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JOINT PRESS RELEASE

The European fishing industry criticizes French Authority's 'Urgent' Closure of Bay of Biscay and Calls for Fair Treatment and Compensation

After a decision by the French court to close fishing to French vessels over 8 meters using pelagic trawlers (OTM, PTM), demersal pair trawlers (PTB), gillnetters trammel (GTR), set nets (GNS) and purse seines (PS) in the Bay of Biscay, France is extending this ban to other vessels, despite the rules of the CFP, to mitigate possible incidental catches of small cetaceans in its waters.

First and foremost, the European Association of Fish Producer Organisations (EAPO) and Europepêche express their full support for all vessels impacted by this decision—more than 500 EU fishing vessels in total—and the entire sector dependent on these fisheries. This fishing ban will have far-reaching consequences, adversely affecting the entire EU coastal community.

EAPO and Europepêche voice their astonishment and disapproval over the abrupt decision by the French national authority to invoke Article 13 of the Common Fisheries Policy (CFP) to close the Bay of Biscay. This emergency measure not only affecting French vessels but also every European and third country fishing boats is to be enforced from January 22nd to February 20th, 2024, based on an order published on the 18th of January¹.

¹ <https://www.legifrance.gouv.fr/download/pdf?id=V3an39BMiesxO5SXo1E8mLcoFJ3G2IRMCFNkaw3NyRI=>

EAPO President Esben Sverdrup-Jensen conveys the organizations' issues: *"How can France unilaterally close its waters to all EU-vessels with no prior consultation, a mere 4 days prior to the closure and without providing any compensation? France's rushed use of article 13 exposes the deficiencies within the Common Fisheries Policy (CFP) and deals a severe blow to European unity that is central to the CFP."*

Key concerns highlighted by EAPO and Europêche are:

- Questionable Urgency: the European fishing industry is taken aback by the 'urgency' cited by France in activating Article 13, especially considering the ICES advice and the Commission's proposal for revising the joint recommendation for winter 2025, which suggests a lack of immediate crisis.
- Undermining European Unity: By disregarding the minimum consultation period required by Article 13, France does not only disrupt the fishing activities but also undermines the essence of European unity and the collaborative framework of the CFP.
- Compensation Disparities: EAPO and Europêche emphasize the inequity in compensation, noting that not all vessels under all flags will have access to compensation unless it is provided by the French government, the decision-maker in this situation. This is particularly pressing as the closure text was published on January 18th, for an effective closure from January 22nd.
- Call for EU Commission's Intervention: While recognizing the necessity of equal treatment between flags and the importance of sustainable fishing practices, the fishing industry questions the legitimacy of the 'emergency measure' and its disproportionate impact on the fishing community. The organizations urge the EU Commission to explicitly address and rule on the emergency measure proposed by France, in line with the principles of the CFP.

Europêche President, Javier Garat, adds, *"While our members remain dedicated to responsible and sustainable fishing, the precedent established by this decision undermines the trust our fishers place in the Common Fisheries Policy (CFP). It is challenging to advocate for consultation, cooperation, proportionality and a bottom-up approach when this decision contradicts those principles. A thorough EU impact assessment and a full review of these decisions is imperative to ensure compliance with the CFP and its safeguards. The Commission, as guardian of the treaties, must step in to secure that EU rules are applied correctly."*

As the enforcement of the Bay of Biscay closure looms, EAPO and Europêche demand immediate and comprehensive responses to their concerns and insist that their constructive proposals be considered and integrated into the decision-making process.

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Information not for publication

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