



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 12 April 2007 (13.04)
(OR. en,pt)**

**Interinstitutional File:
2005/0201 (CNS)**

**8332/07
ADD 2**

LIMITE

PECHE 101

PUBLIC

NOTE

from: Portuguese delegation

to: 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 the Portuguese delegation on the above subject.

EUROPEAN EEL – Portuguese position

Portugal poses the following questions:

1. Escapement level (Art. 2(4))

We foresee major problems in implementing the proposal as Portugal does not have sufficient data to determine the starting point.

2. Deadline for submission of plans (Art. 3(1))

Portugal considers 31 December 2007 too short a deadline given the need for the coordination and involvement of various administrative bodies.

A plan will need to be devised that includes an assessment of the situation in each river basin, with a description of the fleet operating in non-maritime waters, economic or leisure activities having an impact on the resource, an analysis of anthropogenic barriers and ways of reducing their impact, and control of imports and exports. This will be feasible only by 31 December 2008.

3. Reference periods for determining catch reduction rates (Art. 3(2))

Portugal would like the reference period extended from 2004-2006 to 2000-2006, which would enable more balanced catch figures to be taken into account. Given the possibility of a reduction in catches, the impact of the plan would then be more reasonable and comprehensible to eel-based river fishing communities.

According to fish auction records, eel fishing is on a very small scale, the annual average for the period 2000-2006 being just 15 tonnes.

4. Restocking measures (Art. 6)

Portugal poses the following questions:

- (i) A 75 % rate is arbitrary and too high.
- (ii) Reduction in capacity to provide a stock of eel for restocking.
 - (a) The current version of the proposal for a Regulation allows a percentage (to be defined) of eels caught in a Member State to be used for restocking in other Member States. We propose that a limit be imposed on the use of eels less than 12 cm in length caught in a particular Member State for restocking river basins in that Member State.
 - (b) Eel escapement from extensive or semi-intensive aquaculture systems stocked with eels less than 12 cm in length should be taken into account for the overall level of escapement and included in the percentage to be set.
