



**COUNCIL OF
THE EUROPEAN UNION**

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PECHE 91

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NOTE

from: Lithuanian 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 Lithuanian delegation on the subject mentioned above.

Lithuania's notes concerning the Proposal for a Council Regulation establishing measures for the recovery of the stock of European eel (Doc. 8118/07 PECHE 91)

1. Lithuania proposes to set further date (at least 31st of December 2008) for the submission of an Eel Management Plan to Commission and to amend **Article 3 Paragraphs 1 and 2** as follows:

“1. Member States shall communicate to the Commission not later than 31 December ~~2007~~ 2008 Eel Management Plans prepared in accordance with Article 2.

2. A Member State which has not submitted an Eel Management Plan to the Commission for approval by 31 December ~~2007~~ 2008 shall either reduce the fishing effort by at least 50% relative to the average effort deployed from 2004 to 2006 <...>.”

The same corrections should be made also in **Article 4 Paragraph 4**:

„4. A Member State which has submitted an Eel Management Plan to the Commission for approval not later than 31 December ~~2007~~ 2008, which cannot be approved by the Commission in accordance with paragraph 1<...>“.

2. We consider that provision of regulation (**Article 6 Paragraph 1**), which requires 75% of the eels less than 12 cm in length caught by the fisheries to utilize as part of restocking program in eel river basins, should be retained.

3. We suggest amend Article 7 Paragraph 1 as follows:

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

4. In Lithuania's view an Eel management Plan should be related only with commercial fishing. Also the date concerning the recreational fishermen and their catches of eels should not be required as it is very complicated to get reliable data. Considering what was mentioned above we propose as follows:

- to amend **Article 2 Paragraph 8** by deleting words “restricting recreational fishing”:

“An Eel Management Plan may contain, but is not limited to, the following measures:

- *reducing commercial fishing activity,*
- ~~*restricting recreational fishing,*~~
- *restocking measures,*
- *structural measures to make rivers passable and improve river habitats,*
together with other environmental measures <...> “

- to delete **Article 10 paragraph 2**

~~*“2. Member States shall establish on a regular basis an estimate of the number of recreational fishermen and their catches of eels.”*~~

5. Lithuania believes that there is going to be trouble with implementation of provisions of **Article 11 Paragraph 5 and 6** (in the original document) concerning the determination whether the eel harvested, exported or imported into Member state territory was caught in a manner consistent with Community conservation measures or with the rules agreed in the regional fisheries organization.
