



Before filling in this form, please read '*How to submit a complaint to the European Commission*': [https://ec.europa.eu/assets/sg/report-a-breach/complaints\\_en/](https://ec.europa.eu/assets/sg/report-a-breach/complaints_en/)  
 All fields with \* are mandatory. Please be concise and if necessary continue on a separate page.

### 1. Identity & contact details

	Complainant*	Your representative (if applicable)
Title* Mr/Ms/Mrs	Mme	M.
First name*	Claire	Frederic
Surname*	Nouvian	Le Manach
Organisation:	BLOOM	BLOOM
Address*	61 rue du faubourg Saint-Denis	61 rue du faubourg Saint-Denis
Town/City *	Paris	Paris
Postcode*	75010	75010
Country*	France	France
Telephone		
E-mail	clairenouvian@bloomassociation.org	fredericlemanach@bloomassociation.org
Language*	Français/anglais	Français/anglais
Should we send correspondence to you or your representative*:	<input type="checkbox"/>	X

### 2. How has EU law been infringed?\*

	Authority or body you are complaining about:
Name*	Ministry of Economic Affairs ( <i>Ministerie van Economische Zaken</i> ), in charge of fisheries
Address	
Town/City	
Postcode	
EU Member State*	Netherlands
Telephone	
Mobile	
E-mail	

#### 2.1 Which national measure(s) do you think are in breach of EU law and why?\*

The European regulatory framework states that EU Member States are subject to specific obligations regarding information, publicity and transparency of public aid granted under the European Fisheries Fund (EFF). The Netherlands have obviously failed to publish the full list of beneficiaries of the EFF indicating the name of beneficiaries, the name of the operations, and the amount of public funding allocated to these operations.

#### 2.2 Which is the EU law in question?

Regulation (EC) No 1198/2006 on the European Fisheries Fund (EFF) provides the following measures:

**"Article 51**

1. Thee Member States shall provide information on and publicise the operational programme and operations and the Community contribution. The information shall be addressed to the general public. It shall aim to highlight the role of the Community and ensure the transparency of assistance from the EFF [...]

**Article 59**

The managing authority of an operational programme shall be responsible for managing and implementing the operational programme in accordance with the principle of sound financial management and, in particular, for: [...]

j) ensuring compliance with the information and publicity requirements laid down in Article 51."

It is complemented by Regulation (EC) No 498/2007, which stipulates:

- in Recital 14: "In order to enhance transparency regarding the use of EFF assistance, the list of beneficiaries, the names of the operations and the amount of the public funding allocated to operations should be published annually by Member States, electronically or otherwise. Making such information accessible to the public aims to strengthen the transparency of the Community's action in the area of the development of the fisheries sector, fisheries areas and inland fishing, to enhance the sound financial management of the public funds involved and, in particular, to reinforce control of the public money used and finally to avoid any distortion of competition between beneficiaries of EFF measures [...]";

- in Article 31: "The managing authority shall be responsible for organising at least the following information and publicity measures: [...] d) the publication, electronically or otherwise, of the list of beneficiaries, the names of the operations and the amount of public funding allocated to the operations".

### 2.3 Describe the problem, providing facts and reasons for your complaint\* (max. 2000 characters):

The Netherlands have not published detailed information on all beneficiaries of the European Fisheries Fund (EFF). However, concordant and precise information can be found in various scientific reports or studies on the granting of public subsidies during the EFF programming period (non-exhaustive list):

- Turenhout *et al.* (2015) Brandstofbesparing 75% — Energiebesparing en rendementsverbeteringen aan boord van TX 36 (2.000 Pk-Kotter). LEI Wageningen UR. Available at: [www.wur.nl/upload\\_mm/e/8/9/79459445-e1db-42e0-b07a-7bab32c53e45\\_75%25%20brandstofbesparing.pdf](http://www.wur.nl/upload_mm/e/8/9/79459445-e1db-42e0-b07a-7bab32c53e45_75%25%20brandstofbesparing.pdf).
- Taal and Klok (2014) Pulswing — Ontwikkeling van een vistuig voor platvis waarin pulstechniek met de SumWing is gecombineerd. LEI 2014-039. LEI Wageningen UR. Available at: <http://library.wur.nl/WebQuery/wurpubs/fulltext/327899>.
- Taal *et al.* (2014) Samenwerken aan een duurzame visserij in de Voordelta — ARM 25, ARM 33, ARM 46, TH 6 en YE 138, economische uitkomsten analyses pulsvisserij. Available at: <https://anzdoc.com/samenwerken-aan-een-duurzame-visserij-in-de-voordelta.html>.
- Baarssen *et al.* (2015) Verkenning economische impact aanlandplicht op nederlandse kottervloot. LEI Wageningen UR. Available at: [www.vissersbond.nl/wp-content/uploads/2014/04/Eindrapportage-Flynth-LEI-Verkenning-economische-impact-aanlandplicht-op-de-Nederlandse-kottervloot.pdf](http://www.vissersbond.nl/wp-content/uploads/2014/04/Eindrapportage-Flynth-LEI-Verkenning-economische-impact-aanlandplicht-op-de-Nederlandse-kottervloot.pdf).

Extensive research on the website of the Dutch Ministry of Economic Affairs

([www.rvo.nl/onderwerpen/agrarisch-ondernemen/visserij/eu-fonds-voor-maritieme-zaken-en-visserij/openbaarmaking-efmzv-subsidies](http://www.rvo.nl/onderwerpen/agrarisch-ondernemen/visserij/eu-fonds-voor-maritieme-zaken-en-visserij/openbaarmaking-efmzv-subsidies)) did not allow us to find the list of beneficiaries of the EFF. Only a list of the subsidies granted since 2014 under the European Maritime and Fisheries Fund (EMFF) was found (overlap with the EFF until 2016).

### 2.4 Does the Member State concerned receive (or could it receive in future) EU funding relating to the subject of your complaint?

Yes, please specify below       No       I don't know

See point 2.3

### 2.5 Does your complaint relate to a breach of the EU Charter of Fundamental Rights?

The Commission can only investigate such cases if the breach is due to national implementation of EU law.

Yes, please specify below       No       I don't know

### 3. Previous action taken to solve the problem\*

Have you already taken any action in the Member State in question to solve the problem?\*

**IF YES**, was it:  Administrative  Legal ?

3.1 Please describe: (a) the body/authority/court that was involved and the type of decision that resulted; (b) any other action you are aware of.

3.2 Was your complaint settled by the body/authority/court or is it still pending? If pending, when can a decision be expected?\*

**IF NOT** please specify below as appropriate

- Another case on the same issue is pending before a national or EU Court
- No remedy is available for the problem
- A remedy exists, but is too costly
- Time limit for action has expired
- No legal standing (not legally entitled to bring an action before the Court) please indicate why:

- No legal aid/no lawyer
- I do not know which remedies are available for the problem
- Other – specify

### 4. If you have already contacted any of the EU institutions dealing with problems of this type, please give the reference for your file/correspondence:

- Petition to the European Parliament – Ref:.....
- European Commission – Ref:.....
- European Ombudsman – Ref:.....
- Other – name the institution or body you contacted and the reference for your complaint (e.g. SOLVIT, FIN-Net, European Consumer Centres)

5. List any supporting documents/evidence which you could – if requested – send to the Commission.

 Don't enclose any documents at this stage.

### 6. Personal data\*

Do you authorise the Commission to disclose your identity in its contacts with the authorities you are lodging a complaint against?

Yes       No

 *In some cases, disclosing your identity may make it easier for us to deal with your complaint.*