



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D.3/PC/mbe/Ares (2020)

Mr. Aurelio
Bilbao Barandica, Chairman
South West Waters Advisory
Council
6 rue Alphonse Rio,
F-56100 Lorient

Subject: Advice 144 from SWWAC on invasive algae

Dear Mr. Bilbao Barandica,

Thank you for your Advice 144 mentioned in the subject line. I share your opinion on the need for coordinated monitoring and management of invasion by the alga *Rugulopteryx okamurae*. The EU legislative framework for a coordinated response to invasive alien species, including their monitoring and management, is laid down in Regulation (EU) No 1143/2014¹. The latter provides for the adoption of a list of invasive alien species of Union concern, also referred to as the “Union list”. Pursuant to this Regulation, Member States are subject to specific obligations for all species included in this list. In addition, Article 22 of the Regulation provides that the Member States concerned shall make every effort to ensure coordination with the other Member States in the same marine sub-regions and, where applicable, with third countries, including, where practical and appropriate, by using existing structures arising from regional or international agreements.

An application submitted by the Spanish government for inclusion of this species on the Union list is currently under evaluation. The next steps in this procedure include consultation of the Member States, following which a decision will be taken in the course of 2021.

The European Maritime and Fisheries Fund² may provide opportunities to support measures for the protection and restoration of biodiversity and marine ecosystems in the framework of sustainable fishing activities. Also, the next European Union research and innovation investment programme may offer funding possibilities for activities such as characterisation of the active molecules found in *Rugulopteryx okamurae*³.

¹ Regulation (EU) No 1143/2014 of the EP and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35)

² Regulation (EU) No 508/2014, OJ L 149, 20.5.2014, p. 1

³ https://ec.europa.eu/info/horizon-europe_fr

If this alga is added to the Union list, its commercial use may be temporarily authorised as part of management measures aimed at its eradication, population control, or containment, provided that this is strictly justified and all appropriate controls are in place to prevent its further spread.

Concerning ballast water management, allow me to point out that this issue is dealt with exclusively by Member States. As the Member States have not conferred any particular authority on the European Union in this area, the Commission is not in a position to establish ballast water quality control measures. Member States who ratified the International Convention for the Control and Management of Ballast Water (including all Member States covered by SWWAC) can verify compliance of visiting ships at port state control inspections in accordance with the guidelines drawn up in the Paris Memorandum of Understanding⁴.

I would like to thank SWWAC for the work it has accomplished, and I invite you to contact Ms Pascale Colson, Coordinator of the Advisory Councils (pascale.colson@ec.europa.eu, +32.2.295.62.73) for any additional information on this answer.

Yours sincerely,

Charlina Vitcheva

⁴ <https://www.parismou.org/>