EC/Canada, Russian Federation Agreement: on international standards of trapping, humane trapping standards

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OBJECTIVE: conclusion of an agreement between the European Community, Canada and the Russian Federation on humane trapping standards for traps intended to kill or capture certain wild mammals (in particular for commercial exploitation of their fur). COMMUNITY MEASURE: Council decision 98/142 /EC concerning the conclusion of an Agreement on international humane trapping standards between the European Community, Canada and the Russian Federation and of an Agreed Minute between Canada and the European Community concerning the signing of the said Agreement. SUBSTANCE: Under Regulation (EEC) No 3254/91 the Community cannot import pelts or manufactured goods of certain wild animal species originating in third countries unless they prohibit the use of leghold traps or use humane trapping standards agreed internationally before 1 January 1996. As no relevant international standard had been established on that date, an agreement was concluded between Canada, the Russian Federation and the European Community with a view to permitting trade in and importation of furs obtained using trapping standards protecting the welfare of the animals. The main purpose of this agreement is to lay down harmonized technical standards offering a sufficient level of protection to the welfare of trapped animals and governing both the production and use of traps, and to facilitate trade in traps, pelts and products manufactured from species covered by the agreement. In accordance with the undertakings given the parties must ensure that their competent authorities take all the necessary steps to certify traps placed on the market on their territory as being in accordance with the standards and to prohibit the use of traps that are not certified in accordance with the standards. Derogations are provided, however, in relation to the interests of public health, protection of public and private property and respect for the cultural heritage of indigenous communities. The traps for which a derogation is granted must however conform to designs approved by the relevant competent authority and be notified to the joint management committee for the agreement. In the event of a dispute between the parties an arbitration body may be set up with a view to achieving a mutually satisfactory resolution. The annex sets out the actual international humane trapping standards, including: - the thresholds and indicators allowing the degree of welfare of the animals to be trapped or killed to be measured, - the list of species covered by the agreement, - the implementation schedule for ensuring that traps are in conformity with the standards and/or their replacement with traps that are authorized: .three to five years after the entry into force of the agreement for restraining traps, . five years after the entry into force of the agreement for killing traps. Traps which are not certified in accordance with the standards within three years after the end of the periods laid down in the preceding points will normally be prohibited (except for derogations granted provisionally by the competent authorities). PARTIES TO THE AGREEMENT: For a given (and unspecified) period this agreement will apply only between Canada and the European Community on a bilateral basis, the Russian Federation not being in a position to apply the standards set out within a reasonable period. To this end, Canada undertakes, in a parallel declaration, to prohibit completely conventional steel-jawed leghold restraining traps from the entry into force of the agreement for a certain number of key species listed in this declaration. For the remaining species Canada undertakes to abolish the use of these traps within an accelerated period, to be determined in relation to the period necessary for testing and implementation. ENTRY INTO FORCE: the agreement enters into force as soon as the parties have deposited their instrument of ratification. It is not directly applicable as each party must implement its commitments and obligations arising from this Agreement in accordance with its internal procedures.