



2022/0195(COD)

8.11.2022

DRAFT OPINION

of the Committee on Fisheries

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council
on nature restoration
(COM(2022)0304 – C9-0208/2022 – 2022/0195(COD))

Rapporteur for opinion: Caroline Roose

(*) Associated committee – Rule 57 of the Rules of Procedure

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SHORT JUSTIFICATION

In 2019, the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) sounded a global alert: ‘Nature is declining globally at rates unprecedented in human history – and the rate of species extinctions is accelerating, with grave impacts on people around the world¹.’ But the report also said it was not too late to act, provided we act quickly to conserve and restore nature.

The 2019 European Environment Agency report ‘Marine messages II’² highlighted the urgent need to take action to restore marine ecosystems, in particular to increase resilience to climate change and to halt biodiversity collapse. The 2020 European Court of Auditors Special Report ‘Marine environment: EU protection is wide but not deep’³ took stock of the existing legislation and showed that ‘EU protection rules have not led to the recovery of significant ecosystems and habitats’.

The evaluation of the EU Biodiversity Strategy to 2020 concluded that the EU had not achieved the goal of restoring at least 15% of degraded ecosystems by 2020. It is therefore logical for ecosystem restoration to be one of the priorities of the EU Biodiversity Strategy for 2030.

The proposed regulation allows for a change of approach. As Parliament called for, it sets several binding targets for ecosystem restoration. Member States will have to meet these targets by establishing national nature restoration plans, which should mean that implementation can be as close as possible to the areas concerned.

Article 5 of the proposal directly concerns marine ecosystems, therefore including the fisheries sector. The rapporteur chose not to address in this draft opinion Article 4 and Articles 6 to 10, which concern other ecosystems. It should be noted, however, that the restoration of these ecosystems (coastal ecosystems, watercourses) is likely to have a positive impact on maritime fisheries, for example by putting an end to pollution affecting marine ecosystems or by restoring spawning grounds and nurseries where certain marine species reproduce.

The restoration of marine ecosystems goes hand in hand with the objectives of the Common Fisheries Policy (CFP). Without healthy ecosystems there can be no healthy fish populations and therefore no fishing. The restoration of degraded marine ecosystems plays a key role in ensuring the long-term sustainability of fishing activities. It is fully in line with the concept of ecosystem-based fisheries management under the CFP.

Ecosystem restoration will require spatial protection measures. A recent study by the European Parliament’s Policy Department for Structural and Cohesion Policies on the costs and benefits of spatial protection measures as tools for fisheries management⁴ showed that introducing such measures is economically beneficial for the fisheries and aquaculture sectors, makes it possible

¹ IPBES (2019): Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.

² EEA Report No 17/2019 Marine messages II: Navigating the course towards clean, healthy and productive seas through implementation of an ecosystem-based approach.

³ ECA Special Report 26/2020: Marine environment: EU protection is wide but not deep.

⁴ Costs and benefits of spatial protection measures as tools for fisheries management, PE 733.087 - July 2022

to stabilise catches where they are in decline, and is accompanied by job creation and increased income for small-scale fishers.

The rapporteur therefore supports the general approach of the proposal for a regulation and wishes to draw attention to four points in particular.

Restoration targets

The proposal for a regulation provides for targets for the surface where restoration measures should be put in place. While these means-based targets have the advantage of being easily measurable, they need to be accompanied by results-based targets. On the basis of Parliament's resolutions, the recommendations of the International Union for Conservation of Nature (IUCN) and the EU Biodiversity Strategy, the rapporteur proposes targets of restoring at least 30% of degraded marine ecosystems by 2030, 60% by 2040 and 90% by 2050. In order to achieve these results-based targets, the rapporteur also proposes increasing the means-based targets.

Implementation of measures to restore marine ecosystems

The restoration of marine ecosystems differs from the restoration of other types of ecosystems due to the transnational nature of marine ecosystems. The Treaty on the Functioning of the European Union provides that the Union has exclusive competence in the area of conservation of marine biological resources. While Member States will be able to take the necessary measures at national level to implement their national restoration plans for other ecosystems, this will rarely be possible for marine ecosystems.

The Commission has chosen to base the adoption of restoration measures on existing CFP tools, in particular Articles 11 and 18 of the CFP basic regulation (Regulation (EU) No 1380/2013).

The mechanisms in place under the CFP mean that each Member State having an interest in the management of the fisheries activities concerned by a conservation measure must agree with that measure. This requirement for unanimity complicates the adoption of the necessary measures. The European Court of Auditors found in 2020 that in seven years this procedure had been successful in only a very limited number of cases.

There is therefore a real risk that Member States which have included conservation measures in their national restoration plans will not be able to implement them if another Member State opposes them. Measures needed to achieve the targets set by the regulation could be blocked.

In order to avoid this situation, Member States should be encouraged to cooperate in preparing their national restoration plans. It should also be possible for Member States to submit the joint recommendations at the same time as the draft restoration plan. Once the final restoration plan is adopted, a deadline of 12 months should be set for Member States to submit joint recommendations if they have not already been submitted. Finally, in the event of a blockage, the Commission should be able to use the urgency procedure provided for in the CFP basic regulation.

Species whose habitat needs to be restored

The list of species whose habitat needs to be restored (Annex 3) contains around 20 species and has a number of gaps. The rapporteur considers that the list should be extended to cover these additional species, adding species classified as critically endangered or endangered according to IUCN categories, as well as commercial species whose habitat restoration would improve the status of their stocks and benefit fishers in the long term.

Transparency and stakeholder participation

The successful implementation of this regulation will depend largely on the commitment of local communities, including fishers, to the restoration of marine ecosystems. The rapporteur considers that the provisions on stakeholder consultation and transparency contained in the proposal for a regulation should be strengthened. More frequent updating of national restoration plans is also desirable in order to be able to take into account as quickly as possible the data and assessments that will be available.

AMENDMENTS

The Committee on Fisheries calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) In its resolution of 16 January 2020, the European Parliament called for legally binding targets for the Union and its Member States, including specific targets to reach at least 30 % of protected terrestrial and marine areas and to restore at least 30 % of degraded ecosystems at Union level by 2030.

Or. en

Amendment 2

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In its resolution of 9 June 2021⁴⁹, the European Parliament strongly welcomed the commitment to draw up a legislative proposal with binding nature restoration targets, and furthermore considered that in addition to an overall restoration target, ecosystem-, habitat- and species-specific restoration targets should be included, covering forests, grasslands, wetlands, peatlands, pollinators, free-flowing rivers, coastal areas and marine ecosystems.

⁴⁹ European Parliament resolution of 9 June 2021 on the EU Biodiversity Strategy for 2030: Bringing nature back into our lives (2020/2273(INI)).

Amendment

(8) In its resolution of 9 June 2021⁴⁹, the European Parliament strongly welcomed the commitment to draw up a legislative proposal with binding nature restoration targets, ***called for a restoration target of at least 30 % of the Union's land and seas***, and furthermore considered that in addition to an overall restoration target, ecosystem-, habitat- and species-specific restoration targets should be included, covering forests, grasslands, wetlands, peatlands, pollinators, free-flowing rivers, coastal areas and marine ecosystems.

⁴⁹ European Parliament resolution of 9 June 2021 on the EU Biodiversity Strategy for 2030: Bringing nature back into our lives (2020/2273(INI)).

Or. en

Amendment 3

Proposal for a regulation Recital 39

Text proposed by the Commission

(39) In order to achieve the objective of continuous, long-term and sustained recovery of biodiverse and resilient nature, Member States should make full use of the possibilities provided under the common fisheries policy. Within the scope of the exclusive competence of the Union with regard to conservation of marine biological resources, Member States have the possibility to take non-discriminatory measures for the conservation and management of fish stocks and the maintenance or improvement of the conservation status of marine ecosystems within the limit of 12 nautical miles. In

Amendment

(39) In order to achieve the objective of continuous, long-term and sustained recovery of biodiverse and resilient nature, Member States should make full use of the possibilities provided under the common fisheries policy. Within the scope of the exclusive competence of the Union with regard to conservation of marine biological resources, Member States have the possibility to take non-discriminatory measures for the conservation and management of fish stocks and the maintenance or improvement of the conservation status of marine ecosystems within the limit of 12 nautical miles. In

addition, Member States that have a direct management interest have the possibility to agree to submit joint recommendations for conservation measures necessary for compliance with obligations under Union law on the environment. Such measures will be assessed and adopted according to the rules and procedures provided for under the common fisheries policy.

addition, Member States that have a direct management interest have the possibility to agree to submit joint recommendations for conservation measures necessary for compliance with obligations under Union law on the environment. Such measures will be assessed and adopted according to the rules and procedures provided for under the common fisheries policy. ***It is essential that, if the Member States that have a direct management interest fail to submit joint recommendations on conservation measures included in the restoration plan of a Member State, the Commission is empowered to adopt the measures required for reaching the objectives of Regulation (EU) No 1380/2013.***

Or. en

Amendment 4

Proposal for a regulation Recital 41

Text proposed by the Commission

(41) It is important that restoration measures are also put in place for the habitats of certain marine species, such as sharks and rays, that fall within the scope of the Convention on the Conservation of Migratory Species of Wild Animals, but outside the scope of Directive 92/43/EEC, as they have an important function in the ecosystem.

Amendment

(41) It is important that restoration measures are also put in place for the habitats of certain marine species, such as sharks and rays, that fall within the scope of the Convention on the Conservation of Migratory Species of Wild Animals, but outside the scope of Directive 92/43/EEC, as they have an important function in the ecosystem. ***It is also important that restoration measures are put in place for species listed in the Annex relating to the List of Endangered or Threatened Species of the Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/BD Protocol) of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, as there are existing***

obligations for Member States to restore the habitats of these species. It is also important that restoration measures are put in place for habitats of species that are classified as endangered or critically endangered in the IUCN Red List. It is also important that restoration measures are put in place for habitats of key commercial species as such restoration measures would provide important benefits to fishing communities in the long term.

Or. en

Amendment 5

Proposal for a regulation Recital 42

Text proposed by the Commission

(42) To support the restoration and non-deterioration of terrestrial, freshwater, coastal and marine habitats, Member States have the possibility to designate additional areas as ‘protected areas’ or ‘strictly protected areas’, to implement other effective area-based conservation measures, and to promote private land conservation measures.

Amendment

(42) To support the restoration and non-deterioration of terrestrial, freshwater, coastal and marine habitats, Member States have the possibility to designate additional areas as ‘protected areas’ or ‘strictly protected areas’, to implement other effective area-based conservation measures, and to promote private land conservation measures, ***contributing to the objective to designate 30% of the Union’s seas as marine protected areas, of which at least one third should be under strict protection.***

Or. en

Amendment 6

Proposal for a regulation Recital 59

(59) To ensure synergies between the different measures that have been, and are to be put in place to protect, conserve and restore nature in the Union, Member States should take into account, when preparing their national restoration plans: the conservation measures established for Natura 2000 sites and the prioritised action frameworks prepared in accordance with Directives 92/43/EEC and 2009/147/EC; measures for achieving good ecological and chemical status of water bodies included in river basin management plans prepared in accordance with Directive 2000/60/EC; marine strategies for achieving good environmental status for all Union marine regions prepared in accordance with Directive 2008/56/EC; national air pollution control programmes prepared under Directive (EU) 2016/2284; national biodiversity strategies and action plans developed in accordance with Article 6 of the Convention on Biological Diversity, as well as conservation measures adopted in accordance with Regulation 1380/2013 and technical measures adopted in accordance with Regulation (EU) 2019/1241 of the European Parliament and of the Council⁸³.

⁸³ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No

(59) To ensure synergies between the different measures that have been, and are to be put in place to protect, conserve and restore nature in the Union, Member States should take into account, when preparing their national restoration plans: the conservation measures established for Natura 2000 sites and the prioritised action frameworks prepared in accordance with Directives 92/43/EEC and 2009/147/EC; measures for achieving good ecological and chemical status of water bodies included in river basin management plans prepared in accordance with Directive 2000/60/EC; marine strategies for achieving good environmental status for all Union marine regions prepared in accordance with Directive 2008/56/EC; national air pollution control programmes prepared under Directive (EU) 2016/2284; national biodiversity strategies and action plans developed in accordance with Article 6 of the Convention on Biological Diversity, ***maritime spatial plans prepared in accordance with Directive 2014/89/EU***, as well as conservation measures adopted in accordance with Regulation 1380/2013 and technical measures adopted in accordance with Regulation (EU) 2019/1241 of the European Parliament and of the Council⁸³.

⁸³ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No

2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

Or. en

Amendment 7

Proposal for a regulation

Recital 69

Text proposed by the Commission

(69) The Commission should report on the progress made by Member States towards meeting the restoration targets and obligations of this Regulation on the basis of Union-wide progress reports drawn up by the EEA as well as other analysis and reports made available by Member States in relevant policy areas such as nature, marine and water policy.

Amendment

(69) The Commission should report on the progress made by Member States towards meeting the restoration targets and obligations of this Regulation on the basis of Union-wide progress reports drawn up by the EEA as well as other analysis and reports made available by Member States in relevant policy areas such as nature, marine and water policy. ***Those reports should be made available to the public.***

Or. en

Amendment 8

Proposal for a regulation

Recital 77

Text proposed by the Commission

(77) The Commission should carry out an evaluation of this Regulation. Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures. In addition, the Commission should assess the need to establish additional restoration targets, based on common methods for assessing

Amendment

(77) The Commission should carry out an evaluation of this Regulation. Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures. In addition, the Commission should assess the need to establish additional restoration targets, based on common methods for assessing

the condition of ecosystems not covered by Articles 4 and 5, taking into account the most recent scientific evidence.

the condition of ecosystems not covered by Articles 4 and 5, taking into account the most recent scientific evidence. ***This evaluation should be made available to the public.***

Or. en

Amendment 9

Proposal for a regulation Article 1 – paragraph 2

Text proposed by the Commission

2. This Regulation establishes a framework within which Member States shall put in place, without delay, effective and area-based restoration measures which together shall cover, by 2030, at least 20 % of the Union’s land and sea areas and, by 2050, all ecosystems in need of restoration.

Amendment

2. This Regulation establishes a framework within which Member States shall put in place, without delay, effective and area-based restoration measures which together shall cover, by 2030, at least 20 % of the Union’s land and ***20% of the Union’s*** sea areas and, by 2050, all ecosystems in need of restoration.

Or. en

Amendment 10

Proposal for a regulation Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. This Regulation shall contribute to reaching the targets of restoring at least 30% of degraded ecosystems by 2030, at least 60% by 2040, and at least 90% by 2050.

Or. en

Amendment 11

Proposal for a regulation

Article 3 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) ‘passive restoration’ means restoring an ecosystem by removing sources of disturbance, therefore allowing natural processes to occur undisturbed from human pressures in an ecosystem and allowing the long-term natural recovery of the ecosystem towards or to good condition;

Or. en

Amendment 12

Proposal for a regulation

Article 3 – paragraph 1 – point 3 b (new)

Text proposed by the Commission

Amendment

(3b) ‘active restoration’ means restoring an ecosystem by implementing measures which aim at accelerating or modifying the trajectory of natural processes and accelerating the recovery of an ecosystem towards or to good condition;

Or. en

Amendment 13

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

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.

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 14

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 for the Protection 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 15

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. ***Member States shall ensure that restoration measures referred to in paragraphs 1, 2 and 3 are achieved mainly using passive restoration and are complemented by active restoration measures when necessary.***

Or. en

Amendment 16

**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 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 17

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 18

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 can prove they are*** caused by:

Or. en

Amendment 19

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, ***proven by the best available knowledge and the latest scientific evidence***; or

Or. en

Amendment 20

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, ***based on an independent impact assessment of its consequences for areas subject to restoration measures, after notifying the Commission.***

Or. en

Amendment 21

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 ***Member States can prove they are*** caused by:

Or. en

Amendment 22

Proposal for a regulation Article 5 – paragraph 10 – point a a (new)

Text proposed by the Commission

Amendment

(aa) at least 30% of each type of degraded habitat listed in Annex II restored into good condition by 2030, 60%

by 2040, and 90% by 2050;

Or. en

Amendment 23

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 24

Proposal for a regulation

Article 11 – paragraph 7 – point f a (new)

Text proposed by the Commission

Amendment

(fa) maritime spatial plans, prepared in accordance with Directive 2014/89/EU;

Or. en

Amendment 25

Proposal for a regulation

Article 11 – paragraph 10

Text proposed by the Commission

Amendment

10. Member States shall, where possible, foster synergies with the national restoration plans of other Member States, in particular for ecosystems that span across borders.

10. Member States shall, where possible, foster synergies with the national restoration plans of other Member States, in particular for ecosystems that span across borders. *Member States shall cooperate in the preparation of national*

restoration plans on aspects that relate to marine ecosystems and fisheries with the other Member States having a direct management interest.

Or. en

Amendment 26

Proposal for a regulation Article 11 – paragraph 11

Text proposed by the Commission

11. Member States shall ensure that the preparation of the restoration plan is open, inclusive and effective and that the public *is* given early and effective opportunities to participate in its elaboration. Consultations shall comply with the requirements set out in Articles 4 to 10 of Directive 2001/42/EC.

Amendment

11. Member States shall ensure that the preparation of the restoration plan is open, inclusive and effective and that the public ***and relevant stakeholders are fully informed, have access to all relevant information, including early drafts of the restoration plan, and are*** given early and effective opportunities to participate in ***all stages of*** its elaboration. ***Local and regional authorities shall be properly involved in the preparation of the plan.*** Consultations shall comply with the requirements set out in Articles 4 to 10 of Directive 2001/42/EC.

Or. en

Amendment 27

Proposal for a regulation Article 12 – paragraph 2 – point n

Text proposed by the Commission

(n) a summary of the process for preparing and establishing the national restoration plan, including information on public participation and of how the needs of local communities and stakeholders have been considered;

Amendment

(n) a summary of the process for preparing and establishing the national restoration plan, including ***the identification of governance bodies involved and their role in the preparation and establishment of the plan, and*** information on public participation and of

how the needs of local communities and stakeholders have been considered;

Or. en

Amendment 28

Proposal for a regulation Article 12 – paragraph 3

Text proposed by the Commission

3. The national restoration plans shall, **where applicable**, include the conservation measures that a Member State intends to adopt under the common fisheries policy, **including** conservation measures in joint recommendations that a Member State intends to initiate in accordance with the procedure set out in Regulation (EU) No 1380/2013, and any relevant information on those measures.

Amendment

3. The national restoration plans shall include the conservation measures that a Member State intends to adopt under the common fisheries policy, **as well as the** conservation measures in joint recommendations that a Member State intends to initiate in accordance with the procedure set out in Regulation (EU) No 1380/2013, and any relevant information on those measures. **Member States shall consult with the other Member States having a direct management interest and may submit joint recommendations together with their draft or final restoration plan. For the purpose of this paragraph, the relevant information on those measures shall include the risk for the initiating Member States of not meeting their targets and respecting their obligations set out in Articles 5 if not all Member States having a direct management interest succeed in agreeing in a timely manner to a joint recommendation, or if the Commission does not adopt those measures accordingly.**

Or. en

Amendment 29

Proposal for a regulation Article 13 – paragraph 1

Text proposed by the Commission

Member States shall submit a draft of the national restoration plan referred to in Articles 11 and 12 to the Commission by... [OP please insert the date = the first day of the month following 24 months after the date of entry into force of this Regulation].

Amendment

Member States shall submit a draft of the national restoration plan referred to in Articles 11 and 12 to the Commission by... [OP please insert the date = the first day of the month following 24 months after the date of entry into force of this Regulation].
The Commission shall make these draft plans available to the public.

Or. en

Amendment 30

**Proposal for a regulation
Article 14 – paragraph 2**

Text proposed by the Commission

2. When assessing the draft national restoration plan, the Commission shall evaluate its compliance with Article 12, as well as its adequacy for meeting the targets and obligations set out in Articles 4 to 10, as well as the Union's overarching objectives referred to in Article 1, the specific objectives referred to in Article 7(1) to restore at least 25 000 km of rivers into free-flowing rivers in the Union by 2030 and the 2030 objective of covering at least 10% of the Union's agricultural area with high-diversity landscape features.

Amendment

2. When assessing the draft national restoration plan, the Commission shall evaluate its compliance with Article 12, as well as its adequacy for meeting the targets and obligations set out in Articles 4 to 10, as well as the Union's overarching objectives referred to in Article 1, the specific objectives referred to in Article 7(1) to restore at least 25 000 km of rivers into free-flowing rivers in the Union by 2030 and the 2030 objective of covering at least 10% of the Union's agricultural area with high-diversity landscape features.
When assessing the draft national restoration plan, the Commission shall evaluate the alignment of the national restoration plans of different Member States for ecosystems that span across borders, including for marine ecosystems. When assessing the draft national restoration plan, the Commission shall evaluate its adequacy to meet the objectives of Directive 2008/56/EC, where applicable.

Or. en

Amendment 31

Proposal for a regulation Article 14 – paragraph 4

Text proposed by the Commission

4. The Commission **may** address observations to Member States within six months of the date of receipt of the draft national restoration plan.

Amendment

4. The Commission **shall** address observations to Member States, **where applicable**, within six months of the date of receipt of the draft national restoration plan, **and make these observations public without delay**.

Or. en

Amendment 32

Proposal for a regulation Article 14 – paragraph 5

Text proposed by the Commission

5. Member States shall take due account of any observations from the Commission **in its final** national restoration plan.

Amendment

5. Member States shall take due account of any observations from the Commission **and amend their** national restoration plan **accordingly**.

Or. en

Amendment 33

Proposal for a regulation Article 14 a (new)

Text proposed by the Commission

Amendment

Article 14a

Implementation of measures to restore marine ecosystems

1. Member States, whose national restoration plan include conservation measures under the common fisheries

policy that require the submission of joint recommendations, shall submit the said joint recommendations, together with the other Member States having a direct management interest, at the latest 12 months after the final submission of their national restoration plan.

2. If Member States fail to submit joint recommendations as set out in the common fisheries policy in due time, the Commission shall adopt the measures, in line with Article 11(4) of the Regulation (EU) No 1380/2013.

Or. en

Amendment 34

Proposal for a regulation Article 15 – paragraph 1

Text proposed by the Commission

1. Member States shall review their national restoration plan at least once every **10** years, in accordance with Articles 11 and 12, taking into account progress made in the implementation of the plans, the best available scientific evidence as well as available knowledge of changes or expected changes in environmental conditions due to climate change.

Amendment

1. Member States shall review their national restoration plan at least once every **5** years, in accordance with Articles 11 and 12, taking into account progress made in the implementation of the plans, the best available scientific evidence as well as available knowledge of changes or expected changes in environmental conditions due to climate change.

Or. en

Amendment 35

Proposal for a regulation Article 17 – paragraph 1 – point a

Text proposed by the Commission

(a) the condition and trend in condition of the habitat types and the quality and the trend in quality of the habitats of the

Amendment

(a) the condition and trend in condition of the habitat types and the quality and **quantity and** the trend in quality **and**

species referred to in Articles 4 and 5 in the areas subject to restoration measures on the basis of the monitoring referred to in Article 12(2), point (h);

quantity of the habitats of the species referred to in Articles 4 and 5 in the areas subject to restoration measures on the basis of the monitoring referred to in Article 12(2), point (h);

Or. en

Amendment 36

Proposal for a regulation Article 17 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the trend in the population of the species referred to in Article 5(3);

Or. en

Amendment 37

Proposal for a regulation Article 17 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(ab) the qualitative descriptors used for determining good environmental status, as referred to in Directive 2008/56/EC;

Or. en

Amendment 38

Proposal for a regulation Article 17 – paragraph 3

Text proposed by the Commission

Amendment

3. The monitoring in accordance with paragraph 1, points (b), (c), (d), (e) shall start on [OP please insert the date of entry

3. The monitoring in accordance with paragraph 1, points **(aa)**, **(ab)**, (b), (c), (d), (e) shall start on [OP please insert the date

into force of this Regulation].

of entry into force of this Regulation].

Or. en

Amendment 39

Proposal for a regulation

Article 18 – paragraph 2 – subparagraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) information on the progress accomplished towards agreeing with other relevant Member States on joint recommendations referred to in Article 12(3).

Or. en

Amendment 40

Proposal for a regulation

Article 18 – paragraph 4

Text proposed by the Commission

Amendment

4. The EEA shall provide to the Commission an annual technical overview of the progress towards the achievement of the targets and obligations set out in this Regulation, on the basis of the data made available by Member States in accordance with paragraph 1 of this Article and Article 17(7).

4. The EEA shall provide to the Commission an annual technical overview of the progress towards the achievement of the targets and obligations set out in this Regulation, on the basis of the data made available by Member States in accordance with paragraph 1 of this Article and Article 17(7). ***These overviews shall be made available to the public.***

Or. en

Amendment 41

Proposal for a regulation

Article 18 – paragraph 5

Text proposed by the Commission

5. The EEA shall provide to the Commission a Union-wide technical report on the progress towards the achievement of the targets and obligations set out in this Regulation on the basis of the data made available by Member States in accordance with paragraphs 1, 2 and 3 of this Article. It may also use information reported under Article 17 of Directive 92/43/EEC, Article 15 of Directive 2000/60/EC, Article 12 of Directive 2009/147/EC, and Article 18 of Directive 2008/56/EC. The report shall be provided by June 2032 and subsequent reports shall be provided every three years thereafter.

Amendment

5. The EEA shall provide to the Commission a Union-wide technical report on the progress towards the achievement of the targets and obligations set out in this Regulation on the basis of the data made available by Member States in accordance with paragraphs 1, 2 and 3 of this Article. It may also use information reported under Article 17 of Directive 92/43/EEC, Article 15 of Directive 2000/60/EC, Article 12 of Directive 2009/147/EC, and Article 18 of Directive 2008/56/EC. The report shall be provided by June 2032 and subsequent reports shall be provided every three years thereafter. ***Those reports shall be made available to the public.***

Or. en

Amendment 42

**Proposal for a regulation
Article 18 – paragraph 6**

Text proposed by the Commission

6. The Commission shall, as from 2029, report to the European Parliament and to the Council every three years on the implementation of this Regulation.

Amendment

6. The Commission shall, as from 2029, report to the European Parliament and to the Council every three years on the implementation of this Regulation. ***This report shall include the progress made towards achieving the targets set in this regulation and highlight which Member States are at risk of not reaching the targets in time.***

Or. en

Amendment 43

**Proposal for a regulation
Article 19 – paragraph 2**

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex II in order to adapt the list of habitat types and the groups of habitat types.

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex II in order to adapt the list of habitat types and the groups of habitat types, ***in accordance with the best available scientific advice.***

Or. en

Amendment 44

**Proposal for a regulation
Article 19 – paragraph 3**

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex III in order to adapt the list of marine species referred to in Article 5 in accordance with the ***latest scientific evidence.***

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex III in order to adapt the list of marine species referred to in Article 5 in accordance with the ***best available scientific advice.***

Or. en

Amendment 45

**Proposal for a regulation
Annex III – point 25 a (new)**

Text proposed by the Commission

Amendment

(25a) porbeagle (Lamna nasus)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 46

Proposal for a regulation Annex III – point 25 b (new)

Text proposed by the Commission

Amendment

(25b) sand tiger shark (*Carcharias taurus*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 47

Proposal for a regulation Annex III – point 25 c (new)

Text proposed by the Commission

Amendment

(25c) smalltooth sand tiger (*Odontaspis ferox*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 48

Proposal for a regulation Annex III – point 25 d (new)

Text proposed by the Commission

Amendment

(25d) spiny butterfly ray (*Gymnura altavela*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 49

**Proposal for a regulation
Annex III – point 25 e (new)**

Text proposed by the Commission

Amendment

(25e) bull ray (*Pteromylaeus bovinus*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 50

**Proposal for a regulation
Annex III – point 25 f (new)**

Text proposed by the Commission

Amendment

(25f) common skate (*Dipturus batis*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 51

**Proposal for a regulation
Annex III – point 25 g (new)**

Text proposed by the Commission

Amendment

(25g) Maltese skate (*Leucoraja melitensis*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 52

Proposal for a regulation Annex III – point 25 h (new)

Text proposed by the Commission

Amendment

(25h) bottlenose skate (*Rostroraja alba*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 53

Proposal for a regulation Annex III – point 25 i (new)

Text proposed by the Commission

Amendment

(25i) gulper shark (*Centrophorus granulosus*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 54

Proposal for a regulation Annex III – point 25 j (new)

Text proposed by the Commission

Amendment

(25j) sawback angelshark (*Squatina aculeata*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 55

Proposal for a regulation Annex III – point 25 k (new)

Text proposed by the Commission

Amendment

(25k) smoothback angelshark (*Squatina oculata*)

Or. en

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 56

Proposal for a regulation Annex III – point 25 l (new)

Text proposed by the Commission

Amendment

**(25l) roundnose grenadier
(*Coryphaenoides rupestris*)**

Justification

Critically endangered species (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 57

**Proposal for a regulation
Annex III – point 25 m (new)**

Text proposed by the Commission

Amendment

(25m) basking shark (*Cetorhinus maximus*)

Or. en

Justification

Endangered species that is endemic to Europe (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 58

**Proposal for a regulation
Annex III – point 25 n (new)**

Text proposed by the Commission

Amendment

(25n) sandy ray (*Leucoraja circularis*)

Or. en

Justification

Endangered species that is endemic to Europe (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 59

**Proposal for a regulation
Annex III – point 25 o (new)**

Text proposed by the Commission

Amendment

(25o) rough ray (*Raja radula*)

Or. en

Justification

Endangered species that is endemic to Europe (European Red List of Marine Fishes, European Commission & IUCN)

Amendment 60

Proposal for a regulation Annex III – point 25 p (new)

Text proposed by the Commission

Amendment

**(25p) shortfin mako shark (*Isurus
oxyrinchus*)**

Or. en

Justification

*Endangered species (European Red List of Marine Fishes, European Commission & IUCN)
for which a retention ban has been decided by ICCAT*

Amendment 61

Proposal for a regulation Annex III – point 25 q (new)

Text proposed by the Commission

Amendment

**(25q) European hake (*Merluccius
merluccius*)**

Or. en

Justification

Commercial species that is in a critical state due to, among other things, the degradation of their habitat. Their inclusion in this list would encourage States to restore the habitats of these species. In addition to the environmental benefits, this would improve the state of these

stocks and benefit fishers in the long term.

Amendment 62

Proposal for a regulation Annex III – point 25 r (new)

Text proposed by the Commission

Amendment

(25r) Atlantic cod (*Gadus morhua*)

Or. en

Justification

Commercial species that is in a critical state due to, among other things, the degradation of their habitat. Their inclusion in this list would encourage States to restore the habitats of these species. In addition to the environmental benefits, this would improve the state of these stocks and benefit fishers in the long term.

Amendment 63

Proposal for a regulation Annex III – point 25 s (new)

Text proposed by the Commission

Amendment

(25s) European eel (*Anguilla anguilla*)

Or. en

Justification

Commercial species that is in a critical state due to, among other things, the degradation of their habitat. Their inclusion in this list would encourage States to restore the habitats of these species. In addition to the environmental benefits, this would improve the state of these stocks and benefit fishers in the long term.