

## EC urges Portugal to respect EU competences

The European Commission has decided to issue a reasoned opinion to Portugal on account of non-respect of the exclusive internal and external EU's competence for the conservation of marine biological resources.

The Common Fisheries Policy on its third article of Treaty on the Functioning of the EU, establishes that the EU has an exclusive competence in the area of the conservation of marine biological resources.

The powers assigned to the EU on the internal level also give the EU exclusive competence to enter into international undertakings with other States and/or international organisations for the purposes of conserving marine biological resources.

According to the European Executive, the demarches undertaken by Portugal towards the North East Atlantic Fisheries Commission (NEAFC) and the International Council for the Exploration of the Sea (ICES) are in breach of the exclusive competence of the EU.

The CE explains that such initiatives have been undertaken in the context of an already on-going process at NEAFC, initiated with the full support of the EU, which aims to prevent significant impacts of bottom fishing activities on vulnerable marine ecosystems.

The Commission is of the opinion that such an approach breaches EU law, and warns that if Portugal does not reply satisfactorily within two months, it may refer the matter to the Court of Justice of the EU.

**Lien article :** <http://www.fis.com/fis/worldnews/worldnews.asp?l=e&id=95706&ndb=1>