



EUROPEAN COMMISSION

*Brussels, 15.07.2015*

*C(2015) 4831 final*

*Mr Pietro GRASSO  
President of the Senato della Repubblica  
Piazza Madama, 1  
IT - 00186 Roma*

*Dear President,*

*The Commission would like to thank the Senato della Repubblica for its Opinion concerning the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1007/2009 on trade in seal products {COM(2015) 45 final}.*

*As a preliminary comment, the Commission would like to stress that the proposal aims to ensure the European Union's respect of its WTO obligations. Therefore, when drafting the proposal, the Commission has followed recommendations of the WTO Dispute Settlement Body following the adoption of panel and Appellate Body reports.<sup>1</sup>*

*Furthermore, the Commission would like to recall that the WTO reports do not call into question the fact that Inuit hunts also comprise a certain commercial element. It is the subsistence aspect of Inuit hunts, combined with the identity of the hunter as Inuit and their traditional way of living which determine that the primary purpose of Inuit hunts is distinguishable from that of commercial hunts. The Commission has therefore acknowledged these conclusions by using a wording that recognises the existing commercial element of Inuit hunts while emphasising the contribution of Inuit hunts to the subsistence of the Inuit communities. While products derived from hunts that are conducted primarily for commercial purposes would continue to be prohibited under the Regulation, Article 3(5) of the proposal has been designed as an additional safeguard clause to prevent potential misuses of the Inuit exception.*

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<sup>1</sup> EC – Measures Prohibiting the Importation and Marketing of Seal Product - Report of the panel WT/DS400/R and WT/DS401/R (November 2013), Report of the Appellate Body WT/DS400/AB/R; WT/DS401/AB/R (May 2014).

*Finally, with regard to the specific conditions under which seal hunt takes place, the Commission would like to refer to recitals 1 and 3 and to Article 3(1)(c) of the proposal. In that regard the Commission acknowledges on the basis of evidence presented in WTO proceedings and its subsequent findings, that while it might be possible to kill and skin seals in such a way as to avoid unnecessary pain, distress, fear or other forms of suffering, given the conditions in which seal hunting occurs, it is not possible to consistently and effectively apply and enforce humane killing standards. The proposed wording would therefore ensure compliance with WTO rulings while properly reflecting animal welfare requirements.*

*The points made above are based on the initial proposal presented by the Commission which is currently in the legislative process involving both the European Parliament and the Council in which your government is represented.*

*The Commission hopes that these clarifications address the issues raised by the Senato della Repubblica and looks forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Karmenu Vella  
Member of the Commission*