

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

Article 2

Establishment of Eel Management Plans

1 Member States shall identify and define the individual river basins lying within their national territory that constitute natural habitats for the European eel (eel river basins) which may include maritime waters. If appropriate justification is provided, a Member State may designate the whole of its national territory or an existing regional administrative unit as one eel river basin.

2 In defining eel river basins, Member States shall have the maximum possible regard for the administrative arrangements referred to in Article 3 of Directive 2000/60/EC.

3 For each eel river basin defined under paragraph 1, Member States shall prepare an Eel Management Plan.

4 The objective of each Eel Management Plan shall be to reduce anthropogenic mortalities so as to permit with high probability the escapement to the sea of at least 40 % of the silver eel biomass relative to the best estimate of escapement that would have existed if no anthropogenic influences had impacted the stock. The Eel Management Plan shall be prepared with the purpose of achieving this objective in the long term.

5 The target level of escapement shall be determined, taking into account the data available for each eel river basin, in one or more of the following three ways:

- a use of data collected in the most appropriate period prior to 1980, provided these are available in sufficient quantity and quality;
- b habitat-based assessment of potential eel production, in the absence of anthropogenic mortality factors;
- c with reference to the ecology and hydrography of similar river systems.

6 Each Eel Management Plan shall contain a description and an analysis of the present situation of the eel population in the eel river basin and relate it to the target level of escapement laid down in paragraph 4.

7 Each Eel Management Plan shall include measures to attain, monitor and verify the objective set out in paragraph 4. The Member States may define the means depending on local and regional conditions.

8 An Eel Management Plan may contain, but is not limited to, the following measures:

- reducing commercial fishing activity,
- restricting recreational fishing,
- restocking measures,
- structural measures to make rivers passable and improve river habitats, together with other environmental measures,
- transportation of silver eel from inland waters to waters from which they can escape freely to the Sargasso Sea,
- combating predators,
- temporary switching-off of hydro-electric power turbines,

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— measures related to aquaculture.

9 Each Eel Management Plan shall contain a time schedule for the attainment of the target level of escapement laid down in paragraph 4, following a gradual approach and depending on an expected recruitment level; it shall include measures that will be applied as of the first year of application of the Eel Management Plan.

10 In the Eel Management Plan, each Member State shall implement appropriate measures as soon as possible to reduce the eel mortality caused by factors outside the fishery, including hydroelectric turbines, pumps or predators, unless this is not necessary to attain the objective of the plan.

11 Each Eel Management Plan shall include a description of the control and enforcement measures which will apply in waters other than Community waters in accordance with Article 10.

12 An Eel Management Plan shall constitute a management plan adopted at national level within the framework of a Community conservation measure as referred to in Article 24(1)(v) of Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund⁽¹⁾.

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- (1) [OJ L 223, 15.8.2006, p. 1.](#)

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Changes and effects yet to be applied to :

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)
- Art. 2 heading substituted by [S.I. 2019/739 reg. 14\(4\)\(a\)](#)
- Art. 2(1) omitted by [S.I. 2019/739 reg. 14\(4\)\(b\)](#)
- Art. 2(2) omitted by [S.I. 2019/739 reg. 14\(4\)\(b\)](#)
- Art. 2(3) omitted by [S.I. 2019/739 reg. 14\(4\)\(b\)](#)
- Art. 2(4) word substituted by [S.I. 2019/739 reg. 14\(4\)\(c\)\(i\)](#)
- Art. 2(4) words substituted by [S.I. 2019/739 reg. 14\(4\)\(c\)\(ii\)](#)
- Art. 2(7) words substituted by [S.I. 2019/739 reg. 14\(4\)\(d\)](#)
- Art. 2(10) words substituted by [S.I. 2019/739 reg. 14\(4\)\(e\)](#)
- Art. 2(11) words substituted by [S.I. 2019/739 reg. 14\(4\)\(f\)](#)
- Art. 2(12) omitted by [S.I. 2019/739 reg. 14\(4\)\(g\)](#)

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\(9\)\(a\)\(iv\)](#)