

Brussels,
A(08)1856 - D (08)

03. 07. 2008

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Dear Dr Lucas,

Thank you for your letter of 29 May 2008.

The use of dolphins in zoos and dolphinaria is strictly regulated under Community legislation, in particular the EU Wildlife Trade Regulations Nos 338/97 and 685/2006 which implement the Convention on International Trade in Endangered Species of wild fauna and flora (CITES) in the EU. All cetaceans, including dolphins, are listed in Annex A to these Wildlife Trade Regulations. This listing is in line with the high protection status of cetaceans in the Habitat Directive and is a stricter EU measure than the listing of many cetaceans under the CITES Convention.

Any import of dolphins into the EU or any transactions within the EU require appropriate permits and certificates which, especially for the import of wild-caught dolphins, can only be issued once the Scientific Authorities in the Member States have established that this would not have a harmful effect on the conservation status of the species in the wild and that it is only for breeding, scientific research or educational purposes. Moreover, no permit can be issued if the specimens are to be used primarily for commercial purposes. Furthermore EU Wildlife Trade Regulations require that dolphins are kept in accommodation that is designed and equipped to conserve and care for the animal properly.

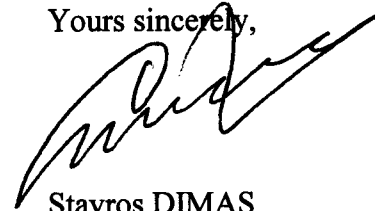
On a more general note, I would add that the Commission has recently finished a study on the effectiveness of the EU Wildlife Trade Regulations. The aim of the study was to assess whether the Regulations are effective in relation to the objective of ensuring that trade in species does not have a detrimental impact on their conservation status.

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The study did not specifically recommend a revision of the derogations for breeding, scientific research or educational purposes in Regulation (EC) No 338/97, and indeed at this stage the Commission considers that they are adequate in terms of the objectives of the Regulation. Nevertheless, based on the outcome of this study, the Commission will consider the need for any improvement to the Regulations or their implementation.

The Commission is committed to the effective implementation and enforcement of this legislation and is ready to assess those cases where its provisions may have been infringed and to take action if necessary.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stavros DIMAS', written in a cursive style.

Stavros DIMAS