

(English version)

**Question for written answer E-001660/24
to the Commission
Isabel Serra Sánchez (The Left)
(9 September 2024)**

Subject: Arrest of the environmental activist Paul Watson

The environmental activist and campaigner against illegal whaling Paul Watson was arrested on 21 July in Greenland, where he is being held in a prison in Nuuk on the basis of a politically motivated warrant issued by Japan. This arrest is a further step in the persecution and criminalisation of activists campaigning for environmental protection and against illegal whaling. A Danish court has extended his detention until 5 October pending a decision on whether to extradite him to Japan. Japan continues to systematically flout the moratorium on commercial whaling established by the IWC in 1986.

The rights to liberty, security and freedom of expression, as well as to a fair trial are enshrined in the EU Charter of Fundamental Rights. Back in 2022, moreover, the European Parliament sounded a warning about the persecution of civil society activism.

1. Does the Commission believe the arrest of Paul Watson to be in breach of the Charter of Fundamental Rights?
2. Does it consider that his extradition to Japan jeopardises his right to protest?
3. What will the Commission do to end commercial whaling?

Submitted: 9.9.2024

**Answer given by Mr Reynders on behalf of the European Commission
(31 October 2024)**

EU law does not apply to the requested extradition in the case at issue, as neither the EU nor Denmark have concluded bilateral agreements on extradition with Japan.

In line with its Article 51(1), the Charter of Fundamental Rights of the EU is addressed to Member States only when they are implementing EU law.

In situations such as the present one, where there is no link with the implementation of EU law, it is for Member States, including their courts, to ensure that fundamental rights are effectively respected and protected, in accordance with their national legislation and international human rights obligations, including the European Convention on Human Rights.

The right to protest at sea is considered an internationally lawful use of the sea and thus an exercise of the flag State's freedom of navigation under the United Nations Convention on the Law of the Sea. The protest shall remain peaceful and should not threaten human life, the marine environment or property.

The EU and its Member States maintain a firm stance against whaling and uphold the International Whaling Commission's (IWC) moratorium on commercial whaling.

Within the IWC, the EU and its Member States that are Party to the International Convention for the regulation of Whaling (ICRW) promote cooperation to ensure an effective international regulatory framework for the conservation and management of whales.

The aim is to ensure a significant improvement in the conservation status of whales and bring all whaling operations by IWC members under IWC control.

For countries that are not parties to the ICRW, the EU has consistently voiced strong concerns over any whaling activities and will continue to use all diplomatic channels to engage with these countries and discourage such practices.
