Keeping of animals in zoos: minimum standards. Council Recommendation

1995/0333(SYN) - 20/07/1998 - Council position

While adopting the essence of the objective of the proposal for a recommendation, the Council felt that: - emphasis should be placed on the protection of wild fauna and the preservation of biodiversity and the role of zoos in this respect; - the Commission proposal for a Council recommendation should be transformed into a binding instrument and in the case in point - as initially proposed by the Commission in 1991 and requested by the European Parliament - a directive given that it would be impossible to adopt detailed provisions covering the whole range of establishments likely to be covered by this instrument. Apart from these changes, the common position introduces some modifications seeking to: - clarify the concept of permanent establishments and limit the exceptions to establishments whose nature and size exempt them from the Directive's obligations; - specify that zoos should be licensed within four years of the Directive's entry into force or prior to opening to the public; - acknowledge that systems equivalent to the granting of licences may be applied where they can ensure that the essential provisions (as regards conservation, inspection and closure) are implemented; - reinforce the binding nature of the Directive by specifying that Member States must determine the penalties applicable to breaches of the provisions transposing the Directive. It should be noted that the common position did not take over the European Parliament's amendments which sought to modify the Annex of the Commission proposal by replacing the 'Guidelines for the accommodation and care of animals in zoos' with a code of conduct. This annex no longer forms part of the text.