



## Technical analysis of Rapporteur Gabriel Mato's compromise proposal on electric fishing

On November 27, 2018, MEP Gabriel Mato, Rapporteur of the 'Technical Measures' Regulation — in which electric fishing is included — sent a draft compromise to all shadow rapporteurs.<sup>1</sup> This proposal is in blatant contradiction with the clear mandate of the Parliament, which voted for a full and definitive ban on electric fishing during the Plenary Session of 16 January 2018.

Here, we explain why this proposal must be rejected.

### Continuation of illegitimate derogations

Mr. Mato's most recent proposal would **allow the continuation of the [illegitimate derogation regime](#)** that enables 5% of each Member State's beam trawl fleets to use electricity for commercial purpose for another three years, under the guise of a "*transitional period*".

The possibility to restrict or prohibit the use of electric trawling in the 12-nautical-mile zone for States wishing to do so — in addition to being clearly insufficient in view of the environmental, social and economic disaster that is being generated by electric fishing — seems to come straight from a negotiation between industrial fishers. As a reminder, such spatial restrictions have already occurred in the past, [much to the dismay of artisanal fishers](#).

### Continuation of illegal derogations under the guise of 'scientific research' and a 'pilot project'

Mr. Mato's proposal also **legitimizes the numerous additional illegal derogations obtained under the guise of 'scientific research' and 'pilot projects'**. While the draft states that "*new fishing authorisations shall not be granted [until 31 December 2021]*", the illegal status of all licenses granted beyond the 5% regulatory framework (i.e. 70 trawlers out of 84) would not be challenged, should this proposal be adopted. In fact, "*fishing authorisations allowing the use of electric pulse trawls valid on the date of entry into force of this Regulation shall end by 31-12-2021 at the latest*". In essence, this sentence would **extend the validity of 42 illegal licenses obtained in 2014 under the guise of a 'pilot project'**, which are supposed to end in February 2019.

### Instrumentalization of science

The three-year "*transitional period*" proposed by Mr. Mato is thought to be used to explore limited research questions on this technique to potentially allow it afterward. But let us remind everyone that **electric fishing has now been carrying on for ten years "under the guise of scientific research"**, as highlighted by the International Council for the Exploration of the Sea (ICES). More instrumentalization of science will not serve anyone but the electric fishing lobby, through the production of a more than doubtful science by their 'merchants of doubts'.

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<sup>1</sup> There is one 'shadow' rapporteur for each political group other than the one to which the Rapporteur belongs. These MEPs are supposed to ensure that the Rapporteur carries the mandate of the European Parliament during the Trilogue negotiations (with the Council of the EU and the European Commission), in this case the full and definitive ban of electric fishing.



### **A non-sensical provision**

Mr. Mato's draft proposal also pretends to avoid the marketing of species being caught with non-conventional fishing methods (i.e. illegal ones). However, this provision is non-sensical and extremely unclear, given that:

1. Selling illegal catches is, by definition, already illegal; and
2. Electric trawling is not covered in the list of prohibited fishing methods, given that it benefits from a regime of derogations. Therefore, **this provision would in no way prevent commercial electric trawling from occurring.**

### **A trick to authorize electric fishing in all European waters in the future**

Finally, new additions in Mr. Mato's proposal are quite puzzling. It is stated that "*this Article should apply in international waters and the waters of third countries*". This has never been an issue during the debates on the Technical Measures Regulation, and incorporating this provision would in fact overlap with Council Regulation (EC) No 734/2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears.

Furthermore, the proposal implicitly provides that any fishing gear/method prohibited under Article 7 (such as electric fishing) may be authorized in accordance with the 'regionalization' of fisheries management. Under this semantic complexity is the possibility for electric fishing to be practiced in all EU and international waters. Therefore, this disposition must be deleted.