



Third Meeting of Range States for the European Eel

Malmö, Sweden, 25-26 June 2019

UNEP/CMS/Eels3/Report

REPORT OF THE MEETING

Agenda Item 1: Opening of the Meeting

Agenda Item 2: Welcoming Remarks

1. Opening the meeting, Melanie Virtue (CMS Secretariat) welcomed all the delegates to Malmö. She reported that Bradnee Chambers, the Executive Secretary of CMS, had passed away in January. She noted that he had been a staunch advocate of action for the conservation of the European Eel and had attended all previous related meetings. The European Eel was a “poster child” for the Convention, as it migrated long distances from inland lakes to the high seas, faced a wide range of threats and used numerous habitats, both freshwater and marine.
2. Ms Virtue informed the meeting that CMS was celebrating the 40th Anniversary of its signing in 2019 and Øystein Størkersen, the Chair of the CMS Standing Committee, had come direct to Malmö from a diplomatic event in Berlin marking the occasion. CMS had been the first UN body to establish its headquarters in Bonn and had grown to include 128 Parties, the most recent accession being that of Lebanon, which was present at the meeting, earlier in the month.
3. Ms Virtue conveyed the good wishes of Amy Fraenkel, the new Acting Executive Secretary of CMS, who had taken up her post the month before. Ms Fraenkel had previously worked at the Secretariat of the Convention on Biological Diversity (CBD) and at the UNEP Regional Office for North America in Washington D.C. Ms Virtue expressed her thanks to the World Maritime University (WMU), the Sargasso Sea Commission (SSC) and the Government of the Principality of Monaco for their support in organizing and funding the meeting.
4. David Freestone (SSC) gave a presentation on the Sargasso Sea and the work of the SSC. He explained that the Sargasso Sea was a two million square mile high seas ecosystem in the North Atlantic sub-tropical gyre, around the islands of Bermuda. The floating holopelagic Sargassum weed, held in place by the gyre, was a spawning ground and nursery for many commercially important, as well as threatened and endangered species, such as billfish and tunas as well as turtles, sharks and eels. Porbeagle sharks went there to pup, and current research suggested that it was likely that they fed on the spawning eels.

5. The Sargasso Sea system had existed for millions of years and was the hypothesized spawning areas for both the European Eel *Anguilla anguilla* and the American Eel *Anguilla rostrata*. Trade in these species was now worth millions – maybe billions – of dollars per annum. In 2012, it had been described by The Sargasso Sea had been described by the Convention on Biological Diversity as an Ecologically or Biologically Significant Marine Area (EBSA) supporting many species, including some endemic to the Sargassum. Some 30 species of cetacean moved through the Sargasso Sea.
6. An intergovernmental meeting held in Bermuda in March 2014 had led to the adoption of the Hamilton Declaration on Collaboration for the Conservation of the Sargasso Sea, which now had ten signatories. That non-binding political Declaration had led to the establishment of the SSC with the mandate of stewardship of the Sargasso Sea with moral rather than legal force. The Commission's Work Programme included collaboration with CMS on migratory species. A series of meetings on eels had already taken place, starting in Maine in 2015 and followed by Galway, Ireland (2016), Stockholm (2017), Santo Domingo (2018) and Malmö, Sweden (2018).
7. In a recorded video address, Cleopatra Doumbia-Henry, President of the WMU, welcomed participants to Malmö. She expressed her sadness at the death of Bradnee Chambers. She said that the work of the meeting was relevant to Goal 14 of the Sustainable Development Goals (SDGs) and the UN Convention on the Law of the Sea (UNCLOS). She was encouraged by the expected presence of over 50 participants from 24 Range States, including some from Africa as well as experts and representatives from NGOs.
8. Ronan Long, Director of the Sasakawa Global Ocean Institute of the WMU, welcomed participants back to Malmö, noting that the work of the meeting was closely linked to that of the WMU. He congratulated CMS on its anniversary, saying that the Convention had a clear role in the conservation of eels alongside the Convention on International Trade in Endangered Species of Fauna and Flora (CITES), the General Fisheries Commission for the Mediterranean (GFCM), the International Council for the Exploration of the Sea (ICES), the Baltic Marine Environment Protection Commission (Helsinki Commission/HELCOM) and the European Commission.
9. The WMU was part of the UN system and was the only UN-body based in Sweden. The Deputy Prime Minister of Sweden also had a personal interest in conservation, as she had written a book, the first chapter of which was about eels.

Agenda Item 3: Adoption of the Agenda and Schedule

10. Ms Virtue (CMS Secretariat) said that Sweden had chaired the previous meeting but was not in a position to do so on this occasion. The organizers had sought suitable candidates for the post and had identified Céline Impagliazzo of Monaco. The meeting elected Ms Impagliazzo by acclamation.
11. The Chair conducted a *tour de table* inviting participants to introduce themselves briefly. The list of participants can be found as Annex 1 to this report.
12. The Chair invited comments from the floor on the proposed agenda and schedule as contained in document UNEP/CMS/Eels3/Doc.1

13. Arianna Broggiato (European Commission) made a statement underlining that the outcomes of the second meeting called for strengthening international cooperation to address gaps and challenges in European Eel conservation, and not for the beginning of negotiation of any legal instrument. She said it was premature for the EU to discuss the text of the legal agreement and suggested continuing to explore options for the strongest possible international cooperation, such as enhancing synergies with CITES and other forums linking Europe, North Africa and the Sargasso Sea, without duplicating the existing measures in the EU or in any RFMOs. Such cooperation should also provide for greater transboundary responses to enhance efforts for eel recovery. She added that the EU supported having a multi-stakeholder platform to exchange scientific knowledge and for raising awareness and was open to the idea of extending the taxonomic scope to include the American Eel *Anguilla rostrata*. The European Commission could not agree to the inclusion of agenda items 7a and 7b (the introduction and discussion of a draft annotated legal agreement), if this was meant as the commencement of negotiations of a text.
14. Ms Virtue said that the meeting was to explore the way forward with all options on the table. No credentials had been requested, so the meeting was not empowered to negotiate a text. The Secretariat felt that presenting a draft instrument was preferable to not presenting any concrete proposal.

Agenda Item 4: Recap of the CMS Process to date

15. Noting that some participants had attended all or some of the previous meetings, while some were entirely new to the process, Ms Virtue (CMS Secretariat) gave an outline of what had happened at the previous meetings and the history of the Convention's interest in anguillid species.
16. With regard to the European Eel, all of the Range States were Parties to CMS with the exception of the Russian Federation and Turkey. In 2014 at CMS COP11, Monaco had proposed the addition of *Anguilla anguilla* to Appendix II, which was successful. The first workshop in Galway, Ireland in 2016 had been a hybrid meeting, as it had also covered the American Eel and had been attended by representatives from Canada and the USA. Many countries from North Africa had, however, not been able to send delegations.
17. At COP12 in 2017, Parties adopted a Concerted Action on the species, which led in turn to a second Range State meeting in Malmö in May 2018.
18. Dagmar Zikova (European Commission) noted that the map on the screen differed from other species distribution maps used elsewhere. There was some confusion about the status of Austria and Hungary as Range States of the European Eel.

Agenda Item 5: State of Conservation and Management of *Anguilla anguilla*

19. Matthew Gollock (Zoological Society of London - ZSL) said that anguillid eels comprised 16 species found in temperate and tropical waters. They had a complex life cycle in common, being catadromous (migrating from continental waters to spawn in the sea), semelparous (having a single breeding event before death) and panmictic (breeding at random within a single population). European Eel was a misnomer as the species was also found in North Africa and West Asia.

20. It had long been established that the Sargasso Sea was a key area and satellite tags on adult eels were helping researchers to more precisely locate the spawning grounds. One specimen was known to be west of the Azores where it had been tagged, so it appeared to be heading in the predicted direction.
21. The main impacts on eels were climate change and its effects on ocean currents, disease and parasites, pollutants which accumulated in the animals' fat, barriers to migration (such as hydroelectric turbines especially in inland waters), habitat loss, unsustainable exploitation, and predation by whales, sharks and birds. The level of threat varied from place to place, and many were not fully understood.
22. Recruitment of European Eels was in steep decline but seemed to have reached a plateau at historically low levels. The same applied to the American and Japanese Eel.
23. The European Union's Regulation had taken effect in 2007 and required the development of management plans. The European Eel had been listed in Appendix II of CITES in 2007; this had come in to force in 2009 and required non-detriment findings (NDF) to allow international trade. In 2010, the European Union ceased international trade as it was unable to issue an NDF, so set a quota of zero. CITES decisions 17.186 to 17.189 concerned the European Eel and included a mandate for the Secretariat to engage a consultant to assess the effect of the trade ban¹.
24. In 2014, the European Eel had been added to CMS Appendix II at COP11 and in 2017 a Concerted Action had been adopted at COP12, since which time momentum for action for the benefit of the eels had grown.
25. The IUCN Red List status of the species was Critically Endangered and in 2016 a resolution on the needs for eel conservation had been adopted at the World Conservation Congress.

Agenda Item 6: Other existing frameworks and initiatives

26. The Chair invited participants to report on activities within their countries or organizations.

The European Union

27. Katarzyna Janiak (European Commission) said that the EU had the eel recovery management plans under the legal framework provided by Regulation 1100/2007 ('Eel Regulation'), which applied at sea, in transitional and fresh waters. Exports from the EU and imports had been banned since 2010, but marketing within the EU (intra-EU trade) was allowed.
28. Ms Janiak highlighted recent additional EU actions for the recovery of European Eel, including the three-month closure of eel fisheries at EU level. It was also noted the work between the European Commission and the General Fisheries Commission for the Mediterranean (GFCM), which included some non-EU States, and that the Commission monitored the state of the eel stock based on annual advice received from ICES.

¹ <https://cites.org/sites/default/files/eng/com/ac/30/E-AC30-18-01-A1.pdf>
<https://cites.org/sites/default/files/eng/com/ac/30/E-AC30-18-01-A2.pdf>

29. An evaluation of the Eel Regulation was being undertaken by the European Commission to ascertain how effective it was in helping the species' recovery. It also looked into coherence with other EU rules and international agreements such as CMS and CITES. Based on the results, a decision would be taken on whether the regulation needed to be reviewed and/or the implementation by EU Member States needed to be improved. The evaluation was due to be finalized later in 2019. It was recognized that fisheries were not the only problem, but other non-fisheries related factors were also having an impact. The decision on the future of the Eel Regulation might possibly be delayed while the new Commission was appointed.
30. João Loureiro (Portugal) said that there was a need for common management, for a joint strategy for data collection and for long-term monitoring. France, Portugal and Spain were already cooperating.
31. Kristof Vlietinck (Belgium) raised a question about the possible modification of the regulation. He noted that there had been little reaction to previous reports. Amendments to the Eel Regulation, proposed by the European Parliament in 2013, had also not led to any changes.
32. Vin Fleming (UK) said that there were lessons to be learned from the ten years of the regulation. The review undertaken by the European Commission should be dovetailed with the work being done in the parallel CMS process.

Convention on International Trade in Endangered Species of Fauna and Flora (CITES)

33. Karen Gaynor said that CMS and CITES were working closely together, a workshop had been held at Kew Gardens in the UK in 2018 and collaboration between Range States and Consumer States was being encouraged.
34. More decisions were expected to be adopted at the CITES COP, which had been rescheduled to August 2019 and relocated to Geneva because of security concerns in Sri Lanka. Agenda item 63 was dedicated to *Anguilla* species.
35. The CITES Animals and Plants Committees undertook 5-yearly reviews for all Appendix II species. In July 2017, case studies had been done for eels in Algeria, Morocco and Tunisia. The next meeting of the Animals Committee had been rescheduled from January 2020 to April 2020, where the Review of Significant Trade would be discussed. A possible extension to Turkey had been considered but rejected as unnecessary. No Party had submitted a proposal to CITES COP18 for further listings of eel species on the CITES appendices.
36. Mr Freestone (SSC) said that the report from the meeting in the Dominican Republic supported by the US Fish and Wildlife Service and the Canadian Department for Oceans had been submitted to the CITES Animals Committee. Reports from the ZSL and Traffic had also been considered, and these had found that suppressing trade in one species in one area often led to trade increasing in other species elsewhere. Canada and the USA had also both been invited to the current meeting.

Food and Agriculture Organization of the United Nations (FAO)

37. Kim Friedman said that FAO was working closely with CMS, CITES and the SSC on eels. This initiative, like many similar international projects, had had a slow start but momentum was growing with more stakeholders becoming involved and networks expanding. Eels linked the land, coast and open sea, helping to break down the policy area silos, which would help the eel conservation and possibly that of other species.

38. The FAO had been working with Asia-Pacific (SEAFDEC and New Zealand) fisheries organizations trying to improve understanding of eels with a rolling research programme covering the ASEAN region over the past two years. A meeting had been held in Indonesia in November 2018, where the presence of Japan had been helpful, as other countries with little history of monitoring could learn from them and from the participating experts from the USA, UK and New Zealand. Stocks in New Zealand were stable or increasing and there were many lessons to be shared from their experience in running monitoring schemes and analysis of eel data.
39. New Zealand also had a good system for characterizing river systems, with segments of water courses recorded against physio-chemical and fishery data that allowed for modelling to extend what was known across the whole eel domain. International studies of rivers had shown the importance of river systems and that many (37 per cent of the world's largest rivers²) lacked free flowing water. Equally some had high levels of chemical pollution. In Asia, which had many eel species, eDNA techniques were being explored for use to determine whether species were being lost, and potentially could help assess the impact of fisheries.

General Fisheries Commission for the Mediterranean (GFCM)

40. Eleonora Ciccotti explained that the GFCM was a Regional Fisheries Management Organization (RFMO) under the auspices of the FAO. It included 24 Member States as well as some cooperating non-Contracting Parties. Its secretariat was based in Rome.
41. The GFCM implemented its policy and activities through its Secretariat, based on proposals from Member States and on the advice of the Scientific Advisory Committee (SAC), that availed itself of the scientific contribution of sub-committees, dealing with key issues in fisheries. The GFCM had been involved in the Joint EIFAAC/ ICES/GFCM Working Group on eels (WGEEL) since 2014.
42. Between 2014 and 2018 a number of initiatives had been implemented concerning the European Eel, that led in 2018 to the approval, at the 42nd meeting of the Commission of GFCM, of the Recommendation GFCM/42/2018/1 on a multiannual management plan for European Eel in the Mediterranean Sea countries. This Recommendation also set a number of transitional management measures that would immediately adjust fishing mortality levels and prepare the ground for a future management plan.
43. Measures included reductions of the fishing effort or catches, an annual temporal fishing closure of three consecutive months, the establishment of a list of authorized vessels for eel fisheries. Recommendation GFCM/42/2018/1 also foresaw the compilation of a list of all authorized transitional and brackish waters, such as lagoons and estuaries, where traditional permanent fish-harvesting static gear used to catch European Eel. Most of the measures were directly related to fisheries, but other complementary issues relevant to the Mediterranean were being examined.

² <https://doi.org/10.1038/s41586-019-1111-9>

44. Recommendation GFCM/42/2018/1 also required implementing a GFCM Research Programme on European Eel as a basis towards coordination of stock management and recovery in the Mediterranean. A concept note for such a programme had been drafted by the Secretariat, based on the outputs of the workshop on the management of European Eel (WKMEASURES-EEL) in 2019 and of consultations with administrations and national experts. The concept note for such a Programme, to be executed as a Concerted Action including five separate packages, was currently being considered at the GFCM Scientific Advisory Committee in Egypt in June 2019.

International Council for the Exploration of the Sea (ICES)

45. Alan Walker gave a presentation explaining the process by which ICES provided its advice to the European Commission. National institutes fed their data into WGEEL, the working group on eels, and advice was drafted and vetted by ACOM, a committee of national experts, before it was finally adopted. The advice on stock levels was based on recruitment indices and three-yearly estimates of biomass were made. All of the indices indicated large reductions in glass and yellow eel numbers over a number of years. One aim was to reduce to as close to zero all anthropogenic pressures on eels.
46. Progress reports on the EU Eel Management Plan (EMP) were submitted in 2018. In total, 87 EMP reports were available from 19 countries (Austria was not on this list), mainly covering freshwater, but with a few for the marine. Most had present and past biomass data and most reported on mortalities.
47. A call for data had been made to ICES, the EIFAAC and the GFCM on recruitment, landings, releases, aquaculture, fishing effort, abundance of yellow eels and indices for silver eels.
48. Attempts had been made to look at the effects of trade in eels, but it had been decided that this was beyond the expertise of the scientists and would be better dealt with by economists.
49. Hela Guidara (Tunisia) expressed her country's desire to cooperate with ICES on research studies.
50. Mohamed Badr Laamiri (Morocco) said that he too was willing to share data, learn from Management Plans in the EU and cooperate in scientific research.
51. Mr Walker said that ICES was in principle ready to engage with other countries and that Tunisian and Moroccan experts had been involved in the past, and he invited Morocco and Tunisia to contact ICES.
52. Mohamed Hadjeloum (Algeria) called for more capacity-building as knowledge of eels was poor. Every year the authorities received requests for exports, but they were all refused because the precautionary principle was applied. A national conservation strategy was needed as well as greater international cooperation.
53. Ms Ciara O'Leary (Ireland) asked whether EU countries were meeting the 40 per cent silver eel escapement targets as outlined in the Eel Regulation.
54. Ms Gaynor (CITES) noted the request for assistance from Algeria, Morocco and Tunisia. The first step was to identify what data they should collect. She also noted the willingness of ICES to cooperate.

Baltic Marine Environment Protection Commission (Helsinki Commission/HELCOM)

55. Monika Stankiewicz explained that HELCOM had ten Parties (nine countries plus the EU). It provided added value, helping its eight EU-Parties (all except the Russian Federation) to meet their obligations as a Member State of the EU.
56. HELCOM operated through a number of specialized working groups and cooperated with bodies such as the International Maritime Organization (IMO) as well as CMS.
57. HELCOM Parties had adopted a Baltic Sea Action Plan covering the years 2007-2021. Its own regional Red List recognized the European Eel as being critically endangered. A more quantitative description of conservation status of the European Eel would help inform conservation and management measures.
58. A new Executive Secretary of HELCOM would enter on duty on 1 August 2019. Rüdiger Stempel was well known to the CMS Family from his time at ASCOBANS and at the Common Wadden Sea Secretariat. Ms Virtue thanked Ms Stankiewicz for her collaboration and wished her well for the future.

Coalition Clean Baltic (CCB)

59. Mr Nils Höglund reported on the meeting of BALTFISH in May 2019, which had broken new ground with greater cross-sectional involvement.
60. He said that a purely national approach to conducting eel censuses made no sense as each country would be counting the same eels.
61. Regarding habitat, it was suspected that more eels stayed in estuaries than had previously been thought. The failure of recruitment might be due to poor river connectivity rather than loss of habitat. There appeared to large areas of suitable habitat not being used by eels, so factors increasing mortality had to be addressed.

Agenda Item 7: Draft Annotated Legal Agreement

62. The invited expert, Chris Wold (Lewis and Clark Law School) presented document UNEP/CMS/Eels3/Doc.2, a draft text of an agreement, either a legally binding instrument or a Memorandum of Understanding (MOU), for the European Eel and possibly other anguillid species.
63. Recruitment statistics graphically showed a major collapse in eel numbers. It had been assumed that there were significant impacts on eel populations from a range of threats: overfishing, trade, barriers to migration, pollution and disease. This led to the question of whether the current structures were capable of dealing with the problems as no single instrument dealt with all of the issues: the EU Regulation applied only to Europe; CITES dealt only with international trade; the IUCN Red List did not lead directly to any measures; OSPAR did not trigger actions and was confined to the North-East Atlantic; HELCOM only covered the Baltic; UNCLOS only had provisions regarding eels while in the High Seas, and Regional Fisheries Management Organizations, such as the Northwest Atlantic Fisheries Organization, (NAFO), the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the GFCM were all geographically restricted. CMS Appendix II listing opened the possibility of an international instrument.

64. An instrument, be it an “AGREEMENT”, “Agreement” or “agreement”, under CMS had the scope to cover all geographic areas and threats. The Agreement Area could coincide with the range of the species. The taxonomic coverage could be limited to just the European Eel or could extend to other anguillid species such as the American Eel, which faced similar threats and shared a common spawning ground. All species to which the instrument applied could be included in an annex.
65. Article V of the CMS text gave a clear indication of what any instrument should contain. Subjects included management planning, the restoration of habitats, the prevention of obstacles to migration and the prevention of factors that were a threat to the species.
66. The EU had set a goal for escapement rates of 40 per cent for silver eels, but measures addressing mortality might be more effective than escapement targets.
67. Regarding spawning grounds and key habitats, the Agreement could set policy on fisheries, mining and shipping, but other bodies existed to oversee these activities. There was also little evidence to suggest that shipping posed a major threat for eels, even though there were busy shipping lanes near and crossing through the Sargasso Sea.
68. Taking of eels (both legal and illegal) for trade and for fishing (both commercial and recreational), could have a high impact on glass or yellow eels. Eels were also being taken for restocking, although evidence of success was mixed.
69. Figures were available for the number of eels traded from Tunisia and Morocco to Asian markets. International trade fell more under the remit of CITES than CMS. No proposals had been submitted to the forthcoming CITES COP to change the status of eels on the CITES Appendices, but a whole series of draft Decisions on both European Eel and other *Anguilla* species were due to be considered.
70. Other measures that could be considered included Catch Document Schemes (CDS), which operated in parallel to CITES for tuna and toothfish fisheries. The CDS established by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) had led to drop in illegal, unreported and unregulated catch of toothfish. In the case of the CDS for tuna, the catch could not be landed or traded without proper documentation. Many RFMOs had a technical compliance committee, which looked at infringements, operating in much the same way as the CITES Standing Committee.
71. An instrument might need subsidiary bodies to provide scientific and legal advice. There was already a scientific body with specialist expertise in anguillids under the IUCN and ICES, so a separate body under CMS might not be necessary.
72. Any new instrument should not conflict with other forums, so cooperation with other bodies was required, meaning that the secretariats should communicate with each other and attend each other’s meetings.
73. An instrument would need a secretariat. The CMS Secretariat had experience of running Agreements and MOUs, but similar services could be provided by governments (as was the case with ACCOBAMS and Monaco), by IUCN, (as for the Ramsar Convention), by other IGOs or even an NGO. The level of staffing would depend on the financial resources that Parties or Signatories were prepared to provide. The CMS had no spare capacity, so additional staff would have to be recruited.

74. An instrument could either be legally binding (similar to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)) or non-binding like the many MOUs. Binding instruments tended to be slower in entering into force because of the ratification process but they did have sounder finances. MOUs could take effect as soon as they had been negotiated but were less financially secure. It was foreseen in an early CMS Resolution that MOUs would be precursors to Agreements, but so far there have been no examples of this transformation.
75. The Chair called for questions opened a general discussion of the options.
76. On trade, it was noted that, after listing on CITES, international trade was subject to quotas. Domestic trade and trade within the EU were not, however, covered by CITES. The CITES rules were being circumvented with consignments of European Eels being labelled as other species. Customs Officers needed better training and equipment so that they could distinguish the species. The EU ban on trade in the European Eel had had knock-on effects on other species. There was no need for CMS to replicate provisions and mechanism established under CITES, and there were examples of CMS instruments dealing with commercially traded species (Sharks MOU and Saiga MOU) where CMS and CITES cooperated.
77. Ms Zikova (European Commission) reconfirmed the view that it was premature for the meeting to be considering a list of possible actions before the added value of a CMS instrument had been identified. She did not think that the present meeting could reach any conclusions, especially as the species' range included the High Seas, which meant that further consultations with Member States' governments would be necessary. She suggested that the meeting could look at areas where closer cooperation could be achieved as well as data collection and research. She particularly wanted to hear from non-EU Parties about their wishes and specifically what they hoped to learn from the EU's experiences with its Eel Regulation. The meeting could also elaborate a road map for its own future work. She said the meeting should concentrate on issues described under various chapters of the draft instrument rather than on the text of the draft instrument presented.
78. Mr Vlietinck (Belgium) said that, with the EU having Eel Management Plans already, there seemed to be little point at this stage of developing a separate instrument but recognized that CMS was a suitable platform for wider cooperation for the species. The priority should be to identify a role for CMS in increasing knowledge of the species especially outside of the EU. The meeting should consider the possible content of an Action Plan.
79. Ms O'Leary (Ireland) said that much progress had been achieved since the first Range State meeting and welcomed the involvement of the GFCM. The participation of other key players would take the pressure off CMS, which could concentrate on coordinating the wider coalition.
80. Ms Lomashvili (Georgia) agreed that CMS could serve as platform for promoting the conservation of eels. In Georgia, eels were not commercially targeted but were often taken as bycatch.
81. Mr Størkersen (Norway) commented that many processes were taking place simultaneously and obtaining an overview of what was happening was difficult. He thought that it would be a good idea to have a clearer indication of the way ahead in advance of the CMS COP. Possible relationships with other forums and a clearer idea of the added value that CMS could bring complementing CITES should be developed.

82. Ms Cicotti (GCFM) agreed that it was too early to commit to creating a binding agreement under CMS. Some non-EU countries were already beginning to work with the EU on management, and the GCFM itself was moving from a purely management approach to conservation. A research project was in the pipeline and partners in the EU and beyond had been identified. The aim was to pool expertise from all countries. She expected to be able to present preliminary results to the next meeting of the group.
83. Ms Ciccotti (GCFM) agreed that it was probably too early to commit to creating a binding agreement under CMS. Some non-EU countries were already beginning to work on eel management, and the GCFM itself was implementing a number of actions, within the framework established by Recommendation GFCM/42/2018/1 on a multiannual management plan for the European Eel in the Mediterranean Sea countries, moving from a purely management approach to conservation. The proposal for a Concerted Action mentioned above, presently considered at the GFCM Scientific Advisory Committee in Egypt in June 2019, aimed at pooling expertise from all countries in the Mediterranean area. If such a Programme were approved and implemented, it would be possible to present preliminary results to the next meeting of the group.
84. Ms Guidara (Tunisia) agreed with the GFCM, which provided a useful Mediterranean platform. She reiterated the view expressed earlier by Algeria, Morocco and Tunisia that scientific research was needed as a basis for a sustainable management plan.
85. Mr Laamiri (Morocco) said that sustainable management goals meant that the focus should not just be on science, but economic considerations should also be taken into account. Trade within the EU was not restricted but it seemed that relevant data were not available for other parties. Different levels of knowledge across the range was a disadvantage, and sharing knowledge was important.
86. Ms Janiak (European Commission) said that the EU had a traceability system for fish and fisheries products and was seeking to improve it with recently proposed revision of the EU control system. Data on trade were available in a database managed by Eurostat. A study had been commissioned by the European Parliament to examine the economic value of this trade. The European Commission could act as an information hub for existing research results.
87. Mr Domashlinets (Ukraine) said that there was limited taking of European Eels in Ukraine and research was being undertaken to identify key rivers used by the species. CMS and CITES were good forums for discussing the species' conservation.
88. The Chair summarized the discussion so far, saying that there was a consensus that it was premature tabling the draft legal agreement for discussion at the meeting and other options could be further explored. CMS had a role for a strengthening the international cooperation for the eel recovery. The CMS Secretariat had proposed exploring an Action Plan that could be one of the ways forward. The group's work needed to fit in with the rest of the calendar and she proposed that a skeleton of an Action Plan and a roadmap leading to CMS COP13 be projected on screen for discussion.

Action Plan

89. Ms Virtue said that Action Plans took on many forms and proposed using a recent Action Plan developed for the [Loggerhead Turtle in the South Pacific Ocean](#) as a model. This had sections headed: biological assessment; taxonomy; range; migration; population trends; and threats (e.g. climate change, barriers, trade). The threats had been entered into a risk matrix (combining likelihood and consequences), resulting in a traffic light assessment of the threat posed. The Action Plan also detailed existing legislative frameworks both domestic and international including the IUCN Red List status, listings under CMS and CITES, any relevant EU legislation and RFMOs. She presented a skeleton of an Action Plan which was presented on screen. The skeleton Action Plan appears as Annex 2 to this report.
90. Mr Fleming (UK) raised a procedural point, asking how any Action Plan would be adopted. He asked whether the group had sufficient mandate to sign off the final draft or whether the COP would have to adopt it. Any reporting requirements should be aligned as closely as possible with mechanisms under other forums to avoid duplication.
91. Ms Virtue said that the process for negotiating the Loggerhead Turtle Action Plan had been relatively simple, involving just eight countries. The scientific experts had drawn up a matrix for the Action Plan, which was agreed at the first meeting and adopted by Parties at the subsequent CMS COP. She noted however, that the species was listed on Appendix I of both CMS and CITES, meaning there could be no legal trade, and was thus less politically sensitive than commercially exploited species.
92. At COP12 several Action Plans for birds had been on the agenda. Some were adopted there but others, being only in draft form, were referred to the Standing Committee for final adoption.
93. Eels like sharks were commercially exploited. In the case of the Sharks MOU, it had taken three meetings to conclude negotiations, but there had been agreement in principle at the outset that an instrument was needed. The Conservation Plan had been adopted at the first Meeting of Signatories following detailed discussion by a working group. The process for eels was more likely to follow the model of the Sharks MOU rather than the Loggerhead Turtle Action Plan.
94. With regard to the CMS COP, it was suggested that a submission be made proposing a Concerted Action, as the CMS Secretariat, Monaco and the Sargasso Sea Commission had done at COP12. A draft would have to be ready by October to meet COP document deadlines, but this would still allow sufficient time for consultations. The Action Plan could be adopted at a subsequent COP.
95. Professor Neat (WMU) asked how the science and research needs of the future would be catered for. Ms Virtue said that the Action Plan would be flexible and could be amended to reflect results of research.
96. Ms Lomashvili (Georgia) said that one of the threats was deficient data.
97. Ms Stankiewicz (HELCOM) said that it would be better to establish the platform than to compile a long list of actions that were likely to be duplicated elsewhere.
98. Ms Janiak (European Commission) said that having listened to the issues arising from the brainstorming she would like more time for reflection before reaching any conclusion on proposed way forward, noting that this would need to be first discussed within the EU and its Member States.

99. Ms Zikova (European Commission) agreed that it was too early to make decisions, but the discussion should continue, and the COP could consider the issues.
100. Ms Virtue cited previous examples of drafting Concerted Actions, where a few leading actors initiated the process and other interested parties could join. She suggested that a draft Concerted Action could be submitted to COP13. She proposed drawing up a calendar with key deadlines and events and suggested that the list of threats could be elaborated.
101. Mr Størkersen (Norway) raised the issue of whether a mandate from the CMS COP would be required if there were resource implications. A COP Decision might allow for more flexibility with regard to timing.
102. Ms Virtue outlined what a COP document might look like. It would have an explanatory background paper and action points including possibly a mandate for developing an Action Plan.
103. The meeting then turned its attention to further elaborating the threats, challenges and emerging issues facing the species which could form a part of a possible future mechanism/instrument, including an action plan (see Annex 3), if agreed by the Range States.

Calendar of Events

104. As different forums were producing results on the management of the species in the near future, the meeting felt it would be good to elaborate the timeline for expected delivery of these items. Ms Virtue (CMS) presented a calendar which had been drafted by some delegations. She invited participants to suggest further dates and events for inclusion. The resulting calendar can be found in Annex 4 to this report.

Agenda Item 8: Next Steps, Adoption of Action Points

105. Ms Virtue said that the CMS Secretariat and the Government of Monaco would submit a document for the CMS COP. This document would be available on the CMS website for consultation from 19 October 2019. In the event that Range States agreed to proceed to develop an Action Plan, and contingent on funding being available, a consultant would be commissioned to draft the Plan. A further workshop might then be convened after COP13 to finalize the Action Plan. Depending on the timing, the document could be adopted by Parties either at COP14, or responsibility could be devolved by the COP to the Standing Committee in the intersessional period.
106. Ms Virtue (CMS) sought guidance from the meeting about finalizing the report of this meeting. Ms Janiak (European Commission) asked that a draft be circulated before the report was signed off, and with this being the consensus view, the Secretariat undertook to do this.

Agenda Item 9: Closure of the Meeting

107. After the customary expression of thanks to all those involved in the planning and execution of the meeting, the Chair declared proceedings closed at 15:40.

LIST OF PARTICIPANTS

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DRAFT OUTLINE OF AN ACTION PLAN FOR THE EUROPEAN EEL

1. Biological Assessment

- i. Taxonomy
- ii. Distribution/range
- iii. Migration patterns
- iv. Population trends

2. Threats

- i. Xx
- ii. Xx
- iii. Xx
- iv. Xx
- v. Xx
- vi. Xx
- vii.

3. Threat prioritization / Risk Matrix

Likelihood	Consequences				
	Not Significant	Minor	Moderate	Major	Catastrophic
Almost Certain					
Likely					
Possible					
Unlikely					
Rare/unknown					

4. Policies and Legislation relevant for Management

- i. International Conservation Status
 - i. IUCN status
 - ii. CITES Appendices
 - iii. CMS Appendices
- ii. Relevant IGOs/RIEOs by Country

Country	CITES	CMS	EU	GFCM	HELCOM
	Yes	Yes	No	Yes	

- iii. National Legislation relevant to the European Eel
Table.....

5. Framework for Action

- i. Goal: xxx
- ii. Objectives, Actions and Results:
 These objectives and corresponding actions and results are set out in the tables below for all threats identified for the European Eel. Threats are prioritized according to the risk matrix
- iii. Timescales
 - i. Immediate to be completed with the next year
 - ii. Short to be completed within 3 years
 - iii. Medium to be completed within the next 5 years
 - iv. Long to be completed within the next 10 years
 - v. Ongoing Currently being implemented and should continue
 - vi. Completed completed during preparation of the Action Plan

Threat 1. XXX (Risk ranking: very high)

Objective 1: xxx			
Result	Action	Priority	Timescale
1.1 xxx	1.1.1 xxxx	xxx	xxx
	1.1.2		
	1.1.3		
1.2 xxx	1.2.1		
	1.2.2		
Objective 2: xxxxx			

Threat 2. XXX (Risk ranking: medium)

Objective 1: xxx			
Result	Action	Priority	Timescale
2.1 xxx	2.1.1 xxxx	xxx	xxx
	2.1.2		
	2.1.3		
2.2 xxx	2.2.1		
	2.2.2		
Objective 2: xxxxx			

Repeat as necessary.

THREATS, CHALLENGES AND EMERGING ISSUES FACING THE SPECIES

The meeting elaborated a non-exhaustive list of the threats, challenges and emerging issues facing the species which would form a part of any future instrument, including an action plan.

Direct Threats

Climate change

- Changing oceanic conditions
- *Identify research needs*
- *Scope for collaboration to fill knowledge gaps*
- *Identification of risks and solutions*
- Changes to inland and transitional waters
- *Identify research, management and conservation needs*
- *Scope for collaboration to fill knowledge gaps*
- *Identification of risks and solutions*

Disease / Parasitism

- *Knowledge sharing on best practice for disease management*
- *Wild and cultured*
- *Non-listed anguillid species*
- *Virus / bacteria / helminths*
- *Herpes? / Restocking*
- *Invasive species – Anguillicola crassus*

Pollution

- *Knowledge sharing*
- *Pollutant type*
- *Lipophilic toxicants*
- *microplastics*
- *Acute effects*
- *Direct mortality / morbidity*
- *Chronic effects*
- *Toxicant build-up in migrating fish*

Obstacles to migration / hydropower / pumps

- *Saline, transitional and fresh waters*
- *Upstream and/or Downstream*
- *Hydropower / dams / weirs - barrier*
- *Pumps / turbines - mortality*
- *Transboundary collaboration – within/outside EU*
- *AMBER?*
- *Guideline generation*
- *Range State Surveys?*

Habitat loss / degradation

- Changes in water quality and/or quantity
- Reduced resources
- Increased competition
- Impacts on growth
- *Transboundary conservation and management*
- *Additional benefits for biodiversity, habitats and communities*
- *Habitat loss map? What is potentially restorable?*
- *Case studies – Erne Catchment*
- *Identify partners to build on existing efforts e.g. GRID Arendal*
- *CMS Decisions on Ecological Networks*

Unsustainable exploitation

- *Knowledge sharing e.g. NDFs; best practice; novel tech for enforcement / collection of catch data*
- *Shared objectives e.g. reducing fisheries mortality*
- *Shifts in demand – matching with exploitation to reduce surplus*
- *Transboundary – Baltic exploitation*
- Legal
- Illegal

Predation and competition(?)

- *Impact of non-native/introduced species*
- *'Competing' conservation initiatives – birds beat fish; fish pass does not mean eel pass;*
- *Multi-species benefits should be considered*

Additional Emerging issues

Seabed mining

Shipping – potential oil spill / noise

Sargassum collection

CALENDAR OF EVENTS RELATING TO THE EUROPEAN EEL

Event	Timeframe	2019		2020				2021				2022				2023	
		Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Evaluation of EU eel regulation																	
EU eel management plan progress reporting																	
EU MAP data collection		present regulatory framework										new regulation					
Sudoang Project		Completion															
IUCN Red List update (<i>Anguilla anguilla</i>)			Dec														
IUCN Red List update (<i>Anguilla rostrata</i>)																	
CITES COP 18 Decisions		28-Aug															
CITES Review of Significant Trade (Algeria, Morocco, Tunisia)																	
CITES Animals Committee					tbc												
CITES Standing Committee						tbc											
CMS COP				17-22 Feb													
EIFAAC/ICES/GFCM WGEEL meetings		Aug				Sep											
WGEEL data calls		Jul				Jul											
GFCM research programme (tbc)																	
GFCM WK Measures Eel									April								
GFCM Data collection Reference Framework (eel)																	
HELCOM update of Baltic Sea Action Plan																	