



**COUNCIL OF  
THE EUROPEAN UNION**

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**NOTE**

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from : United Kingdom Permanent Representation to the European Union

to : General Secretariat of the Council

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

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

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Delegations will find attached written comments from the United Kingdom on the above-mentioned subject.

**UK COMMENTS ON PROPOSAL 13139/05 FOR A COUNCIL REGULATION ESTABLISHING MEASURES FOR THE RECOVERY OF THE STOCK OF EUROPEAN EEL**

1. The UK welcomes the publication of the Commission proposal for a Council Regulation establishing measures for the recovery of the stock of European eel and reiterates that it firmly believes that action to halt the decline of European Eel is imperative.
2. On a general point concerning the proposal, the UK is disappointed that the Commission has given no economic evaluation or impact assessment. We feel that these proposals are likely to have a major effect on this local sector and as such assessing this effect is vital in judging the correct course of action. We would be pleased to see any economic or impact projections that the Commission could offer in relation to this proposal.
3. The UK offers the following comments on the issues of most concern:

**(a) Article 2 – Seasonal Closures for Eel Fishing**

Whilst the UK accepts that an equal and proportionate short-term recovery measure is vital to halt the decline in stocks whilst Eel Management Plans (EMPs) are being devised, we do not believe that a 15 day closure period is workable. We believe that Member States could and should be able to effectively manage their own methods to achieve the necessary escapement targets.

Therefore, in this vein, it is our desire to develop and implement EMPs as rapidly as possible in order to avoid the need for short-term measures such as the 15 day closure period. These plans will include assessments of the status of eel stocks within River Basin Districts in relation to the management target, and management action plans to maintain or improve that status as necessary. We would then seek to present examples of these plans in the near future for approval from the Commission's scientific committee, and to implement them in lieu of the short term measures. In the event that these plans cannot be implemented before the short term measures are introduced, we would seek to offer alternative methods that meet the Commission's escapement targets, yet are structured differently.

**(b) Article 6 – Establishment of Eel Management Plans**

The UK accepts that Eel Management Plans on a River Basin level are the most sensible way to approach this problem. We also accept that the target of ‘40% escapement of the biomass of adult eel relative to the best estimate of potential escapement from the river basin’ is a sensible one to work towards. However, it is not yet clear what this 40% target is, i.e. what constitutes ‘pristine’ in terms of the eels habitat. For example, whilst we have concluded that 40% escapement for pristine conditions is a conceivable target, if the pristine level is set unrealistically high, for example, because it assumes that the full impact of environmental constraints should be taken into account, it may not be. In this instance it would be difficult to devise measures sufficiently rigorous to meet the target escapement level and, even were such measures possible, their effects might be considered disproportionately severe. We feel that this needs to be clarified as urgently as possible by the STECF.

**(c) Article 7 – Approval of Eel Management Plans**

The UK does not believe that the reporting process is structured so as to allow the rapid implementation of Eel Management Plans. The reporting of management plans to the Commission, coupled with the fact that we feel confident that escapement in the UK is already at a relatively high level, would hinder rather than help the achievement of escapement targets as it does not give enough flexibility to enable us to manage the stocks as effectively as possible. Therefore, we propose the consideration of another scheme whereby Member States are required to devise and implement management plans (as outlined above), communicate full details to the Commission and other Member States and are subject to the risk of infraction procedures if the plans (or their implementation) are considered inadequate to the purpose. This would allow a speedy implementation and therefore would have maximum impact on the shared stock.

**(d) Article 9 – Reporting and Evaluation**

Whilst we agree that reporting the monitoring, effectiveness and outcomes of the plans to the Commission is necessary, we feel that the results from a reporting procedure on such a short timescale can only be used to demonstrate the effects of any reduction in fishing mortality on yellow or silver eels on the escapement of silver eels. As the European Eel has a relatively long life-cycle (15 – 20 years), we feel that a longer period will be required before any meaningful results in relation to improved recruitment, environmental quality or access to more habitat are realised.

**(e) Article 10 – Control and Enforcement**

The UK does not see the relevance in referring to the Common Fisheries Policy in this proposal as it stands. As the CFP deals largely with regulations on vessels, these do not affect our eel fishery sector.

4. Finally, the UK was pleased to see that the Commission has arranged for a meeting with industry and hopes that the views that they bring to this discussion will be given full consideration when deciding how to proceed with the proposals. The objectives of the Commission are laudable: aside from the fishery sector eels are an important food source for cormorants and otters, and their long period of residence in freshwater makes them a unique and invaluable biological indicator of historical water quality. But we feel that the means of achieving the objectives needs to be very carefully considered.

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