

**Wildlife and Countryside Link initial comments on the  
EU Invasive Alien Species Regulation  
23 September 2013**

**Need for European legislation**

1. Wildlife and Countryside Link (Link) members welcome proposals for European legislative action on invasive alien species, because such species are a major contributor to biodiversity loss and damage to ecosystem services, as well as damaging human health and economic interests. Such action is overdue, and forms a critical component of meeting our 2020 biodiversity targets. We wish to see the legislation passed as swiftly as possible.
2. These significant threats can only be effectively tackled through coordinated European action because invasive alien species (IAS) do not recognise administrative borders, the pathways of introduction are too often either unknown or inadequately policed and the trends show continued increases in IAS; coordinated European action will facilitate effective, early action on IAS and ensure that action taken by one member state is not undermined by inaction of another.

**Principles**

3. The legislation should be in line with the principles of the Convention on Biological Diversity (CBD) as outlined in the Convention and subsequent decisions adopted for tackling IAS. Following from this, a three-stage hierarchical approach should be adopted in tackling IAS: prevention; early detection and rapid eradication; and management of established IAS. A strong emphasis should be placed on a preventative approach, which is by far the most cost effective option, both in economic and ecological terms.
4. Tackling IAS should be primarily aimed at preventing, minimising and mitigating the adverse impacts of IAS on biodiversity and ecosystem services. Similarly, prioritising species to tackle at a European level should be done on the basis of the harm they cause to biodiversity and ecosystem services.
5. The polluter pays principle should be enshrined within the legislation. Those who intentionally allow known problem species to become established or invade should contribute to the action necessary to remedy the problem.
6. The use of cost benefit analyses must include the costs to ecosystem services, and long- as well as short-term costs. There must be a clear definition of what constitutes 'disproportionate' cost.

**Member state action**

7. Member states should be obliged to:
  - a. Tackle IAS of Union concern, using the precautionary principle. Criteria for identifying such species should be detailed and clearly defined, and include a thorough risk assessment which demonstrates the need for EU action owing to the threat of the species concerned to biodiversity and ecosystem services.
  - b. Adopt joint management plans for species of Union concern with neighbouring Member States, especially where there is a risk of spread to those neighbouring Member States, with a view to making the actions of Member States more effective.
  - c. Identify and tackle IAS which are not identified as species of Union concern using the precautionary principle, but which have significant negative impacts on biodiversity

and ecosystem services in their territory. Member States should be required to exchange information on and actively cooperate in tackling these species, including through the adoption of joint action plans, with a view to prevent their further spread in the environment.

- d. Closely target management measures at IAS and take into account the presence and conservation needs of native species that may be impacted by the measures.
- e. Set up early warning systems and protocols for early detection and rapid eradication. The Commission should be notified of new IAS invasions immediately after detection, and should be informed at least every year of the effectiveness of any eradication measures undertaken; derogation should only be allowed in exceptional circumstances.
- f. Identify and effectively tackle pathways of intentional and unintentional introduction (including ballast water), for species of Union concern and species of Member State concern, including those which represent a potential problem. Means of tackling these pathways should include the adoption of action plans. Each Member State's pathway action plans should be transmitted to the Commission immediately after adoption and should include a timetable for proposed measures. Measures in action plans should include those outlined in Directives 2004/102/EC on wood packaging and Directive 2002/32/EC on undesirable substances in animal feed.
- g. Strengthen ecosystem resilience – including measures to enhance the implementation of Habitats and Birds Directives and the Water Framework Directive – as an integral part of tackling IAS. This will both support ecosystems and native species, and protect against the environmental, social and economic costs of reinvasion. Such measures should include restoration of degraded ecosystems.
- h. Undertake strategic surveillance that increases understanding of existing populations, enables vigilance for species yet to arrive, and supports mapping and evaluation of impacts of IAS.
- i. Put in place system of sanctions for natural or legal persons not complying with the IAS legislation.
- j. Establish which agency is responsible for responding to a new or existing threat from IAS.
- k. Report on their action to tackle IAS, as well as information on presence of IAS on their territory (even when IAS on their territory are not identified as IAS of Union or MS concern).

### **Ban on IAS**

8. The legislation should ban the import, transit through, transport, growing, buying, use, exchange, marketing, possession and release into the environment of IAS of Union concern; it should also introduce a ban on release into the environment of IAS of Member State concern, and provision for the introduction of bans on the transport, growing, buying, use, exchange, marketing and possession of IAS of Member State concern, where these are deemed necessary by the Member State to tackle the threat.
9. Commercial stocks of IAS should not be allowed to be sold after the list of species of Union concern is adopted. We accept that a transitional period may be needed, but we believe that it should be only one year.

### **List of species of Union concern**

10. The list of species of Union concern should not be limited to a certain number of species. A scientific group should be established to provide guidance to the Committee – comprised of Member States – on the development and update of the list of species of Union concern and to review the risk assessments.
11. The list of species of Union concern should be drawn up on the basis of risk assessment, and IAS with greatest current or potential negative impact on biodiversity and ecosystem services should be prioritised. Those species which are thought to represent high potential risk should be prioritised for risk assessment.
12. Risk assessment methodologies should be harmonised, but this process should not unduly detract from the need to act quickly on certain known problem species.
13. A mechanism should be put in place for undertaking an emergency response to a new IAS, including introducing the required bans, and subsequently listing them on the list of species of Union concern. Member States should be obliged to share information with the Commission and their immediate neighbours when an invasion occurs, for both species of Union and Member State concern.

### **Information sharing**

14. Information sharing is needed to provide an effective response, and one that creates a level playing field amongst Member States and also commercial operators. A European information portal should: support Member States and the civil society stakeholders; be accessible; and be up to date.
15. Create intelligent links with EU wide animal and plant health regimes and associated regulations, making use of existing protocols, systems and checks to identify and control problem species.

### **Animal welfare**

16. Animal welfare considerations should be fully taken into account, both in terms of the impact of IAS on native species and the appropriate protocols for humane management of eradications of IAS. As a minimum, guidance on animal welfare considerations should be drawn up.

### **Stakeholder engagement**

17. Effective public participation should be ensured in the text of the legislation; the public, including environmental stakeholders, should have an opportunity to engage with the development of the list of species of Union concern and any action taken pursuant to the IAS regulation by Member States (including the action plans to tackle pathways of IAS and management measures).
18. It is key that stakeholder engagement by those representing pan-European interests should be involved in the decision making process. Lessons should be learned from the Water Framework Directive and the Commission's Strategic Co-Ordination Group for the Common Implementation Strategy.

### **Monitoring and enforcement**

19. Monitoring and enforcement of the legislation by the European Commission is vital, and must be both effective and proportionate.

These headline comments are supported by the following ten organisations:

- Angling Trust
- Buglife – The Invertebrate Conservation Trust
- Mammal Society
- National Trust
- Plantlife
- Royal Society for the Protection of Birds
- Salmon & Trout Association
- The Rivers Trust
- The Wildlife Trusts
- Wildfowl and Wetlands Trust
- Woodland Trust

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