



# Challenges and solutions for the national implementation of a Supranational Environmental Regulation against Invasive Alien Species: with a focus on cooperation and coordination

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# Outline

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2. Overview on IAS-cooperation & coordination exemplified by EU & its law
3. Methodology
4. Results
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  - b. national cooperation & coordination
5. Conclusions

# 1. Introduction & research goal I



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- International environmental agreements increasingly important for action against worldwide challenges towards sustainable development and environmental protection
- Invasive alien species are increasingly identified as a global threat to humans and other species
- ***Coordination and Cooperation:*** are necessary topics to strengthen in this context

International



National

(Subnational)

# 1. Introduction & research goal II (incl. definitions)



- ***“Cooperation”*: a voluntary collective effort of involved stakeholders, working together to achieve common objectives**
- ***“Coordination”*: an intentional, formal action in the pursuit of a common purpose**
- **This study aims to**
  - assess the importance of national and international cooperation and coordination for the implementation of a supranational regulation against invasive alien species (EU-IAS-Regulation)

## 2. Overview on EU & its law



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- 1957 founded as regional integration organization
- 28 Member States (MS) in 2019
- Own large legal framework binding for MS
- Enforcing mechanisms: esp. Court of Justice of EU & 1<sup>st</sup> instance court
- Certain number of legal instruments covered by enforcing mechanisms



# „Invasive Alien Species Regulation“

- Regulation (EU) 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of introduction and spread of invasive alien species
  - aims to prevent serious adverse impact on biodiversity & related ecosystem services, as well as other social economic impact
  - addresses ~ 12000 alien species (10-15% of them invasive)
  - is automatically enforceable in the EU member states and
  - requires some additional measures



# 3. Methodology I

## Three main methods applied:

1. An in-depth-literature review
2. Primary data gathering & analysis from **interviews** and **questionnaires**
  - a. completed by a wide range of stakeholders
  - b. Respondents from national and sub-national government as well as from NGOs and
  - c. And from two member states of the EU, namely
    - Austria (federally organized) and
    - Romania (centrally organized)



## 2. Methodology II

Table 1. Numbers of stakeholders interviewed and having completed the questionnaire and their status as public organization or non-governmental organization (NGO) (for details see [11,34,36]).

Country	Total ( <i>n</i> )	Surveys ( <i>ns</i> )	Interviews ( <i>no</i> )	Status as Organization or NGO		
				National (N)	Subnational (SN)	NGO
AT	16	16	8	8	6	2
RO	32	31 *	14 *	18 **	8 *	7 **
Total	48	47	22	26	14	9

\* one Romanian respondent from subnational level gave the interview, but did not complete the survey and is not in the survey analysis. \*\* for Romania, one respondent chose both National and NGO in the survey, this counts once at national level.

(Roman/Mauerhofer 2019:4)



# 4.a. Findings: cooperation (11x) & coordination` (9x in IAS-R)



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Table A2. Frequency of cooperation and coordination in the IAS Regulation and their main context.

Cooperation		Coordination		Type
Location in IAS Regulation (EU No. 1143/2014)	Context	Location in IAS Regulation (EU No. 1143/2014)	Context	
Preamble (16)	Regional (between Member States MS)—to include species with smaller populations on the Union list.			Transnational/National
Preamble (27)	Cross border (between neighboring countries/same biogeographical region of the Union)—for an effective application of the IAS Regulation.	Preamble (27)	Between MS—same goal as for cooperation.	Transnational
Preamble (31)	Regional (between MS)—for different decisions like e.g., updating the Union List, permits, adoption of emergency measures, etc.			Transnational/National
Art.10	Regional (between MS)—for emergency measures, including species in national lists, in accordance with Art.11 (IAS of regional concern and species native to the Union).			Transnational/National
Art.11 (1)	Regional (between MS)—required for clearing up situations of species from national list (IAS of MS concern).			Transnational/National
Art.11 (2) ×2 *	Facilitated by the European Commission EC (between involved MS) + justified regional cooperation (between MS).	Art.11 (2)	Facilitated by the European Commission EC (between involved MS).	Transnational
		Art.13 (3)	MS or regional—establish one single action plan (MS) or a set of action plans (regional level).	Transnational/National
Art.15 (7)	MS—ensure exchange of relevant information and the efficient and effective coordination and cooperation between all competent authorities involved.	Art.15 (7)	Same as for cooperation.	National
Art.22 (title)	Together with coordination in the title.	Art.22 (title)	With cooperation in the title.	
		Art.22 (1) ×3 *	With all MS—if necessary, use existing regional and international agreements.	Transnational
Art.22 (3) ×2 *	MS—also on species from national lists; establish mechanisms (exchange of information and data, action plans on pathways and exchange of best practice on management, control and eradication of IAS, early warning systems and programmes related to public awareness or education).	Art.22 (3)	Same as for cooperation.	Transnational/National

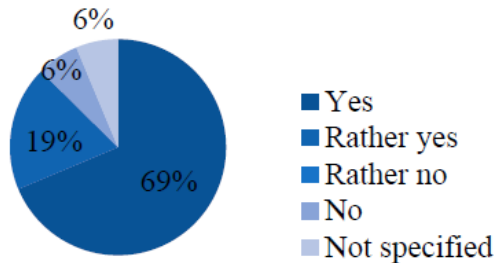
\* more than one occurrence in the same preamble or article (×2 or ×3).

# Q's: "Should AT/Romania participate in Regional/National List?"



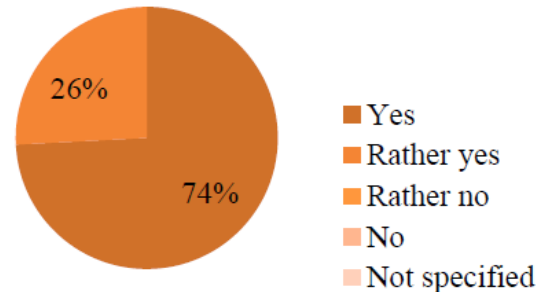
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AT: Approval to an IAS list of  
REGIONAL importance, n=16



(a)

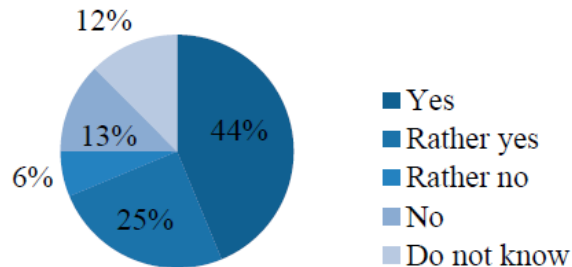
RO: Approval to an IAS-list of  
REGIONAL importance, n=31



(b)

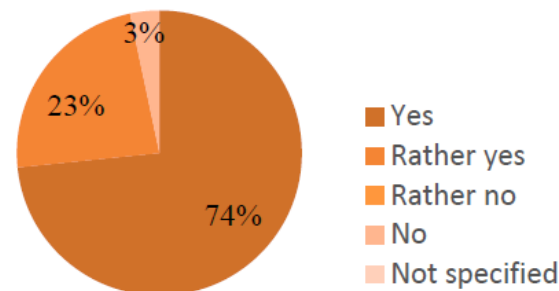
**Both lists  
are  
voluntary**

AT: Approval to an IAS list of  
NATIONAL importance, n=16



(c)

RO: Approval to an IAS list of  
NATIONAL importance, n=31



(d)

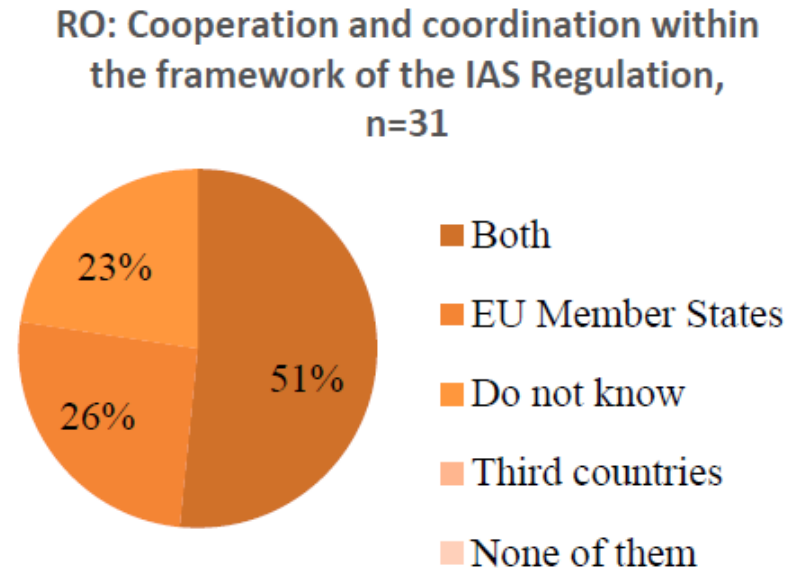
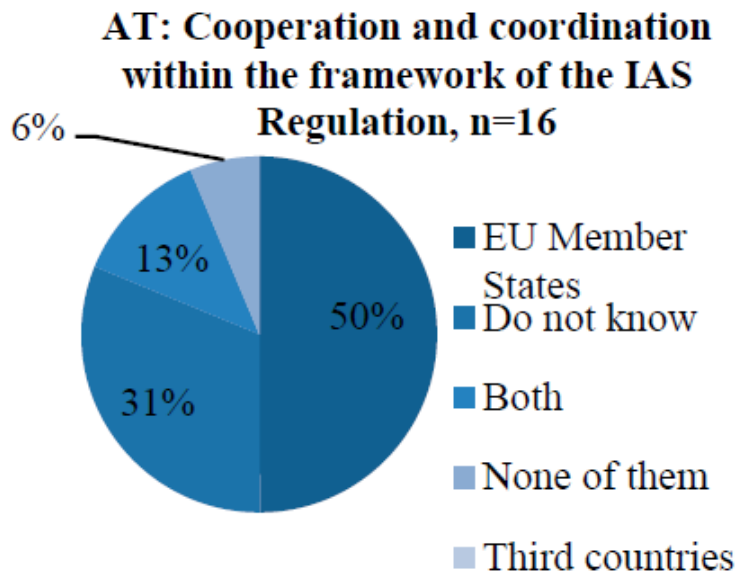
(Roman/Mauerhofer 2019:5)

**Quite  
similar  
results in  
AT and  
RO**

# Q: "With which states will you cooperate/coordinate within IAS-R?"



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- In Romania: in sum much more cooperation with EU in several ways indicated (77% to 63% in AT)
  - In Austria: even 6 % think that they will neither cooperate or coordinate with EU nor Third Countries.
  - „don't knows“: in AT: 31%; in Romania: 23 %
- (Roman/Mauerhofer 2019:6)

## Related interview question:

- (1) 9: Do you think you will cooperate with other EU states and/or third states regarding the implementation of the Regulation?
- (2) If yes, with whom and how?
- (3) How would the inner state cooperation work?

Roman/Mauerhofer 2019:4



**„How“ questions provide also reasoning why something works and why not.**

## 4.a. Results: transnational cooperation & coordination



*“[ . . . ] cooperation is used to exchange information about the distribution channels and how the regulation is implemented in Germany. For them it is a little bit easier, because of the nature conservation federal framework law, where they integrate this Regulation, which is not the case for Austria. In Brussels, there is also a working group under the Biodiversity Coordination Group, which aims for the Member States to work together, to report to each other, discuss campaigns, and exchange experiences and work information in this regard.” (AF)*

(Roman/Mauerhofer 2019:7)

- Coordination plays the key role among the rules for the environmental agreements like the EU-Regulation on Invasive Alien Species, but coordination without cooperation is not enough.
- For them to mutually work, knowledge of the structure (competence distribution) of nations and their interests (mostly economic interests) and those of all involved parties are crucial for a possible, healthy working cooperation and coordination.

## 4.a. Results: national cooperation & coordination



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*“In principle, the typical major problems appear because of the federal provinces and the federal state powers. Oftentimes federal provinces are misinformed, but we fight all together for improvement.” (AG)*

*“[ . . . ] on an inter-ministerial level or agencies, as the Romanian Water Agency (....), the communication is not very effective.” (RH)*

- national coordination and cooperation are weaker as the ones from the international level, **because** of the influence of the national competence distribution.
- Both national competence distribution systems, in Austria (federal) and Romania (central), influence the respective national and international coordination and cooperation regarding the implementation of the IAS Regulation

(Roman/Mauerhofer 2019:9)

# 5. Conclusions & Recommendations



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- **Current situations of cooperation and coordination in AT and RO make it difficult for the European Commission**
  1. to receive a realistic image in a EU-Member State of
    - a. the situation of IAS and
    - b. the implementation of the IAS Regulation and
  2. to be able to offer helpful support, if the national cooperation is poor, such as in AT and RO respectively.
- **Recommendations:**
  1. **More studies on the openness and awareness** of nations and stakeholders to cooperate could
    - improve the approach to a much-needed sustainable future
    - strengthen coordination at supranational, national and subnational levels
  2. **Convince stakeholders & governments** to comply through cooperation & coordination for future environmental and financial stakes



# 6. Roman/Mauerhofer 2019(11)1531

<https://www.mdpi.com/2071-1050/11/6/1531>



sustainability



*Article*

## Multilevel Coordination and Cooperation during Implementing Supranational Environmental Legislation: A Case Study on Invasive Alien Species

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**Abstract:** Coordination and cooperation are necessary topics to strengthen international

- **Revision in progress:**

Roman A. I. and **Mauerhofer V.**, Challenges and solutions for the national implementation of a Supranational Environmental Regulation against Invasive Alien Species, Sustainable Development/Wiley

# Thank you for your attention!



**Any  
questions?**

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