

# Procedure file

Basic information		
CNS - Consultation procedure Decision	1997/0019(CNS)	Procedure completed
EC/Canada, Russian Federation Agreement: on international standards of trapping, humane trapping standards		
Subject 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity		
Geographical area Canada Russian Federation		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ENVI</b> Environment, Public Health and Consumer Protection	PPE <a href="#">PIMENTA Carlos</a>	26/02/1997
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>RELA</b> External Economic Relations	PPE <a href="#">ILASKIVI Raimo</a>	25/02/1997
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">2066</a>	26/01/1998
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2059</a>	10/12/1997
	<a href="#">General Affairs</a>	<a href="#">2047</a>	24/11/1997
	<a href="#">General Affairs</a>	<a href="#">2029</a>	06/10/1997
	<a href="#">General Affairs</a>	<a href="#">2024</a>	22/07/1997
	<a href="#">Environment</a>	<a href="#">2017</a>	19/06/1997
	<a href="#">General Affairs</a>	<a href="#">2011</a>	02/06/1997
	<a href="#">Environment</a>	<a href="#">1990</a>	03/03/1997
	<a href="#">General Affairs</a>	<a href="#">1989</a>	24/02/1997
	<a href="#">Environment</a>	<a href="#">1978</a>	09/12/1996

Key events			
24/02/1997	Debate in Council	<a href="#">1989</a>	
03/03/1997	Debate in Council	<a href="#">1990</a>	
29/05/1997	Modified legislative proposal published	COM(1997)0251	Summary

02/06/1997	Debate in Council	<a href="#">2011</a>	
19/06/1997	Debate in Council	<a href="#">2017</a>	
15/07/1997	Legislative proposal published	<a href="#">08091/1997</a>	
15/09/1997	Committee referral announced in Parliament		
06/10/1997	Debate in Council	<a href="#">2029</a>	Summary
20/10/1997	Vote in committee		Summary
20/10/1997	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0325/1997</a>	
24/11/1997	Debate in Council	<a href="#">2047</a>	
17/12/1997	Debate in Parliament		
18/12/1997	Decision by Parliament	T4-0631/1997	Summary
26/01/1998	Act adopted by Council after consultation of Parliament		
26/01/1998	End of procedure in Parliament		
14/02/1998	Final act published in Official Journal		

### Technical information

Procedure reference	1997/0019(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC before Amsterdam E 228-p3; EC before Amsterdam E 113; EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/09232

### Documentation gateway

Document attached to the procedure	<a href="#">COM(1997)0017 OJ C 095 24.03.1997, p. 0046</a>	24/01/1997	EC	Summary
Modified legislative proposal	<a href="#">COM(1997)0251 OJ C 207 08.07.1997, p. 0014</a>	29/05/1997	EC	Summary
Legislative proposal	<a href="#">08091/1997</a>	15/07/1997	CSL	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0325/1997 OJ C 358 24.11.1997, p. 0003</a>	20/10/1997	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T4-0631/1997 OJ C 014 19.01.1998, p. 0104-0177</a>	18/12/1997	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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## EC/Canada, Russian Federation Agreement: on international standards of trapping, humane trapping standards

**OBJECTIVE:** Conclusion of an International Agreement between Russia, Canada and the European Community on humane trapping standards for traps intended to kill or capture certain wild mammals (in particular for the purposes of commercially marketing their fur).  
**SUBSTANCE:** Under the terms of Regulation (EEC) No 3254/91, the Community may only import pelts and manufactured products from animals from third countries which prohibit leghold traps or use humane trapping methods in line with the international standard set before 1 January 1996. As at that date no relevant standard had been set at international level, the Council authorized the Community to negotiate a framework agreement on humane trapping methods with Canada, the Russian Federation and the United States. An agreement was reached at the end of 1996 between the Community, Canada and Russia with the following objectives: - to establish harmonized standards on humane trapping methods for traps intended to kill or capture certain species of wild mammal (in particular the species covered by Regulation (EEC) 3254/91), - to improve communication and cooperation between the parties for the implementation and development of these standards, - to facilitate trade between the parties. The Agreement makes it possible to ensure an adequate level of 'welfare' for trapped animals and creates favourable conditions for the trade in traps and pelts between the Community, Canada and Russia. In particular it provides for: - thresholds and indicators to measure the degree of 'welfare' of animals to be caught or killed, - establishment of guidelines to test traps to demonstrate they are in accordance with the standards or if they are not, to replace them by certified traps (implementation schedule: three to five years after entry into force of the Agreement for restraining traps and five years for killing traps), - a total ban on all traditional leghold traps within four years of entry into force of the Agreement and a ban on all traps which are not certified as in accordance with the standards within three years of the deadline laid down in the implementation schedule (derogations are provided permitting the provisional use of some non-traditional traps while research is carried out to identify replacements). ?

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

In an amended version of the agreement on international humane trapping standards agreed following additional negotiations and consultations between the parties, the Community, Canada and the Russian Federation there are the following new provisions: - derogations: the use of traditional wooden traps essential for preserving the cultural heritage of indigenous communities will be authorized; - committee: the Joint Management Committee can meet at the request of one of the Parties; - arbitration: the Arbitration Body convened in relation to a dispute between the parties must issue its ruling no later than 180 days after the date on which the President is appointed. The ruling which it gives is final and binding on the disputing Parties and cannot be appealed; - standards: technical modifications have been made to the text of the annexes with a view to improving the content, in particular with regard to: . thresholds for killing traps: the time 'to' unconsciousness (and not the time 'of' unconsciousness), . behavioural indicators and injuries: indicators and injuries 'recognized as' indicators of poor welfare, . target species: a new target species has been added to the list of species covered by the agreement: *Martes martes* or Pine marten; - implementation schedule for standards: the new text no longer specifies that the traditional leghold traps must be totally banned within four years of the entry into force of the agreement. They may continue to be used for certain species or under specific environmental conditions, when a competent authority has not been able to certify them, for the period required while research continues to identify replacement traps (the old version permitted this type of derogation for all traps except, specifically, for traditional leghold traps). - declarations of the parties annexed to the agreement: following the additional consultations which took place in May and June 1997 with the parties and in accordance with the suggestions made by the Council on 24 February 1997, two new declarations supplement the initial text: 1) declaration by Russia on derogations for the use of traditional wooden traps: Russia undertakes that this type of trap will be used exclusively for the trapping of *Martes zibellina* and *Mustela erminea* and only by trappers belonging to indigenous communities located in Siberia, the Extreme North and the Far East territories. Russia also undertakes that animals trapped with such trapping methods will not exceed the following maximum percentages of the total number of animals of these species trapped in the Russian Federation: . 1.4% for *Martes zibellina*, . 3.5% for *Mustela erminea*; 2) declarations by Canada and Russia on the use of conventional steel-jawed leghold restraining traps: . Russia undertakes to prohibit the use of these traps by 31 December 1999 provided that international financial assistance is available to cover a sufficient part of the economic cost of the replacement of these traps (which are the only type of leghold restraining traps used within its territory). In any case, these traps will be completely prohibited within four years after the entry into force of the agreement (whether or not there has been international financial assistance), . Canada undertakes to prohibit completely jaw-type leghold restraining traps at the date of entry into force of the agreement for a certain number of target species living on its territory and to prohibit the use of conventional steel-jawed leghold traps within an accelerated period to be determined in relation to the testing period necessary for implementation of the agreement for the remaining species. ?

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

The Council was informed by the Commission of the progress of negotiations with the United States on the accession of that country to the agreement on humane trapping standards already concluded with Canada and the Russian Federation. ?

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

## trapping standards

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The agreement negotiated by the European Commission with Canada and Russia on humane trapping standards was rejected by the Committee. Adopting a report by Mr Carlos PIMENTA (EPP,P), the committee took the view that the accord, which inter alia covers leghold traps, would not prevent cruelty to animals. However, as Parliament has only consultative status, it cannot stop the Council approving the agreement. Members criticized the Commission for bowing to external pressure. Negotiations are continuing with the United States, which refused to endorse the current agreement on the grounds that it was too restrictive.?

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

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In adopting the report by Mr Carlos PIMENTA (EPP, P) Parliament rejected the conclusion of the agreement on international humane trapping standards between the Community, Canada and Russia. It considered that an agreement which did not as a minimum guarantee an end to the use of leghold traps by all the parties within the near and specified future did not merit being given serious consideration. In so far as there were not adequate measures in Europe to ensure that wild animals were trapped without cruelty and without risk to endangered species, Parliament considered that it would be appropriate for the European Union to define a European trapping standard which properly reflected their own stated desire for a humane and comprehensive standard. ?

## 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. ?