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Mr Stefan Leiner
Head of Unit, Biodiversity
Environment Directorate-General
European Commission
B-1049 Brussels

8 October 2015

RE: List of Invasive Alien Species of Union Concern

Dear Mr Leiner,

On behalf of the undersigned organisations, we are writing to express serious concerns about the process and the content of the List of Invasive Alien Species (IAS) of Union Concern, which will be adopted pursuant to the Invasive Alien Species Regulation (Regulation (EU) No 1143/2014).

We became aware of the content of the list when the draft *Commission Implementing Regulation adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council* was posted on the WTO website at the end of July.

We are deeply disappointed that the draft *List of Invasive Alien Species of Union Concern* annexed to the Implementing Act lists a mere 37 species. By addressing such a small number of species, the Commission is falling short of the political commitment and legal responsibility necessary to address a global environmental problem of this magnitude. Such a list seriously hampers the objective of the IAS Regulation, which is to prevent, minimise and mitigate the adverse impact of the introduction and spread of invasive alien species on biodiversity in the Union.

This draft list fails to tackle some of the most problematic, widely spread and harmful species, it fails to include species with high impact on biodiversity that are absent or in the early stages of invasion (70% of the species proposed are already present in Europe) and it fails to address some of the main pathways (there are no marine species on the list). The current choice of species ignores the cost of inaction (Art. 4.6) and the huge burden (in the order of billions of Euros) being transferred to future generations.

Already when the draft IAS Regulation was proposed in 2013, NGOs and the conservation and scientific communities, while welcoming the new Regulation, expressed deep concern with respect to the cap of 50 species on the list of IAS of Union concern that had initially been proposed by the Commission. Moreover, both the European Parliament and the Council considered this arbitrary cap on the Union list problematic, and voted explicitly for its removal. It would appear that those efforts proved inconsequential, since less than 50 species are being proposed now.

We therefore urge the Commission to ensure it delivers sufficiently on its commitments towards biodiversity by:

- a) adopting a scientifically-robust, comprehensive and representative *List of Invasive Alien Species of Union Concern*, giving priority to: (i) the most harmful species with a higher impact on biodiversity, and (ii) those that are not yet present in the EU or are in the early stages of invasion,
- b) taking the necessary steps to allow a sufficient number of terrestrial and marine species to be risk assessed and listed, so that their pathways of unintentional introduction can be addressed.

In addition, we would like to draw your attention to two recent initiatives aimed at prioritising species for risk assessment, as a necessary step towards their listing as IAS of Union concern. An European Commission-funded horizon scanning exercise, undertaken by a group of scientists led by Professor Helen Roy, identified 95 species of all taxa

within marine, terrestrial and freshwater environments, absent or in the early stages of invasion, considered as very high or high priority for risk assessment. They represent the most threatening new and emerging IAS.

A similar initiative, led by BirdLife Europe, used a systematic approach to prioritise species for risk assessment based on their potential impact on biodiversity, and related ecosystem services, and the history of their presence in the EU. It included introduced, as well as absent species, and identified 200 as very high priority for urgent risk assessment; another 326 species were identified as requiring risk assessment to be completed before the review of the Regulation due by 1st June 2021. The results of this work have been submitted for publication in a scientific journal, and will be made available to the Commission in due course.

With respect to the process, we feel that there has been a significant lack of transparency regarding the Commission's Implementing Act. Although this has been shared with the Member States and officially submitted to the WTO, it was not communicated to any of the organisations or stakeholders that participated in the shaping of the Regulation, including previous working groups, and contributed positively to its adoption. Our continued interest in monitoring the implementation of the Regulation is clearly evident through, for example, our involvement in the Commission-led Working Group on Invasive Alien Species (WGIAS). Unfortunately, the draft document was not shared with that group either. As representatives of the civil society, we expect an open, transparent and participative process in this important environmental issue.

There are sufficient scientific grounds for the Commission to be more proactive in addressing IAS and to emphasise prevention as a more environmentally desirable and cost-effective strategy. The positive impact of the IAS Regulation will depend on the length and the political ambition of the *List of Invasive Alien Species of Union Concern*. We urge the Commission to ensure it adopts a list containing an impactful number of species, representing at least the most problematic pathways (including in the marine environment), to guarantee a successful, effective implementation of this important piece of new legislation.

Unless the list is urgently extended to include a coherent, representative list of species, this will not only be a missed opportunity to make a difference and to save the economy billions of Euros, but it will also effectively result in the EU deviating from its 2020 Biodiversity Strategy and Aichi targets.

Our recommendations above would help to restore our confidence in the seriousness of the EU to tackle invasive alien species as a major threat to biodiversity loss. We would appreciate the opportunity to discuss our proposals in a face-to-face meeting with you in the next few weeks.

Yours sincerely,



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