Basic information

2005/0201(CNS) CNS - Consultation procedure Regulation	Procedure completed
Recovery of the stock of European eel **Subject** 3.15.01 Fish stocks, conservation of fishery resources	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	MAAT Albert Jan (PPE-DE)	25/10/2005

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2818	2007-09-18
Agriculture and Fisheries	2793	2007-04-16
Agriculture and Fisheries	2806	2007-06-11
Agriculture and Fisheries	2797	2007-05-07

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	BORG Joe

Key events

Date	Event	Reference	Summary
06/10/2005	Legislative proposal published	COM(2005)0472	Summary
27/10/2005	Committee referral announced in Parliament		
19/04/2006	Vote in committee		Summary
26/04/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0140/2006	

15/05/2006	Debate in Parliament		
16/05/2006	Decision by Parliament	T6-0200/2006	Summary
16/05/2006	Results of vote in Parliament		
16/04/2007	Debate in Council		
07/05/2007	Debate in Council		Summary
18/09/2007	Act adopted by Council after consultation of Parliament		
18/09/2007	End of procedure in Parliament		
22/09/2007	Final act published in Official Journal		

Technical information

Procedure reference	2005/0201(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/30921

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE367.957	27/01/2006	
Amendments tabled in committee		PE370.303	13/03/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0140/2006	26/04/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0200/2006	16/05/2006	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2005)0472	06/10/2005	Summary
Commission response to text adopted in plenary	SP(2006)2902	22/06/2006	
Follow-up document	COM(2014)0640	21/10/2014	Summary
Follow-up document	SWD(2020)0035	17/02/2020	
	SWD(2020)0036		

Follow-up document		17/02/2020	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act

Regulation 2007/1100
OJ L 248 22.09.2007, p. 0017 Summary

Corrigendum to final act 32007R11OOR(01)
OJ L 070 14.03.2008, p. 0024 Summary

Recovery of the stock of European eel

2005/0201(CNS) - 18/09/2007 - Final act

PURPOSE: to establish measures for the recovery of Europe's eel stock.

LEGISLATIVE ACT: Council Regulation (EC) No 1100/2007 establishing measures for the recovery of the stock of European eel.

BACKGROUND: recent scientific research, conducted by the International Council for the Exploration of the Sea (ICES), indicates that the European eel fish stock is so depleted that it is now outside safe biological limits. This, in spite of a number of measures taken by the Member States to protect eel's natural habitat (minimum landing sizes, licensing of eel fishermen, regulating the construction of dam and eel passes, the EU Habitat Directive etc.) The ICES advises that, as a matter of urgency, a new recovery plan be developed for the whole stock of European eel and that exploitation and other human activities affecting the fishery or the stock be reduced as much as possible.

CONTENT: the purpose of this Regulation, therefore, is the establishment of a new framework for the protection and sustainable use of the stock of European eel. It refers specifically to the species *Anguilla anguilla* and covers Community waters, coastal lagoons, estuaries, rivers and communicating inland waters of the Member States that flow into the seas.

The main measures introduced by the Regulation are the following:

Establishing Eel Management Plans:

- each Member State is to establish a national management plan for each eel river basin allowing the escapement to the sea of an average of at least 40% of the biomassof adult eel;
- management plans must include details on how the targets were reached, monitoring activities and verifying that the objective have been attained;
- an eel management plan may contain, for example: reducing commercial fishing activity, restricting recreational fishing, restocking measures; transportation of silver eel from inland waters to waters from which they escape freely to the Sargasso Sea.

Transboundary Eel Management Plans:

- where Member States share river basins with other Member States, they should jointly prepare transboundary plans or endeavour to develop cooperation with third countries;

Reporting and Evaluation:

- each Member State must communicate its national plan by 31 December 2008 and to implement them by 1 July 2009 at the latest - following Commission approval;
- each Member States is to report, by 30 June 2012, and every 3 years thereafter, to the Commission the results of their national eel management plans;
- the Commission is to report by 31 December 2013 to the Parliament and the Council on the scientific evaluation of the eel management plans;
- Member States that allow for the fishing of eels under 12 cm must reserve 60% of the catches for restocking, starting at 35% in the first year of application of the eel management plan and increasing by steps of at least 5% per year to reach the level of 60% by 31 July 2013;

- the Commission will report annually on the evolution of market prices for “glass eels” and, if necessary, make proposals either to balance the measures concerning restocking or to intervene on the above mentioned percentages.

As regards the Black Sea and the river systems connected to it, the Commission will take a decision after consultation of the Scientific Technical and Economic Committee for Fisheries by 31 December 2007 on whether these waters constitute natural habitats for the European eel in accordance with article 3 of the Regulation.

In a Joint Statement published upon approval of the Regulation, the Council and Commission specified that the objective of 40% escapement laid down is understood as an average for the Member States' waters, thus allowing a differentiation of the specific situation of different river basins.

ENTRY INTO FORCE: 25 September 2007.

Recovery of the stock of European eel

2005/0201(CNS) - 16/05/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Albert Jan **MAAT** (EPP-ED, NL) making some amendments to the Commission’s proposal. (Please see the summary dated 19/04/2006.)

Recovery of the stock of European eel

2005/0201(CNS) - 06/10/2005 - Legislative proposal

PURPOSE: To establish measures for the recovery of European Eel stock.

PROPOSED ACT: Council Regulation

CONTENT: Recent scientific research, conducted by the International Council for the Exploration of the Sea (ICES), indicates that the European eel fish stock is so depleted that it is now outside safe biological limits. This, in spite of a number of measures taken by the Member States to protect eel’s natural habitat (minimum landing sizes, licensing of eel fishermen, regulating the construction of dam and eel passes, the EU Habitat Directive etc.) The Commission has thus come to the conclusion that the very nature of eel migration and feeding habits makes it impossible to manage eel populations by relying exclusively on standard management instruments.

In presenting this Regulation the Commission is hoping to achieve a recovery of eel stock across Europe to previous levels of adult abundance as well as seeing a return of the glass eel. It intends to do so by setting a specific target for managing Europe’s eel population. The main part of the Regulation therefore is cast as an obligation whereby Member States are expected to achieve a specified target for eel management. The choice of management to be used can be determined by the Member States with the Commission establishing the target to be met. The choice of a devolved approach based principally on eel management plans devised by Member States, but whose objective is determined in Community legislation is, according to the Commission, an appropriate methodology for the restoration of Europe’s declining eel stock. By managing the eel population thus, the Commission believes it is contributing to an equitable and balanced system of management, which in the long term, will help protect Europe’s depleted eel population. This approach has the support of interested parties, all of whom were consulted in a transparent and open manner prior to the presentation of this Regulation. The actual provisions being proposed are as follows:

- Eel management plans: The principle element of the Regulation is the establishment of national eel management plans whereby each Member State will achieve the objective of a 40% escapement of adult silver eel from each river basin (measured with respect to undisturbed conditions). These plans should be reviewed by the Scientific, Technical and Economic Committee for Fisheries and, if a positive evaluation is received, should be approved by the Commission and come into force on 1 July 2007.

- Given the gravity of eel decline the Commission is also proposing additional short-term measures, namely imposing fishery closures for 15 days each month. These closures should stay in force until a Member State has implemented an approved Eel Management Plan.

- The above measure could be over-ruled in cases where a Member State can reliable demonstrate that existing measures are in conformity with the 40% objective or if the fishing is for glass eel to be used for restocking purposes.

In addition to these measures, the Commission will be proposing the establishment of a traceability system to assist in the fight against poaching. Within this context the Commission proposes that provisions concerning the control and enforcement of the Common Fisheries Policy should also apply to eel fisheries and to eel products. Other measures include examining ways in which to limit the export of glass eel

As far as budgetary implications are concerned, the Regulation will have a negligible impact on the Community budget. Research into eel populations will be funded through the 7th Framework Programme. State aid applicable to fisheries and its applicability to eel fisheries and environmental measures are addressed in the European Fisheries Fund.

Recovery of the stock of European eel

2005/0201(CNS) - 07/05/2007

The Council instructed the Permanent Representatives Committee to find a solution to the outstanding issues regarding the proposal for a Regulation establishing measures for the recovery of the stock of European eel with a view to reaching political agreement in June 2007.

Recovery of the stock of European eel

2005/0201(CNS) - 18/09/2007 - Corrigendum to final act

This corrigendum does not concern the English version.

Recovery of the stock of European eel

2005/0201(CNS) - 21/10/2014 - Follow-up document

The Commission presented, in accordance with Council Regulation (EC) 1100/2007, a report on the outcome of the implementation of the Eel Management Plans, including an evaluation of the measures concerning restocking and of the evolution of market prices for eels less than 12 cm in length.

The report made the following recommendations:

State of the Stock of European Eel: according to the latest ICES advice released in November 2013, the status of the eel stock remains **critical and urgent action is needed**. The advice points out that there is an increase in the annual recruitment of glass eels from less than 1% to 1,5% in the North Sea and from 5% to 10% elsewhere over the last two years.

Scientific advice is also provided by the International Union for the Conservation of Nature which has assessed in 2014 the species as critically endangered on the basis of a sharp reduction in population size.

State of Implementation of Regulation 1100/2007: the implementation of the Eel Regulation has suffered significant delays. Nineteen Member States have submitted EMPs. These plans contain various measures to reduce mortality factors including fishing restrictions and non-fishing related actions, in particular as regards the modification or removal of migration obstacles, restocking, reduction of pollution, combating of parasites. Before approval by the Commission, all EMPs submitted were examined by ICES.

Despite the implementation of EMPs, the state of the stock of European eel remains critical and a **precautionary approach** should be adopted until there is certain evidence of a sustained increase in recruitment and the adult stock. In line with this scientific advice, **additional measures** may need to be considered to reduce current levels of humanly induced mortality (fisheries and non-fishing anthropogenic mortality).

The Commission recommended that **more attention should be given to management measures** related to these non-fishing anthropogenic mortality factors – in particular, hydropower and pumping stations, habitat loss or degradation, pollution, diseases and parasites - the majority of which has only partially been implemented by Member States.

Moreover, the implementation of EMPs has resulted in restrictions on fisheries, which can bring about an increase in glass eel recruitment within a couple of years. It is therefore necessary to **assess the impact of such restrictions** in the short-term.

Lastly, it is recalled that the EMPs 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. However, there is **not yet the complete data available from inside or outside the EU** to assess the achievement of this objective at the scale of the EU or the whole eel stock.

Restocking: the Eel Regulation obliges Member States who permit glass eels fishing to reserve at least 60% of the catches for conservation-oriented restocking within the EU. However, it is not certain that 60% of the total catches have been effectively restocked, since it seems that the demand is not sufficient.

Scientific advice on the state of the stock of European eel for 2012 **expressed concerns about current eel restocking practices** and pointed out that it is not clear if restocking actually contributes to ensure increased silver eel escapement, or to sustain fishing for eel in certain EMUs.

The reported stressed that it is therefore necessary to put in place means to evaluate the effects of this measure and contribution to silver eel escapement, as well as consider if the provisions on restocking in the Eel Regulation are still adequate in light of problems with their implementation.

The services of the Commission are closely following scientific work on this topic and will address the issue in accordance with most recent findings.

Reporting obligations: from an administrative point of view, the Eel regulation puts upon Member States significant reporting obligations, since a complete reporting of indicators is necessary to fully assess the state of the stock and the effectiveness of the implementation of EMPs. However, reporting has often been incomplete, whereas there are inconsistencies in reporting and calculation of reported stock indicators among Member States.

Standardization of data table formats and calculation methods would facilitate reporting, while enabling a better evaluation of the effectiveness of individual management measures at EMU level.

The Commission intends to request an **external scientific review of the methodologies used by Member States**, and, where relevant, an update or a new estimation of stock indicators regarding eel. On the basis of this advice and where appropriate, the Commission will consider ways and means to assess the effectiveness of the Eel regulation, including a possible review.