furthermore, Union level emergency measures would equip the Union with a mechanism to act swiftly in case of presence or imminent danger of entry of a new invasive alien species in accordance with the precautionary principle. ***In case emergency measures require eradication, control or containment, the welfare of targeted and non-targeted animals should be taken into***

account. The competent authorities should take the necessary measures to avoid pain, distress and suffering of animals during the process, based insofar as possible on best practices in the field.

Or. en

Justification

When tackling invasive alien species, it is crucial to take animal welfare into account. This is also key for having the support of citizens for acting against these species. Best practices include for example the Guiding Principles on Animal Welfare developed by the World Organisation for Animal Health (OIE).

Amendment 79

Véronique Mathieu Houillon

Proposal for a regulation

Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) With a view to enabling the breeding and trading of farm animals, specific rules should be laid down for invasive alien species considered to be of Union concern and subject to these activities. These activities should be carried out in closed, secure establishments and with the necessary measures taken to prevent invasive alien species considered to be of Union concern from escaping or being illegally released.

Or. fr

Amendment 80

Kartika Tamara Liotard

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Member States should be able to ***adopt more stringent measures to tackle invasive alien species and to*** take measures proactively in respect of any species that are not listed as invasive alien species of Union concern. In order to adopt a more proactive stance on unlisted species, it should therefore be required that to release invasive alien species into the environment that are not listed as invasive alien species of Union concern, but for which Member States have found evidence that they pose a risk, an authorisation for release should be issued. Detailed rules for the authorisation of alien species to be used in aquaculture have already been established by Regulation (EC) No 708/2007 and should be taken into account by Member States in this context.

Amendment

(19) Member States should be able to take measures, ***including regulation of trade, use, breeding, cultivation, sale, keeping, transport and release into the wild,*** proactively in respect of any species that are not listed as invasive alien species of Union concern. In order to adopt a more proactive stance on unlisted species, it should therefore be required that to release invasive alien species into the environment that are not listed as invasive alien species of Union concern, but for which Member States have found evidence that they pose a risk, an authorisation for release should be issued. Detailed rules for the authorisation of alien species to be used in aquaculture have already been established by Regulation (EC) No 708/2007 and should be taken into account by Member States in this context.

Or. en

Justification

A non-exhaustive list with examples of the most suitable measure should be provided. The possibility for Member States to adopt more stringent measures is addressed in a separate Recital.

Amendment 81

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Member States should be able to adopt more stringent measures to tackle invasive alien species and to take measures proactively in respect of any species that are not listed as invasive alien species of

Amendment

(19) Member States should be able to adopt more stringent measures to tackle invasive alien species and to take ***any necessary*** measures proactively in respect of any species that are not listed as invasive alien

Union concern. In order to adopt a more proactive stance on unlisted species, it should therefore be required that to release invasive alien species into the environment that are not listed as invasive alien species of Union concern, but for which Member States have found evidence that they pose a risk, an authorisation for release should be issued. Detailed rules for the authorisation of alien species to be used in aquaculture have already been established by Regulation (EC) No 708/2007 and should be taken into account by Member States in this context.

species of Union concern. In order to adopt a more proactive stance on unlisted species, it should therefore be required that to release invasive alien species into the environment that are not listed as invasive alien species of Union concern, but for which Member States have found evidence that they pose a risk, an authorisation for release should be issued. Detailed rules for the authorisation of alien species to be used in aquaculture have already been established by Regulation (EC) No 708/2007 and should be taken into account by Member States in this context.

Or. es

Justification

It should be made clear that the Member States can take any necessary measures to protect their native plant and animal life, including trade restrictions at a national level, to combat invasive species.

Amendment 82 **Jolanta Emilia Hibner**

Proposal for a regulation **Recital 19**

Text proposed by the Commission

(19) Member States should be able to adopt more stringent measures to tackle invasive alien species and to take measures proactively in respect of any species that are not listed as invasive alien species of Union concern. In order to adopt a more proactive stance on unlisted species, it should therefore be required that to release invasive alien species into the environment that are not listed as invasive alien species of Union concern, but for which Member States have found evidence that they pose a risk, an authorisation for release should be issued. Detailed rules for the authorisation

Amendment

(19) Member States should be able to adopt more stringent measures to tackle invasive alien species and to take measures proactively in respect of any species that are not listed as invasive alien species of Union concern. In order to adopt a more proactive stance on unlisted species, it should therefore be required that to release invasive alien species into the environment that are not listed as invasive alien species of Union concern, but for which Member States have found evidence that they pose a risk, an authorisation for release should be issued. Detailed rules for the authorisation

of alien species to be used in aquaculture have already been established by Regulation (EC) No 708/2007 and should be taken into account by Member States in this context.

of alien species to be used in aquaculture have already been established by Regulation (EC) No 708/2007 and should be taken into account by Member States in this context. ***Member States should continue to develop other national and international instruments to address the problems caused by invasive alien species. New regulations should complement existing provisions, rather than replace them outright.***

Or. pl

Amendment 83
Chris Davies, Gerben-Jan Gerbrandy

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) A large proportion of invasive alien species are introduced unintentionally into the Union. It is therefore crucial to manage the pathways of unintentional introduction. Action in this area would need to be gradual, given the relatively limited experience in this field. Action should include voluntary measures, such as the actions proposed by the International Maritime Organisation's Guidelines for the Control and Management of Ships' Biofouling, and mandatory measures and should build on the experience gained in the Union and in Member States in managing certain pathways, including measures established through the International Convention for the Control and Management of Ships Ballast Water and Sediments.

Amendment

(20) A large proportion of invasive alien species are introduced unintentionally into the Union. It is therefore crucial to manage the pathways of unintentional introduction. Action in this area would need to be gradual, given the relatively limited experience in this field. Action should include voluntary measures, such as the actions proposed by the International Maritime Organisation's Guidelines for the Control and Management of Ships' Biofouling, and mandatory measures and should build on the experience gained in the Union and in Member States in managing certain pathways, including measures established through the International Convention for the Control and Management of Ships Ballast Water and Sediments. ***Accordingly the Commission should take all appropriate steps to encourage Member States to ratify the Convention, including promoting opportunities for debate between national ministers.***

Notwithstanding the provisions for Member State action plans laid down in Article 11, the Commission should, by three years from the date of entry into force of this Regulation, report on Member States' implementation of the aforementioned voluntary measures and should if appropriate come forward with legislative proposals to incorporate such measures into Union law.

Or. en

Justification

At the time of writing the Commission's Impact Assessment, only four Member States had ratified the Convention; yet the IEEP Report for the Commission (2010) stated that releases of untreated ballast water and hull fouling are by far the most significant vectors of accidental introduction of alien species. In the instance that voluntary measures do not prove successful therefore, the Commission should consider legislative action in this field.

Amendment 84 **Renate Sommer**

Proposal for a regulation **Recital 21**

Text proposed by the Commission

(21) In order to develop an adequate knowledge base to address the problems raised by invasive alien species, it is important that Member States undertake research, monitoring and surveillance of such species. As surveillance systems offer the most appropriate means for early detection of new invasive alien species and for the determination of the distribution of already established species, they should include both targeted and general surveys and benefit from the involvement of different sectors and stakeholders, including **local communities**. Surveillance systems should imply paying continuous attention to any new invasive alien species

Amendment

(21) In order to develop an adequate knowledge base to address the problems raised by invasive alien species, it is important that Member States undertake research, monitoring and surveillance of such species **and exchange best-practices on the prevention and management of invasive alien species**. As surveillance systems offer the most appropriate means for early detection of new invasive alien species and for the determination of the distribution of already established species, they should include both targeted and general surveys and benefit from the involvement of different sectors and stakeholders, including **regional**

anywhere in the Union. In the interest of efficiency and cost-effectiveness, existing systems of border control, surveillance and monitoring already established in Union legislation should be applied, in particular those set out Directives 2009/147/EC, 92/43/EEC, 2008/56/EC and 2000/60/EC.

authorities. Surveillance systems should imply paying continuous attention to any new invasive alien species anywhere in the Union. In the interest of efficiency and cost-effectiveness, existing systems of border control, surveillance and monitoring already established in Union legislation should be applied, in particular those set out Directives 2009/147/EC, 92/43/EEC, 2008/56/EC and 2000/60/EC.

Or. en

Amendment 85
Andrea Zanoni

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) After the introduction of an invasive alien species, early detection and rapid eradication measures are crucial to prevent their establishment and spread. The most effective and cost efficient response is often to eradicate the population, as soon as possible while the number of specimens is still limited. In the event that eradication is not feasible or the costs of eradication outweigh in the long term the environmental, economic and social benefits, containment and control measures should be applied.

Amendment

(23) After the introduction of an invasive alien species, early detection and rapid eradication measures are crucial to prevent their establishment and spread. The most effective and cost efficient response is often to eradicate the population, as soon as possible while the number of specimens is still limited. In the event that eradication is not feasible or the costs of eradication outweigh in the long term the environmental, economic and social benefits, containment and control measures should be applied. ***These containment and control measures, in the case of animal species, should use exclusively non-lethal methods.***

Or. it

Amendment 86
Véronique Mathieu Houillon

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) Eradicating and managing some invasive alien species, while necessary, may induce pain, distress, fear or other forms of suffering to the animals even when using the best available technical means. For that reason, Member States and any operator involved in the eradication, control or containment of invasive alien species should take the necessary measures to minimise pain, distress and suffering of animals during the process, taking into account in so far as possible the best practices in the field, for example the Guiding Principles on Animal Welfare developed by the World Organisation for Animal Health (OIE).

Amendment

(24) ***Article 13 of the Treaty on the Functioning of the European Union states: ‘In formulating and implementing the Union’s agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage’. Article 13 does not mention environmental policy, which is the legal basis of this Regulation. However,*** eradicating and managing some invasive alien species, while necessary, may induce pain, distress, fear or other forms of suffering to the animals even when using the best available technical means. For that reason, Member States and any operator involved in the eradication, control or containment of invasive alien species should ***endeavour to*** take the necessary measures to minimise pain, distress and suffering of animals during the process, taking into account in so far as possible the best practices in the field, for example the Guiding Principles on Animal Welfare developed by the World Organisation for Animal Health (OIE).

Or. fr

Justification

The Treaties provide for the Union to take full account of animal welfare in the implementation of certain policies listed in Article 13 TFEU. However, Article 13, which is the only provision referring to animal welfare in the Treaty, does not mention environmental policy. Consequently, the EU does not have the competence to take action on animal welfare

in formulating or implementing environmental policy. That is solely the responsibility of the Member States.

Amendment 87

Andrea Zanoni

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Eradicating and managing some invasive alien species, while necessary, may induce pain, distress, fear or other forms of suffering to the animals even when using the best available technical means. For that reason, Member States and any operator involved in the eradication, control or containment of invasive alien species should take the necessary measures to minimise pain, distress and suffering of animals during the process, taking into account in so far as possible the best practices in the field, for example the Guiding Principles on Animal Welfare developed by the World Organisation for Animal Health (OIE).

Amendment

(24) Eradicating and managing some invasive alien species, while necessary, may induce pain, distress, fear or other forms of suffering to the animals even when using the best available technical means. For that reason, Member States and any operator involved in the eradication, control or containment of invasive alien species should take the necessary measures to minimise pain, distress and suffering of animals during the process, taking into account in so far as possible the best practices in the field, for example the Guiding Principles on Animal Welfare developed by the World Organisation for Animal Health (OIE). ***In any case, non-lethal methods must be used for animal species.***

Or. it

Amendment 88

Kartika Tamara Liotard

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Eradicating and managing some invasive alien species, ***while*** necessary, may induce pain, distress, fear or other forms of suffering to the animals even

Amendment

(24) Eradicating and managing some invasive alien species, ***if deemed to be*** necessary, may induce pain, distress, fear or other forms of suffering to the animals

when using the best available technical means. For that reason, Member States and any operator involved in the eradication, control or containment of invasive alien species should take the necessary measures to **minimise** pain, distress and suffering of animals during the process, taking into account in so far as possible the best practices in the field, for example the Guiding Principles on Animal Welfare developed by the World Organisation for Animal Health (OIE).

even when using the best available technical means. For that reason, Member States and any operator involved in the eradication, control or containment of invasive alien species should take the necessary measures to **avoid** pain, distress and suffering of animals during the process, taking into account in so far as possible the best practices in the field, for example the Guiding Principles on Animal Welfare developed by the World Organisation for Animal Health (OIE). ***If eradication or management is considered, humane and scientifically tested methods should be used and Member States should engage with all relevant stakeholders and scientific experts in the decision making process. Non-lethal methods should be considered and any actions taken should minimise impact on non-target species.***

Or. en

Justification

The animal welfare language included in Recital 24 is welcome, but it should go further. No pain, distress or suffering is acceptable and should be avoided not minimised. Where control is demonstrated to be necessary (with sufficient scientific evidence to support it), only humane methods should be used and Member States should be obliged to include stakeholders, such as animal welfare organisations in the decision making process.

Amendment 89
Kartika Tamara Liotard

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) Invasive alien species generally cause damage to ecosystems and reduce their resilience. Therefore restoration measures are required to strengthen the ecosystems' resilience towards invasions, to repair the damage caused and to enhance the

Amendment

(25) Invasive alien species generally cause damage to ecosystems and reduce their resilience. Therefore restoration measures are required to strengthen the ecosystems' resilience towards invasions, to repair the damage caused and to enhance the

conservation status of species and their habitats in accordance with Article 4 of Directive 2009/147/EC and Article 6 of Directive 92/43/EEC, the ecological status of inland surface waters, transitional waters, coastal waters and groundwater in accordance with Article 11 of Directive 2000/60/EC, and the environmental status of marine waters in accordance with Article 13 of Directive 2008/56/EC.

conservation status of species and their habitats in accordance with Article 4 of Directive 2009/147/EC and Article 6 of Directive 92/43/EEC, the ecological status of inland surface waters, transitional waters, coastal waters and groundwater in accordance with Article 11 of Directive 2000/60/EC, and the environmental status of marine waters in accordance with Article 13 of Directive 2008/56/EC. ***Costs of such restoration measures should be borne by those individuals responsible for the species becoming invasive.***

Or. en

Justification

Where restoration measures are required the costs should be borne by the person (s) responsible for the introduction of the invasive species into the Union. While it may be difficult to identify the source in some cases, in others the source can be traced (e.g. introduction of Pallas Squirrel in Netherlands has been traced to one trader in exotic animals as pets). Directive 2004/35/EC on environmental liability establishes a precedent for the legislative use of the 'polluter pays' principle.

Amendment 90 **Julie Girling**

Proposal for a regulation **Recital 25**

Text proposed by the Commission

(25) Invasive alien species generally cause damage to ecosystems and reduce their resilience. Therefore restoration measures are required to strengthen the ecosystems' resilience towards invasions, to repair the damage caused and to enhance the conservation status of species and their habitats in accordance with Article 4 of Directive 2009/147/EC and Article 6 of Directive 92/43/EEC, the ecological status of inland surface waters, transitional waters, coastal waters and groundwater in

Amendment

(25) Invasive alien species generally cause damage to ecosystems and reduce their resilience. Therefore restoration measures are required to strengthen the ecosystems' resilience towards invasions, to repair the damage caused and to enhance the conservation status of species and their habitats in accordance with Article 4 of Directive 2009/147/EC and Article 6 of Directive 92/43/EEC, the ecological status of inland surface waters, transitional waters, coastal waters and groundwater in

accordance with Article 11 of Directive 2000/60/EC, and the environmental status of marine waters in accordance with Article 13 of Directive 2008/56/EC.

accordance with Article 11 of Directive 2000/60/EC, and the environmental status of marine waters in accordance with Article 13 of Directive 2008/56/EC. ***Where appropriate and possible, the costs of such restoration should be borne by those responsible for the species becoming invasive.***

Or. en

Justification

Where appropriate and possible, the 'polluter pays principle' should apply. The costs of necessary restoration measures should be covered by those responsible for the introduction of the invasive species which caused the damage.

Amendment 91 Gaston Franco

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) A system to address invasive alien species should be underpinned by a centralised information system collating the existing information on alien species in the Union and allowing access to information on presence of species, their spread, their ecology, invasion history and all other information necessary to underpin policy and management decisions.

Amendment

(26) A system to address invasive alien species should be underpinned by a centralised information system collating the existing information on alien species in the Union and allowing access to information on presence of species, their spread, their ecology, invasion history and all other information necessary to underpin policy and management decisions ***and also the exchange of good practices. Cross-border cooperation, particularly with neighbouring countries, and coordination between Member States, particularly within the same biogeographical region of the Union (Habitats Directive 92/43/EEC) are a prerequisite for this legislation to be effective.***

Or. fr

Justification

The Habitats Directive (92/43/EEC) refers to nine biogeographical regions of the EU with their own specific features: the Alpine, Atlantic, Black Sea, Boreal, Continental, Macaronesian, Mediterranean, Pannonian and Steppic regions.

Amendment 92

Jolanta Emilia Hibner

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) A system to address invasive alien species should be underpinned by a centralised information system collating the existing information on alien species in the Union and allowing access to information on presence of species, their spread, their ecology, invasion history and all other information necessary to underpin policy and management decisions.

Amendment

(26) A system to address invasive alien species should be underpinned by a centralised information system collating the existing information on alien species in the Union and allowing access to information on presence of species, their spread, their ecology, invasion history and all other information necessary to underpin policy and management decisions. ***The invasive alien species information system should include information from existing databases covering individual Member States, European regions (Nobanis) and Europe as a whole (Daisie).***

Or. pl

Amendment 93

Renate Sommer

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the

Amendment

(27) Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the

environment²¹ establishes a framework for **public consultation** in environment related decisions. In defining action in the field of invasive alien species, effective **public** participation should enable **the public** to express, and the decision-maker to take account of, opinions and concerns which may be relevant to those decisions, thereby increasing the accountability and transparency of the decision-making process and contributing to public awareness of environmental issues and support for the decisions taken.

²¹ OJ L 156, 25.6.2003, p. 17.

environment²¹ establishes a framework for **consultation of relevant stakeholders** in environment related decisions. In defining action in the field of invasive alien species, effective participation should enable **those stakeholders** to express, and the decision-maker to take account of, opinions and concerns which may be relevant to those decisions, thereby increasing the accountability and transparency of the decision-making process and contributing to public awareness of environmental issues and support for the decisions taken. ***Early and effective participation of relevant stakeholders is particularly important during the process to adopt or update the list of invasive alien species of Union concern and the establishment of action plans and measures by the Member States.***

²¹ OJ L 156, 25.6.2003, p. 17.

Or. en

Amendment 94 **Gaston Franco**

Proposal for a regulation **Recital 27**

Text proposed by the Commission

(27) Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment²¹ establishes a framework for public consultation in environment related decisions. In defining action in the field of invasive alien species, effective public participation should enable the public to express, and the decision-maker to take account of, opinions and concerns which

Amendment

(27) Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment²¹ establishes a framework for public consultation in environment related decisions. In defining action in the field of invasive alien species, effective public participation should enable the public to express, and the decision-maker to take account of, opinions and concerns which

may be relevant to those decisions, thereby increasing the accountability and transparency of the decision-making process and contributing to public awareness of environmental issues and support for the decisions taken.

²¹ OJ L 156, 25.6.2003, p. 17.

may be relevant to those decisions, thereby increasing the accountability and transparency of the decision-making process and contributing to public awareness of environmental issues and support for the decisions taken. ***Local and regional authorities must also be involved in decisions taken by the Member States on tackling invasive species, as they play a vital role in the implementation of those decisions and in raising public awareness and providing information.***

²¹ OJ L 156, 25.6.2003, p. 17.

Or. fr

Amendment 95
Julie Girling

Proposal for a regulation
Recital 27 a (new)

Text proposed by the Commission

Amendment

(27a) The implementation of this Regulation, in particular as regards the establishing and updating the list of invasive species of Union concern, elements of risk assessment, emergency measures and measures for rapid eradication at an early stage of invasion, should be informed by sound scientific evidence, thus requiring the effective involvement of relevant members of the scientific community.

Or. en

Justification

The implementation of the Regulation should be informed by members of the scientific community with relevant expertise.

Amendment 96
Renate Sommer

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) In order to take into account the latest scientific developments in the environmental field, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of determining how to conclude that invasive alien species are capable of establishing viable populations and of spreading, as well as for setting out the common elements for the development of risk assessments. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment

(29) In order to take into account the latest scientific developments in the environmental field, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of determining how to conclude that invasive alien species are capable of establishing viable populations and of spreading, as well as for setting out the common elements for the development of risk assessments. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level ***by consulting the Scientific Forum***. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Or. en

Amendment 97
Erik Bánki

Proposal for a regulation
Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) As expenditure on implementing the Regulation will primarily be incurred by the Member States, it must be made possible for the Member States to receive

targeted support from the European Union through existing or new European Union financial instruments, the amounts of which must be proportionate to the tasks imposed by the Regulation. On the basis of the principle of equal bearing of public burdens in this field, particular attention needs to be paid to countries beyond the European Union's borders, whose expenditure in connection with invasive alien species may be substantially greater than that of countries within the Union is likely to be.

Or. hu

Justification

It is a serious shortcoming of the Regulation that it does not provide for sufficient funding for its implementation, which calls into question the feasibility of its implementation for many Member States. The order of magnitude of expenditure is not proportionate (the plan estimates the cost incurred on account of invasive species alien to the Union to be at least EUR 12 bn per annum): expenditure on implementing the Regulation will be incurred primarily at Member State level, as the Regulation does not provide for specific EU funding for implementation.

Amendment 98
Kartika Tamara Liotard

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) In order to guarantee compliance with this Regulation, it is important that Member States impose dissuasive, effective and proportionate sanctions for infringements taking into account the nature and gravity of the infringement.

Amendment

(30) In order to guarantee compliance with this Regulation, it is important that Member States impose dissuasive, effective and proportionate sanctions for infringements taking into account the nature and gravity of the infringement. *Sanctions should take into account the polluter pays principle and apply to all persons (commercial or non-commercial) responsible for introducing non-native species whether intentionally or unintentionally.*

Justification

Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage establishes a precedent for the legislative use of the 'polluter pays' principle, particularly in the context of protecting species and natural habitats.

Amendment 99
Renate Sommer

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) In order to enable non-commercial owners to continue keeping their **companion** animals that belong to species listed as invasive alien species of Union concern until the animal's natural death, it is necessary to provide transitional measures, **on** the condition that all measures are put in place to avoid escape or reproduction.

Amendment

(31) In order to enable non-commercial owners to continue keeping their **pet** animals that belong to species listed as invasive alien species of Union concern until the animal's natural death, it is necessary to provide transitional measures, **under** the condition that all measures are put in place to avoid escape or reproduction.

Amendment 100
Julie Girling, Pavel Poc

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) In order to enable non-commercial owners to continue keeping their **companion** animals that belong to species listed as invasive alien species of Union concern until the animal's natural death, it is necessary to provide transitional measures, on the condition that all measures are put in place to avoid escape

Amendment

(31) In order to enable non-commercial owners to continue keeping their **pet** animals that belong to species listed as invasive alien species of Union concern until the animal's natural death, it is necessary to provide transitional measures, on the condition that all measures are put

or reproduction.

in place to avoid escape or reproduction.

Or. en

Justification

The term ‘companion animal’ is not defined nor is it used in other EU regulations; rather it should be amended to ‘pet animal’ and the related definition in Regulation (EC) 998/2003 on the non-commercial movement of pet animals and the proposed Animal Health Law (COM(2013)620 final) should be used and extended to other animals kept as pets. This terminology is also used in the Bern Convention’s European Code of Conduct on Pets and Invasive Alien Species (T-PVS/Inf (2011) 1 rev).

Amendment 101 **Renate Sommer**

Proposal for a regulation **Recital 32**

Text proposed by the Commission

(32) In order to enable commercial operators, ***who may have legitimate expectations***, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to slaughter, sell or hand over the specimens to research or ex-situ conservation establishments.

Amendment

(32) In order to enable commercial operators, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to slaughter, sell or hand over the specimens to research or ex-situ conservation establishments.

Or. en

Amendment 102 **Julie Girling, Pavel Poc**

Proposal for a regulation **Recital 32**

Text proposed by the Commission

(32) In order to enable commercial operators, who may have legitimate expectations, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to ***slaughter***, sell or hand over the specimens to research or ex-situ conservation establishments.

Amendment

(32) In order to enable commercial operators, who may have legitimate expectations, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to ***humanely cull***, sell or, ***where relevant***, hand over the specimens to research or ex-situ conservation establishments.

Or. en

Justification

The word 'slaughter' is not appropriate in this context as it is often used to refer to the killing of animals for food or fur use; it should be replaced with 'humanely cull'.

Amendment 103
Andrea Zanoni

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) In order to enable commercial operators, who may have legitimate expectations, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to ***slaughter***, sell or hand over the specimens to ***research or*** ex-situ conservation establishments.

Amendment

(32) In order to enable commercial operators, who may have legitimate expectations, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to sell or hand over the specimens to ex-situ conservation establishments.

Or. it

Amendment 104
Jolanta Emilia Hibner

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) In order to enable commercial operators, who may have legitimate expectations, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to slaughter, sell or hand over the specimens to research *or ex-situ conservation* establishments.

Amendment

(32) In order to enable commercial operators, who may have legitimate expectations, for instance those who have received an authorisation in accordance with Regulation (EC) No. 708/2007, to exhaust their stock of invasive alien species of Union concern when these new rules enter into force, it is justified to allow them two years to slaughter, sell or hand over the specimens to research establishments, *zoos or botanical gardens*.

Or. pl

Amendment 105
Franco Bonanini, Mario Pirillo

Proposal for a regulation
Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) Member States may maintain or adopt national rules for the management of invasive alien species that are more stringent than those laid down in this Regulation on invasive alien species of Union concern; they may, in addition, extend the provisions relating to invasive alien species of Union concern also to invasive alien species of Member State concern.

Or. it

Amendment 106
Renate Sommer

Proposal for a regulation
Article 2 – paragraph 1

Text proposed by the Commission

1. This Regulation applies to all invasive alien species ***in the Union*** as defined in Article 3(2).

Amendment

1. This Regulation applies to all invasive alien species as defined in Article 3(2).

Or. en

Amendment 107
Carl Schlyter

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

Text proposed by the Commission

(b) genetically modified organisms as defined in Article 2 of Directive 2001/18/EC;

Amendment

deleted

Or. en

Justification

The mechanism would also be needed in case a genetically modified organism becomes invasive.

Amendment 108
Kartika Tamara Liotard

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

Text proposed by the Commission

Amendment

(b) genetically modified organisms as defined in Article 2 of Directive 2001/18/EC;

deleted

Or. en

Justification

The movement of genes with no reference to natural species boundaries could pose new ecological risks. One such risk is that the genes either cause the host species to become invasive or they will escape from the original host species and cause other species to become invasive. The new combination can create genotypes with different and perhaps surprising ecological behaviours and potential threats to biodiversity. Regulating GMOs under the IAS legislation could help address any potential risks.

Amendment 109

Andrés Perelló Rodríguez

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) animal disease regulated as defined in Article 4(1)(14) of Regulation (EU) No XXX/XXXX [animal health law-COM(2013) 260 final];

(c) disease **agents that cause** animal **diseases** regulated as defined in Article 4(1)(14) of Regulation (EU) No XXX/XXXX [animal health law-COM(2013) 260 final];

Or. es

Justification

Since the Regulation relates to species, it would be more appropriate and clearer to use the term ‘disease agents’ rather than ‘animal disease’ alone.

Amendment 110

Gerben-Jan Gerbrandy, Pavel Poc

Proposal for a regulation
Article 2 – paragraph 2 – point e

Text proposed by the Commission

Amendment

***(e) species listed in Annex IV of
Regulation (EC) No 708/2007;***

deleted

Or. en

Justification

A coherent legal framework for IAS (see also Recital 9) requires that species or activities are only excluded from the scope of this Regulation if their adverse impact on biodiversity and ecosystem services is avoided by other legislation. Species listed in Annex IV of Regulation 708/2007 are excluded from the procedures set in that Regulation for aquaculture, but the scope of the IAS Regulation is broader, as it includes species used in other areas, e.g. in the pet trade or in zoos and aquaria: those species should therefore be included in this Regulation and subject to its procedures.

Amendment 111
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 2 – paragraph 2 – point e

Text proposed by the Commission

Amendment

***(e) species listed in Annex IV of
Regulation (EC) No 708/2007;***

***(e) species listed in Annex IV of
Regulation (EC) No 708/2007, **provided
that they are to be used in aquaculture** ;***

Or. es

Justification

Some of the species listed in the annexes to Regulation (EC) No 708/2007 can be used for purposes other than aquaculture. It is therefore necessary to clarify that their exclusion from the scope of the Regulation is limited to the sphere of aquaculture.

Amendment 112
Nils Torvalds

Proposal for a regulation

Article 2 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) species regulated in Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes;

Or. en

Justification

To ensure that animals which are covered by Council Directive 98/58/EC of 20 July 1998 on the protection of animals kept for farming purposes are not covered by this current legislation. The aim of the Regulation on Invasive Alien Species should not be to harm agricultural production.

Amendment 113

Jolanta Emilia Hibner

Proposal for a regulation

Article 3 – point 1

Text proposed by the Commission

Amendment

(1) 'alien species' means any live specimens of species, subspecies or lower taxon of animals, plants, fungi or micro-organisms introduced outside its natural past or present distribution; it ***includes any part, gametes, seeds, eggs, or propagules*** of such species, as well as any hybrids, varieties or breeds that might survive and subsequently reproduce;

(1) 'alien species' means any live specimens of species, subspecies or lower taxon of animals, plants, fungi or micro-organisms introduced outside its natural past or present distribution; it ***covers all stages in the development and their parts***, as well as any hybrids, varieties or breeds that might survive and subsequently reproduce;

Or. pl

Amendment 114

Franco Bonanini, Mario Pirillo

Proposal for a regulation
Article 3 – point 1

Text proposed by the Commission

(1) 'alien species' means any live specimens of species, subspecies or lower taxon of animals, plants, fungi or micro-organisms introduced outside its natural past or present distribution; it includes any part, gametes, seeds, eggs, or propagules of such species, as well as any hybrids, varieties or breeds that might survive and subsequently reproduce;

Amendment

(1) 'alien species' means any live specimens of species, subspecies or lower taxon of animals, plants, fungi or micro-organisms introduced, ***deliberately or unintentionally***, outside its natural past or present distribution ***and spread***; it includes any part, gametes, seeds, eggs, or propagules of such species, as well as any ***feral domestic species***, hybrids, varieties or breeds that might survive and subsequently reproduce;

Or. it

Amendment 115
Renate Sommer

Proposal for a regulation
Article 3 – point 1

Text proposed by the Commission

(1) 'alien species' means any live specimens of species, subspecies or lower taxon of animals, plants, fungi or micro-organisms introduced outside its natural past or present distribution; it includes any part, gametes, seeds, eggs, or propagules of such species, as well as any hybrids, varieties or breeds that might survive and subsequently reproduce;

Amendment

(1) means any live specimens of species, subspecies or lower taxon of animals, plants, fungi or micro-organisms introduced outside its natural past or present distribution ***or which has migrated into its present distribution***; it includes any part, gametes, seeds, eggs, or propagules of such species, as well as any hybrids, varieties or breeds that might survive and subsequently reproduce;

Or. de

Amendment 116
Jolanta Emilia Hibner

Proposal for a regulation
Article 3 – point 2

Text proposed by the Commission

(2) 'invasive alien species' means an alien species whose **introduction or spread has been found, through risk assessment, to** threaten biodiversity and ecosystem services, and that may also have a negative impact on human health or the economy;

Amendment

(2) 'invasive alien species' means an alien species whose **escape into or spread in the natural environment could** threaten biodiversity and ecosystem services, and that may also have a negative impact on human health or the economy;

Or. pl

Amendment 117
Julie Girling, Pavel Poc

Proposal for a regulation
Article 3 – point 2

Text proposed by the Commission

(2) 'invasive alien species' means an alien species whose introduction **or** spread has been found, through risk assessment, to threaten biodiversity and ecosystem services, and that may also have a negative impact on human health or the economy;

Amendment

(2) 'invasive alien species' means an alien species whose introduction **and** spread has been found, through risk assessment, to threaten biodiversity and ecosystem services, and that may also have a negative impact on human health or the economy;

Or. en

Justification

This small amendment ensures consistency with Article 4(2)(b) and Article 5(1)(b), (c) and (d)

Amendment 118
Mark Demesmaeker

Proposal for a regulation
Article 3 – point 2

Text proposed by the Commission

(2) 'invasive alien species' means an alien

Amendment

(2) 'invasive alien species' means an alien

species whose introduction or spread has been found, through risk assessment, to threaten biodiversity and ecosystem services, and that may also have a negative impact on human health or the economy;

species whose introduction or spread has been found, through risk assessment, to threaten **or impact upon** biodiversity and ecosystem services, and that may also have a negative impact on human health or the economy;

Or. en

Justification

Clarification in line with the primary goal of this regulation as mentioned in article 1.

Amendment 119
Renate Sommer

Proposal for a regulation
Article 3 – point 2

Text proposed by the Commission

(2) ‘invasive alien species’ means an alien species whose introduction or spread has been found, through risk assessment, to threaten biodiversity and ecosystem services, and that may also have a negative impact on human health **or** the economy;

Amendment

(2) ‘invasive alien species’ means an alien species whose introduction or spread has been found, through risk assessment, to threaten biodiversity and ecosystem services, and that may also have a negative impact on human health, the economy **and society at large**;

Or. en

Amendment 120
Julie Girling, Chris Davies

Proposal for a regulation
Article 3 – point 3

Text proposed by the Commission

(3) ‘invasive alien species of Union concern’ means invasive alien species whose negative impact has been deemed such as to require concerted action at the

Amendment

(3) ‘invasive alien species of Union concern’ means invasive alien species **which are alien to the territory of the Union excluding the outermost regions**,

level of the Union pursuant to Article 4(2);

or alien to one biogeographical region of the Union but native to another, whose negative impact has been deemed such as to require concerted action at the level of the Union pursuant to Article 4(2).

Or. en

Justification

Currently the Regulation only covers those species which are alien to the entire territory of the EU. This amendment is necessary to include within the scope of the Regulation those species which are invasive to one part of the Union, but native to another.

Amendment 121

Andrés Perelló Rodríguez

Proposal for a regulation

Article 3 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) ‘Invasive alien species of Member State concern’ means invasive alien species other than invasive alien species of Union concern, for which a Member State considers that the adverse impact of their release and spread, even where not fully ascertained, is of significance for its territory, and which therefore require action to be taken at the level of each Member State concerned;

Or. es

Justification

Straightforward clarification of Amendment 16 tabled by the rapporteur.

Amendment 122

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 3 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) ‘Invasive alien species of Member State concern’ means invasive alien species other than invasive alien species of Union concern, for which each Member State considers the adverse impact to require action at Member State level;

Or. es

Justification

This definition needs to be included to enable individual Member States to take action in respect of species which pose a serious threat on their territory but which do not call for joint action at Union level.

Amendment 123
Mark Demesmaeker

Proposal for a regulation
Article 3 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) ‘invasive alien species of Member State concern’ means 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 of their release and spread, even where not fully ascertained, is of significance for the biodiversity and the ecosystem services on their territories;

Or. en

Justification

This definition should be added in terms of clarification. Furthermore, it highlights that the

primary goal of this regulation is to prevent impact on biodiversity and ecosystem services.

Amendment 124

Franco Bonanini, Mario Pirillo

Proposal for a regulation

Article 3 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) 'invasive alien species of Member State concern' means invasive alien species other than invasive alien species of Union concern, for which a Member State considers that the adverse impact of their release and spread, even where not fully ascertained, is of significance for its territory, or part of it;

Or. it

Amendment 125

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Article 3 – point 5

Text proposed by the Commission

Amendment

(5) 'ecosystem services' means the direct and indirect contributions of ecosystems to human wellbeing;

(5) Linguistic amendment not affecting the English version.

Or. es

Amendment 126

Renate Sommer

Proposal for a regulation

Article 3 – point 5

Text proposed by the Commission

(5) 'ecosystem services' means the direct and indirect contributions of ecosystems to human wellbeing;

Amendment

(Does not affect the English version.)

Or. de

Amendment 127
Renate Sommer

Proposal for a regulation
Article 3 – point 7

Text proposed by the Commission

(7) 'research' means descriptive or experimental work, undertaken under regulated conditions to **acquire** new **knowledge** or to develop new products, including the initial phases of identification, characterisation and isolation of genetic features, other than invasiveness, of invasive alien species only insofar as essential for enabling the breeding of those features into non-invasive species;

Amendment

(7) 'research' means descriptive or experimental work, undertaken under regulated conditions to **obtain** new **scientific findings** or to develop new products, including the initial phases of identification, characterisation and isolation of genetic features, other than invasiveness, of invasive alien species only insofar as essential for enabling the breeding of those features into non-invasive species;

Or. de

Amendment 128
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 3 – point 7

Text proposed by the Commission

(7) 'research' means descriptive or experimental work, undertaken under regulated conditions to acquire new knowledge or to develop new products, including the initial phases of

Amendment

(7) 'research' means descriptive or experimental work, undertaken under regulated conditions to acquire new knowledge or to develop new products, including the initial phases of

identification, characterisation and isolation of genetic features, other than ***invasiveness***, of invasive alien species only insofar as essential for enabling the breeding of those features into non-invasive species;

identification, characterisation and isolation of genetic features, other than ***those properties which make a species invasive***, of invasive alien species, only insofar as essential for enabling the breeding of those features into non-invasive species;

Or. es

Amendment 129
Jolanta Emilia Hibner

Proposal for a regulation
Article 3 – point 9

Text proposed by the Commission

Amendment

(9) 'ex-situ conservation' means the conservation of components of biological diversity outside their natural habitat;

deleted

Or. pl

Amendment 130
Julie Girling

Proposal for a regulation
Article 3 – point 9

Text proposed by the Commission

Amendment

(9) 'ex-situ conservation' means the conservation of components of biological diversity outside their natural habitat;

(9) 'ex-situ conservation' means the conservation ***in a contained holding*** of components of biological diversity outside their natural habitat;

Or. en

Justification

It would not be desirable to allow ex-situ conservation in the wild where animals could easily escape.

Amendment 131
Jolanta Emilia Hibner

Proposal for a regulation
Article 3 – point 10

Text proposed by the Commission

(10) 'pathways' means the routes and mechanisms *of biological invasions*;

Amendment

(10) 'pathways' means the routes and mechanisms *by which invasive alien species spread in the natural environment*;

Or. pl

Amendment 132
Andrés Perelló Rodríguez

Proposal for a regulation
Article 3 – point 10

Text proposed by the Commission

(10) 'pathways' means the routes and mechanisms of biological invasions;

Amendment

(10) '*introduction* pathways' means the routes and mechanisms of biological invasions;

Or. es

Justification

Linguistic amendment consistent with the term 'introduction' defined elsewhere in Article 3.

Amendment 133
Andrea Zanoni

Proposal for a regulation
Article 3 – point 12

Text proposed by the Commission

(12) 'eradication' means the complete and

Amendment

(12) 'eradication' means the complete and

permanent removal of a population of
invasive alien species by physical,
chemical or biological means;

permanent removal of a population of
invasive alien species by physical,
chemical or biological means; ***the
eradication of animal species shall be
achieved exclusively through the use of
non-lethal methods;***

Or. it

Amendment 134

Mark Demesmaeker, Pavel Poc, Catherine Bearder

Proposal for a regulation

Article 3 – point 12

Text proposed by the Commission

(12) ‘eradication’ means the complete and
permanent removal of a population of
invasive alien species by physical,
chemical or biological means;

Amendment

(12) ‘eradication’ means the complete and
permanent removal of a population of
invasive alien species by ***lethal or non-
lethal*** physical, chemical or biological
means;

Or. en

Justification

Non-lethal methods such as trapping, neutering and releasing, or habitat management can be effective methods as well. This is important to gain citizens' support for acting against invasive alien species.

Amendment 135

Mark Demesmaeker, Pavel Poc, Catherine Bearder

Proposal for a regulation

Article 3 – point 14

Text proposed by the Commission

(14) ‘management’ means any physical,
chemical or biological action aimed at the
eradication, population control or
containment of a population of an invasive

Amendment

(14) ‘management’ means any ***lethal or
non-lethal*** physical, chemical or biological
action aimed at the eradication, population
control or containment of a population of

alien species;

an invasive alien species, ***while also avoiding impact on non-targeted species and their habitats***;

Or. en

Justification

Non-lethal methods such as trapping, neutering and releasing, or habitat management can be effective methods as well. This is important to gain citizens' support for acting against invasive alien species. Impact on non-targeted species and on habitats should be equally avoided.

Amendment 136

Andrea Zanoni

Proposal for a regulation

Article 3 – point 16

Text proposed by the Commission

(16) 'population control' means physical, chemical or biological actions applied to a population of invasive alien species with the aim of keeping the number of individuals as low as possible, so that, while not being able to eradicate the species, its invasive capacity and adverse impacts on biodiversity and ecosystem services, or on human health and the economy, are minimised.

Amendment

(16) 'population control' means physical, chemical or biological actions applied to a population of invasive alien species with the aim of keeping the number of individuals as low as possible, so that, while not being able to eradicate the species, its invasive capacity and adverse impacts on biodiversity and ecosystem services, or on human health and the economy, are minimised; ***in the case of animal species, these actions should provide exclusively for the use of non-lethal methods***;

Or. it

Amendment 137

Mark Demesmaeker, Pavel Poc, Catherine Bearder

Proposal for a regulation

Article 3 – point 16

Text proposed by the Commission

(16) ‘population control’ means physical, chemical or biological actions applied to a population of invasive alien species with the aim of keeping the number of individuals as low as possible, so that, while not being able to eradicate the species, its invasive capacity and adverse impacts on biodiversity and ecosystem services, or on human health and the economy, are minimised.

Amendment

(16) ‘population control’ means ***lethal or non-lethal*** physical, chemical or biological actions applied to a population of invasive alien species, ***while also avoiding impact on non-targeted species and their habitats***, with the aim of keeping the number of individuals as low as possible, so that, while not being able to eradicate the species, its invasive capacity and adverse impacts on biodiversity and ecosystem services, or on human health and the economy, are minimised.

Or. en

Justification

Non-lethal methods such as trapping, neutering and releasing, or habitat management can be effective methods as well. This is important to gain citizens' support for acting against invasive alien species. Impact on non-targeted species and on habitats should be equally avoided.

Amendment 138

Andrea Zanoni

Proposal for a regulation

Article 3 – point 16 a (new)

Text proposed by the Commission

Amendment

(16a) ‘non-lethal’ means the method for management of invasive alien species that does not provide for the killing of specimens included in the management plan.

Or. it

Amendment 139

Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 3 – point 16 a (new)

Text proposed by the Commission

Amendment

(16a) ‘companion animals’ means domesticated animals generally kept by people in their homes for company and which belong to species that man traditionally and habitually breeds and owns to live domestically in his home, as well as animals used to accompany, guide and assist people who are blind or have serious or severe eyesight problems.

Or. es

Justification

This definition needs to be included as it is unclear whether the animals concerned are those under Regulation (EC) No 998/2003 on pet animals or those under this Regulation.

Amendment 140
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 3 – point 16 b (new)

Text proposed by the Commission

Amendment

(16b) ‘naturalisation’ means the process via which an alien species becomes (a new) part of the local flora or fauna, reproduces and spreads without this process being assisted by man;

Or. es

Justification

This term needs to be defined as it is used in the important definition of ‘widely spread’.

Amendment 141
Renate Sommer

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. A list of invasive alien species of Union concern shall be adopted, and updated, by the Commission by means of **implementing** acts on the basis of the criteria in paragraph 2. Those **implementing** acts shall be adopted in accordance with the **examination** procedure referred to in Article 22(2).

Amendment

1. A list of invasive alien species of Union concern shall be adopted, and updated, by the Commission by means of **delegated** acts on the basis of the criteria in paragraph 2. Those **delegated** acts shall be adopted in accordance with the procedure referred to in Article 23.

Or. de

Amendment 142
Kartika Tamara Liotard

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. A list **of** invasive alien species of Union concern shall be adopted, and updated, by the Commission by means of implementing acts on the basis of the criteria in paragraph 2. The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

Amendment

1. A list **comprising** invasive alien **species and taxonomic groups of** species of Union concern shall be adopted, and updated, by the Commission by means of implementing acts on the basis of the criteria in paragraph 2. The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22(2).

Or. en

Justification

The Regulation should, when appropriate, include taxonomic groups of species with similar ecological requirements to prevent the trade simply switching from a species on the list of Union concern to a similar but unlisted species (e.g. when red-eared terrapin was added to Annex B of Regulation (EC) No 338/97, the trade simply switched to yellow-bellied terrapin).

Amendment 143
Kartika Tamara Liotard

Proposal for a regulation
Article 4 – paragraph 2 – introductory part

Text proposed by the Commission

2. Invasive alien species shall only be included on the list referred to in paragraph 1 if they meet all of the following criteria:

Amendment

2. Invasive alien species ***or taxonomic groups of species*** shall only be included on the list referred to in paragraph 1 if they meet all of the following criteria:

Or. en

Justification

The Regulation should include taxonomic groups of closely related species with similar ecological requirements to prevent the trade simply switching from a species on the list of Union concern to a similar but unlisted species (e.g. when red-eared terrapin was added to Annex B of Regulation (EC) No 338/97, the trade simply switched to yellow-bellied terrapin).

Amendment 144
Mark Demesmaeker, Catherine Bearder, Kartika Tamara Liotard

Proposal for a regulation
Article 4 – paragraph 2 – introductory part

Text proposed by the Commission

2. Invasive alien species shall only be included on the list referred to in paragraph 1 if they meet all of the following criteria:

Amendment

2. Invasive alien species ***of Union concern*** shall only be included on the list referred to in paragraph 1 if they meet all of the following criteria ***prioritising action against species which could cause significant damage to biodiversity or ecosystem services***:

Or. en

Justification

The list should not be extended to species of Member State concern, as this may lead to fragmentation and thus undermine the efficacy of the Regulation. "Prioritising action": in line with the primary goal of this regulation as mentioned in Article 1.

Amendment 145

Franco Bonanini, Mario Pirillo

Proposal for a regulation

Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) they are, having regard to scientific evidence available, found to be alien to the territory of **the Union** excluding the outermost regions;

Amendment

(a) they are, having regard to scientific evidence available, found to be **species that are invasive and** alien to the territory of **one or more Member States**, excluding the outermost regions;

Or. it

Amendment 146

Julie Girling, Chris Davies

Proposal for a regulation

Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) they are, **having regard to** scientific evidence **available, found** to be alien to the territory of the Union excluding the outermost regions;

Amendment

(a) they are **found, based on available** scientific evidence, to be alien to the territory of the Union excluding the outermost regions, **or alien to one biogeographical region of the Union but native to another**;

Or. en

Justification

Currently the Regulation only covers those species which are alien to the entire territory of the EU. This amendment is necessary to include within the scope of the Regulation those species which are invasive to one part of the Union, but native to another.

Amendment 147

Oreste Rossi

Proposal for a regulation

Article 4 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) they are, having regard to scientific evidence available, found to be capable of establishing a viable population and endangering 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, with a direct and unacceptable economic impact for that territory;

Or. en

Justification

The Commission's proposal lacks a clear category for those invasive alien species which may have a direct impact on plant health and agriculture as whole. It is important to distinguish them from the IASs which themselves affect the broader environment and biodiversity as such.

Amendment 148

Véronique Mathieu Houillon

Proposal for a regulation

Article 4 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) they are, having regard to scientific evidence available, found to be a threat to the health of plants and agriculture, with a direct economic impact on the territory;

Or. fr

Amendment 149

Jolanta Emilia Hibner

Proposal for a regulation

Article 4 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) despite not establishing viable populations, they are found to have a negative impact, in particular by forming hybrids with native species and spreading diseases or parasites;

Or. pl

Amendment 150
Renate Sommer

Proposal for a regulation
Article 4 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) they pose a significant danger to human health, the economy and the ecosystem;

Or. en

Amendment 151
Andrea Zanoni

Proposal for a regulation
Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. Member States may submit to the Commission requests for the inclusion of invasive alien species on the list referred to in paragraph 1. Those requests shall include all of the following criteria:

3. ***In addition***, Member States may ***at any time*** submit to the Commission requests for the inclusion of invasive alien species on the list referred to in paragraph 1. Those requests shall include all of the following criteria:

Or. en

Justification

The primary responsibility for risk assessments should lie with the Commission; Member States should however be given a possibility to propose at any time new listing and conduct risk assessments.

Amendment 152

Kartika Tamara Liotard

Proposal for a regulation

Article 4 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the name of the species;

(a) the name of the species *or taxonomic group of species*;

Or. en

Amendment 153

Jolanta Emilia Hibner

Proposal for a regulation

Article 4 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) a risk assessment performed in accordance with Article 5(1);

deleted

Or. pl

Amendment 154

Julie Girling, Chris Davies

Proposal for a regulation

Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Species included on the list referred to in paragraph 1 will be selected on the basis of criteria that take account of the

extent to which the species is, or could become, invasive within the territory of the European Union, and the scale of the actual or potential impact on biodiversity or ecosystem services, and human health or economic interests.

Or. en

Justification

Whilst the proposed Regulation includes details of the risk assessments that should be undertaken to inform the selection of species that will be subject to the regulations, there is no indication of what the basis of the selection criteria will be.

Amendment 155
Jolanta Emilia Hibner

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. The list referred to in paragraph 1 shall comprise a maximum of fifty species including any species which may be added as result of the emergency measures foreseen by Article 9. ***deleted***

Or. pl

Amendment 156
Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. The list referred to in paragraph 1 shall comprise a maximum of fifty species including any species which may be added as result of the emergency measures foreseen by Article 9. ***deleted***

Justification

There is no justification for limiting the number of species on the list to 50. Selecting only 35% of the 1 500 invasive alien species potentially present in Europe is unacceptable. The most damaging and dangerous species need to be included, but this must be based on the criteria of the threat they pose to native species and habitats (listed in the relevant acts) and not on an arbitrary percentage.

Amendment 157

Julie Girling, Chris Davies

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. The list referred to in paragraph 1 shall comprise a maximum of fifty species including any species which may be added as result of the emergency measures foreseen by Article 9. **deleted**

Or. en

Amendment 158

Kartika Tamara Liotard

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. The list referred to in *paragraph 1* shall comprise a maximum of fifty species including any species which may be added as result of the emergency measures foreseen by Article 9.

4. The list referred to in *Article 4(1)* shall include the species listed in Annex B to Council Regulation (EC) No 339/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein. These species are: *Callosciurus erythraeus*, *Sciurus carolinensis*, *Oxyura jamaicensis*, *Lithobates (Rana) catesbeianus*, *Sciurus niger*, *Chrysemys picta*, *Trachemys*

scripta elegans.

Or. en

Justification

The import into the EU of these seven species of animal is banned. However, the keeping breeding, selling or transport of these species is not banned. For example the red-eared terrapin (Trachemys scripta elegans) is still widely available in pet shops across Europe, despite it being invasive in several Member States (and breeding in at least three, Spain Portugal and Italy). Inclusion on the list of invasive alien species of Union concern would provide better protection from these species.

Amendment 159

Renate Sommer

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

4. The list referred to in paragraph 1 shall comprise a maximum of **fifty** species **including** any species which may be added as result of the emergency measures foreseen by Article 9.

Amendment

4. **Initially**, the list referred to in paragraph 1 shall comprise a maximum of **hundred** species **notwithstanding** any species which may be added as result of the emergency measures foreseen by Article 9. **However, the list shall be open, constantly revised and kept up to date by the Commission according to the best available science on the threat posed by new or alien species.**

Or. en

Amendment 160

Kartika Tamara Liotard

Proposal for a regulation

Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. With due regard to the list referred to in paragraph 1, all imports of invasive alien species shall be banned unless they

*are accompanied by an import licence
obtained for research and teaching
purposes*

Or. en

Justification

Banning the imports into the EU of all 1500 IAS is a preventive measure that closes an important intentional pathway. The rest of the provisions of this Regulation shall apply in combination with the general import ban of all IAS.