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NOTE

from: Swedish delegation

to: Working Party on Internal Fisheries Policy

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 additional written comments received from the Swedish delegation on the subject mentioned above.

Proposal for a Council Regulation establishing measures for the recovery of the stock of the European eel - control measures: Comments from Sweden

Document: 7300/07 PECHE 59

General comments

To achieve the objectives of the recovery plan it is necessary to implement some general control measures though more detailed rules can be left to national competences. The provisions must be clear and workable both for authorities and for fishermen. Despite the pressured time schedule, it is of great importance to bear in mind the objectives of the simplifying process.

The ideas of the Swedish proposal are much in line with the text proposal 7069/07 ADD I of 14 March presented by the delegation of the United Kingdom.

System of authorisation

One of the main priorities should be to require Member States to set up a national system of authorisation for those fishing for eel. In this way Member States can control access to fishing. The requirement to be authorised by national authorities should apply both when fishing in maritime waters and in eel river basins. This shall concern all vessels and when fishing is practised without vessel. Only angling shall be exempted. In maritime waters, vessels should have a special permit issued in accordance with article 7 of Regulation (EC) No 1627/1994 irrespective of the overall length of the vessel.

Reporting obligations etc.

In order to control the total fishing effort, it is also of great importance that proper reporting obligations are in place. As suggested in the Commissions proposal the established rules in Title II of Council Regulation (EEC) No 2847/93 shall apply to all authorised vessels. But for fishing vessels having an overall length of less than 10 meters and for those fishing without vessels, this system is too rigid. Therefore national alternative must be accepted to be able to adjust to the special conditions in eel fisheries. The system for alternative reporting should be effective, based on individual reporting and not on sampling.

Lists of licences and registered trade operators

Member States shall send a list of all vessels or persons authorised to fish for eel within the Member State. To clarify, reference could be made direct to the provision concerning authorisation.

Regarding list of traders, there is a need to give reference to registered traders of eel responsible for first marketing or sales. This makes it clear of which traders to be listed.

Text proposal:

Article 9

Control and enforcement

- 1 Fishing for eel in Community maritime waters in accordance with article 7 (2) or in eel river basins in accordance with article 2 (1) requires authorisation by the Member State irrespective of fishing method, only except for angling. For vessels fishing in maritime waters, Member State shall issue a special permit in accordance with Article 7 of Regulation (EC) No 1627/1994, irrespective of the overall length of the vessel.
- 2 Title II of Council Regulation (EC) No 2847/93 of 12 October 1993 shall apply *mutatis mutandis* to all measures provided for by this regulation. Notwithstanding Article 6 (4) of Regulation (EC) No 2847/93, these measures shall be applicable to all vessels authorised to fish for eel according to paragraph 1.
- 3 A Member State shall establish a control system specially adapted for eel fishing practised without vessels which shall be at least as effective as the provisions set out in paragraph 2. Notwithstanding paragraph 2, a Member State may also apply the alternative control system for vessels having an overall length of less than 10 meters.
- 4 Chapter V of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy¹ shall apply *mutatis mutandis* to all measures provided for in Article 7 of this regulation.

Article 10 can be deleted

Article 11

Lists of licensens and registred trade operators

1. By 1 January 2009, each Member State shall transmit the following information to the Commission electronically:
 - a list of all authorised to fish for eel according to Article 9.1 of this regulation.
 - a list of all physical or legal person responsible of first marketing or sales of eel registered within the Member State