

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

2013/0307(COD) - 22/10/2014 - Final act

PURPOSE: to prevent, minimise and mitigate the adverse impacts of invasive alien species on biodiversity and ecosystem services.

LEGISLATIVE ACT: Regulation (EU) No 1143/2014 of the European Parliament and of the Council on the prevention and management of the introduction and spread of invasive alien species.

CONTENT: this Regulation sets out rules to **prevent, minimise and mitigate the adverse impact on biodiversity** of the introduction and spread within the Union, both intentional and unintentional, of invasive alien species.

Whether it be animals, plants, fungi or micro-organisms, some 12 000 species in the environment of the Union and in other European countries are alien, of which roughly 10 to 15 % are estimated to be invasive.

The main elements of the Regulation are the following:

List of invasive alien species of Union concern: the Regulation provides that the Commission shall adopt, by means of implementing acts, **an open list** of invasive alien species of Union concern, which will be **regularly updated and reviewed at least every six years**. The draft implementing acts shall be submitted to the Committee by 2 January 2016.

When proposing species for listing as invasive alien species of Union concern, the Commission shall carry out the **risk assessment** in relation to the current and potential range of invasive alien species, having regard to certain elements.

Restrictions: the Regulation stipulates that species on this list may not be intentionally brought into the territory of the EU, nor may they be kept, bred, transported to, from or within the Union, placed on the market, grown or released into the environment.

Authorisations and permits: the Regulation also provides for a system of authorisations and permits to allow certain activities based on invasive alien species.

Competent authorities may issue the permits for activities carried out in contained holding that fulfil a certain number of conditions: (i) the invasive alien species of Union concern is kept in and handled in contained holding; (ii) transport to and from contained holding is carried out under conditions that exclude escape of the invasive alien species as established by the permit.

Invasive alien species of regional concern and species native to the Union: the Regulation states that Member States may identify, from their national list of invasive alien species of Member State concern, species native or non-native to the Union that require **enhanced regional cooperation**. The Commission shall act to facilitate the cooperation and coordination among those Member States involved.

Action plans on the pathways of invasive alien species: within three years of the adoption of the Union list, each Member State shall establish and implement one single action plan or a set of action plans to **address the priority pathways** and to prevent the unintentional introduction and spread of invasive alien species of concern, at least in their territory, as well as in their marine waters.

Within 18 months of an invasive alien species being included on the Union list, Member States shall have in place effective **management measures** for those invasive alien species of Union concern which the Member States have found to be widely spread on their territory.

Restoration of the damaged ecosystems: Member States shall carry out appropriate restoration measures to assist the recovery of an ecosystem that has been degraded, damaged, or destroyed by invasive alien species of Union concern unless a cost-benefit analysis demonstrates, on the basis of the available data and with reasonable certainty, that the costs of those measures will be high and disproportionate to the benefits of restoration.

Early detection: the Regulation also establishes a **surveillance system** for early detection (within 18 months of the adoption of the Union list, Member States shall establish a **surveillance system** of invasive alien species of Union concern) and measures for **rapid eradication**. Furthermore, Member States must provide for **penalties** if the Regulation is not correctly applied (seizure of the non-compliant invasive alien species of Union concern; immediate suspension or withdrawal of a permit issued).

Information support system: the Commission shall progressively establish an information support system necessary to facilitate the application of this Regulation. By 2 January 2016 that system shall include a data support mechanism interconnecting existing data systems on invasive alien species.

The Commission will **assess** the application of this Regulation by 1 June 2021.

ENTRY INTO FORCE: 1.1.2015.

DELEGATED ACTS: in order to take into account the latest scientific developments in the environmental field, the power to adopt acts should be delegated to the Commission for a period of **five years from 1 January 2015**.

The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification (this period may be extended by two months). If the European Parliament or the Council objects, the delegated act shall not enter into force.