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Antwoord van het Instituut voor Natuur- en Bosonderzoek naar aanleiding van de vraag van het ANB in verband met het opnemen van paling als CITES Appendix II soort (vraag van 23 november 2006).

C. Geeraerts & C. Belpaire

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1 Inleiding

Y. Lundell van de Natur Vårdsverket in Zweden stuurde een rondvraag naar de verschillende lidstaten die in het verspreidingsgebied van de Europese paling liggen, om te overleggen over de opname van deze vissoort in CITES. Zweden stelt voor om paling als amendement op te nemen in de Appendix II en dit te bekijken tijdens het "14th Conference of CITES" in 2007. In deze context wil Zweden de verschillende lidstaten consulteren over de draft versie van dit amendement. Hen wordt gevraagd om commentaren en informatie hieromtrent door te sturen naar de Swedish Environmental Protection Agency.

2 Wat is CITES

CITES staat voor "the Convention on International Trade in Endangered Species of Wild Fauna and Flora". Het is een internationale overeenkomst tussen verschillende regeringen met als doel ervoor in te staan dat de internationale handel in specimina van wilde dieren en planten hun overleving niet in het gedrang brengt. De overeenkomst "Convention on International Trade in Endangered Species of Wild Fauna and Flora" werd op 3 maart 1973 in Washington getekend en op 22 juni 1979 in Bonn aangepast.

Hieronder worden de beschermingsmaatregelen weergegeven voor de soorten die in Appendix II opgenomen worden.

Article IV

Regulation of Trade in Specimens of Species Included in Appendix II

1. All trade in specimens of species included in Appendix II shall be in accordance with the provisions of this Article.
2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
 - (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
 - (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
3. A Scientific Authority in each Party shall monitor both the export permits granted by that State for specimens of species included in Appendix II and the actual exports of such specimens. Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management Authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.
4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.
5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certifi-

certificate shall only be granted when the following conditions have been met:

- (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and
 - (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and
 - (b) a Management Authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.
7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a Scientific Authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such periods.

3 Advies van het INBO

Europese paling is een soort die zich buiten de biologische veiligheidsgrenzen bevindt. Daarom is het wenselijk dat paling ook op internationaal niveau zoveel mogelijk beschermd wordt. Zweden heeft daarom recent (2005) het initiatief genomen om Europese paling op de IUCN Rode Lijst te zetten als CR (Critically Endangered).

Het INBO wil een positief advies uitspreken over de vraag of Vlaanderen achter het voorstel staat om Europese paling op te nemen in Appendix II van het CITES. Het wil er wel op wijzen dat andere diensten wellicht beter in staat zijn de implicaties voor de handel in te schatten. Daarbij wil het INBO ook opmerken dat er naar aanleiding van de ICES/EIFAC - Working Group on Eel (Nantes, 2-6 September 2002) door Belpaire *et al.* (2002) een aantal mogelijke internationale beschermingsstatuten vergeleken werden (zie hieronder).

1. In **the Bern Convention on the Conservation of European Wildlife and Natural Habitats** (1979), states agreed to conserve wild flora and fauna and their natural habitats, especially those species and habitats whose conservation requires the co-operation of several States, and to promote such co-operation. Particular emphasis is given to endangered and vulnerable species, including endangered and vulnerable migratory species (Article 1) and the Contracting Parties shall take requisite measures to maintain the population of wild flora and fauna at, or adapt it to, a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements and the needs of sub-species, varieties or forms at risk locally (Article 2). The Convention of Bern entered into force in Belgium on December 1st, 1990.
The aim of the **Bonn Convention on the Conservation of Migratory Species of Wild Animals** (1979) was to acknowledge the importance of migratory species being conserved and to take action to this end whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in co-operation appropriate and necessary steps to

conserve such species and their habitat. Furthermore, countries need to take action to avoid any migratory species becoming endangered. The Bonn Convention entered into force in Belgium on October 1st, 1990.

2. The **Benelux decree on the free migration of fish species** in the hydrographic river basins of Benelux countries was signed in The Hague in 1996 and stated that all Benelux countries have to guarantee the free migration of fish species in all water courses. Priority must be given to the large catadromous and anadromous migrators to allow the migration between spawning areas and on-growing areas. By January 1st, 2010 migration in all fish species in all waterways should be made possible irrespective of the manager.
3. The **habitat directive** (Council directive of May 21th, 1992 on the conservation of natural habitats and of wild fauna and flora) wants to contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora, by designing measures to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest, taking account of economic, social and cultural requirements and regional and local characteristics. A coherent European ecological network of special areas of conservation shall be set up (Natura 2000). This network shall enable the natural habitat types and the species' habitats concerned to be maintained or, where appropriate, restored at a favourable conservation status in their natural range.
4. The **EU Water Framework Directive** (2000) wants to protect all waters and sets ambitious objectives to ensure that all waters meet 'good status' by 2015. The quality of surface waters is a.o. monitored through fish assemblage assessment. Construction of hydroelectric power stations on our water courses will hamper to attain the WFD objectives.

In het kader van deze WG werd door Belpaire *et al.* (2002) gesuggereerd om de Europese paling, een lange afstand migrator die zich buiten de biologische veiligheidsgrenzen bevindt, op te nemen in de **Appendix II van de Bonn Convention**. Appendix II lijst de migrerende soorten op waarvan de overlevingskansen bedreigd zijn en waarvoor bijgevolg internationale overeenkomsten nodig zijn voor hun instandhouding en beheer. Appendix II lijst eveneens soorten op waarvoor de instandhouding significant verbeterd kan worden door internationale samenwerking die tot stand kan komen door een internationale overeenkomst (Bonn Convention).

Referentie:

Belpaire, C., De Charleroy, D., Coeck, J., Janssens, L en Monden, S. 2002. Flemish plans for hydropower turbines : additional loss for eel spawning stock? Nota voor ICES/EIFAC – Working Group on Eel (Nantes, 2-6 September 2002), 4p. Instituut voor Bosbouw en Wildbeheer, Groenendaal. IBW.Wb.BR.2002.81.