

Brussels, 12 03 2007
A(2007)467 - D(2007) 230

Dear Dr Lucas,

Thank you for your letter of 6 February 2007 on Council Directive 1999/22/EC, in relation to the keeping of wild animals in zoos. In response to the concerns that you expressed as regards to the implementation of this Directive in Bulgaria and Romania, I would like to provide you with the following information.

The Directive has been transposed into national legislation in Bulgaria by Regulation N°6 of 23 October 2003 on the minimum requirements for the keeping of animals in zoos as amended on 26 May 2006 and in Romania by Law No. 191 of 16 April 2002 on public zoological gardens and aquaria.

The scope of the Directive is defined in Article 2, which states that, for the purpose of the Directive, "zoos" means all permanent establishments where animals of wild species are kept for exhibition to the public for 7 or more days a year. Circuses, pet shops and other establishments could be exempted by the Member States on the grounds that they do not exhibit a significant number of animals or species to the public and provided that the exemption will not jeopardise the objectives of the Directive.

As regards your concerns related to the Siberian tiger kept in a department store, tigers, like many other endangered animal and plant species, are listed in Appendix I of the Convention on International Trade in Endangered Species of wild fauna and flora (CITES). This means that trade is strictly regulated. Tigers are also listed in the Community legislation¹ implementing CITES in the European Union. The Regulation sets out strict provisions for animals to be displayed to the public for commercial purposes. In practice, this means that only tigers born and bred in captivity, or which pre-date the EC-regulations, may be used for these purposes. In addition, Council Regulation (EC) No. 338/97 requires that animals, which are moved within the Community, are handled in such a way as to minimize the risk of injury, health damage or bad treatment. Member States are required to impose sanctions if these provisions are not respected.

Dr Caroline Lucas, MEP
European Parliament
Bât. AS 08G103
Rue Wiertz, 60
B-1047 Brussels

¹ OJ L 61, 3.3.1997, p. 1: Council Regulation (EC) No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein

Therefore, in December 2006, the Commission contacted the CITES authorities in Bulgaria, which are responsible for the implementation of the International Convention on Trade in Endangered Species, and requested them to clarify the situation concerning the tiger. According to recent information received from the Bulgarian authorities, the responsible Regional Inspectorate of Environment and Water (RIEW) is currently examining the case. The Commission will continue to follow the case with the competent authorities.

I trust you find this information useful.

Yours sincerely,

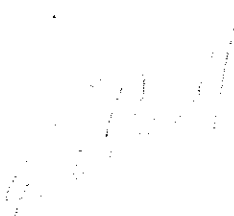


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