



Plenary sitting

A9-0220/2023

28.6.2023

*****I**
REPORT

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))

Committee on the Environment, Public Health and Food Safety

Rapporteur: César Luena

Rapporteurs for the opinions of associated committees pursuant to Rule 57 of
the Rules of Procedure:

Anne Sander, Committee on Agriculture and Rural Development

Caroline Roose, Committee on Fisheries

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**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))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0304),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0208/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 25 January 2023¹,
 - having regard to the opinion of the Committee of the Regions of 09 February 2023²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinions of the Committee on Agriculture and Rural Development and the Committee on Fisheries,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0220/2023),
1. Rejects the Commission proposal;
 2. Calls on the Commission to withdraw its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 140, 21.4.2023, p. 46.

² OJ C 157, 3.5.2023, p. 38.

24.5.2023

OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

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: Anne Sander

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

AMENDMENTS

The Committee on Agriculture and Rural Development 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

–

Proposal for rejection

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to propose rejection of the Commission proposal.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Nature restoration
References	COM(2022)0304 – C9-0208/2022 – 2022/0195(COD)
Committee responsible Date announced in plenary	ENVI 4.7.2022
Opinion by Date announced in plenary	AGRI 4.7.2022
Associated committees - date announced in plenary	24.11.2022
Rapporteur for the opinion Date appointed	Anne Sander 10.11.2022
Discussed in committee	30.1.2023 22.3.2023
Date adopted	23.5.2023
Result of final vote	+: 30 -: 16 0: 0
Members present for the final vote	Mazaly Aguilar, Clara Aguilera, Álvaro Amaro, Attila Ara-Kovács, Benoît Biteau, Daniel Buda, Isabel Carvalhais, Asger Christensen, Angelo Ciocca, Ivan David, Paolo De Castro, Jérémy Decerle, Salvatore De Meo, Herbert Dorfmann, Luke Ming Flanagan, Paola Ghidoni, Dino Giarrusso, Martin Häusling, Martin Hlaváček, Krzysztof Jurgiel, Jarosław Kalinowski, Elsi Katainen, Camilla Laureti, Gilles Lebreton, Norbert Lins, Elena Lizzi, Chris MacManus, Colm Markey, Marlene Mortler, Ulrike Müller, Maria Noichl, Juozas Olekas, Bronis Ropè, Bert-Jan Ruissen, Anne Sander, Simone Schmiedtbauer, Annie Schreijer-Pierik, Veronika Vrecionová, Sarah Wiener
Substitutes present for the final vote	Franc Bogovič, Anna Deparnay-Grunenberg, Jan Huitema, Irène Tolleret, Tom Vandenkendelaere
Substitutes under Rule 209(7) present for the final vote	Mohammed Chahim, Matthias Ecke

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

30	+
ECR	Mazaly Aguilar, Krzysztof Jurgiel, Bert-Jan Ruissen, Veronika Vrecionová
ID	Angelo Ciocca, Ivan David, Paola Ghidoni, Gilles Lebreton, Elena Lizzi
PPE	Álvaro Amaro, Franc Bogovič, Daniel Buda, Salvatore De Meo, Herbert Dorfmann, Jarosław Kalinowski, Norbert Lins, Colm Markey, Marlene Mortler, Anne Sander, Simone Schmiedtbauer, Annie Schreijer-Pierik, Tom Vandenkendelaere
Renew	Asger Christensen, Jérémy Decerle, Martin Hlaváček, Jan Huitema, Elsi Katainen, Ulrike Müller, Irène Tolleret
The Left	Chris MacManus

16	-
NI	Dino Giarrusso
S&D	Clara Aguilera, Attila Ara-Kovács, Isabel Carvalhais, Mohammed Chahim, Paolo De Castro, Matthias Ecke, Camilla Laureti, Maria Noichl, Juozas Olekas
The Left	Luke Ming Flanagan
Verts/ALE	Benoît Biteau, Anna Deparnay-Grunenberg, Martin Häusling, Bronis Ropè, Sarah Wiener

0	0

Corrections to votes and voting intentions	
+	
-	
0	Jérémy Decerle

Key to symbols:

+ : in favour

- : against

0 : abstention

26.5.2023

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 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

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

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.

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 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,

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

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.

The Committee on Fisheries calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to propose rejection of the Commission proposal.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Nature restoration
References	COM(2022)0304 – C9-0208/2022 – 2022/0195(COD)
Committee responsible Date announced in plenary	ENVI 4.7.2022
Opinion by Date announced in plenary	PECH 4.7.2022
Associated committees - date announced in plenary	24.11.2022
Rapporteur for the opinion Date appointed	Caroline Roose 15.9.2022
Discussed in committee	30.11.2022 24.1.2023
Date adopted	24.5.2023
Result of final vote	+: 15 -: 13 0: 0
Members present for the final vote	Clara Aguilera, João Albuquerque, Pietro Bartolo, François-Xavier Bellamy, Isabel Carvalhais, Maria da Graça Carvalho, Asger Christensen, Rosa D’Amato, Francisco Guerreiro, Niclas Herbst, Jan Huitema, France Jamet, Predrag Fred Matić, Caroline Roose, Bert-Jan Ruissen, Marc Tarabella
Substitutes present for the final vote	Martin Hlaváček, Ska Keller, Gabriel Mato, Raffaele Stancanelli, Lucia Vuolo, Stéphanie Yon-Courtin
Substitutes under Rule 209(7) present for the final vote	Pablo Arias Echeverría, Anna-Michelle Asimakopoulou, Marco Campomenosi, Clare Daly, Gilles Lebreton, Mick Wallace

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

15	+
ECR	Bert-Jan Ruissen, Raffaele Stancanelli
ID	Marco Campomenosi, France Jamet, Gilles Lebreton
PPE	Pablo Arias Echeverría, Anna-Michelle Asimakopoulou, François-Xavier Bellamy, Maria da Graça Carvalho, Niclas Herbst, Gabriel Mato, Lucia Vuolo
Renew	Asger Christensen, Martin Hlaváček, Jan Huitema

13	-
NI	Marc Tarabella
Renew	Stéphanie Yon-Courtin
S&D	Clara Aguilera, João Albuquerque, Pietro Bartolo, Isabel Carvalhais, Predrag Fred Matić
The Left	Clare Daly, Mick Wallace
Verts/ALE	Rosa D'Amato, Francisco Guerreiro, Ska Keller, Caroline Roose

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Nature restoration		
References	COM(2022)0304 – C9-0208/2022 – 2022/0195(COD)		
Date submitted to Parliament	23.6.2022		
Committee responsible Date announced in plenary	ENVI 4.7.2022		
Committees asked for opinions Date announced in plenary	REGI 4.7.2022	AGRI 4.7.2022	PECH 4.7.2022
Not delivering opinions Date of decision	REGI 12.7.2022		
Associated committees Date announced in plenary	PECH 24.11.2022	AGRI 24.11.2022	
Rapporteurs Date appointed	César Luena 12.7.2022		
Discussed in committee	12.1.2023		
Date adopted	27.6.2023		
Result of final vote	+: 44 -: 44 0: 0		
Members present for the final vote	Mathilde Androuët, Maria Arena, Margrete Auken, Marek Paweł Balt, Traian Băsescu, Aurélia Beigneux, Hildegard Bentele, Sergio Berlato, Alexander Bernhuber, Malin Björk, Delara Burkhardt, Pascal Canfin, Sara Cerdas, Mohammed Chahim, Maria Angela Danzi, Esther de Lange, Christian Doleschal, Bas Eickhout, Cyrus Engerer, Agnès Evren, Pietro Fiocchi, Helène Fritzon, Malte Gallée, Gianna Gancia, Andreas Glueck, Catherine Griset, Martin Hojsík, Pär Holmgren, Jan Huitema, Yannick Jadot, Adam Jarubas, Karin Karlsbro, Petros Kokkalis, Joanna Kopcińska, Peter Liese, Sylvia Limmer, Javi López, César Luena, Marian-Jean Marinescu, Fulvio Martusciello, Marina Mesure, Tilly Metz, Silvia Modig, Dolors Montserrat, Alessandra Moretti, Grace O’Sullivan, Nikos Papandreou, Jutta Paulus, Francesca Peppucci, Jessica Polfjärd, Erik Poulsen, Nicola Procaccini, María Soraya Rodríguez Ramos, Maria Veronica Rossi, Christine Schneider, Ivan Vilibor Sinčić, Nils Torvalds, Edina Tóth, Achille Variati, Mick Wallace, Emma Wiesner, Michal Wiezik, Tiemo Wölken, Anna Zalewska		
Substitutes present for the final vote	João Albuquerque, Biljana Borzan, Milan Brglez, Catherine Chabaud, Christophe Clergeau, Antoni Comín i Oliveres, Rosanna Conte, Norbert Lins, Marisa Matias, Sara Matthieu, Robert Roos, Christel Schaldemose, Róza Thun und Hohenstein, Sarah Wiener		
Substitutes under Rule 209(7) present for the final vote	Franc Bogovič, Herbert Dorfmann, Lena Düpont, Roman Haider, Jarosław Kalinowski, Rob Rooker, Bert-Jan Ruissen, Simone Schmiedtbauer, Sara Skyttedal, Romana Tomc		
Date tabled	28.6.2023		

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

44	+
NI	Antoni Comín i Oliveres, Maria Angela Danzi
Renew	Pascal Canfin, Catherine Chabaud, Martin Hojsík, Karin Karlsbro, María Soraya Rodríguez Ramos, Róza Thun und Hohenstein, Nils Torvalds, Michal Wiezik
S&D	João Albuquerque, Maria Arena, Marek Paweł Balt, Biljana Borzan, Milan Brglez, Delara Burkhardt, Sara Cerdas, Mohammed Chahim, Christophe Clergeau, Cyrus Engerer, Heléne Fritzon, César Luena, Javi López, Alessandra Moretti, Nikos Papandreou, Christel Schaldemose, Achille Variati, Tiemo Wölken
The Left	Malin Björk, Petros Kokkalis, Marisa Matias, Marina Mesure, Silvia Modig, Mick Wallace
Verts/ALE	Margrete Auken, Bas Eickhout, Malte Gallée, Pär Holmgren, Yannick Jadot, Sara Matthieu, Tilly Metz, Grace O'Sullivan, Jutta Paulus, Sarah Wiener

44	-
ECR	Sergio Berlato, Pietro Fiocchi, Joanna Kopcińska, Nicola Procaccini, Rob Rooker, Robert Roos, Bert-Jan Ruijsen, Anna Zalewska
ID	Mathilde Androuët, Aurélie Beigneux, Rosanna Conte, Gianna Gancia, Catherine Griset, Roman Haider, Sylvia Limmer, Maria Veronica Rossi
NI	Ivan Vilibor Sinčić, Edina Tóth
PPE	Hildegard Bentele, Alexander Bernhuber, Franc Bogovič, Traian Băsescu, Christian Doleschal, Herbert Dorfmann, Lena Düpont, Agnès Evren, Adam Jarubas, Jarosław Kalinowski, Peter Liese, Norbert Lins, Marian-Jean Marinescu, Fulvio Martusciello, Dolors Montserrat, Francesca Peppucci, Jessica Polfjärd, Simone Schmiedtbauer, Christine Schneider, Sara Skyttedal, Romana Tomc, Esther de Lange
Renew	Andreas Glueck, Jan Huitema, Erik Poulsen, Emma Wiesner

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention