



26.3.2024

NOTICE TO MEMBERS

Subject: Petition No 1024/2023 by A.F. (Spanish) on fishing in the international stretch of the river Minho

1. Summary of petition

The petitioner calls on the European Union to take control of fishing on the international stretch of the Minho river, which forms the border between Spain and Portugal. He explains that a traditional type of net fishing used to be carried out along this stretch from stone constructions on the banks of the river and that this activity, which operated satisfactorily until the 70s, is associated with tangible and intangible heritage. This traditional fishing activity was gradually abandoned as a result of a dam project which never materialised, but which marked the start of a lax policy of granting fishing licences for various species and techniques. The petitioner considers that the abandonment of traditional fishing is detrimental to tourism and to the local gastronomic heritage.

2. Admissibility

Declared admissible on 19 January 2024. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 26 March 2024

The Commission's observations

Inland fisheries are not generally regulated by the EU's Common Fisheries Policy. In the Iberian Peninsula, this is notably the case for the fish species mentioned in the petition (river lamprey, allis had and salmon). However, the eel fishery is regulated, including through the

annual fishing opportunities Regulation for the Atlantic,¹ that establishes a closure period of at least 6 months for the eel fisheries in marine and brackish waters of, among others, the Atlantic coast of the Iberian Peninsula. The issuance of fishing licences and the effective control of the fishing activities in rivers nevertheless remain generally a competence of the Member States.

Because inland fisheries are generally regulated by Member States, the control of such fisheries is also under the responsibility of the Member States.

Conclusion

The European Commission has no competence over issuing fishing licences and regulating fisheries control in rivers. This remains a competence of the Member States. Therefore, the petitioner should contact the national authorities with regard to the problem of licences to fish in river Minho and lack of proper control. With regard to eels, the national authorities should be able to provide information about the transboundary eel management plan for the Minho river and the national legislation regulating the eel fisheries. As regards the obligations under the annual fishing opportunities Regulations for the Atlantic, for the period from 1 March 2023 to 31 March 2024, Spain and Portugal decided for the international stretch of the Minho river to close all eel fisheries, except the commercial glass eel fisheries, for 10 days in respectively November, December and January. Both countries will have to notify to the Commission by 1 March 2024 the closure period(s) for the period from 1 April 2024 to 31 March 2025.

¹ Article 13 of Council Regulation (EU) 2024/257 of 10 January 2024 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2023/194 (OJ L 2024/0, 11.1.2024)