August 7, 2024

c/o Ms. Anne Delvaux
European Union Seal Ban Regulation Evaluation
European Commission, Brussels, Belgium
Email: Anne.Delvaux@ec.europa.eu

RE: Inuit Response to the European Seal Ban Evaluation

Dear Ms. Delvaux,

As the International Chair of Inuit Circumpolar Council, I am pleased to provide the attached written submission on behalf of Inuit in Greenland and Canada in response to the European Union's Evaluation of its Seal Ban Regulation, with particular emphasis on the Indigenous Communities Exception (i.e. Inuit Exemption) of Regulation (EC) No 1007/2009. Please take note that other Inuit organizations will also be providing their written submissions for the purposes of this evaluation.

While our submission places particular attention on the Inuit Exemption of the current regulation, it has always been our position, perspective, and experiences as Inuit that past and current seal bans have directly, significantly, and negatively affected our people on cultural, social, mental health, and economic levels. We have voiced our concerns over the years against governments taking a "ban" approach. We call for favouring sustainable use and management that balances and considers human rights and the inherent right of Indigenous Peoples to self-determination, with a holistic approach to community, cultural, and economic needs, animal welfare, and the sustainability of biodiversity.

To date, the 2009/2015 ban has been the most severe in its intent, impact, and outcome to broadly illegalize and shut down the market for seal products within the European Union, placing a targeted and societal-wide black mark on these products which as affected Indigenous and non-Indigenous communities alike, both inside and outside of the EU. In this context, we continue to oppose the ban in principle and in its act and hope that there will be further considerations by the EU to amend the regulation in order to mitigate and improve upon its more harmful measures and impacts.

Given this backdrop, the Inuit Exemption and its process requires much improvement if it is to be effective and anywhere near beneficial for Inuit communities as outlined in our written submission. It will require dialogues and proactive discussions between the decision makers in the EU and those most affected to develop strategic and beneficial paths forward because such an exemption requires well thought out means of implementation in order for it to be meaningful in intent and outcome.

On behalf of ICC and Inuit in Canada and Greenland, we thank you for this opportunity to provide our input for what we see as a critical issue for our people in the Arctic.

Sincerely,

Sara Olsvig

Chair, Inuit Circumpolar Council

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Submission to the European Commission on the Evaluation of the EU Regulation on Trade in Seal Products

August 7, 2024

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Organization Profile

Inuit Circumpolar Council

Founded in 1977, the Inuit Circumpolar Council ("ICC") is an Indigenous and international non-governmental organization representing approximately 180,000 Inuit of Alaska, Canada, Greenland, and Chukotka (Russia). The principal goals of ICC are to strengthen unity among Inuit of the circumpolar region, promote Inuit rights and interests on an international level, develop and encourage long-term policies that safeguard the Arctic environment, and seek full and active partnership in the political, economic, and social development of circumpolar regions.

Part I: Introduction

Section 1.1: Overview

The United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP") affirms the rights of Indigenous Peoples to maintain, develop and secure their own means of subsistence, to freely engage in all their traditional and other economic activities, and to maintain, control, protect and develop their cultural heritage and expressions, knowledge systems.[1] The UNDRIP furthermore affirms the responsibility of nation states to redress the historic injustices and ongoing legacies that have negatively impacted Indigenous Peoples' culture, health, and economic prosperity.[2] The European Union ("EU") has unambiguously affirmed its commitment to the UNDRIP, and is obligated to uphold and protect the rights of Indigenous Peoples, which includes the Inuit of Canada and Greenland. The continuance of sealing traditions, practices, and industry is essential to the culture, health, and economic prosperity of Inuit.

In a distinct and unrelated activity, a seasonal seal hunt takes place in Atlantic Canada. The Atlantic, often termed "commercial," seal hunt has been the subject of scrutiny for over a half-century, attracting criticism due to concerns primarily centered around animal welfare. In response to these concerns, the European Economic Community ("EEC") implemented a ban on the import of seal pup products in 1983, and subsequently, the EU imposed a blanket ban on commercially harvested seal products in 2009. In both cases, exemptions were included to allow Inuit harvested products to enter the EU market.

Implicit in the creation of this exemption for Inuit products is the acknowledgment of the unique importance of seal hunting to Inuit by the EU. This exemption suggests a recognition of Inuit rights and an intent to protect traditional practices from the broader ban on seal products. By carving out this specific exemption, the EU demonstrated an awareness of the need to preserve Indigenous People's ways of life, recognizing and respecting the sustainable and humane hunting methods that are integral to Inuit cultural identity and economic well-being.

Despite the existence of the exemption, however, significant issues persist. The exemption lacks practical and effective supports for Inuit harvesters, particularly in Canada, and there are ongoing barriers to market access. In Canada, the process for attesting that seal products are Inuit-harvested is fraught with challenges, and in both Canada and Greenland, there is insufficient assistance for hunters and artisanal producers to navigate these bureaucratic hurdles. The lack of consumer awareness about the nature and importance of Inuit sealing, with widespread misinformation unfairly tarnishing Inuit seal products, remains the overarching issue which renders the exemption ineffective. Although the Atlantic sealing industry is entirely distinct from Inuit sealing practices, differing in terms of geography, purpose, practice, and scale, the two continue to be erroneously regarded as one and the same. This has resulted in Inuit harvesters suffering collateral damage in the broader debate over sealing practices. As such, a reform of the

[1] UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples,* Articles 20, 25, 26, 31, *available at* https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

[2] *Ibid*, Articles 8, 20, 28, 32

system is needed, along with both adequate resources for Inuit and comprehensive education for European consumers to combat misinformation and realize the exemption's intent.

As a signatory to UNDRIP, the EU has an obligation to meaningfully and effectively distinguish between commercial and Inuit sealing not only through its policies, but its actions as well. The failure to do so not only undermines the ability of Inuit to maintain their culture and heritage, but also economic development and even their very survival. With this in mind, we call upon the EU to take concrete steps to ensure that it does not continue to cause active harm to Indigenous Peoples, and instead constructively support the prosperity of both Inuit culture and livelihoods.

Section 1.2: Outline

This submission aims to provide a comprehensive examination of the significance of seal harvesting to Inuit while offering a perspective on the socio-economic impacts resulting from the EU's ban on seal products. The report will begin by scrutinizing the regulatory and legal frameworks governing the ban on seal products and the Inuit exemption, examining the efficacy of the exemption and exploring the distinctions between sealing practices implicated in the ban.

Subsequently, this report will explore the economic dependencies of Inuit communities on sealing, emphasizing how the ban has exacerbated the impacts of colonization. This analysis will discuss the rising costs associated with sealing activities as well as the mental health ramifications of the ban on Inuit communities.

A critical assessment of the ban's effectiveness will follow, questioning whether it achieves its intended objectives within the EU and evaluating the adequacy of the Inuit exemption. This part of the report will identify how the EU has failed to provide the necessary support for the exemption and has not sufficiently consulted with Inuit communities. The discussion will identify the reforms needed for the exemption to be "fit for purpose."

The report will then identify four procedural barriers and challenges encountered by Inuit hunters and artists, spotlighting the issues inherent in the current scheme as well as the insufficient resources and support provided for it. The submission will address the urgent need for enhanced public relations efforts in Canada, Greenland, and Europe, tackling the moral and ethical questions surrounding the ban and attempting the repair the discriminatory effects the policy has had.

The report will conclude by advocating for a collaborative approach between Canada, Greenland, and the EU to bolster the effectiveness of the Inuit exemption. This includes emphasizing the necessity for the EU to endorse Inuit-specific approaches, distinct from broader governmental and jurisdictional frameworks. It will be shown that fostering a strong, sustainable market for Inuit seal products, and rectifying the injustices and negative impacts that the ban has imposed on Inuit culture, health, and economic prosperity, is both essential and actionable at this time. Ultimately, the report will call upon the European Commission to take concrete steps to support the Inuit sealing industry, as the effectiveness of this exemption in truly safeguarding the human rights of Inuit hinges on robust support and clear implementation.

Part II: History of Inuit Sealing

Section 2.1: Historical Context

2.1.1: Physical Importance and Practices

The hunting of marine mammals has been essential to the Inuit way of life since time immemorial.[3] Since the arrival of the first Inuit to Greenland approximately 4.500 year ago, seals have provided the basic nutrition as food for humans and animals alike.[4] Several species of seals are hunted by Inuit, each serving various purposes. The ringed seal, the most ubiquitously hunted, has long been a staple of Inuit diet due its nutritional value and quality of its fur.[5] The bearded seal is hunted for its thick, durable hide, with its meat also serving as an important food source. Harp seals are now hunted largely to feed dog teams, and historically, for their oil used for lamps and heating.

The emphasis Inuit place on responsibility and stewardship of the land is reflected in their sealing practices. [6] Inuit hunters take care to ensure that sealing is carried out humanely and sustainably, as expressed by Inuit author Sheila Watt-Cloutier:

> The hunter embodies calm, respectfulness, caring for others…Our intense affinity with the land and with wildlife taught us how to live in harmony with the natural world. Our traditional hunting and fishing practices do not destroy habitat. Nor do our practices deplete animal populations or create waste. In other words, for thousands of years, Inuit have lived sustainably in our environment. We have been stewards of the land.[7]

Inuit also take great care to ensure that every part of the animal is used.[8] In this way, Inuit sealing is not a wasteful hunt; it is a "full use" practice, with Inuit hunters making use of all parts of the animal for sustenance and warmth, with some products being sold commercially. Parts that cannot be consumed or used for clothing sometimes serve a purpose when they are laid out on the ice for birds to consume.[9] In each of these ways, Inuit sealing methods are conscientious, and are centered on stewardship.

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[3] Sophie Theriault, Ghislain Otis, Gerard Duhaime & Christopher Furgal, *The Legal Protection of Subsistence: A Prerequisite of Food Security for the Inuit*, 22 *ALASKA L. REV.* 35, 37 (2005)
[4] Naalakkersuisut, Ministry of Fishery, Hunting and Agriculture, *Management and Utilization of Seals in Greenland* (2012), *available at*: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://nammco.no/wp-content/uploads/2020/05/greenland-hvidbog-om-sler-april2012-eng.pdf
[5] Sophie Theriault, Ghislain Otis, Gerard Duhaime & Christopher Furgal, *The Legal Protection of Subsistence: A Prerequisite of Food Security for the Inuit*, 22 *ALASKA L. REV.* 38 (2005)
[6] *Ibid.*
[7] Sheila Watt-Cloutier, *THE RIGHT TO BE COLD: ONE WOMAN'S STORY OF PROTECTING HER CULTURE, THE ARCTIC, AND THE WHOLE PLANET.* 2 (2015)
[8] *Ibid,* at 3.
[9] First Peoples of Canada, The Arctic People: Food and Hunting

2.1.2: Cultural and Spiritual Significance

Inuit are known as the "people of the seal" due to the significance of sealsin their way of life; with seals even considered sacred in certain Inuit communities.[10] Inuit believe that hunting seal reinforcies the spiritual connection between bodily health and that of the land. [11] The act of sealing is imbued with deep cultural and spiritual meaning, often accompanied by celebrations and ceremonies of appreciation for the animal's life and its many uses. [12] Inuit mythology also reflects this reverence, with stories such as that of Sedna or Sassumap Arnaa, the woman of the sea who controls the availability of marine animals, including seals for Inuit Nunaat, the Inuit homeland across the Arctic. According to legend, her favor is essential for a successful hunt, and rituals are performed to honor her and ensure her blessings. These practices and beliefs highlight the profound respect and gratitude Inuit hold for seals, viewing them not only as a critical resource, but also as sacred beings that sustain cultural and spiritual identity.

2.1.3: The Fur Trade and Economic Independence

The fur trade, which began as early as the 17th century in Greenland and gained traction from the late 19th century through the early 20th century across the Arctic, connected Inuit sealers to the international market in a significant way. Seal pelts were highly prized for their warmth and durability, making them valuable commodities. This trade provided Inuit with a crucial source of income. Participation in the fur trade afforded economic independence amidst the broader context of colonial influence. By trading seal pelts, Inuit could procure essential supplies such as tools, clothing, and food staples, which were vital for their survival and well-being after having been forcibly relocated into settled communities. The economic benefits of the fur trade helped to mitigate some of the hardships imposed by the pressures of colonial expansion, allowing them to maintain a degree of independence and economic sovereignty. As a consequence of the ban on seal products, hunting seals became economically unviable.[13]

Section 2:2: Legal Context

2.2.1: Land Claim Agreements and Constitutional Protections for Hunting in Canada

Since 1975, four Comprehensive Land Claim Agreements between Inuit and the Crown of Canada have been negotiated, settled, and implemented. These land claims agreements represent key foundations for the recognition and protection of Inuit rights in Canada, including at the Constitutional and international level. For example, the Nunavut Land Claims Agreement ("NLCA") signed in 1993, plays a crucial role in protecting the hunting rights of Inuit communities within the Territory of Nunavut, including the right to harvest seals. The NLCA is the largest Indigenous land claim settlement in Canadian history, covering approximately

[10] *Ibid.*
[11] Kristen Borré. *Seal Blood, Inuit Blood, and Diet: A Biocultural Model of Physiology and Cultural Identity* in *MEDICAL ANTHROPOLOGY QUARTERLY*. 4 (2009)
[12] Sheila Watt-Cloutier, *THE RIGHT TO BE COLD: ONE WOMAN'S STORY OF PROTECTING HER CULTURE, THE ARCTIC, AND THE WHOLE PLANET.* 3 (2015)
[13] Naalakkersuisut, Ministry of Fishery, Hunting and Agriculture, *Management and Utilization of Seals in Greenland* (2012), *available at*: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://nammco.no/wp-content/uploads/2020/05/greenland-hvidbog-om-sler-april2012-eng.pdf

350,000 square kilometers of land. One of its key provisions is the explicit protection of Inuit hunting, fishing, and trapping rights, which are integral to maintaining Inuit culture, subsistence, and economic activities. The agreement ensures that Inuit have priority rights to harvest wildlife and manage resources within their traditional territories, thereby legitimizing and protecting their traditional sealing practices. It also establishes co-management boards that allow Inuit to participate directly in wildlife management decisions, ensuring that Indigenous Knowledge ("IK") and sustainable practices are respected and incorporated into resource management.[14] By enshrining these rights in a legally binding agreement, the NLCA provides a strong foundation for Inuit to continue their sealing and other survival practices, safeguarding their way of life against external pressures and regulatory changes. This legal recognition and protection affirm the legitimacy of Inuit rights to harvest and sustainably use seals and underscore the importance of supporting these practices within broader regulatory frameworks.

In addition to the rights enshrined in Land Claims Agreements, Section 35 of the *Constitution Act*, 1982 explicitly recognizes and affirms the rights of Indigenous Peoples more broadly, including the rights of Inuit to hunt, fish, and trap. These rights are constitutionally protected as Aboriginal rights, ensuring that they are treated distinctly and with legal significance.[15] The recognition of Inuit hunting, fishing, and trapping rights in the *Constitution Act*, along with their inclusion in Land Claim Agreements such as the NLCA, ensures a dual layer of protection. Section 35 establishes a constitutional framework that upholds the rights of Inuit to practice their traditional activities as essential components of their culture and livelihoods. This legal foundation not only legitimizes Inuit sealing and other harvesting practices but also underscores their importance in maintaining cultural identity and economic sustainability within the framework of Canadian law. By enshrining these rights in the constitution and subsequent Land Claim Agreements, Canada acknowledges and protects Inuit ancestral connections to the land and resources, ensuring these rights are respected and upheld for future generations.

2.2.2: Regulatory Scheme and Protections for Hunting in Greenland

In 1980, Greenland took over the administrative responsibility for regulating hunting from Denmark. The law on hunting from 1999 and the law on protection of nature and wildlife from 2003 constitute the overall framework regarding wildlife regulation. From December 1st, 2010, a national executive order regarding the protection of seals and regulation of sealing came into force. The municipalities set local regulations on seal hunting, but as a general rule, seals can be hunted all year around provided that hunters have a permit. There are no quotas on the seals hunted given that there is no risk of overharvesting, however permits are used to control and monitor the harvest, as hunters are required to report their annual catches. Naalakkersuisut, the Government of Greenland, manages hunting by species, by regions and by a dual permit system allowing for both full-time and leisure hunting. [16]

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[14] Sophie Theriault, Ghislain Otis, Gerard Duhaime & Christopher Furgal, *The Legal Protection of Subsistence: A Prerequisite of Food Security for the Inuit*, 22 *ALASKA L. REV.* 5 (2005)
[15] Azeezah Kanji, *Colonial Animality: Constituting Canadian Settler Colonialism through the Human-Animal Relationship*, *in CRITICAL EPISTEMOLOGIES OF GLOBAL POLITICS* 66 (Marc Woons & Sebastien Weier eds., 2017).
[16] Naalakkersuisut, Ministry of Fishery, Hunting and Agriculture, *Management and Utilization of Seals in Greenland* (2012), *available at*: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://nammco.no/wp-content/uploads/2020/05/greenland-hvidbog-om-sler-april2012-eng.pdf

2.2:3: International Law

The right of Indigenous Peoples to pursue economic development is enshrined in the UNDRIP. [17] Inuit have a codified right under the UNDRIP to participate in the global economy, however seal product bans have infringed on this right. It should also be noted that not only are Inuit economic development rights protected under international law, but so too is the importance of IK recognized. IK has long been, and remains, essential to the culture, well-being, and livelihoods of Inuit. The importance of including IK in formal decision-making processes has recently been recognized in UNDRIP, although Canada's northern territories have incorporated IK as a matter of governance for some time.[18] As defined by the ICC,

> *Indigenous knowledge is a systematic way of thinking applied to phenomena across biological, physical, cultural and spiritual systems. It includes insights based on evidence acquired through direct and long-term experiences and extensive and multigenerational observations, lessons and skills. It has developed over millennia and is still developing in a living process, including knowledge acquired today and in the future, and it is passed on from generation to generation.*[19]

In this way, IK is fluid in nature, accounting for both past wisdom and present circumstances to better understand and live in harmony with the environment.[20] Human-wildlife relations are a key component of IK, and it has been meaningfully incorporated into wildlife governance by Inuit.[21] The sustainable use of seals by Inuit has been overlooked at the international level, contributing to the conflation of the commercial seal industry and Inuit sealing. This oversight occurs partly because the recognition of IK is often given only lip service by the EU, and partly because it is sidelined to the realm of the "local and traditional" without recognition of its significance in the commercial context. Framing IK in this limited way effectively invalidates Inuit wildlife governance outside of Inuit communities. [22] This lack of recognition at the international level perpetuates the misunderstanding and misrepresentation of Inuit sealing practices, further infringing on Inuit rights to economic development and cultural preservation as enshrined in UNDRIP.

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[17] UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples. (2007)
[18] Anne Kendrick. *Canadian Inuit sustainable use and management of Arctic species* in *INTERNATIONAL JOURNAL OF ENVIRONMENTAL STUDIES*. 417 (2013)
[19] Inuit Circumpolar Council. *CIRCUMPOLAR INUIT PROTOCOLS FOR EQUITABLE AND ETHICAL ENGAGEMENT*. 15. (2022), *available at*: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.inuitcircumpolar.com/wp-content/uploads/EEE-Protocols-LR-WEB.pdf
[20] Anne Kendrick. *Canadian Inuit sustainable use and management of Arctic species* in *INTERNATIONAL JOURNAL OF ENVIRONMENTAL STUDIES*. 417 (2013)
[21] *Ibid,* at 419.
[22] Emilie Cameron. *Securing Indigenous politics: A critique of the vulnerability and adaptation approach to the human dimensions of climate change* in *CANADIAN ARCTIC IN GLOBAL ENVIRONMENTAL CHANGE*. 105 (2011)

Part III: The Current State of Inuit Sealing

Section 3.1: The Evolution of Sealing

3.1.1: Contemporary Sealing Practices

Inuit sealing practices have always been, and remain, humane and sustainable. As discussed, Inuit seal harvesting is not only a means of survival, but also an important cultural practice rooted in tradition. This approach ensures that hunting practices are aligned with both ecological sustainability and ethical considerations. In a broad sense, three main principles guide Inuit seal hunting: (1) humane harvest- whereby seals must be treated with respect and hunted only for what is needed, and the kill itself is clean and quick; (2) sustainable harvest- whereby resources are protected from over-harvesting and managed to maintain the place of seals within the ecosystem; and (3) complete use- whereby the meat and oil provide food, the pelts are used for clothing and craft.[23]

Inuit practices of humane harvest is supported by veterinarian review that Inuit methods of sealing is humane, because the seals do not suffer painful or protracted deaths.[24] Inuit sealing practices do not involve large-scale operations; Inuit hunters typically hunt one or a few seals at a time, ensuring minimal suffering. The deliberate and individualized nature of harvesting ensures that it is ecologically sustainable. In Canada, Inuit harvest approximately 30,000 ringed seals per year out of a population of approximately 1.5 million.[25] In Greenland 71,740 seals were caught in 2021, including ringed, harp, bearded, hooded, and harbor seal, and walrus.[26] This scale of hunting upholds the principle of sustainable harvest.[27] Inuit hunters also emphasize the comprehensive use of seals. As such the seal pelts that are sold on the market are not killed solely for their fur.[28] The responsible use of wildlife is not at odds with, but rather integral to, Inuit livelihoods and participation in the development of a sustainable economy.[29]

3.1.2: Sealing As a Way of Life

The harvesting of seals is a year-round practice integral to Inuit cultural life. This is markedly distinct from the Atlantic seal hunt, which is a seasonal industry driven by market demand.

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[23] REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the implementation of Regulation (EC) No 1007/2009, as amended by Regulation (EU) 2015/1775, on Trade in Seal Products. (2023)

[24] Andrew Butterworth & Mary Richardson, *A Review of Animal Welfare Implications of the Canadian Commercial Seal Hunt*, 38 *MARINE POL'Y* 457, 462. (2013)

[25] Government of Nunavut. Report on the impacts of the European Union Seal Ban, (EC) NO 1007/2009, in Nunavut. Iqaluit: Department of Environment. (2012), *available at*: https://www.gov.nu.ca/environment/documents/reportimpacts-european-union-seal-ban-ec-no-10072009nunavut-2012

[26] Greenland in Figures 2023, Greenland Statistics (2023), *available at:* chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://stat.gl/publ/en/GF/2023/pdf/Greenland%20in%20Figures%202023.pdf

[27] Sophie Theriault, Ghislain Otis, Gerard Duhaime & Christopher Furgal, *The Legal Protection of Subsistence: A Prerequisite of Food Security for the Inuit*, 22 *ALASKA L. REV.* 38 (2005)

[28] *Ibid,* at 36.

[29] Anne Kendrick. *Canadian Inuit sustainable use and management of Arctic species* in *INTERNATIONAL JOURNAL OF ENVIRONMENTAL STUDIES*. 417 (2013)

Although commercial and Inuit sealing differ significantly in terms of geography, purpose, practice, and scale, the two are commonly regarded as one and the same due to misinformation being disseminated by industry, government, and special interest groups. In each of these ways, the muddied dialogue has infringed upon the survival of Inuit culture and livelihoods. For Inuit, sealing is not merely a pastime or means of supplementary income; it is an ancient practice upheld by IK that involves every facet of life, from providing essential food and clothing, to supporting cultural traditions and community cohesion. The year-round nature of Inuit sealing underscores its role as a way of life rather than a seasonal economic activity, embodying the deep-rooted connection between Inuit communities and their environment.

Section 3.2: The Ongoing Importance of Sealing

3.2.1: Nutrition and Food Security

Though Inuit sealing has occurred for thousands of years, its importance for Inuit remains undiminished in today's context, continuing to be critical for subsistence in many communities. Seal meat is rich in essential nutrients including omega-3 fatty acids, which are crucial for health and well-being, making it the cornerstone of a healthy, balanced diet that supports an active lifestyle in a harsh environment.[30] The consumption of seal meat helps maintain both cultural and physical health, providing a diet that aligns with traditions and dietary needs. It can be said that there is an intrinsic link between health and the land, and that eating seal is particularly essential for the connection of the body and soul for Inuit.[31]

Harvesting seal is essential for food security in many remote Arctic communities, as it is an integral part of a sustainable food system that is less dependent on expensive, imported goods. This self-sufficiency is vital in the Arctic, where high transportation costs and limited availability make store-bought food prohibitively expensive. High food prices and widespread food insecurity are serious economic challenges faced by Arctic communities. Despite government subsidies, exorbitant prices are at crisis levels. All of this is a direct result of colonialism.

It is important to note that seal hunting promotes a circular economy where resources are shared for the protection of the most vulnerable. Initiatives such as "The Guardians", a community group based in Iqaluit, Nunavut, exemplify how the practice supports community-based food security efforts. Hunters in such groups not only sustain their families but also deliver game to vulnerable community members, ensuring access to nutritious food despite economic hardships. This communal sharing of resources ensures that the benefits of sealing are felt widely across the community, reinforcing a tradition of mutual support and collective well-being. This form of sharing is integral to Inuit food systems and identities.[32] As expressed by Mary Simon, Inuit leader from Nunavik and current Governor General of Canada: "*when we share our*

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[30] Sophie Theriault, Ghislain Otis, Gerard Duhaime & Christopher Furgal, *The Legal Protection of Subsistence: A Prerequisite of Food Security for the Inuit*, 22 *ALASKA L. REV.* 38 (2005)
[31] Kristen Borre, *Seal Blood, Inuit Blood, and diet: A biocultural model of physiology and cultural identity*, 5 *MEDICAL ANTHROPOLOGY QUARTERLY.* 59 (2009)
[32] Anne Kendrick. *Canadian Inuit sustainable use and management of Arctic species* in *INTERNATIONAL JOURNAL OF ENVIRONMENTAL STUDIES*. 415 (2013)

wildlife…this enables us to come together to bond and reconnect as families and as communities and helps sustain a resilient and meaningful identity in a world of constant change."[33]

3.2.2: Cultural Continuity

Sealing is deeply embedded in Inuit culture and serves as a crucial practice for passing down knowledge and traditions from one generation to the next. This cultural continuity is vital in the today's context, as it engages youth, preserves the knowledge of elders, and provides a sense of belonging, helping to mitigate the impacts of colonization. The practice of hunting seals creates a spiritual connection with the environment, reinforcing compassion, respect for nature, and the unique role of Inuit as stewards of the Arctic ecosystem. This transfer of knowledge shapes community identity and cultural cohesion, strengthening the bonds between generations. The act of hunting is more than just a means of subsistence; it is a spiritual practice that honors the interconnectedness of humans and nature.

It is critical to note that sealing is also a means of reclaiming cultural pride, particularly in light of the shame and stigma resulting from anti-sealing activism and international bans on seal products. For many Inuit, finding pride in sealing is a form of healing, a way to reconnect with their heritage and assert their identity in the face of misunderstanding and prejudice. The negative perceptions and economic hardships resulting from seal product bans have added layers of complexity to colonial legacies. By continuing to engage in sealing, Inuit communities are actively resisting these negative forces and reaffirming their cultural significance. The process of reclaiming sealing as a source of pride involves not only preserving the practice but also educating others about its importance. It includes sharing the rich cultural narratives, spiritual beliefs, and ecological knowledge that are integral to sealing.

3.2.3: Economic Self-Determination

The sale of seal pelts provides a critical source of income that enables participation in the global economy. The crafting and selling of finished seal products, such as garments and accessories, support local artisans and contribute to the economic resilience of communities. Individuals can thus sustain traditional practices while supporting their families and communities.

Generate income in this way, reduces reliance on government subsidies and social assistance, promoting pride, prosperity, and self-reliance. This economic independence is crucial in an environment where changes in government policies can have profound impacts on communities. International bans have almost entirely eliminated opportunities to engage in these critical trade activities.

Section 3.3: Impact of International Bans on Seal Products

3.3.1: Economic Dependency

The EU ban on the import of seal products has exacerbated the impacts of colonization by compounding economic dependency and forcing Inuit communities into a wage economy.

[33] *Ibid.*

Colonialism has significantly altered how food is obtained in Indigenous communities across the Arctic When the seal bans were imposed, a vital source of income that was allowing the preservation of hunting as a way of life was lost. This forced many into the wage economy, and into jobs that erode traditional lifestyles and cultural practices. This forced transition not only deepened economic hardships but also perpetuated the colonial agenda of assimilation by weakening the connection between communities and their culturally significant harvesting practices. The relationship between Inuit and wildlife, therefore, should not be narrowly conceived as strictly local and traditional; it is an economic lifeline intrinsically linked to Inuit sovereignty, for which participation in the global economy is essential.[34]

3.3:2: Rising Costs

The sale of seal pelts harvested for subsistence not only allows Inuit to participate in important economic activities, but is also essential to sustaining Inuit hunting practices. The revenue from selling seal pelts on the international market provides hunters with the means to participate in harvesting activities. The ability to participate in a mixed subsistence and monetized economy ensures that Inuit hunters can continue traditional ways of life while adapting to contemporary economic realities. Following the ban, many harvesters now lack the means to purchase essential supplies such as ammunition, gasoline, and equipment. This has led to a decline in traditional food consumption and, by extension, increases risks for a host of other socio-medical problems, from diabetes and obesity to cultural alienation and suicide.[35]

3.3:3: Mental Health Challenges

The high rates of suicide across the Arctic highlight the dire state of mental health within Inuit communities. The fact is, this crisis has been exacerbated by the EU ban. There is a profound sense of shame associated with traditional ways of life following the backlash against seal hunting in the Arctic. This, compounded by economic challenges, contributes to a palpable sense of vulnerability and hesitancy among individuals to discuss their experiences openly. Despite this, the profound impact of mental health struggles within Inuit communities following the bans has been widely acknowledged. Inuit lawyer and activist Aaju Peter recalls that the ban had "devastating cultural, social, and economic impacts" on her community, resulting in the loss of livelihood and numerous suicides among community members once the first ban came into effect in 1983.[36] The impact of these challenges on mental health underscores the interconnectedness of economic factors and well-being within communities.

The communal activities associated with seal harvesting play a significant role in improving mental health and fostering a sense of belonging. Cultural practices like sealing help mitigate feelings of isolation and hopelessness by reinforcing social bonds and community cohesion. In this sense, "sealing is healing.

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[34] Emilie Cameron. *Securing Indigenous politics: A critique of the vulnerability and adaptation approach to the human dimensions of climate change* in *Canadian Arctic in Global Environmental Change*. 105 (2011)
[35] Kamrul Hossain, *The EU Ban on the Import of Seal Products and the WTO Regulations: Neglected Human Rights of the Arctic Indigenous Peoples?* 49 *Polar Record* 154, 155 (2013)
[36] Aaju Peter, *The European Shuts Down Seal Product Imports – Again*, *Above and Beyond: Canada's Arctic J.* (2010)*, available at:* http://www.furcouncil.com/afficherevenement.aspx?id=220&langue=en

Part IV: The Exemption for Inuit Seal Products

Section 4.1: Legal Parameters of the Exemption

4.1.1: The 1983 Ban on Whitecoat Seal Products

Since the practices of the Atlantic commercial sealing industry garnered public attention in the 1970's, there has been international backlash towards sealing in general. Currently, 36 countries have banned the import of seal products from Canada, including the United States, Russia, and all member states of the EU.[37] The European bans have been some of the most significant, as historically EU countries provided one of the largest markets for seal products.[38] Beginning with the first EEC ban on seal products in 1983, which involved a ban on the import of pelts harvested from whitecoat seal pups specifically, Inuit have been caught up in international decisions to withdraw support for the Atlantic commercial sealing industry. This initial ban allowed the import of seal pelts harvested commercially so long as they were from adult seals, and significantly, the ban provided exemptions for all pelts harvested by Inuit sealers.[39] Despite this, the strong stigma surrounding all seal products resulted in a drastic decline in demand for all products, those from Inuit sources included. The government of the Northwest Territories estimated that nearly 18 out of 20 Inuit villages lost almost 60% of their communities' income between 1983-1985.[40] For example, the average income of an Inuit seal hunter in Resolute Bay fell from $54,000 to $1,000 CAD, despite the existence of the exemption.

4.2:1: The 2009 Ban on All Commercially Harvested Seal Products

While the 1983 EEC ban only applied to seal pup products, the subsequent ban passed through European parliament in 2009 was an outright ban of all commercial seal products. While the Canadian and Greenlandic governments went to great lengths to oppose it, the World Trade Organization upheld the ban on the basis that the EU was within its right to oppose a practice that it deemed inhumane.[41] This outright ban was instituted in response to both the practices of commercial sealers, as well as the fact that the hunting of seal pups was still occurring due to

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[37] Arthur Neslen, *Europe strengthens ban on seal products after WTO challenge*, (2015) *available at*: https://www.theguardian.com/environment/2015/sep/08/europe-strengthens-ban-on-seal-products-after-wto-challenge

[38] *Ibid.*

[39] North Atlantic Marine Mammal Commission, EU Sealskin Ban and the Inuit Exemption, http://www.nammco.no/marine-mammals/seals-and-walrus-pinnipeds/ringed-seal/hunting-and-utilisation/eu-sealskin-ban-and-the-inuit-exemption/.

[40] Selena Randhawa. *Animal rights activists and Inuit clash over Canada's Indigenous food traditions* (2017), *available at:* https://www.theguardian.com/inequality/2017/nov/01/animal-rights-activists-inuit-clash-canada-indigenous-food-traditions#:~:text=In%201983%2D85%2C%20when%20the,%25%20of%20their%20communities'%20income.

[41] Arthur Neslen, *Europe strengthens ban on seal products after WTO challenge*, (2015) *available at*: https://www.theguardian.com/environment/2015/sep/08/europe-strengthens-ban-on-seal-products-after-wto-challenge

loopholes in the law, insufficient regulation, and enforcement.[42] Although the latest ban is much more restrictive than the 1983 ban, it also includes an exemption for Inuit seal products. As long as the product being sold resulted "from hunts traditionally conducted by Inuit or other Indigenous communities, contributing to their subsistence, and with due regard to animal welfare," it can be legally imported in the EU.[43]

While the wording in this legislation is much more explicit than that of the 1983 ban, Inuit groups lobbied against it given not only the devastating effects of the previous ban, but also because of the stringent exemption requirements.[44] Despite these efforts, Inuit voices were sidelined, and the Inuit seal market was re-devastated. This is in part because of the increased stigma against seal products that resulted, but also because of its restrictive legal parameters.

Under the current scheme, the governments of Canada's Northwest and Nunavut Territories have had to submit an application to become a "Governing Body" under the Indigenous Communities Exemption of the EU Seal Regime in order for Inuit products harvested there to be sold on the EU market.[45] One requirement to become a Governing Body is that groups must have a tracking system for sealskins, which Nunavut did not have in place until 2015, and the Northwest Territories did not have in place until 2017.[46] The delay in meeting this condition caused the Inuit sealing industry to suffer immensely. In Greenland, the governmentally owned company Great Greenland A/S, purchases, tans and markets most sealskins, nationally and globally, and Naalakkersuisut decided in 2023 to continue subsidizing the seal hunt so that sealers can continue receiving a pay from the catch, despite the global seal skin market having diminished substantially[47]. With Greenland being an Overseas Country and Territory associated with the EU, this allowed for a preferential trade arrangement with the EU and in 2021 Greenland sold more than 8,000 sealskins to the EU[48]. It is still a substantial decrease from previous years, but is a testament to the fact that Greenland is better positioned to trade with the EU than its Canadian counterparts.

Section 4.2: Challenges with the Exemption

4.2.1: Inefficacy

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[42] Kamrul Hossain, *The EU Ban on the Import of Seal Products and the WTO Regulations: Neglected Human Rights of the Arctic Indigenous Peoples?* 49 *POLAR RECORD* 157 (2013).
[43] *Id.*
[44] Nunatsiaq News, *Despite exemption, NTI still opposes EU seal skin ban*, *NUNATSIAQ NEWS ONLINE* (2015), *available at* http://www.nunatsiaqonline.ca/stories/article/65674nti_remains_at_odds_with_eu_seal_skin_ban (last visited Jan. 2, 2020)
[45] *Id.*
[46] *Id.*
[47] Naalakkersuisut, Minister of Fisheries and Hunting, *Indigenous People's Dialog – Food Security in the Arctic,* 26 January 2023, *available at* chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://naalakkersuisut.gl/-/media/filer/fiskeri-og-fangst/taler/karl-tobiassen-tale-eus-arctic-forum-eng.pdf
[48] European Commission*, Rapport fra Kommissionen til Europa-Parlamentet og Rådet om gennemførelse af forordning (EF) nr. 1007/2009, som ændret ved forordning (EU) 2015/1775, om handel med sælprodukter (*2023), *available at* https://www.eu.dk/samling/20231/kommissionsforslag/KOM(2023)0633/forslag/1989394/2767710.pdf

In a November 2023 statement, European Commission President Ursula von der Leyen expressed confidence in the current system: "I think we found a good balance," she stated "We have a system in place that does not allow in the European Union the placing of seal products on the EU market. There are, however, exceptions with regards to seal products deriving from hunts conducted by Inuit and other Indigenous communities who can continue exporting to the European Union markets. And as far as I am informed, the system is working well." [49]

Despite these assurances, the facts tell a different story. There is a substantial gap between the number of seals harvested by Inuit, being approximately 16,000 annually, and the actual export of seal products. Last year, the government of Nunavut certified only one pelt for export.[50] In Greenland in 2021 there were 32,188 sealskins bought nationally by Great Greenland but only 8,000 skins sold to the EU, which is the main export for Greenland. This stark discrepancy highlights the ineffectiveness of the exemption, suggesting that it exists in name only, rather than in practical, actionable, and beneficial terms. This is despite the fact that Great Greenland has implemented QR codes. Additionally, there are a number of skins in Greenland that are tanned by individual artisanal producers, and it is a concern that those products will not automatically be certified.

Four key challenges underpin this inefficacy. First, there are limitations preventing the Governing Bodies from properly utilizing the exemption. Second, the exemption is difficult to access for harvesters and artists due to its cumbersome nature and other barriers. Third, there is a pervasive lack of consumer awareness within the EU about the exemption and the cultural importance of Inuit seal products. Lastly, a lack of clarity exists in the requirements for consumers wishing to take advantage of the exemption.

4.2.2: Limits of Governing Bodies

A significant limitation of the current exemption system is the restricted number of Governing Bodies in Canada authorized to certify a seal product. Currently, only the governments of Nunavut and the Northwest Territories have this authority. This creates a barrier for Inuit living outside these territories, such as in Nunavik (northern Quebec) and Nunatsiavut (Labrador), to utilize the exemption.

Without a local certification body, these communities face insurmountable logistical and bureaucratic hurdles. This undermines the economic potential of these regions and perpetuates their sense of marginalization. The lack of comprehensive coverage by certification bodies severely limits the effectiveness of the exemption, demonstrating a critical gap in the current governance framework.

4.2.3: Inaccessibility for Harvesters and Artists

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[49] Ryan Cooke. *Seal hunt advocate takes issue with EU president's claim that Indigenous exemptions are working* (2023), *available at*: https://www.cbc.ca/news/canada/newfoundland-labrador/seal-hunt-exemption-1.7039447#:~:text=European%20Commission%20President%20Ursula%20von,%2C%22%20von%20der%20Leyen%20said.

[50] Wildlife Operations Statistics, Government of Nunavut (2024)

The inaccessibility of the exemption for harvesters and artists is rooted in two main issues: the cumbersome nature of the exemption process and language barriers. The bureaucratic demands of certifying a seal product are substantial, requiring extensive paperwork that must be sent back and forth between remote Inuit communities and European authorities. For every pelt put on the market, they must document the process four times, all written by hand. This process is not only labor-intensive but also creates delays as the remoteness of communities results in slow postal services. For hunters looking to certify a pelt or artists aiming to certify crafts, the effort and time required outweigh the potential benefits.

Additionally, the certification process is not accessible in Inuktitut, the primary language of many Inuit communities in Canada. Language accessibility is crucial in remote areas where English or French may not be widely spoken or understood. Ensuring that certification processes are available in Inuktitut would make the system more accessible, while demonstrating a commitment to supporting Indigenous language preservation. The combined effects of bureaucratic inefficiency and language barriers create a significant impediment, rendering the exemption ineffective for those it is intended to benefit.

4.2.4: Lack of Consumer Awareness

A major challenge to the effectiveness of the exemption is the lack of consumer awareness in the EU about Inuit sealing practices and the existence of the exemption Because the practice of the southern Atlantic sealers was portrayed as an Indigenous practice as early as the 1970's, animal rights groups historically opposed both seal hunts, viewing them as one and the same.[51] This was the predominant view of non-governmental organizations in the early 1970's when they first launched their respective campaigns against sealing.[52] Though these organizations did not explicitly condemn Inuit sealing in particular, their failure to draw a clear distinction between the commercial and Inuit hunts resulted in a stance that stood in vehement opposition to *all* sealing practices.[53] The consequence of taking such a position that did not distinguish between the two hunts was both national and international backlash towards not only Atlantic sealers, but Inuit sealers as well.[54] The campaigns against sealing were extremely successful, resulting in the EEC bans on the import and sale of whitecoat seal pelts in 1983, as discussed.[55] Despite the fact that Inuit did not harvest whitecoat seal pelts, consumers perceived commercial and Inuit sealing as one and the same, a narrative which persists to this day. As a result, the market for seal products has been severely damaged. Most consumers do not realize the sustainable nature of the Inuit seal hunt, or the critical cultural and economic role it plays in Inuit communities.

Efforts to distinguish between Inuit and commercial sealing have been insufficient, leaving consumers in the dark about both the ethical and legal distinctions. Without a clear understanding of the exemption and the cultural importance of Inuit sealing, consumers are not likely to support

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[51] Donald Barry. *ICY BATTLEGROUND: CANADA, THE INTERNATIONAL FUND FOR ANIMAL WELFARE AND SEAL HUNT*, 151 (2005)
[52] *Ibid*, at 155.
[53] *Ibid,* at 152.
[54] Aaju Peter, *The European Shuts Down Seal Product Imports – Again*, *ABOVE AND BEYOND: CANADA'S ARCTIC J.* (2010)*, available at* http://www.furcouncil.com/affichierevenement.aspx?id=220&langue=en
[55] Kamrul Hossain, *The EU Ban on the Import of Seal Products and the WTO Regulations: Neglected Human Rights of the Arctic Indigenous Peoples?* 49 *POLAR RECORD* 156 (2013).

the market for Inuit seal products. Addressing this gap through targeted education and awareness campaigns is crucial for revitalizing the market and ensuring that Inuit sealing practices are respected and supported.

4.2.5: Legal Ambiguities

Despite pervasive misinformation surrounding Inuit seal products, there are European consumers who are aware of the exemption for Inuit seal products and are interested in purchasing these products. Unfortunately, these consumers often face significant confusion over the attestation process. This confusion is particularly problematic for European tourists who visit Inuit communities and want to bring seal products back home but are unsure about the legal requirements and processes involved. While there is a traveler's exemption which allows tourists to purchase seal products and bring them back to Europe, the process is convoluted and not well understood by consumers and customs agents alike. Tourists often rely on QR codes or information provided by customs agents, who must interpret complex EU regulations. These QR codes typically direct users to EU web pages that are heavy in bureaucratic language, making it difficult for both consumers and customs agents to act with confidence and allow products to enter.

The documentation provided by the EU, such as brochures, is also not in plain language, Consumers and customs agents must wade through dense legalese to determine that the purchase and transportation of these seal products are actually permissible. This lack of clear, accessible information means that those who want to buy seal products are deterred, fearing that their purchases may be confiscated.

There is a critical need for better communication and more straightforward, plain-language informational materials to support consumers. Addressing this gap is essential to making the exemption functional.

Part V: Recommendations

5.1: Overview of Strategic Goals

The Second Report on the Implementation of the EU Regulation on Trade in Seal Products was adopted in October 2023, concluding that EU member states around the Baltic Sea and Inuit communities of Canada and Greenland consider that the EU seal products regime, has a negative socio-economic impact on their communities, with current exports of seal products being insignificant. [56] This evaluation underscores the urgency of reforming the EU seal products regime to mitigate and redress its adverse effects and support the sustainable economic development of Inuit communities. The goal of these recommendations is to make changes that will allow for a strong, independent market for Inuit seal products

The recommendations correspond with the four issues identified in previous sections, and are as follows:

1. The implementation of an automatic certification process.
2. Develop digital solutions to streamline the exemption process.
3. Launch consumer awareness campaigns.
4. Enhance collaborative efforts between Canada, Greenland, and the EU.

5.2: Automatic Certification

The benefits of the exemption would be more accessible if the EU, agreed that all seals harvested by Inuit in Canada and Greenland were considered compliant and, therefore, automatically certified, eliminating the burdensome bureaucratic process currently impossible for remote communities to employ.

To make automatic certification practical, digitization, which will be discussed in the next section, is crucial. As well, a robust system of verification should be established that relies on existing community and regional governance structures. This system could include periodic reporting mechanisms that involve local Inuit organizations and leaders, ensuring transparency and accountability without the need for repetitive and extensive paperwork. Additionally, the EU could provide support for training and resources to help local bodies manage and oversee the certification process effectively.

By implementing automatic certification, the EU would recognize and respect the established practices and governance of Inuit communities, ensuring that all regions are included and benefiting from the exemption.

[56] REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the implementation of Regulation (EC) No 1007/2009, as amended by Regulation (EU) 2015/1775, on Trade in Seal Products. (2023)

Section 5.3: Digital Solutions for Harvesters and Artists

For automatic certification to be effectively implemented, the process needs to be digitized. Certification requirements have imposed an undue burden and disincentive on Inuit producers and EU purchasers, and as such, Governing Bodies have proposed replacing certification documents with small tags containing QR codes

In terms of how this could be implemented, it is suggested that a photo of the pelt could be taken with a geotag to verify its origin. This digital record would ensure that the product comes from an Inuit community. This approach leverages technology to provide real-time verification and reduces the paperwork burden on producers. To ensure consistency and effectiveness, a single unified database should be created for use in all Inuit regions. This solution would involve associating each product with a standardized QR code. This code would be linked to the database entry detailing the certification and legitimacy of the product. Local Governing Bodies manage the tagging and digital recording process, providing the necessary support and resources to harvesters and artists.

The EU has already begun a shift towards digitizing information on the exemption upon request from impacted communities. Upon request from Greenland, the European Commission agreed to the placing of QR code labels on seal products to better inform consumers about the Inuit exemption and facilitate market access in the EU. These QR codes link to a webpage providing information on the EU seal regime. Great Greenland now places QR codes on all its sealskins, allowing local artisans and craft makers to add their logos next to the QR code. Similarly, Nunavut has a QR code linking to information on the EU seal regime exception, and the Northwest Territories place QR codes on certified seal products. There are, however, still artisanal and other producers that do not automatically have the possibility or capacity to place QR codes on their products.

By adopting a digitized approach, the certification process would become more efficient and accessible, without compromising transparency. It would reduce the administrative burden on Inuit producers, ensure compliance with EU regulations, and enhance consumer confidence in the authenticity and sustainability of Inuit seal products. This digital transformation is thereby a crucial step towards creating a viable and supportive market environment for Inuit seal products.

Section 5.4: Consumer Education

5.4.1: A Note on Ethical Concerns

The EU ban on seal products, while ostensibly aimed at protecting animal welfare, highlights a glaring double standard in its approach to animal rights and Indigenous practices. The ban, while not directly targeted at Inuit sealing, has caused immense harm to Inuit communities. The EU is responsible for casting a shadow over a practice that is humane, sustainable, and deeply integrated into the cultural fabric of Inuit communities, while allowing inhumane practices such as factory farming to persist within its own borders. This contradiction not only undermines the EU's moral stance but also perpetuates racism and discrimination against Inuit.

Inuit sealing practices are characterized by a deep respect for and interconnectedness with nature. As discussed, Inuit hunters typically take one or a few seals at a time, ensuring that animals dos not suffer. It should also be noted that the life of a harvested animal is lived in its natural environment with none of the restrictions and harms of domestication. This contrasts sharply with the industrialized, often inhumane practices of factory farming in Europe, where animals are frequently subjected to overcrowded, stressful, and unsanitary conditions, ultimately leading to significant suffering. The EU's tolerance of such practices while condemning Inuit sealing reveals a profound hypocrisy. The implicit message is that animal welfare concerns are selectively applied, often to the detriment of marginalized communities. This issue is unique in the realm of animal product bans. No other animal product has been banned in such a comprehensive manner. While some products face restrictions due to conservation or health concerns, the EU's seal product ban stands out as a rare instance where an entire cultural practice is directly impacted.

The persistence of this double standard is discriminatory as it disproportionately affects Indigenous Peoples while allowing European practices that are more harmful to animals to continue unchecked. This bias not only undermines the stated goals of the ban but also perpetuates historical injustices against Indigenous Peoples.

With the exemption granted to Inuit under the ban being as ineffective as it currently stands, it amounts to little more than tokenism. The procedural barriers, lack of support, and widespread misinformation render the exemption useless. The exemption serves only to placate critics without providing any meaningful relief or support to the communities that depend on sealing for their livelihood and cultural preservation. It is a superficial gesture that fails to address the systemic inequities and challenges Inuit face. Addressing this requires a reevaluation of the EU's approach not only to this particular exemption, but to its relationship with animal welfare and Indigenous People's rights generally. The EU must recognize and rectify the inherent hypocrisy in its current stance and ensure that any policies or bans are applied equitably. Supporting the humane and sustainable practices of Inuit sealing while actively working to improve animal welfare standards within its own borders would be a significant step toward addressing these double standards.

5.4.2: Awareness Campaigns

While animal rights groups have blurred the lines between commercial and Inuit sealing practices in the past, in recent years some groups have actively worked to distinguish the practices. Greenpeace has changed its stance on the issue quite publicly, issuing a formal apology to Inuit.[57] This apology was meant to rectify the damaging narrative that Inuit hunt purely for subsistence, which in turn means that consumers do not recognize that Inuit seal products are sold on the commercial market.

Following this example, the EU must implement a robust and multi-faceted public relations strategy aimed at educating both European consumers and tourists about the distinct nature of Inuit sealing. A primary component of this strategy should involve developing, in partnership

[57] Aaju Peter, *The European Shuts Down Seal Product Imports – Again*, *ABOVE AND BEYOND: CANADA'S ARCTIC J.* (2010)*, available at:* http://www.furcouncil.com/afficherevenement.aspx?id=220&langue=en

with Inuit, and distributing informative pamphlets and digital content that accurately depict the cultural and economic significance of Inuit sealing. These materials should be distributed as a part of an information campaign to reach a broad audience of European consumers.

The EU should also consider launching a comprehensive social media campaign, in partnership with Inuit, to combat misinformation and promote positive narratives about Inuit sealing. Collaborating with Inuit influencers, cultural ambassadors, and respected figures within Inuit communities can help amplify these messages and ensure they are accurate and resonate with a wider audience. Creating engaging content, such as short documentaries, interviews with Inuit sealers, and interactive educational modules, can further enhance public understanding and appreciation of Inuit sealing traditions. The EU should support outreach activities with European manufacturers and retailers to raise awareness about the existence and functioning of the exemption. Such educational initiatives and partnerships with these entities can help promote the acceptance of Inuit seal products within the European market.

By dedicating resources to these comprehensive public relations efforts, the EU can correct the misconceptions it created. This correction is essential to redress injustices and provide an equitable future for Inuit sealers.

Section 5.5: Collaborative Efforts

Strengthening cooperation between the EU, Greenland, and Canada is essential to creating a functional exemption for Inuit seal products. The EU, Government of Canada, Government of Greenland, and Inuit Treaty Organizations must form a working group with a mandate to ensure Inuit seal products can enter the European market effectively.

Additionally, the EU should establish partnerships with Inuit organizations to ensure that the approaches taken and messaging produced is accurate, respectful, and impactful. An information campaign has already been suggested on several occasions by Naalakkersuisut, the Government of Greenland.[58] Hosting educational events, exhibitions, and workshops in Europe, Canada, and Greenland could provide opportunities for deeper engagement and learning. The EU should also consider investing in training and certifying retailers and vendors of seal products to properly inform consumers about the ethical and cultural aspects of Inuit sealing.

By dedicating resources to these collaborative efforts, the EU, Canada, and Greenland can create a more effective and supportive framework for the exemption. This partnership would not only enhance the market for Inuit seal products but also foster mutual respect and understanding, ultimately supporting the cultural and economic well-being of Inuit communities.

[58] Naalakkersuisut, Ministry of Fishery, Hunting and Agriculture, *Management and Utilization of Seals in Greenland* (2012), *available at*: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://nammco.no/wp-content/uploads/2020/05/greenland-hvidbog-om-sler-april2012-eng.pdf

Part VI: Conclusion

Section 6.1: Summaries of Key Points

6.1.1: Summary of historic, cultural, and economic significance

Seals remain an integral source of sustenance and materials for clothing, tools, and other essential items in Inuit communities. Seal Harvesting is a tradition deeply embedded in Inuit identity and spirituality. It facilitates the transmission of Indigenous Knowledge from one generation to the next, ensuring the continuity of a way of life and binding community members together, as expressed by Hjalmar Dhal, President of ICC Greenland:

> *Hunting is fundamental to our culture, knowledge, and identity, and our culture cannot be separated from who we are as a people. It remains a crucial element in addressing every challenge we face, from mental health and climate change to food security and sustainable development. Inuit Knowledge is deeply woven into our language, values, customs, families, and our profound connection to the environment.*[59]

As well, the act of sealing fosters a spiritual connection with the environment, promoting respect and stewardship for the natural world. The nature of the relationship between Inuit and animals, as expressed by Mary Simon, encapsulates the worldview embedded in Inuit culture:

> *Our Arctic animals represent an integral strand woven through our language, our personal namesakes, our place names, our memories, our stories, our emotions, our intelligence, our wisdom and the lessons of life. Both at the individual and collective level, this strand is a part of us, and we a part of it. All of this and much more combine to feed our spiritual awareness and strength as human beings within a larger, natural and interconnected world. It is what we would term a holistic view of life.*[60]

6.1.2: Summary of challenges and recommendations

Historically, the fur trade offered a means of economic independence, allowing Inuit communities to engage with global markets while maintaining their traditional lifestyles. The EU seal bans have severely impacted this economic lifeline, compounding the challenges posed by colonization. This submission has provided an examination of the significance of sealing for Inuit and the socio-economic impacts that have resulted from the ban.

In Part II, the historical context was explored by examining the physical importance and practices of sealing, its cultural and spiritual significance, and its role in the fur trade and economic independence. The importance of international law, and particularly UNDRIP, was underscored as it supports the rights of Inuit to pursue economic development and maintain their cultural practices.

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[59] Statement from Hjalmar Dahl, President of ICC Greenland (2024)

[60] Anne Kendrick. *Canadian Inuit sustainable use and management of Arctic species* in *International Journal Of Environmental Studies*, 418 (2013)

In Part III, the report scrutinized the regulatory framework governing the seal ban and the Inuit exemption, focusing on the legal implications of the 2009 ban. This section assessed whether the ban is achieving its intended goals for the EU and evaluated the effectiveness of the Inuit exemption, highlighting the legal distinctions between commercial and Inuit sealing practices.

In Part IV, we explored the legal parameters of the exemption and highlighted its inefficacy, identifying the procedural barriers and challenges faced by Inuit hunters in the certification process. We stressed the practical difficulties Inuit face in accessing the exemption, identifying four main challenges: 1) limits of Governing Bodies 2) inaccessibility of the exemption for harvesters and artists 3) lack of consumer awareness and 4) legal ambiguities around the attestation process

In Part V, we proposed recommendations for reform, being: 1) automatic certification, 2) digital solutions, 3) consumer awareness campaigns, and 4) enhanced EU-Inuit cooperation. We advocate for a collaborative approach between the EU, Inuit, and governments of Canada and Greenland to enhance the effectiveness of the exemption.

Section 6.2: Call to Action

The continued practice of sealing ensures that Inuit communities remain resilient, self-sufficient, and culturally intact, adapting with the needs of today while preserving the integrity of Inuit ways of life. We call upon the EU to take concrete steps to support Inuit communities, promote the development of a strong, independent, and sustainable market for Inuit seal products, and rectify the injustices and negative impacts caused by the bans on Inuit culture, health, and economic prosperity.

Seal hunting is a critical source of food for Inuit communities. Seals provide a reliable supply of nutrition, essential in the harsh Arctic environment where other food sources can be scarce or prohibitively expensive, or unsustainably imported from sources far away. Before the bans, sealing provided essential income that supported both subsistence and modern economic activities, fostered local artisan and small business networks, and contributed to the overall economic resilience and independence of Inuit society. By maintaining Inuit cultural heritage through sealing, Inuit assert their inherent right to self-determination.

The unique nature of the situation for Inuit must be emphasized, recognizing that Inuit communities have been unfairly penalized in the collateral damage caused by the EU seal ban regulation. The existence of the exemption to the EU Regulation on Trade in Seal Products implicitly acknowledges the EU's intention to protect Inuit rights. Being committed to the full respect, protection and fulfilment of the rights of Indigenous Peoples as affirmed in the UNDRIP, the EU has an obligation to remedy this situation. Therefore, we call upon the EU to take practical steps to support Inuit sealing practices and market access, Emphasis must be placed on collaborative efforts to rectify the situation. The EU should work closely with Inuit to develop and implement policies that are effective, inclusive, and respectful of the human rights of Inuit. In doing so, the EU can honor its commitments under UNDRIP, support the cultural and economic well-being of Inuit communities, and foster a more just and equitable relationship with Indigenous Peoples.

We underscore the urgent need for immediate and meaningful action, presenting concrete recommendations for the Commission's consideration. The exemption has the potential to support the cultural heritage and economic resilience of Inuit communities, yet it currently falls short of this promise. Now is the time for the EU to honor its obligations and ensure that Inuit industries and artisanal practices not only survive but thrive. Addressing these issues is crucial to righting the wrongs of the past and fostering a future where Inuit can flourish with dignity and autonomy. The EU has an opportunity to act decisively to transform this potential into a reality, thereby demonstrating a genuine commitment to justice, sustainability, and cultural integrity.