



EU top court backs bloc in ban on electric pulse fishing

Madhur Bhatt | Hidayatullah National Law U., IN

APRIL 18, 2021 09:24:07 AM



The European Union's highest court on Thursday **backed** the bloc's decision to ban the practice of pulse fishing. This decision came in light of a Dutch challenge arguing that the EU didn't take the latest scientific evidence into account when it introduced the ban.

Electric pulse fishing is a controversial fishing technique that produces a limited electric field above the seabed by stunning the fish and then scooping them up. Opponents characterize the method as industrial fishing that is wiping out fish stocks.

In 2019, the bloc passed a **regulation** that banned pulse fishing from mid-2021. The ban was particularly encouraged by France, following several years of intense campaigning from non-governmental organization **Bloom**. Countries like the Netherlands and Germany that had invested heavily in pulse fishing opposed the regulation.

The Netherlands subsequently took its grievance to the Luxembourg-based EU Court of Justice (CJEU) in 2019, arguing that lawmakers had not used the best scientific opinions to compare the environmental impact of pulse fishing and traditional beam trawling of North Sea sole.

The CJEU, while dismissing the action in its entirety, **said**, "The EU legislature has a wide discretion in this field and is not obliged to base its legislative choice on scientific and technical opinions only." It further noted, "None of the arguments put forward by the Netherlands demonstrates the manifestly inappropriate nature of the technical measures in question."