# Keeping of animals in zoos: minimum standards. Council Recommendation

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The Committee deplores the fact that the Commission instead followed the Council's majority view by withdrawing the draft Directive and proposing a Recommendation. This ran counter to the Committee's 1991 Opinion and the explicit position taken by the European Parliament which, at the beginning of 1995, called for adoption of the Directive. Moreover, the reason given for withdrawing the Directive, namely respect for the subsidiarity principle, is not convincing: - if the aim is compliance with Treaty Article 130r (applied through the legal basis, Article 130s), and - if the Community authorities' intention is to contribute to "preserving, protecting and improving the quality of the environment" and to the "prudent and rational utilization of natural resources", then animals in captivity are part of the environmental heritage and natural resources in the European Union and as such should be safeguarded by the direct use of Community rules. It seems that circuses are not covered by the Recommendation. It would be desirable to draw up a flexible, but binding instrument which also covers circuses as these frequently operate on a cross-frontier basis, travelling from one Member State to another. In addition to the foregoing observations, the Committee makes a number of specific comments on the Recommendation, parts of which are relatively unclear or unduly bureaucratic.