

EN

E-004413/2021

Answer given by Mr Sinkevičius
on behalf of the European Commission
(22.11.2021)

The EU remains committed to the protection of all cetaceans, such as whales and dolphins. Within the EU, the capture or killing of cetaceans is prohibited under the Habitats Directive¹. The introduction of cetaceans into the Community for primarily commercial purpose is banned, pursuant to the EU Wildlife Trade Regulation², which implements the provisions of the Convention on International Trade in Endangered Species (CITES) in the EU.

As the Commission stated in its joint reply to questions E-004272/2021, E-004286/2021, E-004297/2021, E-004388/2021, EU law does not apply to the Faroe Islands³. This means that the above-mentioned acts do not apply to the Faroe Islands or to activities taking place there.

As far as international measures are concerned, while Denmark is a member of both CITES and the Convention on the Conservation of European Wildlife and Natural Habitats, the Faroe Islands have been excluded from the scope of application of both conventions. Moreover, the hunting of small cetaceans is currently not regulated by the International Whaling Commission (IWC), and the area covered by the Convention on Migratory Species, which lists long-finned pilot whales and white sided dolphins in its Appendix II, does not extend to the Faroe Islands.

The legal framework described above is not likely to change in a short to medium term, as it would require the amendment of the Treaties and international conventions.

The Commission has already expressed concerns to the Danish authorities about the annual hunt in the Faroe Islands. It will also continue to work with EU Member States in support of ongoing efforts of IWC to tackle threats faced by small cetaceans.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7–50.

² Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein, OJ L 61, 3.3.1997, p. 1–69.

³ According to Article 355(5)(a) of the Treaty on the Functioning of the EU.