

Recommendation No. 47

**Protection of waters in the Outermost Regions against pollution
of an agricultural origin**

In response to the public consultation “*Protection of waters against pollution caused by nitrates of agricultural origin – assessment*” and, considering the following:

- Banana cultivation is one of the economic pillars of Martinique and Guadeloupe. The appearance of the Southeast Asian banana weevil (*Cosmopolites sordidus*) on these plantations in the 1980s and 1990s (20th century) led to the mass use of insecticides based on chlordecone - a toxic and poorly biodegradable molecule – thereby contaminating the soil and, consequently, rivers, groundwater and part of the coastline;

- Chlordecone is characterised by its high stability and persistence in sediment, which gives it a high potential for bioaccumulation, especially in aquatic food chains, and this is why the largest proportion of chlordecone is found in (contaminated) fish. This compound also reduces the growth of algae and other aquatic organisms, altering the ecosystem and affecting fishing productivity¹;

- A study conducted by the Office de l’Eau – Guadeloupe, in 2016, demonstrated the presence of chlordecone in 55% of water samples, reaching a rate 100 times higher than the maximum authorised values²;

- The use of chlordecone was banned in France (1990) and in Martinique and Guadeloupe (1993), however this contamination had a major impact on the conservation status of stocks in the French Outermost Regions (ORs) of the West Atlantic, due to fishing bans in certain coastal areas. These restrictions forced fishermen to move away from the coast, which involved major investments in equipment and placed significant pressure on unpolluted coastal areas;

¹ Chlordecone, Health and Safety Guidelines – International Chemical Safety Programme

² Office de l’Eau, Guadeloupe – Water Data Classification, 2016

- In relation to aquaculture, contamination by chlordecone has considerably reduced the areas available for the development of the sector and has led to the closure of almost all the freshwater aquaculture farms that used water from (contaminated) rivers;

- The cessation of fishing and aquaculture activities, due to the indebtedness of many professionals, resulted in their inability to benefit from public aid mechanisms (national and European), essential for the modernisation of vessels and equipment and, more specifically, for the resumption of activity;

- We acknowledge the efforts of the French State in creating several national plans, with the aim of investigating, monitoring and mitigating the impacts caused by chlordecone, supporting the professionals affected by the situation^{3,4}. However, we are of the opinion that the resources are insufficient for professionals to resume and sustain their activity, while complying with all the applicable regulatory safety provisions;

- Excess nitrogen from agricultural sources is one of the main causes of water pollution in the European Union (EU). The use of fertilisers in the soil enters groundwater through leaching and reaches surface water through runoff from agricultural fields. Nitrogen and other nutrients stimulate the growth of algae in rivers, lakes and marine waters, at moderate levels, which serve as food for aquatic organisms, including fish. However, the excessive concentration of nutrients in water systems causes algae to grow excessively, thereby affecting the natural ecosystem and leading to the depletion of oxygen in the water. This phenomenon, known as eutrophication, has a negative impact on biodiversity, fishing and recreational activities;

- The EU regulations on nitrates - specified in the *Directive of 12 December 1991 on the protection of waters against pollution caused by nitrates of an agricultural origin* - are intended to protect water quality, however, we believe that this directive is no longer in line with the EU's climate and environmental ambitions;

³ Decree No. 2021-1713 of 20 December 2021, creating exceptional aid to support the small-scale fishing sector in the Antilles, within the scope of the pollution of marine waters by chlordecone

⁴ Chlordecone Plan III 2014-2020

As such, and in light of the foregoing:

The Outermost Regions Advisory Council (CCRUP) recommends that the French State:

- 1- Reinforce compensation for professionals who have ceased fishing and/or aquaculture activities due to chlordecone contamination;
- 2- Increase state aid for the modernisation of fleets, allowing for the upgrading of vessels and equipment.

The CCRUP recommends that the European Commission:

- 1 - Review the *Directive of 12 December 1991 on the protection of waters against pollution caused by nitrates of an agricultural origin*, which includes the obligation to encourage the use of agricultural methods designed to render the use of nitrates more effective, limiting concentrations of these substances in their uses and preventing surplus from infiltrating any body of water;
- 2 - Regulate aid from the Common Agricultural Policy (CAP) based on the use of sustainable methods, promoting organic production to encourage farmers to switch to this sustainable and beneficial method of cultivation for both human health and well-being, as well as for other sectors, such as fishing.

The President of the Executive Committee of the CCRUP,

(David Pavón González)