The Commission received a complaint (CHAP(2017)03012) regarding the circumstances under which the Dutch authorities ... conducted solely for the purpose of scientific research (Article 43).

Regarding the calculation of the 5% threshold for the use of electric pulse trawl, the Commission considers that the Dutch concept of beam trawler fleet, the application of the 5% threshold, the monitoring and adjustment of the number of pulse-fishing authorisations, and the actual number of pulse-fishing authorisations granted are not in line with Article 31a(2)(a).

Regarding Article 43, the Commission found that the interpretation of this Article by the Dutch authorities led to a large number of pulse-fishing authorisations granted for fishing operations that were not conducted solely for the purpose of scientific investigations, contrary to the express requirements set out in that Article.

In these circumstances, it is proposed to address a letter of formal notice to the Netherlands.