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NOTE

from : Permanent Representation of Latvia 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 Latvia on the above-mentioned subject.

Latvia's Comments on Proposal for a Council Regulation Establishing Measures for recovery of the Stocks of European Eel

Latvia welcomes the idea of the proposal on necessity to establish general principles and common provisions for recovery of the European eel stocks in order to protect and recover endangered fish species.

However, **Latvia is against** setting of unified protection measures, which are not well considered and do not take into account different situation in Member States and national measures, that already has been introduced to protect eel stocks in their territories.

Detailed comments:

Article 2

It is not acceptable for Latvia to introduce eel fishing closure from the 1st- 15th day of each month. There are cascades of the hydroelectric power dams on the rivers, that lead to a general mortality of the down migrating eel without possibility to escape. Ban of fishery in such situation does not support eel conservation, but creates income loses for fishers and reduces the possibility to use these fish for human consumption. Introduction of 15-day fishing ban periods in such type of inland waters is not justified and hard to implement.

However, **Latvia could agree** with proposed closure periods if they are not applied to river basins, where downstream migration of eel to sea is impossible and where glass eel is restocked.

Besides **Latvia would like to note** that this prohibition measure will not be effective, if there is no fishing effort limitation for fishing for all stages of eel (glass eel, elvers, yellow eel and silver eel) in other periods allowed and if the same restrictions (closures) are not applied also for sea waters.

Latvia strongly underlines that there is a need for additional eel stocks conservation measures in the sea waters, because all the conservation measures in inland waters, which improve the escapement of adult eels have no sense if there are no corresponding conservation measures in the sea areas.

Article 3 (b)

It is not clear, how it can be practically controllable, that all young eel captured during the 1st half of month is released in open European inland waters, but not used for aquaculture or other purposes.

Article 6 point 4

Latvia notes that it is not clear what methodology should be used for calculation of 40% of the biomass of adult eel escaping to the sea. Preferably ICES and STECF could advise such method.

Latvia also thinks that phrase “*human activities affecting the fishing area*” should be defined and the clear time period for assessment of the human influence should be determined.

Article 7

On Latvia’s opinion the dates set for preparation of individual management plans and for the starting of the management plan implementation are too early, taking into account the deficiencies given above.