

**Question for written answer E-002607/2022  
to the Commission**

Rule 138

**Clare Daly** (The Left), **Mick Wallace** (The Left)

**Subject:** EU Habitats Directive and the legality of the Danish authorities safeguarding the slaughter of whales and dolphins in the Faroe Islands

Prior written questions<sup>1</sup> have expressed concern over the annual Faroese practice of 'grindadráp', i.e. the slaughter of migrating pilot whales and dolphins, which are protected species under Annex IV of the EU Habitats Directive.

Hitherto, the Commission has explained that EU law does not apply in the Faroe Islands as they are not part of the EU. However, it acknowledges that these activities are 'safeguarded' by Danish authorities. The Sea Shepherd Conservation Society submitted evidence to the Commission showing that officials from the Danish police, navy and customs facilitate the practice.

Although the killing of these species occurs outside EU waters, their ranges overlap with and migration patterns traverse EU waters. This constitutes EU marine wildlife.

1. Is it the Commission's legal position that EU Member States may freely participate in or actively enable the deliberate killing of Annex IV protected species, seriously damaging EU biodiversity, provided that the technicality is met that the killing occurs outside of EU waters?
2. If so, does it believe this is congruent with the objective of designating these as protected species in EU law?
3. Will it address loopholes in EU law allowing Member States to bypass EU whale conservation obligations using non-EU waters?

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<sup>1</sup> E-004510/2020; E-004272/2021; E-004286/2021; E-004297/2021; E-004388/2021; E-004413/2021; E-005343/2021