**3. Please provide a reason for your answer as to why you think the 40% escapement goal is achievable or not (optional).**

The 40% goal can for sure be reached but it’s not enough. Also, the reason for disagreeing with the 50% fishing reduction target based on 2006 catches is that it is not ambitious enough today and does not meet the very clear ICES advice. The development of the stock has not improved using the above targets and the urgency of moving faster is clear. However, of course we are aware that targets mean nothing if they are not implemented and if all MS had really strived to fully meet the targets the situation could be better but again, we are not even near to the repeated advice from ICES of as close to zero mortality as possible.

**5. Which indicators or targets do you think would be more suitable? (optional).**

For example, set a yearly reduction target, linked to historical catches, to phase out the active commercial fishing, that is fishing in all waters including inland waters. Also, set a clear date for complete closure of recreational fishing preferable 2019 already since there is no need to wait besides giving time to inform the general public.

There should also be a separate target for reduction of migration barrier related mortality, either as % target transformed to individual river targets based on actual estimated/monitored amounts of eel passing the dams/barriers. Example: Reach at least 80% mortality reduction. If a river today is estimated to generate 10 000 outmigration silver eel, mitigation must ensure that 8000 more eels escape the river after mitigation measures are installed.

One could also consider a separation of targets based on life stages of eel. The discussion among MS past year has been strongly focused on who is at fault for taking most eel or how the fishing on glass eel, yellow eel or silver eel is different and occurs in different places. A separation of targets and indicators for each life stage could be considered. Regardless, targets must be result oriented and not be set as a reduction of fishing certain periods and areas but on the amount of eels saved.

More detailed targets could also serve as triggers for allowing derogations from a fishing ban if the stock increases, however due to the long life cycle of eels, such a trigger and reopening of a fishery is still far in the future.

**7. Please provide a reason for your answer, and, if appropriate, identify which aspects of the Eel Regulation you think need to be amended or simplified (optional).**

The regulation does not meet the CFP requirements, and is not well aligned with WFD and MSFD (MSY, GES etc). Eel is a commercial species and CFP does not allow, or should not allow for, any taking.

The targets are insufficient today as the stock has not, after 10 years of the old plan, showed a positive trend. ICES advice is clear.

The regulation must clearer specify that it covers eel throughout its natural range and includes all recreational fishing. The reason for this is not only that the eel life cycle dictates such a focus but also that the phasing out of the active fishery cannot only consider the marine areas since that is simply unjust and unbalanced.

**9. Reflecting your answers above, what do you consider to be the barriers to achieving the objectives of the Eel Regulation?**

The variations in the replies above are explained by the fact that there is a very uneven implementation of the national plans. Some have done a much better job than others e.g. closing recreational fishery in all waters. Some have more or less only increased the amounts of released eels and either continued fishing or moved the fishery upstream. The "restocking" measures are not something we support since they a) are used to uphold a fishery and not recovery b) regularly take place in areas heavily affected by hydropower or migration barriers and c) there is still fishing downstream.

The continued fishing for eel, as the stock has further declined, is clearly hindering the recovery. The slow implementation of mitigation measures at migration barriers is hindering the recovery. However, with very low recruitment and reduced amounts of eel actually reaching upstream, the mortality at dams is also decreasing in real numbers. Mitigation should be targeted and aim at the most important rivers first. So, the major barrier to recovery seems to be that we are currently operating with a dual focus of recovery and fishing and at the same time the mitigation at dams is too slow.

Habitat degradation is an issue that spans across several species in upstream environments. However, the eel is a highly adaptive species and is able to live in very diverse set of circumstances. Because the eel population has been decreasing, lack of suitable habitats or the loss of them is likely not the major factor in limiting the recovery in the short term. This does not mean the MS should not focus also on re-establishing habitats but this basically points back to mitigating or removing migration barriers because there are habitats enough upstream in most cases.

The effects on climate change is not well known but considering that eel thrive on southern European coasts and rivers as well as in north African rivers, rising temperatures alone does not seem to represent a current top threat to the species. However, recent studies suggest that the climatic changes impacting the availability of food in the early life stages of eel in their oceanic phase may have an effect on the recruitment of glass eel.

Pollution and parasites are likely having effects on eel during its life cycle but we do not know how it may affect the spawning success. Natural predation has some impact but whilst it is argued by some to be the most important issue we must seriously question that line of argument. Natural predation is natural and in the event this is in some areas unbalanced or not is not a factor on population level. It is for some reason seen by some more important regarding eel than for other species, and yet we know that cods eat other cods and pike eat everything but nobody calls for the killing of those species for that reason. We are not against management of cormorants of other predators if it can be proved to have an effect, but we will not accept the argument that such management actions must be taken so humans can kill and eat the endangered eel instead of a bird or a fish.

**10. What do you consider to have been the successes of the Eel Regulation and its implementation to date?**

The regulation has put strong focus on the eel and the urgency of the situation. Several countries have made considerable efforts and spent lots of funds on research, reduced catches etc.

The regulation has also spurred further regulations/discussions such as the CITES, CMS, HELCOM

Also, thanks to the new CFP and the actions of the Commission in the past year, the eel has also been a part of the annual TAC and quota discussions.

**12a. Please provide a reason for your answer to explain why you support or do not support bans on eel fishing in the EU:**

We fully support the reduction of fishing towards a complete stop as this is the only possible interpretation of the CFP rules in relation to a stock in such poor condition. Of all human induced mortality, reducing fishing is the most direct and fastest measure to take. The stock is not showing any recovery and the amounts of eel in the "system" are in some cases 100% based on relocated eels ("restocked") This in turns gives a false image of the state of the stock, but in areas far upstream and where no stocking is taking place shows the real situation where eels are virtually extinct.

The only response above where we have not marked fully agree is related to this relocation schemes. As long as active fishing is going on, we cannot support such measures being paid for by any public funds as they counter the aim of the relocation in the first place. "Restocking"/relocation should only take place as an emergency recovery measure and not to artificially support a fishery and under no circumstances occur in waters with downstream migration barriers and even hydropower dams that will end up killing between 30-100% of the down migrating eels. This is not only a waste of money but a terrible way to intentionally inflict damage to individual eels.

**13. What other actions should the European Union or Member States undertake to recover the eel population in Europe? Who should undertake these actions (EU or MSs)?**

There is need for MS, regional and EU actions. EU actions and an EU plan for eel is needed to make sure the relevant measures to support the recovery of the eel stock are maintained in all MS. The actions and demands however should be more targeted and relevant for the respective region/MS. The EU level is needed to keep the focus on the eel in the entire natural range.

Regarding regional actions. One specific and crucial point is that the eel recovery plan cannot not only point to the MS and call for national plans that are not syncronized with neighboring MS. The Baltic Sea is an excellent example where the flaw of a national approach is evident. Since fishing on migrating spawners is still allowed, national measures in countries that are upstream from Denmark, Sweden or Germany all take measures to increase out-migrating eel only to see these eels caught in the very active coastal fishery of these MS.

MS level actions: As mentioned, eel fishery must be phased out, but the reach of CFP and joint EU measures is limited with the current format of the regulation and the CFP. Upstream measures must be taken as well and as a first measure all recreational fishing should be stopped. There are no valid arguments to allow taking of a critically endangered species for sport or pleasure and there are plenty of other species where such measures are long since already established. The efforts needed here are the MS responsibility, and it is not acceptable to have some MS (e.g. Ireland, Sweden) close recreational fishing and the rest ignoring it.

Second, mitigation and migration barriers and mainly hydropower stations and pumping stations that cause a direct or indirect mortality on out-migrating eels (mostly but not exclusively, also upstream migration in causing problems and mortalities) must be addressed with more urgency. The dam owners must simply pay under polluter pays principles. Relatively simple, tested and verified, measures are available to reduce mortalities, allowing for up to 100% secure passage for eels. MS should be demanded to produce a plan to address, based on a prioritization list, the most important rivers and barriers within a 2-4 year period. A separate target for such measures should be introduced where each MS must increase the amount of eels passing the migration barriers.

Third, relocation or stocking of juvenile eel must only be done in safe waters and waters with no fishing. This must be the basic prerequisite for any use of public funds for such measures. MS should present a clear plan and allocation of any releases before they take place.

Fourth, during a phase out period and after a closure of the fishery, a rigorous control must be in place. The penalties for placing eel on the market without full documentation and for illegal sales should be heavily fined.

In summary, all MS must themselves take on the responsibility to ensure full protection for the eel throughout its natural range and stop using artificial borders as limitations of their actions and the reach of the eel recovery plan, but this needs to be demanded across the board on the EU level. To focus on coastal/marine areas is unfair, unbalanced and irrelevant in relation to eel. The EU as a whole should outline principles covering the above mentioned areas and set demands on each MS but under current circumstances it seems clear that the MS must themselves commit to take on and implement upstream measures and allow the oversight of the EU. Withholding or payment of EMFF funds could for example be used as a carrot and a stick.

**14a) Please provide a reason for your answer to explain what factors lead to coherence or to identify those aspects that are inconsistent or a duplication of efforts under other measures:**

Clearly the Eel regulation is not aligned with the CFP, for example the MSY principle. Both the WFD and MSFD are not well utilized and in the case of the latter, eel is usually not considered at all even though it falls under either Descriptor 1 or 3.

Since both CITES and CMS (Convention on Migratory Species) has specifically addressed eel there has been additional focus on eel and not in an overlapping way but complementary. In the case of CMS the results of the listing are yet to be fully utilized. The recently agreed eel plan in the GFCM (General Fisheries Committee for the Mediterranean) shows that it is possible to move forward with countries also outside the EU and this must be a major part of the ambition within the CMS going forward.

**15a. Please provide any comments below to explain your answer (optional):**

Without the eel regulation, very little would have changed regarding eel, both efforts to reduce pressures (fishing) and migration barriers. Also, funds for research has been channeled to eel due to the demands of the eel regulation that would never had taken place otherwise. The regulation has had a tremendous value in that way, however the limited reach of the regulation has meant that inland waters have been neglected in many member states.

**16. What would be the most likely consequences of stopping the application of the measures contained within the Eel Regulation (both positive and negative)?**

Restoring river connectivity is an important component for reaching GES. Eel would likely not be prioritized without the dedicated regulation and the efforts regarding dam mitigation would potentially stop if the demands on for example hydropower companies to also develop measures for eel would reduce. Salmonids (sea trout, salmon etc) get a lot of attention but require different solutions and habitat measures than eel. The increased focus on completely removing dams instead of installing costly and sometimes poorly functioning fishways etc. is certainly helped by the demands of several different migratory species and the eel puts focus on rivers and channels not otherwise considered important (i.e. those lacking salmonids).

**19. If yes, what other policy instruments or mechanisms do you think would have been more cost effective?**

We don’t think there is an issue with cost efficiency because for example dam mitigation should be paid for by the dam owner and this is true regardless if measures are called for by the WFD or the eel regulation or any other laws. If the question is more related to administration and costs of management, then the answer is we don’t know, but a comment would be that since the “dual focus” of both keeping a fishery open and sustained with the help of relocated juvenile eel is evident everywhere, one must question such a waste of taxpayer money.