

EN

E-000800/2026

Answer given by Ms Roswall
on behalf of the European Commission
(12.5.2026)

The European eel¹ is not protected under the Habitats Directive². The obligation under the Environmental Liability Directive³ (ELD) to prevent and remediate significant biodiversity damage is limited to damage to habitats and species protected under the EU law. The ELD only applies to damage caused by economic activity. A potential damage resulting from the non-recognition of eel as endangered species is thus not covered by the ELD. Regarding the Water Framework Directive⁴, it requires Member States to implement measures to ensure that the status of water bodies, including as regards river continuity and fish communities, does not deviate, or only slightly, from undisturbed conditions.

Furthermore, it is not allowed to trade eels from and to the EU⁵. Member States, including Spain, take various measures through their eel management plans under the Eel Regulation⁶ and other legal instruments. In particular, the EU sets temporary fishing closures under the Fishing Opportunities Regulation⁷. As there is no obligation in EU law to list the eel as ‘endangered’ in the national catalogue of threatened species, the decision on this matter is solely for the Spanish national authorities, without prejudice to the aforementioned obligations under EU law.

The Nature Restoration Regulation⁸ requires Member States to make inventories of their artificial barriers to the connectivity of surface waters, and to plan for removals of obsolete barriers in order to reach the EU-wide objective of restoring 25 000 km of rivers to free-flowing rivers between 2020 and 2030.

The Commission monitors the implementation of relevant EU legislation and continues working with Member States and stakeholders to help rebuild the eel stock.

¹ *Anguilla anguilla*.

² <https://eur-lex.europa.eu/eli/dir/1992/43/oj/eng>.

³ <https://eur-lex.europa.eu/eli/dir/2004/35/oj/eng>.

⁴ <https://eur-lex.europa.eu/eli/dir/2000/60/oj/eng>.

⁵ The competent scientific authorities of the Member States agreed unanimously that they would not be able to issue a non-detriment finding for the export of European eel specimens, as it is critically endangered, as required under Article IV(2)(a) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Therefore, since 2010, a zero-export quota has been issued and published on the CITES website.

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A32007R1100>.

Details about a most recent progress of Member States in implementing their eel management plans (EMPs) and measures under the Eel Regulation are provided in the International Council for the Exploration of the Sea (ICES) advice in subject published in 2025 https://ices-library.figshare.com/articles/report/EU_request_for_technical_evaluation_of_the_Eel_Management_Plan_progress_reports/28381268?file=54121004 and in the ICES report from the Workshop in support of this advice https://ices-library.figshare.com/articles/report/Workshop_for_the_Technical_Evaluation_of_EU_Member_States_Eel_Regulation_Progress_Reports_for_Submission_in_2024_2025_WKEMP4_/28788749?file=54098411.

⁷ Council Regulation (EU) 2026/249 of 26 January 2026 fixing for 2026, 2027 and 2028 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2025/202, OJ L, 2026/249, Council Regulation (EU) 2026/266 of 26 January 2026 fixing for 2026 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas, OJ L, 2026/266, 30.1.2026.

⁸ <https://eur-lex.europa.eu/eli/reg/2024/1991/oj/eng>.

