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**NOTE**

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From:	Presidency
To:	Council
No. prev. doc.:	15666/17 PECHE 521
No. Cion doc.:	13780/17 PECHE 414 + ADD 1-2 - COM(2017) 645 final
Subject:	Proposal for a COUNCIL REGULATION fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non Union waters

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Delegations will find attached a final Presidency compromise in agreement with the Commission on the above-mentioned proposal, based on the consolidated version of the proposal (doc. 15398/17 PECHE 505 + ADD 1-2).

The document modifies or adds to doc. 15666/17.

## Fishing Opportunities 2018

### 1. CHANGES TO THE BODY OF THE REGULATION

#### 1. Changes on European seabass

1. Recital 8 is replaced by the following:

"According to scientific advice, European seabass (*Dicentrarchus labrax*) in the Celtic Sea, Channel, Irish Sea and southern North Sea (ICES divisions 4b, 4c and 7a, 7d–7h) remains in a perilous state and the stock continues to decline further, despite the measures taken in previous years. These measures have not delivered the desired reduction in commercial fishing mortality (only -17% instead of the expected -50%). Recreational fishing mortality on the Northern stock is now considered to be far more significant than previously calculated and is estimated to have exceeded that from commercial sources in 2016. This also includes post-release sources of mortality. Therefore, the fishing mortality of the Northern stock has to be decreased significantly in order to allow for a small increase in the biomass.

In order to mitigate the social and economic impact of the above measure, only limited fisheries with certain gears could be permitted, while providing for a two months closure to protect spawning aggregations. Whilst there could be certain unavoidable by-catches from other fishing gears, the stock status is so severe that it is not possible to allow all by-catches to be landed, and any encounters with the stock should be avoided. Also, there will need to be further restrictions on recreational fishing, with only catch-and release fishing allowed during the entire year. Taking into account ICES advice to further reduce fishing pressure on the stock of European seabass in the Bay of Biscay, a lower daily bag limit for recreational fisheries should also be fixed in that area."

2. Article 9 is replaced by the following:

*"Article 9*

*Measures on European seabass fisheries*

1. It shall be prohibited for Union fishing vessels, as well as for any commercial fisheries from shore, to fish for European seabass in ICES divisions 4b and 4c, and in ICES subarea 7. It shall be prohibited to retain on board, tranship, relocate or land European seabass caught in that area.
2. By derogation from paragraph 1, in January 2018 and from 1 April to 31 December 2018, Union fishing vessels in ICES divisions 4b, 4c, 7d, 7e, 7f and 7h and in waters within 12 nautical miles from baselines under the sovereignty of the United Kingdom in ICES divisions 7a and 7g may fish for European seabass, to retain on board, tranship, relocate or land European seabass caught in that area with the following gears and within the following limits:
  - (a) Using demersal trawls<sup>1</sup>: not exceeding 100 kilograms per month and 1% of the weight of the total catches of marine organisms on board in any single day;
  - (b) Using seines<sup>2</sup>: not exceeding 180 kilograms per month and 1% of the weight of the total catches of marine organisms on board in any single day;
  - (c) Using hooks and lines<sup>3</sup>: 5 tonnes per vessel per year;
  - (d) Using fixed gillnets<sup>4</sup>: 1,2 tonnes per vessel per year.

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<sup>1</sup> All types of demersal trawls, including OTB, OTT, PTB, TBB, TBN, TBS, TB.

<sup>2</sup> All types of seines, including SSC, SDN, SPR, SV, SB, SX.

<sup>3</sup> All long lines or pole and line or rod and line fisheries, including LHP, LHM, LLD, LL, LTL, LX and LLS.

<sup>4</sup> All fixed gillnets and traps, including GTR, GNS, FYK, FPN and FIX.

The above derogations shall apply to Union fishing vessels that have recorded catches of European seabass over the period from 1 July 2015 to 30 September 2016: in point (c) with recorded catches using hooks and lines, and in point (d) with recorded catches using fixed gillnets. In the case of a replacement of a Union fishing vessel, Member States may allow the derogation to apply to another fishing vessel provided that the number of Union fishing vessels subject to the derogation and their overall fishing capacity do not increase.

3. The catch limits set in paragraph 2 shall not be transferable between vessels and, where a monthly limit applies, from one month to another. For Union fishing vessels using more than one gear in a single calendar month, the lowest catch limit set in paragraph 2 for either gear shall apply.

Member States shall report to the Commission all catches of European seabass per type of gear not later than 15 days after the end of each month.

4. In recreational fisheries, including from shore, in ICES divisions 4b, 4c, 7a to 7k, only catch-and-release fishing for European seabass shall be allowed. It shall be prohibited to retain on board, relocate, tranship or land European seabass caught in that area.
5. In recreational fisheries in ICES divisions 8a and 8b, a maximum of three specimens of European seabass may be retained per fisherman per day."

## **2. Recital and Article on turbot and brill increase for 2017**

1. The title of the Regulation is revised accordingly
2. The following recitals are inserted:

"According to the updated scientific advice from ICES, annual catches of turbot in ICES subarea IV should be not more than 4952 tonnes for the years 2017-2019, it is appropriate to amend the TAC for turbot and brill in the North Sea to allow higher catches of those species also in 2017. Council Regulation (EU) 2017/127 should therefore be amended accordingly.

The TAC for turbot and brill in the North Sea (ICES divisions IIa and IV) provided for in Regulation (EU) 2017/127 applies from 1 January 2017. The amending provisions set out in this Regulation should also apply from that date. Such retroactive application does not prejudice the principles of legal certainty and protection of legitimate expectations as the fishing opportunities concerned are increased compared to the opportunities established in Regulation (EU) 2017/127."

3. The following article is inserted after Article 43:

*"Article 43a*

*Amendment to Regulation (EU) 2017/127*

The fishing opportunities table for turbot and brill in Union waters of IIa and IV in Annex IA to Regulation (EU) 2017/127 is replaced by the following table:

"

Species:	Turbot and brill <i>Psetta maxima</i> and <i>Scophthalmus rhombus</i>	Zone:	Union waters of IIa and IV (T/B/2AC4-C)
Belgium	434	Precautionary TAC	
Denmark	928		
Germany	237		
France	112		
The Netherlands	3 291		
Sweden	7		
United Kingdom	915		
Union	5 924		
TAC	5 924		

". "

4. In Article 46, the following subparagraph is inserted after the fourth subparagraph:

"Article 43a shall apply retroactively from 1 January 2017."

**3. Recital and Articles on Western and Central Pacific Fisheries Commission (WCPFC), changes to Annex IH and VII**

1. Recital 28 is replaced by the following:

"At its 14th Annual Meeting, the Western and Central Pacific Fisheries Commission (WCPFC) adopted conservation and management measures for tropical tunas. Those measures should continue to be implemented in the law of the Union."

2. Articles 33, 34 and 35 are replaced by the following:

*"Article 33*

*Conditions for bigeye tuna, yellowfin tuna, skipjack tuna and south Pacific albacore fisheries*

1. Member States shall ensure that the number of fishing days allocated to purse-seine vessels fishing for bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*) and skipjack tuna (*Katsuwonus pelamis*) in the part of the WCPFC Convention Area located in the high seas between 20° N and 20° S does not exceed 403 days.
2. Union fishing vessels shall not target south Pacific albacore (*Thunnus alalunga*) in the WCPFC Convention Area south of 20° S.
3. Member States shall ensure that catches of bigeye tuna (*Thunnus obesus*) by longliners do not exceed 2 000 tonnes in 2018.

*Article 34*

*Management of fishing with FADs*

1. In the part of the WCPFC Convention Area located between 20° N and 20° S, it shall be prohibited for purse seine vessels to deploy, service or set on FADs between 00:00 hours of 1 July 2018 and 24:00 hours of 30 September 2018.
2. In addition to the prohibition set in paragraph 1, it will be prohibited to set on FADs on the high seas of the WCPFC Convention Area, between 20° N and 20° S, for two additional months: either from 00:00 hours of 1 April 2018 to 24:00 hours of 31 May 2018, or from 00:00 hours of 1 November 2018 to 24:00 hours of 31 December 2018. The choice for the two additional months shall be notified to the Commission before 31 January 2018.

3. Member States shall ensure that each of its purse seine vessels shall have deployed at sea, at any one time, no more than 350 Fish Aggregating Devices (FADs) with activated instrumented buoys. The buoy shall be activated exclusively onboard a vessel.
4. All purse-seine vessels fishing in the part of the WCPFC Convention Area referred to in paragraph 1 shall retain onboard and land or tranship all bigeye, yellowfin and skipjack tuna caught.
5. Paragraph 2 shall not apply in the following cases:
  - (a) in the final set of a trip, if the vessel has insufficient well space left to accommodate all fish;
  - (b) where the fish is unfit for human consumption for reasons other than size; or
  - (c) when a serious malfunction of freezer equipment occurs.

*Article 35*

*Limitations to the number of Union fishing vessels authorised to fish for swordfish*

The maximum number of Union fishing vessels authorised to fish for swordfish (*Xiphias gladius*) in areas south of 20° S of the WCPFC Convention Area shall be as set out in Annex VII.

*Article 35a*

*Catch limits for swordfish in long-line fisheries south of 20°South*

Member States shall ensure that catches of swordfish (*Xiphias gladius*) south of 20°S by long-liners do not exceed in 2018 the limit set in Annex IH. Member States shall also ensure that there is no shift of the fishing effort for swordfish to the area north of the 20°S, as a result of this measure."

3. Annex IH is replaced by the following:

**"ANNEX IH**

WCPFC CONVENTION AREA

Species: Swordfish <i>Xiphias gladius</i>	Zone: WCPFC Convention Area south of 20° S (SWO/F7120S)
Union 3 170,36	Precautionary TAC
TAC	Not relevant

"

4. Annex VII is replaced by the following:

**"ANNEX VII**

WCPFC CONVENTION AREA

Maximum number of Union fishing vessels authorised to fish for swordfish in areas south of 20° S of the WCPFC Convention Area

Spain	14
Union	14

"

**4. Recital and Articles on European eel**

1. Recital 7 is replaced by the following:

- (7) As regards European eel stock, the ICES advised that all anthropogenic mortalities should be reduced to zero, or kept as close to zero as possible. In the light of this advice, it is appropriate to establish a temporary prohibition to fish for European eel of an overall length of 12 cm or longer in Union Waters of ICES areas including in the Baltic Sea, to protect spawners during their migration.

2. The following Article is inserted after Article 9:



*"Article 9a*  
*Measures on European eel fisheries*

It shall be prohibited for Union fishing vessels and third country vessels, as well as for any commercial fisheries from shore, to fish for European eel of an overall length of 12 cm or longer in Union Waters of ICES area, including in the Baltic Sea, for a consecutive three-month period to be determined by each Member State between 1 September 2018 and 31 January 2019. Member States shall communicate the determined period to the Commission not later than on 1 June 2018."

3. Article 12(1)(a) and Article 43(1)(a) is deleted.

**5. Recital on inter-area flexibility will be included.**

**2. CHANGES TO ANNEXES IA regarding TAC levels**

**1. Changes to corresponding TAC levels and special conditions, references to the corresponding statements:**

(all figures are including top-ups, where applicable)

Common name	TAC Unit	Proposal TAC change 2017 -2018	Compromise TAC change 2017 - 2018	Compromise TAC 2018 (tonnes)	Statements / additional information
<b>Anchovy</b>	9 and 10; Union waters of CEEAF 34.1.1	-20 %	RO	12 500 tonnes	Statement on improvement of scientific data
<b>Anglerfish</b>	7	-12%	RO	33 516 tonnes	Footnote to fish up to 25% of this TAC in 8a, 8b, 8d and 8e for the Member States with the quotas in both areas

<b>Anglerfish</b>	8abde	- 12%	RO	8 980 tonnes	
<b>Cod</b>	3aS (Kattegat)	RO	+ 20%	630 tonnes	
<b>Cod</b>	7b-7k	RO	+9%	3 076 tonnes	Statement on selectivity Removing the footnote on fixing mesh size for gadoid fishery
<b>Common sole</b>	3a, 22-32	- 37%	-18% (MSY advice)	448 tonnes	Baltic Sea subdivisions 25- 32 removed
<b>Haddock</b>	7b-k, 8, 9 and 10, Union waters of CECAF	- 34%	-11%	6 910 tonnes	Statement on selectivity Removing the footnote on fixing mesh size for gadoid fishery
<b>Hake</b>	8c, 9, 10 and CECAF	- 24%	-12%	9 258 tonnes	Statement
<b>Ling</b>	Union waters of 4	RO	+10%	3 843 tonnes	
<b>Ling</b>	6, 7, 8, 9, 10, 12 and 14		No change	No change	Footnote to fish up to 15% of this TAC in Union waters of 4 for MS having quotas in both areas
<b>Megrims</b>	7		No change	No change	Footnote to fish up to 25% of this TAC in 8a, 8b, 8d and 8e for the Member States with the quotas in both areas
<b>Norway lobster</b>	9 and 10				Footnote allowing not more than 100 tonnes in FU30

<b>Skates and rays</b>	Union waters of 2a and 4	RO	20%	1 654 tonnes	Footnote to fish up to 10% of the North Sea TAC in 7d if the MS has quotas in both areas.
<b>Skates and rays</b>	7d	RO	20%	1 276 tonnes	Footnote to fish up to 10% of TAC in the North Sea
<b>Skates and rays</b>	6b, 7a-c, 7e-k	RO	15%	9 699 tonnes	
<b>Skates and rays</b>	8 and 9	RO	15%	4 326 tonnes	
<b>Whiting</b>	7b-k	- 28%	-19%	22 213 tonnes	Statement on selectivity Removing the footnote on fixing mesh size for gadoid fishery

**2. For haddock in 7a "precautionary" is replaced by "analytical".**

**3. Changes to corresponding TAC levels and special conditions, references to the corresponding statements:**

Corrigendum to the version doc. 15398/17 PECHE 505 + ADD 1-2:

1. In the fishing opportunities table for cod in 7a, no footnote on sentinel fishery included;
2. In the fishing opportunities table for Norway lobster in 2a and 4, no special condition is included.

**The Hague preferences are applied for the following stocks:**

**At 50%:**

Cod 6 a, 5 b\* (COD/5BE6A)

Cod 6 b, 5 b, 12 & 14 (COD/5W6-14)

Cod 7 a (COD/07A.)

Cod 7 b-c, e-k, 8, 9, 10 & 34.1.1 (COD/7XAD34)

Haddock 6 a, 5 b (HAD/5BC6A.)

Haddock 6 b, 12 & 14 (HAD/6B1214)

Whiting 7 a\* (WHG/07A.)

Whiting 7 b-k (WHG/7X7A-C)

Plaice 6, 5 b, 12 & 14 (PLE/56-14)

Plaice 7 a (PLE/07A.)

Plaice 7 b,c (PLE/7BC.)

Plaice 7 f,g (PLE/7FG.)

Saithe 6, 5b, 12 & 14 (POK/56-14)

Saithe 7, 8, 9, 10 & 34.1.1 (POK/7/3411)

Sole 7 a (SOL/07A.)

Sole 7 b,c (SOL/7BC.)

**At 30%:**

Haddock 4; Union waters of 2a (HAD/2AC4.)

Whiting 4; Union waters of 2a (WHG/2AC4.)

**3. CHANGES TO ANNEXES IB regarding TAC levels**

The fishing opportunities table for herring in Union, Faroese, Norwegian and international waters of 1 and 2 is replaced by the following table:

Species:	Herring <i>Clupea harengus</i>	Zone:	Union, Faroese, Norwegian and international waters of 1 and 2 (HER/1/2-)
Belgium	10 <sup>(1)</sup>	Analytical TAC	
Denmark	9 704 <sup>(1)</sup>		
Germany	1 699 <sup>(1)</sup>		
Spain	32 <sup>(1)</sup>		
France	419 <sup>(1)</sup>		
Ireland	2 512 <sup>(1)</sup>		
The Netherlands	3 472 <sup>(1)</sup>		
Poland	491 <sup>(1)</sup>		
Portugal	32 <sup>(1)</sup>		
Finland	150 <sup>(1)</sup>		
Sweden	3 595 <sup>(1)</sup>		
United Kingdom	6 203 <sup>(1)</sup>		

Union	28 319	(1)
Faroe Islands	4 000	(2)(3)
Norway	25 487	(2)(4)

TAC 435 000

- (1) When reporting catches to the Commission the quantities fished in each of the following areas shall also be reported: NEAFC Regulatory Area and Union waters.
- (2) May be fished in Union waters north of 62° N.
- (3) To be counted against the catch limits of the Faroe Islands.
- (4) To be counted against the catch limits of Norway.

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

Norwegian waters north of 62° N and the fishery zone around Jan Mayen (HER/\*2AJMN)

25 487

2, 5b north of 62° N (Faroese waters) (HER/\*25B-F)

Belgium	1
Denmark	1 371
Germany	240
Spain	5
France	59
Ireland	355
The Netherlands	490
Poland	69
Portugal	5
Finland	21
Sweden	508
United Kingdom	876

#### **4. STATEMENTS**

##### **Improvements in selectivity in the Celtic Sea gadoid fishery (The North Western Waters Group of Member States (UK, IE, FR, BE, NL, ES))**

The Member States recognise that in the gadoid fishery in the Celtic Sea further improvements in selectivity are required to reduce unwanted catches of cod, haddock and whiting.

Such measures, which may include increases in cod-end mesh size, selective trawl designs or the use of selectivity devices such as square mesh panels, will be developed by the Member States in the North Western Waters regional group in partnership with the Advisory Council. Recommendations on the appropriate measures to be taken will be submitted by the North Western Waters Group to the Commission by the end of May 2018.

### **Sustainable management of Irish Sea cod (UK, IE)**

Considering the very high TAC increase decided for 2018 for Irish Sea cod, Ireland and the United Kingdom commit to agree in December 2018 to a TAC for this stock in line with MSY level for 2019, based on ICES advice, including if it leads to a significant decrease.

### **Appropriate conservation measures concerning plaice ICES division 7a (Irish Sea), plaice ICES divisions 7fg (Celtic Sea, Bristol Channel), plaice ICES divisions 7hjk (Celtic Sea, Southwest of Ireland), whiting ICES division 7a (Irish Sea), whiting 5b and 6 - Commission and Member States**

The Commission and Member States recognise a need to take into account the effects of the landing obligation when setting fishing opportunities for different stocks. This also includes situations where a very low TAC or zero TACs could lead to premature closure of fisheries due to choke situations.

To this end, Member States working with the Advisory Council within the regional groups undertake to apply all appropriate measures to mitigate choke situations and to include such measures within their joint recommendations for discard plans for 2019.

In cases where, even after applying all appropriate measures, residual choke issues still remain a major concern, the Member States will propose alternative conservation measures to alleviate the choke risk. Where necessary, the Commission will seek scientific advice either from ICES or STECF on appropriate measures for those stocks.

### **Anchovy 9a (ES, PT)**

Spain and Portugal recognise that the scientific basis for managing Anchovy 9a needs to be significantly improved in order to achieve full analytical assessment of the stock. In particular, carrying out biomass surveys and collecting age composition data for all 9a areas is vital to improve the knowledge of the stock. Spain and Portugal therefore commit to achieving a considerable improvement in scientific data collection and assessment in 2018 by:

- Making greater investment in terms of human resources and expertise to expedite the required research;
- Carrying out timely and comprehensive biomass survey campaigns in 2018, including in the autumn.

### **Improvements in selectivity in the *Nephrops* fisheries in Irish Sea (UK, IE)**

Ireland and the United Kingdom recognise that in the *Nephrops* fishery in the Irish Sea further improvements in selectivity are required to reduce unwanted catches of whiting. These measures should build on the significant work already carried out by Ireland and the United Kingdom over the last years.

Such measures which may include increases in cod-end mesh size, selective trawl designs or the use of selectivity devices such as square mesh panels and sorting grids, will be developed by Ireland and the United Kingdom in partnership with the Advisory Council. In the framework of the North Western Waters Group, the recommendations on the appropriate measures to be taken will be submitted to the Commission by the end of May 2018 by the North Western Waters Group.

### **Statement on support from the European Maritime and Fisheries Fund (EMFF) in relation to the provisions for eel (DE and COM)**

When adopting national emergency measures referred to in Article 13 of Regulation 1380/2013 in the specific context of the implementation of the ICES advice on European eel, Member States may consider using temporary cessation in accordance with Article 33 of Regulation (EU) No 508/2014.

### **Hague Preferences (BE, DE, DK, FR)**

Belgium, Denmark, Germany and France are of the opinion that the scales for the allocation of quotas for Member States were agreed upon in 1983. These scales constitute the basis of relative stability, which is a principle established by the Basic Regulation governing the Common Fisheries Policy. It is our opinion that Hague preferences are contrary to the principle of relative stability.

### **Southern hake (ES, PT)**

Spain and Portugal undertake to support all necessary measures needed to achieve MSY in 2019 at the very latest. In addition, Spain and Portugal will take all appropriate measures to effectively control the southern hake fishery, with the aim to ensure that there are no unallocated landings of southern hake in the future.

### **Commission and Spain on inter-area flexibility for horse mackerel from ICES division 8c to subarea 9**

The Commission will submit a request to ICES to provide scientific advice on whether an increase from 5 % to 15 % in the inter-area flexibility from division 8c to subarea 9 would be sustainable, also in the long term, noting that the current scientific advice indicates that this flexibility would apply to two different stocks.

### **Undulate ray (COM)**

In the beginning of 2018, the Commission will ask the ICES to provide earlier scientific advice on all stocks of undulate ray, if possible.

### **Déclaration de la France, des Pays-Bas et du Royaume-Uni et de la Commission sur la pêche récréative du bar du Nord (4bc, 7a-h)**

Considérant l'importance de la pêche récréative de bar pour l'économie des régions littorales;

Considérant l'état critique du stock du bar de la zone du Nord;



Considérant que les captures de la pêche récréatives ont été estimées avoir dépassé celles de la pêche professionnelle;

Considérant les limites de l'estimation de la mortalité induite par la pêche récréative;

Considérant l'urgence d'adopter des mesures adaptées au regard de l'état de la biomasse;

La France, le Royaume-Uni, les Pays-Bas, après avoir consenti à des mesures de gestion drastiques pour tous les métiers de la pêche professionnelle, estiment justifié de maintenir un régime de gestion de la pêche récréative précautionneux de pêché-relâché sur l'ensemble de l'année.

A la lumière des résultats de la révision du modèle d'évaluation du bar que délivrera le CIEM en mars 2018, la possibilité d'autoriser le débarquement d'un bar par personne et par jour pour une période de temps limitée sera examinée.

### **European seabass (Commission)**

After the ICES benchmark exercise in 2018, the Commission will consider if there is a basis for reviewing the measures in place for seabass and allowing for any landings of seabass in recreational fisheries.

## **Joint Declaration on strengthening the recovery for European eel**

### *The Commission and Member States*

Acknowledging that the stock of European eel is in critical condition, as confirmed again by ICES' latest advice of 7 November 2017;

Taking note of the listing of European eel in CITES Appendix II and in CMS Appendix II;

Recognizing that urgent action is needed to ensure the recovery of the stock across its natural range and that measures that further reduce eel mortality caused by human influences during all eel life stages need to be in place as from 2018;

Considering that a temporary closure of fisheries of eel of an overall length of 12 cm or longer in Union Waters of ICES areas including in the Baltic Sea has been agreed in the context of the Regulation for Fishing opportunities for 2018 and that the potential interaction with national eel management plans will have to be monitored;

Noting the need to work with third countries including through the Joint Baltic Sea Fisheries Commission to ensure a comprehensive and coordinated approach to the recovery of the stock among all stakeholders;

Welcoming the GFCM decision to develop and implement a management plan for European eel in the Mediterranean together with non EU States and underlining that the EU has committed to table a proposal to that end at the 2018 GFCM Annual Session;

Understanding that the recovery of the stock requires measures in all natural eel habitats in the EU and during all stages of the eel life-cycle from the glass eel to the silver eel stage;

Supporting that the Commission will launch an external evaluation of the Eel Regulation early 2018 to assess its effectiveness and its contribution to the recovery of the stock of European eel, with a view to its possible revision, and will present the results of the evaluation and its conclusions to the Council in the first quarter of 2019;

Noting that the Commission will submit Member States' progress reports on the implementation of their national eel management plan due by 30 June 2018 to an external review to verify the accuracy and appropriateness of the data provided and the methods used to calculate them and thus ensure a level playing field;

*Agree to strengthen the protection of the stock of European Eel*

*To this effect:*

1. Member States will fully implement their national eel management plans and reinforce them as appropriate by further decreasing anthropogenic mortality factors during all stages of the eel lifecycle by a combination of measures such as reducing commercial fishing activity, restricting recreational fishing, putting in place structural measures to make rivers passable, improving river habitats, and transporting silver eels from inland waters to waters from which they can escape freely to the Sargasso Sea.
2. Where national eel management plans are not achieving their own targets in terms of fishing mortality and biomass escapement or where Member States do not provide sufficient data to calculate these fishing mortality and escapement targets, Member States concerned will apply as soon as possible to their internal eel fisheries measures with equivalent effect to those agreed in the fishing opportunities regulation.
3. Member States will review current restocking practices to ensure that publicly funded restocking contributes to increasing the escapement levels of silvers eels in line with the objectives of the Eel regulation.
4. Member States will improve the control of eel fisheries as appropriate and further increase their efforts with respect to fighting against illegal eel fishing and illegal trade of eels in particular of glass eels and ensure compliance with the CITES ban of extra-European trade. This may include the use of existing appropriate IT tools to ensure the traceability of eels at all life stages and to the final trade destination of the eels, both when they are used for human consumption directly or after rearing in aquaculture and when they are used for restocking, assisted migration or trap and transport purposes.

5. Member States will provide the progress reports foreseen under Article 9 of Regulation 1100/2007 on the implementation of their eel management plans by 30 June 2018
  6. Furthermore, Member States will inform about the measures they are taking to abide with their commitments under points 1-4 at the latest by 30 September 2018.
  7. Member States will, within the limits of their institutional set-up, endeavour to provide progress reports on the implementation of their eel management plans every three years, until there is a strong scientific evidence of recovery signs for the eel population across Europe.
-