

Brexit and the European eel

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The UK's withdrawal from the EU has caused the greatest upheaval in its trading relationships for two generations. Fish and fisheries were one of the Brexit battlegrounds and we have all seen in the media, the queues of lorries at ports in January and the French fishing fleet blockade of Jersey in May. This article describes the impact on just one species, the migratory European eel, *Anguilla anguilla*.

Background to the European eel

The range of the European eel includes most of Europe, North Africa and western Asia. The species had seen a dramatic decline in recent decades¹. In 2007 the EU Eel Regulation was created and the eel was also listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). In 2010 the EU effectively banned all imports and exports of European eel, but regulated trade within the EU remained possible. The eel stopped declining in 2011 (ICES, 2019), two years after the eel Regulation was implemented in 2009, and there are also signs of recovery (SEG, 2020).

Juvenile eels ('glass eels' or 'elvers') reach the coasts and estuaries of North West Africa and Europe from October to June, having metamorphosed and grown on a 12–18 month journey drifting with the Gulf Stream from the Sargasso sea. These arrivals are the 'recruitment' to the stock and the best recent estimate of the annual numbers arriving is 440 tonnes, about 1.3 billion fish (Bournarel, 2017). The legal market demand for glass eels in Europe is about 35 tonnes per year.

The UK eel fisheries

The glass eel fisheries of England and Wales have usually caught and exported around 4 tonnes per year over the past decade. Over 95% have been from the rivers surrounding the Severn Estuary², e.g. Severn, Parrett and Wye. The majority (average 65%) are exported for restocking contracts around Europe and the remainder sold to eel farms to grow on for high value food – the majority for

smoked eel. The fisheries of the Severn, Parrett and Taw adhere to current best practice standards, and these fisheries are therefore certified as 'responsible' under the Sustainable Eel Group (SEG) Standard. The Severn has been providing glass eels for restocking to Germany as far back as 1908. The most significant wild-caught eel fishery in Europe is on Lough Neagh in Northern Ireland. Annually, 300 tonnes of yellow and silver eels are caught. 80% are exported to the Netherlands to meet their demand for smoked eel whilst 20% goes to Billingsgate for Londoners' jellied eels. The Lough Neagh fishery depends on restocking with glass eels in the lake as natural recruitment is now insufficient to meet the ability of its natural productivity. There is no legal glass eel fishery in the Republic of Ireland and Northern Ireland that could meet Lough Neagh's demand. So, in the past decades, 1–2 tonnes of glass eels per year were supplied from England and Wales.

Brexit

Brexit meant that as of 1 January 2021, the UK was no longer part of the EU single market, except Northern Ireland, which was included under the special protocol.

This meant that UK glass eels could no longer be exported to Europe or Northern Ireland – immediately suppressing the market for the England and Wales fishery in 2021. It also meant that the half dozen importers of EU farmed eel for the small but high value smoked eel market in the UK was also disabled, as was the provision of yellow eels from Lough Neagh and farmed eels from the EU to Billingsgate. This has left 300 elver fishermen with no seasonal fishery to supplement their incomes, 2 eel traders with no business and about 6 wholesale suppliers with no or reduced business, and 4 tonnes (12 million elvers) of natural recruitment going to waste, as they will most likely die of density-dependent mortality in the rivers where they would have been caught. The wholesalers are investigating supplies from non-EU countries such as Morocco but permits for this new trade are slow to emerge.



65% of glass eels caught in England and Wales are used for restocking in Northern Ireland and across Europe where freshwater habitats are underused by eels due to low natural recruitment and migration barriers.



So, where is the controversy? We all knew that Brexit was likely to cause trading relations to change. It does seem to be a bizarre unintended consequence of the Northern Ireland Protocol that the UK could no longer trade in eels within its borders, or that continued trade of the eel within its natural range should be hindered. To trade in a CITES listed species, the country wishing to export (the UK in this case), needs to present scientific evidence that there will be no detriment to that vulnerable species by conducting that trade. This is known as a 'non-detriment finding' (NDF). Previously, the EU permitted free trade of the European eel within its trading block, but a zero export and import quota to and from the EU. As soon as the UK left the EU, it had to create a NDF, and the nations with which it wishes to trade with (e.g. the EU) have to decide whether to accept that NDF. At midnight on 31 December 2020, trade between the UK and the EU was to be no different and the eel's status was similar. The UK government developed a scientifically robust NDF for the eel. Despite no change for the eel and a robust NDF, the EU's Scientific Review Group (SRG), responsible for assessing NDFs for CITES listed species, rejected the UK's assessment. Was this decision influenced by science or politics? There have been requests to export UK glass eels to new markets – non-EU states such as China and Belarus. However, the UK government has made a commitment to observe previous EU

environmental policies and is currently reluctant to permit those. And, as a member of CITES, the UK is obliged to observe CITES regulations and requirements for NDFs. So, the UK eel sector is caught between the EU being unwilling to accept trade, and the UK government being unable to promote non-EU trade. For the sector, this is frustratingly at odds with Boris's rhetoric that Brexit would open up new trading opportunities.

Illegal trade

Further controversy is that the loss of a legal fishery and trade creates the significant risk of illegal trade developing. With the rest of the UK having left the EU, there was no legal option for the existing England and Wales glass eel fisheries to export to Northern Ireland or the EU. Demand for glass eels is very high outside the EU, in particular in China and other parts of East Asia. This demand has been met in part by a substantial illegal trade, so much that the illegal eel trade from the EU is its most important illegal wildlife trade in terms of monetary value (~€900/kg glass eels on the EU black market in 2018; total value €3 billion once grown on). Stein & Nijman (2021)³ concluded that an oversupply of glass eels in the UK and the high demand in East Asia might lead to an increase in illegal trade between these two regions. To date, there are many indications that glass eel trafficking from Europe and the UK to Asia has significantly

decreased since the peak season 2017/2018. European enforcement agencies continuously increase their efforts and travel restrictions during the pandemic, impacting all smuggling, will also have played a major role in suppressing the illegal trade. However, when conditions return to the pre-pandemic normal, and no legal and responsible market exists inside the UK, it is only to be expected that the risk of trafficking will increase and the enforcement agencies will need to continue to be vigilant.

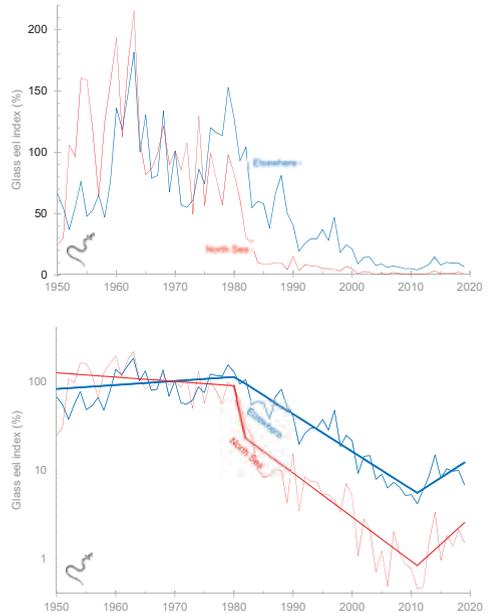
Stein & Nijman (2021) concluded that for the Lough Neagh eel fisheries to remain viable, up to 2 tonnes of glass eels need to be imported annually from other parts of the EU. France and Spain are the most likely candidate countries for sourcing these imports. If this materialises then the trade of wild-caught eel from Lough Neagh to the Netherlands could continue.

The 2021 season

In March 2021, 1 tonne of glass eels was supplied to Lough Neagh from France. Then, in a surprise move in early May, late into the UK elver fishing season, the UK Government made the decision to interpret its own advice in relation to CITES for eel and allow export of glass eels to Northern Ireland as a UK country. It was however too late for the UK elver fishermen – the very wet weather of May was a wash-out for the fishery and very few were caught. However, this presumably sets a precedent that England & Wales will be able to supply Northern Ireland in the future and the fishery can continue – albeit at about 35% of its previous level.

Trading in the European eel

Trade in eel is controversial in its own right. Not only is it listed under CITES, it is also listed by the IUCN as ‘critically endangered’ (CR). Many observers don’t understand or agree how a species classified in this way can be exploited. SEG believes that, as per the IUCN’s own guidance, well regulated trade can contribute positively to the conservation of some threatened species. We believe that is possible for eel, where trade conforms to the EU Eel Regulation and to the SEG Standard. To read more about this we invite you to read this position statement⁴ as well as SEG’s thoughts⁵ why the CR listing for the European eel seems inappropriate and misleading.



The trend in glass eel recruitment over the past decades. Left: on a normal, linear scale; right: the same data, on a logarithmic scale. The logarithmic scale enables focus on the developments at low levels, as we experience now. Data: ICES (2020).

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¹ ICES reported in 2019 and 2020 that the European eel has stopped declining. There also signs of recovery. The decline stopped in 2011, two years after the EU Eel Regulation was implemented in 2009.

² These rivers have many more glass eels entering them than can be accommodated in the habitats upstream (source: Environment Agency), so the surplus can be sustainably cropped, especially when the majority are used for restocking.

³ Stein FM, Nijman V. (2021). Concerns of increase in illegal trade in European eel following Brexit. *Oryx*, 55(3), 05 May 2021, pp.239, doi: 10.1017/S0030605321000089

⁴ SEG. Protection and Sustainable use of the European eel, July 2020. <https://www.sustainableeelgroup.org/wp-content/uploads/2020/07/Eel-protection-and-sustainable-use-July-2020-EN.pdf>

⁵ SEG. SEG position on the eel stock status, and our ambition for recovery, July 2020. <https://www.sustainableeelgroup.org/wp-content/uploads/2020/07/SEG-position-on-the-status-of-the-eel-stock-July-2020.pdf>