




Procedure file

Basic information		
SYN - Cooperation procedure (historic)	1995/0357(SYN)	Procedure lapsed or withdrawn
Humane trapping standards: prohibition of leghold traps in the Community		
Subject 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Environment, Public Health and Consumer Protection		09/01/1996
		ELDR PIMENTA Carlos	
	Committee for opinion	Rapporteur for opinion	Appointed
	 External Economic Relations		23/01/1996
		PPE TOIVONEN Kyösti	
Council of the European Union	Council configuration	Meeting	Date
	Environment	2017	19/06/1997
	Environment	1978	09/12/1996
	Environment	1956	15/10/1996
	Environment	1939	26/06/1996
	Environment	1905	04/03/1996

Key events			
15/12/1995	Legislative proposal published	COM(1995)0737	Summary
12/02/1996	Committee referral announced in Parliament		
04/03/1996	Debate in Council	1905	
24/04/1996	Vote in committee		Summary
24/04/1996	Committee report tabled for plenary, 1st reading/single reading	A4-0151/1996	
18/06/1996	Debate in Parliament		Summary
19/06/1996	Decision by Parliament	T4-0340/1996	Summary
26/06/1996	Debate in Council	1939	
15/10/1996	Debate in Council	1956	

09/12/1996	Debate in Council	1978	
19/06/1997	Debate in Council	2017	
17/12/1998	End of procedure in Parliament		
17/12/1998	Additional information		Summary

Technical information

Procedure reference	1995/0357(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC before Amsterdam E 130S-p1
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	ENVI/4/07589

Documentation gateway

Legislative proposal		COM(1995)0737	15/12/1995	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0151/1996 OJ C 152 27.05.1996, p. 0005	24/04/1996	EP	
Economic and Social Committee: opinion, report		CES0699/1996 OJ C 212 22.07.1996, p. 0048	29/05/1996	ESC	Summary
Text adopted by Parliament, 1st reading/single reading		T4-0340/1996 OJ C 198 08.07.1996, p. 0069-0101	19/06/1996	EP	Summary

Additional information

European Commission	EUR-Lex
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Humane trapping standards: prohibition of leghold traps in the Community

OBJECTIVE: to amend Regulation (EC) No 91/3254 and defer the application of a ban on imports of certain furs and fur products. **CONTENT:** Regulation (EC) No 91/3254 provides for a ban on imports of certain furs and fur products, unless the Commission establishes that a third country has banned the use of leghold traps or has implemented humane trapping methods. Having examined the consequences of implementing this ban on 1 January 1996, the Commission proposes deferring the import ban so that work on standards currently under way in the working group on international human trapping standards set up in September 1995 by the Commission, Canada, the United States and Russia can continue.?

Humane trapping standards: prohibition of leghold traps in the Community

A ban on the import of pelts from animals caught by means of leghold traps came into force on 1 January 1996. However, the European Commission failed to introduce the necessary implementing regulations by that date. As the first step in possible legal proceedings against the Commission, Parliament's Legal Affairs Committee has asked the President of Parliament to write formally to the Commission calling on it to act it is required to do. The rapporteur's report was adopted with few changes. The committee adopted 38 amendments (1, 2, 37, 3, 4, 38, 6, 7, 8, 9, 10, 11, 41, 13, 14, 15, 16, 17, 18 (first part), 47 (second part), 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36). In a novel move, given the failure of the Commission to introduce the necessary implementing provisions, Mr PIMENTA deleted much of the Commission proposal and replaced it with the implementing provisions. The ban on the import of pelts should originally have come into force on 1 January 1995, but was postponed to allow time for negotiations with pelt-exporting nations. In amendment 3, the committee noted that despite this delay international humane trapping standards have not been applied. Amendment 6 noted that "consistent with the Berne Convention, any international humane trapping standard which is adopted must necessarily exclude the use of indiscriminate means of capture and killing, such as leghold traps". Amendment 13 says that "having exercised its right under Article 5 of Council Regulation No 3254/91 the Commission has no further powers to postpone the implementation of the import restrictions specified under Article 3 (1), which should therefore now be implemented by all Member States". However, the committee was concerned to look after the interests of the indigenous peoples involved in trapping (amendments 14 and 28). Hence, where they agreed not to use leghold traps, their fur exports would

be admitted to the Community, even when the state to which they belonged was subject to the import ban. The same was true of individual states (amendments 15 and 29) within a federation: if individual states banned the use of leghold traps, their fur exports could be admitted to the Community even if the federation to which they belonged refused to introduce a federation-wide ban on the use of such traps. The committee acknowledged (amendment 16) that the General Agreement on Trade and Tariffs - allowing free trade in goods - had to be taken into account, and particularly Article XX thereof. Under amendment 18 (first part) the Community is to enter into negotiations with third countries in order to achieve agreement on humane animal trapping standards. Such standards would include a timetable for implementation not exceeding 12 months. Indigenous peoples (amendment 47, second part) could take part in the negotiations with consultative status. Parliament would be kept informed of the outcome of the negotiations. Furthermore, (amendment 32) the Community was to enter into negotiations with third countries that had prohibited the use of leghold traps within their jurisdiction with the aim of establishing a multilateral agreement or convention which opposed and discouraged the use of leghold traps. Amendment 38 noted that Declaration No 24 to the Treaty on European Union called upon the European institutions and upon Member States to pay full regard to the welfare requirements of animals when drafting and implementing legislation on the common agricultural policy, transport, the internal market and research.

Humane trapping standards: prohibition of leghold traps in the Community

After examining the legal and commercial considerations underpinning this new proposal, the ESC is concerned over the Commission's failure to exert sufficient pressure for the establishment of supervisory procedures guaranteeing humane trapping standards and feels that the proposed amendment to Regulation 3254/91 is only acceptable if accompanied by clauses and commitments which specifically tailor the amendments to the goal of humane trapping.?

Humane trapping standards: prohibition of leghold traps in the Community

In presenting the background details of this proposal, the rapporteur, Mr Pimenta (ELDR, P), referred to the ambiguity in Commissioner Brittan's statements on the environment and the GATT agreement. Moreover, he pointed out that there were only 1 045 professional hunters in the Community and that their income was about 7 000 dollars a year, which could easily be granted to them by way of regional aid, in the same way as the Union did for hill farmers, for example. In actual fact, the real profits were earned by the fur importers. Commissioner Bjerregaard thought that the Commission and Parliament had the same objectives in mind, but that they differed as to the means of achieving their aims. Parliament wanted to ban the trade, while the Commission wanted to negotiate with the United States, Canada and Russia before applying supplementary measures. It was for this reason that the Commission could not take over the amendments tabled by the Committee on the Environment. Finally, the Commissioner declared that she would, within the time allocated, issue a statement on those countries that had banned the use of leghold traps.

Humane trapping standards: prohibition of leghold traps in the Community

In adopting the report by Mr Carlos PIMENTA (ELDR, P), the European Parliament asked that imports into the Community of pelts and manufactured goods of certain wild animal species should be banned from 1 January 1996 unless, in the country of origin: - there are adequate administrative or legislative provisions in force to prohibit the use of leghold traps; - the trapping methods used meet internationally agreed humane trapping standards. The list of countries which meet at least one of the conditions will be published by the Commission in the Official Journal of the European Communities. Parliament asked the Community to negotiate with third countries to conclude agreement on humane trapping standards. These standards must include a timetable for implementation not exceeding 12 months. Native peoples and international animal welfare organizations may take part in the negotiations with consultative status. ?

Humane trapping standards: prohibition of leghold traps in the Community

This proposal was withdrawn by the Commission because it was no longer considered to be of relevance. ?