



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate F – Green Diplomacy & Multilateralism
The Director

Brussels
ENV.F.3/AD

Dear Petitioner,

Thank you for your e-mail to Commissioner Sinkevičius, who asked me to reply on his behalf.

The European Union is very committed to the protection of all cetaceans, such as whales and dolphins. Within the EU, the capture or killing of cetaceans is prohibited under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. The sale or exchange of these species is also prohibited by the Member States according to the same Directive. In addition, the introduction of cetaceans into the Community for primarily commercial purpose is banned, pursuant to Council Regulation (EC) N:o 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein, which implements the provisions of the Convention on International Trade in Endangered Species (CITES) in the EU.

The hunting that is the subject of this petition takes place in the Faroe Islands where according to the Treaty on the Functioning of the European Union (TFEU), the Treaty on European Union and the TFEU do not apply. Neither these Treaties nor the secondary EU legislation based thereupon therefore applies to the Faroe Islands or activities taking place there. As far as international measures are concerned, Denmark is a member of both the Convention on International Trade in Endangered Species (CITES) and the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention). The Faroe Islands, however, 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 hunting is legal in the Faroe Islands and, since EU law does not apply, the Commission unfortunately has limited possibilities to intervene.

The Commission has condemned the cruel and unnecessary killing of over 1,400 Atlantic white-sided dolphins, assumedly one of the largest grinds ever recorded, that took place at Skálabotnur beach in the Faroe Islands in September 2021. In addition, on 20 December 2021, the EU and its Member States parties to the International Convention for the Regulation of Whaling have transmitted a statement on this matter to the Secretariat of the International Whaling Commission (IWC) for distribution to

Contracting Governments and observers and for posting on the IWC website¹. The statement calls upon the Faroese Government to immediately stop the outdated practice of whale and dolphin hunting and to provide a strict protection to all cetaceans. The statement also urges the Faroese Government to properly investigate such unprecedented dolphin hunt, according to animal welfare and biodiversity conservation and sustainable management criteria, and to extend the announced evaluation to the pilot whale hunt.

The Commission has also expressed concerns to the Danish authorities about the annual hunt of cetaceans in the Faroe Islands and will continue to raise this sensitive issue at any appropriate occasion.

Yours faithfully,

(E-signed)
Astrid SCHOMAKER
Director

¹ [IWC | Archive](#)