

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

COUNCIL REGULATION (EC) No 1100/2007  
of 18 September 2007

establishing measures for the recovery of the stock of European eel

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas:

- (1) On 19 July 2004 the Council adopted conclusions concerning the Commission's Communication to the Council and the European Parliament of 1 October 2003 on the development of a Community Action Plan for the Management of European Eel, which included a request to the Commission to come forward with proposals for long-term management of eels in Europe.
- (2) On 15 November 2005 the European Parliament adopted a resolution calling on the Commission to immediately submit a proposal for a regulation for the recovery of European eel stocks.
- (3) The latest scientific advice from the International Council for the Exploration of the Sea (ICES) concerning European eel is that the stock is outside safe biological limits and that current fisheries are not sustainable. ICES recommends that a recovery plan be developed for the whole stock of European eel as a matter of urgency and that exploitation and other human activities affecting the fishery or the stock be reduced as much as possible.
- (4) There are diverse conditions and needs in the Community which require different specific solutions. That diversity should be taken into account in the planning and execution of measures to ensure protection and sustainable use of the population of European eel. Decisions should be taken as close as possible to the locations where eel are exploited. Priority should be given to action by Member States through the drawing up of Eel Management Plans adjusted to regional and local conditions.
- (5) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora<sup>(2)</sup> and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy<sup>(3)</sup> are intended, *inter alia*, to protect, conserve and enhance the aquatic environment where eels spend part of their life cycle and it is necessary to ensure that there is coordination and consistency between measures taken under this Regulation

---

**Changes to legislation:** There are outstanding changes not yet made to Council Regulation (EC) No 1100/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

and those taken under the aforementioned Directives. In particular, Eel Management Plans should cover river basins defined in accordance with Directive 2000/60/EC.

- (6) The success of measures for the recovery of the European eel stock depends on close cooperation and coherent action at Community, Member State and local and regional level as well as on information, consultation and involvement of the public sectors involved. To this end support from the European Fisheries Fund may contribute to the effective implementation of Eel Management Plans.
- (7) If river basins lying within the national territory of a Member State cannot be identified and defined as constituting natural habitats for the European eel, it should be possible for that Member State to be exempted from the obligation to prepare an Eel Management Plan.
- (8) In order to ensure that eel recovery measures are effective and equitable, it is necessary that Member States identify the measures they intend to take and the areas to be covered, that this information be communicated widely, and that the effectiveness of the measures be evaluated.
- (9) Eel Management Plans should be approved by the Commission on the basis of a technical and scientific evaluation by the Scientific, Technical and Economic Committee for Fisheries (STEFEC).
- (10) Within a river basin where fisheries and other human activities affecting eels may have transboundary effects, all programmes and measures should be coordinated for the whole of the relevant river basin. However, coordination must not take place at the expense of the rapid introduction of the national parts of Eel Management Plans. For river basins extending beyond the boundaries of the Community, the Community should endeavour to ensure appropriate coordination with the third countries concerned.
- (11) In the context of transboundary coordination, both within and outside the Community, special attention should be devoted to the Baltic Sea and European coastal waters falling outside the scope of Directive 2000/60/EC. However, the need for such coordination should not prevent urgent action being taken by Member States.
- (12) Special measures to increase the numbers of eels less than 12 cm in length released into European waters as well as for the transfer of eel less than 20 cm in length for the purpose of restocking should therefore be implemented as part of an Eel Management Plan.
- (13) By 31 July 2013, 60 % of eels less than 12 cm in length caught annually should be reserved for restocking. The evolution of market prices for eel less than 12 cm in length should be monitored annually. In the event of a significant decline in average market prices for eels less than 12 cm in length used for restocking in eel river basins as defined by Member States, compared to the price of eels less than 12 cm in length used for other purposes, the Commission should be authorised to take appropriate measures which may include a temporary reduction in the percentage of eels less than 12 cm in length to be reserved for restocking.

---

**Changes to legislation:** There are outstanding changes not yet made to Council Regulation (EC) No 1100/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

- (14) Catches of eels in Community waters seaward of the boundary of eel river basins defined by Member States as constituting natural eel habitats should be reduced gradually by reducing fishing effort or catches by at least 50 % based on the average fishing effort or catches in the years 2004 to 2006.
- (15) Based on information to be provided by Member States, the Commission should produce a report on the outcome of the implementation of the Eel Management Plans and if necessary propose any appropriate measures to achieve with high probability the recovery of European eel.
- (16) A control and monitoring system should be established by Member States adapted to the circumstances and to the legal framework already applicable to inland fisheries in consistency with Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(4)</sup>. In this context Member States should establish certain information and estimates concerning commercial and recreational fishing activities to support if necessary the reporting and evaluation of Eel Management Plans as well as control and enforcement measures. Member States should furthermore take measures to ensure control and enforcement of imports and exports of eel,

HAS ADOPTED THIS REGULATION:

---

**Changes to legislation:** There are outstanding changes not yet made to Council Regulation (EC) No 1100/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

- (1) Opinion of 16 May 2006 (not yet published in the Official Journal).
- (2) [OJ L 206, 22.7.1992, p. 7](#). Directive as last amended by Directive 2006/105/EC ([OJ L 363, 20.12.2006, p. 368](#)).
- (3) [OJ L 327, 22.12.2000, p. 1](#). Directive as amended by Decision No 2455/2001/EC of the European Parliament and of the Council ([OJ L 331, 15.12.2001, p. 1](#)).
- (4) [OJ L 261, 20.10.1993, p. 1](#). Regulation as last amended by Regulation (EC) No 1967/2006 ([OJ L 409, 30.12.2006, p. 11](#)), corrected by [OJ L 36, 8.2.2007, p. 6](#).

**Changes to legislation:**

There are outstanding changes not yet made to Council Regulation (EC) No 1100/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 1A inserted by [S.I. 2019/739](#) reg. 14(3)
- Art. 9(1)(a) words omitted by [S.I. 2019/739](#) reg. 14(9)(a)(ii)(aa)
- Art. 9(1)(a) words substituted by [S.I. 2019/739](#) reg. 14(9)(a)(ii)(bb)
- Art. 9(1)(a) words substituted by [S.I. 2019/739](#) reg. 14(9)(a)(ii)(cc)
- Art. 9(1)(b) words substituted by [S.I. 2019/739](#) reg. 14(9)(a)(iii)
- Art. 9(1)(c) words substituted by [S.I. 2019/739](#) reg. 14(9)(a)(iv)