

**"WE CARE"**

**UNIVERSAL DECLARATION ON THE ETHICAL HARVEST OF SEALS**



**A CANADIAN PROPOSAL**

An initiative of the Honourable Céline Hervieux-Payette, P.C.  
Senator of Canada

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## PREAMBLE

The seal hunting communities,

1. Conscious that Human beings have depended on marine mammals to meet their needs, those of their families and communities for many thousands of years;
2. Recognizing the historic rights and responsibilities of the indigenous peoples of Canada as the first partners in Canadian-European trade, and the traditional knowledge of all coastal residents of Canada today that are users of our natural marine resources;
3. Aware that the processes for using the resources of the ocean have evolved rapidly in the recent past, as has scientific knowledge of these resources;
4. Affirming that contemporary principles of animal welfare, sustainable development, ecosystem-based management and precautionary principles must be applied, and the contribution of Aboriginal traditional ecological knowledge to these principles must be recognized;
5. Affirming that a clear statement of these principles is important where the traditional hunting of marine mammal populations is concerned, and recognizing the active role that harvesting must play in the preservation and sustainable management of contemporary wildlife populations;
6. Reaffirming their moral obligation to treat all species without cruelty and with respect, and their commitment to the principles of conservation contained in the Convention on Biological Diversity and the "sustainable use" philosophy advocated by the International Union for Conservation of Nature (IUCN);
7. Stressing the importance of a scientifically regulated seal harvest to the economy and in maintaining the traditions, culture, heritage and beliefs of numerous coastal communities in Canada and Europe;
8. Recognizing the contributions to ecosystem diversity and function made by the sustainable use of natural resources by humankind, without prejudice against species that might be regarded as competitors in drawing on these resources;
9. Recognizing that a balanced ecosystem is the result of constant interactions between predators and prey throughout the food web, that humans are an integral part of the ecosystem and, therefore, that their position as predators cannot be separated from nature;

Have agreed as follows:

## **ARTICLE 1. WE CARE ABOUT ETHICAL HARVEST OF SEALS**

- 1.1 The intent is to relate humane activities to marine species in a manner that recognizes a mutual interdependence and that respects this reality. These principles establish the ethical basis for a continuation of seal hunting, and have relevance to hunting of some other marine mammals.
- 1.2 This Declaration draws on current best practice guidelines from many experiences, formalizes the ethical criteria for a defensible continuation of seal hunting in the modern context, and could be applied to the use of other marine species.

## **ARTICLE 2. USE OF TERMS**

For the purpose of this Declaration:

<b>ANIMAL WELFARE:</b>	A concept traditionally applied to the care and management of domestic animals. It refers to our ethical responsibility as humans to ensure the physical, physiological and behavioural well-being of animals under our care, and can be broadly defined as responsible and respectful use of animals for human purposes. This includes the need for continuous evaluation and, when indicated, refinement or replacement of our methods of husbandry and, when required, the provision of a rapid death without avoidable stress and pain. These principles can be extended to our use of wild animals, including the use of appropriate killing methods and sound measures of conservation and management of wildlife populations.
<b>BIOLOGICAL PRINCIPLES</b>	A set of well-tested hypotheses about the mechanisms by which the natural world functions.
<b>HUNT &amp; HARVEST</b>	The process by which humans kill and process marine mammals in an organized fashion in order to meet their ecological and economic needs.
<b>NATURAL RESOURCES</b>	Those components of the ecosystems in which humans live that contribute directly or indirectly to their sustenance, livelihoods and evolution, and which are not produced or generated by human actions.
<b>PRECAUTIONARY PRINCIPLES</b>	Rules and guidelines for the managed behaviour of humans that attempt to protect both the humans and the ecosystems in which they are embedded from risks and perils that are difficult or impossible to predict.
<b>SELF-MONITORING</b>	Refers to the active involvement of participants in the seal hunt to survey, advise and correct harvest activity among their peers.

**ARTICLE 3. WE CARE ABOUT THE WELFARE OF HUMAN COMMUNITIES**

- 3.1 As peoples who respect the biological principles of individual animal welfare and the dynamics of wildlife populations, human communities should have access to natural resources.
- 3.2 As part of the ecosystem, each of these communities must also be considered an integral part of the management of natural resources.
- 3.3 Human use of marine resources is wholly justified for reasons of sustenance, tradition, and trade.
- 3.4 The seal harvest contributes substantially to the traditional ways of life and modern livelihoods in coastal communities in Canada and Europe.
- 3.5 A diversity of products is currently obtained from seals: pelt, blubber (an important source of nutraceutical omega-3 fatty acids), meat and possibly, other tissues for medical use in humans. Human communities that benefit from natural resources should strive to optimize their use and realize their full potential.

**ARTICLE 4. WE CARE ABOUT THE WELFARE OF WILDLIFE POPULATIONS**

- 4.1 The status of the resource should be documented and monitored with the greatest degree of scientific confidence using internationally recognized and standardized survey methods.
- 4.2 Harvest quotas should be defined by the national regulating authorities according to principles of sustained population dynamics and ecosystem based management of marine resources.
- 4.3 Resource management strategies should be conservative in order to account for the impact of unpredictable phenomena such as natural catastrophes or the effects of climate variations.

**ARTICLE 5. WE CARE ABOUT THE WELFARE OF MARINE ANIMALS**

- 5.1 The seal hunting communities recognizes and shares the interest of Canada and European countries in the well being of animals hunted and harvested for human use.
- 5.2 The seal hunting communities respects marine mammals as sentient beings and, therefore agree that they must be killed in a quick and professional manner using methods based on sound principles of animal welfare.
- 5.3 Seal harvesting must follow the current best practices methods prescribed by the international veterinary community as meeting appropriate standards of animal welfare.
- 5.4 Reinforcement of good harvest practices should be achieved through active control by the national authorities in charge, as well as by continuous self-monitoring by the harvesters themselves.
- 5.5 Seal harvest practices must adapt and evolve with scientific knowledge and techniques to improve the outcomes for individual animal and population welfare, thus fostering a sustainable and respectful use of the resource.

**ARTICLE 6. WE CARE ABOUT TRAINING AND EDUCATION**

- 6.1 Resource users should be educated and trained to understand and apply the specific knowledge that is required for a sustainable and respectful use of marine mammal resources.
- 6.2 Competency of seal harvesters should be assured by professional certification and ensured by effective monitoring, surveillance and control.

**ARTICLE 7. WE CARE ABOUT A SHARED INTERNATIONAL VISION**

- 7.1 The stated principles are not restricted to Canadian or European sealing communities: they may be embraced by any society whose welfare relies on the sustainable use of wild marine resources.
- 7.2 The seal hunting communities shall promote international cooperation in all aspects of resource conservation and sustainable use of marine mammals, where necessary, through the appropriate national and international institutions.
- 7.3 The seal hunting communities shall, subject to mutual agreement, promote the establishment of joint research programmes and joint ventures for the development of knowledge and technologies relevant to the objectives of this Declaration.

**ARTICLE 8. AMENDMENT OF THE DECLARATION**

- 8.1 Amendments to this Declaration, as a working document, may be proposed by
  - 8.1.1 any seal hunting community; and
  - 8.1.2 all scientists and experts who are nationally recognized by their peers and who submit a written acknowledgement to the Permanent Secretariat of the Universal Declaration Committee concerning the legitimacy of seal hunting for the preservation of traditions, culture, heritage and beliefs as well as for subsistence and trade, without geographic or cultural discrimination.
- 8.2 Those seal hunting communities, scientists and experts shall make every effort to reach agreement on any proposed amendment to this Declaration by consensus.

**ARTICLE 9. AUTHENTIC TEXTS**

- 9.1 The original of this Declaration, of which the English, French, and Inuktitut texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.
- 9.2 When other Parties will support officially this document, an original Declaration text in the national language of that country will be added.

Done at Ottawa on this April 22, two thousand and nine by the following members of the Committee of the Universal Declaration:

Scientists and experts:

- Dr. Charles Caraguel (D.V.M., M.Sc., and PhD candidate) is a French veterinarian (Université de Toulouse, France) and member of the Independent Veterinarians' Working Group (IVWG) on the Canadian Harp Seal Hunt. He is currently a PhD candidate at the Centre for Aquatic Health Sciences of the University of Prince Edward Island.
- Dr. Pierre-Yves Daoust (D.V.M., PhD) went into veterinary medicine because of his interest in wildlife. He obtained his doctorate in veterinary medicine (D.V.M.) from the *Université de Montréal* and a PhD in Anatomic Pathology from the University of Saskatchewan, and he became a diplomat of the American College of Veterinary Pathologists. Member of the Independent Veterinarians' Working Group (IVWG) on the Canadian Harp Seal Hunt.
- Dr. Bruce G. Hatcher (B.Sc., M.Sc., and PhD) is Cape Breton University's Chair of Marine Ecosystem Research, and Director of the revitalized Bras d'Or Institute at the university. Prior to this appointment, he was a Professor of Biology and the Director of the Marine Affairs Program at Dalhousie University.
- Dr. Janice S. Henke (PhD Cultural and Political Anthropology) is an American scientist who in the 80's undertook an ethnographic study of the myths and realities of the Canadian harp seal harvest in the Gulf of St. Lawrence and off the "front" of Newfoundland. In 1985, she published "Seal Wars, An American Viewpoint". Based in New-York, she is currently the editor-in-chief for the electronic journal of the International Wildlife Management Consortium (Switzerland).
- Mr. Peter Irniq is a former Minister of Economic Development in the Government of Northwest Territories and a former Deputy Minister in the Government of Nunavut. Mr. Irniq is currently an Inuit cultural teacher.
- Chief Roy S. Jones Jr. is a former fisherman and captain, a former member and elected board member of the Skidegate Band Council, a band government of the Haida people, one of two of the Haida Tribal Society, also known as the Council of the Haida Nation. Chief Jones is currently President of Pacific Balance (British Columbia).
- Mr. Denis Longuépée, President of the Sealers Association of the Magdalen Islands (Quebec)
- Mr. Eldred Woodford, President of the Canadian Sealers Association (Newfoundland and Labrador)

Permanent Secretariat:

- The Honourable Céline Hervieux-Payette, P.C., Senator, Secretary General
- Mr. Robert Cahill, Director of the Fur Institute of Canada, Special Advisor
- Mr. Maximilien Depontailier, Executive Advisor
- Mr. Jacques Ouimette, Strategic Advisor

# **ANNEXES**

## 1. Malouf Report (1986)

Royal Commission on Seals and the Sealing Industry in Canada

<http://epe.lac-bac.gc.ca/100/200/301/pco-bcp/commissions-ef/malouf1986-ef/malouf1986-eng.htm>

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## FOREWORD

During the past 20 years the management of seals in Canada has changed from being viewed as essentially a technical matter that concerned a few fishermen on the east coast and a handful of scientists and fishery administrators, to a responsibility which has aroused considerable interest, and sometimes strong feelings, among a great many Canadians. Canada's approach to seals and sealing has also evoked public interest in a number of other countries and given rise to actions which have had important impacts on Canadian international trade and, on occasion, threatened Canada's image in other countries. The controversial nature and the complexity of many of the issues involved have created substantial difficulties for successive governments in their efforts to develop policies for the management and utilization of the seal populations which would be well balanced and acceptable to a wide spectrum of Canadian opinion.

The Royal Commission on Seals and the Sealing Industry in Canada was set up by the Government of Canada in August 1984. Its Mandate was to review all matters pertaining to seals and the sealing industry in Canada, to assemble relevant information, and to make recommendations on the implications of this information for the development of policy. The Royal Commission's considerations included social, economic and biological matters.

The Government considered that such an Inquiry would do much to clarify the situation for the general public both in Canada and in other concerned countries. It would provide an opportunity for all interested parties, Canadian and foreign, to put forward their views and to present any evidence they desired, and thus assist the Commission in drawing its conclusions and making its recommendations.

The Royal Commission has now completed its work, and the findings are presented in this Report. The first volume (Part I) describes the setting up of the Commission, the tasks with which it was faced, the way in which it attacked those tasks, the principal conclusions it has reached, and the recommendations which it is presenting to government on the basis of those conclusions. The subsequent parts of the Report contain detailed discussion of the issues that the Commission examined.

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## 2. Report of the Independent Veterinarians' Working Group (IVWG) on the Canadian Harp Seal Hunt (2005)

[www.ivwgonline.org](http://www.ivwgonline.org)

### Summary

The Independent Veterinarians' Working Group (IVWG) on the Canadian Harp Seal Hunt was formed in May 2005 to contribute to the promotion of animal welfare, and to minimize or eliminate animal suffering within the context of the hunt.

The Canadian harp seal hunt is a highly competitive activity. It is carried out by a large number of hunters, over an extensive area, in a short period of time, and monitored by a relatively small number of regulators.

An information meeting with sealers, industry representatives, government managers, scientists and the Working Group was held on May 26, 2005. The Group received information about seal population biology in the context of the hunt; the industry: past, present and future; sealing methods; and management and enforcement. At that meeting sealers asked the members of the working group to assist them in improving humane practice.

On May 27-28 the IVWG met in camera to discuss the hunt, and to develop recommendations regarding animal welfare. The Group determined that, if carried out by a trained and skilled individual, a three-step method of stunning, checking and bleeding seals can result in rapid, irreversible loss of consciousness, and death, and thus can be a humane process.

This report discusses a range of factors and issues related to the hunt, and makes eleven recommendations to the sealers, industry and regulators.

### Specific recommendations:

- The three steps in the humane killing process -- stunning, checking that the skull is crushed (to ensure irreversible loss of consciousness or death), and bleeding -- should be carried out in sequence as rapidly as possible.
- Confirmation of irreversible loss of consciousness or death should be done by checking by palpation that the skull is crushed, rather than checking the absence of corneal (blink) reflex.
- A seal should not be shot in the water, or in any circumstance when it is possible the carcass cannot be recovered.
- Bleeding to achieve or ensure death, following stunning, is an important element in the three-step humane killing process. The Marine Mammal Regulations should be amended to replace the requirement for death to occur before bleeding, with a requirement for unconsciousness before bleeding.

### General recommendations:

- Reducing the competitive nature of the hunt can result in improved animal welfare, better compliance and enforcement, and a safer work environment.
- The Department of Fisheries and Oceans Canada (DFO) should take steps to improve supervision, monitoring and enforcement, including the training of officers.
- Individuals should receive training before they are licensed as hunters, and periodic upgrading should be required.
- Sealers would benefit from strong professional associations that support and promote humane practices.

- Research and observation should be undertaken on a regular and systematic basis.
- Industry should continue to strive for full utilization of each seal killed.
- It is important for observers to work in collaboration with sealers.

The Working Group identified a number of areas in which research should be carried out. These include: possible refinement of the hakapik, bleed-out time, the swimming reflex and assessment of gunner accuracy. Research and observation effort should be increased at the Front.

The IVWG intends to continue working together toward the goal of promoting animal welfare by minimizing or eliminating suffering in the Canadian harp seal hunt. The Group will be represented at the Fall 2005 management forum, and hopes to observe the 2006 hunt.

### 3. European Food Safety Authority (EFSA) Report (2007)

#### **Animal Welfare aspects of the killing and skinning of seals.**

Scientific Opinion of the Panel on Animal Health and Welfare – Adopted on 06 December 2007

(Question No EFSA-Q-2007-118)

[www.efsa.europa.eu/EFSA/efsa\\_locale-1178620753812\\_1178671319178.htm](http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1178671319178.htm)

#### **Summary**

In September 2006, the Council of Europe adopted a recommendation on seal hunting inviting member and observer states to ban all cruel seal hunting methods and to prohibit the stunning of animals with instruments such as hakapiks, bludgeons and guns. A written declaration was then adopted by the European Parliament requesting the Commission to draft a regulation to ban the import, export and sale of all harp and hooded seal products, whilst ensuring that this measure would not have an impact on traditional hunting (e.g. Inuit). The Commission undertook to make an assessment of the animal welfare aspects of the killing and skinning of seals and asked EFSA to issue a scientific opinion on this matter as well as to assess the most appropriate killing methods which reduce unnecessary pain, distress and suffering.

EFSA's Scientific Opinion was adopted by the Scientific Panel on Animal Health and Welfare (AHAW) on 6 December 2007. The Opinion critically evaluated the available evidence but little robust information was found that could be considered scientifically valid, robust and objective, and that had not been obtained without some form of bias, or there was a lack of independent verification. Nevertheless, it was possible to look objectively at the different methods used, their inherent advantages and disadvantages, their use in practice, and to draw some conclusions and recommendations. Ethical, social, cultural, economic and some relevant management aspects do not form part of this opinion (as they are outside EFSA's remit).

A stakeholders' consultation meeting was organised by EFSA on 4 October 2007 in Parma (Italy) to give an opportunity to interested parties to provide relevant scientific information and data. Twenty-five stakeholder organizations attended the meeting and the information provided was considered when drawing up the Scientific Opinion. In addition, following a general request for input to the EFSA Advisory Forum (AF Meeting, Berlin, 19 April 2007), the Norwegian Scientific Committee for Food Safety adopted a Scientific Opinion on the animal welfare aspects of the killing and skinning of seals in the Norwegian hunt, which was taken into consideration in EFSA's Scientific Opinion.

Seal hunting (killing and skinning) is commonly carried out around the Arctic, and in southern Africa. Around 750,000 seals of at least fifteen species are killed and skinned by humans for commercial purposes each year with Canada, Greenland and Namibia accounting for approximately 60% of all seals killed in 2006. The degree to which seal hunts are regulated by law and monitored by observers varies in different countries and range states. Moreover, reference to welfare aspects of killing of seals is not included in all current regulations. The killing of seals can be compared with the killing of wild, domesticated and captive animals; and the criteria used to assess whether or not the killing methods are humane could be similar.

However, no equivalent data to that obtained in the abattoir are available for seals (e.g. time to loss of consciousness, monitoring points for unconsciousness that can be applied in the field).

In practice, and in terms of welfare, the effectiveness of the killing methods used for seals vary according to the methods used, the skill of the operators, and the environmental conditions.

The Scientific Opinion concluded that seals are sentient mammals that can experience pain, distress, fear and other forms of suffering. It is pointed out that there are only a very 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. Other studies (e.g. by NGOs, industry linked groups) that highlight serious deficiencies and concerns in the hunts, may contain potentially unproven serious biases (see Chapter 4).

In relation to the killing methods, it was concluded that many seals can be, and are, killed rapidly and effectively without causing avoidable pain, distress, fear and other forms of suffering, using a variety of methods that aim to destroy sensory brain functions. However, there is strong evidence that, in practice, effective killing does not always occur but the degree to which it does not happen has been difficult to assess, partly because of a lack of objective data and partly because of the genuine differences in interpretation of the available data. When seals are hit or shot, but are not dead, they may have to be hit or shot again or may they be moved or skinned whilst conscious, resulting in avoidable pain, distress, fear and other forms of suffering. In addition, seals may be struck and lost with injuries that may cause suffering and affect their survival in the wild. If seals are dead, or have been bled-out after adequate stunning from which they do not recover consciousness, then skinning is not a welfare problem. In terms of monitoring each seal to ensure death or unconsciousness before bleeding-out it was concluded that it is not always carried out effectively, and that this will lead to seals feeling the skinning cuts before loss of consciousness and death due to bleeding-out. It was also concluded that bleeding-out stunned seals to ensure death is frequently not carried out in some hunts. Some methods of killing seals are inhumane e.g. trapping seals underwater until they die, and should not be used. Seal hunts that involve herding before slaughter can cause fear and other forms of suffering in addition to any avoidable pain at the time of killing. Seals that are herded but are not targeted to be killed may suffer fear and, if the suckling young are separated from their nursing dams, they may also experience hunger until they are reconnected.

Seals should be protected from acts that cause them avoidable pain, distress, fear and other forms of suffering. Death or irreversible unconsciousness should be rapidly ensured after an attempt at killing or stunning by effective monitoring, and before bleeding-out and skinning are started. Observing the extent of brain injury, the presence or absence of responses such as the corneal (blink) reflexes, body movements, as well as palpation of the skull could be used for assessing and monitoring effective destruction of the brain. However, the presence of an intact skull would not necessarily mean that the animal had not been rendered unconscious or was dead and, conversely, a partial fracture could be compatible with consciousness and sensibility.

Furthermore, some body movements may be voluntary or involuntary and can occur in dead or unconscious as well as conscious animals. Therefore, the establishment of reliable, practical and enforceable criteria to ensure that the degree of brain damage is such that an animal is irreversibly insensible or dead need to be found. 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, as well as on ways in which hunts can be monitored using criteria that define avoidable pain, distress and fear. As a way to help ensure the humane killing of seals, the 'three-step' method of effective hitting/shooting, effective monitoring, and effective bleeding-out, as well as a fourth step of effective implementation should be recommended.

Key words: seal welfare, stunning, killing, bleeding, skinning, seal hunting, consciousness, unconsciousness.

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