



**COUNCIL OF  
THE EUROPEAN UNION**

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**PECHE 101**

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**NOTE**

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from : Netherlands delegation

to : 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 Netherlands delegation on the subject mentioned above.

**Main outstanding issues** (with regard to document 8118/07 PECHE 91)

Communication and approval of Eel Management Plans (Artt. 3 and 4)

(footnotes 12, 27, 30 in 6510/07)

The deadlines for submission (art 3) and approval (art 4) of the Eel Management Plan(s) are too tight, even more so where they apply to transboundary plans. All eel river basins in the Netherlands are transboundary and will consequently require joint preparation with other MS.

**The Netherlands propose as deadlines 31 December 2008 for submission (art. 3.2) and 1 July 2009 for approval (art. 4.2) of the plan.**

Measures concerning restocking (Art. 6)

Glass eels are needed both for restocking purposes and for aquaculture. Mortality rates of glass eel used for direct restocking in river basins are in the range of 90%. A complementary and possibly equally effective strategy could be to breed glass eel in aquaculture facilities for a (short) fattening period with much lower mortality rates (10-20%). Therefore, aquaculture can be an efficient method to contribute to the realisation of the overall silver eel escapement target. This was earlier proposed by the Cion as an option in the context of restocking in document 6510/07.

**The Netherlands propose that eel under 12cm caught in maritime fishery can be used for aquaculture purposes, provided that a part of the on-grown eel be used for restocking purposes.**

Measures outside fisheries (Art. 2.10)

(footnote 11 in 7572/07)

Art. 2.10 obliges MS to implement appropriate measures to reduce mortality caused on eel by factors outside the fishery as soon as possible. To avoid misunderstanding about the possible time-frame for the implementations, it is important to state clearly the possible linkage to other relevant European regulations or directives.

**The Netherlands request the Commission to clearly express by means of a Commission Statement that measures as referred to in art. 2.20 can be linked to (the timeframe of) the Water Framework Directive. A text proposal was submitted to Commission and CS.**

Objective and time-scale to achieve the objective (Art. 2.4)

The objective as currently formulated (to achieve escapement to the sea of at least 40% of the biomass of silver eel relative to the best estimate of escapement that would have existed if no anthropogenic influences would have impacted the stock) is vague, ambiguous and leaves too much room for interpretation. Clear drafting is needed to ensure a level playing field.

**The Netherlands propose to relate the objective to a period before the decline in stock of eel. As the stock is in decline since 1980, reference to the period before 1980 would be appropriate.**

Reference period to calculate the reduction on effort (Artt. 3, 4 and 7)

For the effectiveness of the effort reduction measures it is important to relate to a relevant reference period, using the most recent available data for defining the baseline. Stretching the reference period implies that the measures will be less effective.

**The Netherlands support the current proposed reference period and is of opinion that the reference period should not be enlarged.**

**Proposal for a Commission statement as suggested by The Netherlands delegation**

STATEMENT BY THE COMMISSION CONCERNING TIMING OF THE IMPLEMENTATION  
OF EEL MANAGEMENT PLANS

Implementation of the measures in the Eel Management Plan to reduce the mortality caused on eel by factors outside the fishery as referred to in article 2, par. 10, may be linked to the timeframe of the Water Framework Directive.

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