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Seals & Sealing Network Responds to Widespread Misinterpretation of Final WTO Seal Ruling

EU Seal Ban Not Upheld. Ban Must Change.

Ottawa, May 23, 2014 – Despite widespread media reports that the World Trade Organization (WTO) Appellate Body upheld the European Union (EU) ban on seal products yesterday, the ban has not in fact been upheld. Indeed, the WTO determined that the EU’s ban is designed and applied in a manner that constitutes a “means of arbitrary and unjustifiable discrimination.” The WTO has further told the EU that its ban must change – it cannot allow imports of Inuit seal products and hunting for resource management to remain valid while banning all other seal products.

What the WTO has upheld is that it is possible for a nation to address animal welfare concerns by invoking public morals as a justification. The WTO then further pointed out that the breaking of international trade rules to achieve the objective is not acceptable and greater due diligence than exercised in creation of the seal ban need be applied. On this point, the WTO has stated, in the last sentence of their ruling, *“that the EU has not justified the EU Seal Regime under Article XX(a) of the GATT, which sets forth the public morality justification.”*

With a public morals argument, one difficult task will always remain – designing a ban that truly reflects the moral standards of a people, and in this case, peoples’ various cultures in 28 member states. It is clear that the EU is not morally opposed to the hunting of seals – otherwise they wouldn’t allow Inuit seal products to be sold or the EU Fishing/hunting community to continue hunting seals within the Union. The EU has revealed that what it is truly morally opposed to is making a profit from selling wildlife derived products. This goes against the very founding principle of the WTO and the International Union for Conservation of Nature (IUCN).

The EU must now decide whether to ban all seal products, including those harvested by Inuit who have subsisted on seal hunting for thousands of years, and those harvested to prevent the overabundant population from getting out of control, or to revoke their political and discriminatory ban. The EU, in any event, must bring the ban into compliance with the WTO decision.

The SSN welcomes the commitment of the Government of Canada to ensure that the EU meets that obligation, and perhaps explore negotiations to resolve this long-standing dispute so as to defend the interests of our Indigenous communities and the principles of fair and open trade.

For more information or to schedule an interview with a member of the SSN, please contact:

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*The **Seals and Sealing Network** is a national non-profit organization promoting sustainable and wise use principles. The Seals and Sealing Network is committed to the conservation and respectful harvesting of the world's seal species through sound scientific management and internationally accepted sustainable use practices. It comprises government, Inuit, veterinarians, conservationists, health care practitioners and Industry representatives. For more information, please go to www.sealsandsealing.net.*