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NEWS: Nunavut November 20, 2012 - 5:34 pm

Nunavut, Inuit orgs follow European General Court appeal on lifting EU seal ban

"We hope today's hearing will allow us to proceed with this application to cancel the EU seal ban"

NUNATSIAQ NEWS
(Updated Nov. 7, 9:00 a.m.)

The Government of Nunavut, Nunavut Tunngavik Inc. and Inuit Tapiriit Kanatami issued a news release late Nov. 20 saying they are pleased with the progress of an appeal hearing in the European Court of Justice on their legal challenge to the European Union's 2010 seal product ban.

Officials representing the three organizations, along with other plaintiffs from Nunavut and Greenland, were in Luxembourg Nov. 20 to attend the hearing of an appeal against a September 2011 decision of the European General Court.



This image by Laakkuluk Williamson Bathory was widely circulated on Facebook today to encourage Inuit and other northern seal industry supporters to show their solidarity with the European General Court appeal to change their Facebook profile picture to an image supporting Nunavut sealing.

The court dismissed a bid by a group that includes Inuit to overturn the 2010 European Union prohibition on trade in seal products, which the European Parliament voted by a margin of 550 to 49 to impose in May 2009.

In the new regulation, the European Parliament created an exemption for seal products that result from "hunts traditionally conducted by Inuit and other indigenous communities and contribute to their subsistence."

That exemption loomed large in the Sept. 6, 2011 ruling that ITK and others challenged on court this week.

That's because the European court ruled the ITK legal appeal inadmissible, in part because the EU seal product import ban does not "directly concern" the Inuit claimants or the organizations representing them.

"Consequently, the contested regulation directly affects only the legal situation of those of the applicants who are active in the placing on the market of the European Union of seal products. That regulation does not in any way prohibit seal hunting, which indeed takes place outside the European Union market, or the use or consumption of seal products which are not marketed," the Sept. 6, 2011 ruling said

The European court also found that most of the Inuit applicants do not actually attempt to sell seal products in Europe.

"More specifically, first, one category of applicants, namely seal hunters and trappers of Inuit origin, and a second category of applicants, grouping together the organizations which represent their interests, cannot be regarded as active in the placing on the market of the European Union of seal products," the ruling said.

The ITK application was also deemed inadmissible for technical reasons: that, because the European parliament's 2010 decision is a "legislative act," it cannot be challenged except in narrow circumstances.

However, the rhetorical fury that Inuit and Nunavut leaders use to describe the 2010 remains undampened and they remain optimistic that they can use the European court to get the seal product rule annulled.

"The impact of the seal ban on Inuit was direct, swift and harsh. NTI is hopeful that this injustice will be recognized by the European Court of Justice on this appeal, and that ITK and the other applicants will be granted access to the EU courts to make the case on the merits," said NTI's acting president James Eetoolook.

