



To: Commissioner Karmenu Vella
Commissioner for Environment, Maritime Affairs and Fisheries
European Commission
200 Rue de la Loi
B-1049 Brussels
Belgium

Paris, 16 April 2018

Re: Electric 'pulse' fishing in Europe

Dear Commissioner Vella,

Thank you for the answer that Mrs Valerie Tankink sent us on 13 April 2018 regarding our October 2nd 2017 complaint against the Netherlands. We had turned to the Commission with the hope that your services would promptly redress a situation by which Dutch fishing ships fish illegally with licences that breach Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms. We had shown, amongst other problems, that only 15 of the current 84 licences granted to Dutch vessels to fish with electric current complied with the regulatory framework.

Six months following our complaint though, Mrs Tankink's response leaves little hope for a rapid resolution of this pressing issue. Instead of initiating a formal infringement procedure against the Netherlands or at least providing objective elements on the unlawful situation of Dutch fishing vessels, the Commission has transferred our complaint to the "EU Pilot" system, which describes itself as "*an informal dialogue between the Commission and the Member State concerned*", with the aim to avoid formal infringement proceedings. Based on the EU Pilot's statistics,¹ the overwhelming majority of files were still "pending".

The step taken by the Commission is therefore absolutely not satisfactory. In the current context of Trilogue negotiations that will determine if European institutions follow the Parliament's position to definitively ban electric fishing in Europe, as voted on 16 January 2018, the Commission's decision to turn to a lengthy, unfruitful and "informal" procedure is not acceptable, especially now that the commercial nature of electric fishing in the Netherlands² has been established, making this so-called "scientific" fishery a fraud.

The Commission needs to take political responsibility for the electric fishing dossier. Commission services contributed to generating a problem that needs to be fixed with no further delay.

Today, we have filed a second complaint against the Netherlands for this Member State is the only important EU fishing nation to have not published data about the public subsidies that were allocated to Dutch fleets under the European Fisheries Fund (EFF). Again, the Netherlands acts in breach of EU laws (Regulations (EC) No 1198/2006 and (EC) No 498/2007 on the European Fisheries Fund) and disregards EU requirements on financial transparency. It is particularly crucial that the Netherlands complies with financial publicity obligations and

¹ Section Facts and Figures of the EU Pilot website:

http://ec.europa.eu/internal_market/scoreboard/archives/2013/07/performance_by_governance_tool/eu_pilot/index_en.htm

² See Thomas Spekschoor's article published in NOS on 25 March 2018 "Nederland riep het verbod op pulsvissen over zichzelf af".



publishes the list of EFF beneficiaries because the 84 licences that the Netherlands has managed to obtain for the use of electricity at sea were granted between 2007 and 2014, precisely during the period covered by the EFF.

It has become obvious that the electric fishing case is one of layered scandals. After illegal licences and fake “scientific” fishing, light must be shed on the financial implications of the derogations that were granted to Dutch vessels to use electric current. European citizens have a fundamental right to access information regarding the use of public funds in the Union.

We therefore call on you, Commissioner Vella, to act swiftly and impartially on this dossier and to take all necessary measures to ensure the Netherlands complies with EU rules, whether it is about the unlawful number of licenses or about breaching financial transparency requirements.

Respectfully yours,

Claire Nouvian, BLOOM’s Founder and Board Chair