

Dutch pulse-fishing ban upheld by the European Union

By Nicki Holmyard
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The Netherlands has lost a fight to overturn a European Union-wide ban on use of the trawls that implement electric impulse current, a practice known as electric-pulse fishing.

The technique uses electrodes that emit pulses of electricity to stun fish, which then float into beam trawl nets. Pulse fishing was originally banned by the E.U. more than 20 years ago, in 1998, but the Dutch government argued that research and innovation to improve pulse beam trawls should be allowed, and a derogation was introduced in 2006. Dutch fishermen [argued the pulse technique is environmentally friendly](#) because it allows

trawlers to use far less diesel than traditional beam trawlers, and it does not damage the seabed.

Dutch pulse beam trawlers resumed operations in 2011, but the practice was challenged by environmental groups – [and particularly the French NGO Bloom](#), which was instrumental in calling for [the current ban put in place in 2019](#). The ban included provision for pulse fishing to continue on a limited scale and under strict conditions for research purposes through a transition period until July 2021, when it will be outlawed.

In a bid to enable its fleet to resume pulse fishing this summer, the Netherlands brought a case against the European Council and the European Parliament, arguing that the E.U. did not take the latest scientific evidence into account when it implemented its ban. However, its arguments were dismissed by the European Court of Justice (ECJ), which also ordered the Netherlands to pick up the costs of the legal fight.

"The court dismisses the action brought by the Netherlands in its entirety. The E.U. legislature has a wide discretion in this field and is not obliged to base its legislative choice on scientific and technical opinions only," the ECJ wrote in its decision. "Although the scientific and technical studies available contain, at times, divergent assessments of the extent of the negative impacts of electric pulse fishing, none of them states – contrary to what the Netherlands maintain – that this method has no negative impacts on the environment."

Pim Visser, the CEO of VisNed, which represents 80 percent of Dutch flatfish interests, told SeafoodSource the judgement was expected by the industry but that it could lead to bankruptcies in a sector already hit hard by Brexit and the COVID-19 pandemic.

"The verdict is a step backwards for the fishermen, fishing communities, and Europe, which considers innovation to be of paramount importance," he said. "Because of the upholding of the ban on pulse fishing, costs will substantially rise. We already see family firms quitting after generations of fishing. Pulse fishing gave the sector more resilience to deal with setbacks."

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Nicki Holmyard
Contributing Editor
[✉ nickiholmyard@gmail.com](mailto:nickiholmyard@gmail.com)