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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

40th meeting
Strasbourg, 1-4 December 2020

Complaints on stand-by

**Presumed large-scale exploitation and marketing of
protected marine shelled molluscs
(Greece)**

- REPORT BY THE COMPLAINANT -

*Document prepared by
the University of the Aegean*

- August 2020 -

The situation remains the same since our previous report. Nevertheless, instead of a report, I would like to submit a recently published paper by Italian colleagues (attached), which studied the illegal date mussel fishery in the Mediterranean, and highlighted that Greece is the 'champion' of poaching (see e.g. Fig. 6). I have to notice that my complaint, which dates back to 2014, has not led so far to any effective measures by Greece to confront the issue. The stated actions by the government remain ineffective (e.g. public awareness through an e-leaflet in the ministry's webpage with low outreach) or a 'wish list' (e.g. the enhancement of controls). Since the destructive date mussel fishery remains and the pressure on coastal ecosystems increases, I would like to ask you for more drastic actions and pressure on the Greek government.

Sincerely,

Prof. Stelios Katsanevakis, PhD
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81100 Mytilene, Greece

- February 2020 -

To:
Council of Europe
Secretariat General
CONVENTION ON THE CONSERVATION OF
EUROPEAN WILDLIFE AND NATURAL HABITATS
Attn: Mr Eoghan Kelly

Mytilene, 8 February 2020

Subject: Response to the decision of the Bureau to the Bern Convention of 9-10 September 2019 in relation to the Complaint n° 2014/8 on large-scale exploitation and marketing of protected marine shelled molluscs in Greece

Dear Mr Kelly,

In response to your letter of 8-11-2019 and taking into account the report of the Greek Ministry of Environment and Energy, General Directorate of Environmental Policy, Directorate of Natural Environment Management and Biodiversity, we would like to provide some updated information on the large-scale exploitation and marketing of the protected species *Lithophaga lithophaga* (date mussels) in Greece, and to react to the claims of the Greek Ministries so far.

It is evident from the four responses of the Greek Ministries (Ministry of Environment & Energy, Ministry of Rural Development and Food) that the documented large-scale exploitation and marketing of date mussels (and other “protected” shelled molluscs) has not yet been adequately confronted by the Greek government. Hereafter, we summarize the reports so far submitted by the Greek authorities and the complainants:

- In the first governmental response to the Complaint (21 July 2015), the existing legislative provisions in Greece for the protection of the specific species were listed as a proof of the “pioneering” actions of Greece to stop the illegal exploitation of the species. This official response precisely highlighted the problem. Greek administration considers that by passing legislation, illegal exploitation is automatically eliminated. However, **the problem is the lack of adequate enforcement and control mechanisms.**
- In the second governmental response to the Complaint (15 March 2016), it was only stated that the trade of date mussels requires a CITES permit and that “based on the information available to our office and screening through the archives of the past decade, neither import or export permits for specimens of the species have ever been issued by any of the Greek CITES Management Authorities, nor has corresponding request been submitted” [!!!]. This response was totally incomprehensible and out of focus. Obviously, **the illegal exploitation, trading and serving in restaurants will not be visible in any official archive and those involved in the illegal trade of date mussels will not ask for a CITES permit!** Furthermore, most of the date mussels served in the Greek restaurants have been exploited locally.
- In the third governmental response to the Complaint (7 March 2017), the Ministry provided an account of all administrative penalties issued by local Port Authorities for the years 2014, 2015, 2016. **This account is the strongest possible evidence of the insufficiency of control and enforcement regarding the illegal exploitation and marketing of date mussels in Greece.** Within three years, penalties have been issued in only seven localities (Chalkida, Mytilene, Aidipsos, Preveza, Kavala, Piraeus, Mesologgi) despite evidence of large-scale illegal exploitation and marketing all over Greece. Furthermore, the Ministry’s list included **only two (!) cases of penalties in restaurants in three years** despite the fact that: (i) in the initial complaint and the relevant publication (Katsanevakis et al. 2011), date mussels were found to be served in

50 restaurants (systematically in 25 of them) all over Greece; (ii) in our response letter of 25 February 2016 to the Council of Europe we provided a list of tenths of restaurants **in 33 localities** in Greece, advertising their dishes with date mussels or fan mussels (*Pinna nobilis*) through the internet (see updated list in the current report). **The Ministry ignored our list and issued no penalties in any of the restaurants that advertise their illegal goods through the internet.** In July 2016, we (S. Katsanevakis, M. Sini) visited Chalkida for field work in the framework of a research project. During a half hour walk along the coastal street of Chalkida we spotted six restaurants that served date mussels. According to the official list provided by the Ministry, it took three years to the port authority of Chalkida to put fines in two restaurants!

- In the fourth governmental response to the Complaint, the Ministry informed that (1) a related brochure was uploaded to the Ministry's website, (2) informative material was sent to the locals Chambers of Commerce, (3) the institutional framework for the control of fishery products is being reviewed to improve the effectiveness of the controls, and (4) future awareness-raising activities have been funded. Although we acknowledged that the awareness-raising efforts of the Ministry (1, 2, 4) are important, once more we argue that **the problem is the lack of adequate enforcement and control mechanisms**, which according to point 3 has not yet been effectively confronted. Poachers of date mussels and restaurant owners are well aware that this activity is illegal, but still the law is ignored for profit, in the absence of effective controls. To our knowledge, no controls for the illegal marketing of date mussels have been conducted in seafood restaurants in the past two years, not even in the most problematic localities (Chalkida, Nea Artaki, Nea Lampsakos), where many dozens of seafood restaurants systematically serve date mussels. **The provisions of Regulation 1227/2009 requiring control of marketing of fisheries and aquaculture products, is poorly implemented in Greece.**

Due to the lack of funding, it was not possible to repeat a large-scale survey to update our 2011 results. However, we managed to collect relevant updated information mainly through the web and by our own opportunistic records. Hence, we did the following:

1. We have conducted a Facebook survey asking those that participated if they had recently (in 2019) encountered date mussels in a seafood restaurant. Despite the low participation in the survey, 16 localities in Greece have been reported (Fig. 1) for date mussels (Vathi-Methana, Nea Lampsakos, Nea Artaki, Chalkida, Chalandri, Marathos, Theba, Mytilene, Faliro, Argypoli, Mikrolimano, Aidipsos, Syros, Mykonos, PortoRafti, Loutsas).
2. We have checked Trip Advisor for recent (2018-2019) restaurant reviews and identified those that mentioned dishes with date mussels. We identified 35 reviews (supplementary file – in Greek) reporting seafood restaurants from 18 localities in Greece (Fig. 1) serving date mussels (Marathopoli, Nea Artaki, Nea Lampsakos, Chalkida, Kefallonia, Poros, Korinthos, Loutraki, Nea Penteli, Keratsini, Piraeus, Perama, Nea Erythrea, Ilioupoli, Ilion, Kifisia, Agia Kyriaki (Trikeri), Amarynthos).
3. Additionally from other online sources, mainly restaurant reviews from sites other than Trip Advisor, we found six additional localities, where date mussels are served (Melissia, Paralia Lechaiou, Lefkanti, Nea Kifissia, Kokkinia Amarousiou, Perama).

In conclusion, nothing has improved since our initial large-scale survey in 2011 (Katsanevakis et al. 2011). **Protected marine shelled molluscs are still widely exploited and marketed in Greece, in the absence of effective enforcement and control mechanisms.** The only positive recent actions by the Ministry refer to efforts to increase awareness. Although this is important, it is clearly insufficient. Six years after submitting our initial report, we feel that **the Bern Convention mechanism failed to solve the issue of illegal exploitation and marketing of date mussels in Greece**; this highly destructive illegal fishery continues. During these six years large areas of rocky reef habitats were destroyed to support the illegal fishery of date mussels. **We urge the Bureau of the Bern Convention for substantially higher pressure to the Greek government, as just keeping the complaint open indefinitely offers no short- or medium-term solution, and the destruction of rocky-reefs continues.**

**Supplementary file is available in the following link:
https://www.dropbox.com/s/vmrwrwnjevusjz/Supplement_TripAdvisor_reviews_date_mussels.pdf?dl=0*

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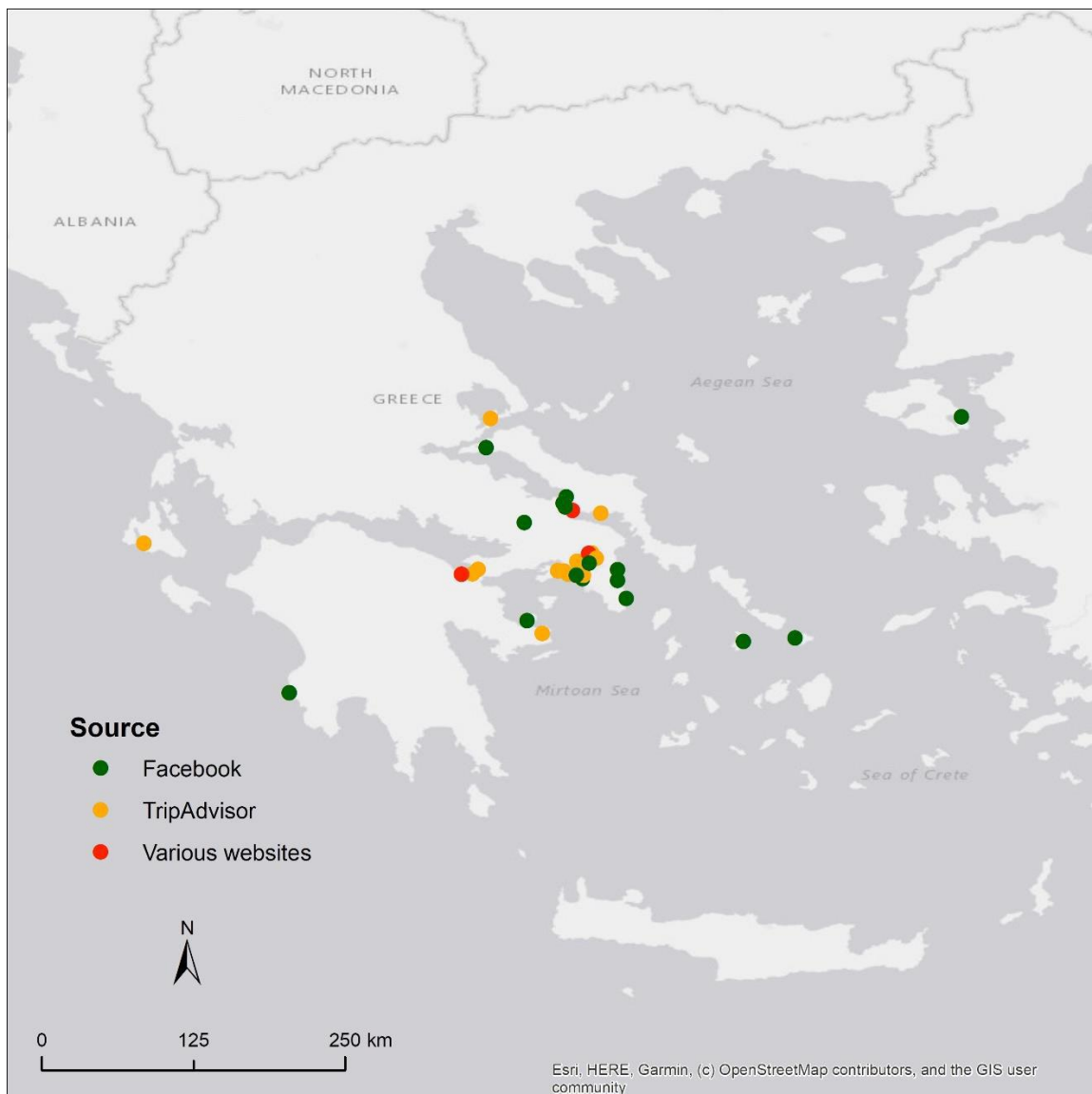


Figure 1: Localities in Greece, where there are recent (2018-2019) records of seafood restaurants serving date mussels (data retrieved from personal communications with restaurant customers or reviews submitted to Trip Advisor or other sites). Note that this map is not based on an exhaustive search, and thus it underestimates the geographical range of illegal marketing and serving of date mussels in restaurants.