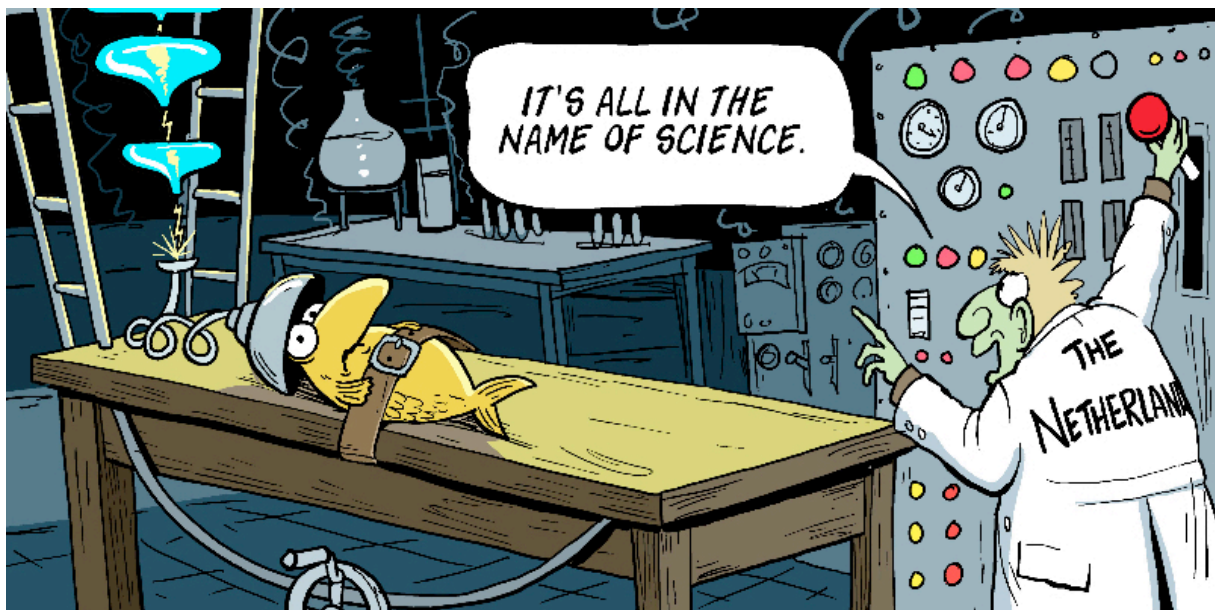




Fishers and environmental organisations call on the European anti-fraud office to open a formal investigation about electric fishing



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Today, 23 environmental NGOs and organisations representing fishers from France, Germany, the Netherlands, and the UK filed a formal request to the European Anti Fraud Office, known as OLAF,¹ to conduct an investigation into whether fraud has occurred in relation to the Dutch electric trawl fishery.

Despite the non-compliance of the Dutch Government with the EU transparency requirements regarding the publication of financial data provided to the fishing sector, there is evidence that Dutch electric vessels and research institutes were granted substantial amounts of undue public subsidies. Today, the undersigned organisations would like to question the legality of these financial transfers on three counts:

- i) Electric fishing was expanded under the guise of “scientific research” but no specific research has been thoroughly conducted;
- ii) The EU regulations under which public subsidies were allocated explicitly state that the granting of public monies should not lead to an increase in fishing effort, which electric fishing does; and,
- iii) EU laws also demand that, if commercial fishing activities occur during the conduct of scientific research, the value of the catch be paid back to public authorities to avoid scientific research being used to generate undue profits.

¹ The European Anti Fraud Office is commonly known as OLAF, from the French "Office européen de lutte antifraude".

→ A dubious initial decision in 2006

Electric fishing was banned in Europe in 1998 along with other destructive fishing methods such as explosives and poison, and was only authorised on an arbitrary proposal from the European Commission in 2006 to make an exception for electric current and under a derogation regime. This decision [went against the explicit scientific advice delivered to the Commission](#). Since this initial questionable decision, which solely benefited the nearly-bankrupt Dutch beam trawl fishing industry, electric fishing has been developed to commercial scale in the Netherlands, in apparent conflict with the regulatory framework.

→ No specific scientific research was conducted

As early as 2007, the Dutch obtained 22 licences to conduct fishing activities with electricity, which was already in breach of the legal threshold allowing maximum 5% of licences relative to national beam trawl fleets. A further 62 derogations were obtained by the Dutch in 2010 and 2014 in order to conduct "scientific research" on the one hand and "scientific pilot projects" on the other. But following recent revelations of the Dutch media NOS (*Nederlandse Omroep Stichting*), **the Dutch industry and public authorities publicly admitted that no specific research had been done and that science was a mere excuse to cover commercial activities**. We ask OLAF to swiftly investigate the legality of these decisions given the current political context of EU negotiations, which are in the process of deciding whether electric fishing will be banned, as per the European Parliament's position voted on 16 January 2018.

→ Granted subsidies in breach of EU regulations

Furthermore, the EU regulations that establish the framework for the financial transfers of public funds to the EU fishing sector stipulate that "*operations increasing the fishing capacity of a vessel or equipment increasing the ability of a vessel to find fish*" and that operations which "*increase fishing effort*" shall not be funded. But it is widely acknowledged in the scientific literature that electric fishing is more efficient at catching the targeted species.² As a result, **Dutch fishing vessels were clearly not eligible for EU structural funds**. How much should be returned to EU citizens cannot be established for now because of the aforementioned breach of transparency obligations by the Dutch Government. Any EU subsidy is administered through national administrative structures and both the Dutch fishing industry and administration are supposed to know the law. In particular, the European Commission states that "[national authorities must ensure \[that Regulations\] are correctly applied](#)", and therefore may be guilty of abusive circumvention of EU rules against the general interest and of discrimination against other stakeholders, particularly small-scale and coastal fishers.

→ Subsidies may have to be reimbursed

Further concerns will be raised if the anti-fraud office investigation confirms that, as we suspect, Dutch electric trawlers, which received public funds under the guise of scientific research, did not give back the value of the fish they caught during the so-called "scientific trial" funded under the subsidy scheme. The law states³ that "*pilot projects shall not be of a directly commercial nature. Any profit generated during the implementation of a pilot project shall be deducted from the public aid granted to the operation*". This mechanism is clearly meant to avoid personal enrichment using taxpayers' money.

Electric fishing is widely opposed by coastal fishers around the North Sea because the extreme efficacy of electricity to catch fish is leading to the rapid depletion of marine ecosystems and the

² "*The higher catch efficiency of the pulse trawl for sole implies that the sole quota can be caught in less fishing time than with the tradition beam trawl*". ICES (2018) Report of the Working Group on Electric Trawling (WGELECTRA). IJmuiden, the Netherlands, 17-19 April 2018. Available at: <http://ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/EOSG/2018/WGELECTRA/WGELECTRA%20Report%202018.pdf>.

For more details, read our complaint:

<http://www.bloomassociation.org/en/wp-content/uploads/2018/06/bloom-electric-fishing-olaf.pdf>

³ See Article 19 of Regulation No 498/2007 on the implementation of Regulation No 1198/2006.

demise of traditional fishing activities. The biased intervention of the administration to facilitate unlawful grants to a specific segment of the fishing sector, which has such dire socio-economic consequences for fishing communities at large, requires a swift and thorough investigation by the European anti-fraud office, as does the distribution of funds for scientific activities which were not carried out.

The case brought to the attention of OLAF raises questions about the proper conduct of activities with implications for the EU budget. EU taxpayers should not be forced to contribute to the destruction of the ocean and jobs.

Based on the above points, the 23 undersigned organisations call on EU decision-makers to follow the EU Parliament's position without further delay and to adopt a full and definitive ban to an ecologically and socially destructive fishing method.

Our citizen call to action can be found online at www.stopelectricfishing.org

Read our complaint:

<http://www.bloomassociation.org/en/wp-content/uploads/2018/06/bloom-electric-fishing-olaf.pdf>

To know more about electric fishing, read our complete information document [here](#)

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