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ADD 1**

**LIMITE**

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**NOTE**

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from : Danish delegation

to : Permanent Representatives Committee

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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 Danish delegation on the subject mentioned above (doc. 8118/07).

**Danish comments on the Proposal for a Council Regulation establishing measures for the recovery of the stock of European eel**

**COM(2005) 472** (6.10.2005) and  
**8118/07 PECHE 91** (working document of 3.4.2007)

Denmark would like to convey the following comments on the proposal and the latest working and meeting documents.

Denmark finds that some progress has been made and the proposal is moving forward. However, a few points of importance to the Danish position remain:

In Article 2.4 Denmark finds that the phrase "*that would have existed if no anthropogenic influences would have impacted the stock*" renders the management plans unrealistic since the objective would seem unattainable in most cases. The relevant part of that provision should read like it did in the working document of 6.2.2007:

*"... The objective of each Eel Management Plan shall be to reduce anthropogenic mortalities and to permit with high probability the escapement to the sea of at least 40% of the biomass of adult eel relative to the best estimate of escapement ~~that would have existed if no anthropogenic influences would have impacted the stock.~~ ..."*

Article 6 is a central part of the proposal and important to the Danish position. However, it is important also that a sufficient amount of glass eels is left for aquaculture purpose within the EU as was the case in the working document of 23.2.2007. Denmark proposes the inclusion in Article 6 of the following text:

**“A restocking program can include the use of eels less than 12 cm as stocking material for eel aquaculture in the EU, provided that a part of the eels are released after a fattening phase into European waters.”**

Denmark is much concerned that control and enforcement of the provisions should be affordable and not imply disproportionate labour and administration. Accordingly, the text of Article 7.1 should be changed – in consistence with the changed Articles 3.2 and 4.4 – so as to include the possibility of reducing fishing effort by 50%. Further, Denmark finds that such a reduction over just 5 years would not be reasonable to a fishery that has already been considerably reduced. Denmark proposes the following changes to Article 7.1:

*“Where a Member State operates a fishery in Community maritime waters that catches eel, the annual effort deployed in that fishery shall **either be reduced by at least 50% relative to the average effort deployed from 2000 to 2006 or** be reduced to ensure a reduction of eel catches by at least 50% relative to the average catch from 2004~~0~~ to 2006. This reduction is to be achieved gradually, initially by steps of ~~15~~**10**% per year in the first two years over a ~~5~~**10** year period from the date of entry into force of this Regulation.”*

In consistence with the changed Articles 3.2 and 4.4 and the Danish proposal for a changed Article 7.1, similar changes should be made to Articles 3.3, 4.5 and 9 (inclusion of “**effort or**”) and Article 10.2 (inclusion of “**annual effort or**”).