



EU General Court ruling disregards scientific and technical realities of bottom fisheries

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The European Bottom Fishing Alliance (EBFA) expresses its disappointment following today's ruling by the General Court of the European Union, which dismissed the joint legal challenge by the Kingdom of Spain and a number of fishing organisations against the European Commission's rules¹ establishing bottom fishing bans in areas potentially containing Vulnerable Marine Ecosystems (VMEs).

The ruling upholds the Commission's controversial approach to identifying and regulating VME areas, stating that it was not obliged to assess the fragility of the ecosystems in the light of each type of gear used (in particular of passive bottom gears, such as demersal longlines, which are used by the applicant fishers) or to evaluate the consequences of the conservation measures on fishing activities and on economic and social life.

In response, EBFA Chair Iván López declared: *'While the court ruling and legal options are still being reviewed, the decision is clear and must be respected and upheld. The Alliance wishes to commend and highlight the courageous decision made by the local fishing organisations, such as OPP Burela, in challenging the highly contested closures of the 87 designated areas.'* He continued: *'The EU is a remarkable construct that has brought significant progress in fisheries management. However, it is also a system that offers limited legal avenues to challenge rules which, although legitimate, are perceived as erroneous and disproportionate. In the case of Burela's longline fleet, catch volumes dropped by over 30% within just 50 days of the closure taking effect.'*

At EBFA, we continue to believe that the approach adopted by the Commission is overly strict and far-reaching. We deeply regret that the sector was not involved in developing the solutions needed to achieve the conservation goals for the designated areas. This exclusion has led to unnecessary and damaging impacts on fishing fleets, particularly on longliners.

We remain convinced that the path chosen must be corrected. If the Commission finds itself constrained to adopt flawed solutions due to the literal interpretation of existing laws, then it must take steps to amend those laws in order to prevent further injustice. *'The time to act has come — and delay is no longer an option, the Commission and the co-legislators must get to work'*, Mr López stressed.

EBFA calls on the new Commissioner for Fisheries and Maritime Affairs to reflect on this outcome and urgently revise the Deep-sea Access regulation in a manner that respects both environmental protection and the viability of responsible fishing communities.

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¹ *Commission Implementing Regulation (EU) 2022/1614 of 15 September 2022 determining the existing deep-sea fishing areas and establishing a list of areas where vulnerable marine ecosystems are known to occur or are likely to occur*