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NOTE

from: Belgian Permanent Representation to the European Union

to: General Secretariat of the Council

No. Cion prop. 13139/05 PECHE 203 - COM(2005) 472 final

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

Delegations will find attached written comments from Belgium on the abovementioned subject.

Comments by Belgium on the proposal for a Council Regulation establishing measures for the recovery of the stock of European eel

13139/05 – PECHE 203

General comments

1. Belgium is convinced that urgent measures must be taken to secure the recovery of the eel stock at all life stages and therefore welcomes the Commission's proposal.
2. However, Belgium wishes to emphasise the problem of the consumption of glass eel and its export (outside the European Union), and it therefore regrets the lack of any prohibition on catching and exporting glass eel in this proposal. Catching glass eel with a view to releasing them into European internal waters must be the only exception. There is a risk that all protective measures proposed in order to assist recovery of the stock will be to no avail unless the systematic removal of juveniles for consumption and export is halted. Catching glass eel for consumption and export outside the European Union also pushes up the price and makes it impossible for Member States that wish to make an effort to release them into their own inland waters to buy them at reasonable prices. Furthermore, the catching of glass eel conflicts with the spirit and the aims of Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms. Belgium supports the introduction of certain technical measures, such as restrictions on particular vessels or catch methods or the introduction of a minimum size.

Comments on the Articles

3. Article 6. Belgium wonders how the objective of the management plan to ensure that at least 40% of the biomass of adult eel (with respect to undisturbed conditions) can escape to sea should be set and checked. There is a need for uniform criteria both for establishing the baseline condition and for monitoring and determining the percentage of silver eel that can escape, as well as for monitoring and evaluating the management measures. Uniform criteria and guidelines for drawing up the management plan are also required.
4. Article 7. While Belgium endorses the drafting of management plans at Member State level, it regards the target date of 31/12/2006 as impracticable, particularly as consultation with other Member States will be necessary in many cases (cross-border river basins). Two years with effect from the approval of the Regulation is a more realistic period for drawing up such management plans. Information is also sought regarding the possibility of financial compensation for drawing up the management plans and for implementing the measures contained in them.
5. Article 10. The question arises of to what extent Article 10(1) (control and enforcement) also applies to control in internal waters.

