



"Embracing Innovation to Conserve the World's Animal Kingdom."

**Rt Hon David Lidington MP
Minister of State for Europe
King Charles Street
London
SW1A 2AH**

Copy: Ambassador Claus Grube
Royal Danish Embassy
55 Sloane Street
London
SW1X 9SR

21 September 2015

Dear Rt Hon David Lidington MP,

The Kingdom of Denmark's Participation in Grindadráp

There is significant concern that the Kingdom of Denmark's navy and authorities are again assisting and participating in the Faroe Islands' hunting of pilot whales and dolphins (in the annual "the grind" or "the Grindadráp" cetaceans cull).

The accusations are that the Kingdom of Denmark's navy, police and immigration authorities are actively participating in the Grindadráp, with assistance to enforce the Faroe Islands' Grindalógin (22 June 2015) legislation, commonly referred to as the "*Grind Law*"⁽¹⁾ (2)."

The growing list of accusations against the Kingdom of Denmark are listed at *Appendix 1* to this letter.

This Grindalógin 'legislation' seeks to enshrine the Grindadráp, with a provision for all to notify the authorities when pilot whales are sighted. But, the Grindalógin 'legislation' also

International Wildlife Bond, PO Box 374, Diss, IP22 9BT
T. 01379 384814

E: stephenawiggins@iwbond.org

Web: <https://iwbond.org/>



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clearly seeks to punish those (EU and non-EU citizens) that object, or attempt to disrupt (in an effort to protect the pilot whales and other cetaceans) the Grindadráp.

The threat by the Faroe Government for any such 'crimes' under the pretext of Grindalógin is a potential prison sentence of up to 2 years, and/or fines. Active 'use' of Grindalógin has been made in the past months as highlighted at *Appendix 1*.

I would suggest that the Kingdom of Denmark's complicity and support in upholding this dubious Grindalógin 'legislation' does not fit with the Kingdom of Denmark's EU obligations.

The Kingdom of Denmark's complicity is clearly a breach of European community law, EU Common Fisheries Policy and a breach of CITES⁽³⁾.

At the very least, why is the Kingdom of Denmark assisting the enactment of this Grindalógin 'legislation' thus stopping EU and non-EU citizens from even protesting the Grindadráp?

EU Community Law

The Kingdom of Denmark is a member of the Bern Convention (Conservation of European Wildlife and Natural Habitats). Regardless of the Faroe Islands' exemption from the Bern Convention, the Kingdom of Denmark is still bound by this convention and should not be allowed to hide behind a veil of duplicity in its 'protectorate' of the Faroe Islands' dubious practices.

Council Directive 92/43/EEC, 21 May 1992, Conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992) – This directive states the EU's commitment to the protection of all cetaceans (whales, dolphins and porpoises) and the prohibition under this directive (and its encapsulation of the Bern Convention) of the capture or killing of cetaceans. The referenced directive clearly applies to the Kingdom of Denmark.

EU Common Fisheries Policy (CFP)

The CFP's stated aims are that *"the CFP aims to ensure that fishing and aqua-culture are environmentally, economically and 'socially sustainable' and that they provide a source of healthy food for EU citizens."*

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Where; “social sustainability” can be defined as “the ability of a community to develop processes and structures which not only meet the needs of its current members but also support the ability of future generations to maintain a healthy community.”

The pilot whales ‘harvested’ in the Faroe Islands are not ‘healthy food’ and are not ‘socially sustainable’ because the consumption of the whale meat has been declared toxic and not fit for human consumption by the Faroe Islands’ own scientific office (*Reference Appendix 2*). There has been little effort to control the consumption of toxic whale meat resulting from the Grindadráp and questionable control over its consumption on a wider level.

So how can the Grindadráp possibly help to maintain a “healthy community” of Faroe Islanders, EU visitors and non-EU visitors to the Faroe Islands when it floods the domestic market with toxic product every year?

The Kingdom of Denmark’s participation in assisting the Faroe Islanders’ to capture cetaceans, the potential consumption (via shops, hotel and restaurants) of whale products on the Faroe Islands by visiting EU and non-EU Citizens clearly presents a health risk for all concerned.

The lack of controlled exposure to pilot whale product consumption provides a clear health imperative (if nothing else) for the EU to act (with more than just ‘advice’). Action is required to not only protect the health of EU citizens, but the wider population to the Faroe Islanders’ insistence on ‘producing’ and distributing toxic pilot whale products.

CITES⁽³⁾ - Convention on International Trade in Endangered Species of Fauna and Flora

The Kingdom of Denmark was a signatory to CITES in 1977 – It could be argued that the Faroe Islands is ‘trading’ pilot whale products with the widely reported sale of whale products within the Faroe Islands in hotels and restaurants. Clearly this exploitation of cetaceans with the Kingdom of Denmark’s complicity and assistance is a Kingdom of Denmark’s breach of CITES control of this ‘trade’ in a CITES Appendix II species:

*Both the *Globicephala melas* (Long-finned pilot whale) and *Globicephala macrorhynchus* (short-finned pilot whale) are protected under CITES Appendix II (Note: Appendix II lists species that are not necessarily now threatened with extinction but that may become so unless trade is closely controlled.)*

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86% of Faroese Hold EU Passports

It has been suggested⁽⁵⁾ that the Faroese have a clear choice of holding either a red Kingdom of Denmark (EU) passport or the green Faroese passport, with no option to hold both. Evidence⁽⁵⁾ suggests 86% of Faroese have chosen to hold a red Kingdom of Denmark (EU) passport.

By default this makes these Faroese EU passport holders beholden to EU laws, the same as all other EU citizens and EU passport holders. Why are these Faroese EU passport holders/citizens and Kingdom of Denmark EU passport holders allowed to participate in activities (such as the Grindadráp) that are in direct conflict to EU laws?

Why are these Faroese EU passport holders being subjected to Faroe Islands laws (Grindalógin) that are in direct conflict with EU laws?

I would suggest this area of 'conflict' with the EU needs to be investigated, verified and acted upon accordingly as a matter of urgency.

Conclusions

The 'whale product' generated by the Grindadráp is clearly a human health risk that the Faroe Islands and the Kingdom of Denmark chooses to pay scant regard to. Therefore, the Faroe Islands and the Kingdom of Denmark seem to willingly place their citizens and others (EU and non-EU citizens) at unnecessary peril of toxic food consumption.

Hence, the Grindadráp cannot be justified as a source for pilot whale meat (as it has been declared unfit for human consumption), but can only continue to be 'justified' in the name of some sort of distasteful 'traditional blood thirsty entertainment.'

Perhaps the message will finally get home to the Kingdom of Denmark and Faroe Islands that the Grindadráp is abhorrent to a vast majority, with no acceptable justification in a modern, civilised society, with the questionable 'legality' of the Kingdom of Denmark's assistance/participation under the guise of its 'protection' of the Faroe Islands population (many of whom appear to be EU citizens anyway that are also in breach of EU legislation).

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I urge you to investigate the matters highlighted in this letter and take further decisive action to bring the Kingdom of Denmark and its obvious misuse of its EU membership status.

I trust the United Kingdom Foreign Office will ensure that the Kingdom of Denmark's breach of EU legislation and CITES compliance will be duly addressed as a matter of urgency.

Yours sincerely,

Stephen Alan Wiggins

Founder of International Wildlife Bond (IWB)

References:

(1) "Grind Law" (Grindalógin), 22 June 2015:

<http://www.logir.fo/Logtingslog/56-fra-19-05-2015-um-grind-og-annan-smahval>

English Translation:

https://www.reddit.com/r/Faroelands/comments/3c7cqb/the_grind_law_translated/

(2) A legal challenge to the draconian "Grind Law" (Grindalógin) has been submitted to the Faroe Islands Ministry of Fisheries and Maritime Affairs by advocate, Henrik Weihe Joensen⁽⁴⁾ on the grounds that the Faroese Parliament does not have the legislative authority to implement laws in relation to police activity which concerns actions against persons and objects.

(3) Convention on International Trade in Endangered Species of Fauna and Flora,
<https://cites.org/eng>

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T. 01379 384814

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- (4) Henrik Weihe Joensen, Self-employed consultant in matters relating to Safety, Security, Defence, Preparedness, Crisis Management and Legal Issues - Faroe Islands
- <https://www.linkedin.com/pub/henrik-weihe-joensen/38/716/4bb>
- (5) Hubii Media, Bergen Norway, Regin Eikhólm 17 August 2015
<http://hubii.com/article/55d2012bcf3294a72ef4fbf5/kunnu-86-av-foroyingum-taka-so-feil>
Faroe Islands - <http://www.vp.fo/kunnu-86-av-foroyingum-taka-so-feil/>
Faroe Islands - <http://lesarin.fo/kunnu+86+av+foroyingum+taka+so+feil.html>

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Appendix 1

The Kingdom of Denmark's Participation in the Grindadráp 2015.

1. 20 July 2015 - The Danish Navy vessel, *HDMS Triton* was implicated in the 'arrest' of Sea Shepherd's⁽¹⁾ volunteers (Susan Larsen of the United States and Tom Strerath of Germany operating the small *Farley* vessel). The *HDMS Triton* positioned itself between the Sea Shepherd's *Sam Simon* and the *Farley*, so the 'arrests' could not be witnessed by the crew of the *Sam Simon*. The action taken by the Kingdom of Denmark's navy can only be deemed as assisting the Grindadráp and the enforcement of the dubious Grindalógin legislation.
2. 3 August 2015 - Sea Shepherd Land Team Leader, Rosie Kunneke of South Africa, and fellow crewmembers Christophe Bondue of Belgium, Xavier Figarella of Corsica (France), Marianna Baldo of Italy, and Kevin Schiltz of Luxembourg, appeared in the Faroe Islands' Tórshavn court on 3 August 2015, to face charges for breaching the Faroe Islands' Pilot Whaling Act (Grindalógin). The five Sea Shepherd crew were arrested on July 23 when over 250 pilot whales were slaughtered on the killing beaches of Bøur and Tórshavn in the Faroese Grindadráp that day. Kunneke and Bondue were arrested on the beach of Bøur as the slaughter began, while Figarella and Baldo were arrested as they attempted to document the Bøur slaughter from their tender. Schiltz was arrested later that day at the second slaughter in Tórshavn. The arrests were allegedly made on the Faroe Islands, with the assistance of the Danish Police Force and Navy to enforce Grindalógin (and by association, this participation was fully sanctioned by the Kingdom Of Denmark's government, in contravention of its obligations to European community law, EU Common Fisheries Policy and a breach of its CITES obligations).
3. 7 August 2015 - Netherlands-based marine conservation charity, Sea Shepherd Global, and five Sea Shepherd volunteer crewmembers were found guilty in a Danish court of breaking the Faroe Islands Pilot Whaling Act (Grindalógin). All parties faced a subsequent conviction of public disturbance. The volunteers faced charges relating to the "crime" of interfering in the slaughter of over 250 pilot whales on the killing beaches of Bøur and Tórshavn in the Faroe Islands on July 23. During the trial, the prosecution also implicated

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Sea Shepherd Global in the "offenses." Sea Shepherd's Land Team Leader, Rosie Kunneke of South Africa, and fellow Sea Shepherd volunteer, Christophe Bondue of Belgium, were arrested on the beach of Bøur where 111 pilot whales were slaughtered. Kunneke has been ordered to pay a fine of 35,000 kroner (approximately 5,200 USD or 4,690 euros) or spend 14 days in jail. Bondue has been ordered to pay a fine of 25,000 kroner (approximately 3,700 USD or 3,350 euros) or spend 14 days in jail. Xavier Figarella of Corsica (France) and Marianna Baldo of Italy were arrested as they attempted to document the Bøur slaughter from their tender. Both have been ordered to pay a fine of 30,000 kroner (approximately 4,500 USD or 4,020 euros) or spend 14 days in jail. Kevin Schiltz of Luxembourg was arrested later that day at the second slaughter in Tórshavn, where 142 pilot whales were slaughtered. Schlitz has been ordered to pay a fine of 5,000 kroner (approximately 750 USD or 670 euros) or spend eight days in jail. Sea Shepherd Global has also been fined 75,000 kroner (approximately 11,000 USD 10,050 euros) for allegedly orchestrating the incidents that led to the crewmembers' arrests, although the organization steadfastly denies any wrongdoing. Authorities in the Faroe Islands will also attempt to keep possession of the tender, used by Figarella and Baldo on July 23.

4. 14 August 2015 - Sea Shepherd Land Team Leader, Rosie Kunneke of South Africa, and fellow Sea Shepherd volunteers Christophe Bondue of Belgium, Marianna Baldo of Italy and Kevin Schiltz of Luxembourg, were bundled onto a ferry at Tórshavn, bound for Hirchalls, Denmark, escorted by three police officers in civilian clothing.
5. 25 August 2015 – 21 crewmembers of the Sea Shepherd's *Bob Barker*, including 11 European Union nationals, were issued with a Refusal of Entry notice to Sund in the Faroe Islands by Danish authorities. The *Bob Baker* was ordered to leave the 12 nautical mile limit of the Faroe Islands. The Danish authorities did not indicate there was an issue with entry during the inspection, nor had they given any advance notice when the *Bob Barker* first notified port authorities on 21 August 2105 that it intended to dock in Sund. Again, the action taken by the Kingdom of Denmark's navy can only be deemed as assisting the Grindadráp and the enforcement of the dubious Grindalógin legislation.
6. 1 September 2015 – Sea Shepherd's vessel, *Sam Simon* small boat was seized in the Shetland Islands whilst attempting to refuel. The seizure was enacted at the behest of

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the Kingdom of Denmark. In turn, the Kingdom of Denmark was acting in response to a letter written by the Chief of Police of the Faroe Islands on 22 August 2015. The behest was made following the alleged involvement of the *Sam Simon's* small boat in defending the lives of 61 pilot whales at a Grindadráp on the beach of Sandavágur in the Faroe Islands on 12 August 2015. Again, the action taken by the Kingdom of Denmark can only be deemed as an abuse of its EU position and clear assistance of the Grindadráp, with enforcement of the dubious Grindalógin legislation. Note: GREEN highlands and islands MSP John Finnie raised concerns⁽²⁾ about the seizure of the inflatable boat from Sea Shepherd's *Sam Simon* by police in Lerwick harbour. The recovery of the boat is currently being pursued by legal redress by Sea Shepherd.

7. The Kingdom of Denmark's navy confiscated four Sea Shepherd's boats, Spitfire, Echo and Farley as well as the tender of Sea Shepherd's MV Brigitte Bardot during this year's and last year's Grindadráp. Why was this action taken by the Kingdom of Denmark's navy if not to assist the Grindadráp and the enforcement of the dubious Grindalógin legislation?

Appendix 1 References:

(1) Sea Shepherd - <https://www.seashepherdglobal.org/>

(2) Shetland News, Pete Bevington, 10 September 2015 - <http://www.shetnews.co.uk/news/11373-msp-questions-seizure-of-anti-whaling-boat>

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Appendix 2

Toxic Pilot Whale Meat and Blubber

So far this year, the Grindadráp has killed approximately 451 pilot whales since July 2015.

In 2012 Pál Weihe and Høgni Debes Joensen published the full results of their study⁽¹⁾ of the effects on human health of pilot whale meat consumption. The results were first brought to light in 2008 by Faroe Islands' Chief medical officers when they announced that pilot whale meat and blubber contains too much mercury, PCBs and DDT derivatives⁽²⁾ to be safe for human consumption.

Which begs the question, why are pilot whales still being killed and eaten in the Faroe Islands? Because of the detrimental effects of the toxins on human health, particularly to foetal and child development, the Faroe Islands' government has issued 'advice' suggesting restricting consumption of whale meat products, but this apathetic approach clearly risks over consumption and needless exposure.

Notes:

PCBs and DDT⁽²⁾ are chemicals that were banned more than 30 years ago, but our air, water, land, and bodies are so contaminated, that decades of clean-up efforts have yet to eliminate their threats to our health.

The effects of PCBs on human health manifests in deterioration in child development (physical and mental), tumours, toxic to the immune system, reproductive organs, and thyroid.

Human exposure to DDTs is harmful to the nervous system, causing dizziness, tremors, irritability and convulsions. Workers with longer term exposure have lasting neurological and cognitive problems. Pregnant women exposed to DDT are more likely to have premature or small-for-gestational-age babies. DDT is considered a hormone disrupting chemical due to its estrogen-like properties. DDT causes cancer in laboratory animal experimentation.

International Wildlife Bond, PO Box 374, Diss, IP22 9BT
T. 01379 384814

E: stephenawiggins@iwbond.org

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Appendix 2 References and Notes:

- (1) Dietary recommendations regarding pilot whale meat and blubber in the Faroe Islands, Pál Weihe and Høgni Debes Joensen, International Journal of Circumpolar Health, 2012; 71: 10.3402/ijch.v71i0.18594. - <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3417701/>
- (2) <http://www.watoxics.org/chemicals-of-concern/pcbs-and-ddt>

PCBs - polychlorinated biphenyls

PCBs are synthetic (human-made) chemicals first produced in the late 1920s. They were used as cooling fluids in electrical equipment and machinery because of their durability and resistance to fire. Production of PCBs ceased in 1972.

The US Environmental Protection Agency (EPA) mandated phase out of most uses shortly thereafter. PCBs have a similar chemical structure to PBDEs, which are currently used as flame retardants in electronics, furniture, and other consumer goods.

PCBs can have profound effects on intellectual development. Children with greater exposure to PCBs have lower birth weights, slowed growth, and poorer performance on tests of brain development. PCBs cause tumours in laboratory animals. EPA lists PCBs as probable human carcinogens. Studies suggest that PCBs are also toxic to the immune system, reproductive organs, and thyroid.

DDT - dichloro-diphenyl-trichloroethane

DDT was developed as an insecticide in the 1940s, and was widely used during World War II to combat insect-borne diseases.

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T. 01379 384814

E: stephenawiggins@iwbond.org

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DDT's effectiveness, persistence, and low cost made it popular for agricultural and commercial uses. More than a 600,000 tonnes of DDT were used in the U.S. over a 30-year period.

The EPA banned nearly all domestic uses of DDT in 1972, after the publication of *Silent Spring*⁽³⁾ and broad public outcry about DDT's impacts on wildlife and people. Today, use of DDT is limited to malaria control programs in some developing countries.

Exposure to DDT is harmful to the nervous system. People exposed to high levels exhibit dizziness, tremor, irritability, and convulsions. Workers with longer term exposure have lasting neurological and cognitive problems.

Pregnant women exposed to DDT are more likely to have premature or small-for-gestational-age babies. DDT is considered a hormone disrupting chemical due to its estrogen-like properties.

DDT causes cancer in laboratory animals. EPA lists DDT as a probable human carcinogen.

(3) *Silent Spring*, Rachel Carson, 1962; ISBN-10: 0141184949

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Web: <https://iwbond.org/>