

BSAC Working Group on Ecosystem Based Management

4th February 2022

10.00 – 15.00 CET (by Zoom)

Report

1. Welcome by the Working Group Chair

Nils Höglund, Chair of the Working Group on ecosystem based management

welcomed all the participants. He noted the record high attendance (60 people), and wide representation with representatives of DG Mare and DG ENV, HELCOM, BALTFISH Presidency as well as representatives from the fisheries and environmental ministries of Member States. He stated that the agenda includes information on the revised HELCOM Baltic Sea Action Plan (BSAP) and eel.

2. Apologies and adoption of the agenda

The list of participants and apologies is on the BSAC website¹. The agenda was adopted without changes.

3. With HELCOM: update on the revision of the Baltic Sea Action Plan²

The Chair informed that the aim of the meeting was to inform on the actions from the adopted HELCOM BSAP that are relevant to fisheries and fisheries management and TO get a shared understanding in order to streamline the BSAC work programme. He underlined that cooperation between HELCOM, BALTFISH and BSAC is essential in implementing the actions planned in the revised BSAP.

Marianne Goffeng Raakil, informed that she was Chair of the HELCOM Group on Ecosystem-based Sustainable Fisheries (FISH Group), and represented Sweden in the BALTFISH HLG. As representative of the HELCOM FISH Group she thanked the BSAC for organising the meeting to share information and coordinate the work on the actions related to fisheries in the BSAP. She stated that the note sent by the BSAC to the HELCOM Heads of Delegation meeting in December 2021³ gives a valuable overview of the actions related to fisheries. She referred to the meeting of the HELCOM FISH Group (FISH-14) on 23rd – 24th February 2022⁴, which will discuss the implementation of the relevant actions in the revised BSAP. She encouraged the BSAC to attend the meeting and take an active part in the discussions. It was not possible for her to pre-empt or go into too much detail on the coming FISH Group meeting. She underlined that the input from the

¹ [BSAC - BSAC Ecosystem Based WG with BALTFISH and HELCOM](#)

² <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM/HELCOM-BSAPpresented040222.pdf.aspx?lang=en-GB>

³ Background note: <http://www.bsac.dk/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM>

⁴ [http://www.bsac.dk/Meetings/External-events/HELCOM-FISH-\(1\)](http://www.bsac.dk/Meetings/External-events/HELCOM-FISH-(1))

BSAC to the planning of the implementation of the BSAP is crucial in order to achieve good results. It was about putting good minds together.

Markus Helavuori, HELCOM Professional Secretary thanked the BSAC for organizing the meeting and showed a power point on the structure and goals of the updated BSAP⁵. He underlined that good cooperation and information sharing between the BSAC, BALTFISH, HELCOM and other relevant stakeholders is of key importance. He referred to the vision of HELCOM which is to reach a healthy Baltic Sea environment with diverse biological components functioning in balance, resulting in good ecological status and supporting a wide range of sustainable economic and social activities. The aim of the revised BSAP is to achieve this vision by 2030. The revised BSAP was adopted at the HELCOM Ministerial meeting in October 2021. It maintains the same level of ambition as the previous BSAP and includes all actions and measures from the previous plan that had not been implemented. The updated BSAP also considers emerging and previously insufficiently addressed pressures such as climate change and marine litter. The revised BSAP contains segments related to biodiversity, eutrophication, hazardous substances and litter, sea-based activities, and horizontal topics. There are in total 199 actions: 35 in the biodiversity segment, 36 related to eutrophication, 32 to hazardous substances and litter and 68 related to sea-based activities. Horizontal topics cover 28 actions. Most of the actions related to fish and fisheries are part of the sea-based activities segment (18 actions). 5 actions relevant to fish are in the biodiversity segment and 1 action in the hazardous substances and litter segment. Actions cover a wide variety of topics from fisheries management and river restoration to acoustic deterrent devices and cooperation with relevant organizations. HELCOM does not have the mandate to regulate fisheries. However, the BSAP provides the opportunity to increase cooperation with authorities, regional organisations and Contracting Parties. The actions are to be implemented at the latest by 2030, but many have an earlier year target. He referred to the supporting documents adopted by the Ministerial meeting together with the updated BSAP, including additional information on the actions in the updated Baltic Sea Action Plan, Baltic Sea Climate Change Fact Sheet 2021 and HELCOM Science Agenda, which are of key importance for the implementation of the actions.

Questions:

A fisheries representative asked which actions are planned to be implemented from 2022 and 2023.

The HELCOM representative referred to the actions related to the mitigation of bycatch of fish, birds and marine mammals, in particular the Baltic proper population of harbour porpoise, the action aimed at restoring the population of sturgeon, as well as the action related to effective mitigation measures in the identified rivers and/or dams, including removal of dams and migration barriers.

⁵ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM/HELCOM-BSAPpresented040222.pdf.aspx?lang=en-GB>

Another fisheries representative noted the increased efforts to deal with fish and fisheries related issues and asked whether HELCOM had increased its capacity for this. He also asked whether the environmental goals set by HELCOM in the previous BSAP had already been reached and whether the goals and actions in the revised BSAP take into account the targets and goals of the EU Green Deal and Biodiversity Strategy.

The HELCOM representative stated that HELCOM has no mandate to regulate fisheries, but it has the mandate to improve the state of the Baltic environment through an ecosystem-based approach, including the protection of the fish stocks, mitigation of bycatch and reduction of the negative impacts of fishing activities on the marine ecosystem. Cooperation between HELCOM and fisheries management bodies can facilitate ecosystem-based management in line with the objectives of the BSAP and fisheries management measures in place. The revised BSAP sets new commitments and includes all actions and measures from the previous plan that had not been implemented. With reference to the EU environmental policy, he underlined that the EU is a Contracting Party to HELCOM, and HELCOM cooperates closely with the European Commission on the implementation of the EU environmental policy goals, including the biodiversity and MSFD targets. The fact that Russia is also a Contracting Party to HELCOM gives the opportunity to expand the implementation of these targets beyond the EU.

The WG Chair underlined that implementation of the EU environmental legislation requires a regional approach and coordination. HELCOM, BALTFISH as well as the BSAC should cooperate closely and take joint actions to align the implementation of relevant policies, such as the Green Deal, the Biodiversity Strategy and the EU Action Plan to conserve fisheries resources and protect marine ecosystems. Russia should also be included in this cooperation.

The HELCOM representative referred to the actions in the 2021 Baltic Sea Action Plan of particular relevance for the Fish Group⁶. He recalled that in 2019 and 2020 the BSAC Working Group on Ecosystem Based Management discussed and proposed new measures to the BSAP⁷. These were: undertaking further upstream efforts to allow migration of fish to the spawning grounds (river connectivity); supporting joint work on the food web dynamics in the Baltic Sea in HELCOM; monitoring invasive species, including the participation of fishermen and the facility to develop new gears, and research into how the invasive species could be commercialised; establishing a threshold value for cormorants (GES); marine litter, in particular derelict fishing gears: “no special fee system”, recycling, uniform approach to port reception facilities; gravel extraction; MPAs; investigating the

⁶ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM/HELCOMImplementation-of-the-2021-Baltic-Sea-Action-PlanFISH.pdf.aspx?lang=en-GB>

⁷ BSAC EBM WG September 2019 <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/Ecosystem-based-management-working-group/FinalreportBSACWGEBM1819092019.pdf.aspx?lang=en-GB>

BSAC EBM WG September 2020 [http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/Ecosystem-based-working-group/BSACEBMWG21_2209REPORTFINAL-\(1\).pdf.aspx?lang=en-GB](http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/Ecosystem-based-working-group/BSACEBMWG21_2209REPORTFINAL-(1).pdf.aspx?lang=en-GB)

effectiveness of spawning closures; the importance of tackling eutrophication and pollutants. Several of these actions had been included in the revised BSAP. He also referred to Action S41 to further elaborate cooperation between the Baltic Sea Fisheries Forum (BALTFISH) and relevant HELCOM working groups by 2023 to facilitate a wide range of actions to achieve good environmental status. Such cooperation and coordination could be achieved by sharing work plans and meeting agendas, and feeding into the appropriate processes between the organisations.

The representative of the Latvian BALTFISH Presidency stated that BALTFISH attaches great importance to close cooperation with the BSAC and HELCOM for the benefit of the Baltic. He underlined that all actions included in the BSAP could be covered under the existing BALTFISH work programme⁸, under the point 7: Considerations on fisheries interaction and species protection issues. The current BALTFISH work programme already covers work on the joint recommendation on harbour porpoise protection, salmon management plan, sea trout and seal-fisheries interactions. BALTFISH will hold a Technical Working Group on 10th February 2022 to discuss additional protection measures for harbour porpoise, other than acoustic devices, among others time and area closures. The Working Group will also discuss eel in relation to the consultation launched by the European Commission, seeking advice as to how best to implement the ICES advice. The measures for harbour porpoise and eel will also be consulted on in the BALTFISH Forum, and with the BSAC. With reference to salmon, he stated that BALTFISH will proceed with the salmon management plan after receiving the core scientific input. He underlined that although BALTFISH focuses its work on the preparation of Joint Recommendations, the Presidency is always ready to take part in meetings with the BSAC, such as the joint BALTFISH-EFCA-BSAC workshop on monitoring, control, and enforcement of the implementation of the LO in the Baltic Sea on 7th March 2022.⁹ BALTFISH often works under time pressure and decisions need to be taken quickly, without a lengthy consultation process. The BALTFISH Presidency is open to cooperate with HELCOM on actions related to regulatory measures when and if they are needed and thus facilitate progress in the implementation of the BSAP.

Questions:

A fisheries representative asked the BALTFISH Presidency representative whether the additional protection measures for harbour porpoise will include additional temporary closures/fishing bans and whether the socio-economic effects of such closures are considered.

The representative of the Latvian BALTFISH Presidency stated that the discussion on additional protection measures for harbour porpoise will only start in the planned Technical Working Group meeting and at present, there are no defined proposals for such measures. BALTFISH is ready to discuss different options, as well as socio-economic effects. The

⁸ <http://www.bsac.dk/BSAC-Resources/Documents-section/BALTFISH>

⁹ <http://www.bsac.dk/Meetings/BSAC-meetings/Joint-EFCA-BALTFISH-BSAC-Workshop-on-Landing-Oblig>

measures need to be adapted to particular areas and take into account the frequency of occurrence of harbour porpoise. Additional regulatory measures and possible compensation for fishermen could be considered at national level.

A representative of the OIG appreciated the fact that the Delegated Act on harbour porpoise will soon be published. She underlined that protection measures are needed in the entire distribution range of harbour porpoise, so additional measures should be discussed and implemented in the Baltic. She asked the BALTFISH Presidency whether experts and scientists will be invited to the Technical Working Group. She underlined that they should take part in discussions on such measures from a very early stage.

The representative of the Latvian BALTFISH Presidency explained that Member States had been asked by the Presidency and the BALTFISH HLG to invite participants to a first round of discussions on additional protection measures for harbour porpoise. After the meeting of the Technical Working Group, the BALTFISH HLG will decide how to continue discussions on this matter, with possible involvement of scientists, experts and fishermen.

A representative of the OIG asked what aspects of eel management will be discussed at the BALTFISH Technical Working Group. She also asked whether eel will be discussed in the HELCOM FISH Group as part of the consultation launched by the European Commission. She referred to the Regional HELCOM Workshop on Eel held in 2017 in Stockholm, hosted by the Swedish Agency for Marine and Water Management and the Swedish University of Agricultural Sciences in cooperation with the Convention of Migratory Species (CMS) and the Sargasso Sea Commission (SSC).¹⁰

The representative of the Latvian BALTFISH Presidency stated that the BALTFISH HLG had already considered some elements of eel management, such as possible limitations in commercial and recreational fishery, as well as the trade in glass eel, and decided to transfer the discussion to the Technical Working Group. The Technical Working Group will try to reach a common position and will present its conclusions to the HLG. He underlined that although the situation and practices in Member States are different, BALTFISH works on the basis of consensus and will try to present a recommendation. He underlined that eel management is a pan-European issue, and management measures should not be restricted to the Baltic. This relates to the EU regulatory system and common rules.

The impact of measures should also be taken into account.

The Chair of HELCOM Fish Group stated that the FISH Group will discuss eel later in February, so it is too early to present any measures. **The HELCOM representative** underlined that internal coordination of different HELCOM working groups is needed with respect to eel. He referred to the revised BSAP and the actions referring to eel, which include a coordinated programme of protective measures ensuring successful eel migrations, aligned with the CMS, the EU Eel Regulation and other relevant instruments to

¹⁰ https://www.cms.int/sites/default/files/document/outcome-of-regional-baltic-sea-eel-ws-fish-m-5-2017_e.pdf

be implemented by 2025, as well as regional cooperation on a Baltic-wide level, including BALTFISH, on a coordinated programme of measures ensuring eel migration.

The WG Chair underlined that a coordinated programme of measures to ensure upstream and downstream migration possibilities in rivers is of crucial importance for eel. In this context, he referred to the actions aimed at developing river restoration measures included in the revised BSAP and expressed the hope that the BALTFISH Technical Working Group will also consider these measures. In his view, the BSAC representatives should be invited to the meeting.

A representative of DG Environment stated that as a result of the commitment undertaken in the Biodiversity Strategy 2030, the European Commission is developing a Nature Restoration Law. The proposal will be published in March 2022 and will include proposals for coordinated actions to restore river continuity. Member States are encouraged to integrate existing strategies and measures in the river basin management plans. River restoration should also be considered in the context of the European Green Deal and the Biodiversity Strategy 2030. She referred to the guidance on river restoration published in December 2021¹¹. She proposed to make a presentation of the new Nature Restoration Law and other documents relevant to the restoration of river continuity and habitats at a coming meeting of the BSAC EBM WG. The WG Chair thanked the representative from DG Environment and stated that BSAC is more than happy to invite her back once the proposal is out.

The HELCOM representative thanked the BALTFISH Presidency for confirming its readiness to cooperate with HELCOM on the implementation of actions related to regulatory measures. He underlined that this cooperation is crucial in order to turn the BSAP actions into the regulatory framework. He also stated that successful implementation of BSAP actions depends on good cooperation between different ministries in the Member States. He recalled the fact that the BSAP had been adopted unanimously by the HELCOM Contracting Parties, so its implementation should be considered a strong political commitment. He stated that the HELCOM annual meeting in March will discuss the BSAP implementation process, including the nomination of lead parties from among the Member States and organisations to particular BSAP actions.

The WG Chair proposed that the BSAC could take the lead on some actions directly related to fisheries.

The representative of the Latvian BALTFISH Presidency underlined the need to include Russia in the fisheries management framework in the Baltic. He stated that Russia should follow the same rules as the EU Member States with respect to fishing opportunities and

¹¹ The EU 2030 Biodiversity Strategy calls for greater efforts to restore freshwater ecosystems and the natural functions of rivers. Besides calling for better implementation of existing legislation on freshwater, the Biodiversity Strategy sets the target to make at least 25 000 km of rivers free-flowing again by 2030, by removing primarily obsolete barriers and restoring floodplains and wetlands. This document aims to support Member States and other actors involved in river restoration as they seek to achieve this target. Guidance: https://ec.europa.eu/environment/publications/guidance-barrier-removal-river-restoration_da

other regulatory measures, especially for species of concern, such as cod and harbour porpoise. The EU – Russia Fisheries Agreement¹² is not adequately implemented and enforced. He stated that since Russia is not a member of BALTFISH, but is a Contracting Party to HELCOM, HELCOM could be asked to consider how to improve cooperation with Russia.

The HELCOM representative underlined that the Russia is a Contracting Party to HELCOM, but has not been participating actively in the HELCOM FISH Group. It is up to one of the HELCOM Contracting Parties to propose to the agenda of the FISH Group, or other relevant HELCOM bodies, discussion on how to improve cooperation with Russia.

4. Eel

The WG Chair referred to the wide stakeholder consultation on eel launched by the European Commission. The Commission had addressed Advisory Councils and Member State Regional Groups, asking for concrete suggestions on measures that would facilitate implementation of the ICES advice on eel¹³. The Working Group discuss the ICES advice and attempt to formulate a draft reply to the Commission (deadline 4th April 2022). He drew attention to the fact that eel management had already been raised under item 3 of the agenda, in the context of the BSAP and BALTFISH work.

The representative of DG Mare underlined that the conservation and management of eel is a wide-ranging issue which goes far beyond fisheries and needs to take into account both fisheries and environmental considerations. Eel is dealt with by DG Mare and DG Environment, as the issue goes beyond the competences of DG Mare. He recalled that the Fisheries Council in December had decided to continue with the three-month closure for eel, which had been applied since 2018 in the TAC/quota Regulation in all ICES subdivisions and the Mediterranean to protect the migrating eel. Eel is a pan-European issue and all relevant actors, also from outside the EU, should be engaged in its management. He referred to the ICES advice on eel, published in November 2021. The ICES advises that when the precautionary approach is applied, there should be zero catches in all habitats in 2022. This applies to recreational and commercial fisheries and includes catches of glass eels for restocking and aquaculture¹⁴. The Commission had recognised that the advice will have a severe impact on various sectors, including fisheries and aquaculture. Since the European eel stock remains in a critical condition and ICES has issued more clear advice than in previous years, the Commission addressed the Advisory Council asking for advice on how to implement the ICES advice. The Commission is aware of the commitments made by the Member States with respect to eel in the revised BSAP and expects that the Member States will implement these actions. From a regulatory point of view, measures applied to eel are not easy to implement as they reach beyond fisheries and link to many

¹² http://www.bsac.dk/getattachment/BSAC-Resources/Documents-section/Council/LexUriServEU_Russia.pdf.aspx?lang=en-GB

¹³ All relevant documentation relating to exchange between the BSAC and DG Mare is here [BSAC - BSAC statement on eel](#)

¹⁴ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM/eel-2737-nea.pdf.aspx?lang=en-GB>

regulatory frameworks. He also referred to the fact that ICES will publish in April 2022 advice on progress made by the Member States on their Eel Management Plans. According to the evaluation carried out in February 2020, the Eel Regulation was fit for purpose, but there are serious implementation problems.¹⁵ The Commission had asked the Advisory Councils for advice and was at present not planning a wider public consultation. It would be very interesting to receive views from stakeholders on re-stocking in particular.

The representative of DG Environment informed that eel consultations were also being carried out in the Mediterranean. **Another representative of DG Mare** referred to the ICES workshop on the implementation of eel regulation¹⁶. She underlined that any issues related to biodiversity loss, including eel, are high on the EU agenda. In the Biodiversity Strategy 2030 and the European Green Deal, the Member States had committed to join forces and take actions against biodiversity loss. These commitments include the need to have sustainable fishing and aquaculture practices.

The WG Chair recalled that on 9th December 2021 the BSAC had sent a statement on eel to the European Commission, referring to the latest ICES advice on eel.¹⁷ Whilst there is no consensus among members of the BSAC on the ICES advice of zero catches, the statement contains consensus views and advice on other factors that hamper eel recovery and that require immediate and urgent attention and work. The WG Chair proposed to take the statement as the starting point for formulating a BSAC advice. Points that need clarification could be further discussed by the Group. He also drew attention to the fact that the discussion held in the BALTFISH and HELCOM working groups in February 2022 will be extremely relevant. The coordination of eel management measures should occur at Member State level.

The Working Group exchanged views on the efforts needed to improve upstream and downstream migration of eel and restocking.

The WG Chair recalled the BSAC position on restocking¹⁸. He summarised: The BSAC agrees that if restocking is to be used and supported by public money, restocking efforts must only be allowed in eel safe places.

¹⁵ SWD(2020) 35 final: Evaluation of Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel. 17.2.20.

<https://edz.bib.uni-mannheim.de/edz/pdf/swd/2020/swd-2020-0035-en.pdf>

¹⁶ The ICES Workshop for the Technical evaluation of EU Member States' Progress Reports for submission in 2021 (WKEMP3). Report not yet available

¹⁷ [http://www.bsac.dk/getattachment/BSAC-Resources/BSAC-Statements-and-recommendations/BSAC-statement-on-eel/BSACstatementeel21_22_29-\(1\).pdf.aspx?lang=en-GB](http://www.bsac.dk/getattachment/BSAC-Resources/BSAC-Statements-and-recommendations/BSAC-statement-on-eel/BSACstatementeel21_22_29-(1).pdf.aspx?lang=en-GB)

¹⁸ BSAC proposals in 2017 also refer to restocking: <http://www.bsac.dk/getattachment/BSAC-Resources/BSAC-Statements-and-recommendations/BSAC-proposals-for-possible-ways-forward-to-improv/BSACrepytoeelFINAL1092017CORR050917.pdf.aspx?lang=en-GB>

The BSAC reply in 2018 to questions from the Commission on measures to take in order to promote the recovery of eel includes reference to restocking: <http://www.bsac.dk/BSAC-Resources/BSAC-Statements-and-recommendations/BSAC-replies-recovery-of-eel>

The representative of DG Mare informed that the Commission is collecting the views of stakeholders on the eel management until 4th April 2022 before formulating a final statement. The input from stakeholders is highly appreciated and considered by the Commission. The aim for the Commission is to propose workable management measures. She agreed that restocking should not be funded in places dangerous for eel and she underlined the importance of the unrestricted migration of eel in order to eliminate one of the main causes of eel mortality.

A fisheries representative informed that 90.000 – 150.000 eels are restocked annually in Finland, mainly with the use of private funding (water owners etc.), but lately also with public funds. Scientific research has shown that of the Finnish restocked fish, about 70 % of the eels survive to the silver eel state, as the fishing mortality is low. The Finnish silver eel also grow very big (1.5 – 2 kg) compared to the central European silver eel that can be as small as a few hundred grammes, giving the Finnish eel a better chance of surviving the long journey to the Sargasso Sea. It is more fruitful to focus on migration and restocking, having the coastal waters as a nursery for eel. However, the situation in other Member States can be very different. And lately, most restocking (70 % and above) is done to the coastal waters, or within areas where trap and transportation schemes are provided.

Another fisheries representative stated that it is important to remember that the restocked eel behave like any other eel and reach the same life stages.

A representative of anglers stated that fishing for glass eels should only be allowed for restocking purposes. Restocking above hydropower stations should only be allowed if proven measures such as eel passages are applied in order to reduce eel mortality during the passage through hydropower installations and dams.

With reference to restocking, **another representative of anglers** stated that the main argument against restocking is the high mortality during glass eel fisheries. A scientific study by Briand et al. (2012)¹⁹ assessed the glass eel fishing mortality in pre-Eel Regulation conditions and determined an average mortality of 42%. This high mortality has repeatedly been used as an argument against glass eel fishery for restocking. More recently, Simon et al. (2021)²⁰ re-assessed the glass eel fishing mortality in post-Eel Regulation conditions and determined a mortality of only 7.4%. This scientific evidence should be considered before decisions to close down the eel fishery are taken.

The BALTFISH Presidency representative underlined that eel management is a complex issue, ranging far beyond fisheries. Fishing is not the most important factor contributing to anthropogenic mortality of eel. Anthropogenic, non-fishery-related sources of mortality must be dealt with. Restocking supported by public money should be restricted to eel-safe places. However, privately funded restocking cannot always be restricted. The Latvian restocking programme works well and there is an increase in the abundance of eel in Latvian waters. There is no evidence how many eels reach the spawning grounds in Sargasso Sea.

¹⁹ Briand et al. (2012) Push net fishing seems to be responsible for injuries and post fishing mortality in glass eel in the Vilaine estuary (France) in 2007. Knowledge and Management of Aquatic Ecosystems (2012) 404, 02, [doi: 10.1051/kmae/2011080](https://doi.org/10.1051/kmae/2011080)

²⁰ Simon et al. (2021) The commercial push net fisheries for glass eels in France and its handling mortality. J Appl Ichthyol. 2021;00:1–14. doi: 10.1111/jai.14292

A representative of the OIG referred to many uncertainties and risks related to the effects of restocking as a conservation measure. Other measures to improve natural recruitment should be considered. She referred to a scientific paper by Estonian scientists²¹, which concludes that restocking may be futile as a conservation measure. The research indicated that despite massive restocking almost all eels found in coastal waters were from natural recruitment. **Another OIG representative** supported the opinion that restocking programmes often do not work [reference needed] and as much as 60% of released eel do not survive [reference needed]. **Another OIG representative** added that measures aimed at improving the survival of eels migrating to the spawning grounds should be considered and implemented. He also drew attention to the fact that in Finland many small eels are transported above the hydropower stations for restocking. This practice should only be done if safe passage through hydropower installations is secured for eels during their downstream migration.

Discussion on the total closure of eel fishery recommended by ICES

A fisheries representative referred to the fact that a total ban on all eel fishing recommended by ICES will be difficult to implement in inland waters which are under the competence of Member States and will require lengthy and complicated amendments in the national legislation. Moreover, a total ban on eel fishing will have a major impact on the market by eliminating all eel products. He underlined important cultural and economic aspects of eel fishery which need to be taken into account when discussing the management measures.

The representative of DG Mare stated that the Commission is fully aware of the difficulties related to the implementation of the regulatory measures in inland waters, which are under national competence. The Commission will consider the socio-economic aspects of any management measures for eel.

A representative of German anglers sent a written statement after the meeting, opposing any further restrictions with regard to the eel fishery.²² He expressed the view that a well-controlled eel sector can provide significant environmental, social and economic benefits.

²¹ http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM/Rohtla-et-al-2020_Conservation-restocking.pdf.aspx?lang=en-GB

²² *Short statement by German Angling Association (DAFV), representing about half a million German recreational rod & line fishers.*

The DAFV clearly does not support a blanket ban on commercial and recreational eel fishing and data in the current ICES advice do not reveal evidence of increased fishing mortality that suddenly justifies a total ban. We consider that any further fishing restrictions will be disproportionate and not effective.

Recreational and commercial eel fishing has already been massively restricted throughout Europe while other causes of mortality like hydropower installations have remained largely untouched. In our view, a blanket ban on eel fishing would consequently conflict with the principle of equal treatment and would therefore be unacceptable for our members.

In compliance with the Eel Regulation, the majority of the eel sector already invests a lot into a responsible future. Glass eel fishing mortality, for example, has dropped from 42%¹⁹ in 2007 to 7.4%²⁰ in 2020.

A ban imposed on the fisheries and the following shutdown of the eel sector would certainly also give rise to another issue. The glass eel trafficking business is much too lucrative for it to be stopped by a fishing ban! We are very afraid that

A representative of small scale fisheries was of the opinion that a total ban on eel fishery recommended by ICES is not the best management solution. In his opinion, eel should be managed through a package of measures, with special focus put on the management of the glass eel fishery which causes the highest mortality amongst fishery-related factors of eel mortality.

The representative of DG Mare underlined that eel should be managed and regulated in its entire distribution range and with a wide and complex range of measures.

A fisheries representative referred to the fact that the commercial fishery for silver eel only accounts for an extremely small part of the total mortality of the species. Calculations done by the Danish scientific institute DTU Aqua²³ indicate that of the total mortality on eel, only approximately 3% comes from the commercial fishery in marine areas, 23% stems from the glass eel fishery, 18% comes from the commercial fishery in fresh water and 7% from the recreational fishery. The remaining 49% is caused by other anthropogenic pressures and natural predation.

He underlined that a fishery closure is a disaster for livelihoods based on eel and has little effect, as it impacts only a small percentage of the eel. Efforts should be put into a more focused management plan for eel. He drew attention to the fact that the ICES advice is based on the assessment made 10 years ago. and in his view, the state of the eel has not worsened.

A representative of recreational fishermen referred to the impact of a total ban on eel fishing on recreational fishing. He underlined that recreational fishing should be considered as the last remains of subsistence fishing for consumption only and is therefore a culture that needs to be preserved.

Discussion/comments on the basis of the scientific assessment

A fisheries representative stated that the ICES advice is based on the same assessment. The wording in the headline advice is a result of a consequential analysis of the advice. The production of glass eel is now a fraction of what it was, whereas the yellow eel index has not reduced by the same order of magnitude. Is the glass eel recruitment index a relevant proxy for stock size? There is a significant decline in the eel, and the commercial fishers are willing to contribute to finding a solution, but their livelihoods need to be taken into account.

A representative of the recreational fishermen stated that it is unusual for the eel stock to be assessed on the basis of recruitment. The yellow eel recruitment is at least 25% and

with the absence of a responsible sector, Europe will lose its effective control over the illegal eel trade, and poachers and traffickers will have a free ticket to continue their crimes in the dark.

DAFV is very convinced that a well-controlled eel sector can provide significant environmental, social and economic benefits. Everything that we need to do is raising the ambitions and helping to enforce and implement the EU-tools that are already in place (e.g. Eel Regulation, WFD, DG SANTE's "FOOD FRAUD NETWORK", potentially many more...).

²³ DTU Aqua memo to the Fisheries Agency: Effect of eel regulation for 2018 2nd May 2018

<http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM/DTU-Aquas-memo-effect-of-eel-regulation.pdf.aspx?lang=en-GB>

increasing. The silver eel recruitment index is above 40%. The assessment of the stock should be of what is returning to the spawning grounds.

Discussion on other eel mortality factors: cormorants

A representative of anglers pointed to the fact that increased predation of cormorants has a significant impact on the eel stock. A European management plan for cormorants should be implemented.

Discussion on trade in eel and eel products

The Working Group briefly discussed whether the EU ban on import/export of eel is affected by Brexit and whether the export of glass eel from the UK is closely monitored. The Working Group underlined that the EU ban on all eel exports to countries outside the EU should remain. Literature was provided after the meeting.²⁴

The Working Group agreed to meet on 1st or 2nd March 2022 to further discuss the eel management and formulate a BSAC position.

The WG Chair thanked all participants for good discussions. He thanked the representatives of the European Commission, HELCOM, BALTFISH and Member States for their valuable input to the meeting. He also thanked the Secretariat and the interpreters for their hard work.

The BSAC Secretary informed on the upcoming meetings of the BSAC: the joint BALTFISH-EFCA-BSAC workshop on the landing obligation on 7th March 2022, the Demersal Working Group meeting on 8th March 2022 to focus on updates with respect to the management of seals, and the Pelagic Working Group meeting to continue discussions on TACS/quotas for pelagic stocks for 2023 on 14th March 2022.

5. AOB

There was no other business.

²⁴ Available on meeting website <http://www.bsac.dk/Meetings/BSAC-meetings/BSAC-meeting-with-BALTFISH-and-HELCOM>