

ROADMAP			
TITLE OF THE INITIATIVE	Commission implementing act containing the "List of invasive alien species of Union concern" under Article 4 of Regulation (EU) No 1143/2014		
LEAD DG – RESPONSIBLE UNIT	ENV.B.2	DATE OF ROADMAP	06 / 2015
<p><b>This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.</b></p>			

A. Context and problem definition
<p>(1) What is the political context of the initiative?</p> <p>(2) How does it relate to past and possible future initiatives, and to other EU policies?</p> <p>(3) What ex-post analysis of existing policy has been carried out? What results are relevant for this initiative?</p>
<p>(1) The implementing act is foreseen under Article 4 of 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 species (IAS). IAS represent one of the main threats to biodiversity and related ecosystem services.</p> <p>As IAS are numerous, Regulation 1143/2014 focuses on addressing those considered to be of Union concern, i.e. those IAS causing damage so significant that it justifies the adoption of measures applicable across the Union. A list of IAS of Union concern ("the Union list") is to be established and regularly updated by means of implementing acts. The Commission is bound to submit the draft implementing act to the Standing Committee on IAS by 2 January 2016 (the Committee foreseen under Article 27 of Regulation 1143/2014).</p> <p>The implementing act will list IAS of Union concern, based upon the criteria described in Article 4(3) and (6) of Regulation 1143/2014, including a risk assessment as provided for in Article 5.</p> <p>(2) Regulation 1143/2014 entered into force on 1 January 2015. With this regulation the EU is gearing up towards the full implementation of the EU Biodiversity Strategy to 2020 "Our Life Insurance, Our Natural Capital" in order to achieve the 2020 headline target (halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss) and the 2050 vision. In particular, it contributes directly to achieving Target 5 "Combat Invasive Alien Species" of the EU Biodiversity Strategy.</p> <p>Furthermore, the implementation of Regulation 1143/2014 through the adoption of this implementing act will:</p> <ul style="list-style-type: none"> <li>• Support the achievement of the objectives of the Water Framework Directive (2000/60/EC), of the Marine Strategy Framework Directive (2008/56/EC) and of the Birds (2009/147/EC) and Habitats (92/43/EEC) Directives, since IAS have a major negative impact on water bodies, habitats and protected species.</li> <li>• Complement the plant health<sup>1</sup> and the animal health<sup>2</sup> regimes by addressing the IAS not covered under them.</li> </ul> <p>Finally, Regulation 1143/2014 is aligned and does not overlap with several other EU regimes (GMO, aquaculture, biocides, wildlife trade, etc.).</p> <p>(3) Before Regulation 1143/2014 entered into force, there was no dedicated EU legislation on IAS. An impact assessment has been carried before the adoption of Regulation 1143/2014.</p>

<sup>1</sup> Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

<sup>2</sup> [http://ec.europa.eu/food/animal/index\\_en.htm](http://ec.europa.eu/food/animal/index_en.htm)

What are the main problems which this initiative will address?
Invasive Alien Species (IAS) are animals, plants, fungi and microorganisms that are introduced accidentally or deliberately into a natural environment where they are not normally found, with serious negative consequences for their new environment. They represent a major threat to native plants and animals in Europe, causing damage worth at least 12 billion of euros every year <sup>3</sup> . The implementing act will include the list of those IAS for which action is justified at Union level.
Who will be affected by it?
Aside from significant environmental impacts resulting from IAS (including in particular biodiversity loss), there are strong economic negative impacts (linked to damage costs) on e.g. infrastructure and water drainage systems. In addition, there are important human health impacts (e.g. treatment costs for asthma). The implementation of Regulation 1143/2014 seeks to limit and reduce those impacts thus benefiting a variety of actors within society.  Certain industries could be affected if a species with a commercial value is listed (i.e. included in the implementing act). In any such case, listing of the species is subject to a risk assessment that weighs the known uses and social and economic benefits against the adverse impacts as required under Articles 4 and 5 of Regulation 1143/2014.
Is EU action justified on grounds of subsidiarity? Why can Member States not achieve the objectives of the proposed action sufficiently by themselves? Can the EU achieve the objectives better?
Action at EU level is justified on grounds of subsidiarity. Because of the lack of internal border controls between Member States, a co-ordinated approach is necessary at the outer borders of the EU to stop the introduction of IAS in the European territory. Once an invasive alien species becomes established it can be very difficult for one Member State to control its subsequent dispersal. Furthermore, lack of action in one Member States can create serious damage to neighbouring Member States. Co-ordinated actions across the EU are therefore needed to prevent new introductions, to organise an early warning and rapid response system and for eradication and management programmes.  Furthermore, Regulation 1143/2014 requires that invasive alien species shall only be included on the Union list if it is demonstrated by a risk assessment carried out pursuant to Article 5 that concerted action at Union level is required to prevent their introduction, establishment or spread and if it is likely that the inclusion on the Union list will effectively prevent, minimise or mitigate their adverse impact.

## B. Objectives of the initiative

What are the main policy objectives?
Regulation 1143/2014 aims 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. Its full implementation is only possible after the adoption of the implementing act.
Do the objectives imply developing EU policy in new areas?
No

## C. Options

(1) What are the policy options (including exemptions/adapted regimes e.g. for SMEs) being considered? (2) What legislative or 'soft law' instruments could be considered? (3) How do the options respect the proportionality principle?
Following Article 4(1) of Regulation 1143/2014, the Commission is bound to submit the draft implementing act to the Standing Committee by 2 January 2016.  The inclusion of any IAS in the Union list will be based on scientific evidence and supported by a risk assessment for each IAS separately. This risk assessment, as provided under Article 5(1) of Regulation 1143/2014, will describe in particular the adverse impact of the IAS on biodiversity and related ecosystem services, and on human health, safety and the economy as well as the known uses for the species and social and economic benefits deriving from those uses. Priority will be given to the species not yet present in the Union

<sup>3</sup> [http://ec.europa.eu/environment/nature/invasivealien/docs/Kettunen2009\\_IAS\\_Task%201.pdf](http://ec.europa.eu/environment/nature/invasivealien/docs/Kettunen2009_IAS_Task%201.pdf)

or at an early stage of invasion, or to those that are already established, and that are likely to have or are known to have the most significant adverse impacts. As provided by Article 4(6) of Regulation 1143/2014, when adopting the Union list the Commission will take due consideration to the implementation cost for Member States, the cost of inaction, the cost-effectiveness and the socio-economic aspects.

#### D. Initial assessment of impacts

What are the benefits and costs of each of the policy options?

The overall implementation costs have been estimated in the impact assessment accompanying Regulation 1143/2014. IAS have been estimated to cost at least 12 billion euro per year to the European economy (cost of inaction). Current costs of action to control IAS have been estimated at 1.4 billion euro per year in Europe (mainly incurred by the Member States). Both figures are steadily increasing. The Regulation might initially cause additional costs of action up to 26 to 40 million euro per year, but could soon thereafter lead to a decrease of this cost of action to 1 billion euro per year in Europe, as well as halt the increase in the cost of inaction.

As for the individual IAS of Union concern, every risk assessment will describe the adverse impacts of the species on biodiversity and ecosystem services, and on human health, safety and the economy, as well as the known uses for the species, and social and economic benefits deriving from those uses. .

Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?

(i) (ii) Simplification and changes in administrative burden have been assessed in the impact assessment accompanying the proposal for the Regulation. The Regulation provides for a uniform system across Europe, increased transparency and use of existing structures for official (border) controls and surveillance.

(iii) Issues may arise for species where listing is favourable for the EU (avoiding negative impacts), but unfavourable for countries outside the EU because they are imported in high volumes into the EU and they are economically important for those countries. However, in view of the preparatory work undertaken so far, no such species will be included in the draft Union list to be submitted to the Standing Committee in November 2015.

(iv) The implementation arrangements are stipulated by Regulation 1143/2014. The species to be included in the list of IAS of Union concern will be subject to the restrictions under Article 7 of Regulation 1143/2014, with transitional arrangements laid down by Article 31 and Article 32 of Regulation 1143/2014. Other obligations for the Member States established by Regulation 1143/2014 are to be implemented gradually:

- official controls structures and penalty provisions by 2 January 2016;
- analysis of the pathways of unintentional introduction and spread of invasive alien species of Union concern within 18 months of the adoption of the Union list;
- Within three years of the adoption of the Union list, implementation of action plans or a set to address the identified priority pathways.

(v) Regulation 1143/2014 has been designed so as to build upon existing structures (border control, surveillance systems, etc.).

(1) Will an IA be carried out for this initiative and/or possible follow-up initiatives?

(2) When will the IA work start?

(3) When will you set up the IA Steering Group and how often will it meet?

(4) What DGs will be invited?

(1) The draft implementing act will be supported by a risk assessment for each species proposed to be included in the list, as required under Articles 4 and 5 of Regulation 1143/2014.

(2) The first list will be based on existing risk assessments that comply with the criteria laid down by Article 5 of Regulation 1143/2014. Preparatory work started in 2013 when the Commission launched a study aimed at identifying minimum requirements to achieve overarching, robust and rigorous IAS risk assessments.

(3) The draft implementing act will be discussed in the interservice group on biodiversity. The interservice consultation will be organised during the summer 2015, after which the list will be notified to WTO (2 months required), before submitting it to the Committee by the end of 2015.

(4) The following DGs will be consulted: AGRI, BUDG, CLIMA, COMM, DEVCO, DGT, EAC, ECFIN, ECHO, EMPL, ENER, ESTAT, GROW, JRC, MARE, MOVE, NEAR, NEAR, REGIO, RTD, SANTE, SG, SJ, TAXUD, TRADE, EEAS

(1) Is any option likely to have impacts on the EU budget above € 5m? (2) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial Regulation? If not, provide information about the timing of the ex-ante evaluation.
No

### E. Evidence base, planning of further work and consultation

<p>(1) What information and data are already available? Will existing IA and evaluation work be used?</p> <p>(2) What further information needs to be gathered, how will this be done (e.g. internally or by an external contractor), and by when?</p> <p>(3) What is the timing for the procurement process &amp; the contract for any external contracts that you are planning (e.g. for analytical studies, information gathering, etc.)?</p> <p>(4) Is any particular communication or information activity foreseen? If so, what, and by when?</p>
<p>(1) The overall assessment is available in the impact assessment accompanying Regulation 1143/2014. The implementing act with the first list of IAS of Union concern will be based on existing risk assessments prepared by IAS scientific experts that comply with the minimum requirements set out by Article 5 of Regulation 1143/2014.</p> <p>(2)(3) A list of available scientifically robust risk assessments has been drawn up through the external study "Invasive alien species – framework for the identification of invasive alien species of EU concern" commissioned by the European Commission (ENV.B.2/ETU/2013/0026)<sup>4</sup>. This study identified 14 criteria representing minimum standards to achieve overarching, scientifically robust and rigorous IAS risk assessments. On this basis, it screened available risk assessments to analyse whether they were fully compliant with those minimum standards. As a result, risk assessments from the European and Mediterranean Plant Protection Organisation (EPPO) and from Great Britain Non-native Species Risk Assessment (GB NNRA) were considered substantially compliant.</p> <p>The risk assessments retained by the study have been further improved through an ad hoc scientific workshop<sup>5</sup> hosted by the Commission on 9 and 10 December 2014. This workshop allowed to pool the knowledge existing in the EU to complete the missing information, on the basis of robust scientific evidence, in order to make the risk assessments fully compliant with the minimum standards, wherever possible. It allowed in particular adding information on the socio-economic benefits of the species.</p> <p>While this work provides scientific support to the development of the list of IAS of Union concern, the results presented in the study report cannot be in any way regarded as the list that the Commission will be proposing, nor do they represent the opinion of the Commission.</p> <p>This work has led to a list of approximately 50 risk assessments that may underpin listing as IAS of Union concern. Those risk assessments will be further screened by the Commission and by the Standing Committee.</p> <p>(4) Communication and information exchange will take place in 2015 through the Standing Committee and the Scientific Forum (foreseen under Article 28 of Regulation 1143/2014).</p>
Which stakeholders & experts have been or will be consulted, how, and at what stage?
<p>The Standing Committee will be involved in the adoption of the implementing act, as stipulated under Article 27 of Regulation 1143/2014.</p> <p>The Scientific Forum established under Article 28 of Regulation 1143/2014 has screened the risk assessments underpinning the IAS proposed for inclusion on the Union list and provided advice on their compliance with Article 5 of the Regulation.</p>

<sup>4</sup> [http://ec.europa.eu/environment/nature/invasivealien/docs/Final%20report\\_12092014.pdf](http://ec.europa.eu/environment/nature/invasivealien/docs/Final%20report_12092014.pdf).

<sup>5</sup> See: <http://ec.europa.eu/environment/nature/invasivealien/docs/Workshop%20report.pdf> (report) and <http://ec.europa.eu/environment/nature/invasivealien/docs/Annex%202%20New%20risk%20assessments.pdf> (annex to the report).