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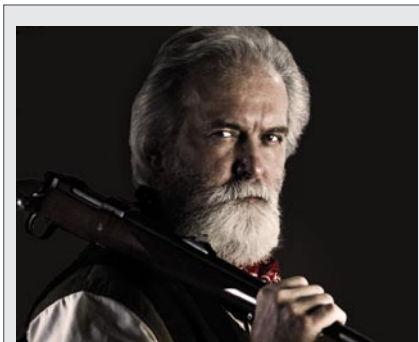
AN UNCERTAIN FUTURE

We may be entering a time when science no longer holds sway and vague notions of “morality” will determine the future of hunting.



VIC SCHEDEL

A recent decision by the World Trade Organization that enshrined the idea of “public morality” as a reason to ban the import of certain animal products could have far-reaching consequences for hunting, especially wolf and bear hunts, which are already under attack.



Shane Mahoney

Born and raised in Newfoundland, Shane Mahoney is a biologist, writer, hunter, angler, internationally known lecturer on environmental and resource conservation issues, and an expert on the North American Conservation Model.

Since the days of Theodore Roosevelt, the North American hunting community has held fast to the principle that wildlife management and the harvest of wild animals should be based upon scientific assessment. Where science indicated a harvest was possible, an elaborate list of conditions was set forth that included the season dates, the number and sex of animals to be taken, the means by which animals could be harvested, and the legal requirements to ensure animals were not wasted and that the harvest was reported to wildlife authorities.

All of this was to ensure that animal harvests were made legally, reported openly, and that hunter information could be part of the scientific knowledge helping ensure sustainable, renewable harvests of wildlife into the long-term future. It can be fairly stated that the nonhunting public accepted this approach to animal harvest as well.

Known in North America as the Roosevelt Doctrine and applied to all

renewable natural resources, not just harvestable wildlife, this principle of science-based decision-making has penetrated the entire conservation spectrum and is now the basis for not only forestry, fisheries, and all wildlife harvest regimes, but is also considered the essential cornerstone for the conservation of ecosystems, endangered species, and the entire range of living organisms. In short, science has come to be relied upon as a true, wise voice to guide our conservation efforts. Considered independent and free of value-laden bias, science has been a trusted advisor and one the hunting movement has debated but inevitably deferred to as the best possible means to guide both human harvest activity and wildlife’s future.

It is, therefore, difficult to imagine a world where science does not perform this role. Recent events, however, indicate that such a world is already in play—a world where wildlife science may be irrelevant to the question of whether wildlife harvest is appropriate and, more broadly, to what extent conservation policies will be influenced by scientific rationales and perspectives. It may come as some surprise, but the origins of this fundamental change began with seals and the protests against the hunt for these animals off the coast of Newfoundland.

In 2009, the European Union instituted a very well publicized legislative and regulatory ban on the importation and marketing of seal products within its member countries. This followed decades of pressure and propaganda aimed at vilifying the hunt and the people who had pursued it for more than 300 years, amid claims, long proven false by scientific authorities, that the methods of kill were cruel and inhumane by accepted international standards.

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The governments of Norway and Canada challenged the European Union's decision to ban seal product imports before the World Trade Organization's Dispute Settlement Body, seeking to have the decision overturned, as it clearly violated fair trade principles set out in existing international agreements. The outcome of this appeal was released in November 2013, and it interjected a surprising and far-reaching decision into the world of hunting and science-based rationales for the sustainable use of living natural resources. We will be dealing with the repercussions of this for a long time to come.

While somewhat technical in nature, the World Trade Organization's decision determined that the European Union's seal trade ban did, in fact, violate at least two critical articles of world trade policy agreements and was, therefore, discriminatory. However, it also ruled that banning seal product imports in consideration of the "public morals" was a legitimate objective, marking the first time that a discriminatory trade ban was upheld solely on this basis.

In doing so, the panel's decision ignored or dismissed considerations of animal abundance and the complete absence of any conservation threat (there are currently 7.2 million harp seals, making it perhaps the largest single breeding population of wild mammals in the world); animal welfare and humane harvest standards (which have been repeatedly evaluated for the

seal hunt by independent scientific panels and endorsed); and the general principles of sustainable use upheld as a legitimate practice with conservation benefits by leading scientific authorities around the world, including the United Nations' own environmental organization, the conservation standard-setting International Union for the Conservation of Nature (IUCN).

Regrettably, despite appeals by Canada and Norway, this decision was upheld in May 2014 when the World Trade Organization Appellate Body reaffirmed it. While further debate will certainly follow, we may reasonably expect that there will not be any change and that this extraordinary decision will stand. Already, animal protectionist and animal rights groups have hailed this as a long-awaited and extremely positive decision, enshrining as it does "public morals" as a legal basis for future efforts to disrupt animal use and trade of various kinds.

One can only imagine how readily such issues as the importation of animal trophies into the European Union might also be deemed inappropriate based upon the "public morals" or how those with antihunting philosophies might use the decision as another argument to protest the very act of hunting itself within the member countries or countries elsewhere. While such issues lie well beyond the intended scope of the World Trade Organization decision, there can be little doubt that this decision by an organization of such prominence and international reach will be seized upon as further evidence of support for anti-use agendas.

In this regard, it is perhaps particularly significant that the World Trade Organization is not a conservation organization, leaving its position to be lauded by protectionist circles as nonpartisan and therefore, a "best" approach from the uninformed public's point of view. It is also especially signif-

icant (and detrimental) that in rendering its decision the World Trade Appellate Body did not define what "public morality" its decision actually referred to, thus opening a potential Pandora's box of moral positions to be debated and appealed. After all, many decades of collaborative work by governments, industry, and conservation organizations has led to international standards for animal use, and sustainable use of animal populations has been deemed an effective conservation policy that not only incentivizes people to conserve wildlife but also serves to protect human diversity by safeguarding indigenous cultures especially. Surely this, too, is a moral position?

Despite this, the World Trade Organization has decided that a non-use philosophy is *the* "public morality" with respect to the importation and trade of seal products despite the lack of any conservation concern, despite the rich scientific portfolio available proving effective and responsible management of this resource, and despite the fact that both indigenous and long-established European-descendant cultures are dependent upon the use of this resource for part of their income and livelihoods. What is moral about disregarding all these truths? Would it not seem reasonable to help support local cultures and livelihoods given that two countries with outstanding scientific and social programs have demonstrated that this harvest is entirely sustainable?

What if tomorrow the harvest of lobster or wild salmon or tuna is identified as against the "public morals," or, closer to home, what if the harvest of all furbearers or all carnivores is deemed contrary to this vague moral code? Well, don't we see this on our horizon already? Isn't this already happening in our debates over the hunting of wolves, of grizzlies, polar and black bears, and mountain lions? Of course it is, and the debates continued on page 42

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are getting closer and closer to a point where science will simply not matter. What will determine the direction and fate of such practices will be a moral view respecting our relationship with wild (and domestic) animals.

It is abundantly clear to anyone willing to look closely and see clearly that the old dance between the sustainable use/hunting and protectionist worldviews, the dance where both sides used science to argue and defend their point of view, is becoming a vague and distant tradition. Increasingly, there will be no more such pretense. Increasingly, science will be deemed irrelevant to the philosophy of protection, and then what do we, as hunters and wildlife managers, do? What, under such a scenario, do we put forward as our golden standard, the rock we built our church upon? Indeed, how would we fare if the debate really does shift and move at right angles to the long-trodden path we have been drilled in and have expectations and preparations for?

Nothing changes overnight. The World Trade Organization decision respecting seal imports and trade within the European Union will not, in and of itself, change our world tomorrow. It is, however, an extraordinary decision that has real signal power. It is one of our clearest indications yet that the future of sustainable use and the future of hunting as we know it are entering a new world where philosophy and moral values will not just be part of the debate; rather, they may well be the *entire* debate. I pose one question: Are we in the hunting world prepared for this?



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