



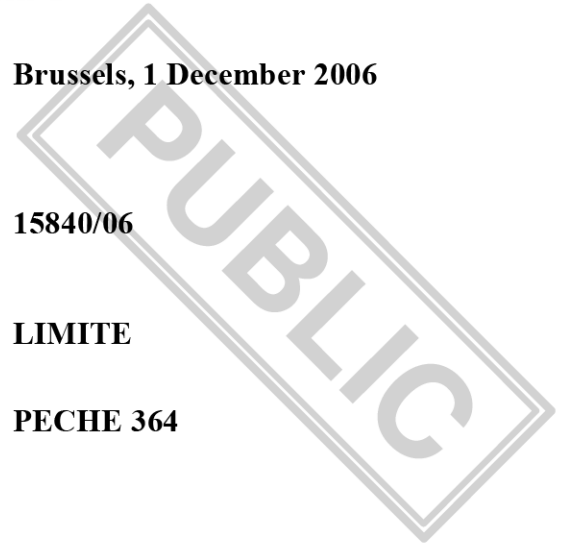
**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 1 December 2006

15840/06

LIMITE

PECHE 364



OUTCOME OF PROCEEDINGS

from : Coreper

on : 15 November 2006

Subject : Proposal for a Council Regulation establishing measures for the recovery of the stock of European eel

Coreper was asked to provide political guidance (see Presidency note - doc 14724/06 PECHE 336).

COM: Regulation appropriate as main contents directly applicable. Directive would take too long, when need urgent short-term measures.

a) Nature of legal instrument

i) BE, CZ, DE, EL, IE, CY, LV, LU, NL, AT, SK, SI, SE, + Acceding States BG, RO

Regulation appropriate instrument. DE, EL, CY: need flexibility. IE: harmonised approach;

ii) DK, PL, UK: open - could accept a Directive or a Regulation. PL: Prefer Directive but

Regulation acceptable if subsidiarity is applicable throughout; DK: eel diverse. Need revised proposal to make progress. More flexibility for MS on how to meet objectives; UK: Want long-term plans but without cutting effort by 50%. No data and inequitable. Prefer Directive. Regulation acceptable but need an outcome. Need more sophisticated and flexible short-term measures.

- iii) EE, ES, FR, IT, PT: Directive most appropriate given diversity of eel habitats.
- PT: Regulation cannot give necessary flexibility. Fished in internal waters and in fifteen different river basins with different characteristics;
 - EE: support PT. Share lake with Russian Federation but escapement from it under their control and no organisation with whom to discuss this matter;
 - ES: seek global Directive to cover total complexity with an impact study;
 - IT: flexible instrument. Objective in Art 6(4) defined in broad terms.
- b) Single legal instrument for short and long-term measures

All supported this except DK, PT. DK: distinguish short- and long-term but not use TAC and quota Regulation for short-term. PT: open on instrument. Issues of pollution and trade in glass eels.

c) Scope

- i) BE, CZ, DE, EL, FR, CY, IE, IT, LV, PL, SI, SE, UK + BG, RO argued for a broad scope.
- CZ, DE, IE, IT, LV, AT, SE + RO: include environmental measures;
 - DK, DE, EE, FR, IE, IT, LV, PL + RO: include trade measures (e.g. export of glass eels) FR: no splitting of trade and fish. PL: important trade aspect (1 kg = €1 300);
 - AT: seek exemption for zone of River Elbe where no eels for many years;
 - UK, LV: Broader scope but flexible on instrument;
 - SE + BG: no change to scope of this Regulation. BG: broaden scope later.
- ii) DK, LU, NL, SK: do not broaden scope. DK: focus should be on regulating fisheries but need to look at export of glass eels. SK: already difficult to find agreement between MS.

COM: Clear motivation for Regulation. Note some MS disagree. Hope all have political will to move forward and that those wanting a Directive do not do so for lack of political will. Regulation needs flexibility. Keep short- and long-term together. Note UK on need to be more sophisticated. Some guidance on broadening. Keep as a CFP measure, not as an environment policy Directive.

Presidency: COM and Presidency received guidance. Need for swift action. Continue work on COM Proposal. Majority of delegations for a Regulation. Pay attention to flexibility. Take into account broadening scope.
