



# International Fund for Animal Welfare Fonds international pour la protection des animaux

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The Hon. Ross Landry MLA (Chair)  
Law Amendment Committee  
Nova Scotia Legislative Assembly  
Halifax, Nova Scotia

4 November 2009

Dear Sir:

**Re: Bill No. 50 (as introduced); specifically Clause 2**

My name is David Lavigne, and I am writing in my capacity as science advisor to the International Fund for Animal Welfare (IFAW). IFAW works to improve the welfare of wild and domestic animals throughout the world by reducing commercial exploitation of animals, protecting wildlife habitats, and assisting animals in distress. IFAW seeks to motivate the public to prevent cruelty to animals and to promote animal welfare and conservation policies that advance the well being of both animals and people.

I am a zoologist who has conducted research on seals, including grey seals, since 1969. Throughout that entire period, I have followed the on-going discussions and debates – both at home, and abroad – surrounding Canada’s commercial seal hunt. I have also written extensively on the biology and management of seals and other pinnipeds. A brief resume is attached to this letter.

I regret that I am unable to appear before you today but that is precluded by the unprecedented (in my experience) haste with which your committee is proceeding. I have made similar presentations in the parliaments of Canada and Belgium, in the European Parliament, the Council of Europe, and the U.S. Congress, all on more than 48 hours notice. The speed at which you are proceeding casts disrepute on the integrity of the Nova Scotia government and the legitimacy of its public and stakeholder consultative process. You must surely appreciate that witnesses cannot prepare thorough statements that would be useful to legislators on less than two days’ notice.

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Notwithstanding the questionable process, I summarize IFAW's comments on Bill 50, Clause 2, briefly below:

- Bill 50(2) appears to contravene the spirit, intent, and letter of Nova Scotia's *Wilderness Areas Protection Act* (Chapter 27 of the Acts of 1998) and the *Guidelines for Wildlife Policy in Canada* (which were approved by the Wildlife Ministers Conference of 30 September 1982).
- Bill 50(2) also appears to contravene other environmental legislation in the province of Nova Scotia.
- IFAW agrees with the statement, attributed to Nova Scotia's fisheries and environment minister, that there are no environmental benefits associated with a seal hunt in a designated "protected area" such as Hay Island.
- We also agree with the Department of Fisheries and Oceans' research scientist who wrote (in a 2007 email) that "I think it is quite evident that there is not a nuisance seal problem in Nova Scotia". He went on to say, somewhat prophetically it seems, that "It is also quite troubling to see that Nova Scotia is the only area that does not seem to follow a national policy...issuing licences [for killing seals] as if it is a wild cowboy shoot."
- There are no anticipated economic benefits associated with killing grey seal pups on Hay Island. (Wasn't that lesson learned earlier this year when no buyers could be found for grey seal pelts from this hunt?) There is, therefore, no basis for commercial sealing on Hay Island.
- I have personally written extensively on the issue of seal-fishery interactions and the scientific basis for culling seals. I also contributed to the development of the United Nations Environment Programme's protocol for the scientific evaluation of proposals to cull marine mammals. It is my professional opinion that there is no scientific reason to expect that culling grey seals on Hay Island will produce any benefits to fisheries.
- The methods used to kill grey seals on Hay Island are more similar to those practiced in Namibia's commercial seal hunt for Cape fur seals (driving animals prior to clubbing them with wooden bats) than with Canada's commercial harp seal hunt. Regardless, both types of seal hunting have been shown to violate international standards for humane killing and have been deemed inherently inhumane.
- According to a recent poll conducted by *EnviroNics Research Group* the majority of Canadians continue to oppose Canada's commercial seal hunt, and 64% of **Atlantic** Canadians expressing an opinion actually **support** new regulations

banning the hunting of seals less than 3 months of age. All grey seal pups killed on Hay Island are less than 3 months of age.

- Since there are no scientific or economic reasons to kill grey seals in a protected area like Hay Island, one can only conclude that Bill 50(2) is – like Canada's entire commercial seal hunt – politically motivated, designed to placate a few fishermen/sealers (i.e. voters) in the province of Nova Scotia, while ignoring the majority view of Nova Scotians and all Canadians.
- If Bill 50(2), subsection 4 is actually intended to prohibit observers from monitoring any future seal hunting on Hay Island, it is unacceptable to IFAW.
- Bill 50(2) raises a number of serious ethical issues concerning not only animals, but the democratic political process itself.

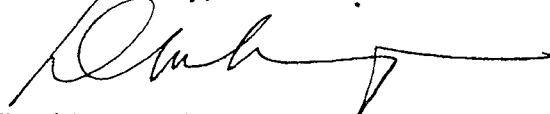
In conclusion, passage of Bill 50(2) will be a major set-back to conservation and animal welfare, not only in Nova Scotia, but in Canada as a whole. It will also represent yet another set-back for the democratic process in this country. Passage of this Bill will clearly expose the fact that the New Democratic Party has no more commitment to wildlife and the environment than the two major political parties in this country. Even with a new government, environmental policy in Nova Scotia continues to be driven by politics, not science nor conservation principles.

The new government came into office promising "a better deal" for its citizens. It is IFAW's opinion that a better deal for all Nova Scotians, including fishers, must include environmental and fisheries policies that are based on science rather than mythology or emotion.

It is IFAW's hope that the Law Amendment Committee will function as "a place of sober second thought" and recommend that the Legislative Assembly re-think the wording of Bill 50(2).

I would be happy to meet with your committee at a time of mutual convenience to discuss this matter further and to provide you with any documentation you might wish to examine before concluding your deliberations.

Yours sincerely,



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## Appendix 1

**David M. Lavigne PhD, Dr philos**

**David Lavigne** is science advisor to the International Fund for Animal Welfare (IFAW). From 1973-1996, he was a professor in the Department of Zoology, University of Guelph, Guelph, Ontario, Canada. He was also executive director of the International Marine Mammal Association (IMMA), a not-for-profit organization concerned with the global conservation of marine mammals from 1990-1999. After receiving a BSc in Zoology from the University of Western Ontario in 1968, he taught high school for one year before attending graduate school at the University of Guelph, completing an MSc in 1972 and a PhD in 1974, both for work on vision in seals. Remaining at Guelph as a faculty member, his research interests shifted to problems of censusing harp seals to estimate annual pup production and population size. By 1975, the focus of his research was pinniped bioenergetics. For the latter work he earned a *Dr philos* degree from the University of Oslo in 1988. Currently, his major interests are in the areas of conservation biology, wildlife management, and natural resources policy.

During his years at the University of Guelph, David taught numerous undergraduate and graduate courses including mammalogy, ecology and marine biology, wildlife conservation and management, and natural resources policy. The author of more than 100 papers and technical reports on various aspects of marine mammal biology, wildlife management, and conservation, he is also, co-editor (with J. Beddington and R.J.H. Beverton) of *Marine Mammals and Fisheries* (George Allen & Unwin, 1985), and co-author (with W.M. Johnston) of *The Mediterranean Monk Seal: Conservation Guidelines* (IMMA, 1998) and *Monk Seals in Antiquity* (The Netherlands Commission for International Nature Protection, 1999). From 1988-1992, he served on the editorial advisory board of the *Canadian Journal of Zoology*.

In addition to his published papers on various aspects of the biology and conservation of harp (and other) seals, he is also the co-author of *Harp & Hood: Ice-breeding Seals of the Northwest Atlantic* (University of Waterloo Press, 1988). In the mid-1980s, his laboratory at the University of Guelph submitted a number of briefs to Canada's Royal Commission on Seals and Sealing and he appeared before the Commission as an expert witness on two occasions. He has also testified as an expert witness before Canada's Standing Committee on Fisheries and Oceans (SCFO), in 1999 and again in 2006. He has made a number of submissions to the Canadian government's Regulatory Review Process regarding changes to Canada's Marine Mammal Regulations, and to the Eminent Panel on Seal Management, appointed by the Canadian Government to review Canada's commercial seal hunt, which reported in 2001. In 1999, 2000, 2006, and 2009 he was invited to participate in meetings of the Canadian government's National Marine Mammal Peer Review Committee.

Over the years, David has been a member of a number of international scientific committees, including: the Seal Specialist Group of the World Conservation Union (IUCN); the U.S. government's Pinniped-Fishery Interaction Task Force on the Sea Lion/Steelhead Conflict at the Ballard Locks, Seattle; the International Scientific Advisory Committee to the Hellenic Society for the Study and Protection of the Mediterranean Monk Seal (HSSPMS, now MOM), the Scientific Advisory Committee of the United Nations Environment Programme's Marine Mammals Action Plan; and the European Commission/IUCN Steering Committee for the 'Spanish Monk Seal Project'. He has also appeared before European parliamentary committees on a number of occasions and, in 2005, he testified in the Council of Europe and in the Belgian

parliament when both bodies were conducting hearings into animal welfare and other aspects of Canada's commercial seal hunt. In 2007, he served as a member of the European Food Safety Authority's (EFSA) Working Group on the Animal Welfare Aspects of Sealing.

In 2001, he presented the invited keynote address – Marine mammals and fisheries: The role of science in the culling debate – at the *Southern Hemisphere Marine Mammal Conference 2001*, Philip Island, Victoria, Australia. He also was an invited speaker in the University of Guelph's 2001 *The Kenneth Hammond Lectures on Environment, Energy and Resources*, entitled "Sustainable Development: Mandate or Mantra." His lecture, "Ecological footprints, doublespeak, and the evolution of the Machiavellian mind" was broadcast on CBC Radio's *Ideas* in May 2002. In January 2003, he spent a week at the University of Alberta, Edmonton as a "Distinguished Visitor" in the Environmental Research and Studies Centre. He was an invited participant in a consultation on future directions of marine mammal research, organized by the United States Marine Mammal Commission, in collaboration with the National Fish and Wildlife Foundation, which was held in Portland, Oregon, in August 2003. Later that year, he delivered the invited closing lecture to the World Wolf Congress 2003, held in Banff, Alberta. In 2004, he presented invited lectures at the Annual Meeting of the American Association for the Advancement of Science in Seattle (on the role of science in the formulation of public policy), and at the annual meeting of the National Agricultural Biotechnology Council (NABC) in Guelph (on reducing the agricultural eco-footprint). On behalf of IFAW, he organized an international forum entitled "Wildlife Conservation: In Pursuit of Ecological Sustainability" at the University of Limerick, Ireland, in June 2004. He also edited the book arising from that conference: *Gaining Ground: In Pursuit of Ecological Sustainability* (IFAW and the University of Limerick, 2006).

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