1. Conclusions and recommendations

1.1 Invasive species (IS) are an increasing threat to biodiversity, agriculture and public health. At this moment, the estimated cost of IS is between 10 and 12 billion Euro a year, which also makes it a real threat to the economy.

1.2 The Committee acknowledges that there is a clear need for action, as also expressed at the highest political level, and takes note of the four policy options to tackle IS, as described in the Communication: ‘business as usual’, use of existing legal instruments together with voluntary measures, adapted existing legislation and the setting up of a comprehensive, dedicated EU legal instrument.

1.3 The Committee acknowledges that the document provides an excellent analysis, but at the same time notes that the Community should have responded already three years ago when the Biodiversity Action Plan was adopted, and therefore calls for immediate action.

1.4 The Committee is convinced that the best approach to tackle the threat of IS would be through the adoption of a comprehensive, dedicated EU legal instrument, as well as the establishment of a European Agency to monitor implementation.

1.5 The Committee emphasises the need to raise awareness among the EU public about the threat posed by IS due to rapidly growing trade and transport activities. This could be achieved through communication and education activities, highlighting the various threats and the economic cost of no/insufficient action.

1.6 The Committee deems it important that the social aspects of tackling IS are duly taken into account in the application of current EU rules or in a future comprehensive EU legal instrument, as illustrated by the significant health risks associated with the gasification of tankers upon their arrival in EU ports.

2. The issues at stake

2.1 What are Invasive Species?

2.1.1 The term ‘Invasive Species’ used throughout this document encompasses the terms ‘Invasive Alien Species’ as found in the Convention on Biological Diversity and ‘Invasive non-native species’. Invasive Species are broadly defined as species whose introduction and/or spread may threaten biological diversity or have other unforeseen consequences. The European Commission states in its Communication that Invasive Species (IS) are becoming an increasing problem to the EU.

2.1.2 The DAISIE project, supported under the Sixth EU Research Framework Programme, has identified 10 882 non-native species present in Europe, 10 — 15 % of which are expected to have a negative economic or ecological impact. The main drivers directly affecting biodiversity are habitat change, climate change, over-exploitation, pollution and IS.

2.2 The need for action

2.2.1 While EU instruments exist to deal with four out of those five factors, there is, in contrast to several other OECD countries, currently no comprehensive instrument at EU level to tackle IS. This shortcoming needs to be addressed if the EU is to attain its goal ‘to halt the decline of biodiversity by 2010’. In addition, IS also represent a major economic threat to the EU.
2.2.2 The need for coordinated action to tackle the IS issue has been expressed at the highest political level. The Environment Council, the European Parliament, the Committee of the Regions (1) and the European Economic and Social Committee (2) have all stressed the need for an EU strategy on IS and an effective early warning system and for effective response mechanisms at EU level. Similar commitments have been included in the Sixth Environmental Action Programme, as well as in the Communication from the Commission on Halting the Loss of Biodiversity by 2010 and Beyond and its associated Action Plan.

2.3 The main pathways

2.3.1 Invasive species (IS) may arrive and enter a new region through three broad mechanisms: importation as a commodity, introduction via a transport vector, and/or natural spread from a neighbouring region where the species is itself alien. These three mechanisms result in six principal pathways: release, escape, contaminant, stowaway, corridor and unaided.

2.3.2 Rapidly growing trade and transport activities expand the opportunities for IS introduction, and environmental pressures. The existence of the single market means that once an IS is introduced in the territory of one Member State, it can be dispersed rapidly throughout the EU. Therefore, addressing trade-related issues can only be done effectively at the EC’s external frontier. Given the way that these species become established and spread, measures taken by one Member State can be totally negated, if neighbouring countries fail to take action or respond in an uncoordinated manner.

2.3.3 Rising CO₂ concentrations, warmer temperatures, greater nitrogen deposition, altered disturbance regimes and increased habitat degradation are likely to facilitate further invasions.

3. The impact

3.1 Impact on ecology

The environmental consequences of IS are considerable, ranging from wholesale ecosystem changes and the near extinction of native species, to more subtle ecological changes. IS are considered one of the major threats to biodiversity.

3.2 Impact on the economy

IS can reduce yields from agriculture, forestry and fisheries. They are also known to decrease water availability and to cause land degradation through increased soil erosion.

3.3 Impact on public health

A number of human health problems, e.g. allergies and skin problems, are caused by IS, the effects of which are aggravated by climate change.

3.4 Impact on budgets

In 2008, an initial estimate assessed annual IS-related costs in Europe at between EUR 9 600 million and EUR 12 700 million per year. This figure is undoubtedly an underestimate, as it is based on current expenditure to eradicate and control IS plus the documented cost of the economic impact.

4. Approaches to tackle IS

4.1 As regards the policy response to IS threats, an internationally agreed ‘three-stage hierarchical approach’ supports measures based on 1) prevention, 2) early detection and eradication, and 3) control and long-term containment.

4.1.1 Prevention

To reduce or prevent further introductions by trade, it would be necessary to step up controls and inspections at borders. Preventing intentional introductions could be achieved through imposing stricter rules supported by exchange of information between national, regional and international bodies working on the control of IS. Prevention in relation to hitchhiker organisms that are introduced on the hulls or in ballast water of ships would benefit from the ratification and implementation of the Ballast Water Convention.

4.1.2 Early detection and rapid eradication

Early detection and rapid eradication of IS depend on effective monitoring programmes, coupled with an early warning mechanism to inform other potentially affected areas as quickly as possible, and to exchange information on potential eradication strategies.

4.1.3 Control and containment

Where IS are both established and widespread, the emphasis must be placed on control and containment. Once again this will entail effective exchange of information and implementation of coordinated campaigns and actions to control/stop the spread of the species concerned.

5. Existing tools and policy options

5.1 Existing legislation

Having regard to the different elements of a strategy as described above, the Commission has assessed the current EU legislation, research programmes, action plans and
other initiatives. The Commission has concluded that there are major gaps between all the existing EU legal instruments, making an adequate response to the threat of IS practically impossible. At the international level, the International Maritime Organisation adopted the Ballast Water Management Convention in 2004, which should enter into force 12 months after ratification by 30 states, representing at least 35% of world merchant shipping tonnage. As of 28 February 2009, only 18 states representing 15.36% of world tonnage had ratified. The 18 states include just two EU Member States, i.e. Spain and France. Norway, one of the EEA States, has also ratified.

5.2 Policy options

The Communication describes the following four options to tackle IS appropriately:

5.2.1 Business as Usual

The ‘business as usual’ option provides a reference point, against which other options can be assessed.

5.2.2 Maximising the use of existing legal instruments together with voluntary measures

The formal legal requirements would remain as they are today, but there would be a conscious decision to proactively address IS problems under existing legislation. Member States would voluntarily make IS issues part of their border control function. A Europe-wide Early Warning and Information System based on existing activities could also be set up.

5.2.3 Adapted existing legislation

This option is similar to option 5.2.1 in most respects, but would include amendments to the existing legislation on plant/animal health to cover a broader range of potentially invasive organisms.

5.2.4 Comprehensive, dedicated EU legal instrument

This option would involve the setting up of a comprehensive, dedicated legal framework for tackling IS with independent procedures for assessment and intervention taking into account existing legislation. If it were considered desirable and cost effective, the technical aspects of the implementation could be centralised by a dedicated agency. Member States including the European Outermost Regions would be obliged to carry out controls at borders for IS and to exchange information on IS. Mandatory monitoring and reporting procedures and efficient rapid response mechanisms might also be established. While it is possible to envisage some EU funding being dedicated to support eradication and control actions, Member States could also fund these actions directly. This option would be the most effective in terms of control of IS. It would provide the greatest legal clarity whilst respecting the principle of proportionality.

6. Comments

6.1 Repetition

The EESC acknowledges that the document is an excellent analysis. It paints a clear picture of how serious the threat of IS on biodiversity, agriculture, public health and on the economy in general is. However, the Committee notes to its surprise that the same analysis — maybe not in exact words but certainly in the same spirit — was already laid down in the 2006 Biodiversity Action Plan, which provided the same argumentation. The EESC had surely hoped that something more would have been achieved by now than just a repetition of a three-year-old analysis. The Communication calls for actions that should have been taken years ago.

6.2 Need for a comprehensive approach

6.2.1 The Commission writes in the Communication that halting the loss of biodiversity in the EU will not be possible without tackling IS in a comprehensive manner. The ecological, economic and social consequences of IS in the EU are significant and require a coordinated response. At present, the Community is unable to deal with IS efficiently and biodiversity-rich areas, e.g. EU overseas entities, do not receive appropriate attention. The existing EU legislation partially covering different aspects of IS makes coordinated implementation difficult. Policy consistency between most Member States is low or non-existent. Scientific scenarios point to a dramatic increase in biological invasions. Therefore it is likely that the situation will get worse.

6.2.2 The Committee is convinced that the best way to tackle the threat of IS would be through the adoption of a comprehensive, dedicated EU legal instrument as well as the establishment of a new European Agency to coordinate and execute the management of IS according to the three-stage hierarchical approach. That is the only way to ensure effective action, as is also stressed in the magazine Science. The estimated cost of such a European agency would be between EUR 4 and EUR 10 million a year, which is insignificant compared to the costs of the ecological, economic and sanitary impacts if the EU does not take action. A Commission initiative to stimulate EU-wide ratification of the Ballast Water Management Convention as quickly as possible would also be a major step forward in managing IS in an adequate way.

6.3 Probable resistance

6.3.1 A new European legally binding instrument, as well as a new European Agency to execute new legislation, may meet resistance in several Member States for financial reasons. In their view, this type of measures should be paid for from
the European budget, as it would be unreasonable to make the Member States with major ports and air hubs — by definition the places where most IS enter Europe — financially responsible for a policy the entire EU would profit from. Politicians in the Member States may see additional legislation and regulation to address an increasing biological invasion as a cost and therefore as an impediment to national economical growth, while taxpayers will most probably resist those extra costs, as they don’t yet recognise the threats posed by IS. However this reluctance should not become an excuse for not taking action.

6.4 Communication and education

6.4.1 It is important to have an informed and engaged public in order to address IS issues effectively. At the moment, only 2% of European citizens feel that biological invasions are important threats to biodiversity. Communication and education activities should build a sense of responsibility amongst European citizens, authorities and industries with regard to the potential threats of trade in and movement of potential IS. If these communication and education activities are not limited to the threat to biodiversity but also highlight the other dangers — to public health, to agriculture — people may become less reluctant towards new legislation and the establishment of a new European Agency, especially when it becomes clear that doing nothing will be much more expensive in the long term than acting now. And the sooner adequate action is taken, the lower the overall costs will be.

6.5 Social aspects

6.5.1 The EESC suggests that the Commission examines all existing tools and legislation to tackle IS and their harmful social side effects. The example of the gasification of containers that are shipped to Europe from other continents, to ensure that they arrive uncontaminated in European ports, illustrates these side-effects.

6.5.2 There are several ways to ensure that containers arrive uncontaminated in EU ports. However, the most common way is to gasify the containers with methyl bromide. Although that is the easiest and the cheapest way in the harbours where the containers are shipped from, it is at the same time the most complicated, as well as most expensive and most dangerous way in the harbours where the containers arrive.

6.5.3 Gasified containers need considerable time to degasify before they are safe to enter. However, as the entire economy is based on ‘just-in-time’ systems and containers have to be unloaded directly, there is often no time to degasify the containers properly. Due to this pressure, dock workers may enter the containers too early and without proper protection. Furthermore, gasified containers are often not labelled properly that they should be handled with care. To ship a gassed container is more expensive than to ship an un-gassed one, and in order to save costs many gassed containers are shipped without the prescribed label that they should be handled with care. In those cases, dock workers enter the containers without any protection to unload them directly after arrival. Since methyl bromide is not visible and has no smell, the poisonous gas can do its destructive work without the workers being aware of this. Consequently, an increasing number of dock workers have been contaminated with the very poisonous methyl bromide and disabled for the rest of their lives. As there are alternatives for treatment with methyl bromide, a ban on gasifying containers would fit well within a future framework of sustainable control measures for the early detection of IS.

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