

11 May 2018

Re: Evaluation of Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel.

We strongly support the upcoming evaluation and welcome this opportunity to provide feedback on the effectiveness and implementation of the EU Eel Regulation.

The population of European eel has declined dramatically since the 1970s¹. Recruitment of juvenile eels is extremely low, and despite the joint EU management framework, which has now been in place for 10 years, there has only been a slight improvement in recruitment. The state of European eel remains critical and further action is urgently needed.

Earlier evaluations indicate that the current EU management framework is insufficient and show that implementation of the regulation and of the national eel management plans has been delayed, piecemeal and focused on efforts that have little discernible impact on the recovery of the European eel population. Notably, it has been very difficult to measure progress against the main target – escapement to the sea of at least 40 % of the estimated ‘unimpacted’² silver eel biomass. While a strong focus of resources has been placed on restocking of eel, there is no evidence that this effectively contributes to future recruitment. Most countries maintain a directed fishery, and illegal catches and trafficking of glass eels remain a major problem.

Habitat loss and deteriorating water quality also affect eel. The latest assessment of the implementation of the Water Framework Directive shows poor status for around 60 % of surface water bodies and a massive presence of migration barriers³.

Since the Eel Regulation came into force, some major changes in related EU policies have taken place. Notably, the reform of the Common Fisheries Policy agreed in 2013 resulted in the new commitment to restoring the biomass of all harvested fish stocks above levels capable of producing Maximum Sustainable Yield (MSY). MSY is also used as a key criterion to assess Good Environmental Status under the Marine Strategy Framework Directive. We are therefore particularly pleased to see the evaluation’s focus on coherence with other EU legislation, as well as with international instruments.

We ask the European Commission to ensure that this evaluation of the effectiveness and coherence of the measures taken to aid the recovery of European eel assesses all aspects of eel management and potential options for the future, including:

- The overall objective for the EU framework – at least 40 % escapement to the sea of silver eels – and whether it is in coherence with the precautionary principle and the MSY objective.
- The incongruity of the current levels of exploitation of a critically endangered species.

¹ICES Advice on fishing opportunities, catch, and effort Ecoregions in the Northeast Atlantic for European eel (*Anguilla anguilla*) throughout its natural range. (2017; DOI: 10.17895/ices.pub.3440).

²Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel, Article 2(4).

³More information: www.eea.europa.eu/themes/water/status-and-monitoring/state-of-surface-waters

- The effectiveness of fisheries closures/restrictions for all life stages.
- The targets and indicators set in the national eel management plans, as well as the national monitoring to measure progress.
- Reporting and data collection obligations, as one of the main problems when assessing fishing effort and management progress is a lack of consistent reporting from the Member States.
- Restocking practices (which rely on wild eel catches) and the associated overall effectiveness in terms of conservation.
- Progress on measures to address other major anthropogenic impacts on eel, primarily habitat restoration and removal of migration barriers.
- The use of public funds (EMFF) and whether it has aided eel recovery.
- The still substantial illegal trade of European eel outside of and inside the EU and its effect on eel conservation.
- The legal trade of European eel and its potential role in enabling illegal trade.
- Control and enforcement issues related to the entire chain, from glass eel fisheries to consumption of eel products, including more coordinated action between the Member States' enforcement agencies.
- The implementation of EU commitments within the framework of CMS and CITES.
- Contamination levels of wild European eels at different life stages and related health aspects linked to consumption.

Bearing all of the above in mind, we look forward to a thorough evaluation of all aspects of the European eel management framework, and to future opportunities to engage with this process.

It is our hope that through implementation of urgent measures and better management and protection in the future, we can enable long-term recovery and sustainable exploitation of European eel, but we note that we are a very long way from there today.

Yours sincerely,

