



Joint position of NGOs and fishers' organizations on electric 'pulse' fishing

4 June 2018

Dear Member State representative,

Please find a joint position from the undersigned organizations with regards to electric 'pulse' fishing in European waters. Our organizations have joined efforts to address electric fishing within the Technical Measures Regulation as we witness that the specific threat it poses to fishing economies and marine ecosystems is vastly under-estimated by policy makers.

However, we also share the concerns voiced by certain NGOs and MEPs that, as voted by the Parliament, and with the outstanding exception of electric fishing, the Technical Measures Regulation lacks a global and unified social and environmental ambition by not setting quantitative and measurable targets and deadlines against which progress can be assessed. If the targets for improving selectivity that should contribute to sustainable fishing are to be determined only at regional level, without an EU-wide legally binding reference and a proper reporting system, there will be few "common" standards left of the Common Fisheries Policy to ensure a level playing field and policy coherence between sea basins. The absence of ambitious protection measures for threatened and endangered marine species other than fish such as mammals, reptiles and seabirds is also a concern we share and we hope that Trilogue negotiations will result in ensuring that the new Technical Measures Regulation improves the one currently in place instead of weakening it.

Concerning electric fishing and given the evidence provided below, we urge Member States to ensure that the use of electric current to catch fish is fully prohibited in the European Union. This would be consistent with the 1998 Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles which ruled that "*the use of [...] electric current shall be prohibited.*" This prohibition was lifted de facto through the establishment of a derogation regime as of 2006 but for the wrong reasons and against scientific advice.

On 16 January 2018, the European Parliament adopted, with a large majority (402 versus 232), an amendment putting an end to the unjustified exception made to use electric current in marine fisheries.ⁱ Most important fishing nations in the world have legislated against the use of electric current to capture marine organisms, as a precautionary measure. Even China banned electric fishing in 2000, based on experience. Fisheries managers witnessed that the efficacy of electric trawlers led to a dramatic and uncontrolled increase in fishing effort, a steep decline in shrimp populations and harmful effects on marine biodiversity.

Electric fishing is **not** a regional issue. It is an overarching threat to ecosystems and fishers across the whole European Union and beyond. All EU citizens and Member States are held hostage to this issue by being forced to contribute financially to the development of an illegal and destructive fishing method through the public subsidization of electric fishing. The European Union must urgently close the derogations loophole created as of 2006, which sends an extremely worrying signal to the world that the worst fishing practices could be acceptable under certain conditions.

With the Common Fisheries Policy and the Marine Strategy Framework Directive, Europe has pledged to reach good environmental status by 2020, to restore its marine habitats, fish stocks and fishing sector with the objectives to contribute to long-term environmental, economic, and social sustainability. Europe was also an ardent defender of UN Sustainable Development Goals, including SDG 14 by which the EU has committed to ending overfishing and “*destructive fishing practices*” by 2020 as well as to providing “*access for small-scale artisanal fishers to marine resources and markets*”.

Our organizations welcome innovation and the quest for practical solutions. We insist though, that electric fishing is anything **but** innovative. It is on the contrary a very old technique that was proven destructive a long time ago. We call on decision-makers to recognize the very significant negative environmental, social and economic impacts created by the provision of derogations and note that the derogations were provided specifically and only for scientific purposes. It has been admitted publicly by those using the equipment as well as by the Dutch government that **it is not the case**.

We therefore call on you to put a definitive end to this unacceptable European exception, which undermines the credibility of our collective commitments to build a sustainable future.

Below you will find the main reasons why our organizations ask you to support a full ban on electric fishing in the Union.

We trust in your determination to make rational decisions based on scientific, social and economic evidence and will look forward to collaborating with you to ensure the European Union makes the right choice.

REASONS TO ADOPT A DEFINITIVE BAN ON THE USE OF ELECTRIC CURRENT IN FISHING

1) Electric fishing is a destructive fishing gear that harms the marine environment and biodiversity

Research shows that:

- Electric trawls are bottom trawls that are dragged along the seafloor and impact marine habitats. On the small 4.4m-wide trawls used in experiments, the electrodes penetrate 5 mm into the sediment, while the trawl shoe penetrates 6 cm into the seafloor.ⁱⁱ However, the trawls used in commercial operations usually have a width of 12m, so the damage caused by their impact on the seafloor will be greater.
- Electric trawling is unselective: 50 to 70% of the catch is discarded.^{iii,iv} In comparison, gillnetters that target flatfish in the same area only discard around 6% of fish caught.^v
- The electric current used, a 'pulsed bipolar current', causes such violent, uncontrolled convulsions that 39 to 70% of large cods are left with a fractured spine and internal bleeding after the electroshock.^{vi,vii}
- The current used by electric trawlers impacts both the hatching of eggs and survival of juveniles.^{viii}
- Survival rates measured for several discarded species were very low, especially for undersized specimens: 15% for plaice, 29% for sole, and 16% for dab.^{ix} However, scientists recognized that the conditions in which they conducted the experiment were "mild". During commercial activities, survival rates are therefore probably even lower.
- It is not even established that electric trawls have a better size selectivity than regular beam trawls.^x

2) Electric fishing jeopardizes the livelihoods of other fishers

- European artisanal fishers stand united against electric fishing because it directly jeopardizes their livelihoods in the North Sea and represents a direct threat to those operating in other European waters.^{xi}
- The platform “Low Impact Fishers of Europe” (LIFE) gathered testimonies of small-scale fishers from several member States about electric fishing. This empirical feedback consistently concludes that

electric fishing causes wide-scale ecosystem changes, leaving a “graveyard” and a “desert” in its wake.

- Dr. Adriaan Rijnsdorp, from the Wageningen Marine Research Institute acknowledged that: *"If you start [taking seabed samples] right away, you will only find dead animals"*.^{xii}
- Even in the Netherlands, fishers find the courage to speak against electric fishing.^{xiii,xiv}
- Because using electric current jeopardizes ocean productivity and the socio-economic balance of a whole fishing sector, electric fishing has been banned in many countries around the world,^{xv} including China.^{xvi, xvii}

3) Electric fishing is a legal fraud

- Electric fishing has been prohibited in the EU since 1998 along with other destructive fishing gears or practices such as explosives or poison.
- The 2006 Regulation that started granting exemptions to circumvent the 1998 prohibition on electric fishing went against scientific advice.
- In 2006, STECF indeed concluded that *"there [were] a number of issues that need[ed] to be resolved before any derogation [ould] be granted"*. These issues concerned *"the unknown effect of pulse trawl fisheries on non target species and the potential impact on vertebrates and invertebrate species"*.^{xviii} Nonetheless, the derogation regime was proposed by the European Commission and adopted by Council (EC Regulation 41/2007). Exemptions authorizing a prohibited method were thus included in a December 'TAC & quota' Regulation when Member States are focused on quota issues.^{xix}
- Licenses are mostly illegal. The current, unjustifiable, regulatory framework allows each Member State to equip a maximum of 5% of its beam trawl fleet.^{xx} If the Netherlands were to comply with this legal limit, they would have 14 electric 'pulse' trawl licenses in 2018, not 84.
- Electric fishing is not “experimental”: it is commercial. In 2015, the International Council for the Exploration of the Sea (ICES) acknowledged that *"the issuing of 84 licenses to carry out further scientific data collection is not in the spirit of the previous advice and that such a level of expansion is not justified from a scientific perspective. [...] This is well in excess of the 5% limit included in the current legislation. At this level this is essentially permitting a commercial fishery under the guise of scientific research"*.^{xxi} Even Dutch scientists now recognize that the conversion of the Dutch fleet to electricity was seeking commercial purposes and did not align with research needs.^{xxii} Dutch fishers have also publicly acknowledged that their conversion to electric trawling was purely commercially-driven.^{xxiii}
- In fact, Dutch Minister of fisheries, Carola Schouten, publicly acknowledged that there was no research protocol in place prior to 2017,^{xxiv} when summoned by the European Commission to explain the high level of licenses.^{xxv}
- It is not only the licenses that are illegal; vessels equipped with pulse gear are also using illegal practices. Last year, four vessels were arrested for fraud: illegal mesh size, undersized but gutted fish on board or illegal fishing during seasonal closure.^{xxvi} In March 2018, a Dutch electric trawler was arrested off Dunkirk for illegal mesh size.^{xxvii} On board, it had nearly 200kg of undersized soles, which accounted for almost a quarter of that species' catch. They were all gutted and prepared for marketing.

4) Electric fishing produces very low fish per litre of fuel burnt

Saying that electric fishing allows to meet the Paris Accord is blatantly false. Data published by the Dutch fishing industry allowed calculating that electric trawlers only catch 450 grams of fish per litre of fuel, which is roughly the same ratio as regular beam trawlers (420 grams of fish per litre). In comparison, gillnetters targeting the same species in the same area catch up to three kilos of fish per litre of fuel.^{xxviii}
^{xxix}

5) Electric fishing is a financial scandal

- Since August 2015 only, at least 5.7 million € of public subsidies have been allocated to the development of the industrial electric 'pulse' fishing fleet in the Netherlands, including 3.8 million € of European funding (67% of the total).^{xxx}

- Despite legal obligations, the Netherlands has not published the data concerning public subsidies allocated from 2007 to 2015 under the "European Fisheries Fund" (EFF). This opacity makes it impossible to calculate the total amount of subsidies allocated to electric 'pulse' fishing since the introduction of the exemptions.
- Public funds should be used to steer European fisheries to sustainability and socio-ecological merit, not to encourage destructive fishing practices. The debate should not be about choosing between beam trawling versus electric fishing. Instead, fishing in the EU should be conducted according to the highest environmental and social standards (habitat impact, selectivity, catch-to-fuel ratio, employment etc.). Fishing opportunities should be allocated according to these guiding principles and objective criteria, as required under Article 17 of the current CFP.

In the past, Europe had good reasons to prohibit electric fishing. Today, it needs to set the record right and ensure our political systems are sufficiently functional to protect fishing communities, citizens and the marine environment from damaging decision-making that contradicts our own objectives of sustainability and our international commitment to "*end overfishing*" and "*destructive fishing practices*" by 2020 (SDG 14.4).^{xxxi}

We count on your mobilization to put an end to an unjustified and embarrassing European exception. For the future of European fishers and out of respect for science, institutions, democracy and citizens, we ask you to ensure electric fishing is definitively banned in Europe.

Best regards,

LIST OF SIGNATORIES

Claire Nouvian, Chair and Founder of BLOOM

Charles Clover, Executive Director of the Blue Marine Foundation

Alasdair Harris, Executive Director of Blue Ventures

Howard Wood OBE, Chairman and Co-Founder of Community of Arran Seabed Trust (COAST)

Valérie Cabanes, Spokesperson of End Ecocide on Earth

Pádraic Fogerty, Campaign officer of the Irish Wildlife Trust

Antonio García Allut, Chair of Fundación Lonxanet

Marie Toussaint, Chair of Notre affaire à tous

Nick Underdown, Spokesperson of Open Seas

Valeska Diemel, Germany Director of The Black Fish

Jeremy Percy, Director of the Low Impact Fishers of Europe (LIFE) platform

Charles Millar, Executive Director of the Sustainable Inshore Fisheries Trust (SIFT)

Nils Höglund, Fisheries Policy Officer of the Coalition Clean Baltic

Stéphane Pinto, Representative of gillnetters of the "Hauts de France"

Antonis Petrou, Member of the Board of Directors of the Pan Cypriot Association of Professional Fishermen

James White, Fishermen United

Jerry Early, Chair of the Irish Islands Marine Resource Organisation (IIMRO)

Daryl Godbold, Leigh and Southend fishermen

Tom Brown, Thanet fishermen / Queenborough fishermen

Paul Lines, Lowestoft Fish Market Alliance

Andrew Craig, Mersea Island Fishermen

Ken Kawahara, Spokesperson of the Plateforme de la Petite Pêche Artisanale

Wolfgang Albrecht, First Chairman of the Fischereischutzverband Schleswig-Holstein

Ger de Ruiter, Director of C-LIFE

ⁱ European Parliament (2018) Minutes of proceedings — Result of roll-call votes — Annex. PE 616.990. 67 p.

Available at: www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bPV%2b20180116%2bRES-RCV%2bDOC%2bPDF%2bV0%2f%2fEN&language=EN

ⁱⁱ Depestele *et al.* (2016) Measuring and assessing the physical impact of beam trawling. ICES Journal of Marine Science 73(suppl_1): i15-i26.

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- iv Baarseen *et al.* (2015) Verkenning economische impact aanlandplicht op Nederlandse kottervloot. Flynth & LEI Wageningen UR. 69 p.
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- vi de Haan *et al.* (2011) The effect of electric pulse stimulation to juvenile cod and cod of commercial landing size. C141/11, IMARES, Institute for Marine Resources & Ecosystem Studies. 44 p.
- vii de Haan *et al.* (2016) Pulse trawl fishing: characteristics of the electrical stimulation and the effect on behaviour and injuries of Atlantic cod (*Gadus morhua*). ICES Journal of Marine Science 73(6): 1557-1569.
- viii Experiment carried out with electric trawls targeting shrimp, not flatfish. Given the differences in parameters, electric currents targeting flatfish will have a higher impact. See Desender *et al.* (2017) Impact of pulsed direct current on embryos, larvae, and young juveniles of Atlantic cod and its implications for electrotrawling of brown shrimp. Marine and Coastal Fisheries 9(1): 330-340.
- ix van der Reijden *et al.* (2017) Survival of undersized plaice (*Pleuronectes platessa*), sole (*Solea solea*), and dab (*Limanda limanda*) in North Sea pulse-trawl fisheries. ICES Journal of Marine Science, 74(6): 1672–1680.
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- xiii Van Duijn (2017) Pulsen in de kraamkamer. Visserijnieuws.nl.
- xiv Hakkenes (2018) Niet alle Nederlandse vissers zijn rouwig om het EU-verbod op pulsvissen. Trouw, edition of January 19 2018. Available at: www.trouw.nl/groen/niet-alle-nederlandse-vissers-zijn-rouwig-om-het-het-eu-verbod-op-pulsvissen~ac64ed79/
- xv <http://www.bloomassociation.org/en/wp-content/uploads/2018/01/electric-fishing-advocacy.pdf>
- xvi Article 30 of the Fisheries Law of the People's Republic of China of January 20, 1986, amended on October 31, 2000. Available at: www.npc.gov.cn/englishnpc/Law/2007-12/12/content_1383934.htm.
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- xviii STECF (2006) 23rd report of the Scientific, Technical and Economic Committee for Fisheries (second plenary meeting), Barza d'Ispra, November 6-10 2006. Commission Staff Working Paper. 99 p.
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- xx Regulation (EU) No 227/2013.
- xxi ICES (2015) Second interim report of the working group on electrical trawling (WGELECTRA). IJmuiden, the Netherlands, 10-12 November 2015 Copenhagen (Denmark).
- xxii van t Hoog (2018) Pulsvissen: lopend onderzoek genegeerd. BioNieuws, edition of January 27 2018. Available at: www.bionieuws.nl/artikelen/pulsvissen-lopend-onderzoek-genegeerd
- xxiii See the 12/03/2018 BBC show "Inside Out West" from 4'47" onward, with Maarten Drijver, Chairman of VisNed, the umbrella producer organization for the Dutch cutter fleet. Available at: https://www.youtube.com/watch?v=_7SjtpKofD8&feature=youtu.be.
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- xxviii www.bloomassociation.org/en/fooled-by-fuel/
- xxix See the factsheet published by IMARES at: <https://www.pulsefishing.eu/documents/leaflets/2014/07/15/factsheet-pulse-fishing-2014>
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