

Director General João Aguiar Machado
D.G. for Maritime Affairs and Fisheries
Rue de la Loi 200
B-1049 Brussels Belgium

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By e mail

Copenhagen 28th June 2018

The BSAC proposes an amendment to the Regulation (EC) 1007/2009 on trade in seal products

Dear Director-General,

The European Parliament and the Council adopted Regulation (EC) No 1007/2009 banning the trade in seal products in the European Union. The Commission adopted implementing Regulation (EU) No 737/2010. Seal products from Inuit communities and small scale ethical hunting conducted for the sustainable management of marine resources were given exemptions from the ban.


After a WTO ruling in the EC, Seal products case amendments were made to the Regulation (EC) No 1007/2009 and the Commission adopted a new Commission Implementing Regulation (EU) 2015/1850.

The amendments made to the EU seal trade ban made it illegal to make commercial use of seals derived from hunts conducted for the sustainable management of marine resources. We are therefore in a situation where seals can and are being legally hunted in the Baltic Sea, but the catch can only be used in the hunter's own household. We have an ethical sustainability issue.

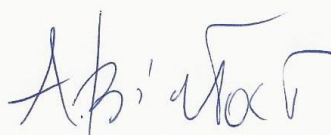
The conflicts between seals and fisheries are growing year after year. Seals will be hunted for management reasons round the Baltic Sea in the future as well. However, a valuable resource has been turned into waste since most of the catches end up on dump sites, where the hunter must even pay in order to dispose of his/her catch. In a world where we are aiming for a circular economy and zero waste, this is unacceptable.

We therefore want to address the Commission with this problem that needs to be solved urgently. Therefore, the majority of BSAC members see the need to amend the EU legislation on trade in seal products. Products from small scale ethical seal hunting carried out in the Baltic Sea for the sustainable management of a marine resource must be made legal for trade in a way which is accepted by the WTO as well.

Kind regards,



Steve Karnicki
Acting Chair BSAC Executive Committee
Committee



Andrzej Bialas
Vice Chair BSAC Executive

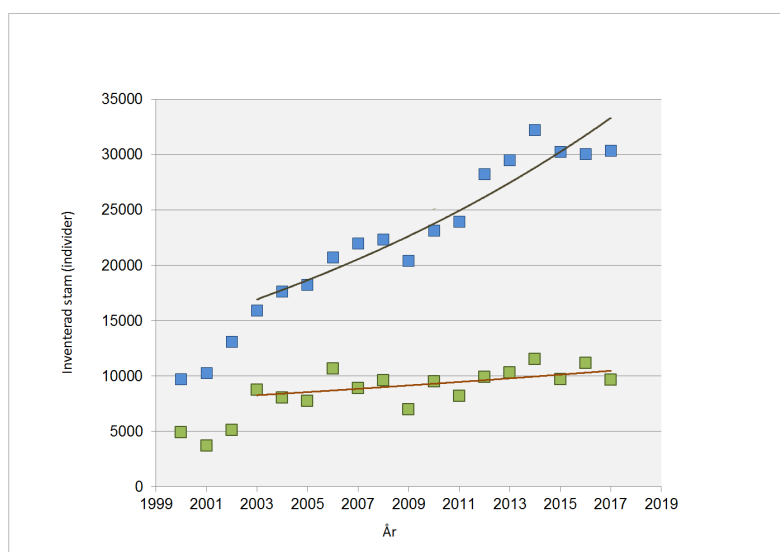
Copy to: DG Mare Baltic Unit, BALTFISH Member States, Fisheries Council of the European Community, European Parliament, HELCOM

Background - Three species of seals live in the Baltic

Three species of seal live in the Baltic Sea: grey seal (*Halichoerus grypus*), ringed seal (*Pusa hispida botnica*) and harbour seal (*Phoca vitulina*).

Grey seal. The counted number of grey seals in the Baltic 2017 was 30 300 individuals. The grey seal can be found all around the Baltic. Worth noticing is that the counted number of seals only comprises the animals visible from air. The real size of the population is bigger. According to the IUCN the number of counted seals represents 60-80% of the true population size.

The trend for calculated numbers of grey seal can be seen in the diagram. Blue dots correspond to the number of grey seals counted in the Baltic Sea and the green dots the seals counted in Finnish waters.



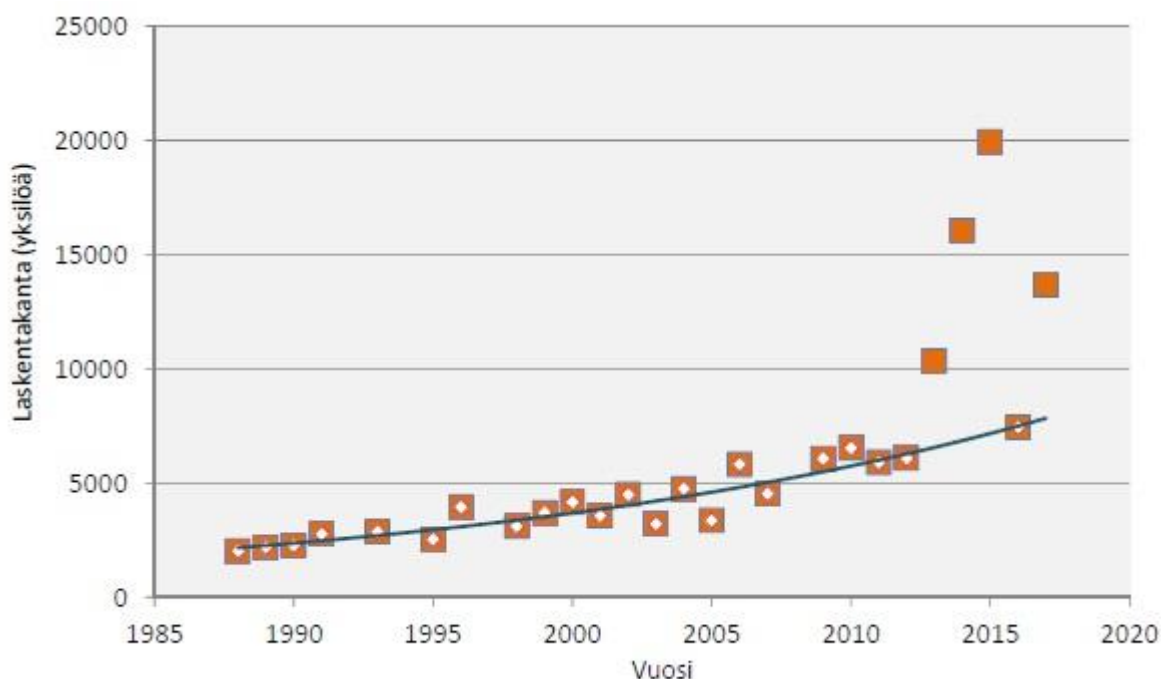
In the HELCOM core indicator report from July 2017 the grey seal has been given the status good in most of the Baltic, except for the southwestern areas.

Ringed seal. Ringed seals are restricted to ice coverage for breathing and are therefore found in the northern Baltic. The biggest populations are found in the Bothnian Bay.

The ringed seal is counted in another way than the grey seal. The counted area in Finland in the Bothnian Bay only comprises approx. 15 % of the total area. From this counted number an estimate is extrapolated. In 2017 13 644 seals were calculated for the Bothnian Bay. According to the IUCN an estimation for the total population size (corrected for animals not counted in surveys) in 2015 was about 23 000 ringed seals in the Baltic.

In the HELCOM core indicator report from July 2017, the ringed seal has been given the status not good in the whole of the Baltic, as the area of occupancy is currently more restricted compared to pristine conditions. In the IUCN list, however, the ringed seal as well as the grey seal are listed in the category least concern.

The trend for ringed seal in Bothnian Bay:



Harbour Seal

Harbour seals are found in the southern Baltic. In the areas of Kalmarsund, Kattegat and Limfjord the harbour seal populations are by HELCOM evaluated as having achieved the threshold value with regard to distribution on land sites, but the population in the southern Baltic Sea has not achieved the threshold value, and thus indicates not good status. For the area of occupancy parameter, harbour seals reflect good status in all assessment units.

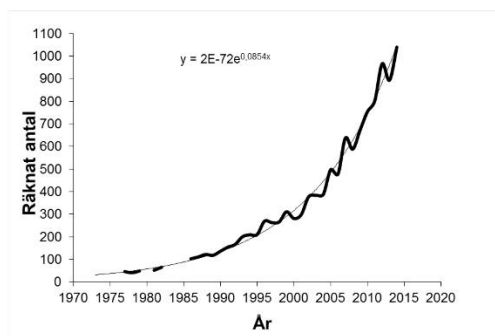
On the Swedish west coast the harbour seal population is growing 6.5-12 % annually and about 15 000 harbour seals are counted. On the Swedish east coast about 1000 harbour seals are counted per year.

The trends for harbour seals on the east coast of Sweden:

Knubbsäl i Kalmarsund



Allvarlig flaskhals på 1970-talet
Ökning med 9 % årligen

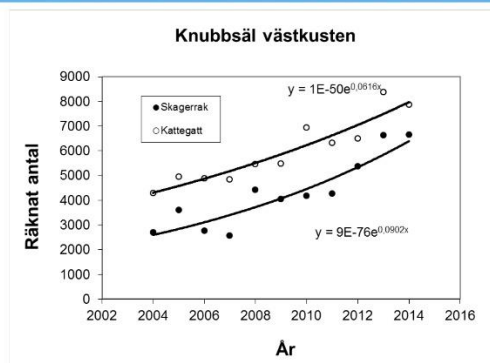


The trends for harbour seals at the west coast of Sweden:

Knubbsäl på Västkusten



Nuvarande tillväxthastighet:
9 % i Skagerrak
6,5 % i Kattegatt



Inkluderar Norska och Danska sälar. Siffror anger beräknad verklig pop storlek

Background – Conflict between fisheries and seal

As the populations of all three species of seal have grown considerably since the beginning of the 1990's, a conflict between seals and fisheries has arisen. First in the northern Baltic, and as the grey seal has moved further south, at the same time as the harbour seal populations have grown stronger, also in the southern Baltic.

The conflict with fisheries arises from the fact that the seals are damaging both gear as well as the fish caught in the gear. Despite a lot of effort put into making the gear seal proof, the damage is still extensive. There are also gears that cannot be seal proofed, for example regular nets.

In Finland alone, it is calculated that the seals damage fish to a total sum of 1.5 million Euros annually. This is about 0.5 million Euros in sea fisheries and 1 million Euros in fish farming.

The inability to tackle and solve the problem has led to coastal fisheries in crisis. We are now in a situation where we have a constantly higher demand for fish that can be supplied to the production chain. At the same time, less and less fishermen are able to continue their fisheries due to the seal problem.

A new problem that has arisen in the southern Baltic is the seal worm (*Pseudoterranova decipiens*), found mainly in cod, affecting both the condition of cod and making the selling of cod fillets difficult.

Background – Seal hunting

Seal hunting has a very long tradition in the Baltic and has been part of the livelihood for coastal communities as long as our shores have been inhabited. Seals have been regarded as a valuable resource, providing meat, oil and fur. A part of the local economy has for centuries been to make different kinds of commercial products out of seals.

At the end of the 90's, when small scale seal hunting again became possible, as the seal stocks had recovered, the market around local small-scale seal products slowly started to re-awaken. The efforts to make use of a valuable resource came to an end with the removal of the exemption for seal products derived from hunts conducted for the sustainable management of marine resources in the EU seal trade ban. The removal was due to the WTO ruling from June 2014 that found the EU ban problematic in this matter.

Seal hunting is for the moment possible for management purposes in the Baltic countries with 2018 quotas set at:

Finland: 1 050 grey seals and 300 ringed seals

Åland Islands: 450 grey seals

Sweden: 600 grey seals, 130 ringed seals and 290 harbour seals

Estonia: 37 grey seals

Denmark (Bornholm, trial): 40 grey seals

The hunting quotas are for the moment very under-utilized, partly because of the seal product trade ban.

We are therefore in a situation where seals can and are legally hunted, but the catch cannot be used commercially. We are facing an ethical sustainability issue. A valuable resource has been turned into waste as most of the catches are ending up on dump sites, where the hunter must even pay in order to dispose of his/her catch.

References:

Härkönen , T. 2016. *Halichoerus grypus (Baltic Sea subpopulation)*. The IUCN Red List of Threatened Species 2016: e.T74491261A74491289. <http://dx.doi.org/10.2305/IUCN.UK.2016-1.RLTS.T74491261A74491289.en>.

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(in Swedish)