

**Question for written answer E-009932/2013
to the Commission**

Rule 117

Marek Józef Gróbarczyk (ECR)

Subject: Question to the European Commission regarding the fulfilment of its obligation to report to Parliament and the Council

Article 27 of Council Regulation (EC) No 2187/2005 obliged the European Commission to ensure that a scientific assessment of the effects of using in particular gillnets, trammel nets and entangling nets on cetaceans was conducted and its findings presented to the European Parliament and the Council by 1 January 2008. The Commission did not fulfil this obligation within the deadline specified, and a Polish fisherman submitted a complaint to the European Ombudsman (427/2011/MHZ) accusing the European Commission of maladministration.

Following an inquiry, the Ombudsman concluded that, 'the Commission failed to demonstrate that it was objectively impossible for it to ensure that the scientific assessment of the effects of using in particular gillnets, trammel nets and entangling nets on cetaceans was carried out by 1 January 2008.' The Ombudsman closed his inquiry into the complaint on 22 November 2011, and stated that, 'Since, in a communication to Parliament and the Council, the Commission declared that in 2011 it would submit a report on the effects of using driftnets on cetaceans, the Ombudsman does not consider that either a proposal for a friendly solution, or a draft recommendation, would serve any useful purpose in the present case.'

I would therefore like to ask whether the Commission fulfilled its obligation to present such a report to Parliament and the Council in 2011.