

Prevention and management of the introduction and spread of invasive alien species

2013/0307(COD) - 04/02/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Pavel POC (S&D, CZ) on the proposal for a regulation of the European Parliament and of the Council on the prevention and management of the introduction and spread of invasive alien species.

The committee recommended that Parliament's position in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Initial capping of the list of invasive alien species: whilst the Commission had proposed an initial capping of the number of invasive alien species of Union concern to the top 3% of some 1500 invasive alien species in Europe, the committee felt that **this percentage was arbitrary and unjustifiable**, adding that inclusion on the list should be based on clear criteria, without any limit being set.

In order to ensure that the subset of invasive alien species of Union concern met the objective of placing the emphasis on prevention, it was essential that the list was constantly revised and kept up-to-date. The list should be open, recognising an estimated 1500 invasive alien species currently present in the Union and that the rate of invasion was growing, and include all taxonomic groups include groups of species with similar ecological requirements to prevent derogations from species being traded in the Union to a similar but unlisted species.

'Invasive alien species of Member State concern' was defined a invasive alien species other than invasive alien species of Union concern, for which a Member State considered that the adverse impact from their release and spread, was of significance for its territory and required action at the level of that Member State.

Since the Commission proposal only covered those species which were alien to the entire territory of the EU, Members amended the text so that **included in the scope of the regulation** were those **species which were invasive to one part of the Union, but native to another**.

National derogations for invasive alien species of Union concern: invasive alien species of Union concern which are native in a Member State shall not be subject to the restrictions referred to in the regulation in the territory of the Member State where they are native.

An application for a derogation shall be submitted only if one of certain conditions is met, including a cost-benefit analysis showing that the costs will be exceptionally high and disproportionate to the benefits.

Selection criteria: species included on the list will be selected on the basis of criteria that take account of the extent to which the species is, or could become, invasive within the territory of the Union, the scale of the actual or potential impact on biodiversity or ecosystem services, and human health or economic interests.

Establishment of list through a delegated act: the Commission shall be empowered to adopt delegated acts to establish and update a list setting out invasive alien species and taxonomic groups of species of Union concern on the basis of the criteria laid down in the text. The list shall take the form of an Annex to the Regulation.

Restrictions on invasive alien species of Union concern: Member States may maintain or lay down more stringent national rules with the aim of preventing the introduction, establishment and spread of invasive alien species of Union concern.

Restrictions on invasive alien species of Member State concern: Member States shall ensure coordination of their activities with relevant neighbouring Member States when adopting measures on invasive alien species of Member State concern in their national territory, if there is a significant risk of spread of such an invasive alien species to the territory of neighbouring Member States, or where a joint action would prove more effective,

Action plans on the pathways of invasive alien species: within **two years** from the adoption of the list, there must be comprehensive analyses of the pathways of unintentional introduction and spread of invasive alien species of Union concern identifying the pathways which require priority action.

Within **three years** from the adoption of the list each Member State shall establish and implement an **action plan** to address the priority pathways.

Action plans **do not have to include the measures** of the International Convention for the Control and Management of Ships Ballast Water and Sediments as the Commission had proposed.

Accountability: the report contained a new clause stating the operator (natural or legal, private or public person), who was ascertained to be responsible for intentional or negligent introduction or spread of invasive alien species of Union concern, must held accountable and contributes substantially to meeting the cost of restoration, based on the ‘polluter-pays’ principle, and with a view to preventing and remedying ecosystem damage caused by invasive alien species.

Accountability for restoration of the operator ascertained to be responsible for intentional or negligent introduction or spread of invasive alien species shall **continue until that species is effectively removed and the ecosystem is restored.**

Information support system: the committee wanted this to be established within 12 months.

Scientific Forum: the implementation of the Regulation, in particular establishing and updating the list of invasive alien species of Union concern, elements of risk assessment, emergency measures and measures for rapid eradication at an early stage of invasion, should be driven by sound scientific evidence. This required the effective involvement of relevant members of the scientific community and the establishment of a dedicated body called the Scientific Forum. .

The Forum will:

- provide opinions concerning species that may be considered for risk assessment with a view to their possible inclusion (and removal) in the list of invasive alien species of Union concern; and
- upon request, conduct risk assessments.

The Scientific Forum shall be chaired by the Commission.

Sanctions: sanctions should take into account the polluter pays principle and apply to all persons (commercial or non-commercial) responsible for introducing non-native species whether intentionally or not.

Public participation: early and effective public participation was particularly important during the process to adopt or update the list of invasive alien species of Union concern and the establishment of

action plans and measures. Local and regional authorities must also be involved in decisions taken by Member States on tackling invasive species, as they played a vital role in the implementation of those decisions and in raising public awareness and providing information.

Report: within 5 years from the date of adoption of the regulation, the Commission shall assess the effectiveness of the regulation **including the appropriateness of financing its implementation**, and, on the basis of an examination of the financial background, should make a proposal concerning **Union financial support** in the next financial cycle.