



25.11.2015

DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 106(2) and (3) of the Rules of Procedure

on the draft Commission implementing regulation adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council (D041932/01) – (RPS))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Pavel Poc, Renate Sommer

European Parliament resolution on the draft Commission implementing regulation adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council (D041932/01) – (RPS)

The European Parliament,

- having regard to the draft Commission Implementing Regulation adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council (D041932/01),
 - having regard to Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species¹, and in particular Article 4(1) thereof,
 - having regard to Article 11 of Regulation (EU) No 182/2011 of the European Parliament and of the Council²,
 - having regard to the motion for a resolution by its Committee on the Environment, Public Health and Food Safety,
 - having regard to Rule 106(2) and (3) of its Rules of Procedure,
- A. whereas the Commission is to adopt, by means of implementing acts, a list of invasive alien species of Union concern ('the Union list'), on the basis of the criteria laid down in Article 4(3) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council ("the IAS Regulation"), and whereas those implementing acts are to be adopted in accordance with the examination procedure referred to in Article 27(2);
- B. whereas those draft implementing acts are to be submitted to the Committee referred to in Article 27(1) of the IAS Regulation by 2 January 2016 and enter into force on the twentieth day following their publication in the Official Journal;
- C. whereas the Union list is to be binding in its entirety and directly applicable in all Member States;
- D. whereas invasive alien species are numerous and it is therefore important to ensure that priority is given to addressing the subset of invasive alien species considered to be of Union concern;
- E. whereas invasive alien species should be considered to be of Union concern if the damage that they cause in affected Member States is so significant that it justifies the adoption of

¹ OJ L 317, 4.11.2014, p. 35–55

² Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13.

dedicated measures applicable across the Union, including in Member States that are not yet affected or are even unlikely to be affected;

- F. whereas ensuring that the identification of invasive alien species of Union concern remains proportionate and focuses on species whose inclusion on the Union list would effectively prevent, minimise or mitigate the adverse impact of those species in a cost-effective manner, was recognised as paramount during the informal trilogue negotiations;
- G. whereas the criteria for inclusion on the Union list are the core instrument of application of the Regulation;
- H. whereas the criteria for inclusion on the Union list should ensure that among the potential invasive alien species to be listed are those that have the most significant adverse impact, thereby also ensuring the effective use of resources;
- I. whereas according to Recital 13 of the IAS Regulation common criteria should be established to carry out risk assessments to ensure compliance with the rules under the relevant agreements of the WTO and the coherent application of that Regulation;
- J. whereas Recital 32 of the IAS Regulation states that in order to take into account the latest scientific developments in the environmental field, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of, or setting out, the common elements for the development of risk assessments;
- K. whereas Recital 32 of the Regulation further states that it is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that the Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council;
- L. whereas Parliament has not been appropriately informed about setting out the common elements for the elaboration of risk assessments, and whereas the transmission of the relevant documents to Parliament was not simultaneous, timely and appropriate;
- M. whereas the Commission is empowered to adopt delegated acts, in accordance with Article 29 of the IAS Regulation, to further specify the type of evidence acceptable for the purposes of point (b) of Article 4(3) of that Regulation and provide a detailed description of the application of points (a) to (h) of Article 5(1) of that Regulation, and whereas the detailed description is to include the methodology to be applied in risk assessments, taking into account relevant national and international standards and the need to prioritise action against invasive alien species associated with, or that have the potential to cause, a significant adverse impact on biodiversity or related ecosystem services, as well as on human health or the economy, such adverse impact being considered as an aggravating factor;
- N. whereas the Commission did not follow the provisions in Article 4(3) of the IAS Regulation, and whereas the Commission did not further specify the type of evidence acceptable for the purposes (b) of Article 4(3) of IAS Regulation and did not provide a

detailed description of the application of points (a) to (h) of Article 5(1) of that Regulation, including the methodology to be applied in the risk assessments;

- O. whereas the Commission failed to ensure that the methodology to be applied in the risk assessments are carried out in the same way by all Member States when proposing the inclusion of a species on the Union list, and whereas it cannot be ensured that Member States use the same type of evidence and overall standards;
 - P. whereas the reasons for listing the species on the draft Union list are not based on scientific, but rather political criteria;
 - Q. whereas the listing of the species is not based on a standardised risk assessment and methodology, and whereas the listing of the species is rather based on the political will of the Member States;
 - R. whereas the draft Union list fails to address the problem of invasive alien species in a comprehensive manner, so as to protect native biodiversity and ecosystem services, as well as to minimize and mitigate the human health or economic impacts that these species could have;
 - S. whereas the IAS Regulation as a dedicated EU legislative instrument, which could tackle outstanding challenges relating to biodiversity loss, could deliver results and help to achieve the goals of the Biodiversity Strategy , but only if correctly implemented and supported by local authorities and the general public;
 - T. whereas the Commission's initial list has been criticised by several competent national authorities, stakeholders, and the general public to the extent that they are now seriously doubting the future effect of the IAS Regulation, mainly because many of the most problematic invasive alien species are not listed, whilst at the same time, some species incapable of causing significant negative impacts on biodiversity, ecosystem services, human health or the economy, or where measures taken which would result in disproportionate costs, are listed;
 - U. whereas the initial list ignores species that are amongst the most detrimental invasive alien species in Europe, whereas some terrestrial plant and mammal species comply with the criteria and a robust risk assessment is available, yet they are not included on the list, whereas mammal species, that are among the most rapidly expanding alien species in Europe in recent years are not listed, and whereas widely spread and rapidly expanding plant species, with considerable and well-documented adverse effects on human health are not listed either.
1. Considers that the draft Commission implementing regulation exceeds the implementing powers provided for in Regulation (EU) No 1143/2014;
 2. Calls on the Commission to withdraw its draft implementing regulation and to submit a new draft to the Parliament;
 3. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.