

Education and enforcement ...or positive lists?

‘The importance of education and better enforcement of existing legislation and arguments against a positive list approach’



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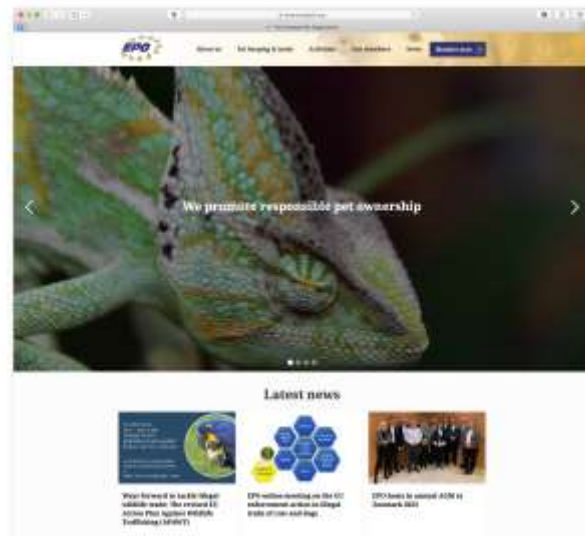


Presentation for the Hybrid Event “Ways forward to tackle illegal wildlife trade – The revised EU Action Plan Against Wildlife Trafficking (APAWT)” on Wednesday 28th June 2023, 16:15 – 18:00 CEST



European Pet Organization

- created in Vienna in 1990
- umbrella organization for national pet trade associations in Europe
- supports best practices and expertise of the pet industry as well as recommendations toward pet lovers to choose and keep pets in a responsible way
- Base our work on science and practical experience from how the animal trade and the hobbies actually work



www.europets.org



Through our members, EPO represents thousands of small and medium sized businesses in the European pet trade.

We also speak on behalf of millions of dedicated animal keepers all over Europe.

Pet keeping is important in modern society

- Active involvement with animals supports our mental and physical health, as well as promoting a general interest in animal welfare, and an increased interest in biology and nature conservation.
- Sales in accessories, food and services for pets are an important industry, creating hundreds of thousands of jobs.
- **More than 90 million households in the EU (46% of all) live with pets.**





Pets in Europe



113

million cats



92

million dogs



48

million birds



29

million small mammals



16

million aquaria



11

million reptiles





AI-image from 123rf.com. Generated 8. June 2023

europeanpetfood.org/about/statistics/



“Exotic” pets

- **Exotic:** *“unusual and exciting because of coming (or seeming to come) from far away, especially a tropical country:”*  Cambridge Dictionary
- **Exotic pet:** *“a pet which is relatively rare or unusual to keep, or is generally thought of as a wild species rather than as a domesticated pet. **The definition varies by culture, location, and over time...**”*  WIKIPEDIA
The Free Encyclopedia
- In EPO we focus on suitability for keeping by the **right person**, under the **right conditions**, from the **right source**
- EPO membership is bound by our **charter on the sustainability of pet keeping and trade**

Cruelty in trade and keeping?

The left photo is no more accurately representing general keeping of or trade in “exotic” pets ...

... than what the right one is the keeping of dogs.



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The Five Domains Model

Physical/Functional Domains

Survival-Related Factors

Situation-Related Factors

1: Nutrition		2: Environment		3: Health		4: Behaviour	
Restrictions on: Water intake Food intake Food quality Food variety Voluntary overeating Force-feeding	Opportunities to: Drink enough water Eat enough food Eat a balanced diet Eat a variety of foods Eating correct quantities	Unavoidable/imposed conditions: Thermal extremes Unsuitable substrate Close confinement Atmospheric pollutants: CO ₂ , ammonia, dust, smoke Unpleasant/strong odours Light: inappropriate intensity Loud/otherwise unpleasant noise Environmental monotony: ambient, physical, lighting Unpredictable events	Available conditions: Thermally tolerable Suitable substrate Space for freer movement Fresh air Pleasant/tolerable odours Light intensity tolerable Noise exposure acceptable Normal environmental variability Predictability	Presence of: Disease: acute, chronic Injury: acute, chronic; husbandry mutilations Functional impairment: due to limb amputation; or lung, heart, vascular, kidney, neural or other problems Poisons Obesity/leanness Poor physical fitness: muscle de-conditioning	Little or no: Disease Injury Functional impairment Poisoning Body condition appropriate Good fitness level	Exercise of 'agency' impeded by: Invariant, barren environment (ambient, physical, biotic) Inescapable sensory impositions Choices markedly restricted Constraints on environment-focused activity Constraints on animal-to-animal interactive activity Limits on threat avoidance, escape or defensive activity Limitations on sleep/rest	'Agency' exercised via: Varied, novel, engaging environmental challenges Congenial sensory inputs Available engaging choices Free movement Exploration Foraging/hunting Bonding/reaffirming bonds Rearing young Playing Sexual activity Using refuges, retreat, or defensive attack Sleep/rest sufficient

Affective Experience Domain

5: Mental State

Negative		Positive		Negative		Positive	
Thirst	Wetting/quenching pleasures of drinking	Forms of discomfort: Thermal: chilling, overheating Physical: joint pain, skin irritation Physical: stiffness, muscle tension Respiratory: e.g. breathlessness Olfactory Auditory: impairment, pain Visual: glare/darkness eye strain	Forms of comfort: Thermal Physical Respiratory Olfactory Auditory Visual	Breathlessness Pain: many types Debility, weakness Sickness, malaise Nausea Dizziness Physical exhaustion	Comfort of good health and high functional capacity Vitality of fitness	Anger, frustration Boredom, helplessness Loneliness, isolation Depression Sexual frustration Anxiety, fearfulness, panic, anger Neophobia Exhaustion	Calmness Engaged, in control Affectionate sociability Maternally rewarded Excitation/playfulness Sexual gratification Secure/protected/confident Likes novelty Energised/refreshed
Hunger (general)	Pleasures of different tastes/smells/textures	Malaise from unnatural constancy	Variety-related comfort				
Hunger (salt)	Pleasure of salt taste Masticatory pleasures						
Malnutrition malaise	Postprandial satiety						
Bloated, over full Gastrointestinal pain	Gastrointestinal comfort						

Welfare Status

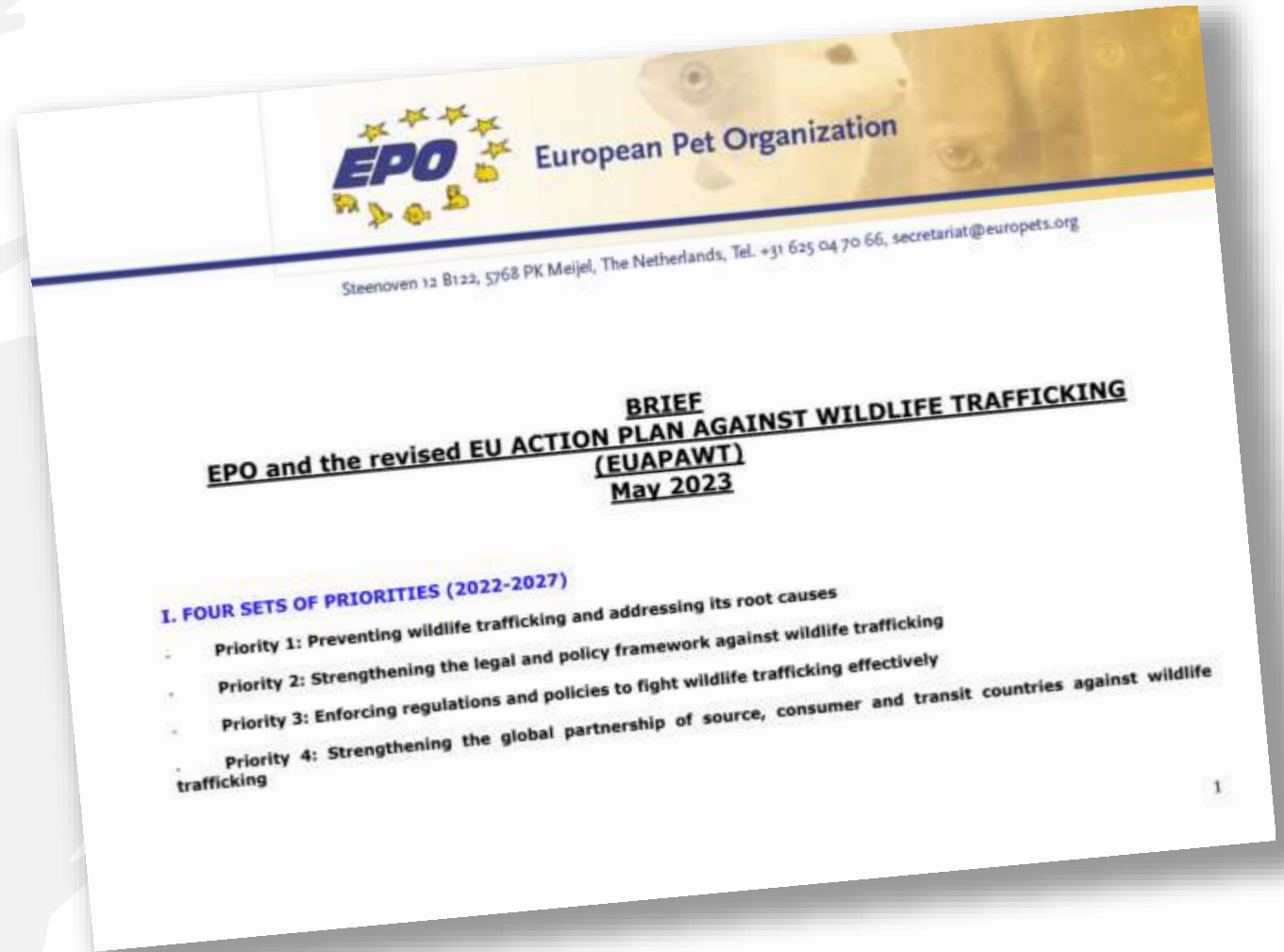


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MELLOR, David. (2017). Operational Details of the Five Domains Model and Its Key Applications to the Assessment and Management of Animal Welfare. *Animals*. 7. 60. 10.3390/ani7080060.

The EU Action Plan Against Wildlife Trafficking

- EPO has been supportive since the initial action plan was published in 2016, and still are – after the last revision of November 2022
- EPO has published several revisions of our document underlining how and why the regulated pet trade is part of the solution to end illegal trafficking
- see www.europets.org/activities



Priority 1: Preventing wildlife trafficking and addressing its root causes

- Raise consumer awareness on how to distinguish between legal and illegal trade.
- Implement initiatives at all levels ... that support livelihoods and the sustainable use of wildlife and wildlife products **by encouraging and facilitating the legal and sustainable sourcing of wildlife products.**



Priority 3: Enforcing regulations and policies to fight wildlife trafficking effectively

- Develop and use state-of-the-art tools and methods to facilitate the work of law-enforcement authorities and detect illegal wildlife activities.
- Implement the recommendations of CITES Resolution Conf. 11.3 paragraphs 12 and 13 on wildlife crime linked to the internet.

Priority 2: Strengthening the legal and policy framework against wildlife trafficking


- Objective 6, action 5:
Explore the need for, added
value of, and feasibility of
revising existing measures or
creating new tools to reduce
unsustainable trade in wildlife
(e.g. a 'positive list'...)



EPO supports the position of the European Commission

- **Positive lists of animals** that can be traded or kept as pets do **NOT** provide an effective solution to address the illegal trade in or welfare of live animals.
- Specific bans or (perhaps better) licensing requirements on unsuitable species (negative lists) are easier to produce and more understandable for the general public.



A close-up photograph of a person's hand holding a single small clownfish (Amphiprioninae) over a large, white mesh net filled with hundreds of similar clownfish. The background is slightly blurred, focusing attention on the hand and the fish being held.

Positive lists
are not the
solution;
because...



EPO Position Document on Positive Lists:
<https://www.europets.org/activities>



Prof. Dr. Dr. Spranger: Expert opinion on
the legal admissibility of positive lists:
<https://www.zzf.de/expert-opinion>



Photo © Kathrin Glaw / EPO

Impossible to find objective criteria

- With the criteria that has been used for positive lists in e.g. Norway, the Netherlands, and Belgium the selection of species often appears totally random from a animal keepers point of view.
- Cats and dogs would not make it on to most existing positive lists if they were to be selected by the same criteria as “exotic” species.
- A restricted positive list will lead to random discrimination of pet owners.

Loss of husbandry and keeping expertise

- The pet industry has enabled progress in the development of food, enclosures, technical equipment, specialty lighting etc. by anticipating market opportunities in a heterogeneous pet market.
- Specialist hobbyists have contributed significant new knowledge to the biology, keeping and conservation of a wide range of animal species.
- Speciality equipment and feeds may disappear from the market.
- Captive breeding of threatened and extinct species may stop.



Reduces important diversity



Who are we to decide what animals people should care about?

There is not ONE animal species that is suitable for every human.



Loss of sustainable sourcing and sustainable livelihoods

The variety of species and their global sourcing are of great importance for local livelihoods around the world supplying the pet sector in Europe.



Incentive for illegal trafficking

- A positive list could lead to undesirable consequences due to purchase from uncontrolled sources (cf. illegal puppy trade) and consequently to animal welfare problems when keeping pets.
- Bans must be justifiable and understandable (to the general public) and enforceable (for the authorities).





The social value of pet ownership is at risk

- Pets are an important part of our social and cultural life. More than 90 million households in the EU (46% of all) live with pets.
- The good effects of keeping pets represent an important benefit for the individual pet owner, for our health system and for society as a whole.
- A general ban on pet ownership by means of a positive list would give the impression that pet ownership is something bad in principle. The opposite is true.

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