



Landbúnaðarnefnd Alþingis
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Alþingishúsið við Austurvöll
150 Reykjavík

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SAP/--

Vísað er til erindis landbúnaðarnefndar Alþingis dags. 16. f.m. þar sem óskað er eftir umsögn ráðuneytisins um frumvarp til laga um lax- og silungsveiði.

Ráðuneytið gerir eftirfarandi breytingartillögur og athugasemdir við frumvarpið:

1. 3. gr. 1. tl.

1. Til fiskeldis og hafbeitar þarf rekstrarleyfi landbúnaðarráðherra að fenginni umsögn dýralæknis fisksjúkdóma, fiskeldisnefndar, fisksjúkdómanefndar, veiðimálanefndar, Náttúruverndar ríkisins og veiðimálastjóra.

Ráðuneytið telur mikilvægt að leitað verði umsagnar Náttúruverndar ríkisins enda kunna að vera um að ræða atriði sem snerta framkvæmd náttúruverndarlaga nr. 44/1999 s.s. friðun.

2. 4. gr. 3. tl.

..... Ef um ítrekaðar slysasleppingar er að ræða getur landbúnaðarráðherra tekið rekstrarleyfi til endurskoðunar eða fellt það úr gildi.

Ráðuneytið telur óheppilegt að tala um slysasleppingar því í þessu sambandi getur ekki verið átt við sleppingu heldur að fiskur sleppi eða tapist úr eldisstöðinni ítrekað og þá væntanlega vegna þess að einhverju er ábótavant. Eðlilegra væri að segja "Ef eldisfiskur sleppur ítrekað frá eldisstöðinni getur landbúnaðarráðherra"

3. 5. gr. c-liður 1. tl.

1. Kynbættan eldislax er eingöngu heimilt að nýta til fiskeldis og óheimilt er að sleppa honum í fiskrækt eða hafbeit. Veiðimálastjóri getur veitt rannsóknaraðila undanþágu til sleppitilrauna í smáum stíl, að fenginni umsögn Veiðimálastofnunar, fiskeldisnefndar og Náttúruverndar ríkisins.

Skilgreiningu á kynbótum vantar inn í lögina og leggur ráðuneytið til að úr því verði bætt þannig að ljóst sé hvað er átt þegar talað er um kynbætur í lögnum. Nauðsynlegt er og að leitað verði umsagna um umhverfisþátt málsins. Eðlilegt er því að leitað verði umsagnar Náttúruverndar ríkisins, áður en slíkt leyfi er veitt.

4. 5. gr. c-liður 3. tl.

3. Veiðimálastjóri getur veitt undanþágu til flutnings á eldistegundum sem ekki eru tilgreindar í rekstrarleyfi milli fiskeldis- og hafbeitarstöðva svo og til flutnings á lifandi fiski og frjóvguðum hrognum milli ótengdra vatnasvæða að fenginni umsögn dýralæknis fisksjúkdóma og fisksjúkdómanefndar. Veiðimálastjóri skal leita umsagnar Veiðimálastofnunar, Náttúrufræðistofnunar Íslands og Náttúruverndar ríkisins um hvort náttúrulegar aðstæður á fyrirhuguðu starfssvæði fiskeldis- eða hafbeitarstöðvar eða vatnasvæði gefa tilefni til aukinnar hættu á erfðablöndun. Báðar þessar stofnanir umhverfisráðuneytisins gegna veigamiklu hlutverki við framkvæmd samningsins um líffræðilega fjölbreytni.

Í þessu sambandi telur ráðuneytið mikilvægt að benda á grein 8.h í samningnum um

líffræðilega fjölbreytni þar sem segir að hver samningsaðili skuli eftir því sem hægt er og viðeigandi " koma í veg fyrir að fluttar séu inn erlendar tegundir sem ógna vistkerfum, búsvæðum eða tegundum, að öðrum kosti stjórna þeim eða uppræta þær, ". Á grundvelli þessa ákvæðis samningsins hafa verið samþykktar leiðbeiningarreglur um innflutning og meðferð útlendra tegunda og um skyldur ríkja í þeim efnunum. Þessar reglur fylgja með þessari umsögn nefndinni til fróðleiks.

5. 5. gr. e-liður

Landbúnaðarráðherra getur einnig að fenginni umsögn dýralæknis fisksjúkdóma, fiskeldis nefndar, veiðimálanefndar, veiðimálastjóra, Náttúruverndar ríkisins og Veiðimálastofnunar takmarkað eða bannað fiskeldi, hafbeit eða ákveðnar eldisaðferðir í einstaka fjörðum, flóum eða landsvæðum sem teljast sérlega viðkvæm gagnvart slíkri starfsemi.

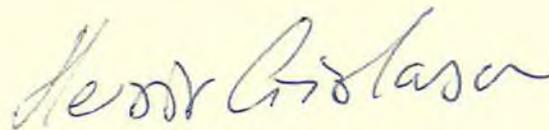
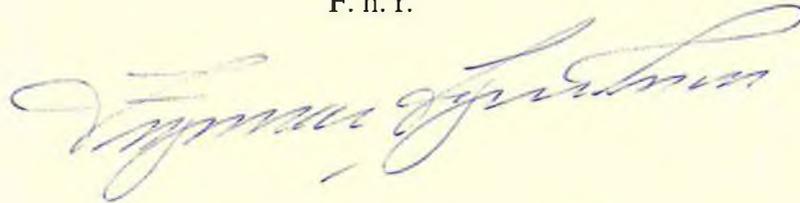
Ráðuneytið telur nauðsynlegt að ráðherra leiti einnig umsagnar Náttúruverndar ríkisins um svæði sem viðkvæm eru gagnvart þeirri starfsemi sem hér um ræðir. Það er í fullu samræmi við hlutverk Náttúruverndar ríkisins skv. lögum um náttúruvernd og eðlilegt að landbúnaðarráðherra fái fram sjónarmið stofnunarinnar í þessum efnunum. Náttúruvernd ein og sér gæti verið nægjanlegur grundvöllur til slíkra takmarkana og banna.

6. 7. gr. 1. tl.

1. Í fiskeldisnefnd eiga sæti fimm menn. Landbúnaðarráðherra skipar nefndina til fjögurra ára í senn, einn án tilnefningar, einn samkvæmt tilnefningu sjávarútvegsráðherra, einn samkvæmt tilnefningu umhverfisráðherra, einn samkvæmt tilnefningu Hafrannsóknastofnunar og einn samkvæmt tilnefningu veiðimálastjóra.

Ráðuneytið telur mikilvægt að fulltrúi umhverfisráðherra eigi sæti í fiskeldisnefnd með sama hætti og fulltrúi landbúnaðarráðherra og sjávarútvegsráðherra enda þeir hagsmunir sem umhverfisráðherra ber að standa vörð um mjög mikilvægir í þessu samhengi.

F. h. r.



Decision V/8

Alien species that threaten ecosystems, habitats or species

The Conference of the Parties

1. Urges Parties, Governments and relevant organizations to apply the interim guiding principles contained in annex I to the present decision, as appropriate, in the context of activities aimed at implementing Article 8(h) of the Convention on Biological Diversity, and in the various sectors;
2. Endorses the outline for case-studies contained in annex II to the present decision;
3. Urges Parties, Governments and relevant organizations to submit case-studies to the Executive Secretary, particularly focusing on thematic assessments, on the basis of the outline contained in the annex to the present decision;
4. Requests the Convention's clearing-house mechanism to disseminate and compile these case-studies;
5. Requests Parties, other Governments, relevant bodies and other relevant international and regional binding and non-binding instruments, in the light of discussions by the Subsidiary Body on Scientific, Technical and Technological Advice at its fifth meeting, to submit to the Executive Secretary written comments on the interim guiding principles, to be taken into account, together with the case-studies, in the further elaboration of the interim guiding principles, to be considered by the Subsidiary Body prior to the sixth meeting of the Conference of Parties, and requests the Executive Secretary to distribute those comments through the national focal points;
6. Urges Parties, other Governments and relevant bodies to give priority to the development and implementation of alien invasive species strategies and action plans;
7. Strongly encourages Parties to develop mechanisms for transboundary cooperation and regional and multilateral cooperation in order to deal with the issue, including the exchange of best practices;
8. Urges Parties, other Governments and relevant bodies, such as the Global Invasive Species Programme, in their work on alien invasive species, to give priority attention to geographically and evolutionarily isolated ecosystems, and to use the ecosystem approach and precautionary and biogeographical approaches, as appropriate;
9. Encourages Parties to develop effective education, training and public-awareness measures, as well as to inform the public about the different aspects of the issue, including the risks posed by alien invasive species;
10. Requests the Global Invasive Species Programme, in developing a global strategy to deal with alien invasive species, to ensure consistency with the provisions on alien invasive species in Article 8(h) of the Convention and relevant provisions within other articles, including Article 14, taking into full account considerations on alien invasive species within relevant decisions of the Conference of the Parties on, for example, the conservation and sustainable use of inland-water, marine and coastal and forest biological diversity, and the biodiversity of dry and sub-humid lands;
11. Requests the Executive Secretary to cooperate with other international bodies and other relevant international and regional binding and non-binding instruments, such as the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar), the Convention on the Conservation of European Wildlife and Natural Habitats, the International Plant Protection

Convention and regional plant protection organizations, Codex Alimentarius, DIVERSITAS, the Office International des Epizooties, the United Nations Educational, Scientific and Cultural Organization, and the organizations mentioned in paragraph 14 of the present decision, with the aim of coordinating work on alien invasive species, and to report on potential joint programmes of work to the Subsidiary Body on Scientific, Technical and Technological Advice;

12. Invites the Parties, Governments, the Global Invasive Species Programme and other relevant bodies, to disseminate publicly available information which they hold or acquire, including databases of alien species, through the Convention's clearing-house mechanism;

13. Invites the Global Invasive Species Programme to report on its September 2000 meeting on the "synthesis of GISP phase 1" to the Subsidiary Body on Scientific, Technical and Technological Advice prior to the sixth meeting of the Conference of Parties, recognizing the need to continue the work of the Global Invasive Species Programme through the prompt development of the second phase of the Global Invasive Species Programme, with emphasis on ecosystems vulnerable to alien species invasions;

14. Requests the Executive Secretary to collaborate with the Global Invasive Species Programme, the Food and Agriculture Organization of the United Nations, the International Maritime Organization, the World Health Organization and other relevant organizations, and other relevant internationally and regionally binding and non-binding instruments to assist the Parties to the Convention in:

(a) Developing standardized terminology on alien species; (b) Developing criteria for assessing risks from introduction of alien species; (c) Developing processes for assessing the socio-economic implications of alien invasive species, particularly the implications for indigenous and local communities; (d) Furthering research on the impact of alien invasive species on biological diversity; (e) Developing means to enhance the capacity of ecosystems to resist or recover from alien species invasions; (f) Developing a system for reporting new invasions of alien species and the spread of alien species into new areas; (g) Assessing priorities for taxonomic work;

15. Requests the Executive Secretary, in collaboration with the Global Invasive Species Programme, the Food and Agriculture Organization of the United Nations, the International Maritime Organization, the World Health Organization and other relevant organizations and instruments to develop a paper for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties at its sixth meeting, comprising:

(a) A comprehensive review on the efficiency and efficacy of existing measures for prevention, early detection, eradication and control of alien invasive species and their impacts; (b) A progress report on the matters listed in paragraphs 5 and 14 of the present decision; (c) All options for future work on alien invasive species under the Convention on Biological Diversity, which would provide practical support to Parties, Governments and organizations in the implementation of Article 8(h) of the Convention and lead to the full and effective implementation of Article 8(h); 16. Decides that, at its sixth meeting, the Conference of the Parties, on the basis of the information referred to in paragraphs 5 and 15 of the present decision, will consider options for the full and effective implementation of Article 8(h) including the possibilities of: (a) Further developing the guiding principles on the prevention of introduction, and mitigation of the impacts, of alien invasive species; (b) Developing an international instrument; and/or (c) Other options;

17. Invites the Global Environment Facility, Parties, Governments and funding organizations to provide adequate and timely support to enable the Global Invasive Species Programme to fulfil the tasks outlined in the present decision.

INTERIM GUIDING PRINCIPLES FOR THE PREVENTION, INTRODUCTION AND MITIGATION OF IMPACTS OF ALIEN SPECIES

It should be noted that in the interim guiding principles below, terms are used for which a definition has not yet been developed, pending a decision by the Conference of Parties on the development of a standardized terminology on alien species, as mentioned in paragraph 5 of recommendation V/4. In the interim and for the purpose of these interim principles, to avoid confusion the following definitions are used: (i) "alien" or "alien species" refers to a species occurring outside its normal distribution; and (ii) "alien invasive species" refers to those alien species which threaten ecosystems, habitats or species

A. General

Guiding principle 1: Precautionary approach Given the unpredictability of the impacts on biological diversity of alien species, efforts to identify and prevent unintentional introductions as well as decisions concerning intentional introductions should be based on the precautionary approach. Lack of scientific certainty about the environmental, social and economic risk posed by a potentially invasive alien species or by a potential pathway should not be used as a reason for not taking preventative action against the introduction of potentially invasive alien species. Likewise, lack of certainty about the long-term implication of an invasion should not be used as a reason for postponing eradication, containment or control measures.

Guiding principle 2: Three-stage hierarchical approach Prevention is generally far more cost effective and environmentally desirable than measures taken following introduction of an alien invasive species. Priority should be given to prevention of entry of alien invasive species (both between and within States). If entry has already taken place, actions should be undertaken to prevent the establishment and spread of alien species. The preferred response would be eradication at the earliest possible stage (principle 13). In the event that eradication is not feasible or is not cost-effective, containment (principle 14) and long-term control measures (principle 15) should be considered. Any examination of benefits and costs (both environmental and economic) should be done on a long-term basis.

Guiding principle 3: Ecosystem approach All measures to deal with alien invasive species should be based on the ecosystem approach, in line with the relevant provisions of the Convention and the decisions of the Conference of the Parties. **Guiding principle 4: State responsibility** States should recognize the risk that they may pose to other States as a potential source of alien invasive species, and should take appropriate actions to minimize that risk. In accordance with Article 3 of the Convention on Biological Diversity, and principle 2 of the 1992 Rio Declaration on Environment and Development, States have the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction. In the context of alien invasive species, activities that could be a risk for another State include: (a) The intentional or unintentional transfer of an alien invasive species to another State (even if it is harmless in the State of origin); and (b) The intentional or unintentional introduction of an alien species into their own State if there is a risk of that species subsequently spreading (with or without a human vector) into another State and becoming invasive

Guiding principle 5: Research and monitoring In order to develop an adequate knowledge base to address the problem, States should undertake appropriate research on and monitoring of alien invasive species. This should document the history of invasions (origin, pathways and time-period), characteristics of the alien invasive species, ecology of the invasion, and the associated ecological and economic impacts and how they change over time. Monitoring is the key to early detection of new alien species. It requires targeted and general surveys, which can benefit from the involvement of local communities.

Guiding principle 6: Education and public awareness States should facilitate education and public awareness of the risks associated with the introduction of alien species. When mitigation measures are required, education and public-awareness-oriented programmes should be set in motion so as to inform local communities and appropriate sector groups on how to support such measures. B. Prevention

Guiding principle 7: Border control and quarantine measures 1. States should implement border control and quarantine measures to ensure that:

(a) Intentional introductions are subject to appropriate authorization (principle 10); (b) Unintentional or unauthorized introductions of alien species are minimized.

2. These measures should be based on an assessment of the risks posed by alien species and their potential pathways of entry. Existing appropriate governmental agencies or authorities should be strengthened and broadened as necessary, and staff should be properly trained to implement these measures. Early detection systems and regional coordination may be useful.

Guiding principle 8: Exchange of information States should support the development of database(s), such as that currently under development by the Global Invasive Species Programme, for compilation and dissemination of information on alien species that threaten ecosystems, habitats or species, to be used in the context of any prevention, introduction and mitigation activities. This information should include incident lists, information on taxonomy and ecology of invasive species and on control methods, whenever available. The wide dissemination of this information, as well as national, regional and international guidelines, procedures and recommendations such as those being compiled by the Global Invasive Species Programme should also be facilitated through, inter alia, the clearing-house mechanism

Guiding principle 9: Cooperation, including capacity-building Depending on the situation, a State's response might be purely internal (within the country), or may require a cooperative effort between two or more countries, such as:

(a) Where a State of origin is aware that a species being exported has the potential to be invasive in the receiving State, the exporting State should provide information, as available, on the potential invasiveness of the species to the importing State. Particular attention should be paid where exporting Parties have similar environments; (b) Agreements between countries, on a bilateral or multilateral basis, should be developed and used to regulate trade in certain alien species, with a focus on particularly damaging invasive species; (c) States should support capacity-building programmes for States that lack the expertise and resources, including financial, to assess the risks of introducing alien species. Such capacity-building may involve technology transfer and the development of training programmes.

C. Introduction of species

Guiding principle 10: Intentional introduction No intentional introduction should take place without proper authorization from the relevant national authority or agency. A risk assessment, including environmental impact assessment, should be carried out as part of the evaluation process before coming to a decision on whether or not to authorize a proposed introduction. States should authorize the introduction of only those alien species that, based on this prior assessment, are unlikely to cause unacceptable harm to ecosystems, habitats or species, both within that State and in neighbouring States. The burden of proof that a proposed introduction is unlikely to cause such harm should be with the proposer of the introduction. Further, the anticipated benefits of such an introduction should strongly outweigh any actual and potential adverse effects and related costs. Authorization of an introduction may, where appropriate, be accompanied by conditions (e.g., preparation of a mitigation plan, monitoring procedures, or containment requirements). The precautionary approach should be applied throughout all the above-mentioned measures.

Guiding principle 11: Unintentional introductions 1. All States should have in place provisions to address unintentional introductions (or intentional introductions that have established and become invasive). These include statutory and regulatory measures, institutions and agencies with appropriate responsibilities and with the operational resources required for rapid and effective action. 2. Common pathways leading to unintentional introductions need to be identified and appropriate provisions to minimize such introductions should be in place. Sectoral activities, such as fisheries, agriculture, forestry, horticulture, shipping (including the discharge of ballast waters), ground and air transportation, construction projects, landscaping, ornamental aquaculture, tourism and game-farming, are often pathways for unintentional introductions. Legislation requiring environmental impact assessment of such activities should also require an assessment of the risks associated with unintentional introductions of alien invasive species.

D. Mitigation of impacts

Guiding principle 12: Mitigation of impacts Once the establishment of an alien invasive species has been detected, States should take steps such as eradication, containment and control, to mitigate the adverse effects. Techniques used for eradication, containment or control should be cost-effective, safe to the environment, humans and agriculture, as well as socially, culturally and ethically acceptable. Mitigation measures should take place in the earliest possible stage of invasion, on the basis of the precautionary approach. Hence, early detection of new introductions of potentially invasive or invasive species is important, and needs to be combined with the capacity to take rapid follow-up action.

Guiding principle 13: Eradication Where it is feasible and cost-effective, eradication should be given priority over other measures to deal with established alien invasive species. The best opportunity for eradicating alien invasive species is in the early stages of invasion, when populations are small and localized; hence, early detection systems focused on high-risk entry points can be critically useful. Community support, built through comprehensive consultation, should be an integral part of eradication projects.

Guiding principle 14: Containment When eradication is not appropriate, limitation of spread (containment) is an appropriate strategy only where the range of the invasive species is limited and containment within defined boundaries is possible. Regular monitoring outside the control boundaries is essential, with quick action to eradicate any new outbreaks.

Guiding principle 15: Control Control measures should focus on reducing the damage caused rather than on merely reducing the numbers of the alien invasive species. Effective control will often rely on a range of integrated techniques. Most control measures will need to be regularly applied, resulting in a recurrent operating budget and the need for a long-term commitment to achieve and maintain results. In some instances, biological control may give long-term suppression of an alien invasive species without recurrent costs, but should always be implemented in line with existing national regulations, international codes and principle 10 above.

OUTLINE FOR CASE-STUDIES ON ALIEN SPECIES

To the extent possible, case-studies should be short and succinct summaries of experience on alien species at the country and regional levels. A case-study should focus on the prevention of introduction, control, and eradication of alien species that threaten ecosystems, habitats or species. Case-studies should include the following sections (a summary of the information may be provided under each heading, and a more detailed paper may be attached; if the information were not available, this should be indicated in the appropriate section):

1. Description of the problem

(a) Location of the case-study (b) History (origin, pathway and dates, including time-period between initial entry/first detection of alien species and development of impacts) of introduction(s) (c) Description of the alien species concerned: biology of the alien species (the scientific name of species should be indicated if possible) and ecology of the invasion(s) (type of and potential or actual impacts on biological diversity and ecosystem(s) invaded or threatened, and stakeholders involved) (d) Vector(s) of invasion(s) (e.g. of deliberate importation, contamination of imported goods, ballast water, hull-fouling and spread from adjacent area. It should be specified, if known, whether entry was deliberate and legal, deliberate and illegal, accidental, or natural.) (e) Assessment and monitoring activities conducted and methods applied, including difficulties encountered (e.g. uncertainties due to missing taxonomic knowledge)

2. Options considered to address the problem

(a) Description of the decision-making process (stakeholders involved, consultation processes used, etc.) (b) Type of measures (research and monitoring; training of specialists; prevention, early detection, eradication, control/containment measures, habitat and/or natural community restoration; legal provisions; public education and awareness) (c) Options selected, time-frame and reasons for selecting the options (d) Institutions responsible for decisions and actions

3. Implementation of measures, including assessment of effectiveness (a) Ways and means set in place for implementation (b) Achievements (specify whether the action was fully successful, partially successful, or unsuccessful), including any adverse effects of the actions taken on the conservation and sustainable use of biodiversity (c) Costs of action

4. Lessons learned from the operation and other conclusions

(a) Further measures needed, including transboundary, regional and multilateral cooperation (b) Replicability for other regions, ecosystems or groups of organisms (c) Information compilation and dissemination needed