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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

concerning trade in seal products

IMPACT ASSESSMENT

**ON THE POTENTIAL IMPACT OF A BAN OF PRODUCTS
DERIVED FROM SEAL SPECIES**

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The report commits only the Commission's services involved in the preparation and the text is prepared as a basis for comments and does not prejudice the final form of any decision to be taken by the Commission.

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1. EXECUTIVE SUMMARY

In line with its commitment to high animal welfare standards, the European Commission undertook to conduct an objective, in-depth analysis of the animal welfare aspects of seal hunting in sealing countries. This report presents possible options with respect to further policy and/or legislative measures to address animal welfare concerns with regard to the killing and skinning of seals.

In the framework of this analysis, regulatory frameworks and management practices for seal hunting in the different range states were analysed¹ and, based on findings of the European Food Safety Authority (EFSA)², best practices were identified. The following range states were analysed in detail: Canada, Finland, Greenland, Namibia, Norway, Russia, Sweden and the United Kingdom (Scotland).

The assessment showed that the seal hunt management systems differ between range states - and that within all systems improvements can be made. Seals are hunted in substantially different contexts. Both the type and size of the hunt, and the regulatory environments in which the hunts are taking place are different. Some range states have adopted and implemented comprehensive management systems aimed at minimising the conflict between production and animal welfare, whereas other range states' management systems are less well-developed and indicate less concern about animal welfare.

The EFSA scientific opinion indicates that seals can be killed rapidly and effectively, without causing avoidable pain, distress and suffering, using a variety of methods. However, there is reported evidence that in practice effective killing does not always happen and some animals are killed and skinned in a way, which causes avoidable pain, distress and other form of suffering.

Both, legislative and non-legislative policy measures were considered in the impact assessment. Furthermore, policy measures that are not linked directly to the management systems - such as a total prohibition of placing on the EU market or of imports/exports, as well as measures that could be linked to the good or bad practices of the seal hunt management systems were analysed.

The environmental dimension of the assessment is limited to the impacts of animal welfare aspects for seals which, however, are difficult to measure because the effectiveness of killing methods used for seals vary according to the methods used, the skill of the operators and the environmental conditions. Furthermore, economic impacts are limited to those to trade and local economies, both on the side of the sealing countries as well as of potential transit and transformation countries, while the social dimension touches mainly upon the conditions for the Inuit population.

¹ Commission study outsourced to the consultancy firm COWI "Assessment of the potential impact of a ban of products derived from seal species", April 2008

² EFSA independent scientific opinion on the animal welfare aspects of methods for the killing and skinning of seals, Dec. 2007:
http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1178671319178.htm

A total prohibition of placing on the EU market of seal products is assessed to have minor economic impacts in EU Member States. This assumes, however, that transshipment of sealskins and other seal products and imports of sealskins for further processing and exports can continue. The impacts are assessed to be slightly more significant for non-EU range state. This is a result of the fact that the size of the seal hunts in these non-EU countries are much larger than in the EU range states, and that the EU market - apart for Russia - is of some importance. This option would also deny consumers the choice to purchase seal products in the EU.

A total prohibition of imports and exports would have medium economic impacts on the EU Member States, although those impacts could be significant for Finland and Germany, if such ban would also cover transit trade. The impacts would be slightly higher for the non-EU range states. This is again a result of the fact that the size of the seal hunts in non-EU countries is much larger than in the EU range states, and that the EU market - apart for Russia - is of some importance. However, if the ban is extended to transit trade Canada will in particular suffer, unless this trade can be shifted from Germany and Finland to outside of the EU e.g. Norway. Hence, Norway may actually strengthen its position as a transit trader. With regard to the consumer, he/she would only have a very limited choice of seal products derived from seal species hunted in the EU and offered for sale on local markets only.

Denmark and Italy are by far the two largest EU importers of raw fur skin from seal for further processing / sales on the EU market, and will thus also be affected by such regulation. Denmark imports the raw fur skins directly coming from Canada and Greenland (that are not categorised as goods in transit), while Italy imports the raw fur skins from Russia, Finland and the UK (Scotland). Greece also has a noticeable trade in raw skins originating in the two latter range states.

Benefits from **a labelling** system allowing consumers to distinguish between individual seal products on the basis of welfare considerations (product-based labelling) might include a price mark-up on the consumer market and at the same an increase of the image of seal hunting in general. If the system is voluntary it might encourage a natural self-selection process regarding compliance and thus maintain the balance between the animal welfare, economic and social dimension - i.e. those who pursue the label might benefit more than it costs, and the welfare of the seals could be enhanced. Furthermore, it is assessed that the impact will be largest if it is a widespread international labelling system rather than a specific EU system.

Bi-/multilateral agreements between the EU and one or more range states could be made, which could enlarge the geographical area not to be covered by any legislative measures. The impact will be similar to that of a limited ban that allows trade if the hunting of the seals complies with some established standards as discussed above.

Given the animal welfare concerns expressed by the public, notably by the European Parliament and Member States, stand-alone non-legislative measures are not considered sufficient to address the issue.

The EFSA scientific opinion clearly indicates that there is reported evidence that, in practice, effective killing does not always happen - which is reinforced by the further assessment findings. There are therefore reasonable grounds to consider undertaking precautionary steps to ensure that products derived from seals, which are killed and

skinned in a way that causes them avoidable pain, distress and suffering, are denied access to the European market.

The outcome of the assessment of impacts in relation to the animal welfare, economic and social dimension shows that **a combination of several options** appears to be the best way to meet the overarching objectives, i.e.

- protect seals from acts that cause them avoidable pain, distress, fear and other forms of suffering during the killing and skinning process
- address the concerns of the general public with regard to the killing and skinning of seals

This should be done through prohibiting the placing on the market and the import, transit through, or export from, the Community of all seal products from a given date. Trade in those products would however be possible when certain conditions, which concern the manner and method whereby seals are killed and skinned, are met. Information requirements would also need to be established aimed at ensuring that seal products whose trade would be possible by derogation to the prohibitions otherwise in force would be clearly indicated as coming from a country meeting the above-mentioned conditions.

This would help to ensure that the general public is not confronted anymore with those seal products derived from seals killed and skinned with avoidable pain, distress or other form of suffering and would seek to provide incentives for the use of killing and skinning methods of seals which do not cause avoidable pain, distress or other forms of suffering. In this way, the option would have a direct impact on the application in practice of animal welfare friendly hunting techniques and thus protect the animals from unnecessary suffering.

2. PROCEDURAL ISSUES AND CONSULTATION OF INTERESTED PARTIES

2.1. Overview

In response to concerns relating to the animal welfare aspects of seal hunting, several EU Member States are considering, or have already introduced, national legislative measures to ban the import and use of seal skins and seal products covering some or all seal species.

On 17 September 2006, the Council of Europe adopted a recommendation on seal hunting inviting member and observer states practising seal hunting, amongst other issues, "*to ban all cruel hunting methods, which do not guarantee the instantaneous death, without suffering, of the animals, and to prohibit the stunning of animals with instruments such as hakapiks, bludgeons and guns*".³

Furthermore, the European Parliament adopted on 26th September 2006 a written declaration requesting the Commission to immediately draft a regulation to ban the

³ Council of Europe, Parliamentary Assembly, Recommendation 1776 of 2006 on seal hunting see link: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta06/EREC1776.htm>

import, export and sale of all harp and hooded seal products while ensuring that this measure would not have an impact on the traditional Inuit seal hunting. This Declaration with a high number of signatories (425) reflects the main issues of public concern, i.e. concerns about the application of humane killing methods and sustainability of the hunting quotas.

The Commission in its response to the European Parliament on 16 January 2007 recognised the high level of public concerns regarding the animal welfare aspects of seal hunting and in line with its commitment to high animal welfare standards, undertook to make a full objective assessment of the animal welfare aspects of seal hunting and, based on the results, to report back to the European Parliament with possible legislative proposals if warranted by the situation. Elements of the assessment are the EFSA scientific opinion, and a study to support the Impact Assessment process carried out for the Commission by the consultancy firm COWI, and a public consultation by internet.

With regard to the conservation concerns also raised in the EP declaration, the Commission expressed the opinion that there were at that time no such concerns for the species targeted by the European Parliament's declaration. It further stated that if such concerns materialised, sufficient Community legislation was in place to address them:

- Council Directive 83/129/EEC⁴ as amended by Council Directive 89/370/EEC, prohibiting the importation into the EU Member States of skins of whitecoat pups of harp seals and of pups of hooded seals and products derived therefrom, which was put in place following doubts on the population status of these seal species; as well as
- EU Wildlife Trade Regulations implementing the provisions of the Convention on International Trade in Endangered Species (CITES) in the EU⁵. The Convention's objective is to ensure that trade only takes place if it does not threaten the survival of species of wild fauna and flora. To be listed under CITES would be the appropriate response, if the survival of these seal species in the wild should be endangered by international trade. This is the case with the Namibian Cape fur seal, which is the only seal species currently listed under Appendix II of the CITES Convention thereby ensuring that trade is not detrimental to the survival of the species.
- Furthermore, Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) protects all seal species occurring within EU. Grey seal (*Halichoerus grypus*), ringed seal (*Phoca hispida bottnica*) and harbour seal (*Phoca vitulina*) are listed as Annex V species which means that their

⁴ Council Directive 83/129/EEC [amended by Council Directive 89/370/EEC] prohibiting the importation into Member States of skins of whitecoat pups, of harp seals and of pups of hooded seals (blue-backs) and products derived therefrom

⁵ EU Wildlife Trade Regulations implementing the provision of the Convention on International Trade in Endangered Species (CITES) in the EU: Council Regulation (EC) No. 338/97 of 9 December 1996 and Commission Regulation (EC) No. 865/2006 of 4 May 2006.

exploitation is allowed. However the Member States are under the obligation to maintain or restore these species at favourable conservation status.

Consequently, this Commission overall impact assessment focuses on the animal welfare aspect of seal hunting and trade implications of any measures in all respective range states ("range states" are to be understood as all territories where seals are present and are (or could be) hunted, i.e. including EU Member States and Overseas Territories). The following countries have been assessed in detail: Canada, Finland, Greenland, Namibia, Norway, Russia, Sweden and United Kingdom (Scotland).

The proposal and this impact assessment are part of the Commission agenda planning 2007/ENV/013.

2.2. Inter-Service Steering Group

A Commission Inter-Service Steering Group on the Impact Assessment was established. The Group was led by DG Environment with the participation of the following Commission Directorates and Services: Enterprise, External Relations, Health and Consumer Protection, Trade, Secretariat-General. Other services were also contacted but those preferred to be consulted at a later stage in the process.

2.3. Independent scientific opinion of the European Food Safety Authority (EFSA) on the animal welfare aspects of the killing and skinning of seals

In follow-up to the request from the European Commission in May 2007, EFSA adopted on 6 December 2007 an independent scientific opinion on the animal welfare aspects of methods for the killing and skinning of seals.

EFSA concluded that *"it is possible to kill seals rapidly and effectively without causing them avoidable pain or distress. However, the Panel also reported evidence that, in practice, effective and humane killing does not always happen."*

EFSA does not explicitly condemn the currently used methods for killing and skinning of seals. It rather establishes a number of very useful and clear criteria for assessing the acceptability of methods applied in the different seal hunts.

Given the scarcity of robust, scientifically peer reviewed data (see also chapter 6.6.4), the EFSA Risk Assessment process was conducted in a qualitative way. Nevertheless, the general conclusions and recommendations are considered to be rigorous enough to inform the policy-making process.

Some of the main conclusions:

- Seals are sentient mammals that can experience pain, distress, fear and other forms of suffering.
- Seals can be killed rapidly and effectively, without causing avoidable pain, distress and suffering, using a variety of methods that aim to destroy the brain function. However, there is evidence that in practice effective killing does not

always happen and some animals are killed and skinned whilst conscious resulting in avoidable pain, distress and other form of suffering.

- The EFSA opinion stated that *"there are only a limited number of studies published in peer-reviewed journals that can be used to evaluate, with a high degree of certainty, the efficacy of the various killing methods employed in different seal hunts around the world on a quantitative basis. This is why the risk assessment had to take a qualitative approach. Nevertheless, there are studies (e.g. by NGOs, industry linked groups) that highlight serious deficiencies and concerns in the hunts, but they may contain potentially unproven biases"*.

Some of the main recommendations:

- Seals should be killed without causing avoidable pain, distress or other form of suffering.
- This may be achieved using appropriate firearms with appropriate ammunition at appropriate distance. Alternatively, hakapiks or other forms of clubs can be used if of an appropriate design and used with adequate force and accuracy, but only on young seals.
- The killing methods should only be used in appropriate conditions, be applied adequately and respect a 3-steps procedure (stunning, monitoring of unconsciousness, bleeding) before skinning.
- Some methods should not be used as they are inherently inhumane e.g. netting that traps seals underwater and causes death by suffocation as well as harpooning seals through the snow.
- Hunters should be trained and competent in the procedures they use, including killing methods, monitoring death, unconsciousness and consciousness, and in rapid bleeding and skinning.
- Independent monitoring of seal hunts is recommended, thereby meaning independent of both industry/commercial interests and NGOs.
- Hunts should be open to inspection without undue interference.

For further details, please refer to the full text of the scientific opinion published by EFSA on their website⁶.

2.4. The Assessment Study (hereafter referred to as "the COWI study")

Building upon the EFSA scientific opinion, a study (commissioned by the Commission) by the consultancy firm COWI⁷ examined the regulatory frameworks for and the management practices of the different seal hunts.

⁶ EFSA independent scientific opinion on the animal welfare aspects of methods for the killing and skinning of seals, Dec. 2007:
http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1178671319178.htm

Legislative and enforcement provisions in a number of sealing countries, both within the European Community and beyond were assessed and best practices identified. The assessments were based on desk study research and information provided during the overall consultation process - but the study team did not visit all the range states worldwide.

The COWI study also assessed the impact of a possible ban of seal products on trade and other socio-economic aspects. The final report was submitted to the Commission at the beginning of April 2008.

The study shows that in many seal hunting countries, legislation and guidelines for their implementation are in place, but there is evidence of problems with their implementation and effective enforcement. The study also points at the difficulty in establishing a clear link between trade measures such as a trade ban and the way by which those measures would help to improve the animal welfare of the hunted animals.

2.5. Public consultation

A public consultation was conducted between 20th December 2007 and 13th February 2008 via the Commission's Interactive-Policy Making (IPM) tool. The consultation provided the possibility for EU citizens as well as non-EU citizens to express their view on regulation of seal hunting - as an input to the policy decision-making process.

73,153 answers were received from citizens in 160 different countries worldwide. This high number of responses (and additionally around 1,350 e-mails) indicates that seal hunting is a very salient issue to a large number of citizens. The responses show massive dissatisfaction with current seal hunting practices, at least how they are perceived by the general public. A clear majority of respondents in nearly all the geographical areas analysed preferred a ban. The majority of respondents reside in the Anglo-Saxon countries UK, US and Canada. Around 50% of the pro-banners come from two non-EU countries: the US and Canada. When looking at the results from respondents in other countries, the results are somewhat less stark.

Regarding the policy recommendation, over 50% of respondents in each single country - apart from Sweden and Namibia - prefer a ban, particularly respondents from Canada, UK and Russia, whereas the Nordic range states show more diversified answers. In the EU 14.5% prefer alternative measures while 6.1% see no need for further measures.

The results show that many respondents are against seal hunting for reasons of principle - which again may be rooted in a certain perception of the human-nature relation. However, the results also show that for some respondents the level of acceptability of seal hunting is influenced by how the seal hunt is managed and undertaken - and for what reasons. Hence, the results can also be used to develop a list of factors that - if fulfilled - will tend towards increasing the acceptability of seal hunting, namely:

⁷ COWI "Assessment of the potential impact of a ban of products derived from seal species", April 2008

- Motivation of hunt: Seal hunting undertaken for subsistence purposes are more acceptable than hunt for profit.
- The hunter: Seal hunting that is part of the local community's traditional culture is more acceptable than a hunt disconnected from local culture and communities.
- The use of the seal: Seal hunting that utilises the entire animal is more acceptable than seal hunting using only the skins (acceptance for use of skins only is under 1% - if the whole seal is used acceptance is over 15%).
- Enforcement and monitoring: Seal hunting is more acceptable if it is firmly monitored by an independent inspection authority.
- Struck and lost: Any seal hunting that lead to more than even a very low level of struck-and-lost is not acceptable to the respondents.

It is important to also highlight the possible knowledge gap on hunting methods - i.e. public perception vs. scientific knowledge (EFSA findings) and linked thereto the attitudes towards animal welfare vs. local communities. These are quite striking and underline clearly the complexity of the seal hunting issue from an animal welfare perspective.

2.6. Other consultations

2.6.1. EFSA stakeholder consultation

EFSA held a stakeholder consultation with around 100 participants in Parma on 4th October 2007. The stakeholders were invited to express their opinion on the completeness and reliability of the data presented in the draft report prepared by the EFSA working group, in order to avoid any possibility of leaving out some important scientific evidence. Moreover, the interested parties were invited to comment on some crucial sections (stunning and killing methods, neurophysiologic aspects, education and training of sealers) and to further explain their comments/suggestions from the questionnaire previously distributed.

Many issues were raised and it was clarified that only those related to the animal welfare aspects of the seal killing and skinning were to be taken into account in the Scientific Report, without considering any management issue (ethical, social, economical, cultural) which were looked at in the framework of the COWI study.

2.6.2. Workshop organised by the Commission

A workshop with experts from sealing countries, animal welfare NGOs as well as fur trade and hunters associations was organised on 14th January 2008 with the objective to receive feed-back on the factual information under the country reporting exercise (national hunt management systems) conducted in the framework of the COWI study, i.e. information on legislation, enforcement and the socio-economic contexts in the sealing countries.

2.6.3. *Bilateral meetings with stakeholders*

Bilateral meetings with a whole range of stakeholders (e.g. sealing countries, animal welfare organisations, trade organisations, scientists) took place at political as well as at technical level.

2.6.4. *Conference participation*

The Commission also participated at the "International conference on Seals & Society Conference ", held from 15th until 19th October 2007 in Vaasa, Finland. Governmental representatives, scientists, representatives from international organisations dealing with marine resource management, environment and fisheries as well as traders and animal welfare groups from 15 different countries attended the Conference. It was a good opportunity for the Commission, on the one hand, to explain to the sealing countries the on-going Commission assessment process on the animal welfare aspects of seal hunting and on the other hand, to note their concerns.

2.7. **Commission fact-finding mission to Canada to observe the 2007 annual seal hunt**

Two Commission veterinarians travelled to Newfoundland between 9 and 16 April 2007 to observe the annual seal hunt following an invitation of the responsible Canadian Minister. Unfortunately, despite the investment and the efforts undertaken by the Commission, the mission failed to accomplish its objective and the Commission veterinarians were not put in a position to observe the actual hunting of the seals. No adequate arrangements seem to have been made by Canada to ensure access by them to the actual observation of the hunt. Adverse weather and ice conditions also played a role in preventing a successful observation.

2.8. **Impact Assessment Board**

The draft Impact Assessment was submitted to the Board on 6 May 2008 and discussed at the Board meeting of 21 May 2008. The Board issued its opinion on 23 May 2008. The Board recommended that the report should provide more analysis as to the effectiveness of the various options including i) assessing potential trade diversion resulting from import bans; ii) clarifying further the scale of the problem by better estimating the proportion of EU trade in seal products which results from seals killed in a non-acceptable way and iii) assessing more clearly the feasibility of introducing a monitoring system for the certification and labelling of seal products resulting from acceptable killing methods. The report should also provide a clear analysis of the content of the preferred policy package, its overall impact, and specific impacts on transit trade, Inuit activity and fish stocks. The recommendations of the Board have been incorporated into the present version of the report.

3. **PROBLEM DEFINITION**

3.1. **Animal Welfare Problems during the seal hunts relating to seals suffering avoidable pain, distress, fear and other forms of suffering**

Seal hunts have occurred in various parts of the world throughout history, and the different stunning and killing methods used have been documented in various ways.

3.1.1. Description of the hunts

There are thirty-three existing species of pinnipeds (fur seals, sea lions, walrus and true seals). They occur mainly along the coasts of polar, sub-polar and temperate regions. At least fifteen species are hunted by humans for commercial purposes or to satisfy subsistence and cultural needs. However, the majority of animals killed belong to five species: harp seals, ringed seals, grey seals, hooded seals and Cape fur seals. The three largest seal hunts (Canada's commercial harp seal hunt – Total Allowable Catch (TAC) 270,000; West Greenland's harp seal hunt – unregulated, but landing c.a. 90,000 animals; and Namibia's Cape fur seal hunt TAC = 86,000) account for approximately 57% of the total number of seals (900,000) allowed to be killed or reportedly killed annual (uncorrected for struck and loss). The total population of seals of the hunted species is 15-16 million animals. (EFSA2007). Annex 1 provides a detailed overview of species and populations of seals that are killed and skinned.

3.1.2. Types of seal hunting

There are different types of seal hunting with different characteristics and motivations, both within and among range states. This leads to different seal hunt management systems. Within all systems improvements can be made. *Table 3.1.2.1:*

Table 3.1.2.1 Types of seal hunting, Characteristics and focus in seal hunt management systems

Types of seal hunting	Characteristics of the hunt	Focus in seal hunt management system
Commercial non-indigenous hunt	Industrialised hunt Large quotas and catches Organised Often supplementary income for fishermen or other workers	Provision of a basis for a viable industry Employment creation in sealing regions Sustainable use of the marine resources Hunting organisation
Personal non-indigenous hunt - individual small scale	Source of income and contributes to the subsistence of the hunter Dispersed	Sustainable use of the marine resources Hunting methods
Indigenous hunt	Hunt integrated part of the culture and the identity of the members of the society Source of income and contributes to the subsistence of the hunter One-man based activity Opportunistic Dispersed	Maintaining and protecting hunting traditions of indigenous societies Income creation in sealing regions Hunting tools

Recreational hunt	Small scale Activity supplementing primary occupation Comparable to other kinds of spare time activities/hunts Opportunistic Dispersed	Hunt is small scale often aims to reduce the seal population Contribute to pest control Samples from the catch contributes to research Sustainable use of the marine resources
Pest control*	Random or organised Minimise damage of seals on fishing gear Minimise damage to fish stocks	Limit population growth as to reduce damage to fishing gear and potential spreading of infection to other species
By-catch*	Random Seals caught in fishing gear	Invention and use of fishing gear that is seal proof hence reducing the number of seals caught in the gear Compensation to fisheries sector for damage inflicted by seals

*Included though it is not a hunt per se but man-induced killing of seals

Some range states have implemented comprehensive management systems aimed at minimising the conflict between production and animal welfare, whereas other range states' management systems are less well-developed and to a lesser degree incorporate animal welfare concerns. Assessment summary sheets per sealing country (see Annex 2) provide an overview of national legislation and enforcement requirements in place and how animal welfare recommendations are carried out in practice.

According to the COWI study findings, the range states can roughly be grouped into three groups, even though it is to be noted that the type of seal hunting varies considerably between the range states, e.g. the EU countries not having any commercial hunting. Seal hunting is comprehensively regulated in Norway and it has the most developed management system. A second group is made up of Canada, Finland, Greenland, Namibia and Sweden - all of these range states have relatively well-developed legal frameworks. There are, however, pronounced insufficiencies particularly regarding enforcement and training requirements. A third group consists of Russia and the UK. For both of these, data are insufficient to make sound conclusions.

3.1.3. *Killing methods*

The use of rifles appears to have increased at the expense of hakapiks and other methods. The hakapik is currently used as a means of killing young harp and hooded seals (normally less than 3 – 4 months old) and it is considered effective when sufficient care is taken to apply the blows accurately to the head and to verify their results (EFSA2007).

Netting is usually prohibited for commercial hunting but is practised in traditional subsistence hunting.

Within the EU range states, only shooting is allowed and traps which capture the animals alive.

Table 3.1.3.1 - Methods used to kill seals and their geographic location (EFSA2007)

Methods	Instrument	Target area	Geographical location
Physical	Hakapik	Head	Canada Norway
	Club	Head	Canada Namibia US (Alaska)
	Slagkrok	Head	Norway
Firearms	Shotgun	Head	Canada
	Rifle	Head	Canada Greenland Norway Namibia Sweden United Kingdom Finland Iceland Ireland Russia (unconfirmed)
Netting	Seal net	Whole animal	Canada Greenland US (Alaska) Russia Iceland
Harpoon		Anywhere	Canada (Inuit) Greenland (unconfirmed)

EFSA concluded that very little information is available on the extent of use of different hunting methods at different times of the year; the efficacy of each of these methods in the different environments; and their respective advantages and disadvantages in relation to animal welfare.

3.1.4. Underlying motives and forces

The overall assessment process conducted by the Commission over the last year has confirmed that there are indeed concerns about the animal welfare aspects of seal hunting. However, it is possible for animal welfare concerns to be minimised. Indeed, EFSA concluded that *"it is possible to kill seals rapidly and effectively without causing them avoidable pain or distress. However, the Panel also reported evidence that, in practice, effective and humane killing does not always happen."*

It is however clear that best practice is not always being followed and that as a result unnecessary and avoidable negative impacts on animal welfare occur. This is

confirmed by the findings of the COWI Assessment Study⁸. Other studies (e.g. by NGOs, industry linked groups) also highlight serious deficiencies and concerns in the hunts, though some of these studies may be biased

One of the requests of the Impact Assessment Board was that this Impact Assessment has to be clear about the number of seals, which are killed in a non-acceptable way. The result of the assessment process however clearly shows that robust, scientifically peer reviewed data are scarce and that it is difficult to quantify. There is though clear evidence of that fact that seals within the varying commercial hunts may be killed in an appropriate manner. However, as noted by EFSA, this does not always happen but there is not enough peer-reviewed evidence to say how often this is the case.

One of the reasons for this lack of evidence is that even though in many seal hunting countries legislation and guidelines for their implementation are in place, there is evidence of problems with implementation and effective enforcement.

Those areas concern

I. Legislation

animal welfare principles – legislation does not enshrine these principles, or has not been developed with the principles in mind;

hunting tools - EFSA conclude that some methods should not be used to kill seals as they are inherently inhumane, e.g. trapping seals underwater that causes death by suffocation;

assuring death by monitoring – legislation does not contain requirements for monitoring and thereby does not oblige the hunter to assure that the seal is irrevocably unconscious before bleeding it out and before continuing to the next seal;

bleeding-out of animals shot or struck –bleeding out stunned animals to ensure death is frequently not carried out in some hunts;

Environmental factors - whilst other methods are not inherently inhumane, they may be practised in such a way as to unnecessarily have welfare implications. For example, shooting in poor environmental conditions (snowstorm, unstable platforms etc) is likely to result in a lower rate of clean shots;

Training of the hunters - some methods, e.g. shooting and hakapik, are only effective if applied properly by trained and competent hunters. In some countries training of sealers is mandatory and only hunters who pass a shooting proficiency test are allowed to kill seals. However, little information recorded by independent observers exists on the effectiveness of the training programmes;

⁸ There are also logistical difficulties inherent in assessing objectively the processes involved when these hunts are conducted under very different, remote, uncontrolled and unverifiable conditions. (EFSA2007)

II. *Enforcement:*

independent monitoring - the independency of inspectors of monitoring the hunt could be improved, even though the practical possibility of monitoring and inspecting the hunt has to be taken into account (environment where the hunt is undertaken / scope of the hunt);

ability of third party to monitor - most of the hunts are not open to third party monitoring or administrative / logistical barriers exist to obtain a licence;

reporting requirements - reporting requirements are more or less developed, however often not formalised;

sanctions and compliance - even though all sealing countries have prescribed maximum penalties for non-compliance in their legislation, the degree to which sanctions are put on hunters infringing the legislation are unclear.

It appears that there is room for improvement in many of the above-mentioned areas for almost all sealing countries by adhering to best practices which have been identified during the assessment process (further explained in chapter 4 – objectives).

Therefore, although it is not possible to say how many seals are killed in an inappropriate manner, there is evidence that the main commercial seal hunts would not satisfy best practice criteria.

3.1.5. *Who is affected, in what ways, and to what extent*

The general public expressed concerns about the killing and skinning of seals, with sectors requesting seal derived products to be banned on the EU market. These concerns are well documented through a large volume of correspondence and petitions and expressed clearly in the public consultation by internet (see 2.5 – public consultation).

Moreover, the animals themselves being a sentient species are of course affected by the lack of consideration for animal welfare and the use of inappropriate hunting methods.

Concerns for the Inuit people are currently taken into account by existing EU legislation (see 3.2.4.2). However, there are diverging opinions, also among sealing countries, on who Inuit are and what constitutes traditional hunting methods. It is nevertheless acknowledged that seal hunting, irrespective of the methods used, is a part of the cultural inheritance of certain people and certain regions.

The social dimension is also important in local communities within the EU where controlled hunting of seals and sustainable use of the hunted seals are ways to gain local people's (mainly fishermen) acceptance on seal conservation.

3.2. Trade in seal products and related measures in place

3.2.1. Level of trade

Trade data and trade flows are presented in detail in chapter 6.2.3 when describing the baseline for the trade impact analysis based on Eurostat data and national statistics mainly from the year 2006. It is the preferred approach to present the global picture of all trade elements in one chapter rather than to extract some of the specific elements to this chapter.

However, in summarizing some of the elements, it can be said that Denmark and Italy are by far the two largest EU importers of raw fur skin from seal for further processing/sales on the EU market. Denmark imports raw fur skins from Canada and Greenland, while Italy imports raw fur skins from Russia, Finland and the UK (Scotland) – where many of the skins of the latter two originate from outside the EU borders.

While the tanning in Denmark takes place in few locations, there are numerous small furrieries producing the final seal products. Most of these furrieries do, however, not only rely on the supply of seal skins. Similarly, Italy is among the world's leading producers of coats and other clothing items.

With regard to the import of tanned or dressed fur skin of seals, more EU Member States are engaged in this part of the trade. Although Denmark and Italy are the most important traders, Greece and the UK, but also Latvia are significant importers.

With regard to trade data from Canada, it is to be noted that more than 60% of the raw fur skins of seals are exported to Norway, while around a third to the EU – particular Germany (mainly transshipment in Frankfurt) and Finland. With reference to tanned or dressed fur skins, almost 60% are exported to the EU markets (Finland, Greece) while both the US and Turkey are the largest non-EU markets.

As regards Norway, imports of raw fur skins are much more important than exports. However, Norway has large export figures for tanned or dressed fur skins.

It is to be noted that the above description of trade data is not exclusive and only represents some of the more prominent findings.

3.2.2. EU Member States measures / WTO consultations

Several EU Member States are considering, or have already recently introduced, national legislative measures to ban the import and use of seal skins and seal products of certain or all seal species. Hindrances to intra-community trade resulting from a national measure imposing a trade ban may be justified on grounds of public morality, within however the limits set out by the Treaty and the case law of the Court. However, differences between such national measures could affect the functioning of the internal market and/or the public could be confused by the diversity of legal requirements. Hence, it seems to be appropriate to investigate the provision of harmonised rules across the Member States.

In response to the Belgian and Dutch measures, Canada has requested formal WTO consultation with the European Community pursuant to the WTO's Dispute

Settlement Understanding. Consultations took place in Brussels on 14th November 2007.

3.2.3. *International perspectives*

The Commission assessment process in particular the adoption of the EFSA scientific opinion and the action undertaken by some EU Member States led to an intensification of the discussion between the Commission and sealing countries. Some of these countries have already introduced, or have the intention to introduce, measures to address and improve the animal welfare aspects of seal hunting.

3.2.4. *Community legislation*

3.2.4.1. Community Action Plan on the Protection and Welfare of Animals 2006-2010

The protection of wild animals is covered by the Community Action Plan on the Protection and Welfare of Animals⁹. This approach reflects the Protocol to the Treaty on the Protection of Animals defined as sentient beings. As agreed at the time of the adoption of the Action Plan and in order to support the harmonisation of animal welfare standards adopted in the EU both on public and private bases, the Commission has launched a feasibility study to create a European Centre for the Protection and Welfare of Animals that could serve as reference body to support the measures that could be taken in the future to address the welfare concerns identified in this impact assessment. The European Centre could be developed in a way to assist the Community and Member States in the management of animal welfare issues both at EU and International level. In this way the Community would be served in the future by EFSA in the role of risk assessors and possibly by the future reference centre for the support to the risk management.

Many Member States have already developed applied research centres or network working on animal welfare or animal protection (Sweden, Italy, The Netherlands, UK) but there is no formally established body in any Member States or in the EU mandated to deal with this. Therefore, any calculation of administrative costs to create this entity are difficult to estimate and will in any case depend on how much each Member State has already invested on this issue. Grouping functions to serve different purposes in the animal welfare and protection area will clearly reduce costs and facilitate the efficient implementation of the existing legislation in this area. Today straight requirements in the national and EU animal welfare legislation are in place that are demanding harmonised procedures in Europe to secure the welfare of the animals. The Commission feasibility study is going to deliver options for the creation of the Centre and is examining the most suitable tasks in relation to what already exists at present.

⁹ Community Action Plan on the Protection and Welfare of Animals 2006-2010 {SEC(2006) 65}

3.2.4.2. The "Seal pups directive"¹⁰

Existing Community legislation (Council Directive 83/129/EEC as amended by Council Directive 89/370/EEC) already prohibits the importation into the EU Member States of skins of whitecoat pups of harp seals and of pups of hooded seals and products derived therefrom. One of the reasons behind the adoption of the Directive were doubts on the population status of some seal species. This Directive does not apply to products resulting from traditional hunting by the Inuit people. According to the Directive, Member States have to take or maintain necessary measures to ensure that the listed seal pup products are not commercially imported into their territory.

It has to be noted that even though derogation was provided, the Inuit suffered in the 80's from the adverse impacts of this Directive on the image of seal products in general.

3.2.4.3. The "Habitats Directive"¹¹

In the EU, all seal species present are protected by the Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, which protects endangered, rare and vulnerable species as well as their habitats through protection schemes provided by that Directive. Even though the main aim of the Directive with regard to the seal species occurring in the EU is to maintain or restore a favourable conservation status, its Article 15 prohibits the use of all indiscriminate means capable of causing local disappearance of, or serious disturbance to, populations of such species. The prohibited methods and means of capture and killing are listed in its Annex VI (a) and the prohibited forms of capture and killing from modes of transport are listed in Annex VI (b).

In addition the Article 14 of the Directive suggests that "regulation of the purchase, sale, offering for sale, keeping for sale or transport for sale of specimens" may be a measure to ensure that exploitation of Annex V species (species whose taking in the wild and exploitation may be subject to management measures) is compatible with it being maintained at a favourable conservation status.

Within EU the Member States are obliged to report every six years on the implementation of the measures taken under this Directive (the latest reporting period covered 2001-2006 and it has revealed information for the first time on the conservation status of all seal species listed under the Directive).

3.2.5. *Possible evolution of the problem*

If no action is taken at Community level, seal products will continue to be placed on the EU market without any reassurance to the consumer that the animal has been

¹⁰ Council Directive 83/129/EEC [amended by Council Directive 89/370/EEC] prohibiting the importation into Member States of skins of whitecoat pups, of harp seals and of pups of hooded seals (blue-backs) and products derived therefrom

¹¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

killed and skinned without causing avoidable pain, distress, fear and other forms of suffering.

More EU Member States might therefore undertake individual action in response to the animal welfare concerns expressed by many citizens. Such a situation will lead to a continued fragmentation of the EC's internal market.

Without any action at Community level, it will be difficult to ensure that the animal welfare aspects the killing and skinning of seals can effectively be addressed and that there would be an incentive for sealing countries to improve management methods in accordance with the best practices identified during the assessment process.

3.3. Subsidiarity/necessity test

The White Paper on European Governance, 2001, COM(2001)428 states that "Proposals must be prepared on the basis of an effective analysis whether it is appropriate to intervene at EU level and whether regulatory intervention is needed. If so, the analysis must also assess the potential economic, social and environmental impacts".

While there is also demand for measures at national level, in Europe, the public concern over the animal welfare impact of seal hunting is very high. The European Parliament, the Council of Europe as well as many stakeholders are demanding legislative measures at EU level. The concerns voiced by the public and legislators have to be taken seriously. These concerns are documented through a large volume of correspondence and petitions, and expressed clearly in the public consultation by internet.

Several Member States are also considering, or have already introduced, national legislative measures to ban the import and use of all skins and seal products. Differences between such national measures could affect the functioning of the internal market and/or the public could be confused by the diversity of legal requirements. Hence, it seems to be appropriate to investigate the provisos of harmonised rules across the Member States. Therefore, in case of a possible legislative measure, it appears, that Article 95 EC (internal market) as legal basis would be applicable. Article 133 however, also would be relevant in the context of the proposed measure, which also affects international trade.

The Protocol on the Protection and Welfare of Animals annexed to the EC Treaty by the Amsterdam Treaty sets out key fields of action in which the Community and Member States are to pay full regard to the welfare requirements of all animals in formulating and implementing policies. (see 3.2.4.1)

4. OBJECTIVES

The aim of this initiative is in line with the Commissions' strategic objectives and better regulation principles notably to provide effective and efficient measures, ensure a high level of legal certainty across the EU, and thus help to strengthen the Community's credibility in the eyes of its citizens.

In line with the Community Action Plan on the Protection and Welfare of Animals (which reflects the Protocol to the Treaty on the Protection of Animals defined as sentient beings) seals should be protected from acts that cause them avoidable pain, distress, fear and other forms of suffering.

The main overarching objectives are to:

- Protect seals from acts that cause them avoidable pain, distress, fear and other forms of suffering during the killing and skinning process
- Address the concerns of the general public with regard to the killing and skinning of seals

Taking these objectives into account, the following specific objectives have been established:

- Ensure consistency and legal clarity in terms of the requirements for placing seal products on the EU market
- Promote and reward good sealing practices

By means of:

- Laying down concrete rules concerning the placing of seal products on the EU market
- Provide important information to consumers about the manner in which a seal was killed and skinned in a specific sealing country
- Reference to the basic criteria (best practices) highlighted by the results of the overall Commission impact assessment process, which are essential to guarantee advancement in the future in the animal welfare area to step up standards. They are the following:
 - On animal welfare principles: Animal welfare principles are highlighted in the applicable hunting legislation - whether this targets seal hunting specifically or hunting in general.
 - On hunting tools: The characteristics of the weapons used to kill seal are specified. It is made explicit in the legislation which weapons are allowed for stunning and/or killing pups and which are allowed for stunning and/or killing adult seals. The requirements to the weapons are made in accordance with the recommendations of the EFSA scientific opinion.
 - On assuring death by monitoring: Legislation should specifically outline requirements for monitoring and thereby oblige the hunter to assure that the seal is irrevocably unconscious before bleeding it out and before continuing to the next seal.

- On bleeding-out animals shot or stunned: Bleeding-out of all animals is required directly following adequate stunning i.e. before proceeding to stun another seal.
- On environmental factors: Requirements are specified as to secure that the seal and/or the hunter is sufficiently stable and that the target can be properly visualised. Other environmental factors, relevant for the hunt in question, are also regulated.
- On training of hunters: A defined level of knowledge and ability of the hunter regarding seal biology, hunting methods and the three step procedure, hereunder practical use of the hunting tools, e.g. shooting tests, are required.
- On independent monitoring: A system for monitoring and observation of the hunt, securing regular supervision of the hunt and that secures independency of the inspectors is provided for.
- On ability of third party to monitor: Third party monitoring of the hunt is possible, with a minimum of administrative or logistic barriers.
- On reporting requirements: Clear requirements for reporting targeting both hunters and inspectors. There are requirements to where and when animals are killed and weapons and ammunition used. Also the range of relevant environmental factors (weather conditions, etc.) should be reported.
- On sanctions and compliance: Statistical information on the hunt should be compiled and systemised.

5. MAIN POLICY OPTIONS

To address the areas of concern identified and described under chapter 3, different legislative and non-legislative policy options have been considered in the context of this impact assessment. Policy options that are not linked directly to the seal hunting management systems as well as those that could be linked to the management system analysis were looked at.

The options were assessed against their relevance in respect of achieving the objectives identified in chapter 4.

5.1. "No additional EU action"

The current assessment process has already had some effect of its own since e.g. some countries are considering to or have already acted to improve the seal hunt situation on the basis of the EFSA report. Continuous monitoring could continue to have a comparable effect even though it might be difficult to implement in practice.

However, in the absence of further EU action, there is no indication that such effort would continue. In addition trade distortion issues would probably not be resolved by themselves. Indeed, it is likely that more Member states would decide in the absence of EU action to impose bans. This would lead to trade deflection and further fragmentation of the EC's internal market.

5.2. Legislative measures

Table 5.2.1 presents the formulations of the legislative measures and their rationale - both with respect to effectiveness/efficiency and with respect to achieving the objectives of the measure, and regarding consistency - i.e. the extent to which the measures are likely to limit trade-offs across the economic, social and animal welfare domain. The measures are sorted so that they start with what immediately appears to be the most wide-ranging. However, a combination of the first two measures - prohibition of placing on the EU market and prohibition of imports/exports – may be the most comprehensive measure.

While the two first measures are not linked to elements of seal hunt management systems, the third and fourth - and possibly also the fifth - could in their final formulations mention such elements.

The table shows that the strict regulatory measures such as total prohibitions of placing on the EU market or import/export bans are considered effective because there will be no or only little doubt about the coverage of the measures - although there might be indirect adverse animal welfare impacts as trade could be shifted to countries with fewer requirements as to how the seal skins have been obtained. Furthermore, they are regarded as efficient in the sense that they only require EU expenditure for enforcement. However, the trade-offs across the animal welfare, economic and social dimensions are likely to be fairly significant. The more targeted - or less strict - regulatory measures are in contrast considered to be less effective and efficient, but in contrast imply lower trade-offs across the animal welfare, economic and social dimensions.

Table 5.2.1 *Legislative measures*

Formulation	Effectiveness/efficiency	Consistency
Prohibition of placing on the EU market of skins of seals and products derived there from	<p>The measure is <u>effective</u> in the sense that it is without a doubt prohibited to hold any seal skins or seal products physically within the EU territory that are made available and destined for the first time for distribution or direct sale in the EU market.</p> <p>However, (second-hand) seal products already sold once on the EU market are not covered. Furthermore, products that are imported, manufactured or stored within the EU territory but intended for export outside the EU are not covered. These exemptions might reduce the effectiveness of enforcement.</p> <p>The measure is considered <u>efficient</u> in the sense that it only requires expenditure for enforcement.</p>	<p>This comprehensive measure will benefit the animal welfare concerns of the general public regarding seal hunting - at economic costs to the sealers, the seal product manufactures and the Inuit population.</p> <p>However, there is no incentive to improve the welfare of the hunted seal species (which is the main cause for concerns)</p>
Prohibition of	The measure is <u>effective</u> in the sense that it is	<i>similar to above</i>

<p>imports into the Community of skins of seals and products derived there from (will in practice also imply exports)</p>	<p>without a doubt prohibited for any seal skins or seal products to enter the customs territory of the Community (with exception of imports of non-commercial nature). Similarly, seal skins and seal products may not leave the customs territory.</p> <p>Products which are not customs cleared are not covered.</p> <p>The measure is considered <u>efficient</u> in the sense that it only requires expenditure for enforcement.</p>	
<p>Prohibition of placing on the EU market (and/or imports/exports) of skins of seals and products derived there from - if not taken through measures that meet established standards for the hunting of seals</p>	<p>The measure is similar to the above two measures - but excludes seal skins and seal products that stem from approved hunting methods.</p> <p>The measure is therefore likely to be less <u>effective</u> than the above two in the sense that it requires precise definitions/delimitations of approved hunting methods (which can be based on the results of the EFSA opinion and the COWI study) - and there might be unintended ways to show compliance with the established standards.</p> <p>The measure is also considered less <u>efficient</u> in the sense that it requires higher enforcement expenditure than the above two measures.</p>	<p>The trade-offs across the animal welfare, economic and social dimensions are probably lower than for the above two measures.</p> <p>The targeting will hurt the economy where it is supposed to hurt - but at the same time benefit 'best practice' seal hunting and therefore provides an incentive to improve the welfare of hunted seal species.</p>
<p>Harmonised, mandatory labelling system</p>	<p>Such a labelling system (product-based) enabling consumers to distinguish between individual seal products on the basis of welfare considerations t allows selected seal skins and seal products from any range state, if they fulfil the labelling requirements (which can be based on the results of the EFSA opinion and the COWI study).</p> <p>The measure is considered similarly <u>effective</u> as the above measure - for the same reasons.</p> <p>However, it might be slightly less <u>efficient</u> than the above, as it does not contain any direct enforcement measure other than the provision and enforcement of labels.</p>	<p>The trade-offs are similar to for the above measures.</p> <p>However, the economic and social dimension might benefit from a price mark-up on the consumer market and at the same time help to increase the image of seal hunting in general.</p>

Bi-/multilateral agreement(s) with range state(s)	<p>Agreements between the EU and one or more states - and thus possibly defining those sealing countries exempted from the above legislative measures.</p> <p>Hence, <u>effectiveness</u> and <u>efficiency</u> will depend upon the actual content of an agreement.</p>	<p>The trade-offs across the animal welfare, economic and social dimensions will depend upon the actual content of an agreement.</p>
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5.3. Non-legislative measures

Table 5.3.1 presents then the formulations of possible non-legislative measures in a similar way to the above mentioned legislative measures. However, it appears immediately that the formulations of the non-legislative measures are less precise, and thus the analysis of them and their implementation in practice might be less easy to handle. This feature is also reflected in the table with respect to the difficulties in explaining the effectiveness, efficiency and consistency of the measures.

Table 5.3.1 Non-legislative measures

Formulation	Effectiveness/efficiency	Consistency
Voluntary labelling systems / development of voluntary standards	<p>An EU-administered voluntary labelling system (product-based) that seal hunters can subscribe to (if they fulfil the labelling requirements) is similar to the above-presented (see Table 5.2.1) harmonised, mandatory labelling system. However, such voluntary system might be less <u>effective</u> than the mandatory - merely because it is voluntary.</p> <p>The level of <u>efficiency</u> might be lower or higher, depending on the costs saved by not making the labelling system mandatory and possibly lower enforcement expenditure.</p>	<p>A voluntary system might encourage a natural self-selection process regarding compliance and thus maintain the balance between the animal welfare, economic and social dimension - i.e. those who pursue the label might benefit more than it costs, and the welfare of the seals is enhanced.</p>
Development of guidelines by an internationally recognised organisation	<p>Best practices on seal hunting methods and seal hunt management systems recommended by an internationally recognised organisation.</p> <p>Such organisation still requires to be identified. .</p> <p>Hence, <u>effectiveness</u> and <u>efficiency</u> will depend upon the actual content of such guidelines.</p>	<p><i>not possible to comment upon</i></p>
Information campaigns	<p>An EU information campaign targeted at consumers can, for example, benefit from the results of the public consultation carried out within the present study.</p>	<p>It is difficult to say how information campaigns will affect the trade-offs across the economic, social</p>

	<p>An EU information campaign targeted at seal hunters and producers can, for example, benefit from the above mentioned guidelines.</p> <p>The <u>effectiveness</u> and <u>efficiency</u> will depend on the actual information campaign - although the costs involved might be quantifiable from experiences with other similar information campaigns.</p>	<p>and animal welfare dimensions - since such campaigns might seek to make improvements with respect to all three dimensions.</p>
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6. ANALYSIS OF IMPACTS

6.1. General remarks

This Impact Assessment combines quantitative and qualitative approaches to ensure that adequate consideration is given to a broad range of direct and indirect economic, social and animal welfare impacts. It is important to emphasise that the quality of the information differs between elements, and for some of these between range states. Furthermore, what can be quantified and qualified depends on the availability of information.

The analysis is based upon the COWI study, the EFSA scientific opinion and results of consultations and data provided by third countries, competent authorities, NGOs and other stakeholders affected such as the Inuit.

6.1.1. Coverage and type of impacts

Table 6.1.1.1 provides information about the likely impacts across the three main policy dimensions: animal welfare, economic and social. The table also emphasises a geographical dimension of the impacts of the measures; partly because some range states are EU member states and other are not; and partly because some measures might depend on the used seal hunting methods and might thus directly affect the range states differently.

The starting point for the selection of impacts is that the analysed policy measures are considered to have little impact at the macro level - for example on the national GDP or total employment situation - in the range states (and the non-range states). At the micro level, however, the impacts will be felt by certain groups of the society - and these groups of the society are considered to be of concern, both in the range states and by the EU, e.g. those who derive their income directly or indirectly from seal hunting.

As explained in chapter 2.1, the issue is not a conservation issue. Therefore, the assessment is limited to discussing the impacts of animal welfare aspects for seals and is to a large extent built upon the EFSA 2007 scientific opinion (EFSA, 2007). The central economic impacts are delimited to those of trade and local economy, while the social dimension concentrates on the conditions for the Inuit population.

Table 6.1.1.1 Type of impact and likely impacts of EU policy measures

Type of Impact	Likely impacts of EU policy measures
<i>Welfare dimension</i>	
Welfare of seals	<p>In terms of welfare, the effectiveness of killing methods used for seals vary according to the methods used, the skill of the operators, and the environmental conditions (EFSA, 2007). Hence, policy measures that encourage the use of 'best practices' - e.g. a labelling system - will improve the animal welfare aspects of seals.</p> <p>Policy measures - such as prohibitions of market access for seal products - might reduce the size of the hunting and thus the number of seals suffering.</p> <p>However, animal welfare gains will be reduced by the extent such policy measures imply that seal products are diverted to others markets - which might have lower requirements for animal welfare aspects.</p>
<i>Economic dimension</i>	
Trade	<p>Since seal hunting mostly takes place outside the Community territory, any restrictions to market access in the Community will have trade impacts.</p> <p>Trade restrictions on seal skins will directly affect the seal hunters while they indirectly will be affected by reductions in the trade of manufactured seal products. Seal product manufacturers will obviously be affected by the latter restrictions.</p> <p>Furthermore, importers and seal product manufacturers on the Community territory will experience income and production losses.</p> <p>Consumers' right may be reduced, if they can no longer purchase seal products on the EU market.</p> <p>However, trade losses for the exporters will be reduced if seal products are diverted to others markets and of course depend on how important the EU market is at present.</p>
Local economy	<p>While the macroeconomic impact of reducing seal hunting might be limited in the range states - there will be an impact on the incomes of the individual sealers (although state subsidies might alleviate this income loss) and the seal product manufacturers.</p> <p>These activities often take place in remote, coastal areas. Hence, the impacts will in practice depend on the share of income in a local economy from sealing activities - and whether or not there are any other employment/income opportunities.</p>

<i>Social dimension</i>	
Inuit population	<p>The impact on the Inuit population follows the impact on the local economy.</p> <p>However, the impact might differ if the policy measures accept the use of traditional hunting methods and/or allows sales of seal products made by the Inuit population.</p> <p>However, policy measures that have adverse impact on the image of seal skins and other seal products will have a negative impact on the Inuit population anyway.</p> <p>The social dimension is also important in local communities within the EU where controlled hunting of seals and sustainable use of the hunted seals are ways to gain local people's (mainly fishermen) acceptance on seal conservation.</p>
<i>Geographical dimension</i>	
Seal hunt management system specific impacts	If policy measures - e.g. a prohibition of placing on the EU market or a labelling system - punish certain substandard aspects of the seal hunt management systems, or relate to certain seal species, the impact on the different range states will differ.

6.2. Baseline

The impacts of EU measures are assessed as changes in the conditions - with respects to the welfare of seals, trade, local economy, and the Inuit population - in comparison with a baseline, in the present impact assessment year 2008, even though most of the recently available information about the different elements is from the year 2006.

The socio-economic contexts analysed in the framework of the COWI assessment¹² of the national seal hunt management systems as well as information from additional data sources such as Eurostat and the different national statistical offices provided the starting point for the presentations of this baseline.

6.2.1. Welfare of seals

This type of impact is included in table 6.1.1.1, but it does not as such have a well-specified baseline - i.e. a measurable level of seal welfare. It is not possible to quantify the level of suffering of the animal or the number of seals killed in a particular way. The results of the assessment of the seal hunt management systems clearly indicate that all systems would need improvements to increase the level of welfare (see chapter 3.1.2). The assumed impacts on the welfare are to a large extent embedded in the formulations of the measures.

¹² Assessment of the potential impact of a ban of products derived from seal species, April 2008, COWI

However, as also mentioned above, animal welfare gains will not arise if seals continue to be hunted in the same way as they are, and seals products are simply diverted to other markets. It is difficult to assess what action a commercial seal hunt will undertake when faced with the possibility of exclusion from the EU market. They will have to choose between improving animal welfare standards (which may not be a costly change), or the economic implications of exclusion from the EU market (which seems to be the recipient of around a third of all existing global trade).

6.2.2. *Environmental impacts*

If the number of seals being killed is reduced this may have an impact on the respective seal population and consequently on the population of fish on which they rely for food. One of the arguments put forward by fishermen for killing seals is that it safeguards fisheries i.e. that there will be a double whammy, whereby communities lose income from sealing and income from fishing because the increased number of seals reduces fishing opportunities. This is, however, much disputed.

It is difficult to establish a direct link between a seal population and fish stocks in the same area. Marine ecosystems are complex and dynamic and seals are only one of many factors affecting them. Seals eat a wide range of fish and marine invertebrates, many of which are not commercially fished and some of which are themselves predators of commercially fished species. As such, seals may even be positive for fish stocks, and are certainly unlikely to have a significant impact.

Furthermore, the impact of any trade ban on seal products in the EU may not have a significant effect on total seal populations, at least in relation to other factors¹³. This should mean there is no significant impact on the fishing economies.

6.2.3. *Trade*

The potential EU measures would directly affect the trade flows across the EU border and also between the EU Member States. For this reason, the trade picture is painted in some detail in this chapter so that changes in those flows can be understood. The central data set for the analysis is the Eurostat external trade database. Table 6.2.3.1 shows the seal products covered in this database.

The coverage reflects the present prohibition of the importation into the EU Member States of skins of whitecoat pups of harp seals and of pups of hooded seals. In this context, it must be remembered that the 2006 declaration from the European Parliament also focuses on the regulation of import, export and sale of all products from harp and hooded seals - and not only the pups. However, this distinction of harp and hooded seals is not available in the other trade data sets used in the analysis - and any such distinction in the impact analysis must be based on available data of seal catches by species.

¹³ The basis for this assumption is firstly the size of seal hunts. In a typical seal hunt, for example, maybe around 2-5% of the seal population is killed in commercial hunting each year. It is unclear whether killing seals on such a scale has an impact on the seal population though there are claims that this is the case (there is some evidence of changes in seal populations but this may be for other factors, such as environmental or disease factors).

It is important to emphasise that the Eurostat trade data presented below do not cover goods in transit. They exclude extra-EU trade where the goods are placed in a customs warehouse (purely for storage) or given temporary admission inside the EU borders for trade fairs, temporary exhibitions, tests etc. as well as intra-EU trade where the goods are merely passing across a Member State, by any means of transport, but are not stored there for any but transport reasons. This implies that the data for imports of seal products concern only products destined for the EU market and/or where further (substantial) processing takes place.

The trade data can therefore be said to appropriately represent the importance of seal products trade for the EU Member State economies. That said, EU firms doing trade in seal furs will claim the many jobs also are dependent on the not-accounted transit of seal products, for example German (mainly Frankfurt) and Finnish traders; who furthermore are important seen from the Canadian export viewpoint. Hence, the Canadian export-to-EU data presented later in this chapter differ greatly from the Eurostat trade data.

Table 6.2.3.1 Seal products covered in Eurostat trade database

Code	Title
43017010	Raw fur skins of whitecoat pups of harp seal or blueback pups of hooded seals, whole, with or without heads, tails or paws
43017090	Raw fur skins of seal, whole, with or without heads, tails or paws (excl. those of whitecoat pups of harp seal or blueback pups of hooded seals)
43021941	Tanned or dressed fur skins of whitecoat pups of harp seal or blueback pups of hooded seal, whole, with or without heads, tails or paws, not assembled
43021949	Tanned or dressed fur skins of seal, whole, with or without heads, tails or paws, not assembled (excl. whitecoat pups of harp seal or blueback pups of hooded seal)
43023051	Tanned or dressed whole fur skins of whitecoat pups of harp seal or blueback pups of hooded seal, and pieces or cuttings thereof, assembled, without the addition of other materials (excl. "dropped" fur skins, clothing, clothing accessories and other fur skin articles)
43023055	Tanned or dressed whole fur skins of seal, and pieces or cuttings thereof, assembled, without the addition of other materials (excl. of whitecoat pups of harp seal or blueback pups of hooded seal, and "dropped" fur skins, clothing, clothing accessories and other fur skin articles)
43031010	Articles of apparel and clothing accessories made of the fur skin of whitecoat pups of harp seal or blueback pups of hooded seal (excl. gloves made of leather and fur skin, footwear and headgear and parts thereof)

Table 6.2.3.2 provides an account of the latest data for a whole year - i.e. 2006 - for the imports in Euro to EU-27 from the eight range states covered by this study, and the exports the other way. The table shows that imports (excluding transit - see above) from non-EU range states mainly come from Greenland and Canada, while the import from Namibia is fairly limited. Intra-EU trade is comparable in size regarding the sales of seal skins on the EU market - for Finland and the UK (Scotland), while the trade figures for Sweden are insignificant. It must here again be emphasised that, for example, Canadian sealskins destined for the Italian market but actually entering Finland - are registered as import from Finland by Italy (not transit), while the import from Canada by Finland is registered as transit trade. This kind of registration helps, however, by combining these data with other trade flows and trade data to distinguish transit trade from other trade.

While there is limited export out of EU-27 to Canada, Greenland and Norway, there is a significant export to Russia in particular of tanned or dressed fur skins of seal, whole, with or without heads, tails or paws, not assembled (excl. whitecoat pups of harp seal or blueback pups of hooded seal). Hence, the trade balance (excluding transit - see above) with Russia is much in favour of EU-27.

Table Error! No text of specified style in document..3.2 Trade between EU-27 Member states and 8 range states, Euro, 2006

	Canada	Finland	UK (Scotland)	Green- land	Namibia	Norway	Russia	Sweden
Import to EU-27 from:								
43017010	0	0	0	0	0	0	0	0
43017090	191389	931888	337817	1313000	0	659	186081	0
43021941	21849	0	0	0	0	2192	0	0
43021949	461238	7582	299325	60131	67079	176794	0	4443
43023051	0	0	1742	0	0	0	0	0
43023055	45563	0	178239	39599	0	113657	0	0
43031010	0	162	88150	6312	0	0	0	1620
Total	720039	939632	905273	1419042	67079	293302	186081	6063
Export from EU-27 to:								
43017010	0	0	0	0	0	0	0	0
43017090	1251	551435	2389	19608	0	14108	195500	0
43021941	0	0	0	0	0	0	109774	0
43021949	24627	677193	2193682	1458	0	1947	2505755	0
43023051	0	0	0	0	0	0	0	0
43023055	0	0	269327	2182	0	0	23282	0
43031010	1062	0	909209	0	0	36411	297931	0
Total	26940	1228628	3374607	23248	0	52466	3132242	0
Import minus export								
43017010	0	0	0	0	0	0	0	0
43017090	190138	380453	335428	1293392	0	-13449	-9419	0
43021941	21849	0	0	0	0	2192	-109774	0
43021949	436611	-669611	-1894357	58673	67079	174847	-2505755	4443
43023051	0	0	1742	0	0	0	0	0
43023055	45563	0	-91088	37417	0	113657	-23282	0
43031010	-1062	162	-821059	6312	0	-36411	-297931	1620
Total	693099	-288996	-2469334	1395794	67079	240836	-2946161	6063

Source: Eurostat external trade database

Table 6.2.3.3 provides a similar account of the 2006 trade situation, but where the figures are in units - e.g. number of raw fur skins. Although articles of apparel and clothing accessories made of the fur skin of whitecoat pups of harp seal or blueback pups of hooded seal (excl. gloves made of leather and fur skin, footwear and headgear and parts thereof) and possibly other items seem not as fully covered compared with the trade figures in Euro - the table is considered useful for comparisons with other seal product data using such units.

Table 6.2.3.3 Trade between EU-27 Member states and 8 range states, Units, 2006

	Canada	Finland	UK (Scotland)	Green- land	Namibia	Norway	Russia	Sweden
								Import to EU-27 from:
43017010	0	0	0	0	0	0	0	0
43017090	3558	9131	5064	54184	0	12	1407	0
43021941	200	0	0	0	0	15	0	0
43021949	6868	260	4490	1900	13729	3526	0	88
43023051	0	0	50	0	0	0	0	0
43023055	227	0	3423	605	0	2409	0	0
43031010	0	0	0	0	0	0	0	0
								Export from EU-27 to:
43017010	0	0	0	0	0	0	0	0
43017090	10	1062	600	168	0	25	1745	0
43021941	0	0	0	0	0	0	735	0
43021949	712	35	6635	15	0	194	17425	0
43023051	0	0	0	0	0	0	0	0
43023055	0	0	3421	13	0	0	267	0
43031010	0	0	0	0	0	200	0	0
								Import minus export
43017010	0	0	0	0	0	0	0	0
43017090	3548	8069	4464	54016	0	-13	-338	0
43021941	200	0	0	0	0	15	-735	0
43021949	6156	225	-2145	1885	13729	3332	-17425	88
43023051	0	0	50	0	0	0	0	0
43023055	227	0	2	592	0	2409	-267	0
43031010	0	0	0	0	0	-200	0	0

Source: Eurostat external trade database

While the above two tables show that the trade between EU-27 as a whole and the eight range states differ between range states, the following two tables look into which of the EU-27 Member States - apart from Finland, UK (Scotland) and Sweden - are likely to be affected by an EU measure that puts restrictions on imports of products derived from seal species.

Table 6.2.3.4 shows that Denmark and Italy by far are the two largest EU importers of raw fur skin from seal for further processing/sales on the EU market - and they share the market. Denmark imports raw fur skins directly coming from Canada and

Greenland (that are not categorised as goods in transit), while Italy imports raw fur skins from Russia, Finland and the UK (Scotland) - where many of the skins from the latter two originates from outside the EU borders. Greece also has a small share of the skins coming from the two latter range states, i.e. Scotland and Finland, which is imported for further processing.

While the tanning in Denmark takes place in few locations, there are numerous small furrieries producing the final seal products for the markets. Most of these furrieries do not, however, only rely on the supply of seal skins. Similarly, Italy is among the world's leading producers of coats and other clothing items made from seal skin; but the producers are many and also use other types of skin.

Table 6.2.3.4 Import of raw fur skin to EU-27 Member states from 8 range states, Euro, 2006

	Canada	Finland	UK (Scotland)	Green- land	Namibia	Norway	Russia	Sweden
Austria	0	0	0	114	0	0	0	0
Denmark	191389	0	0	1312886	0	0	0	0
Finland	0	0	0	0	0	659	0	0
Greece	0	60089	32433	0	0	0	0	0
Ireland	0	0	280	0	0	0	0	0
Italy	0	871799	281132	0	0	0	186081	0
Poland	0	0	23972	0	0	0	0	0
EU-27	191389	931888	337817	1313000	0	659	186081	0

Source: Eurostat external trade database.

Note: Sum of codes 43017010 and 4317090 (see Table 6.2.3.1). Only EU Member states with import of raw fur skin presented in the table.

The picture is somewhat different when it comes to the import of tanned or dressed fur skin of seals. *Table 6.2.3.5* shows that more EU Member States are engaged in this part of the trade. Although Denmark and Italy remain important traders, Greece and the UK, but also Latvia are significant importers. Greece deals, for example, with the largest part of the imports coming from Namibia, while the UK is the main trading partner here with Norway. Latvia takes in a sizeable part of such fur skins from Canada.

Table 6.2.3.5 Import of tanned or dressed fur skin to EU-27 Member states from 8 range states, Euro, 2006

	Canada	Finland	UK (Scotland)	Green- land	Namibia	Norway	Russia	Sweden
Bulgaria	0	0	0	0	0	6742	0	0
Germany	0	0	74820	0	0	0	0	0
Denmark	275610	0	0	89336	0	98	0	0
Estonia	0	1436	0	0	0	10998	0	0
Spain	0	0	50751	0	0	1879	0	0
Finland	0	0	0	947	0	726	0	0
UK	0	0	0	0	0	233190	0	2213
Greece	67763	6146	121801	0	53001	0	0	0
Ireland	0	0	31414	0	0	0	0	576
Italy	0	0	186177	0	14078	0	0	0
Latvia	139714	0	0	0	0	0	0	0
Poland	45563	0	0	0	0	0	0	1654
Portugal	0	0	14343	0	0	29856	0	0
Sweden	0	0	0	9447	0	9154	0	0
EU-27	528650	7582	479306	99730	67079	292643	0	4443

Source: Eurostat external trade database.

Note: Sum of codes 43021941, 43021949, 43023051 and 43023051 (see Table 6.2.3.1). Only EU Member states with import of tanned or dressed fur skin presented in the table.

The description of the baseline for the trade impact analysis has until now concentrated on the situation in 2006. However, the situation has not been stable in the period 1999 to 2006¹⁴ for which Eurostat supplies data. Hence, the possible fluctuations in trade figures - which can be due to good or bad hunts and other factors - must be kept in mind when trying to access the impacts on trade from potential EU policy measures.

While the trade data from Eurostat are sufficient to describe the situation for the EU-27 Member States - hereunder the range states: Finland, UK and Sweden, they do not fully cover the trade of the non-EU range states: Canada, Greenland, Namibia, Norway and Russia. In particular, the exclusion in the Eurostat trade data of goods

¹⁴ Eurostat trade data for 2007 are still incomplete.

that are placed in a customs warehouse (purely for storage) or given temporary admission for trade fairs, temporary exhibitions, tests etc. is to some extent inconsistent with the statistics kept by some of these exporters since they actually consider these EU traders as importers of their goods. On the other hand, further EU restrictions on such transit trade might not be that severe - depending on how easily this part of the trade can be shifted to a non-EU country. However, there could be some impacts on transport companies, EU sea- and airport for which, however, it was not possible to provide data.

To ensure the most recent picture, as seen from the different range states' viewpoint, the data used in the following are to the extent possible based on national sources - i.e. the national statistical offices.

Table 6.2.3.6 below shows Canadian export figures provided by Statistics Canada. While the exports of raw fur skins of seals are specifically available, the tanned or dressed fur skins are contained in a group of not-elsewhere-specified fur skins. However, the data are considered sufficient for an indication of relevance of the EU to Canada for its exports.

First and foremost, the table shows that in 2006 more than 60% of the raw fur skins of seal was exported to Norway, while around a third to the EU - in particular Germany (mainly transshipment in Frankfurt) and Finland. As mentioned earlier the exports to these two EU Member States are not registered as imports by Eurostat since this part is considered as transit i.e. the goods are placed in a customs warehouse (purely for storage) or given temporary admission for trade fairs, temporary exhibitions, tests etc. The remaining 6.5% of the exports go primarily to China - hereunder Hong Kong.

Furthermore, almost 60% of tanned or dressed fur skins go to EU markets - mainly whole, not assembled skins, while the export of assembled pieces or cuttings of fur skins is limited. Finland followed by Greece are the main EU importers, while both the US and Turkey are the largest non-EU markets - although these markets are mainly considered to be for other fur skins than from seals.

Table 6.2.3.7 repeats the already described picture for Norway - i.e. that imports of raw fur skins of seal are much more important than exports. Norway exported only 373 fur skins of seal (amounting to around Euro 7,000) of which 12 were registered as EU import (see Table 6.2.3.3). In contrast, the import of sealskins amounted in 2006 to 107,604 skins. Hence, further restrictions of imports of raw fur skins of seals to the EU will only have limited direct implications for Norway. However, the large export figures for tanned or dressed fur skins, whole, not assembled, not mink, sheep, coyote (code 43021909, which include sealskins) show sensitiveness to further regulations for the more processed section of products.

Table 6.2.3.6 Canadian exports, Can\$, 2006

	430170 - Raw fur skins whole - seal	430219 - Tanned or dressed fur skins, whole, not assembled,	430230 - Tanned or dressed fur skins - assembled pieces or cuttings
Austria	0	950	13988
Belgium	0	870	0
Czech Rep.	0	32860	0
Germany	2091143	1711744	39586
Denmark	222556	371763	3716
Spain	0	100682	32599
Finland	2964716	8744547	0
France	0	273418	0
UK	0	634873	5150
Greece	14529	6206711	183856
Hungary	0	293018	0
Italy	0	615194	0
Latvia	0	228528	0
Poland	0	360614	0
Portugal	0	18140	0
Sweden	0	15364	12120
EU-27	5292944	19609276	294362
Norway	10042654	104690	20912
Namibia	0	18032	0
Greenland	0	11014	2128
Russia	0	1531820	12980
Other range states	10042654	1665556	36020
China	931452	834367	45270
Hong Kong	125105	2918163	33126
South Korea	2486	136274	28862
US	0	4136882	248630

Turkey	0	3825504	0
Other	0	409378	105411
Total	16394641	33535400	791681
EU-27 share	32.3%	58.5%	37.2%
Other range state share	61.3%	5.0%	4.5%

Source: Statistics Canada.

Note: only those countries are presented to which Canada exported seal products

Table 6.2.3.7 Norwegian exports and imports, 2006

	Export, NOK	Export, skins	Import, NOK	Import, skins
43017000 - Raw fur skins whole - seal	57200	373	49141040	107604
43021909 - Tanned or dressed fur skins, whole, not assembled, not mink, sheep, coyote	107089127	..	15433012	..
43023000 - Tanned or dressed fur skins, assembled	347320	..	8026126	..

Source: Statistics Norway

Table 6.2.3.8 indicates that around a fourth of Greenland's export goes to the EU market - i.e. an export of raw fur skins of seal of around Euro 5 million compared with a registered EU import of Euro 1.3 million - excluding goods in transit (Table 6.2.3.2). Putting the size of this export into perspective shows that it amounts to around 1.7% of total Greenlandic exports - that are dominated by the prawn industry with around 53%.

Table 6.2.3.8 Greenlandic exports, 2006

	Export, DKr
Raw fur skins whole - seal	36949000
Products of seal skin	903000
Total	37852000

Source: Statistics Greenland

There do not seem to be any immediately available Namibian national data sources that can shed further light on the Namibian exports of seal products. However, the cape fur seal (at least until recently) is considered an Appendix II species by the Convention on International Trade in Endangered Species of Wild Fauna and Flora

(CITES). Appendix II lists species that are not necessarily now threatened with extinction but that may become so unless trade is closely controlled.

Table 6.2.3.9 shows the Namibia exports of cape fur seal skin for 2006 - measured as imports to different countries where Namibia stands as the direct exporter or as the origin of the seal skins imported. The table shows (like *Table 6.2.3.5*) that Greece is by far the most important EU market for Namibia. However, Turkey, Norway and Hong Kong were in 2006 even more important markets.

Table 6.2.3.9 Namibian exports, no of skins, 2006

	Number of cape fur seal skins
Germany	336
Denmark	150
Greece	13550
Italy	300
Poland	1
EU-27	14337
Norway	15177
Canada	6510
Other range states	21687
Hong Kong	14684
Turkey	17813
Total	68521
	20.9%
EU-27 share	
Other range state share	31.7%

Source: CITES trade statistics derived from the CITES Trade Database, UNEP World Conservation Monitoring Centre, Cambridge, UK

Table 6.2.3.10 finally shows the exports from the three EU range states, Finland, UK (Scotland) and Sweden in 2006 - i.e. the exports registered by these member states as not being transit trade. Hence, the data do, for example, not comprise the sales of raw fur skins to Italy from Finland - as registered by Italy (see *Table 6.2.3.4*), since they originate from outside the EU, mainly Canada.

Table 6.2.3.10 Exports by Finland, UK (Scotland) and Sweden, Euro, 2006

	Finland	UK (Scotland)	Sweden
43017010 Raw fur skins - whitecoat pups of harp seal or blueback pups of hooded seals	0	0	0
43017090 Raw fur skins - other seals	0	3052	12098
43021941 Tanned or dressed fur skins - whitecoat pups of harp seal or blueback pups of hooded seals - not assembled	0	0	0
43021949 Tanned or dressed fur skins - other seals - not assembled	72238	298995	80
43023051 Tanned or dressed fur skins - whitecoat pups of harp seal or blueback pups of hooded seals - assembled	0	0	0
43023055 Tanned or dressed fur skins - other seals - assembled	0	24469	0
43031010 Articles of apparel and clothing accessories - whitecoat pups of harp seal or blueback pups of hooded seals	6016	0	9379
Total	78254	326516	21557
Share of exports to EU			
43021949 Tanned or dressed fur skins - other seals - not assembled	2.5%	38.1%	100.0%
Total	2.3%	34.8%	0.4%

Source: Eurostat external trade database

The figures therefore represent the export of nationally produced goods threatened by new EU policy measures - while excluding the activities of the traders of transit goods. However, for Finland and Sweden only a limited share of this export is sold to other EU Member States. In regards to UK, it is surprising that the UK has export of raw seal skins as neither commercial nor recreational hunt is legal.

For the last range state covered by this study, Russia, it has not been to obtain additional trade data from national Russian sources. Such lack of Russian information is also reflected in the respective description of the range state seal hunt management system (see Annex 2). Any assessment of the trade impacts of policy measures for Russia will have to rely on other available information.

6.2.4. Local Economy

In general, the impacts on local economies can mainly be derived from the impacts on trade. The local-economy focus is thus on how this impact will be felt by certain groups of the society - i.e. from a distributional impact viewpoint.

The assessment of the local economy is limited by the fact that there is no unambiguous definition of local economy - although for the seal hunt issue the interest is centred on small coastal communities. Furthermore, to reach at widely-accepted analyses for such local economies, it would have been beneficial to base the analyses on official data.

However, there is only little local economy information available to investigate when addressing a baseline for this assessment. Furthermore, such information is not fully comparable between the range states – and for some range states, particularly Namibia and Russia, the information could not be obtained. Table 6.2.4.1 shows the extent to which there are local economies that depend on seal hunting, the general economic/employment situation in such economies compared with the rest of the countries, and whether there are alternative income sources to substitute any declines in incomes for sealing. With respect to the latter, the level of subsidies (if any) to sealing (communities) should also be considered - i.e. whether they will be increased to compensate for any income declines; although this is an issue of the range states regional income redistribution policies. The table indicates that local-economy concerns predominantly are found in Canada and Greenland.

Table 6.2.4.1 Seal product dependent local economy characteristics in range states

	Canada	Finland	Green-land	Namibia	Norway	Russia	Sweden	UK (Scotland)
Income from sealing	15-35% of local economy	insignificant	50% of households hold licences		only 3 to 5 vessels participate		insignificant, only 50 hunters	Insignificant
Unemployment	30pp above national level							
Alternative income		tourism	24% of hunters have additional occ.	eco-tourism	tourism	sales go to non-EU		tourism

Source: COWI study, country assessments

The information in the above table can be regarded as too scarce for a local economy assessment.

6.2.5. Inuit population

As emphasised before, there are diverging opinions on who the Inuit are and what constitutes a traditional hunting method.

The impact on the Inuit population from any policy measures will be broadly in line with the impact on the local economy, where Inuit hunting is for commercial reasons. However, in some areas the majority of Inuit hunting seems to be for subsistence reasons, with no seal products subsequently entering onto the market. Although, the impact might differ if the policy measures accept the use of traditional hunting methods and/or allows sales of seal products made by the Inuit population. However, the experience from the EU ban on certain seal products from 1983, which excluded

this part of the hunt, is that policy measures that have adverse impacts on the image of seal skins and other seal products will have a negative impact on the Inuit population anyway.

6.3. Impact of prohibition of placing on the EU market of skins of seals and products derived therefrom

This measure would ban the distribution or direct sale in the EU market of such products y within the EU territory. Hence, the measure would not cover goods in transit - such as the large transshipments of seal skins taking place through Germany (mainly Frankfurt). Furthermore, products that are manufactured in the EU territory but intended for export outside the EU are not covered.

Table 6.3.1 shows that a total prohibition of placing on the EU market is assessed to have minor economic impacts on the EU Member States. This assumes, however, that transshipments of sealskins and other seal products, and imports of sealskins for further processing and exports continue. The sealing in Finland and Sweden is anyway mostly characterised as having cultural and recreational roles in the coastal communities, rather than being trade oriented. Furthermore, in the UK (Scotland) the hunt is targeted at the killing of seals in the vicinity of fishing, rather than for the use of the skin. However, the UK does process sealskins where more than a third of this produce is sold on the EU market.

Table Error! No text of specified style in document..1 Impacts of prohibition of placing on the EU market of skins of seals and products derived therefrom - EU Member States

Finland	Sweden	UK (Scotland)	Other EU
<u>Minor</u> - for sealers and seal product manufactures since only a small share is sold on EU markets.	<u>Minor</u> - for sealers and seal product manufactures since only a small share is sold on EU markets.	<u>Medium</u> - since more than a third of seal product exports go to other EU Member States; but no impact on local communities.	<u>Minor</u> - although some impact for a few manufactures of fur of sealskin in Denmark, Italy and Greece i.e. with respect to the sales on the EU market, since they still can import sealskins for manufacturing and sales to non-EU countries.

Source: COWI assessments

Table 6.3.2 shows that the impacts are assessed to be slightly higher for non-EU range state. This is a result of the fact that the size of the seal hunts in these countries is much larger than in EU range states, and that the EU market - apart from for Russia - is of some importance. The assessment does not take into account the signal value, i.e. image effect that an EU ban will have on the use of product of seal products - hereunder price levels if the products go out of fashion.

Table Error! No text of specified style in document..2 Impacts of prohibition of placing on the EU market of skins of seals and products derived therefrom - non-EU range states

Canada	Greenland	Namibia	Norway	Russia
Medium - since a large share of exports to EU is for re-export outside the EU, but the significant amount that ends up in Italy via Finland will be affected to the extent the Italian produce is sold on the EU market.	Medium - since a fourth of exports are designated EU markets - and so local sealing communities will be affected.	Medium - since a fifth of exports are designated EU markets - and so local sealing communities will be affected.	Medium - covering no impact regarding raw sealskin exports and thus sealers in the local communities, while there is a significant export of tanned or dresses skins to the EU.	Minor - since few seal Russian sealskins are assessed to end up on the EU market.

Source: COWI assessments

A prohibition of market access for seal products may initially reduce demand for seal products, thus impacting on the size of the hunt and thus the number of seals suffering. It would thus increase animal welfare of seals - the 2006 declaration from the European Parliament actually focuses on the regulation of import, export and sale of products from harp and hooded seals only. Table 6.3.3 indicates that a limitation to these two species will eliminate largely the negative economic impacts for Namibia and somewhat relieve impacts for Greenland. In contrast, the measure will fully affect the Canadian and Norwegian hunts.

Table Error! No text of specified style in document..3 Number of seals caught in 2006

	Canada	Finland (2005)	Greenland (2005)	Namibia	Norway (2004)	Russia	Sweden	UK ⁽¹⁾ (Scotland)
Harp and hooded seals	354744	0	94447	0	15295	na	0	not relevant
Total seals	355521	514	184220	83100	15597	na	100	not relevant
Share of harp and hooded	99.8%	0.0%	51.3%	0.0%	98.1%	na	0.0%	not relevant

Source: COWI assessments

Note: ⁽¹⁾ The hunt is targeted at the killing of seals in the vicinity of fishing, rather than for the use of the skin.

As mentioned several times already, the assessment of the seal hunt management systems (see Annex 2) - together with the results of the EFSA opinion - identified 'best practices' of the hunt (see chapter 4) that can be used for establishing standards for the hunting of seals. Precise references to practices have, however, still to be developed. Since the above assessed prohibition of placing on the EU market mainly have an impact on the non-EU range states, such limited measure will only make a real difference if it addresses elements of the hunt in these range states.

6.4. Impact of prohibition of imports into the Community of skins of seals and products derived therefrom

The second measure would prohibit any seal skins or seal products from third countries entering the customs territory of the Community (with exception of imports of non-commercial nature). Similarly, seal skins and seal products may not leave the customs territory.

In principle, such formulation of a measure does not cover goods in transit - i.e. which are placed in a customs warehouse (purely for storage) or given temporary admission for trade fairs, temporary exhibitions, tests etc. However, banning imports on the basis of public morality might not go well together with allowing such transshipments. Hence, the assessment looks also into the impact of extending such a ban to transit trade.

Table 6.4.1 shows that a total prohibition of imports and exports will have medium economic impacts on EU Member States, although the impacts may be significant for Finland and Germany if such ban is extended to r transit trade. Apart from this, the impacts of this measure are not expected to differ much from the impacts of a prohibition of placing on the EU market. However, a combination of the two measures – which must be recognized to be the most comprehensive measure - will have additional impact.

Table 6.4.1 Impacts of prohibition of imports (and exports) into the Community of skins of seals and products derived therefrom - EU Member States

Finland	Sweden	UK (Scotland)	Other EU
<u>Medium</u> - although the trade in Finnish product is small and exported to outside the EU, the trade of Canadian skins e.g. for the Italian market will partly cease.	<u>Minor</u> - for sealers and seal product manufactures, although most Swedish products are exported to outside the EU.	<u>Medium</u> - since more than 60% of seal product exports go outside the EU; and the UK also has a trade in non-UK skins for the Italian market, and some to Greece and Poland.	<u>Medium</u> - impact for a few manufactures of fur of sealskin in Denmark, Italy and Greece i.e. they will have to reduce production or shift to other types of skin.
<i>if extended to transit:</i> <u>Significant</u> - since the large transit trade, not only for the EU market, will cease.	<i>if extended to transit:</i> <u>No difference to above</u>	<i>if extended to transit:</i> <u>No difference to above</u> - since the limited transit trade seems to be for the EU market.	<i>if extended to transit:</i> <u>Significant</u> - since the large transit trade - primarily in Germany (Frankfurt), not only for the EU market, will cease.

Source: COWI assessments.

Similar to the prohibition of placing on the EU market, Table 6.4.2 shows that the impacts are assessed to be slightly higher for non-EU range state. This is again merely a result of that the sizes of the seal hunt in these countries are much larger than in the EU range states, and that the EU market - apart for Russia - is of some importance. However, if the ban is extended to transit trade Canada will in particular suffer unless this trade can be shifted away from Germany and Finland to outside the EU e.g. Norway. Hence, Norway may actually strengthen its position as a transit trader.

Table Error! No text of specified style in document..2 Impacts of prohibition of imports (and exports) into the Community of skins of seals and products derived therefrom - non-EU range states

Canada	Greenland	Namibia	Norway	Russia
<u>Medium</u> - since a large share of exports to EU is for re-export outside the EU, but the significant amount that ends up in Italy via Finland will be affected.	<u>Medium</u> - since a fourth of exports are designated EU markets - and so local sealing communities will be affected.	<u>Medium</u> - since a fifth of exports are designated EU markets - and so local sealing communities will be affected.	<u>Medium</u> - covering no impact regarding raw sealskin exports and thus sealers in the local communities, while there is a significant export of tanned or dresses skins to the EU.	<u>Medium</u> - since the Russian market take in a large share of EU exports.
<i>if extended to transit:</i> <u>Significant</u> - since the large transit trade, not only for the EU market, will cease - unless it can be shifted to a non-EU country e.g. Norway	<i>if extended to transit:</i> <u>No difference to above</u>	<i>if extended to transit:</i> <u>No difference to above</u>	<i>if extended to transit:</i> <u>Positive impact</u> - since the position as transit trader might be strengthened e.g. more Canadian skins.	<i>if extended to transit:</i> <u>No difference to above</u>

Source: COWI assessments

6.5. Impact of a labelling system

The third measure can both be legislative or non-legislative - i.e. a harmonised, mandatory or voluntary labelling system (product-based) linked to the development of voluntary standards. In the present context any such label should refer to the animal welfare aspect of the seal hunt and thus to some established standards for the hunting of seals. This could directly contribute to an improvement of the welfare of seals at killing. However, as mentioned above regarding the possibility of a limited ban on placing on the EU market of seal products - precise references to the identified 'best practices' of such hunt have still to be developed.

As described in Chapter 5, benefits from a stand-alone labelling system might include a price mark-up on the consumer market and at the same time could help to enhance the image of seal hunting in general. If the system is voluntary and not linked to a legislative measure, it might encourage a natural self-selection process regarding compliance and thus maintain the balance between the animal welfare, economic and social dimension - i.e. those who pursue the label might benefit more than it costs, and the welfare of the seals is enhanced

The impact will be best if it is a widespread international labelling system rather than a specific EU system. If well designed, a labelling scheme could create an incentive to sealers to improve their hunting practices and thus improve the welfare of seals at killing.

It has to be noted however that the results of the public consultation show that many respondents are against seal hunting for reasons of principle and it is therefore unlikely that a labelling system would be acceptable for the majority of the respondents as long as it is not linked to some mandatory and enforceable standards.

6.6. Impact of other measures

6.6.1. Bi-/multilateral agreements between the EU and one or more range states

Bi-/multilateral agreements between the EU and one or more range states could be developed. They would limit trade in such products from sealing countries, which enter into such agreements, to those products, which comply with some established standards as discussed above.

Table 6.6.1.1 provides a rough assessment of the impacts on non-EU range states of bilateral agreements with the EU. In other words, how would the single range state be affected if the prohibitions only regard the other range states? This result will of course be slightly different if more range states are exempted from such prohibitions via a multilateral agreement - i.e. no change to the present situation if all range states are covered by the multilateral agreement. The assessment points to minor positive economic impacts for the range states that, via agreements, are not subject to restrictions. Greenland could be the largest beneficiary, while Namibia and Russia are likely to experience the worst economic impact of such agreements.

Table Error! No text of specified style in document..1.1 Impacts of bilateral agreements with non-EU range states - excluding them from prohibitions of imports or placing on the EU market

Canada	Greenland	Namibia	Norway	Russia
<p><u>Minor</u> positive impact of shifting a part of the trade away from Asian markets to a higher-priced EU market, which suffers from the falling supply from the other range states.</p> <p>The positive impact will be somewhat offset by a decline in the exports of raw fur skins to Norway that were destined for further processing and sales on the EU market.</p>	<p><u>Medium</u> positive impact from selling a larger part of the raw fur skins to a higher-priced EU market, which suffers from the falling supply from the other range states.</p>	<p><u>Minor</u> positive impact in the niche EU markets for cape fur seal skins. However, it is likely that the EU market will completely change if all of Canadian, Greenlandic, and Norwegian produce are excluded; and so the assessment is very uncertain.</p>	<p><u>Minor</u> since Norwegian processors of raw seal skins see an increase in the EU market share of processed seal skins. However, these producers are likely to suffer from the non-available supply of Canadian raw fur skins.</p>	<p><u>Minor</u> positive impact since the EU market is not central for Russia. Furthermore, it is likely that the EU market will completely change if all of Canadian, Greenlandic, and Norwegian produce are excluded; and so the assessment is very uncertain.</p>

Source: COWI assessments

6.6.2. Development of guidelines by an internationally recognised organisation

Guidelines developed and adopted by an internationally recognised organisation, but unrelated to a mandatory system, would have a similar effect as a voluntary labelling system. Such guidelines could comprise best practices on seal hunting methods and seal hunt management systems - and in this context build upon the results of this study and the EFSA opinion. However, it is difficult to point out at this stage an organisation that could be labelled 'internationally recognised' and which would cover all seal hunts.

6.6.3. *EU information campaigns*

An EU information campaign targeted at consumers can, for example, benefit from the results of the public consultation carried out within the present study, while a campaign targeted at seal hunters and producers can, for example, benefit from the above mentioned guidelines. It is, however, difficult to say how information campaigns will affect over a longer period of time the practices of the hunt as well as the development of the markets.

6.6.4. *“Sufficient information for action”?*

Policy decisions will have to be taken on limited information. EFSA stated clearly that there was a scarcity of robust, scientifically peer reviewed data. EFSA therefore had to take a qualitative approach when conducting its risk assessment on adverse welfare effects of seals during the killing and skinning process. Nevertheless, it was possible for EFSA to use the output of that risk assessment exercise to rank the problems and to designate areas of concern, as well as guidance for future research.

The assessments of the impacts of policy measures are also connected with much uncertainty, because the quality of the information received during the assessment process differs between the elements (welfare of seals, trade, local economy, and the Inuit population) and for some of these between range states. This is in particular relevant for the lack of data to analyse the consequences for local economies dependent on sealing.

Given the above and considering the animal welfare concerns expressed by the public, the EP and Member States and identified by EFSA, non-legislative measures such as information campaigns and voluntary labelling schemes will not be sufficient to address the issue.

7. **COMPARING THE OPTIONS**

The EFSA scientific opinion clearly indicates that there is reported evidence that, in practice, effective killing does not always happen - which is reinforced by the COWI study findings. There are therefore reasonable grounds to consider undertaking precautionary steps to ensure that products derived from seals, which are killed and skinned in a way that causes them avoidable pain, distress and suffering, are denied access to the European market. Based on the assessment, it appears that the impact of non-legislative measures on sealing countries to implement best practices might be limited. Recent developments, such as efforts by some sealing countries to improve their systems already by introducing measures in line with the EFSA scientific opinion adopted in December 2007, would not have happened if non-legislative measures would have been seen to be privileged.

The following section of the report therefore considers further legislative options initially identified.

7.1. **Total prohibition of placing on the EU market of seal products**

This option would not allow any seal product on the EU market including those originating from within the EU. This measure would provide for a harmonization of

the EU internal market, but would cause problems to some of the EU Member States where seal hunting is taking place and products are offered to a limited extent on the local market.

This option is assessed to have minor trade impacts on the EU Member States. This assumes, however, that transshipments of sealskins and other seal products and imports of sealskins for further processing and exports continue. The trade impacts are assessed to be slightly higher for non-EU range state. This is the result of the fact that the sizes of the seal hunt in these countries are much larger than in the EU range states, and that the EU market – apart for Russia - is of some importance. A focus in the regulation on harp and hooded seals only will eliminate negative trade impacts for Namibia and somewhat relieve the ones for Greenland. In contrast, the measure will almost fully affect the Canadian and Norwegian hunts.

Such a ban would also affect those consumers that buy seal products offered on local markets in the respective EU range states.

With regard to the killing practices, this option *on its own* would have limited or no impact on the animal welfare dimension in the sealing countries, but as set out in paragraph 7.3, it is considered effective as part of a broader set of measures.

7.2. Total prohibition of imports and exports

This option will have medium trade impacts on the EU Member States, although the economic impacts may be significant for Finland and Germany, if such ban is extended to also cover transit trade. In accordance with trade statistics received by Canada, seal products for a total value of about 3,842,473 Can\$ (= 2,477,562 €) are exported to Germany. Those goods are not registered as imports by EUROSTAT data and are therefore considered in transit, i.e. the goods are placed in a customs warehouse for storage until reshipment, or given temporary admission for trade fairs, temporary exhibitions, tests, etc. With regard to Finland, seal products for a total value of about Can\$ 11,709,263 (= 7,550,081 €) are exported from Canada to Finland, whereby most of it passes in transit trade. According to EUROSTAT, the total imports to the EU-27 from Finland amount to 939,632 € and the actual total exports from the EU-27 to Finland to 1,228,628 €

Economic impacts are assessed to be higher for non-EU range states. This is again a result of the fact that the size of the seal hunts in these countries is much larger than in the EU range states, and that the EU market - apart for Russia - is of some importance. However, if the ban is extended to transit trade, Canada will in particular suffer unless this trade can be shifted away from Germany and Finland to outside the EU e.g. Norway. Hence, Norway may actually strengthen its position as a transit trader.

Denmark and Italy are by far the two largest EU importers of raw fur skin from seal for further processing / sales on the EU market, and will thus also be affected by such regulation. Denmark imports raw fur skins directly coming from Canada and Greenland (that are not categorised as goods in transit), while Italy imports raw fur skins from Russia, Finland and the UK (Scotland) - where many of the skins from the latter two originates from outside the EU borders. Greece also has a noticeable share of the skins coming from the two latter range states.

Such a ban would affect the rights of the consumers who are willing to buy seal products and would therefore affect consumers' right to choose.

In addition, as far as the animal welfare dimension is concerned, this option *on its own would* probably have limited or no impact on the killing practices, in particular in non-EU countries. However, it could be combined with other measures.

7.3. Conclusion and preferred policy package

With reference to the outcome of the above assessment of impacts in relation to the animal welfare, economic and social dimension, *a combination* of several options appears to be the best way to meet the overarching objectives, i.e.

- protect seals from acts that cause them avoidable pain, distress, fear and other forms of suffering during the killing and skinning process
- address the concerns of the general public with regard to the killing and skinning of seals

This should be done through prohibiting the placing on the market and the import, transit through, or export from, the Community of all seal products from a given date. The prohibitions shall not apply to seal products resulting from traditional hunts conducted by Inuit communities for subsistence purposes. By way of derogation from the above, such a prohibition would allow the placing on the market for those seal products derived from seals taken in those countries that can demonstrate that:

- adequate legislative and enforcement provisions are in place seeking to ensure that seals are killed and skinned without causing avoidable pain, distress and any other form of suffering and
- high animal welfare standards respecting the basic criteria highlighted by the results of the Commission's impact assessment process are applied and that their application is properly enforced and monitored.

The measure would also establish the requirement (country-based label or marking coupled with a certification scheme to be put in place in the sealing countries) that seal products whose trade would be possible by derogation to the prohibitions otherwise in force, would be clearly marked/labelled as coming from a country meeting the above-mentioned conditions.

This would help to ensure that the general public is not confronted anymore with those seal products derived from seals killed and skinned with avoidable pain, distress or other form of suffering and would seek to provide incentives for the use of killing and skinning methods of seals which do not cause avoidable pain, distress or other forms of suffering. In this way, the option would have a direct impact can be made on the application in practice of animal welfare friendly hunting techniques and thus protect the animals from unnecessary suffering.

7.3.1. Impacts of preferred policy package

Impact on world trade

As explained above, trade statistics are not necessarily complete. Nevertheless, we can say that:

Canada (almost certainly the biggest exporter), exports around 40% of its raw fur seal skins by value to the EU and around half of all seal products

A quarter of Greenland's exports go to the EU market

A fifth of Namibia's exports go to the EU market

So, very roughly, around a third of world trade currently ends up or passes through the EU market. The impact of an EU trade ban would therefore be significant. Some of this trade would be diverted in case of a ban. Transit trade could be diverted very easily (see below). However, the significant portion of trade that is consumed in the EU would be less susceptible to diversion.

The fall in demand would lead to a fall in world market prices. This could lead to increased demand from other markets (Canada, Russia, Asia etc). However, it is improbable that such demand would completely replace European demand. As such, the market will contract to some extent and – as supply and demand interplay – fewer seals would be killed. This would obviously translate into a reduction in seals killed in an inappropriate manner.

Impact on animal welfare

Any reduction in number of seals killed would translate into an improvement in animal welfare. The impact on animal welfare of seals that are killed (i.e. continue to be killed) will depend on whether commercial sealers improve the animal welfare of their practices. They will have an economic incentive to do so because of the size of the EU market (as set out above and in Section 6.2.1).

Impact on transit trade

A prohibition of transit trade would have the most significant effect on Finland and Germany (Frankfort airport) because their large transit trade would have to stop. Canada would have to shift their transit trade away from Frankfort and Finland to non-EU countries, eg direct trade with Asia or via Norway. In the latter case, Norway would gain since its position as transit country might be strengthened. A ban on transit would ensure that seal products do not transit through the Community and would therefore render a ban on intra-Community trade more effective. (see chapter 7.2)

Possibility to avoid a trade ban

As is made clear above, trade by derogation to a ban would be possible if a sealing country meets certain conditions, which concern the manner and method whereby seals are killed and skinned and which have been identified in the Commission assessment process based on the scientific opinion adopted by EFSA.

It is unclear what the costs of doing so would be; in part because it is not always clear what happens on the ice at present. In practice though, it would seem

reasonable to say that financial costs would not be prohibitive. Furthermore, it may take longer to kill each seal, creating an additional cost.

Economic impact in Europe

- **Transit operators** would lose.
- The **fur processing industry** in Denmark and Italy, which are the two largest EU importers of fur skins from seals for further processing/sales on the EU market, would suffer a medium sized impact from a lack of raw fur supply. Denmark imports the raw furs skins directly coming from Canada (€191,389) and Greenland (€1,312,886) (that are not categorised as goods in transit), while Italy mainly imports raw fur skins from Russia (€186,081) Finland (€871,799) and from the UK (Scotland) (€81,132) – where many of the skins of the latter two originate from mainly Canada (transit trade not registered in EUROSTAT database). According to Canadian trade statistics, about Can\$ 11,709,263 (= €7,550,081) are exported to Finland and about Can\$ 634,873 (= €408,090) to the UK. Greece also has a small share of the skins coming from Finland and the UK for further processing by their industry, but mostly imports from Namibia (n° of skins according to CITES trade database: 13,550).

It is to be noted, however, that most of the fur processing industry producing final seal products for the markets does not exclusively focus on seal products and therefore does not fully rely on the supply of seal skins.

Impact on the Inuit

The Inuit currently are estimated to catch about a tenth of the seals caught in Canada for a mixture of commercial and subsistence purposes. That would translate into approximately 30,000 seals a year. Of these, only about a fifth (6000) is exported though not necessarily to the EU. This results in earnings by the community of around 1mill Canadian \$ a year (about €650,000).

Impact on fish stocks

There is no clear evidence for an impact on the fish stocks (see chapter 6.2.2).

WTO compatibility

An import ban can be justified on the basis of the general exceptions contained in Article XX of the General Agreement on Trade and Tariffs (GATT), more specifically by invoking Article XX (a) under which the adoption or enforcement by any contracting party of measures necessary to protect public morals (i.e "standards of right or wrong conduct maintained by or on behalf of a community or a nation") is allowed provided that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination. The proposed measure is not discriminatory as the various prohibitions to be provided for will apply to intra-Community trade as well as to imports and exports.

8. MONITORING AND EVALUATION

8.1. Monitoring

The monitoring would be done by the Commission and Member States. The future European Centre for the Protection and Welfare of Animals could – once established and in operation be considered to serve as reference body. It could then assist the Commission in the implementation of any labelling and marking requirements, whose basis features would be established in the legislative measure (see chapter 3.2.4.1).

Reporting mechanisms will be foreseen that will enable the evaluations of the extent to which the envisaged measures have contributed to improve the welfare of seals during the killing process and to which extent the concerns of some citizens have been addressed. The monitoring of impact of the measures on the welfare aspects of seal killing in third countries would need to be defined in the framework of negotiations.

The efficiency of the legislative measure will be measured in reference to the 'best practices' highlighted by the results of the overall Commission impact assessment process. This should be possible but would imply additional costs. It should be recognised that commercial hunts are already subject to some degree of monitoring and inspection. The effectiveness and adequacy of current arrangements is disputed, but at the very least it provides a solid base on which adequate procedures could be built.

The 'best practices' identified through the assessment process are listed below together with some examples of current practices in place in seal hunting countries:

- *Animal welfare principles: Animal welfare principles are highlighted in the applicable hunting legislation - whether this targets seal hunting specifically or hunting in general.*

Many countries have animal welfare provisions in their respective laws on animal protection and this is used actively in some countries e.g. Finland. However explicitly stating animal welfare principles clearly emphasises the importance of killing animals under conditions minimising their pain.

The Norwegian regulation on the execution of seal hunt (2003-02-11-151) clearly stipulates that the hunters shall demonstrate utmost care and use hunting methods that prevent all unnecessary pain (§1). It also stresses that hurt animals shall be killed as soon as possible. Also §7, on the killing process, stresses that animals shall be killed in a way that animals do not suffer unnecessarily.

- *Hunting tools: The characteristics of the weapons used to kill seal are specified. It is made explicit in the legislation which weapons are allowed for stunning and/or killing pups and which are allowed for stunning and/or killing adult seals. The requirements to the weapons are made in accordance with the recommendations of the EFSA scientific opinion.*

Countries have various degrees of description of the tools that shall be used to hunt seals. According to the EFSA opinion, some tools are more likely to reduce animal welfare than others. First of all, the hakapik required in the hunt in Norway is heavier than the hakapik required in the Canadian hunt, and this reduces the risk of not killing the animal in the first blow. The Namibian club is even lighter and without a spike. Moreover, the club or hakapik should only be used on pups where the skull is still relatively thin (EFSA, 2007). Using club or hakapik to stun or kill adult seals is prohibited in all countries, except Greenland or Canada. Second, regarding rifles and ammunition, all countries except for Greenland and UK/Scotland have requirements to the arm and ammunition used to kill seals.

- *Assuring death by monitoring: Legislation should specifically outline requirements for monitoring and thereby oblige the hunter to assure that the seal is irrevocably unconscious before bleeding it out and before continuing to the next seal.*

Canada is the only country where it is required by law to undertake a blinking test as to confirm that the seal is dead before proceeding to strike another seal (MMR §28.3). Monitoring that the seal and assuring that it is irrevocably unconscious is a clear recommendation from both the EFSA opinion (EFSA, 2007) and the IVWG (2005).

- *Bleeding-out animals shot or stunned: Bleeding-out of all animals is required directly following adequate stunning i.e. before proceeding to stun another seal.*

The Norwegian legislation (2003-02-11-151 §7) states that the animal shall be bled-out right after being hit with hakapik or slagkrok (a hook only allowed on pups). The procedure for bleeding-out is also described. Norway is the only country with an explicit requirement to bled-out all seals right after they are hit. In the Namibian regulation relating to the exploitation of marine resources (241/2001) it is only required that pups are bled-out. None of the other range states require bleeding out, although the government in some states say that this is done in practise for practical reasons, e.g. in Greenland and Finland.

- *Environmental factors: Requirements are specified as to secure that the seal and/or the hunter is sufficiently stable and that the target can be properly visualised. Other environmental factors, relevant for the hunt in question, are also regulated.*

The Swedish EPA Decision on controlled hunting of grey seals for 2007, adopted on 11 April 2007 states that if the weather is calm (wind speed <3m/s) the hunt can take place from ice or from boat anchored to ice, from a shooting tower or other construction built or anchored to the bottom of the sea. Otherwise hunt must take place from land. Hence the legislation prescribes a condition securing that shooting is taken place from a stable foundation. The Norwegian legislation prescribes that hunting seal that is in the water is prohibited (2003-02-11-151 §6). Several countries have restrictions on hunting in artificial light, e.g. Norway and Finland. The difference in environmental conditions, both regarding weather and hunting location and climate influences what and which factors need to be addressed.

- *Training of hunters: A defined level of knowledge and ability of the hunter regarding seal biology, hunting methods and the three step procedure, hereunder practical use of the hunting tools, e.g. shooting tests are required.*

In Canada there is no required theoretical training or curriculum to be completed. Sealers learn from the more experienced sealers and they must hold an assistant sealers licence for two years. In Greenland young sealers learn from more experienced ones. In principle this hands-on training is just as good or might even be better than formally organised training. The challenge is to secure that good practices are passed on and not bad practices.

Norway is the country with the most extensive training requirements of all the range states in the study with mandatory seal hunt training courses every year for the captain of the sealing vessel and every second year for the hunters on board. The legislation moreover prescribes that passing a test is required both for shooting and in the use of hakapik. Finland has an extensive exam to get a hunting card. The test is general and a course targeting seal hunt is voluntary. The curriculum is though rather extensive and detailed. Many stakeholders have during the process pointed to the fact that seal hunt is a dangerous and advanced form of hunting, which emphasise the importance of proper training.

- *Independent monitoring: A system for monitoring and observation of the hunt, securing regular supervision of the hunt and that secures independency of the inspectors is provided for.*

The practical possibility of monitoring and inspecting the hunt differs according to the environment where the hunt is undertaken as well as the scope of the hunt. The Namibian legislation prescribes a monitoring scheme requiring that an inspector overseeing the hunt must be satisfied that the seal is dead (241/2001 §20). Norway has a developed system for monitoring and requires an inspector on every sealing vessel. Independency of monitoring is evaluated on the affiliation of the inspectors to the regulating authority. Observation by marshals, police and coast guard can thus be considered to be more independent than inspectors employed by the regulating authority, e.g. the Directorate of Fisheries in Norway or the Department of Fisheries and Oceans in Canada. The affiliation of the inspector with the local community is likely to reduce independency of the inspector. In Norway, the inspectors are hired for the specific task of inspecting the hunt and are requested to be independent. The optimal monitoring system meets both these requirements, and there is clearly room for improvements in the field of independent monitoring.

- *Ability of third party to monitor: Third party monitoring of the hunt is possible, with a minimum of administrative or logistic barriers.*

Canada is the only country that specifically allows for third party monitoring. NGOs do though report cases of administrative difficulties regarding getting such licence. Under the Norwegian legislation vessels can be ordered to have observers on board during the hunt. It is though a requirement that inspectors and observers are trained veterinaries, which clearly is a restraint to the opportunity for third party to monitor the hunt. None of the other countries have provisions on third party monitoring. Several countries do though state that observers are welcome, but that there are

practical challenges due to the nature of the hunt e.g. Greenland and Finland. This indicates that there is room for improvement in all countries included in this study.

- *Reporting requirements: Clear requirements for reporting targeting both hunters and inspectors. There are requirements to where and when animals are killed and weapons and ammunition used. Also the range of relevant environmental factors (weather conditions, etc.) should be reported.*

All countries, except Namibia, have reporting requirements that are more or less developed, both for hunters and the monitoring authorities. In most countries, hunters are required to report on where and when the seal was killed. Only Norway has a formalised process for the inspector to report - with a form that must be filled-in with information on whether requirements to weapons and ammunitions are complied with, whether the ship logbook is kept as required and if there has been any infringements of legislation. In cases of non-compliance the inspector must fill in an infringement report with detailed descriptions of the breach.

- *Sanctions and compliance: Statistical information on the hunt should be compiled and systemised.*

All countries assessed have prescribed maximum penalties for non-compliance in the legislation. The degree to which hunters infringing the legislation are subject to sanctions is unclear and depends on several factors. Knowledge about infringements is pivotal for enforcement and for this dimension to have real value it must be connected to both monitoring and reporting requirements. None of the countries currently gather statistical data based on the reports and there is clearly room for improvements in all countries. The number of actual court cases cannot be seen isolated. Frequency of monitoring, the reporting system and number of cases of non-compliance must be seen relative to each other in order to get an understanding of the range of infringements.

Monitoring of trade

The market for seal products is a fairly well defined market with a fairly small number of people involved. The cost of monitoring imports should therefore be relatively small, and be met as part of normal business by Member States' customs.

The 'Seal pups directive'¹⁵ already obliges EU Member States to take or maintain necessary measures to ensure that the listed seal pup products are not commercially imported into their territory. Even though the stated reasons for the adoption of the Directive were different (existing worries about the population status of harp and hooded seals) it might be used as a precedent the Member States might be able to build on. Costs for the existing system have never been reported as a problem.

¹⁵ Council Directive 83/129/EEC [amended by Council Directive 89/370/EEC] prohibiting the importation into Member States of skins of whitecoat pups, of harp seals and of pups of hooded seals (blue-backs) and products derived therefrom

Costs for information requirements (certification / labelling / marking)

The information presented in the Impact Assessment is the best available data. Detailed information and cost estimates are not available. Nevertheless, costs are not expected to be significant as range states would be certified, in accordance with the legislative measure, on country basis. Furthermore, trade appears to be handled by a relatively small number of firms. Labels and markings would need to be affixed by the economic operators engaged in the trade and costs would probably be passed on to the end-consumer. Given the high value of fur products, it would probably be a small percentage of costs.

In 2007, the International Fur Trade Federation launched a new international labelling programme whereby the so-called "Origin Assured label" informs consumers that the fur or fur products come from a country where national or local regulations or standards governing fur productions are in force. This initiative could be an example to further built on.

8.2. Evaluation

An evaluation of the new initiative should be undertaken within 5 years of its adoption assessing the extent to which its results are consistent with the objectives set. The evaluation results should be used for the decision-making needs on the future of and any amendments to the regulatory framework, if appropriate.

ANNEX 1



Animal Welfare aspects of the killing and skinning of seals

Table 1. Species and populations of seals that are killed and skinned. Compiled by S. Fink and D. M. Lavigne, July 2007, with subsequent contributions from G. Stenson and T. Haug (September 2007).

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
Åland (Finland)	<i>Halichoerus grypus</i>	450 (2007 quota)	Baltic coast between Sweden and Finland in the coastal waters of the autonomous region of Åland	15 April 2007 to 31 January 2008	Jaktlagen för landskapet Åland (ÅFS 31/1985); Anonymus, 2007.
Canada	<i>Odobenus rosmarus rosmarus</i>	4 (*average annual kill, 1997-2001)	South and East Hudson Bay		Fisheries and Oceans Canada, 2000 (does not include struck and lost).
		48 *	Hudon Bay / Davis St.		Fisheries and Oceans Canada, 2000 (does not include struck and lost).
		180 *	Foxe Basin		Fisheries and Oceans Canada, 2000 (does not include struck and lost).
		9 *	Baffin Bay		Fisheries and Oceans Canada, 2000 (does not include struck and lost).
	<i>Phoca vitulina</i>	200-300 (Nunavut)			NAMMCO, 2004.
	<i>Pusa hispida</i>	50,000 - 65,000 (not including struck and lost)			NAMMCO, undated a.
	<i>Halichoerus grypus</i>	9,000 (TAC 2007); 887 (reported catch 2007); 1804 (reported	Not Sable Island	February	Fisheries and Oceans Canada 2007b.

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
		catch 2006)			
	<i>Erignathus barbatus</i>	1000-2000 (Numavut)			NAMMCO, 2004.
	<i>Pagophilus groenlandicus</i>	270,000 (TAC 2007); 224,745 (reported catch 2007); 335,000 (TAC 2006); 354,344 (reported catch 2006)		November - June (most killed April-May)	Fisheries and Oceans Canada, 2007a; Fisheries and Oceans Canada, 2007b. Stenson, 2005.
	<i>Cystophora cristata</i>	8,200 (TAC, 2007); 17 (reported catch 2007); 40 (reported catch 2006)	No hunting in the Gulf of St. Lawrence	November - June (most killed March - June)	Fisheries and Oceans Canada. 2007b, MMR, 1993
Finland	<i>Pusa hispida</i>	considered a game spp, but no licences granted		16 April - 31 May; 1 Sept. - 15 October	NAMMCO, 2004.
	<i>Halichoerus grypus</i>	685 (2007 quota) 312 (2005/2006 reported catch)	Three so called 'Stamförvaltnings-regioner' (regions of population management) are set up one in the Gulf of Bothnia, one in the south west (bordering to the Islands of Åland) and one in the Gulf of Finland, which together cover most of the Baltic coast from the Swedish boarder in the North West to the Russian Boarder in the South East. No hunting licenses will be given outside of these Stamförvaltnings-regioner.	Year round with the exception of a closed season between Jan 1 and April 15.	Jaktlagen (615/1993) and Jaktförordningen (869/27.11.1998); Föreskrift 21.6.2007 1309/720/2007 ; also see memo: JORD- OCH SKOGSBRUKSMINISTERIET: FORESKRIFT. Management Plan for the Finnish Seal Populations in the Baltic Sea, (Ministry of Agriculture and Forestry, 2007).

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
Greenland	<i>Odobenus rosmarus rosmarus</i>	219 (2001 landed catch)	Davis Strait		NAMMCO undated b, also see Stewart, 2002.
	<i>Pusa hispida</i>	83,437 (1999 reported catch) / "between 70,000 and 90,000 with no obvious trend" (NAMMCO, undated a); "~ 70,000" NAMMCO, 2006; 89.773 (reported catch 2005)		hunted year-round	NAMMCO, undated a; NAMMCO, 2006; DFHA, 2006.
	<i>Erignathus barbatus</i>	1000		year round	Unconfirmed.
	<i>Pagophilus groenlandicus</i>	90,580 (reported catch 2005); 90.351 (reported catch 2005)		year round	A. Rosing-Asvid, Greenland Institute of Natural Resources, Nuuk, pers. comm.; DFHA, 2006
	<i>Cystophora cristata</i>	6,307 (reported catch 2003); 4.096 (reported catch 2005)		year round	A. Rosing-Asvid, Greenland Institute of Natural Resources, Nuuk, pers. comm.; DFHA, 2006
Iceland	<i>Phoca vitulina</i>	200-400		spring	NAMMCO, 2004
	<i>Halichoerus grypus</i>	Less than 200-400		fall	NAMMCO, 2004
Namibia	<i>Arctocephalus pusillus pusillus</i>	86,000 (2007 quota); 83,071 (reported catch 2006)		July - November	Nolen, 2007
Norway	<i>Phoca vitulina</i> (coastal hunt)	949 (quota 2005); 614 (reported catch 2005); 660 (reported catch		2 January - 30 April and 1 August - 30 September (along	Council of Europe, 2006b; Norwegian Directorate of Fisheries, undated a and b; T.

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
		2006)		entire coast)	Haug, pers. comm.
	<i>Pusa hispida</i> (coastal hunt)			2 January - 30 September; 1 August - 30 September	Norwegian Directorate of Fisheries, undated a and b
	<i>Halichoerus grypus</i> (coastal hunt)	1184 (quota 2005); 379 (reported catch 2005); 329 (reported catch 2006)		1 Feb - 30 Sept (south of Stad); 2 Jan - 15 Sept (north of Stad)	Norwegian Directorate of Fisheries, undated a and b; T. Haug, pers. comm.
	<i>Erignathus barbatus</i>	Not available			T. Haug, pers. comm.
	<i>Pagophilus groenlandicus</i> (commercial hunt)	31,200 1+ harp seals (West Ice TAC, 2007), 7,827 pups and 1+ animals, which is equivalent to 4,734 1+ animals (West Ice, reported catch, 2007); 15,000 (White Sea, TAC, 2007); 6,153 pups and 1+, White Sea reported catch, 2007); 3304 (reported catch, West Ice, 2006); 10,086 (reported catch, White Sea, 2006); 15000 (West Ice quota 2005), 5808 (reported catch 2005); 10,000			Council of Europe, 2006b; T. Haug pers. com.; ICES, 2006a. Ministry of Fisheries and Coastal Affairs (Norway), 2007.

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
		(White Sea quota 2005); 8,197 (reported catch, White Sea, 2005)			
	<i>Cystophora cristata</i>	5600 (2005 quota, West Ice); 3926 (reported catch, West Ice 2005); 4000 (2006 quota, West Ice); 3647 (reported catch 2006); 0 (no quota or catch, protected in 2007)			Council of Europe, 2006b; ICES, 2006b.; T. Haug, pers. com.
Russia	<i>Odobenus rosmarus divergens</i>	1212 (catch, uncorrected for struck and lost, 2000)			Total corrected annual mortality for Alaska + Chukotka estimated to be 5789 (Angliss and Outlaw, 2007)
	<i>Phoca largha</i>	15,000			Unconfirmed
	<i>Pusa sibirica</i>	3,500			Unconfirmed
	<i>Pusa hispida</i>	35200 (2005 quota)	(Bering / E. Kamchatka / Okhotsk = 31,400; Barents, Kara, White Seas = 3800)	year round (NAMMCO 2004)	Russian government official decree #1428 from Nov.17-2004; Joint Russian - Norwegian commission/press release on harp seal quotas
	<i>Pusa caspica</i>	9140 (2005 quota)	Caspian Sea zone		Russian government official decree #1428 from Nov.17-2004; Joint Russian - Norwegian commission/press release on harp

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
					seal quotas
	<i>Histiophoca fasciata</i>	16,700 (2005 quota)	W. Bering, E. Kamchatka, Okhotsk		Russian government official decree #1428 from Nov.17-2004; Joint Russian - Norwegian commission/press release on harp seal quotas
	<i>Erignathus barbatus</i>	11,700 (2005 quota), additional 800 for Barents and White Sea.	W. Bering Sea, E. Kamchatka, Okhotsk Sea zones		Russian government official decree #1428 from Nov.17-2004; Joint Russian - Norwegian commission/press release on harp seal quotas
	<i>Pagophilus groenlandicus</i>	45,100 (2005 quota, White Sea); 22,474 (2005 reported catch, White Sea); 7107 (2006 reported catch); 5,476 (reported catch 2007); no catches in Greenland Sea since 1994			Russian government official decree #1428 from Nov.17-2004; Joint Russian - Norwegian commission/press release on harp seal quotas; T. Haug pers. comm.; ICES 2006a, G. B. Stenson pers. comm.
	<i>Cystophora cristata</i>	not since 1994			
Sweden	<i>Halichoerus grypus</i>	200 (quota, 2007); 103 (reported catch 2006)	Baltic coast from Finnish border to the north to the island of Oland in the South (not the southernmost portion of Swedish coast)	16 April - 31 December	Swedish Environmental Protection Agency, 2007; NAMMCO 2004; G. B. Stenson, pers. comm.
United States (Alaska native)	<i>Callorhinus ursinus</i>	1645-2000 (St. Paul) and 300-500 (St. George), estimated annual	St. Paul and St. George Islands (Pribilof Islands)		Department of Commerce, 2006.

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
hunt)		subsistence needs from 2005-2007			
	<i>Eumetopias jubatus</i>	197 (mean 2000-2004 including struck and lost)	(aboriginal subsistence)		Angliss and Outlaw, 2007.
	<i>Odobenus rosmarus divergens</i>	2334 (catch, uncorrected for struck and lost 2000)			Angliss and Outlaw, 2007; (total corrected annual mortality for Alaska + Chukotka estimated to be 5789)
	<i>Phoca vitulina</i>	2062 (mean 2000-2004, including struck and lost)			Angliss and Outlaw, 2007.
	<i>Phoca largha</i>	5265 (Best available estimate)			Angliss and Outlaw, 2007.
	<i>Pusa hispida</i>	9567 (Best available estimate)			Angliss and Outlaw, 2007.
	<i>Histiophoca fasciata</i>	193 (mean, 2000)			Angliss and Outlaw 2007.
	<i>Erignathus barbatus</i>	6788 (Best available estimate)			Angliss and Outlaw 2007.
United States (other)	<i>Zalophus californianus</i>	0-2 (Pacific Northwest treaty Indian tribes)			Caretta et al., 2007.
	<i>Phoca vitulina richardii</i>	5 to 15 (aboriginal subsistence) + 15 (shooting)			Caretta et al., 2007.

Country / Range State	Species	# reported killed or quota / allowable catch	Region	Seasonality	References
TOTAL*		c.a. 900,000*			
<ul style="list-style-type: none"> The three largest seal hunts (Canada's commercial harp seal hunt - TAC = 270,000; West Greenland's harp seal hunt - unregulated, but currently landing c.a. 90,000 animals; and Namibia's Cape fur seal hunt - TAC = 86,000) account for approximately 57% of the total number of seals allowed to be killed or reportedly killed annually (uncorrected for struck and loss). *the number of seals of the hunted species is 15-16 million animals 					

Assessment sheets of seal hunt management systems¹⁶

1. Canada
2. Finland
3. Greenland
4. Namibia
5. Norway
6. Russia
7. Sweden
8. United Kingdom (Scotland)

¹⁶ Extracted from the COWI study "Assessment of the potential impact of a ban of products derived from seal species", April 2008

Table 1 Assessment Summary Sheet, Canada

Canada			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles			<u>Inconclusive</u> - although there are principles and statements on animal welfare mentioned in §§7-10 of the Marine Mammal Regulations (SOR/93-56), particularly §8 stating that it shall be killed quickly - but there is no reference to avoiding unnecessary pain or distress.
Hunting tools			<u>Inconclusive</u> - as the conditions to get a Yes is only partially there. Characteristics of the tools allowed are prescribed in §28 (1) of the Marine Mammal Regulations (SOR/93-56). This is applicable for personal and commercial use. However, §28 is only applicable in sealing areas 4 to 33, i.e. the areas for commercial hunting. Outside these areas, i.e. areas 1 to 3 covering the Arctic areas, there are no restrictions.
Assuring death by monitoring ⁽ⁱⁱ⁾	X		A blinking test is required to confirm that the seal is death according to Sections 28 (2)-(4) and Section 29 of the Marine Mammal Regulations (SOR/93-56).
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾	X		No requirements in the applicable legislation, however it is incorporated as a licence requirement and non-compliance may thus be sanctioned.
Environmental factors		X	No requirements in the applicable legislation.
Training of the hunters			<u>Inconclusive</u> . Training takes form of apprenticeship - i.e. learning from experienced hunters. There are no requirements to any specific skills being taught or curriculum to be studied according to the Seal Licensing Policy for Eastern Canada Section 33, and the 1995 Canadian Firearms Act.
Enforcement	Are national enforcement requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Independent monitoring			<u>Inconclusive</u> - without further analysis the independency of inspectors. Monitoring is undertaken by fisheries officers from DFO and by at-sea fisheries observers - designated according to 5 (1)-(2) of the Fisheries Act and §39 (1) and §1 of the Fisheries Regulations.
Ability of third party to monitor	X		Seal Fishery Observation Licenses may be issued by the Minister if such issuance does not cause disruption to a seal fishery according to Section 32 (1)-(2), MMR (SOR/93-56).
Reporting requirements			<u>Inconclusive</u> - although inspections by DFO fishery officers are recorded daily. At-sea fishery observers shall transmit collected information to DFO. Seal hunters are required to keep records, log books and other relevant documentation, documenting their seal hunt (Section 39.1 (2) of the Fisheries (General) Regulations and Section 61 of the Fisheries Act). However, there are no requirements to report on environmental factors.
Sanctions and compliance	X		Data from the reporting of inspectors and sealers are gathered.
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱ⁾			
<p>Legislation in practice (implementation and application) The Canadian hunt is highly disputed and there are different opinions on the degree to which the legislation is complied with. The competitive nature of the hunt may lead to hunters taking shortcuts that may reduce animal welfare. Without further information it cannot be concluded to which degree the legislation is complied with. However, as bleeding-out is not required by legislation but is as of 2008 a part of the licence requirement, and so administrative sanctions might be the consequence if these are not complied with.</p> <p>Enforcement in practice Enforcement is challenged by the characteristics of the hunt, with a large number of relatively small boats operating in a challenging environment. That said, i.a. IVWG (2005) stated that the independence of the enforcement and loyalties of inspectors can be questioned. The DFO has, however, increased focus on enforcement since 2005 and increases the number of inspectors. NGOs stress that there are administrative barriers to get an observers licence in spite of the procedure being rather simple and straightforward according to the legislation.</p>			
Contextual factors of importance for understanding legislation and enforcement			
There are three kinds of hunt in Canada: commercial hunt, personal use hunt and Inuit hunt. This study targets first and foremost the commercial hunt which is the largest - landing 200,000-300,000 seals a year. The commercial hunt mainly takes place in coastal communities in Newfoundland and Labrador, where professional fishermen supplement their income in the fisheries off season. Most seals are killed from late-March to mid-April. The Inuit hunt is further north in Canada and is both for subsistence and commercial purposes as Inuit also sell their products on the commercial market. This hunt is mainly for ringed seals.			
Notes			
<p>⁽ⁱ⁾Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.</p> <p>⁽ⁱⁱ⁾This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.</p>			

Table 2 Assessment Summary Sheet, Finland

Finland			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles	X		Law on animal protection is applicable to all animals (§§3, 12 and 32 are particularly applicable here). The Hunting Act stresses that hunting must be not "cause unnecessary suffering".
Hunting tools	X		A range of tools are prohibited and the only legal method to catch and kill a seal is by trap, for the capture of animals alive, or by shooting. There are specifications for ammunition and weapons allowed.
Assuring death by monitoring ⁽ⁱⁱ⁾		X	Not required by the applicable legislation. However, the required rifle and ammunition do lead to immediate and obvious death of the seal as the skull is destroyed when the seal is shot in the neck or head.
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾		X	Not required by the applicable legislation.
Environmental factors			<u>Inconclusive</u> - as hunting is not legal in artificial lighting unless it is to put down an already wounded animal. No other provisions on environmental factors.
Training of the hunters			<u>Inconclusive</u> - although hunters must pass a rather extensive test to get the required hunting card. There is moreover a voluntary course targeting seal hunt (with 80% participation of seal hunters). However, there are no requirements on shooting tests for seal hunters.
Enforcement	Are national enforcement requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Independent monitoring			<u>Inconclusive</u> - although an extensive organisation for monitoring exists both within the Ministry of Forestry and Agriculture, hereunder the Game Management Districts and organisations. Also the police, frontier guard, the customs authorities participate in the monitoring and inspecting the hunt. Their independence are, however, uncertain.
Ability of third party to monitor	-	-	<u>Not applicable</u> - as the Finnish hunt is not large scale.
Reporting requirements	X		Hunters are required to report on their catch. The coast guard must report on "important circumstances" hereunder the hunt.
Sanctions and compliance	X		Information on infringements and suspected infringements are gathered by the police.
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱ⁾			
Legislation in practice (implementation and application)			
The hunt takes place in the spring when seals are on ice in herds or alone. The hunter shoots the seal in the head at a distance of 10-150 metres. When the seal is shot in the head or upper neck with the required ammunition, it is likely that the seal is immediately dead because of its impact power and the large ensuing wound. This does of course require the shots are placed correctly. The animal is in practice bled-out in order to secure the quality of the meat and skin which is used for food and manufacture, but this is not required by legislation. The hunt is only undertaken in stable weather conditions due to the character of the hunt and the danger that bad weather poses to the hunter.			
Enforcement in practice			
Inspection and control of the hunt is undertaken both by game wardens and by the hunters themselves. Within the hunting community there is a strict internal code of conduct and hunters breaching this are not allowed to take part in the hunting club or are reported to the authorities. Most of the reported incidents received by the authorities are reported by fellow hunters.			
Contextual factors of importance for understanding legislation and enforcement			
The seal hunt in Finland is small scale and is undertaken as a recreational activity. It is a part of the coastal culture of Finland and there are long traditions for hunting as an integrated part of society, particularly in the small communities. The hunt of seals is, however, also important for protecting fisheries - where costs are inflicted due to damages by seals.			
Notes			
⁽ⁱ⁾ Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.			
⁽ⁱⁱ⁾ This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.			

Table 3 Assessment Summary Sheet, Greenland

Greenland			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles	X		Legislation emphasises that killing must be as fast and painless as possible (29/2003 §13).
Hunting tools		X	Netting, which is not considered an appropriate method (EFSA Journal p 92), is allowed. However, the legislation also provides for shooting of seals - a method which is in accordance with animal welfare recommendations.
Assuring death by monitoring ⁽ⁱⁱ⁾		X	Not required by the applicable legislation.
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾		X	Not required by the applicable legislation.
Environmental factors		X	Not required by the applicable legislation.
Training of the hunters		X	Not required by the applicable legislation.
Enforcement	Are national enforcement requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Independent monitoring			<u>Inconclusive</u> - although wildlife officers monitor the hunt. However, they are not necessarily independent of commercial and NGO interests. They are employed by the Department for Fisheries, Hunting and Agriculture, who is the responsible authority for the hunt. Also police and GLK observe the hunt.
Ability of third party to monitor	X		There is no restriction on third party monitoring (but also no explicit provision on third party monitoring in existing legislation).
Reporting requirements			<u>Inconclusive</u> - although the legislation prescribes requirements for reporting both from the hunters and inspectors. The hunters report what species is hunted when and where. Inspectors shall report observations, recommendations, confiscations and censuses. Reporting on environmental factors or struck and lost is, however, not required.
Sanctions and compliance		X	The Department is in the process of developing a system in order to specify how many infringements regard seal hunt, but the system does as of March 2008 not exist.
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱ⁾			
Legislation in practice (implementation and application)			
<p>Netting is legal and the only hunting method considered being possible in some regions during the winter months and firm ice periods. 16% of the seals killed from 1995-2005 were caught by net. Most seals are shot and although not prescribed by legislation, in practise the seals are often bled-out in order to secure the quality of the meat, blubber and skins and also for safety reasons on board the dinghies used during the hunt. The character of the hunt makes it less likely that hunting is undertaken under adverse environmental conditions - such as bad weather and ice conditions - due to the possible danger the weather poses to the hunter. Regarding training of the hunters, this is traditionally carried out by experienced hunters passing on their knowledge to new hunters.</p> <p>Enforcement in practice</p> <p>Enforcement of the rules on seal hunt in Greenland is a logistic challenge due to the dispersed and opportunistic character of the hunt. According to information obtained from responsible authorities, enforcement is carried out by wildlife officers making control visits i.a. in the form of daytrips out into the areas where hunting is undertaken. The officers inspect the hunt during the trip and report on this. GLK (Island Commander Greenland) and the police also inspect the hunt. GLK has a specific role in controlling foreign vessels in Greenlandic waters. In practice, NAMMCO is part of the enforcement by observing the hunt. According to the NAMMCO secretariat hunt is observed on average once every year between June and September (either land based or from a whaling vessel).</p>			
Contextual factors of importance for understanding legislation and enforcement			
<p>Seal hunt is an integrated part of the society and is both for commercial gain and subsistence hereunder both food for human consumption and feed for sled dogs. The skins, meat and blubber are used. The hunt is carried out both as full-time and as recreational hunt. Both hunts are bound by the same legislation and requirements. The character of the commercial hunt is different from the commercial hunts in other range states - being more dispersed and opportunistic. Economically, income from seal products plays an important role for many communities.</p>			
Notes			
<p>⁽ⁱ⁾ Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.</p> <p>⁽ⁱⁱ⁾ This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.</p>			

Table 4 Assessment Summary Sheet, Namibia

Namibia			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles		X	Not required by the applicable legislation.
Hunting tools	X		The weapons used to shoot adult seals are defined as "capable of killing and adult seal instantaneously by penetrating the brain case and destroying the brain without exiting [...]" (241/2001 §1. The requirements to the clubs and rifles are described in the definitions of 241/2001.
Assuring death by monitoring ⁽ⁱⁱ⁾	X		Required for both pups and adult males (241/2001 §20. 3c and §20.4b).
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾			<u>Inconclusive</u> - as bleeding out is required for pups only (241/2001 §20.3d). Bleeding out is not required for adult animals.
Environmental factors		X	Not included in the relevant legislation.
Training of the hunters			<u>Inconclusive</u> - because requirements are unclear regarding the training required by the licence conditions.
Enforcement	Are national enforcement requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Independent monitoring			<u>Inconclusive</u> - although monitoring is required both in the Marine Act and in the regulations relating to the exploitation of marine resources (27/2000 §7 and 241/2001 §20.1). However, the degree to which the inspectors are required to be independent is unclear.
Ability of third party to monitor			<u>Inconclusive</u> - because third party monitoring is not regulated in the legislative acts. However, according to the licence requirement "Observers of the Wildlife Society of Namibia are allowed access to the harvests as observers to recommend possible improvements" (MFMR, 2008).
Reporting requirements		X	There are no reporting requirements prescribed in the relevant legislation.
Sanctions and compliance			<u>Inconclusive</u> - because information is insufficient for concluding.
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱⁱ⁾			
<p>Legislation in practice (implementation and application) Reports indicate that the procedures prescribed in the legislation are not always adhered to. The herding process is believed to cause considerable distress for the animals (EFSA, 2007). According to EFSA (2007, p. 94) both non-targeted and targeted animals may sustain injuries before they are killed or escape during the pup hunt.</p> <p>Enforcement in practice The hunt is to be observed by governmental inspectors. However, the EFSA opinion reports that there are very few inspectors present during the hunt, and that the inspectors lack training and knowledge of the legislation and hunting practises. Ability of third party to monitor is limited.</p>			
Contextual factors of importance for understanding legislation and enforcement			
<p>The Namibian hunt is currently the third largest seal hunt, following Canada and Greenland. The characteristics of the Namibian hunt are somewhat different from the other seal hunts. It is the only commercial hunt in the southern hemisphere and is conducted on the beach of the Namibian coast. The hunt is seasonal and hunters, or harvesters, are employed on a seasonal basis by two private concessionaires. Seal products are mainly driven by commercial interests and products are exported to international markets.</p>			
Notes			
<p>⁽ⁱ⁾ Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.</p> <p>⁽ⁱⁱ⁾ This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.</p>			

Table 5 Assessment Summary Sheet, Norway

Norway			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles	X		Clearly stated in the regulation on the execution of seal hunt, both in §1, which corresponds to §2 of the Act on animal protection, and in §7 regulating the killing procedures (2003-02-11-151).
Hunting tools	X		Requirements to weapons used both for adults and pups. These are in line with recommendations of the EFSA opinion. The legislation prohibits netting and traps (2003-02-11-151 §11).
Assuring death by monitoring ⁽ⁱⁱ⁾			<u>Inconclusive</u> - since this is not required by the legislation, but if the procedure for killing seals is followed, the animal will obviously be dead (2003-02-11-151 §7). As soon as possible after a seal is shot it shall be struck with the spike of the hakapik into the brain.
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾	X		Bleeding-out is required instantly after the animal is struck with the hakapik or slagkrok (only allowed on pups). Techniques to bleed-out the animal are also outlined (§7 2003-02-11-151).
Environmental factors			<u>Inconclusive</u> - since requirements for environmental factors are not clearly outlined in the legislation. However, §6.2 stipulates a general prohibition of shooting seals under conditions where the seal cannot be clubbed and bleed-out on the ice afterwards. §11f states that it is not permitted to hunt in artificial lighting, and §6 states that it is forbidden to shoot a seal in water.
Training of the hunters	X		Seal hunt courses are mandatory every second year for the hunting crew and every year for the captain of the vessel. Separate shooting tests and a test in use of hakapik also exist (2003-02-11-151 §3).
Enforcement	Are national enforcement requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Independent monitoring	X		It is required to have a seal hunt inspector on board every sealing vessel. The inspector is a trained veterinary that is hired for this explicit task by the Directorate of Fisheries. Monitoring can thus be categorised as independent.
Ability of third party to monitor			<u>Inconclusive</u> - although there are very strict requirements to monitor the seal hunt, but it appears to be difficult to get an observers licence.
Reporting requirements	X		Both inspectors and vessels are required to report to the Directorate of Fisheries. Inspectors have a standardised form to fill out. The vessels shall keep a logbook to be submitted to the Directorate after the hunt (1986-06-03-40 §9 and J-53-2007 §13). The logbook contains information on special circumstances e.g. the weather conditions.
Sanctions and compliance			<u>Inconclusive</u> - since the information on level/number of sanctions and non-compliance is unstructured.
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱ⁾			
<p>Legislation in practice (implementation and application) The fact that there is an inspector on board the vessel induces the hunters to follow the legislation and the procedures prescribed. Adults are shot and pups are clubbed; and if the procedures are followed, the animal will obviously be dead before being bleeding-out.</p> <p>Enforcement in practice Norway has one of the strictest systems for enforcement of seal hunt, requiring an inspector to be present on every vessel. The inspector is observing the hunt and responsible for controlling that all requirements are complied with, regarding training, equipment and killing methods. NAMMCO observes the seal hunt, though mainly from the shores.</p> <p>Contextual factors of importance for understanding legislation and enforcement Using the marine resources is a vital part of the culture of the coastal communities in Norway. The country has two forms of hunt - the commercial and the recreational hunt. The two hunts are different in character and the legislation and context of the hunts differ greatly. This study focus mainly on the commercial hunt. The commercial seal hunt is industrialised and is carried out from a small number of vessels within a short period of time in the spring/early summer.</p>			
Notes			
<p>⁽ⁱ⁾ Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.</p> <p>⁽ⁱⁱ⁾ This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.</p>			

Table 6 Assessment Summary Sheet, Russia

Russia			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles			<u>Inconclusive</u> - due to lack of knowledge. However, in the legislation analysed no provisions on animal welfare are identified.
Hunting tools		X	Netting is allowed and is a frequently used hunting method. There is insufficient information on other hunting weapons used.
Assuring death by monitoring ⁽ⁱⁱ⁾	-	-	<u>Lack of information</u> in order to conclude.
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾	-	-	<u>Lack of information</u> in order to conclude.
Environmental factors	-	-	<u>Lack of information</u> in order to conclude.
Training of the hunters	-	-	<u>Lack of information</u> in order to conclude.
Enforcement	Are national enforcement requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Independent monitoring	-	-	<u>Lack of information</u> in order to conclude.
Ability of third party to monitor	-	-	<u>Lack of information</u> in order to conclude.
Reporting requirements	-	-	<u>Lack of information</u> in order to conclude.
Sanctions and compliance	-	-	<u>Lack of information</u> in order to conclude.
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱ⁾			
Legislation in practice (implementation and application)			
There is not sufficient information to assess the practices of the hunt in Russia. NGOs have though pointed to animal welfare being compromised e.g. by using traps and cages for catching, transporting and keeping live seals.			
Enforcement in practice			
Lack of information.			
Contextual factors of importance for understanding legislation and enforcement			
The Russian hunt is one of the largest seal hunts with quotas allowing for catches of around 100,000 per year. Russia has commercial hunt as well as hunt carried out by a number of aboriginal communities. Further analysis is needed to provide thorough description of the context. Russia has an increasing market for fur products and is increasingly importing seal products.			
Notes			
⁽ⁱ⁾ Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.			
⁽ⁱⁱ⁾ This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.			

Table 7 Assessment Summary Sheet, Sweden

Sweden			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles	X		Provisions in both the Hunting Act §§ 5, 27-28 and 30-31 as well as the Decision on controlled hunting of grey seals for 2007, adopted on 11 April 2007.
Hunting tools	X		The applicable weapons are clearly prescribed (§§14 and 16 of NFS 2002:18) and are in accordance with international best practises.
Assuring death by monitoring ⁽ⁱⁱ⁾		X	There is no requirement to monitoring in the legislation.
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾		X	There is no requirement to bleeding-out the seal in the legislation.
Environmental factors			<u>Inconclusive</u> - although the may only take place from land unless certain environmental criteria are fulfilled e.g. concerning wind. If these conditions are met hunt may also be undertaken from e.g. the ice (The Swedish EPA Decision on controlled hunting of grey seals for 2007, 11 April 2007).
Training of the hunters			<u>Inconclusive</u> - although requirements to training in order to be eligible for a firearms licence. Commercial fishermen - permitted to hunt from boat - must be trained in seal-hunting by hunting associations in Sweden and in Finland (NFS 2005:4, § 4 of the Weapon Ordinance (1996:70), and the Swedish EPA Decision on controlled hunting of grey seals for 2007.
Enforcement	Are national enforcement requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Independent monitoring			<u>Inconclusive</u> - as the hunting Inspectors are appointed by the County Administrative Board and is regulated by Article 42 of the Hunting Act (1987:259)) and Article 53 of the Hunting Ordinance (1987:905) and the RPSFS 2000:28.
Ability of third party to monitor	-	-	Not applicable as the Swedish hunt is not large scale.
Reporting requirements	X		Both the hunter and the inspectors are required to report according to The Swedish EPA Decision on controlled hunting of grey seals for 2007, adopted on 11 April 2007.
Sanctions and compliance			<u>Inconclusive</u> - as there is no available statistics on reported cases of seal hunt infringements.
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱⁱ⁾			
Legislation in practice (implementation and application) There is no requirements for monitoring or bleeding-out the animal. However, if the animal is shot in the head with the required ammunition, studies indicate that the seal will obviously be dead. A voluntary course is offered to seal hunters providing training and which is finalised with an exam.			
Enforcement in practice Enforcement is challenged by the large geographic distances relative to the number of hunters. There is no other information on the practical aspects of the enforcement.			
Contextual factors of importance for understanding legislation and enforcement			
The Swedish seal hunt is rather limited with only about 100 seals killed per year. The seal hunt is undertaken by professional fishermen or as a recreational activity on the same basis as other recreational hunts. The seal is used either by the hunter or sold for commercial purposes, e.g. to restaurants.			
Notes			
⁽ⁱ⁾ Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.			
⁽ⁱⁱ⁾ This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.			

Table 8 Assessment Summary Sheet, United Kingdom (Scotland)

United Kingdom (Scotland)			
Legislation	Are national legislation requirements in place? ⁽ⁱ⁾		
	Yes	No	Comment
Animal welfare principles		X	It is prohibited to kill, injure or take seals in the closed season (1970 c.30 §2). There are, however, no animal welfare principles for when seals are killed in general or under §§9 and 10.
Hunting tools	X		Killing seals is only allowed using a rifle "having a muzzle energy of not less than 600 foot pounds and a bullet weighing not less than 45 grains" (1970 c.30 §1). Netting is not allowed.
Assuring death by monitoring ⁽ⁱⁱ⁾		X	No requirements in the legislation.
Bleeding-out of animals shot or struck ⁽ⁱⁱ⁾		X	No requirements in the legislation.
Environmental factors		X	No requirements in the legislation.
Training of the hunters		X	No requirements in the legislation.
Enforcement Are national enforcement requirements in place? ⁽ⁱ⁾			
	Yes	No	Comment
Independent monitoring	X		Responsibility of the police (1970 C.30 §4).
Ability of third party to monitor	-	-	<u>Not applicable</u> - as there is no hunt for seals in Scotland, only killing of seals under conditions set out in the Act (1970 C.30).
Reporting requirements		X	There are no requirements in the Act to report on killings of seals.
Sanctions and compliance		X	There is no statistical data on how many seals are killed nor under which conditions (the Marine Directorate, 2007).
Are animal welfare recommendations carried out in practice? ⁽ⁱⁱ⁾			
<p>Legislation in practice (implementation and application) There seem to be loopholes in the Act, making killing of seals possible with little chance of sanctions. The Act aims to protect seals, nevertheless NGOs indicate that a large number of seals are killed every year, over 3,500. Scottish authorities do though stress that the kill is limited and that the seal population is growing.</p> <p>Enforcement in practice According to Scottish NGOs, there is little or no enforcement of the Act. It has been in place for almost 30 years and only two cases have been taken to court, one of which ended in conviction. According to NGOs, people informing the police of infringements are in danger of losing their jobs, indicating that there is a strong culture for not talking about possible infringements.</p>			
Contextual factors of importance for understanding legislation and enforcement			
<p>There is a general prohibition on seal hunt and there is neither commercial nor recreational seal hunt. However, killing seals is allowed under certain circumstances, such as for research purposes or if the seal poses a threat to the fisheries equipment. The government of Scotland has no data on the number of seals killed under these exemptions, and the economic damage caused on the fisheries sector by seals. Killing of seals is debated in Scotland. On the one side is the fishermen pressuring for a cull and on the other side NGOs warning about population levels and animal welfare considerations.</p>			
Notes			
<p>⁽ⁱ⁾ Yes - implies that legislation/enforcement requirements are in place and contain provision in accordance with animal welfare recommendations for seal hunt. No - implies that legislation/enforcement requirements are not in place or not in accordance with animal welfare recommendations for seal hunt. No X - if the information available is inconclusive.</p> <p>⁽ⁱⁱ⁾ This assessment by the study team is solely based on written information obtained - hence not on observations of the hunt in practice. Furthermore, the description is not claimed to be complete.</p>			