



Fitness Test for Trade in Seal Products Regulation

This submission is in response to the public call for evidence by the European Commission (the Commission) on the Trade in Seal Products *Regulation (EC) No 1007/2009*, which bans the trade of seal pelts and products in European Union (EU) countries. Although the Commission has granted two exceptions to the ban, which gives the Government of the Northwest Territories (GNWT) recognized status to certify seal pelts harvested by Inuvialuit (Inuit) communities and place them on the market, and allows EU travellers to purchase seal products made by Indigenous artists and carry them home into the EU with them, the GNWT continues to witness the detrimental impacts of this ban on communities in the Northwest Territories (NWT).

Regulation (EC) No 1007/2009 was established in response to public moral concerns about the welfare of seals during hunting practice. As it is written, the regulation bans the trade of all seal pelts and products and deems these items illegal in the EU. The two exceptions of *Regulation (EU) 2015/1775* afforded to seal pelts and products that are sustainably harvested and sold by Inuit and other Indigenous communities, are not well documented by the Commission and are widely unknown to EU residents and EU customs officials. In essence, the regulation has effectively stigmatized the purchase of these items and ultimately decimated the entire European market for seal no matter how it was harvested. It has effectively eliminated all incentive for EU businesses to trade seal pelts and products with the NWT, hindering opportunity for Indigenous peoples to sell seal products to EU residents.

Despite the exceptions, the ban continues to have negative socio-economic impacts on Inuit and other Indigenous communities that depend on seal for their livelihood and economic development opportunities. In the Inuvialuit Settlement Region of the NWT, seal is humanely and ethically harvested for food and culturally, the whole animal is used. Seal pelts and products have long been a traditional and sustainable resource and play a vital role not only in preserving cultural heritage, but also in providing much-needed economic opportunities in remote and economically challenged areas of the NWT. The legislation has negatively impacted the ability for NWT Indigenous artists, families, and communities to generate revenue from the trade of seal pelts and products, which would otherwise be contributing to their socio-economic well-being and cultural resilience. In small, remote Inuvialuit communities of the NWT where there are few opportunities for economic development, this means there is more reliance on social assistance programs, less money for necessities and an overall decrease in the quality of life. It has also negatively impacted incentive to harvest seal, resulting in a loss of traditional knowledge, cultural practices, and cultural identity.

In 2014, a joint statement by the EU and Canada regarding access of seal products from Indigenous Communities (Brussels, 18.8 2014 C (2014) 5881) acknowledged:

“...the importance of preserving the traditional way of life of Indigenous communities, including their ability to benefit from the Indigenous exemption, while at the same time enabling them to benefit from economic development.”

The economic and cultural impacts of Trade in Seal Products *Regulation (EC) No 1007/2009* continue to contradict this statement and exacerbate the economic and cultural impacts that Indigenous communities have experienced as a direct result of the ban. This regulation is not aligned with international priorities, guidelines, and standards such as the United Nations (UN) Declaration of the Rights of Indigenous Peoples (UNDRIP). The GNWT calls upon the Commission to better consider the rights of Indigenous peoples who continue to be impacted by EU legislation decisions.

In 2021, the GNWT established the Seal Certification Program to document and track seal pelts for import into the EU. The tag and attesting documents are meant to ensure that designated seal pelts meet certification standards of quality, sustainability, and traceability and are exempt from the EU ban. However, the process for completing attesting documents required for the certification process are very burdensome and overall, largely irrelevant due to the decimation of the market and the lack of EU businesses willing to undertake the work to import these certified seal pelts from the NWT.

In June 2024, Canada's Standing Senate Committee on Fisheries and Oceans released a report that examined the health of Canada's seal populations and their impact on fisheries. It concluded that Arctic seal populations are stable and healthy, and subsistence harvesting has not disrupted the ecosystem. NWT seal pelts are only available via subsistence harvesting, so there is no risk of destabilizing seal populations through an expansion of the NWT export exception.

Based on this evidence, the GNWT believes the Commission needs to do more to mitigate the negative cultural and socio-economic impacts this ban continues to have on Inuit and other Indigenous communities and residents of the NWT.

The GNWT, the Government of Nunavut (GNU) and Inuvialuit stakeholders, have discussed this and call upon the Commission to consider repealing and rewriting the main *Regulation (EC) No 1007/2009* to ensure it is not overshadowing the exceptions *Regulation (EU) 2015/1775*, making the exceptions unknown and ineffective. Instead of being written from a market restriction perspective, the *Regulation* should be written from a market access perspective to convey the ruling that seal pelts that were sustainably and ethically harvested by Inuit and other Indigenous communities and seal products made by Indigenous artists are allowed on the EU market.

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If this is not considered by the Commission, we offer the following recommendations to improve market access and awareness for the two exceptions:

- 1. Greater market access by expanding the exception to allow for online sales and shipments of seal pelts and purchases to the EU.** In 2022, the GNWT, together with the GNU, invested in the development of an e-commerce platform called “Proudly Indigenous Crafts and Designs” for Canadian Indigenous artists to share the cultural story of their seal products and sell these items to national and international consumers. Administered by the Seals and Sealing Network (SSN), which is a sub-committee of the Fur Institute of Canada (FIC), “Proudly Indigenous Crafts and Designs” is monitored, backed, and regulated by both recognized bodies of Canada, ensuring certification of the artists and their seal products. An expansion of the exception to allow for online sales into the EU from this endorsed platform would allow for greater market access for Canadian Indigenous artists, who are mainly women of all ages, in a regulated manner without the need for attesting documents.
- 2. Improved awareness of the exceptions to EU residents and EU customs officials.** The GNWT would like to work with the Commission to ensure EU residents and EU customs officials are better informed about the two exceptions that permit Inuit and Indigenous harvested seal pelts and Indigenous made seal products into the EU. Each year, cruise ships visit remote Inuvialuit communities of the NWT and many of the EU visitors have said they would like to purchase and bring home seal products from the local communities they visit. Despite the GNWT’s efforts to assure EU visitors that they can safely purchase seal products from Indigenous artists while they are in the NWT, travellers are fearful their purchases will be confiscated at customs when they return home and do not want to waste their money. Increased awareness of the exceptions would help EU residents and EU customs officials know and understand that these products are permissible and not all seal products are illegal.
- 3. If attesting documentation is still required, explore a digital process for recognized bodies to utilize and administer.** Since 2021, when the GNWT developed a process for certifying pelts and placing seal products on the market, there has been little to no attesting documents completed due to the cumbersome nature of the required paperwork. The GNWT recommends the Commission explore a digital solution to complete attesting documents, which would streamline the process for staff who oversee the recognized body status and encourage more trade of Inuit and Indigenous harvested seal pelts and handmade seal products into the EU.

4. **Establishment of a working group between the Commission and recognized bodies (GNWT, GNU and the Government of Greenland) to encourage further discussions and market access for authentic seal pelts and products.** The GNWT is committed to engaging in constructive dialogue with the Commission to explore avenues for addressing its concerns while preserving the socio-economic interests of Inuit and other Indigenous communities of the NWT.

The GNWT understands and respects the Commission's concerns regarding animal welfare standards. However, it is crucial to recognize that the seal hunt in the NWT is restricted to Inuvialuit peoples who have the right to harvest seal for food, oil, and natural material to make goods for self, family and for trade. Since time immemorial, they have adhered to cultural protocols that ensure humane practices, the welfare and respect of the animals, and the sustainable management of seal populations. If the Commission is true to its recognition of "the importance of preserving the traditional way of life of Indigenous communities, including their ability to benefit from the Indigenous exception, while at the same time enabling them to benefit from economic development", now is the time for us to collaborate and ensure this statement becomes a reality.

Thank you for this opportunity to engage on this very important topic. In conclusion, I urge the Commission to work collaboratively with the GNWT to find a balanced solution that respects both animal welfare standards and the socio-economic rights of NWT Inuit and Indigenous residents. Together, we can uphold our shared commitment to sustainability and cultural diversity.