

## SEG position on the AGRIFISH Fishing Opportunities meeting regarding the future protection and recovery of the stock of the European Eel.



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For the AGRIFISH Council meeting on Fishing Opportunities in mid-December, an important discussion is tabled on the future protection and recovery of the stock of the European eel - the same issue has recently been addressed in an information note from the European Commission services of September 21 [<https://data.consilium.europa.eu/doc/document/ST-12610-2022-INIT/en/pdf>], and discussed at the informal AGRIFISH Council meeting on 26 September in Prague [<https://video.consilium.europa.eu/event/en/26139>]. For the current discussion on Fishing Opportunities, the European Commission services has proposed [[https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_6437](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_6437)] a fishing closure of six consecutive months for community waters, and an intensified dialogue with Member States on strengthening the implementation of their national Eel Management Plans.

Rather than discussing the various proposals and stakeholder positions in this complicated portfolio or adding our own, we would like to draw your attention to a higher-level discussion: **the structure and effectiveness of the different approaches taken so far, and the opportunity for simplification and improving effectiveness in the near-future.**

The eel portfolio is complex. Not only does the stock stretch from the North Cape to the Nile Delta (almost all EU Member States, and many neighbouring countries), it also endures impacts from human activities as diverse as water management, fisheries, pollution, habitat loss, hydropower generation, and many more - and those impacts vary from country to country, from area to area, and over time. In this complex field, the Eel Regulation (2007) hinges critically on subsidiarity: the Member State is the most appropriate level to plan and implement actual measures in this complex portfolio. The Member State can adjust its protection to local circumstances and national opportunities, as the Eel Regulation has shown. In spite of this, the 2017 Agrifish Council decided on an additional measure: a uniform three-months closure for fisheries across the whole EU, for marine waters only. Thus, breaking the subsidiarity principle - does it surprise us that the efficiency and effectiveness of this measure has been low?

The Eel Regulation (2007) is fit for purpose, is effective, and has been so for the past fifteen years  
See European Commission 2019

<https://op.europa.eu/en/publication-detail/-/publication/afe6ca55-5f58-11ea-b735-01aa75ed71a1>.

The great majority of rivers in Europe is now covered by an Eel Management Plan, and the information base for adequate protection has improved spectacularly. However, although the thirty-year decline in eel recruitment has come to a halt after 2011, the stock has not recovered yet, and the protection level - as agreed in the Eel Regulation - has in many areas not been achieved. Therefore, the status quo is not an option. The implementation of national Eel Management Plans needs to be progressed, protection should be improved, and the recovery of the stock ensured.

The question arises what approach is best to improve protection for the eel: to ask Member States to step up their ambition, and to improve the implementation of their Eel Management

Plans (de-centralized) - or to strengthen central, uniform measures such as the 3/6-months fishing closure in marine waters. The current proposal is to do both (centralized and de-centralized), but - in our experience - the two do not go along very well. Centralized measures overrule and bypass the national Eel Management Plans, thereby undermining the responsibility and ambition of the Member States' governance. The apparent standstill of many national Eel Management Plans, on the other hand, shows these Plans might lack the rigor and vigour of uniform, blind measures of the centralized.

Ultimately, only the Eel Regulation will enable a comprehensive management of all relevant mortality factors, efficiently organised by Member States (or lower level authorities). Therefore, we explore what the Council can do to strengthen the effective implementation of this Regulation.

The first years after the Eel Regulation was adopted (2007), national Eel Management Plans were compiled, fishing restrictions implemented, migration facilities installed, and much more. This has undoubtedly improved the situation, but it has not been enough yet to reach the minimal required protection level (min 40% escapement) in all countries and habitat types. National monitoring and assessments often indicated an insufficient protection, but national self-evaluations have not improved the situation sufficiently. **We therefore urge the Council to consider strengthening the mutual evaluation and feedback on the effectiveness of the national Eel Management Plans.** Noting that the recovery process will take many decades, it will be best to consider a permanent, structural Evaluation & Feedback mechanism, in close cooperation with or jointly organised between the Council and the Commission. It is only through shared evaluation and mutual feedback on a professional basis, that a complex policy such as the Eel Regulation can be perfected.

The eel stock across Europe has been in decline for a century or more. Landings diminished since the early 1960s, and recruitment fell since 1980. The Eel Regulation acknowledges that recovery must be achieved in the long term but reality is that - in the fifteen years, since the Eel Regulation was adopted - not even the minimum protection needed for recovery has been achieved in many areas. Eel stock management and recovery are necessarily multi-decadal processes - but we also recognize an open-ended policy lacking a present deadline, slowly getting lost in widespread, modest eel-fatigue. We therefore suggest to adopt a realistic, but ambitious deadline: to fully achieve the minimum protection (40% survival) in all areas and habitat types, the latest by 2030. "The young eels, that immigrate our rivers this season, deserve sustainable protection within their lifetime!" - #EelDeal2030.

<https://www.sustainableeelgroup.org/wp-content/uploads/2021/11/SEG-position-on-protection-and-recovery-Fall-2021.pdf>

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*Mother Eel Life Cycle – Maready Evergreen*