



**2022/0195(COD)**

26.1.2023

# **AMENDMENTS**

## **839 - 1224**

**Draft report**

**César Luena**

(PE737.282v01-00)

Nature restoration

Proposal for a regulation

(COM(2022)0304 – C9-0208/2022 – 2022/0195(COD))



**Amendment 839**

**Jutta Paulus**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, ***based on scientific evidence and provided that the Member State has taken adequate mitigation measures***; or

Or. en

**Amendment 840**

**Róza Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change ***based on scientific evidence and provided that the Member State has taken adequate mitigation measures***; or

Or. en

**Amendment 841**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Emma Wiesner, Andreas Glück**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are ***directly*** caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are ***for example*** caused by climate change, ***third countries, non-preventable***

*pests and diseases, natural disasters; or*

Or. en

*Justification*

*This list should be non-exhaustive to allow for possible other unavoidable habitat transformations which may develop in the future.*

**Amendment 842**

**Stanislav Polčák**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, ***and which could not be prevented by appropriate adaptation measures***; or

Or. cs

**Amendment 843**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) ***unavoidable*** habitat transformations which are directly caused by climate change; or

*Amendment*

(b) habitat transformations ***or other relevant circumstances*** which are directly ***or indirectly*** caused by climate change; or

Or. en

**Amendment 844**

**Maria Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nils Torvalds, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

#### Article 4 – paragraph 8 – point b

*Text proposed by the Commission*

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change; or

(b) unavoidable habitat transformations which are directly caused by climate change, ***based on scientific evidence***; or

Or. en

#### Amendment 845

**Ivan David**

#### Proposal for a regulation

#### Article 4 – paragraph 8 – point b

*Text proposed by the Commission*

*Amendment*

(b) ***unavoidable*** habitat transformations which are directly caused by climate change; or

(b) habitat transformations ***or other relevant circumstances*** which are directly caused by climate change; or

Or. en

#### *Justification*

*We strongly believe that the different implementation and methodologies used in different Member States may lead to different results and may not be easily comparable. The proposal should therefore provide for a revision and harmonisation of the methodology which will lead to more transparent reporting and comparable monitoring between Member States. Only once comparable data exists across the EU can a realistic and valid target be achieved. Until then, specific targets set without a reliable database should be avoided. Given the growing importance of food self-sufficiency, it is essential that measures to maintain food security can justify exceptions to achieve the targets (especially in less sensitive areas outside Natura 2000 sites). We believe that it is important to focus first on the protection of Annex II species within Natura 2000 sites and that the no-deterioration clause for non-Natura 2000 sites will have potentially huge implications for agriculture.*

#### Amendment 846

**Christine Schneider, Marion Walsmann, Bartosz Arłukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ștefan Motreanu**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) **unavoidable** habitat transformations which are **directly** caused by climate change; or

*Amendment*

(b) habitat transformations **or other circumstances**, which are caused by climate change; or

Or. en

**Amendment 847**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; **or**

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change;

Or. en

**Amendment 848**  
**Ljudmila Novak**

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

*Text proposed by the Commission*

*Amendment*

**(ba) plants to produce energy from renewable sources, their connection to the grid, the grid itself or storage assets that contribute to climate neutrality by 2050 in accordance with Directive (EU) 2018/2001 and Directive 2000/60/EC, in particular Articles 4(3), 4(5) and 4(7); or**

Or. en

**Amendment 849**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

*Amendment*

*(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.*

*deleted*

Or. en

**Amendment 850**  
**Nicolae Ștefănuță, Martin Hojsík**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined ***and assessed for environmental impact*** on a case by case basis, ***provided that the Member State concerned has adopted adequate compensatory measures and provided that such a project does not result in severe or negative impact for the local community.***

Or. en

**Amendment 851**  
**Christine Schneider, Marion Walsmann, Bartosz Arłukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis ***for which Member States have to provide evidence for these exceptions.***

Or. en

**Amendment 852**

**Jutta Paulus**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available ***and compensatory measures have been adopted, ideally in the vicinity and guided by the polluter pays principle,*** to be determined on a case by case basis.

Or. en

**Amendment 853**

**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis, ***including measures to maintain food security and production of food and***

*renewable resources;*

Or. en

#### **Amendment 854**

**Róza Thun und Hohenstein, Robert Biedroń, Nicolae Ștefănuță**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available ***and compensatory measures have been adopted***, to be determined ***by the European Commission*** on a case by case basis.

Or. en

#### **Amendment 855**

**Stanislav Polčák**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest ***on urgent grounds*** for which no less damaging alternative solutions are available, to be determined ***and justified with sufficient specificity*** on a case by case basis.

Or. cs

#### **Amendment 856**

**Michal Wiezik, Róza Thun und Hohenstein, Martin Hojsík, Nicolae Ștefănuță**

#### **Proposal for a regulation**

#### Article 4 – paragraph 8 – point c

*Text proposed by the Commission*

(c) a project of overriding public interest for which ***no less damaging alternative solutions are available, to be determined on a case by case basis.***

*Amendment*

(c) a project of overriding public interest for which ***a favourable cost-benefit analysis, considering all the future benefits of the area in question originally proposed for restoration, is available.***

Or. en

*Justification*

*overriding public interest outside natura 2000 is not defined. in any case the restoration action in Europe is crucial and therefore the value of an area identified for priority restoration action should be considered on an equal footing with any other interest.*

#### Amendment 857

**Emma Wiesner, Asger Christensen, Jan Huitema, Susana Solís Pérez**

#### Proposal for a regulation

#### Article 4 – paragraph 8 – point c

*Text proposed by the Commission*

(c) a project of overriding ***public*** interest for which no less damaging alternative solutions are available, ***to be determined on a case by case basis.***

*Amendment*

(c) a project of ***private or public*** overriding interest for which no less damaging ***and beneficial social efficient*** alternative solutions are available, ***as defined in the national restoration plan;***  
***or***

Or. en

*Justification*

*This paragraph can not only cover public interest, it also need to cover private interest as the great share of investments are private. Also, doing it on a case by case basis will create a lot of administrative work. The national restoration plan should therefore set out guidelines for this derogation.*

#### Amendment 858

**Sirpa Pietikäinen**

#### Proposal for a regulation

#### Article 4 – paragraph 8 – point c

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available ***and compensatory measures have been adopted***, to be determined on a case by case basis.

Or. en

#### Amendment 859

Mick Wallace, Clare Daly

#### Proposal for a regulation

#### Article 4 – paragraph 8 – point c

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available ***and compensatory measures have been adopted***, to be determined on a case by case basis.

Or. en

#### Amendment 860

Ivan David

#### Proposal for a regulation

#### Article 4 – paragraph 8 – point c

*Text proposed by the Commission*

(c) a project of ***overriding*** public interest ***for which no less damaging alternative solutions are available***, to be ***determined on a case by case basis***.

*Amendment*

(c) a project of public interest, to be ***defined in the national restoration plan***.

Or. en

## Justification

*We strongly believe that the different implementation and methodologies used in different Member States may lead to different results and may not be easily comparable. The proposal should therefore provide for a revision and harmonisation of the methodology which will lead to more transparent reporting and comparable monitoring between Member States. Only once comparable data exists across the EU can a realistic and valid target be achieved. Until then, specific targets set without a reliable database should be avoided. Given the growing importance of food self-sufficiency, it is essential that measures to maintain food security can justify exceptions to achieve the targets (especially in less sensitive areas outside Natura 2000 sites). We believe that it is important to focus first on the protection of Annex II species within Natura 2000 sites and that the no-deterioration clause for non-Natura 2000 sites will have potentially huge implications for agriculture.*

### Amendment 861

**Alexander Bernhuber**

#### Proposal for a regulation

##### Article 4 – paragraph 8 – point c

*Text proposed by the Commission*

(c) a project of **overriding** public interest **for which no less damaging alternative solutions are available**, to be **determined on a case by case basis**.

*Amendment*

(c) a project of public interest, to be **defined in the national restoration plan**.

Or. en

### Amendment 862

**Jessica Polfjärd, Petri Sarvamaa, Alexander Bernhuber, Henna Virkkunen**

#### Proposal for a regulation

##### Article 4 – paragraph 8 – point c

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined **on a case by case basis**.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined **by the Member State in the national restoration plan**.

Or. en

**Amendment 863**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, ***to be determined on a case by case basis.***

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available;

Or. en

**Amendment 864**  
**Aurélia Beigneux**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of ***overriding*** public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

Or. fr

*Justification*

*If the project is simultaneously of public interest and one for which no less damaging alternative solutions are available, then those grounds are sufficient for a derogation from the obligations referred to. The ‘overriding’ aspect therefore goes without saying.*

**Amendment 865**  
**Jutta Paulus**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Such areas shall no longer count towards the achievement of the targets laid down in Article 4(1), 4(2) and 4(3). Member States shall update their national restoration plans in line with Article 12(2)(a) accordingly and communicate to the European Commission the updated coverage of the areas to be restored under their jurisdiction.*

*When reviewing their restoration plans in line with Article 15, Member States shall assess whether the above conditions continue to occur, resuming the fulfilment of their obligations once they cease.*

Or. en

**Amendment 866**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 4 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Such areas shall not count towards the achievement of the targets set out in Articles 4(1), 4(2) and 4(3). Member States shall update their national restoration plans in line with Article 12(2)(a) accordingly and communicate to the European Commission the updated coverage of the areas to be restored under their jurisdiction. When reviewing their Restoration Plans in line with Article 15 of this Regulation, Member States shall assess whether the above conditions continue to occur, resuming the fulfilment of their obligations once they cease.*

Or. en

**Amendment 867**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 4 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Areas for which the derogations referred to in this paragraph are used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of any of those derogations shall entail the updating of the quantification of the areas to be restored under Article 12(2), point (a), and in accordance with Article 15.*

Or. en

**Amendment 868**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 4 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Such areas shall not count towards the fulfilment of the objectives set out in paragraphs 1, 2 and 3 of this Article. Member States shall update the quantification of the areas to be restored in line with Article 12(2)(a) accordingly when reviewing their national restoration plans in line with Article 15.*

Or. en

*Justification*

*Clarification is needed that those areas that are in fact not covered by restoration measures should not count towards the achievement of the target.*

**Amendment 869**  
**Nicola Procaccini**

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

*Text proposed by the Commission*

*Amendment*

**(ca) plants to produce energy from renewable sources, their connection to the grid, the grid itself or storage assets that contribute to climate neutrality by 2050;**

Or. en

**Amendment 870**  
**Esther de Lange**

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

*Text proposed by the Commission*

*Amendment*

**(ca) a key cross-border clean energy project of strategic interest for the Union, necessary to decrease energy dependency on third countries;**

Or. en

**Amendment 871**  
**Alexander Bernhuber**

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

*Text proposed by the Commission*

*Amendment*

**(ca) Measures to maintain food security and production of food and renewable resources.**

Or. en

**Amendment 872**

**Christine Schneider, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ştefan Motreanu**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) measures to maintain food security, production of food and renewable resources.**

Or. en

**Amendment 873**

**Tom Vandenkendelaere, Cindy Franssen**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) disproportional impact on the agricultural sector in urbanised areas;**

Or. en

**Amendment 874**

**Emma Wiesner, Asger Christensen, Jan Huitema, Susana Solís Pérez**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) measures to ensure food security;  
or**

Or. en

*Justification*

*We need to make sure that our food security is guaranteed.*

**Amendment 875**

**Emma Wiesner, Asger Christensen, Jan Huitema, Susana Solís Pérez**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(cb) renewable energy production and energy storage that is of importance for fulfilling the national energy and climate plans (NECPs) and securing the energy system of a Member State.***

Or. en

*Justification*

*We need to safeguard the renewable energy production and the energy system in order to achieve our climate target goals.*

**Amendment 876**

**Esther de Lange**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(cb) measures needed to achieve the objectives set out in Regulation (EU)2021/1119 (European Climate Law);  
or***

Or. en

**Amendment 877**

**Esther de Lange**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c c (new)**

*Text proposed by the Commission*

*Amendment*

**(cc) flexibility granted to a Member State or region due to very high population density in combination with scarcity of available space or a substantive expected net population growth.**

Or. en

**Amendment 878**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 4 – paragraph 9 – introductory part**

*Text proposed by the Commission*

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, *is* justified if it is caused by:

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, **may only be** justified if it is caused by **a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC, for a maximum of 5% of the areas covered by the targets in Article 4(1), (2) and (3).**

Or. en

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas, in Article 6(4) which still remains applicable. Any attempt at expanding the list of exemptions to the Member States' obligations deriving from Article 6 of the Habitats Directive constitutes an unacceptable amendment to the Habitats Directive and should be removed.*

**Amendment 879**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 4 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, is justified if it is caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 ***followed up, without delay, by an update of the quantification of the areas to be restored under Article 12(2), point (a)*** is justified if it is caused by:

Or. en

**Amendment 880**

**Jutta Paulus**

**Proposal for a regulation**

**Article 4 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, ***is*** justified if it is caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, ***can be*** justified if ***Member States provide scientific and verifiable evidence that*** it is caused by:

Or. en

**Amendment 881**

**Róza Thun und Hohenstein, Robert Biedroń, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 4 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, ***is*** justified if it is caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, ***can be*** justified if ***Member States provide compelling evidence that*** it is caused by:

Or. en

## Amendment 882

Emma Wiesner, Asger Christensen, Susana Solís Pérez

### Proposal for a regulation

#### Article 4 – paragraph 9 – introductory part

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, is justified if it is caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs **1, 2, 3, 6** and 7 is justified if it is caused by:

Or. en

*Justification*

*This paragraph should also cover paragraph 1, 2, and 3.*

## Amendment 883

Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen

### Proposal for a regulation

#### Article 4 – paragraph 9 – introductory part

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs **6 and 7**, is justified if it is caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs **1, 2, 3 and 6**, is justified if it is caused by:

Or. en

## Amendment 884

María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță, Catherine Chabaud

### Proposal for a regulation

#### Article 4 – paragraph 9 – introductory part

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, *is* justified if it is

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, **can be** justified if it is

caused by:

caused by:

Or. en

**Amendment 885**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – introductory part**

*Text proposed by the Commission*

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs **6 and 7**, is justified if it is caused by:

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs **5 and 6**, is justified if it is caused by:

Or. en

**Amendment 886**  
**Teuvo Hakkarainen**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – introductory part**

*Text proposed by the Commission*

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the **obligations set out** in paragraphs 6 and 7, is justified if it is caused by:

9. For Natura 2000 sites, the non-fulfilment of the **goals mentioned** in paragraphs 6 and 7, is justified if it is caused by:

Or. fi

**Amendment 887**  
**Róża Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) force majeure;**

**deleted**

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas.*

**Amendment 888**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) *force majeure;* *deleted***

Or. en

**Amendment 889**

**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) *force majeure;* *deleted***

Or. en

**Amendment 890**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) *force majeure;* *deleted***

Or. en

**Amendment 891**  
**Nicolae Ștefănuță, Martin Hojsík**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure *if it's a well founded and justified instance that is in line with the guidelines issued by the Commission on the application of this provision;*

Or. en

**Amendment 892**  
**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure, *including natural disasters;*

Or. en

**Amendment 893**  
**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure; *including natural disasters;*

Or. en

**Amendment 894**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) force majeure;

(a) force majeure ***including natural disasters;***

Or. en

**Amendment 895**

**Christine Schneider, Marion Walsmann, Bartosz Arłukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ștefan Motreanu**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) to guarantee food security;***

Or. en

**Amendment 896**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) unavoidable habitat transformations which are directly caused by climate change: or***

***deleted***

Or. en

**Amendment 897**

**Róza Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change: or** *deleted*

Or. en

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas.*

**Amendment 898**

**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change: or** *deleted*

Or. en

**Amendment 899**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change: or** *deleted*

**Amendment 900**

**Emma Wiesner, Asger Christensen, Susana Solís Pérez**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are **directly** caused by climate change: or

*Amendment*

(b) unavoidable habitat transformations **or nature degradations** which are caused by climate change or **nature disasters, storms, wildfires, pests, bugs and abiotic factors out of human control**; or

Or. en

*Justification*

*The requirements need to take into account the way that nature works, and therefore the number of included factors should increase.*

**Amendment 901**

**Jutta Paulus**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change: or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, **based on scientific evidence and provided that the Member State has taken adequate mitigation measures**; or

Or. en

**Amendment 902**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Emma Wiesner**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

(b) unavoidable habitat transformations which are **directly** caused by climate change: or

(b) unavoidable habitat transformations which are **for example** caused by climate change, **third countries, non-preventable pests and diseases, natural disasters**; or

Or. en

*Justification*

*This list should be non-exhaustive to allow for possible other unavoidable habitat transformations which may develop in the future.*

**Amendment 903**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change: or

(b) unavoidable habitat transformations which are directly caused by climate change **and which could not be prevented by appropriate adaptation measures**; or

Or. cs

**Amendment 904**  
**Ulrike Müller, Asger Christensen, Ondřej Knotek, Martin Hlaváček**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change: or

(b) unavoidable habitat transformations which are directly caused by climate change, **including measures necessary for climate change adaptation**: or

Or. en

**Amendment 905**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nils Torvalds, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change: or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, ***based on scientific evidence***; or

Or. en

**Amendment 906**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) ***unavoidable*** habitat transformations which are directly caused by climate change: or

*Amendment*

(b) habitat transformations ***or other circumstances*** which are directly ***or indirectly*** caused by climate change: or

Or. en

**Amendment 907**

**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) ***unavoidable*** habitat transformations which are directly caused by climate change: or

*Amendment*

(b) habitat transformations ***or other circumstances*** which are directly caused by climate change: or

Or. en

#### Amendment 908

Christine Schneider, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ştefan Motreanu

#### Proposal for a regulation

#### Article 4 – paragraph 9 – point b

*Text proposed by the Commission*

*Amendment*

(b) **unavoidable** habitat transformations which are **directly** caused by climate change: or

(b) habitat transformations **or other circumstances** which are caused by climate change: or

Or. en

#### Amendment 909

Esther de Lange

#### Proposal for a regulation

#### Article 4 – paragraph 9 – point b

*Text proposed by the Commission*

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change: **or**

(b) unavoidable habitat transformations which are directly caused by climate change:

Or. en

#### Amendment 910

Emma Wiesner, Asger Christensen, Susana Solís Pérez

#### Proposal for a regulation

#### Article 4 – paragraph 9 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(ba) renewable energy production and energy storage that is of importance for fulfilling the national energy and climate plans (NECPs) and securing the energy**



**Jutta Paulus**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point c**

*Text proposed by the Commission*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.

*Amendment*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.

***In such a case, any public funding received for the restoration measures shall be returned and this justification can be invoked by Member States for a maximum of 5% of the areas covered by the targets in Articles 4(1), 4(2) and 4(3).***

Or. en

**Amendment 914**

**Christian Doleschal**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point c**

*Text proposed by the Commission*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.

*Amendment*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC ***and an agricultural activity in accordance with good agricultural practice as defined in European legislation.***

Or. en

*Justification*

*The Common Agricultural Policy already gives a number of obligations which have to be fulfilled to preserve and improve nature.*

**Amendment 915**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

## Article 4 – paragraph 9 – point c

*Text proposed by the Commission*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.

*Amendment*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC **for imperative reasons of other than economic nature.**

Or. en

*Justification*

*if something is Natura 2000 area, and then identified in the national restoration plan as an area to be restored, it seems counterintuitive that after such efforts a project should be authorized in the area. if anything, we should talk about narrower implementation of the Art.6.4 of HD, otherwise it is very obvious how environmental pillar is miles away in term of the importance from the economic pillar, while that one depends in huge part on natural systems.*

## Amendment 916 Jutta Paulus

### Proposal for a regulation Article 4 – paragraph 9 – subparagraph 1 (new)

*Text proposed by the Commission*

*Amendment*

***For the situations in paragraph 9 (a)-(c), the concerned areas shall not count towards the achievement of the targets set out in Articles 4(1), 4(2) and 4(3). Member States shall update their national restoration plans in line with Article 12(2)(a) accordingly and communicate to the European Commission the updated coverage of the areas to be restored under their jurisdiction.***

***When reviewing their Restoration Plans in line with Article 15 of this Regulation, Member States shall assess whether the above conditions continue to occur, resuming the fulfilment of their obligations once they cease.***

Or. en

**Amendment 917**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Areas for which the derogation referred to in this paragraph is used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of this derogation shall entail the updating of the quantification of the areas to be restored under Article 12(2), point (a), and in accordance with Article 15, and the returning of any public funds received for the restoration measures.*

Or. en

**Amendment 918**  
**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Such areas shall not count towards the fulfilment of the objectives set out in paragraphs 1, 2 and 3 of this Article. Member States shall update the quantification of the areas to be restored in line with Article 12(2)(a) when reviewing their national restoration plans in accordance with Article 15.*

Or. en

**Amendment 919**  
**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***To ensure transparency of the reasons in a case of non-fulfilment of the general obligations of the Regulation on the originally proposed area subject to restoration in accordance with paragraphs 8 and 9 of this Article, the Member State will make its decision and justification public.***

Or. en

**Amendment 920**  
**Nicola Procaccini**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) plants to produce energy from renewable sources, their connection to the grid, the grid itself or storage assets that contribute to climate neutrality by 2050;***

Or. en

**Amendment 921**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) a key cross-border clean energy project of strategic interest for the Union, necessary to decrease energy dependency on third countries; or***

**Amendment 922**

**Róza Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 4 – paragraph 9 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***Any public funding received for the restoration measures shall be returned when the above justification is invoked.***

Or. en

**Amendment 923**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) Measures to maintain food security and production of food and renewable resources.***

Or. en

**Amendment 924**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers**

**Proposal for a regulation**

**Article 4 – paragraph 9 – subparagraph 2 (new)**

*Text proposed by the Commission*

*Amendment*

***Member States shall ensure that there is:***  
***(a) an increase of habitat area in favourable status for habitat types listed in Annex I until at least 90 % is in good***

*condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;*

*(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.*

Or. en

**Amendment 925**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – subparagraph 2 (new)**

*Text proposed by the Commission*

*Amendment*

*When applying paragraphs 8 and 9 of this Article, Member States shall ensure that the application does not exclude or compromise the achievement of the objectives of this Directive and is consistent with the implementation of other Community environmental legislation, particularly with Directive 92/43/EEC.*

Or. en

**Amendment 926**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 4 – paragraph 9 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

*(cb) measures needed to achieve the objectives set out in Regulation*

**Amendment 927**

**Emma Wiesner, Asger Christensen, Jan Huitema**

**Proposal for a regulation**

**Article 4 – paragraph 10**

*Text proposed by the Commission*

*Amendment*

**10. Member States shall ensure that there is:** **deleted**

**(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;**

**(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.**

*Justification*

*These obligations are already covered by paragraphs 1 - 3.*

**Amendment 928**

**Teuvo Hakkarainen**

**Proposal for a regulation**

**Article 4 – paragraph 10 – introductory part**

*Text proposed by the Commission*

*Amendment*

10. Member States shall ensure **that**

10. Member States shall **seek to** ensure

*there is:*

*the following:*

Or. fi

### **Amendment 929**

**Alexander Bernhuber**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition ***and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;***

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition, ***providing that direct and indirect changes of natural range due to climate change are duly taken into account and that habitats types requirements for good conditions as well as favourable reference areas are not negatively competing;***

Or. en

### **Amendment 930**

**Esther de Lange**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition ***and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;***

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition;

Or. en

### **Amendment 931**

**Jessica Polfjärd, Petri Sarvamaa, Alexander Bernhuber, Henna Virkkunen**

**Proposal for a regulation**

**Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until **at least 90 %** is in good condition **and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;**

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until **a sufficient level** is in good condition;

Or. en

**Amendment 932**

**Ulrike Müller, Asger Christensen, Ondřej Knotek, Martin Hlaváček**

**Proposal for a regulation**

**Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached, **taking into account changes of natural range due to climate change;**

Or. en

**Amendment 933**

**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

**Proposal for a regulation**

**Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good

*Amendment*

(a) an increase of habitat area in good

condition for habitat types listed in Annex I ***until at least 90 % is in good condition*** and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

condition for habitat types listed in Annex I until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. en

#### **Amendment 934**

**Christine Schneider, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ştefan Motreanu**

#### **Proposal for a regulation**

##### **Article 4 – paragraph 10 – point a**

###### *Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I ***until at least 90 % is in good condition*** and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

###### *Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. en

#### **Amendment 935**

**Marlene Mortler, Alexander Bernhuber, Angelika Niebler, Sabine Verheyen, Franc Bogovič, Ralf Seekatz, Markus Ferber, Markus Pieper, Karolin Braunsberger-Reinhold, Herbert Dorfmann, Michaela Šojdrová, Henna Virkkunen, Jessica Polfjärd, Tom Vandenkendelaere, Norbert Lins, Axel Voss, Marion Walsmann, Petri Sarvamaa, Monika Hohlmeier, Jens Gieseke**

#### **Proposal for a regulation**

##### **Article 4 – paragraph 10 – point a**

###### *Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I ***until at least 90 % is in good condition*** and until the favourable reference area for

###### *Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I and until the favourable reference area for each habitat type in each biogeographic

each habitat type in each biogeographic region of their territory is reached;

region of their territory is reached;

Or. en

*Justification*

*Different developments in nature are not possible to measure in a linear way as many factors influence the state of nature.*

**Amendment 936**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least **90** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least **100** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. cs

**Amendment 937**  
**Michal Wiezik, Róza Thun und Hohenstein, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until **at least** 90 % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until **more than** 90 % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. en

**Amendment 938**  
**Rob Rooken, Robert Roos**

**Proposal for a regulation**  
**Article 4 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least **90** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least **60** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. nl

**Amendment 939**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 4 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, ***IV*** and ***V*** to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II ***and IV*** to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC, ***providing that direct and indirect changes of natural range due to climate change are duly taken into account and that habitats types per species requirements for good conditions as well as favourable reference areas are not negatively competing;***

Or. en

**Amendment 940**  
**Michal Wiezik, Róza Thun und Hohenstein, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

#### **Article 4 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC, ***and towards the sufficient quality and quantity jointly of the freshwater, coastal habitats and marine habitats referred to in Article 5 for the diadromous species listed in Annex IV and V to the Directive 92/43/EEC and in Annex III to this Regulation.***

Or. en

#### **Amendment 941**

**Nils Torvalds**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC, ***based on the national restoration plan .***

Or. en

#### **Amendment 942**

**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) an increasing trend **towards the sufficient quality and quantity** of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) an increasing trend of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

Or. en

**Amendment 943**

**Esther de Lange**

**Proposal for a regulation**

**Article 4 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) an increasing **net** trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

Or. en

**Amendment 944**

**Teuvo Hakkarainen**

**Proposal for a regulation**

**Article 4 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in **Annexes II, IV and V** to Directive 92/43/EEC and of the species **covered by** Directive 2009/147/EC.

*Amendment*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in **Annex II** to Directive 92/43/EEC and of the species **referred to in Annex I to** Directive 2009/147/EC.

Or. fi

## Amendment 945

María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță, Catherine Chabaud, Susana Solís Pérez

### Proposal for a regulation

#### Article 4 – paragraph 10 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) an increased connectivity between protected areas and between habitat types listed in Annex I***

Or. en

## Amendment 946

Alexander Bernhuber

### Proposal for a regulation

#### Article 5 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Member States shall put in place ***the*** restoration measures ***that are necessary*** to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of ***each group of*** habitat types listed in Annex II that ***is*** not in good condition, as quantified in the national restoration plan referred to in Article 12, by ***2030, on at least 60 % by 2040, and on at least 90 % by 2050.***

1. ***Following the development of a revised Union-wide methodology for the assessment of habitat types and species protected under Directive 92/43/EEC and Directive 2009/147/EC,*** Member States shall put in place ***appropriate and reasonable*** restoration measures ***inside the Natura 2000 network*** to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the ***total*** area of ***the*** habitat types listed in Annex II that ***are*** not in good condition, as quantified in the national restoration plan referred to in Article 12, by ***2035.***

Or. en

## Amendment 947

Esther de Lange

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

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, **on at least 60 % by 2040, and on at least 90 % by 2050.**

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030. **On the basis of the Commission analysis report and impact assessment the percentages of measures in place by 2040 and by 2050 shall be set by 2028 at the latest.**

Or. en

**Amendment 948**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

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

*Text proposed by the Commission*

1. Member States shall put in place **the** restoration measures **that are necessary** to improve **to good condition** areas of habitat types listed in Annex **II which are not in good condition**. Such measures shall be in place on at least 30 % of the area of **each group of** habitat types listed in Annex II that **is** not in good condition, as quantified in the national restoration plan referred to in Article 12, **by 2030, on at least 60 % by 2040, and on at least 90 % by 2050.**

*Amendment*

1. **Following the development of a revised Union-wide methodology for the assessment of habitat types and species protected under Directive 92/43/EEC and Directive 2009/147/EC**, Member States shall put in place **appropriate and reasonable** restoration measures **inside the Natura 2000 network** to improve **favourable status** areas of habitat types listed in Annex. Such measures shall be in place on at least 30 % of the **total** area of **the** habitat types listed in Annex II that **are** not in good condition, as quantified in the

national restoration plan referred to in Article 12.

Or. en

**Amendment 949**  
**Anja Hazekamp**

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

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least **30** % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on **at least 60** % by 2040, **and on at least 90** % by 2050.

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to **significantly and permanently** improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least **70** % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on **100** % by 2040, **in order to ensure that benefits from the restoration measures materialise** by 2050.

Or. en

**Amendment 950**  
**Teuvo Hakkarainen**

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

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as

quantified in the national restoration plan referred to in Article 12, by **2030, on at least 60 % by 2040, and on at least 90 % by 2050.**

quantified in the national restoration plan referred to in Article 12, by **2040.**

Or. fi

**Amendment 951**  
**Mick Wallace, Clare Daly**

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

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least **30 %** of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, **on at least 60 %** by 2040, **and on at least 90 %** by 2050.

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least **60%** of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12 by 2030, **and on 100%** by 2040, **in order to ensure that benefits from the restoration measures materialise** by 2050.

Or. en

*Justification*

*As for Art.4(1) above, the current target is not ambitious enough given the extent of the biodiversity and climate crisis. Marine restoration takes time to deliver, depending on ecosystems, it can take several years or even decades for habitats to be restored (e.g. seagrass, reefs). It is important to act early enough, so that restoration benefits can build over time. The proposal to have 30% of habitats types listed in Annex II covered by restoration measures, would correspond to about 10% of EU seas total surface, which would be falling short of the overarching 20% restoration target under Article 1.2. A higher proportion (60%) of degraded habitats to be covered by 2030, and then 100% by 2040, will improve the likelihood of restoration and resilience of habitats increases by 2050 at the latest. This would also allow meeting the ambition of the Nature Restoration Law overarching objective (20% of EU seas in 2030).*

## Amendment 952

Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen

### Proposal for a regulation

#### Article 5 – paragraph 1

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on **at least 30 % of** the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, **by 2030, on at least 60 % by 2040, and on at least 90 % by 2050.**

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be **put** in place on the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12.

Or. en

*Justification*

*As the current bird and habitats directive already requires Member States to meet a favourable status for habitats, this additional timeline is not required.*

## Amendment 953

Sirpa Pietikäinen

### Proposal for a regulation

#### Article 5 – paragraph 1

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on **at least 30 %** of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **60 %** by 2040, **and on at least 90 %**

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on **60%** of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12 by 2030, on at least **100%** by 2040, **in order to ensure that benefits from**

by 2050.

*the restoration measures materialize* by 2050

Or. en

**Amendment 954**  
**Rob Rooker, Robert Roos**

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

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, ***on at least 60 % by 2040, and on at least 90 % by 2050.***

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030.

Or. nl

**Amendment 955**  
**Stanislav Polčák**

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

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan

referred to in Article 12, by 2030, on at least **60** % by 2040, and on at least **90** % by 2050.

referred to in Article 12, by 2030, on at least **70** % by 2040, and on at least **100** % by 2050.

Or. cs

#### **Amendment 956**

**Michal Wiezik, Róza Thun und Hohenstein, Martin Hojsík, Nicolae Ștefănuță**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least 60 % by 2040, and on **at least 90** % by 2050.

##### *Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least 60 % by 2040, and on **more than 90** % by 2050.

Or. en

#### **Amendment 957**

**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition **areas** of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least **30 % of the area** of each **group** of habitat types listed in Annex

##### *Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition of habitat types listed in Annex II which are **evaluated** not in good condition **based on the best available knowledge**. Such measures shall be in place on at least **20** %

II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, **on at least 60 % by 2040, and on at least 90 % by 2050.**

of each **areas** of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030.

Or. en

**Amendment 958**  
**Jutta Paulus, Grace O'Sullivan**

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

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least **30 %** of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **60 %** by 2040, and on **at least 90 %** by 2050.

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least **50 %** of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **75 %** by 2040 and on **100%** by 2050.

Or. en

**Amendment 959**  
**Alexander Bernhuber**

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

*Text proposed by the Commission*

*Amendment*

***1a. Member states shall, in accordance with the national restoration plan referred to in Article 12, restore areas that, due to the loss of their natural conditions, have lost their production capacity, ability to produce important***

*ecosystem services or ability to capture and store carbon dioxide.*

Or. en

**Amendment 960**  
**Anja Hazekamp**

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

*Text proposed by the Commission*

*Amendment*

**1a. In accordance with the EU Commission Biodiversity Strategy for 2030 (COM/2020/380) and Council conclusions on Biodiversity (11829/20), Member States shall create “strictly protected areas” in at least 10% of the Union’s sea and ocean areas by 2030.**

Or. en

**Amendment 961**  
**Marie Toussaint, Yannick Jadot**

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

*Text proposed by the Commission*

*Amendment*

**1a. Member States shall designate as marine protected areas at least 30% of the Union’s sea and ocean areas by 2030 in accordance with the EU Commission Biodiversity Strategy for 2030 (COM/2020/380) and Council conclusions on Biodiversity (11829/20).**

Or. en

**Amendment 962**  
**Younous Omarjee, Marina Mesure**

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

*Text proposed by the Commission*

*Amendment*

**1a. In accordance with the EU Commission Biodiversity Strategy for 2030 (COM/2020/380) and Council conclusions on Biodiversity (11829/20), Member States shall create protected areas in at least 30% of the Union’s sea and ocean areas by 2030.**

Or. en

*Justification*

*On 25 May 2020, the EU Commission adopted its Biodiversity Strategy for 2030 ‘Bringing nature back into our lives’ (COM/2020/380). On 23 October 2020, The Council adopted its ‘Conclusions on Biodiversity. The need for urgent action’ (11829/20). This amendment translates the key recommendations of the Commission and the Council into law.*

**Amendment 963**  
**Marie Toussaint, Yannick Jadot**

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

*Text proposed by the Commission*

*Amendment*

**1b. Member States shall designate as ‘strictly protected areas’ at least 10% of the Union’s sea and ocean areas by 2030 in accordance with the EU Commission Biodiversity Strategy for 2030 (COM/2020/380) and Council conclusions on Biodiversity (11829/20),.**

Or. en

**Amendment 964**  
**Younous Omarjee, Marina Mesure**

**Proposal for a regulation**

## Article 5 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***1b. Member States shall prohibit industrial fishing, including the use of bottom trawling, towed gear and bottom contact fishing gear in all marine protected areas, areas subject to restoration measures, and restored areas.***

Or. en

*Justification*

*At the 2020 World Conservation Congress, in Marseille, the IUCN adopted Resolution WCC-2020-Res-055, a ‘Guidance to identify industrial fishing incompatible with protected areas’. This definition shall apply in the EU to reflect the scientific and political consensus reached at the IUCN World Conservation Congress.*

## Amendment 965

**Younous Omarjee, Marina Mesure**

### Proposal for a regulation

## Article 5 – paragraph 1 c (new)

*Text proposed by the Commission*

*Amendment*

***1c. Member States shall ensure that the European Maritime, Fisheries and Aquaculture Fund is used to provide effective support for the transition to more selective and less damaging fishing techniques for marine biodiversity and habitats.***

Or. en

*Justification*

*In the Council Conclusions on Biodiversity (11829/20), EU Member States recall the need to transition to a sustainable society. The Common Fisheries Policy (Regulation (EU) No 1380/2013) stresses in Article 17 that “Within the fishing opportunities allocated to them, Member States shall endeavour to provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact, such as reduced energy consumption or habitat damage”. This amendment seeks to ensure that nature protection and restoration policies are in line with the Common Fisheries Policy.*

**Amendment 966**  
**Marie Toussaint, Yannick Jadot**

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

*Text proposed by the Commission*

*Amendment*

***1c. Acting in accordance with scientific knowledge and recommendations, Member States shall protect 50% of the Union’s sea and ocean areas by 2050 by extending the network of ‘marine protected areas’.***

Or. en

**Amendment 967**  
**Younous Omarjee, Marina Mesure**

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

*Text proposed by the Commission*

*Amendment*

***1d. Member States shall integrate ecological corridors, as part of a true Trans-European Nature Network, in accordance with the EU Commission Biodiversity Strategy for 2030 (COM/2020/380) and Council conclusions on Biodiversity (11829/20).***

Or. en

*Justification*

*On 25 May 2020, the EU Commission adopted its Biodiversity Strategy for 2030 ‘Bringing nature back into our lives’ (COM/2020/380). On 23 October 2020, the Council adopted its ‘Conclusions on Biodiversity. The need for urgent action’ (11829/20). This amendment seeks to translate the key recommendations of the Commission and the Council into law.*

**Amendment 968**  
**Marie Toussaint, Yannick Jadot**

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

*Text proposed by the Commission*

*Amendment*

***1d. All environmentally damaging extractive industrial activities such as mining and fossil fuel extraction shall not take place in marine protected areas, areas subject to restoration measures, and restored areas.***

Or. en

**Amendment 969**  
**Marie Toussaint, Yannick Jadot**

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

*Text proposed by the Commission*

*Amendment*

***1e. Industrial fishing activities incompatible with protected areas, including the use of bottom trawling, towed gear and bottom contact fishing gear shall not take place in marine protected areas, areas subject to restoration measures, and restored areas.***

Or. en

**Amendment 970**  
**Marie Toussaint, Yannick Jadot**

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

*Text proposed by the Commission*

*Amendment*

***1f. Member States shall use the funding available to them under the European Maritime, Fisheries and Aquaculture Fund to provide effective***

*support for the transition to more selective and less damaging fishing techniques for marine biodiversity and habitats.*

Or. en

#### **Amendment 971**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference *area of each group* of habitat types, as quantified in the national restoration plan referred to in Article 12, by **2030**, at least 60 % of that surface by **2040**, and **100 %** of that surface by **2050**.

*Amendment*

2. *After the data on habitat types referred to in Article 19(8) has been made available*, Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types, *provided that re-establishment is possible under present climatic conditions, also provided that adequate and sufficient areas for re-establishment are available*. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference of habitat types *listed in Annex II*, as quantified in the national restoration plan referred to in Article 12, by **2035**, at least 60 % of that surface by **2045**, and **90 %** of that surface by **2055**.

Or. en

#### **Amendment 972**

**Alexander Bernhuber**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference **area of each group** of habitat types, as quantified in the national restoration plan referred to in Article 12, by **2030**, at least 60 % of that surface by **2040**, and 100 % of that surface by **2050**.

*Amendment*

2. **After the data on habitat types referred to in Article 19(8) has been made available**, Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types, **provided that re-establishment is possible under present climatic conditions, also provided that adequate and sufficient areas for re-establishment are available**. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference of habitat types **listed in Annex II**, as quantified in the national restoration plan referred to in Article 12, by **2035**, at least 60 % of that surface by **2045**, and 90 % of that surface by **2055**.

Or. en

**Amendment 973**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. **Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, at least 60 % of that surface by 2040, and 100 % of that surface by 2050.**

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types.

Or. en

## Amendment 974

Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen

### Proposal for a regulation

#### Article 5 – paragraph 2

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place ***on*** areas ***representing at least 30 %*** of the ***additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, at least 60 % of that surface by 2040, and 100 % of that surface by 2050.***

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place ***in*** areas ***necessary to ensure fulfilment of the goals laid down in paragraph 1 of this Article;***

Or. en

*Justification*

*As the definition of 'restoration' already includes requirements to contribute to the favourable reference area of habitat types, this paragraph can be simplified.*

## Amendment 975

Rob Rooken, Robert Roos

### Proposal for a regulation

#### Article 5 – paragraph 2

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified

in the national restoration plan referred to in Article 12, by 2030, **at least 60 % of that surface by 2040, and 100 % of that surface by 2050.**

in the national restoration plan referred to in Article 12, by 2030.

Or. nl

**Amendment 976**  
**Teuvo Hakkarainen**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by **2030, at least 60 % of that surface by 2040, and 100 % of that surface by 2050.**

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by **2040.**

Or. fi

**Amendment 977**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least **30 %** of

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to **significantly and permanently** re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on

the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, at least **60 % of that surface** by 2040, and **100 % of that surface** by 2050.

areas representing at least **100 %** of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, at least **200 % of the re-established surface** by 2040, and **300 %** of that surface by 2050.

Or. en

### *Justification*

*Based on 'favourable reference areas' reported by MS for marine habitats, the overall area to be re-created as strict minimum is estimated to be 1620 km<sup>2</sup>, representing only 0.03% of EU seas' area. This data is an underestimate as most MS did not report enough information. The NRL must go beyond this strict minimum target, so that habitat re-creation makes a higher contribution to the overarching target of the NRL. It's proposed that the total favourable reference area of each group of habitats is covered by re-creation measures by 2030 and that this area is doubled by 2040 and tripled by 2050.*

## **Amendment 978**

**Mick Wallace, Clare Daly**

### **Proposal for a regulation**

#### **Article 5 – paragraph 2**

##### *Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing **at least 30 %** of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, **at least 60 % of that surface** by 2040, and **100 % of that surface** by 2050.

##### *Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing **100 %** of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, **in order to ensure that benefits from the restoration measures materialise** by 2040 and **build over time until 2050**.

Or. en

**Amendment 979**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing **at least 30 %** of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, **at least 60 % of that surface** by 2040, **and 100 % of that surface** by 2050.

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing **100 %** of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030 **in order to ensure that benefits from the restoration measures materialize** by 2040 **and build over time until** 2050.

Or. en

**Amendment 980**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, at least **60 %** of that surface by 2040, and 100 % of that surface by 2050.

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not **currently** covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, by 2030, at least **70 %** of that surface by 2040, and 100 % of that surface by 2050.

**Amendment 981**

**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

**Proposal for a regulation****Article 5 – paragraph 2***Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least **30 %** of the **additional** overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to in Article 12, **by 2030, at least 60 % of that surface by 2040, and 100 % of that surface by 2050.**

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in **estimated** areas not covered by those habitat types, **based on the best available knowledge.** Such measures shall be in place on areas representing at least **20 %** of the overall surface **evaluated as** needed to reach the total favourable reference area of each group of habitat types, **based on the best available knowledge,** as quantified in the national restoration plan referred to in Article 12.

Or. en

**Amendment 982**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation****Article 5 – paragraph 2***Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least **30 %** of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to

*Amendment*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex II in areas not covered by those habitat types. Such measures shall be in place on areas representing at least **40%** of the additional overall surface needed to reach the total favourable reference area of each group of habitat types, as quantified in the national restoration plan referred to

in Article 12, by 2030, at least **60** % of that surface by 2040, **and 100** % of that surface by 2050.

in Article 12, by 2030 at least **75** % of that surface by 2040 **and 100%** of that surface by 2050.

Or. en

**Amendment 983**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Member States shall put in place restoration measures, in addition to those under Articles 5(1), 5(2) and 5(3), to achieve the objective set out in Art 1(2) to adequately cover the diversity of the constituent marine habitats and species to be restored, for other marine species and habitats, beyond those listed in Annex II and III, including those covered by international or regional agreements such as Regional Sea Conventions and pursuant to the objective of Directive 2008/56/EC.**

Or. en

*Justification*

*This amendment complements the restoration measures focused on degraded Annex II marine habitats in Articles 5(1), 5(2) and 5(3). It is justified by the fact that Member States will need to put in place additional restoration measures, beyond Annex II degraded habitats, in order to deliver the EU restoration target. The focus of additional restoration should be on other important marine habitat types necessary to achieve Good Environmental Status under the Marine Strategy Framework Directive, and which are necessary to restore the diversity of ocean's ecosystems.*

**Amendment 984**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 5 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Member states shall, in accordance with the national restoration plan referred to in Article 12, restore areas that, due to the loss of their natural conditions, risk significantly worsening the effects of natural disasters such as floods, storms, fires and natural pests.**

Or. en

**Amendment 985**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Member States shall ensure that the restoration measures adopted under Articles 5(1), 5(2) and 5(3) achieve the objective set out in Article 1(2) and shall otherwise put in place the necessary additional restoration measures to meet this objective.**

Or. en

**Amendment 986**  
**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Susana Solís Pérez, Andreas Glück**

**Proposal for a regulation**  
**Article 5 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of

3. Member States shall, ***within Natura 2000 sites and other strictly protected areas***, put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to

wild birds covered under Directive 2009/147/EC, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

Directive 92/43/EEC and for the marine habitats of wild birds covered under Directive 2009/147/EC, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

***When designing the measures referred to in paragraphs 1, 2 and 3 of this Article, Member States shall, to the largest extent possible, plan the measures so that current and future economic activity in the areas can take place and spatial planning is not disproportionately hampered, in order to address current and future challenges such as climate change, food security, affordable housing and infrastructure development.***

Or. en

#### **Amendment 987**

**Michal Wiezik, Róza Thun und Hohenstein, Martin Hojsík, Nicolae Ștefănuță**

#### **Proposal for a regulation Article 5 – paragraph 3**

##### *Text proposed by the Commission*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of wild birds covered under Directive 2009/147/EC, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

##### *Amendment*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of wild birds covered under Directive 2009/147/EC, ***and for the diadromous species listed in Annex IV and V to the Directive 92/43/EEC and in Annex III of this Regulation the restoration measures jointly for the marine habitats and freshwater and coastal habitats referred to in Article 4***, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until

sufficient quality and quantity of those habitats is achieved.

Or. en

### **Amendment 988**

**Jutta Paulus, Grace O'Sullivan**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3**

##### *Text proposed by the Commission*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of wild birds covered under Directive 2009/147/EC, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

##### *Amendment*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC, ***of species listed in Annex 2 of SPA/BD Protocol to the convention of the Marine Environment and the Coastal Region of the Mediterranean*** and for the marine habitats of wild birds covered under Directive 2009/147/EC, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

Or. en

### **Amendment 989**

**Alexander Bernhuber**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3**

##### *Text proposed by the Commission*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of wild birds covered under Directive

##### *Amendment*

3. Member States shall put in place the restoration measures ***inside Natura 2000 network*** for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of wild birds

2009/147/EC, that are necessary *in order* to improve the quality and quantity of those habitats, including by re-establishing them, *and to enhance connectivity*, until sufficient quality and quantity *of those habitats* is achieved.

covered under Directive 2009/147/EC that are necessary to improve the quality and quantity of those habitats, including by re-establishing them, until sufficient quality and quantity *to reach favourable condition or show a strong positive trend for 30 % of the species* is achieved, *and in line with long-term projection of changing natural ranges*.

Or. en

#### **Amendment 990**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Anna Zalewska**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3**

##### *Text proposed by the Commission*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of wild birds covered under Directive 2009/147/EC, that are necessary *in order* to improve the quality and quantity of those habitats, including by re-establishing them, *and to enhance connectivity*, until sufficient quality and quantity *of those habitats is achieved*.

##### *Amendment*

3. Member States shall put in place the restoration measures *inside Natura 2000 network* for the marine habitats of species listed in Annex III and *where deemed required for species* in Annexes II, IV and V to Directive 92/43/EEC and for the marine habitats of wild birds covered under Directive 2009/147/EC that are necessary to improve the quality and quantity of those habitats, including by re-establishing them, until sufficient quality and quantity *to reach favourable status*.

Or. en

#### **Amendment 991**

**Teuvo Hakkarainen**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3**

##### *Text proposed by the Commission*

##### *Amendment*

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in *Annexes II, IV and V* to Directive 92/43/EEC and for the marine habitats of wild birds *covered under* Directive 2009/147/EC, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

3. Member States shall put in place the restoration measures for the marine habitats of species listed in Annex III and in *Annex II* to Directive 92/43/EEC and for the marine habitats of wild birds *listed in Annex I to* Directive 2009/147/EC, that are necessary in order to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

Or. fi

### **Amendment 992**

**Mick Wallace, Clare Daly**

### **Proposal for a regulation**

### **Article 5 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Member States shall put in place restoration measures, in addition to those under paragraphs 1, 2 and 3, to achieve the objective set out in Art 1(2) to adequately cover the diversity of the constituent marine habitats and species to be restored, including for other marine species and habitats, beyond those listed in Annex II and III, including those covered by international or regional agreements such as Regional Sea Conventions and pursuant to the objective of Directive 2008/56/EC.***

Or. en

### *Justification*

*This new article complements the restoration measures focused on degraded Annex II marine habitats (covering 4% of EU seas) in Articles 5(1), 5(2) and 5(3). It is justified by the fact that Member States will need to put in place additional restoration measures, beyond Annex II degraded habitats, in order to deliver the 20% EU seas target. The focus of this additional restoration should be on other important marine habitats types necessary to achieve Good Environmental Status under the Marine Strategy Framework Directive (Directive*

2008/56/EC), and which are necessary to restore the diversity of ocean's ecosystems.

#### **Amendment 993**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Andreas Glück**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 4**

##### *Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. Areas where the habitat types listed in Annex II are in unknown condition shall ***be considered as not being in good condition.***

##### *Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. Areas where the habitat types listed in Annex II are in unknown condition ***the Member State concerned shall rectify that data gap in accordance with Article 11(1).***

***When determining the most suitable areas referred to in paragraph 4, Member States shall take into account socio-economic aspects as well as ensure that future spatial planning will not be disproportionately hampered. Member States shall also utilise the full potential of coordination and synergies of designating those areas within Natura 2000 sites and other strictly protected areas.***

Or. en

#### **Amendment 994**

**Nils Torvalds, Emma Wiesner**

#### **Proposal for a regulation**

## Article 5 – paragraph 4

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. **Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.**

*Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge, **broad impact assessments including socio-economic cost** and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. **Member States shall ensure that all knowledge gaps that do not allow for condition assessment of habitat types in Annex I, are removed by 2030 at the latest.**

Or. en

*Justification*

*A substantial share (30%) of forest habitats listed in Annex I is classified as being in “unknown condition” according to the Commission’s Impact Assessment (p.538). It would be important to first establish the condition of missing areas instead of running the risk of imposing unnecessary restoration measures on areas that are not degraded. At the same time, we need to ensure that the data collection starts soon. Member States should also consider the balancing of various interests, cost-efficiency in nature restoration and socio-economic impacts when defining the most suitable areas for restoration.*

### Amendment 995

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță, Catherine Chabaud**

### Proposal for a regulation Article 5 – paragraph 4

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in

*Amendment*

4. The determination of the most suitable areas for restoration measures in

accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.

accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. ***Member States shall work towards closing existing data gaps of unmapped and unknown habitats and conditions by 2030. Failing to do so***, areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.

Or. en

#### **Amendment 996**

**Rosanna Conte, Silvia Sardone, Danilo Oscar Lancini, Elisabetta De Blasis, Matteo Adinolfi**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 4**

##### *Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. ***Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.***

##### *Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3.

**Amendment 997**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 5 – paragraph 4**

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. ***Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.***

*Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3.

**Amendment 998**  
**Teuvo Hakkarainen**

**Proposal for a regulation**  
**Article 5 – paragraph 4**

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary

*Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary

for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. ***Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.***

for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3.

Or. fi

#### **Amendment 999**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

#### **Proposal for a regulation Article 5 – paragraph 4**

##### *Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available ***knowledge*** and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. ***Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.***

##### *Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1 and 3 ***of this Article*** shall be based on the best available ***techniques, taking into account all functions of ecosystems***, and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance including their typical species, ***as*** referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3 ***of this Article***. ***Cost-effectiveness must also be taken into account when prioritising and allocating restoration measures.***

Or. en

#### **Amendment 1000**

**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 5 – paragraph 4**

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. ***Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.***

*Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 ***of this Article*** shall be based on the best available knowledge, ***practices*** and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance including their typical species, ***as*** referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3 ***of this Article***. ***Cost-effectiveness must also be taken into account when prioritising and allocating restoration measures.***

Or. en

**Amendment 1001**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 4**

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. Areas where the habitat types listed in Annex II

*Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2, ***2a*** and 3 shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. Areas where the habitat types listed in Annex II

are in unknown condition shall be considered as not being in good condition.

are in unknown condition shall be considered as not being in good condition.

Or. en

**Amendment 1002**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 4**

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 **and 3** shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.

*Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2, **3 and 3a** shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex II, measured by the structure and functions which are necessary for their long-term maintenance, including their typical species, referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3. Areas where the habitat types listed in Annex II are in unknown condition shall be considered as not being in good condition.

Or. en

*Justification*

*Amendment to include under the scope of this provision, the new paragraph 3a in Article 5 which expands the coverage of restoration measures to habitats included in Directive 2008/56/EC*

**Amendment 1003**  
**Antoni Comín i Oliveres**

**Proposal for a regulation**  
**Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall ***consider the need for*** improved connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

*Amendment*

5. ***When deciding on and implementing*** the restoration measures referred to in paragraphs 1 and 2, ***Member States, and local and regional governments if competent,*** shall ***ensure*** improved ***connectivity between existing protected areas and the*** connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types. ***If necessary effective complementary measures shall be adopted.***

Or. en

**Amendment 1004**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**

**Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall ***consider the need for improved*** connectivity between the habitat types listed in Annex II and ***take*** into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

*Amendment*

5. ***When implementing*** the restoration measures referred to in paragraphs 1 and 2, ***Member States*** shall ***ensure, including through appropriate and effective complementary measures, that*** connectivity between the habitat types listed in Annex II and ***connectivity between the existing protected areas network is improved,*** taking into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types ***in accordance with Article 10a.***

Or. en

**Amendment 1005**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 **and 2** shall **consider the need for improved** connectivity between the habitat types listed in Annex **II** and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

*Amendment*

5. **When implementing** the restoration measures referred to in paragraphs 1, **2 and 3a**, Member States shall **ensure, including through appropriate and effective complementary measures, that** connectivity between the habitat types listed in Annex **I**, **and connectivity between the existing protected area network is improved**, and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

Or. en

*Justification*

*As for Article.4 above, measures enhancing connectivity among restoration areas, and also between restoration areas and Natura 2000 sites should be envisaged. Not only would this increase the effectiveness of the restoration measures, as well as contribute to the non-deterioration of restoration areas, but it would also be in line with relevant provisions of the Habitats Directive. The initial formulation is particularly weak in the establishment of a standalone connectivity obligation.*

**Amendment 1006**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță, Catherine Chabaud, Susana Solís Pérez**

**Proposal for a regulation**  
**Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for improved connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

*Amendment*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for improved connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types **and promote nature-based solutions.**

**Amendment 1007**

**Christine Schneider, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ştefan Motreanu**

**Proposal for a regulation**

**Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for improved connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

*Amendment*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for improved connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types **and guarantee food security**.

**Amendment 1008**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for **improved** connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

*Amendment*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

**Amendment 1009**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**

**Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for **improved** connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

*Amendment*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

Or. en

**Amendment 1010**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**

**Article 5 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. Member States shall ensure a whole-site approach in marine areas subject to restoration and shall prioritise passive restoration measures when implementing measures under paragraphs 1, 2 and 3.**

Or. en

**Amendment 1011**

**Jessica Polfjärd, Petri Sarvamaa, Alexander Bernhuber, Henna Virkkunen**

**Proposal for a regulation**

**Article 5 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. *Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.*

*deleted*

Or. en

#### Amendment 1012

Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Susana Solís Pérez

#### Proposal for a regulation

#### Article 5 – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. Member States shall ensure that the *areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the* quality of the habitats of the species referred to in paragraph 3 *until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached* do not deteriorate.

6. Member States shall *aim to* ensure that the *total national area in* good condition *and the total amount of area with a sufficient* quality of the habitats of the species referred to in paragraph 1, 2, and 3 do not *decrease over time*.

Or. en

**Amendment 1013**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 6**

*Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

*Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2, **2a** and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate, ***through the adoption of appropriate long-term conservation measures, such as strict protection, which correspond to the ecological requirements of those areas and habitats.***

Or. en

*Justification*

*Without protection, restoration is meaningless. If the area subject to restoration or restored is not protected against pressure affecting the restored ecosystems, all efforts and resources spent into the restoration will be in vain. Granting protected status to restoration areas is necessary ensure non-deterioration of the restored habitat types.*

**Amendment 1014**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 5 – paragraph 6**

*Text proposed by the Commission*

6. Member States shall ensure that the

*Amendment*

6. Member States shall ensure that the

areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate, *in particular by designating them as specially protected in the relevant category of specially protected areas under the national law of the Member State concerned.*

Or. cs

#### **Amendment 1015**

**Mick Wallace, Clare Daly**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 6**

##### *Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 **and 3** show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

##### *Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2, **3 and 3a** show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate, *through appropriate and effective measures, which correspond to the ecological requirements*

*of those areas and habitats.*

Or. en

#### **Amendment 1016**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

#### **Proposal for a regulation Article 5 – paragraph 6**

##### *Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, **2 and 3** show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, **and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached.** Member States shall ensure that areas in which good condition has been reached **and in which the sufficient quality of the habitats of the species has been reached** do not deteriorate.

##### *Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1 **and 2** show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached. Member States shall ensure that areas **inside Natura 2000 areas subject to restoration measures in accordance with paragraphs 1 and 2** in which good condition has been reached, do not deteriorate.

Or. en

#### **Amendment 1017**

**Jutta Paulus, Grace O'Sullivan**

#### **Proposal for a regulation Article 5 – paragraph 6**

##### *Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in

##### *Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in

Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate, ***including by implementing efficient conservation measures in and around the habitats.***

Or. en

**Amendment 1018**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 5 – paragraph 6**

*Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

*Amendment*

6. Member States shall ***take measures with the aim to*** ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous ***net*** improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous ***net*** improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

Or. en

**Amendment 1019**  
**Teuvo Hakkarainen**

**Proposal for a regulation**  
**Article 5 – paragraph 6**

*Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

*Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ***endeavour to*** ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

Or. fi

**Amendment 1020**  
**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**  
**Article 5 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***6a. Member States shall ensure the continuous, long-term and sustained effects of restoration measures adopted under this Article through effective means, such as spatial conservation measures, including strict protection, contributing to coherent and representative networks of protected areas taking into account the ecological requirements of each restoration area. Appropriate buffer zones shall be created around areas that are subject to restoration measures. Activities in a buffer zone shall be regulated appropriately to protect the area under***

*restoration.*

Or. en

*Justification*

*restrictions to ensure that harmful impacts from human activities occurring in the surrounding areas (in buffer zones) should be minimized inside restoration areas, including wide-ranging impacts such as sediment suspension and underwater noise which can travel over large distances underwater.*

**Amendment 1021**  
**Delara Burkhardt**

**Proposal for a regulation**  
**Article 5 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a.** *Member States shall ensure that marine restoration measures adopted in accordance with paragraphs 1, 2 and 3 of this Article are achieved in the form of passive restoration. Active restoration shall be connected to and complement passive restoration when passive restoration is not sufficient alone for recovering effectively the marine ecosystems targeted. All restoration measures at sea must be accompanied by appropriate and effective long-term conservation measures.*

Or. en

**Amendment 1022**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a.** *Appropriate buffer zones shall be created around areas that are subject to*

*restoration measures adopted in accordance with this Article, with adequate restrictions ensuring that harmful impacts from human activities occurring in surrounding areas are minimised inside the restoration areas, particularly wide-ranging impacts such as sediment suspension and underwater noise which can travel over large distances underwater.*

Or. en

**Amendment 1023**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a. Member States shall ensure that marine restoration measures adopted in accordance with paragraphs 1, 2 and 3 of this Article are achieved through passive restoration.**

Or. en

*Justification*

*Passive restoration methods are generally lower risk, involve fewer logistical constraints, and cost less per unit area than active restoration, they are therefore more feasible for large-scale restoration efforts.*

**Amendment 1024**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 6 b (new)**

*Text proposed by the Commission*

*Amendment*

**6b. Appropriate buffer zones shall be created around each marine restoration**

*area, with adequate restrictions ensuring harmful impacts from human activities occurring in surrounding areas are minimized inside restoration areas, particularly wide-ranging impacts like sediment suspension and underwater noise which can travel over large distances underwater.*

Or. en

**Amendment 1025**

**Anja Hazekamp**

**Proposal for a regulation**

**Article 5 – paragraph 6 c (new)**

*Text proposed by the Commission*

*Amendment*

**6c.** *In order to restore the health of marine life and the abundance of species associated as bycatch in non-selective fisheries, the use of fish aggregating devices (FADs) on Union fishing vessels is prohibited to catch or harvest marine species.*

Or. en

**Amendment 1026**

**Anja Hazekamp**

**Proposal for a regulation**

**Article 5 – paragraph 6 d (new)**

*Text proposed by the Commission*

*Amendment*

**6d.** *Member States shall prohibit industrial fishing, including the use of bottom trawling, towed gear and bottom contact fishing gear in all marine protected areas, areas subject to restoration measures, and restored areas.*

Or. en

**Amendment 1027**

**Jessica Polfjärd, Petri Sarvamaa, Alexander Bernhuber, Henna Virkkunen**

**Proposal for a regulation**

**Article 5 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. *Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate.* **deleted**

Or. en

**Amendment 1028**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen**

**Proposal for a regulation**

**Article 5 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. *Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate.* **deleted**

Or. en

**Amendment 1029**

**Stanislav Polčák**

**Proposal for a regulation**

**Article 5 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate.

7. Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate, ***in particular by designating them as specially protected in the relevant category of specially protected areas under the national law of the Member***

*State concerned.*

Or. cs

**Amendment 1030**  
**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**  
**Article 5 – paragraph 7**

*Text proposed by the Commission*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate.

*Amendment*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate, ***including by implementing efficient conservation measures in and around the habitats.***

Or. en

**Amendment 1031**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 5 – paragraph 7**

*Text proposed by the Commission*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate.

*Amendment*

7. Member States shall ***take measures with the aim to*** ensure that areas where the habitat types listed in Annex II occur do not deteriorate ***over time.***

Or. en

**Amendment 1032**  
**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**  
**Article 5 – paragraph 7**

*Text proposed by the Commission*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate.

*Amendment*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur ***inside Nature 2000*** do not deteriorate.

Or. en

**Amendment 1033**

**Nils Torvalds**

**Proposal for a regulation**

**Article 5 – paragraph 7**

*Text proposed by the Commission*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur ***do not deteriorate***.

*Amendment*

7. Member States shall ensure that ***there is no net deterioration of*** areas where the habitat types listed in Annex II occur.

Or. en

*Justification*

*When there is a positive net effect, projects should not be denied.*

**Amendment 1034**

**Teuvo Hakkarainen**

**Proposal for a regulation**

**Article 5 – paragraph 7**

*Text proposed by the Commission*

7. Member States shall ensure that areas where the habitat types listed in Annex II occur do not deteriorate.

*Amendment*

7. Member States shall ***endeavour to*** ensure that areas where the habitat types listed in Annex II occur do not deteriorate.

Or. fi

**Amendment 1035**

**Mick Wallace, Clare Daly**

**Proposal for a regulation  
Article 5 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. Member States shall ensure the continuous, long-term and sustained effects of restoration measures adopted under this Article, in line with Article 12(2), point (i), through effective means, such as spatial protection measures, including strict protection, contributing to coherent and representative networks of protected areas taking into account the ecological requirements of each restoration area, and contributing to meeting targets under the EU 2030 Biodiversity Strategy.**

Or. en

*Justification*

*According to Art 12(2)(i), Member States will include in their Restoration Plans a list of measures ensuring the continued, long-term and sustained effects of the restoration measures adopted in order to deliver the targets listed in Articles 4 to 10. A substantive obligation for the adoption of such measures is a corollary to their inclusion in the Restoration Plans. Otherwise, Member States risk reversing all the positive outcomes deriving from their restoration activities which would mean both failure to secure the provision of the desired ecosystem services, but also a significant waste of the financial resources invested in such activities. If the area subject to restoration or restored is not protected against pressure affecting the restored ecosystems, all efforts and resources spent into the restoration will be in vain. Granting some protective status to restoration areas is necessary, and a recognised best practice to ensure that both the continuous improvement and the non deterioration of the targeted habitats types*

**Amendment 1036  
Anja Hazekamp**

**Proposal for a regulation  
Article 5 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. Any plan or project not directly**

*connected with or necessary to the areas subject to restoration as defined in Articles 4 and 5, but likely to have a significant effect thereon, shall be subject to an assessment of its implications for areas subject to restoration measures in view of the areas' restoration objectives. Such assessment shall ensure compliance with the non-deterioration provisions pursuant to Art. 5(6), 5(7), 5(10), and the precautionary principle.*

Or. en

*Justification*

*It is important to introduce specific provisions under the NRL to prevent any degradation or impacts in areas to be restored, through a specific assessment. Such assessment should be similar to the one required under the Habitats Directive, and should apply to any plan or project not directly connected with or necessary to the areas restoration but likely to have a significant effect on it.*

**Amendment 1037**

**Anja Hazekamp**

**Proposal for a regulation**

**Article 5 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. Member States shall ensure the continuous, long-term and sustained effects of restoration measures adopted under this Article, in line with Article 12(2)(i), through effective means, including spatial protection measures such as strictly protected areas, contributing to coherent and representative networks of protected areas and targets of the EU 2030 Biodiversity Strategy.**

Or. en

*Justification*

*Without protection, restoration is pointless. If the area subject to restoration or restored is*

*not protected against pressure affecting the restored ecosystems, all efforts and resources spent into the restoration will be in vain. Granting some protective status to restoration areas is necessary, and a recognised best practice to ensure that both the continuous improvement and the non-deterioration of the targeted habitats types. As such, all damaging activities should be excluded from and around restoration areas, which should be designated as strictly protected areas.*

**Amendment 1038**  
**Delara Burkhardt**

**Proposal for a regulation**  
**Article 5 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. Member States shall ensure the continuous, long-term and sustained effects of restoration measures adopted under this Article, in line with Article 12(2)(i), through effective means, including spatial protection measures such as strictly protected areas, contributing to coherent and representative networks of protected areas and targets of the EU 2030 Biodiversity Strategy.**

Or. en

**Amendment 1039**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7b. Member States shall ensure the continuous, long-term and sustained effects of restoration measures adopted under this article, in line with Article 12(2)(i), through effective means, including spatial protection measures contributing to coherent and representative networks of protected areas**

**and targets of the EU 2030 Biodiversity Strategy.**

Or. en

*Justification*

*Without protection, restoration is pointless. If the area subject to restoration or restored is not protected against pressure affecting the restored ecosystems, all efforts and resources spent into the restoration will be in vain. Granting a protective status to restoration areas is necessary to ensure that both the continuous improvement and the non-deterioration of the targeted habitat types. As such, all damaging activities should be excluded from and around restoration areas, which should be designated as strictly protected areas.*

**Amendment 1040**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 5 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7b. Member States shall ensure a whole-site approach in marine areas subject to restoration, and adopt restoration measures to the entire area concerned in recognition of the complexity of ecosystem interactions and to enable ecosystems recovery and re-establishment to their full extent.**

Or. en

*Justification*

*The concept of “whole-site approach” (proposal for a definition also added in Art.3) to restoration areas goes against the usual and insufficient “feature-based approach” that only focus on specific features within an area, such as rocky reefs or key species, and which is insufficient to protect and allow the recovery of the diversity of marine ecosystems. By managing areas in a holistic way, covering the whole site, for instance to restrict damaging activities, associated species to the different habitats, like mobile species dependent on healthy bottom features will be able to colonise and rewild the whole area. In addition, this approach demonstrated multiple additional advantages from increasing resilience of marine ecosystems to extreme climatic events to the potential for simplifying management and reducing monitoring costs*

**Amendment 1041**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7b. Member States shall strictly protect wetlands and seagrass meadows habitats that are subject to restoration measures, given their importance as carbon-rich ecosystems.**

Or. en

*Justification*

*The EU Biodiversity Strategy for 2030 sets out a commitment to strictly protect one third of EU land and sea, and states that certain carbon-rich ecosystems, such as seagrass meadows, should be strictly protected. Because seagrass meadows play such an important ecological role in the marine and coastal environment, both for biodiversity protection and climate change (including mitigation and adaptation such as storing blue carbon and offering coastal defence), Member States need to grant seagrass meadows strict protection regime to allow for full restoration potential.*

**Amendment 1042**  
**Delara Burkhardt**

**Proposal for a regulation**  
**Article 5 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7b. Member States shall strictly protect wetlands and seagrass meadows habitats that are subject to restoration measures, given their importance as carbon-rich ecosystems.**

Or. en

**Amendment 1043**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 7 c (new)**

*Text proposed by the Commission*

*Amendment*

**7c. Member States shall embrace the concept of 'site approach' in areas subject to restoration, by applying restoration measures to the entire area concerned, and not just part of it, thus recognising the complexity of ecosystems interactions and enabling ecosystems recovery and re-establishment to their maximum potential.**

Or. en

**Amendment 1044**

**Michal Wiezik, Róza Thun und Hohenstein, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

*Amendment*

8. Outside Natura 2000 *sites*, the non-fulfilment of the obligations set out in paragraphs 6 and 7 is justified if caused by:

8. Outside Natura 2000 *network*, the non-fulfilment of the obligations set out in paragraphs 6 and 7, ***followed up, without delay, by an update of the quantification of the areas to be restored under Article 12(2), point (a)*** is justified if caused by:

Or. en

**Amendment 1045**

**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 ***is*** justified if caused by:

8. ***If compatible with the gradual achievement of the restoration targets set out in this Regulation***, outside Natura 2000 sites, the non-fulfilment of the

obligations set out in paragraphs 6 and 7 *can be* justified if **Member States provide compelling evidence that it is** caused by:

Or. en

**Amendment 1046**  
**Jutta Paulus**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 *is* justified if caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **can be** justified if **Member States provide scientific and verifiable evidence that it is** caused by:

Or. en

**Amendment 1047**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 *is* justified if caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **may only be** justified if **Member States provide compelling evidence that it is** caused by:

Or. en

**Amendment 1048**  
**Róża Thun und Hohenstein, Robert Biedroń, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **is** justified if caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **can be** justified if **Member States provide compelling evidence that it is** caused by:

Or. en

**Amendment 1049**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **is** justified if caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **can be** justified if **Member States provide compelling evidence that it is** caused by:

Or. en

**Amendment 1050**  
**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs **6 and 7** is justified if caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs **1, 2, 3 and 6** is justified if caused by:

Or. en

**Amendment 1051**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík,  
Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **is** justified if caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **can be** justified if caused by:

Or. en

**Amendment 1052**

**Teuvo Hakkarainen**

**Proposal for a regulation**

**Article 5 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the **obligations set out** in paragraphs 6 and 7 is justified if caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the **goals mentioned** in paragraphs 6 and 7, is justified if caused by:

Or. fi

**Amendment 1053**

**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point a**

*Text proposed by the Commission*

**(a) force majeure;**

*Amendment*

**deleted**

Or. en

**Amendment 1054**

**Nicolae Ștefănuță, Martin Hojsik**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point a**

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure *if it's a well founded and justified instance that in line with the guidelines issued by the Commission on the application of this provision;*

Or. en

**Amendment 1055**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point a**

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure, *including natural disasters;*

Or. en

**Amendment 1056**

**Christine Schneider, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ștefan Motreanu**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(aa) to guarantee food security;*

Or. en

**Amendment 1057**  
**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change; or**

**deleted**

Or. en

**Amendment 1058**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change; or**

**(b) unavoidable habitat transformations which are directly caused by climate change, *based on scientific evidence and provided that the Member State has taken adequate mitigation measures*; or**

Or. en

**Amendment 1059**  
**Jutta Paulus**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change; or**

**(b) unavoidable habitat transformations which are directly caused by climate change, *based on scientific evidence and provided that the Member State has taken adequate mitigation measures*; or**

Or. en

**Amendment 1060**

**Róża Thun und Hohenstein, Robert Biedroń, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change ***based on scientific evidence and provided that the Member State has taken adequate mitigation measures***; or

Or. en

**Amendment 1061**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; ***or***

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, ***based on scientific evidence and provided that the Member State has taken adequate mitigation measures***; or

Or. en

**Amendment 1062**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Andreas Glück**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are ***directly*** caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are ***for example*** caused by climate change, ***third countries, non-preventable***

*pests and diseases, natural disasters; or*

Or. en

*Justification*

*This list should be non-exhaustive to allow for possible other unavoidable habitat transformations which may develop in the future.*

**Amendment 1063**

**Stanislav Polčák**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change ***and which could not be prevented by appropriate adaptation measures***; or

Or. cs

**Amendment 1064**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) ***unavoidable*** habitat transformations which are directly caused by climate change; or

*Amendment*

(b) habitat transformations ***or other relevant circumstances*** which are directly ***and indirectly*** caused by climate change; or

Or. en

**Amendment 1065**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) **unavoidable** habitat transformations which are directly caused by climate change; or

*Amendment*

(b) habitat transformations **or other relevant circumstances** which are directly **and indirectly** caused by climate change; or

Or. en

**Amendment 1066**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nils Torvalds, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, **based on scientific evidence**; or

Or. en

**Amendment 1067**

**Nicolae Ștefănuță, Martin Hojsík, Michal Wiezik**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined **and assessed for environmental impact** on a case by case basis, **provided that the Member State concerned has adopted adequate compensatory measures and provided that such a project does not result in severe or**

*negative impact for the local community.*

Or. en

## **Amendment 1068**

**Jutta Paulus**

### **Proposal for a regulation**

#### **Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available ***and compensatory measures have been adopted, ideally in the vicinity and guided by the polluter pays principle***, to be determined on a case by case basis.

Or. en

## **Amendment 1069**

**Christine Schneider, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa**

### **Proposal for a regulation**

#### **Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis ***for which Member States are to provide evidence for these exceptions.***

Or. en

**Amendment 1070**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest ***on urgent grounds*** for which no less damaging alternative solutions are available, to be determined ***and justified with sufficient specificity*** on a case by case basis.

Or. cs

**Amendment 1071**  
**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding ***public*** interest for which no less damaging alternative solutions are available, ***to be determined on a case by case basis.***

*Amendment*

(c) a project of ***private or public*** overriding interest for which no less damaging ***and beneficial social efficient*** alternative solutions are available, ***as defined in the national restoration plan;***  
***or***

Or. en

**Amendment 1072**  
**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of ***overriding*** public

*Amendment*

(c) a project of public interest, to be

interest *for which no less damaging alternative solutions are available*, to be *determined on a case by case basis*.

*defined in the national restoration plan.*

Or. en

**Amendment 1073**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

*Amendment*

(c) a project of *overriding* public interest *for which no less damaging alternative solutions are available*, to be *determined on a case by case basis*.

(c) a project of public interest, to be *defined in the national restoration plan.*

Or. en

**Amendment 1074**  
**Róża Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined *by the European Commission* on a case by case basis.

Or. en

**Amendment 1075**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, **to be determined on a case by case basis**.

(c) a project of overriding public interest for which no less damaging alternative solutions are available.

Or. en

## **Amendment 1076**

**Aurélia Beigneux**

### **Proposal for a regulation**

#### **Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

*Amendment*

(c) a project of **overriding** public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

(c) a project of public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

Or. fr

#### *Justification*

*If the project is simultaneously of public interest and one for which no less damaging alternative solutions are available, then those grounds are sufficient for a derogation from the obligations referred to. The ‘overriding’ aspect therefore goes without saying.*

## **Amendment 1077**

**Sirpa Pietikäinen**

### **Proposal for a regulation**

#### **Article 5 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***Such areas shall not count towards the achievement of the targets set out in Articles 5(1), 5(2), 5(2a) and 5(3). Member States shall update their national restoration plans in line with Article 12(2)(a) accordingly and communicate to the European Commission the updated coverage of the areas to be restored under***

*their jurisdiction. When reviewing their Restoration Plans in line with Article 15 of this Regulation, Member States shall assess whether the above conditions continue occurring, resuming the fulfilment of their obligations once they cease.*

Or. en

**Amendment 1078**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 5 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Areas for which the derogations referred to in this paragraph are used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of any of these derogations shall entail the updating of the quantification of the areas to be restored under Article 12(2), point (a), and in accordance with Article 15.*

Or. en

**Amendment 1079**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 5 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Such areas shall not count towards the fulfilment of the objectives set out in paragraphs 1, 2 and 3 of this Article. Member States shall update the quantification of the areas to be restored in line with Article 12(2)(a) accordingly*

*when reviewing their national restoration plans in line with Article 15.*

Or. en

**Amendment 1080**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) A project in the interest of public health and public safety, including food and energy supply, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.*

Or. en

**Amendment 1081**

**Esther de Lange**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) a key cross-border clean energy project of strategic interest for the Union, necessary to decrease energy dependency on third countries;*

Or. en

**Amendment 1082**

**Jessica Polfjärd, Petri Sarvamaa, Alexander Bernhuber, Henna Virkkunen**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) action or inaction for which the Member State concerned is not responsible.**

Or. en

**Amendment 1083**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

**(cb) measures needed to achieve the objectives set out in Regulation (EU)2021/1119 (European Climate Law);  
or**

Or. en

**Amendment 1084**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

**(cb) Measures to maintain food security and production of food and renewable resources;**

Or. en

**Amendment 1085**

Esther de Lange

**Proposal for a regulation**  
**Article 5 – paragraph 8 – point c c (new)**

*Text proposed by the Commission*

*Amendment*

**(cc) flexibility granted to a Member State or region due to very high population density in combination with scarcity of available space or a substantive expected net population growth;**

Or. en

**Amendment 1086**  
**Younous Omarjee, Marina Mesure**

**Proposal for a regulation**  
**Article 5 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8a. In order to allow for the rapid restoration of coastal habitats and biodiversity, and to avoid their further deterioration, and in accordance with Article 17 of Regulation (EU) No 1380/2013, Member States shall grant priority access within 12 nautical miles of the coast, measured from the baselines of the territorial waters, to small-scale fishing vessels using passive gear.**

Or. en

*Justification*

*Granting priority access and fishing rights to small-scale fishers which form the core of jobs in the EU's fishing sector, use the most sustainable and selective fishing techniques (passive gear) is consistent with the objectives of Article 17 of the Common Fisheries Policy ((EU) No 1380/2013) seeking "to provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact, such as reduced energy consumption or habitat damage." Small-scale fishing using passive gear is the most compatible form of fishing with today's ecological and social imperatives.*

**Amendment 1087**  
**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**  
**Article 5 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8a. *Small-scale fishing vessels using passive gear shall be granted priority access within 12 nautical miles of the coast, measured from the baselines of the territorial waters. Fishing vessels above 25 metres in length shall not fish in the EU waters up to 12 nautical miles from the coast***

Or. en

**Amendment 1088**  
**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**  
**Article 5 – paragraph 8 b (new)**

*Text proposed by the Commission*

*Amendment*

**8b. *Consistent with the objective of restoring marine habitats, the physical integrity of ecosystems and species diversity, the use of demersal seine (Danish and Scottish seines) is prohibited to catch or harvest marine species in all Union waters and by Union's fishing vessels.***

Or. en

**Amendment 1089**  
**Younous Omarjee, Marina Mesure**

**Proposal for a regulation**  
**Article 5 – paragraph 8 b (new)**

**8b. Consistent with the objective of restoring marine habitats, the physical integrity of ecosystems and species diversity, the use of demersal seine (Danish and Scottish seines) is prohibited to catch or harvest marine species in all Union waters and by Union's fishing vessels.**

Or. en

*Justification*

*To restore the ocean's habitats' physical integrity and marine abundance, it is indispensable to prohibit recently developed destructive fishing gears such as demersal seines (Danish and Scottish seines) whose ground ropes cause abrasion and resuspension of the sediments and have a large spatial footprint in terms of fished surface. Because of a strong reliance on technology, demersal seines cause degradations and declines in the marine environment, at a rate and gravity which are incompatible with the precautionary approach set out in Article 2.1 of the Common Fisheries Policy ((EU) No 1380/2013) and the long-term environmental sustainability objective of the CFP's Article 2. Additionally, these radical fishing techniques accelerate the disruption of socio-economic balances and the downfall of small-scale coastal fishing communities, which is also contradictory with the CFP's Article 2 objectives "of achieving economic, social and employment benefits". Coastal fishers form an opposing block to such fishing practices among European Member States.*

**Amendment 1090**

**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**

**Article 5 – paragraph 8 c (new)**

**8c. In order to restore coastal marine habitats and biodiversity from the physical and biomass impacts caused by large-scale fishing operators, fishing vessels above 25 metres in length shall not fish in the EU waters up to 12 nautical miles from the coast.**

Or. en

**Amendment 1091**  
**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**  
**Article 5 – paragraph 8 d (new)**

*Text proposed by the Commission*

*Amendment*

**8d. In order to restore the health of marine life and the abundance of species associated as bycatch in non-selective fisheries, the use of fish aggregating devices (FADs) on Union fishing vessels is prohibited to catch or harvest marine species.**

Or. en

**Amendment 1092**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

**9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs 6 and 7, is justified if caused by:**

**deleted**

**(a) force majeure;**

**(b) unavoidable habitat transformations which are directly caused by climate change: or**

**(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.**

Or. en

**Amendment 1093**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the **obligation** set out in paragraphs 6 and 7, **is** justified if caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the **obligations** set out in paragraphs 6 and 7, **may only be** justified if **it is** caused by **a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC, for a maximum of 5% of the areas covered by the targets in Article 5(1), (2) and (3).**

Or. en

**Amendment 1094**  
**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 **sites**, the non-fulfilment of the obligation set out in paragraphs 6 and 7, is justified if caused by:

*Amendment*

9. For Natura 2000 **network**, the non-fulfilment of the obligation set out in paragraphs 6 and 7, **followed up by an update of the quantification of the areas to be restored under Article 12(2), point (a), without delay**, is justified if caused by:

Or. en

**Amendment 1095**  
**Jutta Paulus**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in

paragraphs 6 and 7, **is** justified if caused by:

paragraphs 6 and 7, **can be** justified if **Member States provide scientific and verifiable evidence that it is** caused by:

Or. en

**Amendment 1096**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs 6 and 7, **is** justified if caused by:

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs 6 and 7, **can be** justified if **Member States provide compelling evidence that it is** caused by:

Or. en

**Amendment 1097**  
**Róza Thun und Hohenstein, Robert Biedroń, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs 6 and 7, **is** justified if caused by:

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs 6 and 7, **can be** justified if **Member States provide compelling evidence that it is** caused by:

Or. en

**Amendment 1098**  
**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs **6 and 7**, is justified if caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs **1, 2, 3 and 6**, is justified if caused by:

Or. en

**Amendment 1099**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs 6 and 7, **is** justified if caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligation set out in paragraphs 6 and 7 **can be** justified if caused by:

Or. en

**Amendment 1100**

**Teuvo Hakkarainen**

**Proposal for a regulation**

**Article 5 – paragraph 9 – introductory part**

*Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the **obligation set out** in paragraphs 6 and 7, is justified if caused by:

*Amendment*

9. For Natura 2000 sites, the non-fulfilment of the **goals mentioned** in paragraphs 6 and 7, is justified if caused by:

Or. fi

**Amendment 1101**

**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *force majeure;* *deleted*

Or. en

**Amendment 1102**

**Róża Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *force majeure;* *deleted*

Or. en

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas.*

**Amendment 1103**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *force majeure;* *deleted*

Or. en

**Amendment 1104**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *force majeure;*

*deleted*

Or. en

**Amendment 1105**

**Nicolae Ștefănuță, Martin Hojsik**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *force majeure;*

(a) *force majeure **if it's a well founded and justified instance that is in line with the guidelines issued by the Commission on the application of this provision;***

Or. en

**Amendment 1106**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *force majeure;*

(a) *force majeure, **including natural disasters;***

Or. en

**Amendment 1107**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point a**

*Text proposed by the Commission*

*Amendment*

(a) force majeure;

(a) force majeure, ***including natural disasters***

Or. en

**Amendment 1108**

**Christine Schneider, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Petri Sarvamaa, Dan-Ștefan Motreanu**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) to guarantee food security;***

Or. en

**Amendment 1109**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) unavoidable habitat transformations which are directly caused by climate change: or***

***deleted***

Or. en

**Amendment 1110**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change: or** *deleted*

Or. en

**Amendment 1111**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change: or** *deleted*

Or. en

**Amendment 1112**

**Róza Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations which are directly caused by climate change: or** *deleted*

Or. en

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas.*

**Amendment 1113**  
**Jutta Paulus**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change: or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, ***based on scientific evidence and provided that the Member State has taken adequate mitigation measures***: or

Or. en

**Amendment 1114**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Andreas Glück**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are ***directly*** caused by climate change: or

*Amendment*

(b) unavoidable habitat transformations which are ***for example*** caused by climate change, ***third countries, non-preventable pests and diseases, natural disasters***; or

Or. en

*Justification*

*This list should be non-exhaustive to allow for possible other unavoidable habitat transformations which may develop in the future.*

**Amendment 1115**

**Stanislav Polčák**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change: or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change ***and which could not be prevented***

*by appropriate adaptation measures; or*

Or. cs

**Amendment 1116**

**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nils Torvalds, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change: or

*Amendment*

(b) unavoidable habitat transformations which are directly caused by climate change, *based on scientific evidence*; or

Or. en

**Amendment 1117**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) *unavoidable* habitat transformations which are directly caused by climate change: or

*Amendment*

(b) habitat transformations *or other circumstances* which are directly *or indirectly* caused by climate change; or

Or. en

**Amendment 1118**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point b**

*Text proposed by the Commission*

(b) *unavoidable* habitat

*Amendment*

(b) habitat transformations *or other*

transformations *which are directly caused by climate change*: or *relevant circumstances* ; or

Or. en

**Amendment 1119**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Pietro Fiocchi, Charlie Weimers, Jadwiga Wiśniewska**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) measures to maintain food security and production of food and renewable resources;*

Or. en

**Amendment 1120**

**Mick Wallace**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point c**

*Text proposed by the Commission*

*Amendment*

*(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.* *deleted*

Or. en

**Amendment 1121**

**Jutta Paulus**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point c**

*Text proposed by the Commission*

*Amendment*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.

***In such a case, any public funding received for the restoration measures shall be returned and this justification can be invoked by Member States for a maximum of 5% of the areas covered by the targets in Articles 5(1), 5(2) and 5(3).***

Or. en

#### **Amendment 1122**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 9 – point c**

*Text proposed by the Commission*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC.

*Amendment*

(c) a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC ***for imperative reasons of other than economic nature.***

Or. en

#### **Amendment 1123**

**Sirpa Pietikäinen**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 9 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***Such areas shall not count towards the achievement of the targets set out in Articles 5(1), 5(2) and 5(3). Member States shall update their national restoration plans in line with Article 12(2)(a) accordingly and communicate to the European Commission the updated coverage of the areas to be restored under their jurisdiction.***

*Any public funding received for the restoration measures shall be returned when the above justification is invoked.*

*Member States can invoke the above justification for a maximum of 5% of the areas covered by the targets in Articles 5(1), 5(2), 5(2a), 5(3).*

*When reviewing their Restoration Plans in line with Article 15 of this Regulation, Member States shall assess whether the above conditions continue occurring, resuming the fulfilment of their obligations once they cease.*

Or. en

**Amendment 1124**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*Areas for which the derogation referred to in this paragraph is used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of this derogation shall entail the updating of the quantification of the areas to be restored under Article 12(2), point (a), and in accordance with Article 15, and the returning of any public funds received for the restoration measures.*

Or. en

**Amendment 1125**  
**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 9 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***Such areas shall not count towards the fulfilment of the objectives set out in paragraphs 1, 2 and 3 of this Article. Member States shall update the quantification of the areas to be restored in line with Article 12(2)(a) when reviewing their national restoration plans in accordance with Article 15.***

Or. en

**Amendment 1126**

**Esther de Lange**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) a key cross-border clean energy project of strategic interest for the Union, necessary to decrease energy dependency on third countries.***

Or. en

**Amendment 1127**

**Esther de Lange**

**Proposal for a regulation**

**Article 5 – paragraph 9 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(cb) measures needed to achieve the objectives set out in Regulation (EU)2021/1119 (European Climate Law);  
or***

Or. en

**Amendment 1128**  
**Jutta Paulus**

**Proposal for a regulation**  
**Article 5 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. In the cases outlined in paragraph 9 (a)-(c), such areas shall not count towards the achievement of the targets set out in Articles 5(1), 5(2) and 5(3). Member States shall update their national restoration plans in line with Article 12(2)(a) accordingly and communicate to the European Commission the updated coverage of the areas to be restored under their jurisdiction.**

**When reviewing their Restoration Plans in line with Article 15 of this Regulation, Member States shall assess whether the above conditions continue to occur, resuming the fulfilment of their obligations once they cease.**

Or. en

**Amendment 1129**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 5 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. When applying paragraphs 8 and 9 of this Article, Member States shall ensure that the application does not exclude or compromise the achievement of the objectives of this Directive and is consistent with the implementation of other Community environmental legislation, in particular with Directive 92/43/EEC.**

Or. en

**Amendment 1130**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. When applying paragraphs 8 and 9 of this Article, Member States shall ensure that the application does not exclude or compromise the achievement of the objectives of this Directive and is consistent with the implementation of other Community environmental legislation, particularly with Directive 92/43/EEC.**

Or. en

**Amendment 1131**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 5 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. When applying paragraphs 8 and 9 of this Article, Member States shall ensure that the application does not exclude or compromise the achievement of the objectives of this Directive and is consistent with the implementation of other Union environmental legislation, particularly with Directive 92/43/EEC.**

Or. en

*Justification*

*Any exemptions adopted should in no way weaken the implementation of the Habitats Directive, or risk the non-achievement of its objectives, or the objectives of the Nature Restoration Regulation.*

**Amendment 1132**  
**Younous Omarjee, Marina Mesure**

**Proposal for a regulation**  
**Article 5 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. In order to protect and restore fish populations and marine ecosystem functionality and integrity, Member States shall phase out, by 2027, all fishing methods that capture more than 10% of juvenile fish.**

Or. en

*Justification*

*In the EU, juvenile fish are caught on a massive scale and represent more than 50% of the catches (in tons) for 40% of the European stocks. Fisheries scientists therefore recommend to make the recovery of fish populations a top priority of the Nature Restoration Law. Consequently, the EU should adopt, without further delay, measures to halt utterly unsustainable fishing methods that are incapable to match the objective of protecting juveniles in the ocean. It goes without saying that juvenile fish are the cornerstone of a healthy ocean. In this regard, the EU is scoring very low with its destructive and non-selective fishing methods which allow for such incredibly high catch levels of juvenile.*

**Amendment 1133**  
**Róża Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 5 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. Any public funding received for the restoration measures shall be returned when the above justification is invoked.**

Or. en

**Amendment 1134**  
**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen**

**Proposal for a regulation**  
**Article 5 – paragraph 10**

*Text proposed by the Commission*

*Amendment*

**10. Member States shall ensure that there is:**

**deleted**

***(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least 90 % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;***

***(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.***

Or. en

*Justification*

*To improve biodiversity and nature, the trend on these indicators does not have to be continuous. Member States cannot always prevent there will be a year in which the conditions of habitats lowers, due to various natural circumstances.*

**Amendment 1135**  
**Teuvo Hakkarainen**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – introductory part**

*Text proposed by the Commission*

*Amendment*

**10. Member States shall ensure *that there is:***

**10. Member States shall *seek to* ensure *the following:***

Or. fi

**Amendment 1136**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least 90 % is in good condition ***and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;***

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least 90 % is in good condition ***providing that direct and indirect changes of natural range due to climate change are duly taken into account and that habitats types requirements for good conditions as well as favourable reference areas are not negatively competing;***

Or. en

**Amendment 1137**  
**Esther de Lange**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least 90 % is in good condition ***and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;***

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least 90 % is in good condition;

Or. en

**Amendment 1138**  
**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least 90 % is in good condition **and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;**

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least 90 % is in good condition, **providing that habitats types requirements for good conditions as well as favourable reference areas are not negatively competing;**

Or. en

**Amendment 1139**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least **90** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least **100** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. cs

**Amendment 1140**  
**Rob Rooken, Robert Roos**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least **90** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until at least **60** % is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. nl

**Amendment 1141**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point a**

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until **at least 90 %** is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until **100 %** is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. en

**Amendment 1142**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) an increase of habitat area in good condition for habitat types necessary to achieve good environmental status under the EU Marine Strategy Framework Directive 2008/56/EC, until at least 90 % is in good condition and until the favourable reference area for each habitat type in each marine region or subregion of their territory is reached;***

Or. en

**Amendment 1143**

**Anja Hazekamp**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) an increase of habitat area in good condition for habitat types necessary to achieve good environmental status under Directive 2008/56/EC, until at least 90 % is in good condition and until the favourable reference area for each habitat type in each marine region or subregion of their territory is reached;***

Or. en

**Amendment 1144**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) an increase of habitat area in good condition for habitat types necessary to achieve good environmental status under Directive 2008/56/EC, until at least 90 % is in good condition and until the favourable reference area for each habitat type in each marine region or subregion of their territory is reached;***

Or. en

**Amendment 1145**

**Anja Hazekamp**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

***(ab) an increase of the habitats area covered by effective spatial conservation measures, including strictly protected areas, established for the purpose of restoration objectives;***

**Amendment 1146**  
**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

*(ab) an increased connectivity between existing protected areas and habitat types listed in Annex II, in accordance with Article 10a(new)*

**Amendment 1147**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point b**

*Text proposed by the Commission*

*Amendment*

(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC, *providing that direct and indirect changes of natural range due to climate change are duly taken into account and that habitats types or species requirements for good conditions as well as favourable reference areas are not negatively competing;*

**Amendment 1148**  
**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita**

de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers

**Proposal for a regulation**

**Article 5 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC, ***providing that habitats types or species requirements for good conditions as well as favourable reference areas are not negatively competing;***

Or. en

**Amendment 1149**

**Esther de Lange**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point b**

*Text proposed by the Commission*

(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) a positive ***net*** trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

Or. en

**Amendment 1150**

**Teuvo Hakkarainen**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point b**

*Text proposed by the Commission*

*Amendment*

(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in *Annexes II, IV and V* to Directive 92/43/EEC and of the species *covered by* Directive 2009/147/EC.

(b) a positive trend towards the sufficient quality and quantity of the marine habitats of the species listed in Annex III and in *Annex II* to Directive 92/43/EEC and of the species *referred to in Annex I to* Directive 2009/147/EC.

Or. fi

#### **Amendment 1151**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

#### **Proposal for a regulation**

**Article 5 – paragraph 10 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) Member states shall, in accordance with the national restoration plan referred to in Article 12, restore areas that, due to the loss of their natural conditions, have lost their production capacity, ability to produce important ecosystem services.***

Or. en

#### **Amendment 1152**

**Mick Wallace, Clare Daly**

#### **Proposal for a regulation**

**Article 5 – paragraph 10 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) an increase of the habitats area covered by effective spatial conservation measures, including strict protection, established for the purpose of passive restoration objectives.***

Or. en

**Amendment 1153**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) an increase of the habitats area covered by effective spatial conservation measures, including strict protection, established for the purpose of passive restoration objectives***

Or. en

**Amendment 1154**  
**Jutta Paulus**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) an increase of the habitats area covered by spatial conservation measures established for the purpose of restoration, in line with paragraphs 6 and 7.***

Or. en

**Amendment 1155**  
**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță, Catherine Chabaud, Susana Solís Pérez**

**Proposal for a regulation**  
**Article 5 – paragraph 10 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) an increased connectivity between protected areas and between habitat types listed in Annex I.***

**Amendment 1156**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**

**Article 5 – paragraph 10 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

***(bb) Member states shall, in accordance with the national restoration plan referred to in Article 12, restore areas that, due to the loss of their natural conditions, risk significantly worsening the effects of natural disasters such as floods, storms, fires and natural pests.***

**Amendment 1157**

**Catherine Chabaud, Róza Thun und Hohenstein, Frédérique Ries, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 5 – paragraph 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***10a. Calls on the Commission and the Member States to advocate for the inclusion of the notion of the ocean as a global common in the preamble of future declarations and international treaties, especially BBNJ, as well as in the specifications of the calls for projects related to the ocean, in order to underline our shared responsibility to protect and restore the ocean and its ecosystems ;***

**Amendment 1158**  
**Younous Omarjee, Marina Mesure**

**Proposal for a regulation**  
**Article 5 – paragraph 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**10a. Recognizing that destroying nature is economically and socially irrational and counterproductive, Member States shall use public funds in support of activities with reduced environmental impact, such as reduced energy consumption, biodiversity or habitat damage. Transparent and objective criteria are used for the allocation of public funds.**

Or. en

*Justification*

*In June 2022, Members of the WTO concluded two decades of negotiations with an Agreement on Fisheries Subsidies. Common Fisheries Policy (Regulation (EU) No 1380/2013) stresses in Article 17 that “Within the fishing opportunities allocated to them, Member States shall endeavour to provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact, such as reduced energy consumption or habitat damage”. This amendment calls on EU Member States to revise public policies relating to fisheries’ subsidies to allow for the protection and restoration of marine ecosystems by transparently and objectively allocating public funds to activities with reduced environmental impact.*

**Amendment 1159**  
**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**  
**Article 5 – paragraph 10 b (new)**

*Text proposed by the Commission*

*Amendment*

**10b. In order to restore the health of declining populations of marine birds, Member States shall create strictly protected marine areas (no-take zones) around all islands hosting nesting bird colonies and limit, by 2027, the biomass**

*decline of forage fish populations to 60% of the unfished stock level.*

Or. en

**Amendment 1160**

**Marie Toussaint, Yannick Jadot**

**Proposal for a regulation**

**Article 5 – paragraph 10 c (new)**

*Text proposed by the Commission*

*Amendment*

***10c. In order to protect and restore fish populations and marine ecosystem functionality and integrity, Member States shall phase out, by 2027, all fishing methods that capture more than 10% of juvenile fish.***

Or. en

**Amendment 1161**

**Esther de Lange**

**Proposal for a regulation**

**Article 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 5 a***

***Analysis report and impact assessment***

***1. Based on comparable data, the Commission will present by 2026 at the latest an analysis of: (a) the differences in the implementation of Directives 92/43 and 2009/147 between Member States, covering inter alia habitats and species protected, measures taken and indicators used, impact on socio-economic activities; (b) where applicable the restoration measures already undertaken in the context of Directives 92/43 and 2009/147 in Member States; (c) and the reasons for***

*the failure to reach good conservation status.*

*2. The Commission will present by 2026 at the latest an indepth socio-economic impact assessment for the EU and each Member State individually of additional obligations on areas of habitat types listed in Annex I which are not in good condition beyond 30 % and on restoration measures that are necessary to re-establish the habitat types listed in Annex I in areas not covered by those habitat types.*

*3. On the basis of the Commission analysis report and impact assessment the percentages of measures in place by 2040 and by 2050 shall be set by 2028 at the latest.*

Or. en

**Amendment 1162**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 5 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 5 a*

*Restoration of productive and social functions of terrestrial, coastal and freshwater ecosystems*

Or. en

**Amendment 1163**  
**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Member States shall ensure that there is no net loss of urban green *space*, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

1. Member States shall ensure that there is no net loss of urban green *and blue spaces*, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*Notwithstanding the targets in paragraph 2 of this article, Member States shall increase urban biodiversity, measured every three years after 2030, until satisfactory levels are achieved, as set out in accordance with Article 11(3).*

*The Commission shall adopt implementing acts to establish indicator(s) and a method for monitoring urban biodiversity. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).*

*The method referred to in those acts shall provide a standardised approach for collecting data on urban biodiversity and trends referring to it.*

Or. en

#### *Justification*

*Similar provisions as for other types of ecosystems (e.g. the pollinator targets). While tree canopy and green area are useful indicators, they do not give a complete picture of the state of urban biodiversity. This amendment therefore opens the door for the EC to develop additional indicators and to ensure that MS set targets.*

#### **Amendment 1164 Nicola Procaccini**

#### **Proposal for a regulation Article 6 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

##### *Amendment*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*The areas necessary for renewable energy generation facilities, their connection to the grid, the grid itself, or storage assets needed to fulfil 2050 climate targets are not counted as losses of green space or tree canopy.*

Or. en

**Amendment 1165**  
**Delara Burkhardt**

**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*Amendment*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs, **and that all citizens can benefit similarly from urban green spaces in terms of climate adaptation, the protection against natural disasters and access for recreational activities.**

Or. en

**Amendment 1166**

**Christine Schneider, Hildegard Bentele, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Norbert Lins, Petri Sarvamaa, Dan-Ştefan Motreanu**

**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in **all** cities and in

*Amendment*

1. Member States shall ensure that there is no net loss of urban green space, **at aggregated national level** and of urban tree canopy cover by 2030, compared to 2021,

towns and suburbs.

in cities and in towns and suburbs.  
***Member States shall cooperate with local and regional authorities, as well as managing authorities for achieving this based on existing legal frameworks.***

Or. en

### **Amendment 1167**

**Emma Wiesner, Asger Christensen, Nils Torvalds**

#### **Proposal for a regulation**

##### **Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all ***cities and in towns and suburbs.***

*Amendment*

1. Member States shall, ***in close cooperation with regional authorities, aim to*** ensure that there is, ***at a national level,*** no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all ***urban centres and urban clusters.***

Or. en

#### *Justification*

*The original definitions treat MSs unjustly as the Nordic cities often border forest areas while Central European cities often border agricultural areas. Due to the current proposal (LAU) the expansion of cities bordering forests would become impossible. Some analysis show that SE for example need to build more green space than all SE cities together to implement this art 6. as it stands now. We should focus on urban clusters rather than on LAUs.*

### **Amendment 1168**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Susana Solís Pérez, Andreas Glück**

#### **Proposal for a regulation**

##### **Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ***ensure*** that there is ***no*** net loss of urban green space,

*Amendment*

1. Member States shall, ***in close cooperation with regional authorities, aim***

and of urban tree canopy cover by 2030, compared to 2021, in **all** cities and in towns and suburbs.

**to prevent** that there is **a** net loss of urban green space **at national level**, and of urban tree canopy cover by 2030, compared to 2021, in cities and in towns and suburbs.

Or. en

#### *Justification*

*The spatial planning of cities, towns and suburbs should be first and foremost a competence of the regional authorities. This article should therefore only serve to complement the coherent approach of the national restoration plans and not set additional obligations.*

#### **Amendment 1169**

**Heléne Fritzon, Erik Bergkvist, Eero Heinäluoma, Miapetra Kumpula-Natri**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all **cities and in towns and suburbs**.

##### *Amendment*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover, by 2030, compared to 2021, in all **urban centres and clusters where urban green space falls below 50 percent** .

Or. en

#### **Amendment 1170**

**María Soraya Rodríguez Ramos, Frédérique Ries, Asger Christensen, Catherine Chabaud**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in **all** cities and in towns and suburbs.

##### *Amendment*

1. Member States shall ensure that there is no net loss **in the total national area** of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in cities and in towns and suburbs.

*Justification*

*Given the increasing demographic pressure of some cities, towns and suburbs, Member States need some flexibility as to where to increase/decrease the area of urban green space.*

**Amendment 1171**

**Martin Hojsík, Michal Wiezik, Frédérique Ries, Nicolae Ștefănuță**

**Proposal for a regulation****Article 6 – paragraph 1***Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*Amendment*

1. Member States shall ensure that there is no net loss **of each habitat type** of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*Justification*

*Each habitat type of urban green space, as per definition in Art. 3 (13), should be subject of the no net loss goal.*

**Amendment 1172**

**Róża Thun und Hohenstein, Robert Biedroń, Martin Hojsík, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation****Article 6 – paragraph 1***Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green **space**, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*Amendment*

1. Member States shall ensure that there is no net loss of urban green **and blue spaces**, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

**Amendment 1173**  
**Mick Wallace, Clare Daly**

**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green *space*, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*Amendment*

1. Member States shall ensure that there is no net loss of urban **blue and green spaces**, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

Or. en

**Amendment 1174**  
**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

*Amendment*

1. Member States shall ensure that there is no net loss of urban green **and blue** space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

Or. en

**Amendment 1175**  
**Nicolae Ștefănuță, María Soraya Rodríguez Ramos, Martin Hojsík, Róza Thun und Hohenstein**

**Proposal for a regulation**  
**Article 6 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. Member States shall make an inventory of urban water bodies ecosystems, including rivers in all cities and in towns and suburbs, their ecological**

*condition and feasibility of restoration.*

Or. en

**Amendment 1176**

**Nicolae Ștefănuță, María Soraya Rodríguez Ramos, Martin Hojsík, Róza Thun und Hohenstein**

**Proposal for a regulation**

**Article 6 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. Member States, where feasible, shall restore the water bodies identified under paragraph 1a of this Article. When restoring urban water ecosystem, Member States shall primarily focus on measures aiming at***

***a) improved storm water management, water storage and purification capacity,***

***b) increased water quality supporting higher biodiversity***

***c) improved ecological stability of freshwater resources and their carrying capacity by instream ecohydrological regulation;***

***d) improvement of quality of life and aesthetic values in the catchment by restoration of the river corridor, ecotone zones and landscape.***

Or. en

**Amendment 1177**

**Emma Wiesner, Asger Christensen, Susana Solís Pérez**

**Proposal for a regulation**

**Article 6 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. Member States shall ensure that

2. Member States shall, ***in close***

there is an increase in the total national area of urban green space in ***cities and in towns and suburbs*** of at least 3 % of the total area of ***cities and of towns and suburbs in 2021***, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

***cooperation with regional authorities, aim to*** ensure that there is an increase in the total national area of urban green space in ***urban centres and urban clusters*** of at least 3 % of the total ***land*** area of ***urban centres and urban clusters*** by 2040 ***compared to 2021***, and at least 5 % by 2050, ***where urban green space falls below 50 %***. In addition Member States shall ***aim*** ensure:

Or. en

### *Justification*

*The original definitions treat MSs unjustly as the Nordic cities often border forest areas while Central European cities often border agricultural areas. Due to the current proposal (LAU) the expansion of cities bordering forests would become impossible. Some analysis show that SE for example need to build more green space than all SE cities together to implement this art 6. as it stands now. We should focus on urban clusters rather than on LAUs.*

### **Amendment 1178**

**Christine Schneider, Hildegard Bentele, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Christian Doleschal, Norbert Lins, Petri Sarvamaa**

### **Proposal for a regulation**

### **Article 6 – paragraph 2 – introductory part**

#### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5** % by 2050. In addition Member States shall ensure:

#### *Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **5** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **10** % by 2050. ***Member States shall cooperate with local and regional authorities, as well as managing authorities.*** In addition Member States shall ensure:

Or. en

## Amendment 1179

María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Róza Thun und Hohenstein, Nicolae Ștefănuță

### Proposal for a regulation

#### Article 6 – paragraph 2 – introductory part

##### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least 3 % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

##### *Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least 4 % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least 6 % by 2050, **taking into account the need for a greater connectivity between existing urban green spaces**. In addition Member States shall ensure:

Or. en

##### *Justification*

*The EU Biodiversity Strategy for 2030 calls on European cities to “help improve connections between green spaces”, as it has been proven to be an effective measure to improve urban biodiversity and ecosystem resilience.*

## Amendment 1180

Nils Torvalds, Emma Wiesner

### Proposal for a regulation

#### Article 6 – paragraph 2 – introductory part

##### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least 3 % of the total area of **cities and of towns and suburbs** in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

##### *Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least 3 % of the total **land** area of **urban centres and urban clusters, which is not yet green space**, in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

Or. en

### *Justification*

*In the case of some countries, where cities are mainly covered by forest, the current Commission proposal would mean that the requirement of increase of green spaces would lead to more green space than the size of the city. In practice, the focus needs to be on making the not yet green urban areas greener, in order to improve biodiversity.*

#### **Amendment 1181**

**Jessica Polfjärd, Petri Sarvamaa, Alexander Bernhuber, Henna Virkkunen**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

##### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least 3 % of the total area *of* cities and of towns and suburbs in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

##### *Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least 3 % of the total area ***which is not yet green space in*** cities and of towns and suburbs in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

Or. en

#### **Amendment 1182**

**Martin Hojsík, Michal Wiezik, Frédérique Ries, Nicolae Ștefănuță**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

##### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least 3 % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

##### *Amendment*

2. Member States shall ensure that there is an increase in the total national area ***of each habitat type*** of urban green space in cities and in towns and suburbs of at least 3 % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

Or. en

### *Justification*

*Each habitat type of urban green space, as per definition in Art. 3 (13), should be subject of the stated goal.*

#### **Amendment 1183**

**Heléne Fritzon, Erik Bergkvist, Eero Heinäluoma, Miapetra Kumpula-Natri**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

##### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in ***cities and in towns and suburbs*** of at least 3 % of the total area ***of cities and of towns and suburbs*** in 2021, by 2040, and at least 5 % by 2050. In addition Member States shall ensure:

##### *Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in ***urban centres and urban clusters*** of at least 3 % of the total area in 2021, by 2040, and at least 5 % by 2050 ***where urban green space falls below 50 percent***. In addition Member States shall ensure:

Or. en

#### **Amendment 1184**

**Jutta Paulus, Grace O'Sullivan**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

##### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5** % by 2050. In addition Member States shall ensure:

##### *Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green ***and blue*** space in cities and in towns and suburbs of at least **10** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **15** % by 2050. In addition Member States shall ensure:

Or. en

#### **Amendment 1185**

**Michal Wiezik, Nicolae Ștefănuță**

**Proposal for a regulation**

**Article 6 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5** % by 2050. In addition Member States shall ensure:

*Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green **and blue** space in cities and in towns and suburbs of at least **5** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **6** % by 2050. In addition Member States shall ensure:

Or. en

**Amendment 1186**

**Delara Burkhardt**

**Proposal for a regulation**

**Article 6 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5** % by 2050. In addition Member States shall ensure:

*Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **10** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **15** % by 2050. In addition Member States shall ensure:

Or. en

**Amendment 1187**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 6 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3 %** of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5 %** by 2050. In addition Member States shall ensure:

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **5 %** of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **10 %** by 2050. In addition Member States shall ensure:

Or. en

#### **Amendment 1188**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Andreas Glück**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

##### *Text proposed by the Commission*

2. Member States shall ***ensure that there is an*** increase ***in*** the total national area of urban green space in cities and in towns and suburbs ***of at least 3 % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least 5 % by 2050.*** In addition Member States shall ***ensure***:

##### *Amendment*

2. Member States shall, ***in close cooperation with regional authorities, aim to*** increase the total national area ***and quality*** of urban green space ***and urban tree canopy cover*** in cities and in towns and suburbs. In addition Member States shall ***aim to increase***:

Or. en

##### *Justification*

*The spatial planning of cities, towns and suburbs should be first and foremost a competence of the regional authorities. This article should therefore only serve to complement the coherent approach of the national restoration plans and not set additional obligations.*

#### **Amendment 1189**

**Stanislav Polčák**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

##### *Text proposed by the Commission*

2. Member States shall ensure that

##### *Amendment*

2. Member States shall ensure that

there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5** % by 2050. In addition Member States shall ensure:

there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **5** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **8** % by 2050. In addition Member States shall ensure:

Or. cs

#### **Amendment 1190**

**Nicolae Ștefănuță, Róza Thun und Hohenstein**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

##### *Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5** % by 2050. In addition Member States shall ensure:

##### *Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **5** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **8** % by 2050. In addition Member States shall ensure:

Or. en

#### **Amendment 1191**

**Jutta Paulus, Grace O'Sullivan**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point a**

##### *Text proposed by the Commission*

(a) a minimum of **10** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

##### *Amendment*

(a) a minimum of **15** % urban tree canopy cover, ***using a mix of resilient species which are suited to the local climatic conditions and selected from the European Forest Types tree species matrix<sup>1a</sup>***, in all cities and in towns and suburbs by 2050; and

---

<sup>1a</sup> [https://ies-ows.jrc.ec.europa.eu/efdac/download/Atlas/pdf/European\\_Forest\\_Types\\_tree\\_species\\_matrix.pdf](https://ies-ows.jrc.ec.europa.eu/efdac/download/Atlas/pdf/European_Forest_Types_tree_species_matrix.pdf)

Or. en

#### **Amendment 1192**

**Heléne Fritzon, Erik Bergkvist, Eero Heinäluoma, Miapetra Kumpula-Natri**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) a minimum of 10 % urban tree canopy cover in all ***cities and in towns and suburbs*** by 2050; and

*Amendment*

(a) a minimum of 10 % ***and no net loss in*** urban tree canopy cover in all ***urban centres and urban clusters*** by 2050; and

Or. en

#### **Amendment 1193**

**Jan Huitema, Ondřej Knotek, Martin Hlaváček, Asger Christensen, Andreas Glück**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) a ***minimum of 10 %*** urban tree canopy cover in ***all*** cities and in towns and suburbs ***by 2050***; and

*Amendment*

(a) a ***net gain of*** urban tree canopy cover in cities and in towns and suburbs ***at national level***; and

Or. en

#### **Amendment 1194**

**Emma Wiesner, Asger Christensen, Nils Torvalds, Susana Solís Pérez**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) a minimum of 10 % urban tree canopy cover in all ***cities and in towns and suburbs*** by 2050; and

(a) a minimum of 10 % urban tree canopy cover in all ***urban centres and urban clusters*** by 2050; and

Or. en

*Justification*

*The original definitions treat MSs unjustly as the Nordic cities often border forest areas while Central European cities often border agricultural areas. Due to the current proposal (LAU) the expansion of cities bordering forests would become impossible. Some analysis show that SE for example need to build more green space than all SE cities together to implement this art 6. as it stands now. We should focus on urban clusters rather than on LAUs.*

### **Amendment 1195**

**Stanislav Polčák**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) a minimum of ***10*** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

(a) a minimum of ***12*** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

Or. es

### **Amendment 1196**

**Christine Schneider, Hildegard Bentele, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Christian Doleschal, Norbert Lins**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) a minimum of ***10*** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

(a) a minimum of ***20*** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

**Amendment 1197**  
**Delara Burkhardt**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) a minimum of **10** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

*Amendment*

(a) a minimum of **15** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

Or. en

**Amendment 1198**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) a minimum of **10** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

*Amendment*

(a) a minimum of **20** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

Or. en

**Amendment 1199**  
**María Soraya Rodríguez Ramos, Frédérique Ries, Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) a minimum of **10** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

*Amendment*

(a) a minimum of **15** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

*Justification*

*The Commission's Impact Assessment shows that only 6 countries have an average level of urban green space in their local administrative units below 20%. Therefore, an increased minimum target can be set up.*

**Amendment 1200**

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Anna Zalewska**

**Proposal for a regulation****Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs.**

**deleted**

*Justification*

*Duplicate to the Water Frame Directive - Art. 11(2i) and Annex V 1.1.1.*

*etc*

**Amendment 1201**

**Mick Wallace, Clare Daly**

**Proposal for a regulation****Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and**

**(b) a minimum of 10% of the 2040 and 2050 targets for the increase of the total national area of urban green space in cities, towns and suburbs is achieved as a net gain of urban green space that is**

suburbs.

integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs, **with a particular focus on densely populated and vulnerable neighbourhoods.**

Or. en

### *Justification*

*The area of roofs of existing buildings across the EU that can install vegetation corresponds to about 4,000 km<sup>2</sup> (15% out of 26,500 km<sup>2</sup>, which is the total of roof surfaces in Europe), according to conservative industry estimates. Considering this and the total additional urban green space deriving from the 5% target by 2050 as per Art. 6.2 of this regulation (about 44,500 km<sup>2</sup>), the contribution of vegetated surfaces would be equal to about 10% of the total, taking into consideration also new developments. A large body of scientific evidence confirms that the multiple benefits of integrating vegetation in the built environment range from stormwater and urban runoff management in cities, urban biodiversity increase, energy savings and emissions reductions, as well as mental health and well-being and climate adaptation. Therefore, a ringfencing of 10% of the green space targets will also contribute to achieving several other environment, energy and climate targets part of the EU Green Deal.[1] Quaranta et al., see footnote 2.*

## **Amendment 1202** **Nicola Procaccini**

### **Proposal for a regulation** **Article 6 – paragraph 2 – point b**

#### *Text proposed by the Commission*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs.

#### *Amendment*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs. ***The areas necessary for renewable energy generation facilities, their connection to the grid, the grid itself, or storage assets needed to fulfil 2050 climate targets are not counted as losses of green space or tree canopy.***

Or. en

### Amendment 1203

Christine Schneider, Hildegard Bentele, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Christian Doleschal, Norbert Lins

#### Proposal for a regulation

##### Article 6 – paragraph 2 – point b

*Text proposed by the Commission*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs.

*Amendment*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals ***as well as deconstruction and unsealing***, in all cities and in towns and suburbs.

***Member States shall provide the necessary provisions to ensure the long-term permanence of new urban green spaces;***

Or. en

### Amendment 1204

Michal Wiezik, Martin Hojsík, María Soraya Rodríguez Ramos, Nicolae Ștefănuță

#### Proposal for a regulation

##### Article 6 – paragraph 2 – point b

*Text proposed by the Commission*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs.

*Amendment*

(b) a net gain of urban green ***and blue space, including through urban river restoration and through bringing sections of rivers up to the surface***, that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs.

Or. en

### Amendment 1205

**Alexandr Vondra, Veronika Vrecionová, Evžen Tošenovský, Eugen Jurzyca, Margarita de la Pisa Carrión, Hermann Tertsch, Johan Nissinen, Charlie Weimers, Jadwiga Wiśniewska, Anna Zalewska**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations **and** renewals, in all cities and in towns and suburbs.

*Amendment*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations, renewals, **restoration, and de-sealing**, in all cities and in towns and suburbs.

Or. en

**Amendment 1206**

**Alexander Bernhuber**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations **and** renewals, in all cities and in towns and suburbs.

*Amendment*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations, renewals, **renaturation and de-sealing** in all cities and in towns and suburbs.

Or. en

**Amendment 1207**

**Emma Wiesner, Asger Christensen, Nils Torvalds, Susana Solís Pérez**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) a net gain of urban green space that is integrated into existing and new

*Amendment*

(b) a net gain of urban green space that is integrated into existing **official** and new

buildings and infrastructure developments, including through renovations and renewals, in all ***cities and in towns and suburbs***.

***official*** buildings and infrastructure developments, including through renovations and renewals, in all ***urban centres and urban clusters***.

Or. en

*Justification*

*The original definitions treat MSs unjustly as the Nordic cities often border forest areas while Central European cities often border agricultural areas. Due to the current proposal (LAU) the expansion of cities bordering forests would become impossible. Some analysis show that SE for example need to build more green space than all SE cities together to implement this art 6. as it stands now. We should focus on urban clusters rather than on LAUs.*

**Amendment 1208**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) a net gain of urban green ***space that is*** integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs.

*Amendment*

(b) a net gain of urban ***blue and green spaces that are*** integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in all cities and in towns and suburbs.

Or. en

**Amendment 1209**

**Helène Fritzon, Erik Bergkvist, Eero Heinäluoma, Miapetra Kumpula-Natri**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in ***all cities and in towns and***

*Amendment*

(b) a net gain of urban green space that is integrated into existing and new buildings and infrastructure developments, including through renovations and renewals, in ***urban centres and urban***

*suburbs.*

*clusters.*

Or. en

**Amendment 1210**

**Heléne Fritzon, Erik Bergkvist, Eero Heinäluoma, Miapetra Kumpula-Natri**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) The Commission shall adopt implementing acts to establish a method for monitoring urban green space and urban tree canopy cover. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).*

Or. en

**Amendment 1211**

**Róza Thun und Hohenstein, Robert Biedroń, Martin Hojsík, María Soraya Rodríguez Ramos, Nicolae Ștefănuță, Catherine Chabaud**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) a net gain of urban blue spaces with a focus on the development of projects for the recreation, reconstruction and restoration of urban water bodies.*

Or. en

**Amendment 1212**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) a net gain of urban blue spaces with a focus on freshwaters that provide the greatest range of ecosystem services and functions***

Or. en

**Amendment 1213**

**Mick Wallace, Clare Daly**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) a net gain of urban blue spaces with a focus on new freshwaters that provide the greatest range of nature-based services.***

Or. en

**Amendment 1214**

**Nicolae Ștefănuță, Martin Hojsík, Michal Wiezik**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) a net gain of restored urban water bodies in all cities and in towns and suburbs.***

Or. en

**Amendment 1215**

**Christine Schneider, Hildegard Bentele, Marion Walsmann, Bartosz Arłukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf**

Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Norbert Lins, Petri Sarvamaa, Dan-Ștefan Motreanu

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) a reduction of the sealing of surfaces in private gardens;***

Or. en

**Amendment 1216**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

***(bb) that by 2030, 50% of urban green and blue space is designated as protected areas or are recognised as OECMs, ensuring compliance with the criteria laid down in ' Criteria and guidance for protected areas designations'<sup>1a</sup>. This share shall reach 60% by 2040 and 70% by 2050. Preference shall be given to important areas identified within the urban plans under Article 6 (2a new).***

---

***<sup>1a</sup> Commission staff working document Criteria and guidance for protected areas designations, SWD(2022) 23 final***

Or. en

*Justification*

*There is a need for better protection of the most valuable existing structures. Old green infrastructure provides the greatest contribution to ecosystem services within cities. Newly created replacement areas cannot achieve the same levels when it comes e.g. to cooling of neighbourhoods or water retention etc. These proposed provisions therefore aim to increase the level of legal protection for existing green and blue space.*

**Amendment 1217**

**Christine Schneider, Hildegard Bentele, Marion Walsmann, Bartosz Arlukowicz, Niclas Herbst, Alexander Bernhuber, Monika Hohlmeier, Herbert Dorfmann, Karolin Braunsberger-Reinhold, Sabine Verheyen, Lena Düpont, Jens Gieseke, Axel Voss, Ralf Seekatz, Simone Schmiedtbauer, Markus Pieper, Peter Liese, Stefan Berger, Henna Virkkunen, Christian Doleschal, Norbert Lins, Petri Sarvamaa**

**Proposal for a regulation**

**Article 6 – paragraph 2 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

**(bb) to reduce light pollution.**

Or. en

**Amendment 1218**

**Heléne Fritzon, Erik Bergkvist, Eero Heinäluoma, Miapetra Kumpula-Natri**

**Proposal for a regulation**

**Article 6 – paragraph 2 – subparagraph 3 (new)**

*Text proposed by the Commission*

*Amendment*

***The non-fulfilment of the obligations set out in paragraphs 1 to 2 is justified if caused by a project of overriding public interest and crucial for speeding up the green transition for which no less damaging alternative solutions are available, to be determined on a case by case basis;***

Or. en

**Amendment 1219**

**Jutta Paulus, Grace O'Sullivan**

**Proposal for a regulation**

**Article 6 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. By [insert date 2 years after this regulation enters into force], Member States shall insure that all cities and municipalities in their territory with more than 20.000 inhabitants have adopted urban plans on green and blue space. Within these urban plans, cities and municipalities shall identify hotspots of urban biodiversity, important areas contributing to the mitigation and adaptation to climate change, areas for the further development of such ecosystem services. These plans shall also identify possibilities for accelerating the increase of green and blue space in the most densely populated and economically deprived neighbourhoods, in order to contribute to the just transition.**

**The Commission may, in order to facilitate the fulfilment of this obligation, adopt implementing acts to establish a method to provide Member States with a standardised format for urban plans to be used on their territories. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).**

Or. en

#### *Justification*

*The EU Commission, under the framework of the EU Biodiversity Strategy 2030, proposed the instrument of urban greening plans which would increase the quality of spatial planning within EU cities and municipalities, but which remains voluntary. To increase the effectiveness of this regulation, it is proposed to make the creation of urban plans on green and blue space mandatory for all municipalities above 20,000 inhabitants.*

**Amendment 1220**  
**Dan-Ştefan Motreanu**

**Proposal for a regulation**  
**Article 6 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Tree species to expand tree canopy should be selected considering to the following criteria:**

- a) potential to foster biodiversity;**
- b) native, climate resilient species over non-native, unless the non-native species are foreseen to naturally expand their range in the designated area due to climate change;**
- c) species that will be adapted to both current and future climates;**
- d) multifunctionality;**
- e) tree species diversity over monoculture, which must be avoided;**
- f) invasive alien species as well as monoculture must be avoided;**
- g) other relevant criteria mentioned in the 3 billion trees pledge<sup>1a</sup>.**

---

*1a*

[https://ec.europa.eu/environment/pdf/forests/swd\\_3bn\\_trees.pdf](https://ec.europa.eu/environment/pdf/forests/swd_3bn_trees.pdf)

Or. en

## **Amendment 1221**

**Emma Wiesner, Asger Christensen, Jan Huitema, Susana Solís Pérez**

### **Proposal for a regulation**

#### **Article 6 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The non-fulfilment of the obligations set out in paragraphs 1 to 2 is justified if caused by**

- a) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis;**
- b) large-scale force majeure, including natural disasters.**

*Justification*

*This article is in need of a higher degree of flexibility.*

**Amendment 1222**

**Esther de Lange**

**Proposal for a regulation**

**Article 6 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Temporary exemptions from points 1 and 2 shall be granted to cities, towns and suburbs with a substantive expected net population growth in the next five years.**

Or. en

**Amendment 1223**

**Jutta Paulus**

**Proposal for a regulation**

**Article 6 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b. Member States shall ensure that all new buildings are designed to optimise their potential to host vegetated rooftops. Member States shall also ensure the following in regards to deployment of vegetated rooftops and walls:**

**(a) by 31 December 2025, on all new public and commercial buildings with useful floor area larger than 150 square meters;**

**(b) by 31 December 2027, on all existing public and commercial buildings with useful floor area larger than 150 square meters;**

*and (c) by 31 December 2029, on all new residential buildings.*

*Member States shall define, and make publicly available, criteria at national or regional level for the practical implementation of these obligations, and for possible exemptions for specific types of buildings, in accordance with the assessed technical potential and the characteristics of the buildings covered by this obligation.*

*For the purpose of this paragraph, Member States shall take into the account the provisions in the Energy Performance of Buildings Directive<sup>1a</sup>, optimising synergies where possible.*

---

<sup>1a</sup> *Legislative reference to be added here*

Or. en

#### *Justification*

*Vegetated rooftops offer multiple advantages. They provide benefits to the urban climate and can mitigate storm water events. They can further be used as recreative space for the inhabitants of individual buildings. A combination with other forms of uses like the installation of solar panels is possible. Yet bare concrete surfaces in urban areas are a waste of space and potential.*

#### **Amendment 1224**

**Michal Wiezik, Martin Hojsík, Nicolae Ștefănuță**

#### **Proposal for a regulation**

#### **Article 7 – title**

##### *Text proposed by the Commission*

7 Restoration of the natural connectivity of rivers and natural functions of the related floodplains

##### *Amendment*

7 Restoration of the natural connectivity of rivers, ***their estuaries*** and natural functions of the related floodplains

Or. en