



From: Frédéric Le Manach  
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**To the attention of**  
De Minister-President  
Mr. Mark Rutte  
Prime Minister of the Netherlands  
Postbus 20001  
2500 EA Den Haag

Paris, 28 June 2022

Dear Prime Minister,  
Your Excellency,

We are writing to you with regards to an urgent matter that requires your intervention and for a fundamental issue of transparency that your government can resolve.

As you know, in recent years, we have revealed on several occasions the regrettable wrongdoing of your national industrial fleets with the complicity of Dutch public authorities.

As you may remember, we have shown that most of the Dutch trawlers that were practicing electric fishing had in fact received an illegal derogation,<sup>i,ii</sup> and that these illegal vessels had benefited from over 20 million euros in public subsidies to develop and legitimize this fishing gear.<sup>iii</sup> These illegal subsidies have not yet been paid back to the Dutch government and EU taxpayers.

We believe time has come for you to obtain the reimbursement from the illegal electric fishing subsidies.

Today, we also call on you to lead a thorough investigation into our new findings showing yet another case of fraudulent practices from Dutch fleets with the support of political power.

On 26 June 2022, we released a study we conducted with the French investigative media 'Mediapart' showing that 95% of the Dutch vessels that claimed COVID-19 subsidies for 'temporary cessations' of their fishing activities had breached the European legal framework and/or the Dutch decree that set forth the conditions to benefit from these subsidies.<sup>iv</sup> This fraud represents an additional 5.8 million euros that the Dutch industrial fishing sector unduly received. In an unacceptable stance of favoritism towards industrial fishers, the decree that your government published concerning COVID subsidies arbitrarily excluded small-scale fishers (less than 12-meter vessels) from the aid scheme. We have signaled this fraud to the European Public Prosecutor's Office and called for the opening of a judicial investigation as these illegal practices directly harm the financial interests of the EU.

Meanwhile, we call on you to put an end to the rampant bias of Dutch public authorities in favor of large-scale destructive actors and to expedite an investigation into the fraud we have revealed in order to apply appropriate



sanctions, obtain the reimbursement of EU public funds and of the turnover generated by these illegal fishing activities.

As you know, the ocean is a resolute ally of humanity in solving the climate crisis. By annually absorbing 20-30% of our carbon dioxide as well as most of the heat excess caused by our activities,<sup>v</sup> the ocean acts as a planetary climate regulator. Protecting it is imperative, should we want to mitigate the climate breakdown and biodiversity collapse that will increasingly challenge our economies and livelihoods. In spite of this, the ocean faces multiple, severe threats, first and foremost of which, industrial fisheries.<sup>vi</sup>

One of the most efficient ways to fight the destruction of our planet is to radically increase transparency, as it provides a democratic way for civil society to identify harmful practices such as illegal fishing, fiscal evasion, and other detrimental acts.<sup>vii,viii</sup>

We have used multiple times transparency tools such as the national lists of beneficiaries of the European Maritime and Fisheries Fund (EMFF 2014–2020), the European fleet register and the Global Fishing Watch platform.<sup>ix</sup> It is by cross-checking these datasets that we have managed to reveal abuses, fraud and to help EU monitoring of destructive fishing practices.

While Dutch authorities have often been problematic with regards to the blind support they provide to their industrial fishing fleets, we also recognize that the Dutch government is much more transparent than many other EU fishing nations, including France. Transparency is the cornerstone of democracy, we therefore salute the disclosure by your government of important data in a clear, complete and well-organized format.

To progress in the direction of combatting fraud, abuses or illegal fishing, we ask you to make other crucial data publicly accessible.

#### First: auction data

Auction data are usually only accessible to fishers, fishmongers and other fisheries professionals, although they provide critical economic and commercial information that would allow researchers, citizens, journalists or NGOs to scrutinize the volumes and species of fish landed in European ports and identify fraudulent activities.

Fish are a common good and privatizing commercial data that depend on them cannot be justified. Fisheries management should be subject to public debate and exemplary transparency, as the opacity of the fishing sector allows abuses to occur without sanctions. As such, we request that these data be made publicly available, for free, and in an open format.

#### Second: VMS data

As per the 'Control' Regulation (EC) 1224/2009,<sup>x</sup> vessel monitoring systems (VMS) are mandatory on European vessels larger than 12meter, but unlike AIS (Automatic Identification System) data, VMS data are usually not publicized, although they would be of crucial interest for civil society to track fishing activities with accuracy. We hereby ask that the Netherlands publish continuous VMS data of its domestic fleets, in a free and open format.

#### Third: Electronic logbook data

Access to electronic logbook data containing thorough and timely information on the location of fishing activities and catch by species would also prove useful for civil society to recoup data from other sources, including the aforementioned auction and VMS data. We therefore also ask that the Netherlands publish the data in a free and open format on a weekly basis.



These transparency standards should apply to all EU Member States, but nothing stops certain governments to pioneer the way forward and show what democratic institutional practice could look like. These States are - and will be - celebrated for creating landmark norms for our global community.

We truly hope your vision of democracy will make you amenable to our request and convince you to operate the fundamental transparency changes we have identified as necessary in order to bring fisheries monitoring and management to the next level of public openness.

We also count on your seriousness to investigate, without further delay, the abuse and fraud we have revealed in the conduct of Dutch fishing operations.

Most respectfully yours,

Frédéric Le Manach  
Scientific Director of BLOOM

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<sup>i</sup> See our advocacy document against electric fishing. Available at: <https://www.bloomassociation.org/wp-content/uploads/2018/11/plaidoyer-peche-electrique-v3.pdf>

<sup>ii</sup> See our investigation on the Dutch electric fishing fleet. Available at: <http://www.bloomassociation.org/en/wp-content/uploads/2020/09/beyond-illegal.pdf>

<sup>iii</sup> Le Manach *et al.* (2018) Public subsidies have supported the development of electric trawling in Europe. *Marine Policy*. Available at: <https://doi.org/10.1016/j.marpol.2019.03.003>.

<sup>iv</sup> See our investigation on undue COVID-19 subsidies. Available at: <http://www.bloomassociation.org/en/wp-content/uploads/2022/06/BLOOM-and-Mediapart-study-on-Dutch-subsidies-fraud.pdf>

<sup>v</sup> Intergovernmental Panel on Climate Change's Special Report on the Ocean and Cryosphere in a Changing Climate. Available at: <https://www.ipcc.ch/srocc/>

<sup>vi</sup> Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services' Global Assessment Report on Biodiversity and Ecosystem Services. Available at: <https://ipbes.net/global-assessment>

<sup>vii</sup> <https://www.access-info.org/2022-06-23/200-signatories-company-ownership/>

<sup>viii</sup> Galaz *et al.* (2018) Tax havens and global environmental degradation. *Nature Ecology & Evolution*. Available at: <https://doi.org/10.1038/s41559-018-0497-3>.

<sup>ix</sup> Global Fishing Watch Platform. Available at: <https://globalfishingwatch.org>.

<sup>x</sup> Regulation 1224/2009, available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:343:0001:0050:fr:PDF>