Sustainable *Eel* Group

13 December 2017

EU agrees to accelerate the recovery of the European eel

Today, after all-night negotiations, Member States reached a political agreement on a Council Regulation concerning the 2018 fishing opportunities for the main commercial fish stocks in the Atlantic and the North Sea.

Due to the critical status of the European eel stock, Member States agreed to prohibit to fish European eels of an overall length of 12 cm or more in the Atlantic and North Sea for an overall period of 3 months to be determined by each Member State between September 2018 and January 2019.

In a Joint Declaration, all Member States and the European Commission also committed to improve the implementation of their national Eel Management Plans, to review restocking practices and to fight illegal fishing.

SEG welcomes these major steps towards the objectives aimed for by the EU Eel Regulation, namely the protection and the sustainable use of the stock. The current low state of the stock and the inadequate protection achieved in many member states so far clearly required a significant stepping up in ambition, as shown in the Council's Regulation on the 2018 fishing opportunities and the complementary Joint Declaration.

In particular, SEG supports the Member States' and Commission's determination to address all human impacts including fisheries, river habitat, hydro power and other migration barriers, as well as illegal trade. Unless all these impacts are effectively addressed as a matter of urgency, the agreed fishery ban on its own is unlikely to achieve the recovery of the stock.

SEG, working with all the relevant stakeholders, commits to fully cooperate with this process of evaluation and continuous improvement of the governance of the eel stock management both at the EU and national level, and beyond.

Sustainable *Eel* Group

21 November 2017

SEG Calls on EU Council of Ministers
to Mandate the Commission to Launch an Evaluation of the EU Eel Regulation

The European eel stock in all of Europe needs urgent and more effective protection and management. The recurrent scientific evidence shows that multiple threats – i.e. barriers to migration, climate change, predation, fishing, habitat loss and illegal trade - are causing a drastic decline of the European eel stock and recruitment in Europe[i]. The International Council for the Exploration of the Sea (ICES), in May 2017[ii], recommended the European Commission to reduce, or keep close to zero, all anthropogenic impacts. Pursuant to this recommendation, the European Commission put forward a proposal to temporarily ban all eel fishing in coastal waters of the Baltic Sea and the North East Atlantic Ocean[iii].

The Sustainable Eel Group (SEG)[iv], a Europe-wide conservation, industry and science led organisation, working with partner bodies and individuals to accelerate the eel's recovery, welcomes the Commission's proposal which helps to focus attention on the current perilous status of the European eel. However, SEG firmly believes that a temporary ban on eel fishing will have only limited benefits on the eel populations and risks distracting politicians and regulators from addressing the major and fundamental threats to the European eel's very existence.

SEG therefore proposes a comprehensive approach that takes into consideration all anthropogenic impacts under an evaluation of the Regulation (EC) No 1100/2007 (hereinafter EU Eel Regulation)[v], and an effective enforcement of Directive 2000/60/EC[vi] (hereinafter Water Framework Directive) and Council Directive 92/43/EEC[vii] (hereinafter Habitats Directive). Indeed, the implementation of the EU Eel Regulation has contributed to slow down the decline of eel populations, as recognised by ICES[viii], but the positive effects of its implementation on the eel stock have now come to a standstill. Action is therefore needed to build on the EU Eel Regulation's achievements, and to mainstream the protection of eels into other legal instruments, such as the Water Framework Directive and the Habitats Directive.

SEG's proposed alternative approach

The eel stock is impacted by a range of human activities. Protecting and recovering the eel stock therefore requires action in the field of fisheries management, water management, water pollution, energy policies (hydropower), and many more. Current discussions focus on the impact of fisheries in marine waters only. Unfortunately, this narrowing of the discussion makes it a pointless exercise: closing all marine fisheries will not make a significant difference for the eel, if other mortality causes are not appropriately addressed. To save the eel, a much wider approach is required.

The Commission itself, in its 2014 Report to the European Parliament, has emphasised that "more attention should be given to management measures related to [these] non-fishing anthropogenic mortality factors, the majority of which has been only partially implemented by Member States"[ix].

As a result, SEG is calling on the Council of the EU and the European Commission to focus on the following actions:

- The thorough and urgent evaluation of the EU Eel Regulation, in order to ensure the effective protection and the sustainable use of eels, as per Article 1 of the EU Eel Regulation, throughout the EU, including the control of over-fishing in the Member States where this occurs;
- An urgent evaluation of the effectiveness of trade restrictions adopted by the EU and of the enforcement actions taken to stop glass eel trafficking to East Asia;
- Improved implementation and enforcement of the Nature Directives and Water Framework Directive in order to ensure river restoration as a means to unblock migratory barriers and achieve healthy populations of the European eel;
- Restoring longitudinal connectivity to create pathways for the European eel in river systems should be dealt jointly by both the Water Framework Directive and the Eel Regulation;
- Addressing the huge mortality barriers created by hydropower stations and water pumping systems should be coherently tackled by both the Water Framework Directive and the Eel Regulation.

In order to achieve these objectives, and given the eel's unique lifecycle, SEG believes that the European Commission needs to be supported and guided by a dedicated body, whose members hold a significant scientific, conservation and commercial expertise on eel migration pathways, mortality causes – including fisheries, biodiversity and water management.

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Annex

Background Notes on the European Eel

1. The perilous status of the European Eel

Since the mid-1900s, fishing yield of eel has diminished to below 10 % of the quantity caught before, and over the last three decades, recruitment of glass eel has rapidly fallen to 1- 10 % of the 1960-1970s level[x].

While the causes of the decline of eel population are not understood, there are a number of clear man-made impacts exceeding sustainable bounds which should be addressed by EU regulation but which are not.

Barriers to migration

Hydropower and water pumping stations inhibit the migration of young eels (upstream) and adult eels (downstream) between their inland growing habitats and their oceanic spawning places. Project Amber, funded by the EU to deliver a comprehensive atlas of river barriers across Europe, has already identified over one million obstructions[xi].

Habitat loss

The degradation and loss of habitat is also contributing to the decline of the eel population in Europe. The State of Nature Report published by the European Environment Agency in 2015 shows that only 13% of habitats associated with wetland ecosystems, essential for the survival of European eels, showed a Favourable Conservation Status (as defined under the EU Habitats Directive)[xii]. Equally, the status of the water bodies covered by the Water Framework Directive is not faring well: only about 50% of water bodies is estimated to be in good condition. Human-induced changes in hydrology are the most significant pressures for migratory species such as eels.

Fishing

Exploitation of eels in all life stages occurs across Europe. The European eel is fished for direct consumption or farming, and illegally traded at the global level. Fishing in Europe is limited by quotas or other measures set as part of national Eel Management Plans[xiii]. In many places, however, exploitation is excessive - on its own, or in interaction with other human impacts - and where this occurs, (further) restrictions need to be applied. The 2017 ICES report also highlighted the overall impact of recreational fisheries on the eel stock stating that it remains largely unquantified even though landings can be thought to be at a similar order of magnitude to those of commercial fisheries

Illegal trade

International trade of the European eel towards East Asia has significantly increased in the past decades and has raised concern within the international community, that listed the species in Annex II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Since the listing came into force in 2009, exports of this species need to be accompanied by a permit. However, in 2010, the EU has banned all imports and exports of European Eel to and from the EU[xiv].

Nonetheless, under-reporting, poaching and illegal trade of the European eel have occurred, endangering the species and making the assessment of the impact of fishery, and its management, difficult. In June 2017, SEG identified that about 30 tonnes of eels, half of the declared European catches in season 2016/2017, equivalent to 100 million and twice the level of eels consumed domestically in Europe through aquaculture, could not be traced and were likely traded to East Asia. This was recently confirmed by TRAFFIC as they reported 30 tonnes of European eels were introduced into Chinese farms in that period.

2. The EU Eel Regulation

Objectives

The EU Eel Regulation establishes a framework for the protection and sustainable use of the stock of European eel. The regulation obliges Member States to establish and implement Eel Management Plans (EMPs), which should contain management measures to ensure the escapement to the sea of at least 40% of adult eels relative to the escapement levels that would have existed in the absence of human influences.

Implementation

Following the adoption of the EU Eel Regulation, national EMPs have been compiled and implemented in almost all (coastal) Member States of the EU, improving the protective status of the eel. Only few years later, the multi-decadal decline in recruitment of young eels from the ocean came to a halt, but unfortunately, did not recover significantly[xv].

In its report to the European Parliament in 2014, the European Commission outlined the reasons underlying the poor implementation of the Regulation, which include inconsistencies in the reporting activity of Member States; lack of information on the effectiveness of restriction of fishing; lack of data on the impact of restocking activities throughout Europe[xvi].

3. Commission's proposal to ban eel fishing

The European Commission, on 7 November, proposed a ban on commercial and recreational eel fishing in the Baltic Sea and North East Atlantic within its proposal for a Council's Regulation on fixing for 2018 fishing opportunities in certain Union waters[xvii].

Even though this proposal signals the Commission's commitment to address the problem of the eel population decline, it is unlikely to produce any benefit, even in the short-term, on eel recruitment. This is because management measures focusing on a single threat, in isolation of other identified stress factors, are less likely to have a significant effect on eel numbers.

Hence, SEG now advocates a comprehensive evaluation of all eel-related policies, and a more effective implementation of the required protection measures.

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