Keeping wild animals in captivity
Are conditions meeting EC legislative requirements?

An evaluation of the level of implementation and enforcement of EC Directive 1999/22

Presented by
Daniel Turner

The EU Zoo Inquiry 2011  www.euzooinquiry.eu
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**Born Free Foundation – 2 areas of expertise:**

- **Captive animal welfare**
  - To prevent the suffering of wild animals in captivity
  - To ensure compliance with national and international legislation
  - Evaluation of legal compliance
  - Lobbying for higher standards in animal welfare

- **Compassionate Conservation**
  - Protect wildlife in the wild
  - Hands-on conservation
  - Research and education for conservation
  - Lobbying for conservation legislation
  - Empowering local communities

[www.bornfree.org.uk](http://www.bornfree.org.uk)
The Directive (1999/22/EC)

The “Zoo” is a:

“permanent establishments where animals of wild species are kept for exhibition to the public for 7 or more days a year, with the exception of circuses, pet shops...”

This includes the:

Traditional zoo, animal (safari) park, aquarium, dolphinarium, park aviary, falconry centre, butterfly farm, specialist zoo, farm park with wild animals, sanctuary with wild animals (open to the public – 7 days of more)
Directive came into force in April 2002, when the European Union comprised 15 EU Member States.

From April 2005 (2007 in the case of Bulgaria and Romania), all EU Member States were required to fully implement and enforce its requirements.

The Directive provided a framework for Member State legislation, through the licensing and inspection of zoos, to:

- Strengthen the role of zoos in the conservation of biodiversity
- Exchange information to promote the protection and conservation of wild animal species.
- Provide adequate accommodation for zoo animals that aims to satisfy their biological needs.
- Ensure animals are provided with species-specific enrichment and a high standard of husbandry.
- Implement programmes of curative veterinary care and the prevention of the escape of animals.

In accordance to the European Community’s obligation to adopt measures for ex situ conservation under Article 9 of the Convention on Biological Diversity (1992).
Pilot study found consistent problems in zoos throughout in Spain, believed to be similar in rest of EU

- Lack of implementation of the Directive in some MS
- Misinterpretation of definitions / requirements
- Limited Regional/ local implementation: lack of inspection and licensing procedures
- Lack of knowledge on number of zoos (no national databases)
- Some zoos operating without a licence
- Voluntary and automatic licensing
- Conditions in many zoos believed to be below minimum standards
- Lack of detailed provisions
- Inexperienced staff and zoo inspectorate
- Sub-standard inspection quality
- Lack of resources to inspect zoos
- Need for guidance
- Irresponsible zoo management
- Lack of provisions and expertise to facilitate zoo closure
Objectives

- Review the level of implementation of Directive 1999/22/EC in EU Member States (MS).

- Assess the effectiveness of the Zoos Directive, its transposition into national law and the ability of the MS government to apply it.

- Gain a realistic overview of the status and performance of zoos in the EU.

- To identify the reasons behind the apparent inconsistencies in application.

- To ensure all zoos are licensed, inspected and meet the required standards throughout the EU and influence higher standards in the care of wild animals in captivity.

The EU Zoo Inquiry 2011 at www.euzooinquiry.eu
Overview

- Review national zoo legislation and how it is applied (and if it is applied)
- Gain an understanding of the Member State’s (MS) ability to apply the law
- Visit and assess a proportion of zoos in selected EU Member States
- Undertake a scientific review of the status and performance of zoos against their legal requirements
- Review the effectiveness of the Directive and whether it is achieving its objectives

The EU Zoo Inquiry 2011 at www.euzooinquiry.eu
Methodology
Information collected

- Collection of national zoo laws and research how it is applied
- Initial meetings with the Competent Authority (CA) in each MS
- **Questionnaire** for CA, govt agencies + veterinary services
  - Application of the law
- **Questionnaire** for zoos
  - Performance and operations
- Assessment of zoos, their status, performance and their publications

The EU Zoo Inquiry 2011 at [www.euzoooinquiry.eu](http://www.euzoooinquiry.eu)
### Methodology

**Data collected at each zoo**

<table>
<thead>
<tr>
<th>Category</th>
<th>Elements</th>
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</thead>
<tbody>
<tr>
<td><strong>Animals</strong></td>
<td>Welfare, Behaviour, Numbers, Representative</td>
</tr>
<tr>
<td><strong>Enclosures</strong></td>
<td>Size, Quality / enrichment, Hygiene, Security</td>
</tr>
<tr>
<td><strong>Signage</strong></td>
<td>Existence, Complete</td>
</tr>
<tr>
<td><strong>Accuracy</strong></td>
<td>Condition</td>
</tr>
<tr>
<td><strong>Information boards</strong></td>
<td>Accuracy, Condition</td>
</tr>
<tr>
<td><strong>Shows</strong></td>
<td>Content, Educational, Animals</td>
</tr>
<tr>
<td><strong>Talks</strong></td>
<td>Educational, Accuracy</td>
</tr>
<tr>
<td><strong>Education programme</strong></td>
<td>In-situ + ex-situ conservation</td>
</tr>
<tr>
<td></td>
<td>Infrastructure / security</td>
</tr>
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<td></td>
<td>Public safety</td>
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</tbody>
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**The EU Zoo Inquiry 2011** at [www.euzooinquiry.eu](http://www.euzooinquiry.eu)
Methodology
Analysis included

- **General zoo information** Section A
  - License, species numbers, area, entrance costs, etc.
- **Conservation** Section B
  - In-situ support, ex-situ, reintroduction, EEP, IUCN Red List, etc.
- **Education** Section C
  - Public programme, talks/tours, classroom, information, etc.
- **Enclosure quality** Section D
  - Shelter, security, enrichment, hygiene, enclosure signage, etc.
- **Animal wellbeing** Section E
  - Behaviour, injuries, condition, space, etc.

Sections in the report

The EU Zoo Inquiry 2011 at [www.euzooinquiry.eu](http://www.euzooinquiry.eu)
The investigation took place in the following Member States:

- Austria
- Belgium
- Bulgaria
- Cyprus
- Czech Republic
- Estonia
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Malta
- Poland
- Portugal
- Romania
- Slovenia
- Spain
- UK (England)

The EU Zoo Inquiry 2011 accessible at www.euzooinquiry.eu
The EU Zoo Inquiry 2011 at www.euzooinquiry.eu
Requiring immediate attention

- MS Competent Authorities lack the knowledge and expertise to effectively interpret and apply the requirements.

- Zoo inspectors lack knowledge and experience. Inspections lack structure and consistency in application and viability of output.

- State Veterinarians lack the knowledge and expertise to effectively assess animal well-being, identify poor welfare and address it.

- Zoo operators in many MS do not know how to provide appropriate care for the animals. Zoos are often left to their own devices.

- Zoos are not meeting their allotted responsibilities under Article 9 of CBD and conserving biodiversity.

The EU Zoo Inquiry 2011 at www.euzoooinquiry.eu
Requiring attention

- Lack of explanation, guidance and training.
- Failure to understand fundamental and applied animal welfare science.
- Zoos are providing incorrect or minimal information to their visitors. Education in the majority of zoos is poor.
- Design of enclosures, unlocked enclosures and lack of supervision, often permits the public direct contact with wild animals. Risk of injury and potential disease transmission.
- Poor hygiene in many enclosures. Build-up of harmful pathogens.
- Many zoos still train their animals to perform tricks that generally fail to reflect their natural attributes and have minimum educational value.
- Zoos are not taken sufficient measures to prevent animal escapes. Zoos are significant source of Invasive Alien Species (IAS).
Seeking Solutions

- Training of veterinarians in AW in relation to ‘wild animals in captivity’.

- Development of a ‘best practice’ guidance to support the implementation of the EC Directive 1999/22.

- Development of Action Plans by MSs to address the most severe issues. Amendment of law. Assistance where required.

- Consolidation of collections, zoo outreach and better use of limited resources.

- Training of enforcement personnel.

The EU Zoo Inquiry 2011 at www.euzooinquiry.eu
The follow up... working with the competent authorities to seek improvements.

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<th>Findings</th>
<th>Agreed actions by MS</th>
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<tr>
<td><strong>1. Bulgaria</strong></td>
<td><strong>Meeting held on: 14/12/2010</strong></td>
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<tr>
<td>At the time of the EU Zoo Inquiry investigation, 14 zoos with Conditional Licences were required to make specific improvements by 2010. The investigation identified that few improvements had been made and zoos were not meeting the requirements. An additional five zoos were unlicensed.</td>
<td>CA to inspect all 19 zoos. If after six months, any that are found to not comply with requirements, legal action will be taken to revoke the licence, closure of the zoo, or part thereof, and the relocation of animals. Deadline 30/11/2011.</td>
</tr>
<tr>
<td>Enforcement agencies, veterinarians and zoo operators lack knowledge and expertise in how to comply with the zoo operation requirements and ensure the wild animals are provided appropriate conditions.</td>
<td>To establish an online information platform, hosted by the CA that provides technical information and ‘best practice’ guidance to zoos to facilitate an understanding of legal requirements, encourage the appropriate keeping of wild animals and effective species conservation. Published on CA website in 2012.</td>
</tr>
<tr>
<td>Investigation identified that none of the zoos appeared to fully comply with the Biological Diversity Act or Directive 98/92; zoos were failing in their obligation to conserve biodiversity, educate the public and protect the public; and many animals were being kept in completely inadequate conditions.</td>
<td>For each zoo and rescue centre to establish a two-year development plan that includes a written captive breeding programme and education and research programme with details on activities and objectives. Published on CA website in 2012.</td>
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<tr>
<td>Living conditions for the majority of animals in the zoos are below the required standards. Of the selected enclosures assessed during the EU Zoo Inquiry, 85% failed to meet the minimum standards of Regulation No.6. There is a lack of environment enrichment in the enclosures.</td>
<td>To amend Regulation No.6, minimal requirements for keeping of wild animals in zoos and animal rescue centres, including species-specific requirements in environment enrichment. Immediate.</td>
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<td>Unknown conditions in the country’s rescue centres.</td>
<td>CA to inspect all rescue and breeding centres to ensure compliance with legal requirements. 01/10/2011 to 01/04/2012.</td>
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<td><strong>2. Romania</strong></td>
<td><strong>Meeting held on: 26/01/2011</strong></td>
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<td>At the time of the EU Zoo Inquiry investigation, 23 zoos were authorised by the CA. A further 12 were ‘unauthorised’, which were reportedly ‘closed to the public’, but permitted to operate and open to the public.</td>
<td>CA reported there to be 33 zoos in Romania, of which 23 are authorized, 8 are in the process of being authorised and 4 remain unauthorised. The aim is to ensure all zoos are authorised or closed.</td>
</tr>
<tr>
<td>Investigation identified that none of the zoos appeared to fully comply with the Act 191/2002, Ministerial Order No.1793/2007 and the Directive, zoos were failing in their obligation to conserve biodiversity, educate the public and protect the public; and many animals were being kept in completely inadequate conditions.</td>
<td>It is hoped that through regular zoo inspection, and once RFZGA becomes an EAZA Associate Member (apparently providing access to previously inaccessible information and guidance) improvements will be made to animal enclosures, level of animal husbandry and staff training. CA claims that zoos are partaking in conservation, education and research programmes, despite no evidence of such activities during the investigation.</td>
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<td>There does not appear to be a sufficient quality and regularity of zoo inspection.</td>
<td>Zoo inspectors (NSVFS + NEG) and the representatives of the...</td>
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27 Nations - One Community
The European Zoos Directive - Success or Failure?