



**Coherent & Cross-compliant Ocean Governance for
Delivering the EU Green Deal for European Seas**



French Mediterranean case study

Can fisheries policy implementation mechanisms be aligned with EU biodiversity objectives?



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A French case study on fisheries and biodiversity

Fisheries is a specific sector that it is an exclusive competence of the European Union. The regulatory framework resulting from the regulation n°1380/2013 on the Common Fisheries Policy (CFP) applies on the territory of Member States and to all Union waters. The initial objective of this regulation was to achieve the maximum sustainable yield of stocks by 2020¹, a date that has been postponed to 2025 in the Western Mediterranean².

In France, due to the exclusive competence of this policy, governance remains strongly centralised. Strategic plans and implementation mechanisms are designed at the ministry level, such as the 'National Action Plan for Sustainable Fisheries' (2022) and the French 'National European Maritime, Fisheries and Aquaculture Fund (EMFAF) programme. Decisions regarding the distribution of fishing quotas and sub-quotas are also made

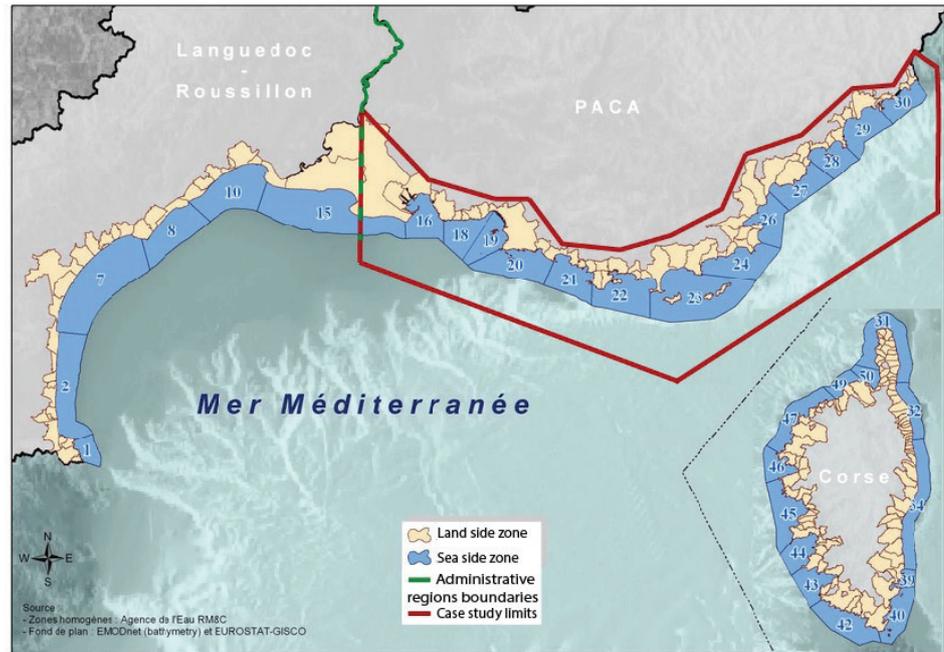


Figure 1 Map of the French Mediterranean fisheries case study

at the ministerial level taking into account total quotas allocated by the European Union and recommendations from international organisations and scientific advice on the state of fish stocks. Quotas are then allocated among regional organisations.

CFP implementation has a strong impact on marine biodiversity and seabed integrity. CFP objectives emphasis on economic development, protection of fisherman and food sovereignty, environmental concerns have not been fully/properly integrated yet. Fishing techniques (e.g; bottom trawling) and number of catches have a significant impact on several Marine Strategy Framework Directive descriptors, including healthy fish stocks (D3)³, seabed integrity (D6)⁴, and the non-introduction of non-indigenous species (D2)⁵. These challenges, which span governance, economics, and the environment raise questions about whether the tools for implementing the CFP adequately internalise key requirements from MSFD and European Green Deal to deliver healthy marine ecosystems.

This synthesis provides an overview of France's fisheries policy governance, legislation, and implemen

1 Regulation (EU) No 1380/2013 provides that the objective of the CFP is to achieve the maximum sustainable yield (MSY) exploitation rate by 2015 where possible and, on a progressive, incremental basis, at the latest by 2020 for all stocks.

2 The socioeconomic specificities of the Western Mediterranean fisheries were considered during the negotiations of the MAP, and the co-legislators agreed to postpone the binding rule for Maximum Sustainable Yield to 2025, Answer of Mr Kadis on behalf of the European Commission (4 February 2025) to question for written answer E-002797/24 to the Commission

3 Populations of all commercially exploited fish and shellfish are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock

4 Sea-floor integrity is at a level that ensures that the structure and functions of the ecosystems are safeguarded and benthic ecosystems, in particular, are not adversely affected

5 Non-indigenous species introduced by human activities are at levels that do not adversely alter the ecosystems

tation mechanisms. It aims to facilitate a better understanding of whether the implementation of fisheries in France supports the European Green Deal biodiversity protection objective, through the analysis of the French Mediterranean region Provence-Alpes-Côte d’Azur (PACA).

What regulations apply to French fisheries?

France has established a series of laws and regulations to govern professional sea fishing, with the aim of ensuring the sustainable exploitation of marine resources. In this regard, the French Mediterranean regulation framework must be applied, taking into account both European and local considerations, as well as those specific to the Mediterranean region.

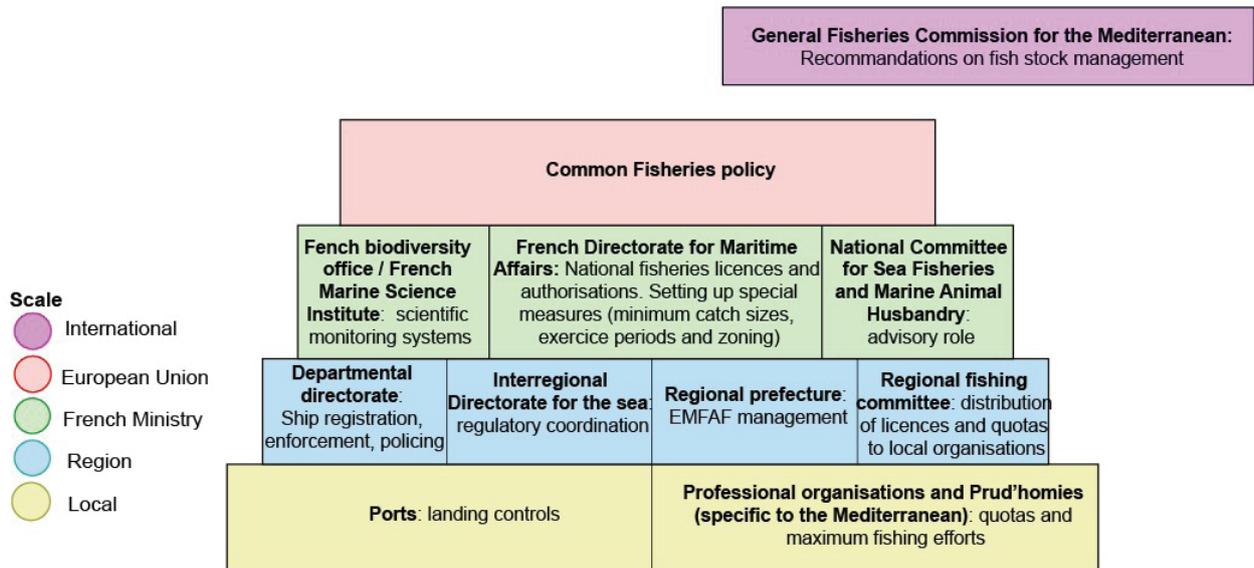


Figure 2 Professional fisheries regulation and governance in the French Mediterranean Sea

European regulations:

As a member of the European Union, France implements the Common Fisheries Policy (CFP), which outlines common rules for the sustainable management of fisheries and the conservation of fish stocks. This policy establishes catch quotas, technical measures, and landing obligations.

Regulation (EU) 2019/1022 establishes a multi-annual plan for fisheries exploiting demersal stocks in the Western Mediterranean Sea for their conservation and sustainable exploitation, with a view to achieving maximum sustainable yield by January 1, 2025.

Mediterranean framework:

The General Fisheries Commission for the Mediterranean (GFCM) is the Mediterranean Regional Fisheries Management Organisation. GFCM assesses the status, provides advice, drafts and votes recommendations and guidelines. The GFCM recommendations are directly integrated into the CFP, which makes them obligatory immediately for all EU Member States including France. For example, France has drawn up management plans for various fishing techniques, such as beach seining, purse seining, and dredging, implementing the GFCM’s recommendations. These plans aim to ensure the sustainable exploitation of stocks and marine ecosystems, in line with the precautionary approach recommended by the GFCM.

In addition, the GFCM has adopted measures to protect fisheries resources, such as the establishment

of closed seasons for certain fisheries. These measures are then implemented by the Member States, including France, in order to preserve fish stocks and ensure the sustainability of fishing activities.

In the French Mediterranean Sea, the GFCM has delimited two Fisheries Restricted Areas in the Golfe du Lion⁶. One small zone is completely restricted to fisheries (professional and recreational). The second zone prohibits recreational fishing and professional demersal fishing 6 months per year.

French National legislation and governance:

The French Ministry for Ecological Transition and more specifically the Directorate for Maritime Affairs, plays a pivotal role in implementing European fisheries regulations at the national level by establishing quotas and regulations⁷ in accordance with European legislation and international agreements.

Professional fishing requires specific authorizations at both the European and national levels. Vessels must hold licenses to carry out certain regulated fishing activities, and the Directorate of the Sea regularly updates the list of authorized vessels.

The management of professional fisheries is primarily governed by the Rural and Maritime Fishing Code, which is complemented by several ministerial decrees that specify the implementation of legislative provisions. A number of these decrees are published annually, with some particularly relevant for the French Mediterranean case study, such as the Ministry Decree of 28 January 2013⁸ which establishes the minimum size or weight for catching and landing fish and other marine organisms for professional fishing and the Ministry Decree of 8 September 2014⁹ which implements authorization schemes for certain fishing gears techniques in the Mediterranean, in particular for bottom trawl fishing, and establishes the conditions for granting these authorizations. The whole quota repartition for the Mediterranean Sea is managed by the Ministry Decree¹⁰ of 4 December 2024 amending the amended order of 5 February 2024 on the allocation of fishing effort quotas for certain professional fishing activities in the Mediterranean Sea by French-flagged vessels for the year 2024.

Private stakeholders also play a key role in implementing the CFP and supporting marine biodiversity protection. The National Committee for Sea Fisheries and Marine Animal Husbandry (CNPMM) represents all fisheries and marine aquaculture professionals and defends their general interests in dealing with national and public authorities. It participates in the management of fisheries resources as part of responsible fishing and sustainable development. The CNPMM has established partnerships with the French Office for Biodiversity to train fishermen in the challenges of protecting biodiversity, and with the French Institute for Marine Research to monitor marine species.

The French regulation has evolved to better integrate environmental frameworks such as Art. 123 of Law n° 2016-1087 for the “recovery of biodiversity, nature and landscapes”. This article amends the French Environmental Code by introducing the concept of maritime spatial planning (MSPD), defined as “the process by which the State defines and organizes human activities at sea with an ecological, economic, and social perspective, excluding activities related to defense or national security” (article L219-5-1). This shift in focus signifies a move towards integrated management of marine activities, as opposed to the previous approach of quantitative management by species.

6 Recommendation GFCM/46/2023/1 on the establishment of a fisheries restricted area in the Gulf of Lion (geographical subarea 7) to protect spawning aggregations and deep-sea sensitive habitats, repealing Recommendation GFCM/44/2021/5

7 <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000049084492>

8 <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000027064021>

9 <https://www.legifrance.gouv.fr/loda/id/LEGITEXT000029441882>

10 <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000050756242>

What regulatory mechanisms are available in France to support biodiversity protection?

Licences and quotas

At the local level, several institutions play different roles. The Departmental Directorate is responsible for issuing fishing landing permits, operating under the authority of the Ministry of Ecological Transitions and its Directorate for Maritime Affairs. Port authorities verify that landings comply with the authorizations granted, particularly in terms of quotas and minimum catch sizes.

At regional level, the CRPEMs are responsible for setting the opening and closing dates for fishing for certain species and for laying down the rules governing cohabitation between the various fishing professions. They also allocate fishing licences and implement measures to limit fishing effort, such as imposing minimum catch sizes, reducing vessel power, increasing mesh sizes or banning certain fishing gear.

These regional fishing committees distribute licences and quota to local organisations which themselves distribute them to fisherman. However, not all fishermen belong to a producer/regional organisation. Quotas are split between fishermen who belong to a producer organisation and those who do not, the split being based on catch history.

For membership of a fishing organisation and its quota system, arbitration for the distribution of quotas to new entrants takes into account 4 criteria, including the track record of the species fished by the vessel, the technical and economic project, the potential for revitalising the area and the environmental impact of the vessel. Environmental impact of the vessel is only considered if two candidates reach the same grade for the three first criteria and cannot be ranked equally.

Bans on bottom trawling

In the western Mediterranean, France imposes an annual ban on the use of bottom trawls up to 6 nautical miles from the coast in the Mediterranean Sea for a period of three months, generally from May to July, to protect fish stocks and sensitive marine habitats. These measures are part of the multiannual management plan established by the European Union to limit pressure on demersal species while respecting scientific recommendations to achieve sustainability objectives. These ban periods may be adjusted to suit specific regions, such as the Gulf of Lion, to take account of local ecological particularities and the needs of fishing communities.

The Directorate for Maritime Affairs oversees the ban, and the Maritime Préfecture and local police carry out surveillance.

The French Marine Science Institute provides scientific advice¹¹ to set the correct areas. Following a year of implementation in 2020, an assessment was conducted, which concluded that the objectives established when the time-area closure on hake stocks was implemented have largely been achieved (a 57% reduction in catches)¹².

11 Identification of the most relevant period for the 3-month ban each year on trawl fishing within 6 miles of the coast in the mediterranean sea, May 2019, Ifremer

12 Evaluation of space-time closures implemented from January 1, 2020 for trawl fishing in the Mediterranean Sea, July 2021, IFREMER

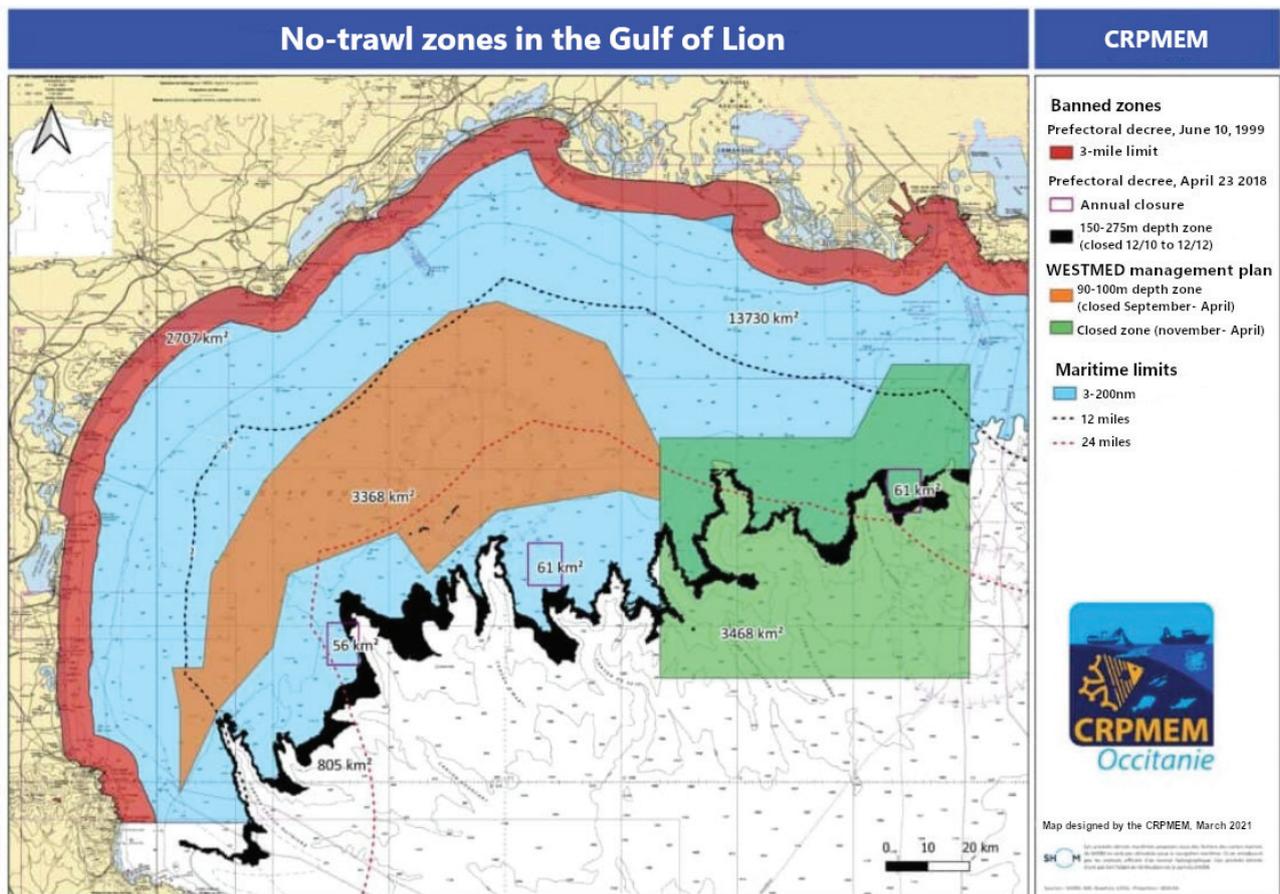


Figure 3 No bottom-trawling zones in the French Mediterranean Sea, translated from CRPMEM

Due to GFCM recommendation GFCM/46/2023/1 and regulation (EU) 2019/1022, on Western Mediterranean fisheries management, several measures have been taken in the PACA region, including a temporal bottom trawling¹³ ban for demersal species in the PACA region (Gulf of Lion) from September to April to protect hake and red mullet.

These regulatory tools can be completed by authorisations or bans from the Maritime Prefects in Marine Protected areas.

What financial mechanisms are available in France and do they support biodiversity protection?

EMFAF funding at the national scale

The fishing industry is strongly supported by EMFAF funding. Between 2014 and 2020, the French fisheries sector has benefited from €588 million contributing to the funding of 3,500 projects. From this €588 million, €250 million comes from EMFF (former EMFAF) and €300 million from French national public aid¹⁴. A new EMFAF phase is ongoing from 2021 to 2027.

The fund was distributed in accordance with key priorities, including the promotion of competitive fishery and aquaculture industries, as well as the steering of the fishing and aquaculture industries towards sustainable development.

¹³ Order of 20 December 2019 amending the order of 28 February 2013 adopting a management plan for professional trawl fishing in the Mediterranean Sea by vessels flying the French flag <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000039668169>

¹⁴ <https://agriculture.gouv.fr/quest-ce-que-le-feamp>

To support these two priorities, a list of eleven objectives has been established, including one objective on CO2 reduction and one objective that was not included in the 2014-2020 program on biodiversity protection. In alignment with these objectives, 1,500 businesses were supported, and 200 projects were funded to protect the marine environment, including support for 50 Natura 2000 protected sites¹⁵.

EMFAF funding at the regional scale

In the PACA region, EMFAF is managed by the Regional administrative. Through this fund, the Region can boost fisheries sector through economic aid but also influence the implementation of the MSFD and EGD indicators and objectives by deciding on the conditionality of the allocation of these funds. Complementary funds can be distributed through FLAGs, a group of local stakeholders comprised of maritime professionals, associations, local authorities, businesses, and other relevant entities. These groups convene to select local projects supported through EMFAF funding making it effects more tangible at local level.

A total of 71 projects¹⁶ related to small-scale professional fisheries were supported in the PACA region during the 2014-2020 EMFAF program (with exception of COVID fundings to support the industry). Among these projects, 18 focused on biodiversity protection, pollution, and data acquisition. The majority of these projects focused on the management of protected areas, and only one action was financed to actively change practices in the sector (support to a fisherman for the purchase of a newer vessel that consumes less fuel).

Between 2021-2024 (2021-2027 EMFAF program), 35 projects¹⁷ were supported in the PACA region, of these, one action focused on enhancing marine biodiversity knowledge, while twenty-two actions aimed at hiring a marine guard (one per Natura 2000 or marine protected area) to raise awareness among visitors and users of protected areas about marine challenges. However, no project has yet been funded to changes practices in favour of marine biodiversity protection in the sector.

The EMFAF has a national and regional scope aiming to fit with local needs. One of the financial sub-measures of the EMFAF is 'local development led by local actors' which aims to 'Enable a sustainable blue economy in coastal, island and inland areas and promote the development of fishing and aquaculture communities. The EMFAF has been expanded to include more than just professional fishermen at local level. This local envelope has been allocated €2 million in the PACA region and is distributed by local professional organisations in order to best adapt to the needs of local fishermen.

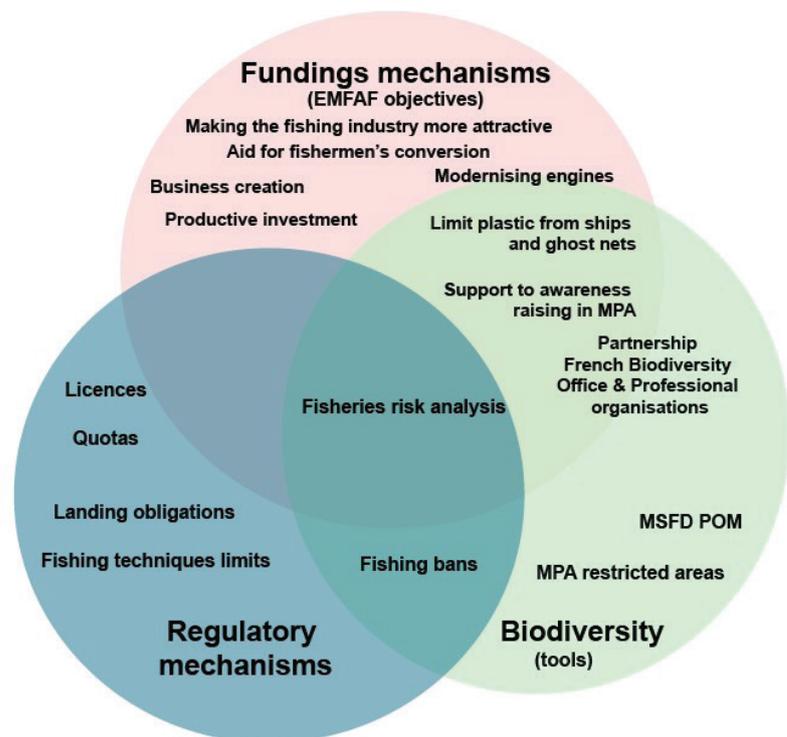


Figure 4 interlinkages between fishery implementation mechanisms (regulatory tools and funding measures) and marine biodiversity protection tools

¹⁵ <https://agriculture.gouv.fr/quest-ce-que-le-feamp>

¹⁶ Excel list beneficiaries 2014-2020 EMFAF – update 2024, l'Europe en France.

¹⁷ Excel list beneficiaries 2021-2027 EMFAF - update January 2025, l'Europe en France.

Alignment with MSFD indicators and EGD ambition for biodiversity protection

At the French Mediterranean Sea scale (including the PACA region), MSFD implementation is coordinated by the Interregional Directorate of the Mediterranean Sea through the French Mediterranean Sea strategy and program of measure. Three of the MSFD descriptors are closely linked to the fisheries sector including healthy fish stocks (D3), seabed integrity (D8), and the non-introduction of non-indigenous species (D2). The French Mediterranean Sea program of measures is composed of 81 actions, 13 of which are related to the fisheries sector. These 13 actions include a full chapter of measures on halieutic resources management and four actions on biodiversity protection and fisheries. The EMFAF is used to support these actions. During the EMFAF call for project drafting, the Interregional Directorate and the Region (managing EMFAF) work closely to ensure coherence between EMFAF-supported projects and the French Mediterranean Sea program of measures. The 2021-2027 national fisheries operational program is aligned with the priorities of this program of measure, focusing on environmental sustainability, innovation development, the promotion of sustainable aquaculture, and the marketing and processing of fishery and aquaculture products. A clear mention is made to the French Mediterranean strategy and the science-policy interface: “Priority will be given to projects that include a dimension of improving knowledge of the impact of climate change on stocks of interest to fisheries. Projects will be able to draw on data sets collected within other frameworks, in particular data collected under the data collection framework (EMFAF specific objective OS1.4) or the MSFD¹⁸”.

However, despite these close links on paper, the National EMFAF strategy primarily focuses its biodiversity funds efforts on data collection and raising awareness in MPAs. EMFAF is not yet sufficiently oriented to be used as a concrete incentive for fishing that is closely linked to the sustainable use of resources. The main mechanisms for enforcing compliance with CFP stock sustainability objectives and MSFD indicators remain regulatory and coercive, through temporary bans and landing obligations.

¹⁸ SFC 2021 EMFAF Program, p 9-10: https://www.europe-en-france.gouv.fr/sites/default/files/programme_national_feampa.pdf

Conclusion

Challenges

- Limited interactions between the design processes of EMFAF and French Mediterranean program of measure can lead to contradictory measures (economic development prevailing on biodiversity).
- Despite improvements to better connect fisheries policies implementation measures with MSFD, ecosystem protection is not yet fully internalized and remains often kept at the strategic and communication levels.
- The **allocation of funding, licences and quotas at local level** is still geared towards preserving jobs and the industry, with little criteria on developing sustainable fisheries.

Solutions

- **Increase the number of mutually-supporting measures** on biodiversity between fisheries in the EMFAF and French Mediterranean program of measure
- Develop **targeted** geographical and temporal **fishery bans**
- Add **environmental conditionality** and effective criteria to the award of EMFAF grants

Acronyms

CFP : Common Fisheries policy

CNPMEM : National Committee for Sea Fisheries and Marine Animal Husbandry

CRPMEM : Regional Committee for Sea Fishing and Marine Farming

EMFAF : European Maritime, Fisheries and Aquaculture Fund

EU : European union

GFCM : General Fisheries Commission for the Mediterranean

MSFD : Marine Framework Strategy Directive

MSPD : Marine Spatial Planning Directive

MPA : Marine protected area

PACA : Provence-Alpes-Côte d'Azur

The policy synthesis is based on the findings in the CrossGov project's case study on the French Mediterranean focusing on the marine directives and sectoral policies coherence and their effects on marine biodiversity protection in the Provence-Alpes-Côte-D'azur region.

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