

# ANIMAL JUSTICE UK

SPECIAL EDITION: ANIMALS IN TOURISM

## WHALE WATCHING

Harriet McRae scrutinises measures to protect Southern Resident Orcas in Washington

## ZOOS DIRECTIVE

Louis Keysworth assesses the success of European zoos legislation

## DONKEY TAXIS

Myrto Karydi questions the ethics behind this 'traditional' Greek tourist attraction

## AJUK INVESTIGATES

Colum Tremayne explores the controversial topic of trophy hunting

## INTERVIEW: DANIEL TURNER



# ANIMAL JUSTICE UK

ANIMALS IN TOURISM SPECIAL

## CONTENTS

Welcome

|   |       |
|---|-------|
| Animal of the Issue: Orcas by Lauren Peach  | 1-2   |
| Donkey Taxis: The Welfare of Greece's Working Equids by Myrto Karydi  | 3-4   |
| Born Free's Raise the Red Flag by Tiffany Mitchell  | 5     |
| AJUK Investigates: Trophy Hunting by Colum Tremayne   | 6-10  |
| The Commodification of Animals for Souvenirs by Brydie Hand   | 11-14 |
| The Use of Animals in Tourism by Hannah Wade  | 15-22 |
| Southern Resident Killer Whales: Protective Measures Affecting the Whale Watching Industry by Harriet McRae | 23-25 |
| An Interview with Daniel Turner by Hannah Wade  | 26-30 |
| How Successful has European Legislation been at Protecting Animals in Zoos? by Louis Keyworth               | 31-33 |

**Address:** A-law, c/o Clair Matthews, Monckton Chambers, 1&2 Raymond Buildings, Grays Inn, London, WC1R 5NR

**Email:** [studentgroup@alaw.org.uk](mailto:studentgroup@alaw.org.uk)

**Website:** [www.alaw.org.uk](http://www.alaw.org.uk)

**Trustees:** Paula Sparks, Alan Bates, Jeremy Chipperfield, Edie Bowles, Simon Cox, Christina Warner, Jill Williams, Mike Radford, Abigail Scott

**Editor:** Natalie Harney

**Editorial Assistant:** Hannah Wade

**Editorial Panel:** Debbie Rook, Daniel Turner, Paula Sparks

**Contributors:** Lauren Peach, Myrto Karydi, Tiffany Mitchell, Brydie Hand, Harriet McRae, Hannah Wade, Colum Tremayne, Louis Keyworth

**Registered Office:** UK Centre for Animal Law, Emstrey House (North), Shrewsbury Business Park, Shrewsbury, Shropshire, SY2 6LG. A company limited by guarantee (No 307802 - England).

**Registered Charity:** 113462

The views expressed in this eMagazine are those of the authors and do not necessarily represent those of A-law.



## WELCOME

I am delighted to introduce you to the very first Animal Justice UK Special Edition. We have decided to launch the Specials series to give students and other readers a more in-depth understanding about pertinent animal protection issues. We hope to publish one special edition per year.

To launch the Specials series, we have chosen the topic of the use of animals in tourism. It is at this time of year that many of us relax and go away to enjoy a hard earned break. Sadly, however, some of you may witness, or have witnessed, animals being exploited in the name of tourism. This could be to provide entertainment, to provide services, or to provide holiday-makers with souvenirs.

As with our bi-annual editions of AJUK, this Special features a range of informative articles, features and an excellent extended interview with tourism and animal welfare expert, Daniel Turner.

I would like to personally thank Hannah Wade, an Animals and Society graduate from the University of Winchester, who provided much valued editorial assistance and who contributed several excellent pieces to this edition.

I hope you enjoy reading this Special. If you would like to contribute to a forthcoming edition of Animal Justice UK, please do not hesitate to get in touch.

Natalie Harney  
Editor

Email: [studentgroup@alaw.org.uk](mailto:studentgroup@alaw.org.uk)



# ANIMAL OF THE ISSUE: ORCAS

BY LAUREN PEACH

Orcas, although commonly known as killer whales, are actually the largest members of the dolphin family.

Orcas are a highly intelligent species. Their developed brains mean they have a complex emotional range, and are capable of experiencing feelings such as grief, joy and empathy. Orcas are also extremely social. Each belongs to a pod, which can consist of up to 40 individuals. Within their pods, orcas bond, hunt and travel hundreds of miles every day. **Recent research** has even found that orcas are capable of vocal imitation and mimicry, a skill limited to a small number of primates, birds and some other mammals.

Since the 1960s orcas have been used in tourism as a form of entertainment, performing tricks and routines for crowds at marine parks. However, the 2013 documentary *Blackfish* opened the world's eyes to the devastating impact of captivity upon these complex animals. The documentary follows the story of SeaWorld's famous orca, Tilikum, and tells us how a stressful life in captivity led to aggressive behaviour toward humans, resulting in the death of three people.

Captivity denies orcas of activities which form part of their everyday life in the wild. For example, wild orcas traverse large areas and



can travel up to 160km per day. This alone make orcas particularly unsuited to life in captivity. Nevertheless, marine parks continue to confine them to glass tanks. There are currently at least 70 captive orcas in countries including America, Spain, France, Canada, China and Russia.

In the USA, despite the **Marine Mammal Protection Act 1972** providing important limitations on the hunting of orcas, their captivity remains legal. Similarly, the US's **Animal Welfare Act 1966** merely provides minimum requirements for exhibitors. State law has, however, been significantly more effective. In California, the **Orca Welfare and Safety Act 2016** makes both the use of orcas for "entertainment purposes" and the breeding of captive orcas illegal.

**"In California, the Orca Welfare and Safety Act 2016 makes both the use of orcas for "entertainment purposes" and the breeding of captive orcas illegal."**

Nevertheless, international laws with the potential to protect orcas from captivity have had limited success. Uncertainty as to the application of the **International Convention for the Regulation of Whaling 1946** to cetaceans has provided a loophole, and the United Nations Convention on the Law of the Sea contains no provisions for the regulation and management of cetaceans.

Despite current international laws lacking efficacy, there is hope. Last year tourism operator, Thomas Cook, stopped selling tickets to marine parks keeping captive orcas. Furthermore, Canada recently enacted the **Ending the Captivity of Whales and Dolphins Act**. Let's hope we are witnessing the last generation of captive orcas.

**Lauren is a final year law student and A-law Student Ambassador at the University of Birmingham.**





# DONKEY TAXIS: THE WELFARE OF GREECE'S WORKING EQUIDS

BY MYRTO KARYDI

Not quite a pet. Not strictly a working animal either. The donkey (*equus asinus*), member of the horse family (*equidae*), has stood by humanity's side as a working animal for five thousand years. Its intelligence and friendly character make it a great companion, whilst its strong build make it suited to carrying heavy loads for long distances. Over 40 million donkeys exist worldwide. The equine population in Greece is thought to be up to 88,000 individuals.

In Greek society specifically, donkeys have played a central role since ancient times, when they were closely linked to Dionysus (god of wine). Donkeys are as iconic to the

Greek countryside as are the olive trees and, in modern times, donkey rides or "donkey taxis" have come to be a very popular attraction amongst the millions of tourists flooding to Greece each year. In most islands like Santorini, Corfu, Hydra, Spetses, Kea, as well as in numerous mainland destinations, tourists can either catch a horse or mule carriage-ride around the town or rent a donkey to carry them and/or their suitcases to their final destinations.

However, there is a darker side to this seemingly fun and 'authentic' experience. Donkeys can be kept for long periods without food or water, and - crucially - without shelter



from the hot Mediterranean sun. They are prone to spinal injuries, saddle sores, dental infections, and dehydration. Such instances are most evident in Santorini, where the island's steep terrain and slippery stairs pose a danger for "donkey taxis" climbing them on a daily basis. Anecdotally, I have been told that conditions in other islands, such as Hydra, are better.

Christina Alexandrou from the Hellenic Society for Equine Welfare, when asked about the situation, told me: "It all starts from a lack of proper education. Equids are not hard to care for; it's just that people regard them as expendable. Most owners currently lack even the basic knowledge of how and when they should be fed or how their hooves should be treated."

**"... as equids are often not identified in accordance with EU Equine Passport Regulations, in cases of abuse and neglect, it is often near impossible to identify the responsible owner."**

There is no equine specific legislation in Greek law. However, **Law 4039/2012** lays down minimum expectations for the care of animals, including the provision of food, water and shelter, and prohibits the cruel treatment of animals. Though, as equids are often not identified in accordance with EU Equine Passport Regulations, in cases of abuse and neglect, it is often near impossible to identify the responsible owner.

There might be a glimmer of hope that things are starting to improve, however. In the summer of 2018, demonstrations took place in Santorini resulting in clashes between donkey owners, or muleteers (as they are sometimes called), and animal welfare group members and activists. These received international

coverage and, as a result, the Greek government has committed to enacting a weight limit of 100 kg for the loads carried by donkeys and mules. The hope is that this measure will be fully enforced by 2020. After meetings with the Donkey Sanctuary and the Greek Animal Welfare Fund in Summer 2018, the Mayor of Santorini has also committed to improving conditions for working equids on the island in time for the 2019 tourist season.

**Myrto is from Athens, Greece and is currently completing an LLM at University College London, specialising in Human Rights. Myrto loves animals and the reason she decided to study law in the first place was in the hope that she could one day practice Animal Rights Law. Myrto is particularly interested in issues such as the illegal wildlife trade and smuggling, as well as slaughterhouse regulations.**





# BORN FREE'S RAISE THE RED FLAG

BY TIFFANY MITCHELL

On August 7th 2019, the Born Free Foundation (a wildlife charity that campaigns for wild animals to be treated with compassion and respect, whether living in captivity or in the wild) launched Raise the Red Flag, which enables members of the public to report any concerns about the welfare of captive wild animals globally.

There are millions of wild animals in captivity around the world, such as in zoos, circuses, sanctuaries and elephant camps, and there are many that live in conditions that do not meet their welfare needs.

Born Free's new reporting system, Raise the Red Flag, is an integral part of the charity's efforts to reduce global captive animal suffering, enabling them to share information and advice with members of the public so that action can be taken. Additionally, reports will be recorded on Born Free's database and map, and used to raise awareness, conduct further investigations and inform campaigns.

If you would like to find out more about this useful tool or report something that you have witnessed, you can follow this link [here](#).



AJUK INVESTIGATES

# TROPHY HUNTING



BY COLUM TREMAYNE



Over 2,500 animal trophies have been imported into the UK in the last decade. Despite continued pressure on the UK Government to implement a ban on the importation of animal trophies into this country, the recent response has been muted. The issue of trophy hunting is not a purely ethical one. Unlike poaching, what many would consider a morally abhorrent individual act is being justified for its alleged conservation benefits. Further, the legal and policy-driven complications involved have prevented the government from making a conclusive decision.

The infamous killing of Cecil the lion in Zimbabwe in 2015 had a striking impact on the movement against trophy hunting, instigating social, political and legal action. France, the Netherlands and Australia have all implemented bans on imports from trophy hunting since Cecil was killed.

The UK Government has explained that it is closely monitoring the impacts of bans on hunting trophies introduced in other countries. However, it would prefer action to be taken multilaterally. In July 2016, then Defra Minister, Rory Stewart MP, explained that the Government was working on a common EU-US position and that this could make a "huge difference." Despite President Trump's Twitter denouncement of trophy hunting in 2017, which had seemed to indicate that a common policy could be formed by the US and its European counter-parts, the US Government **reversed** an Obama administration ban on elephant trophies imported from Zimbabwe and Zambia in March 2018.

Another issue arises when considering the departure of the UK from the European Union. Any significant EU position that becomes enshrined in its law will likely be de hors the UK's jurisdiction and, as a result, indecision

may not be a sustainable option for the UK Government in its approach to animal trophy importation. Its legislative hand may be forced to make a move on its own; to finally clarify its position one way or another.

Although the UK Government considers that properly managed hunting can help conservation, it has also stated in the past that it would ban lion trophy imports by the end of 2017 if there are no improvements to hunting frameworks in countries where it is practised.

However, although there was an initial response from the UK Government after Cecil died, attention on the issue has dwindled. It seems to be that there is no answer to why the UK has not implemented a ban, especially considering that the common rebuttal that trophy hunting has conservation benefits has been proven to be, at best, inconclusive.

The Government has provided no explanation of its inaction since the 2017 promise, despite continued pressure from all angles. Calls for a ban on importation have come from MPs spanning the political spectrum, famous conservationists such as Sir Ranulph Fiennes, countless NGOs, and celebrities including Ricky Gervais.

There may now be as many as 9,000-12,000 lions spread across up to 300 captive breeding facilities in South Africa, generating a win-win sport for potential trophy hunters. Perhaps if trophy hunting was unquestionably positive and contributed to the increase of animal populations and protection of animal habitats, a question of the true value of the use 'wild' animals canned for hunts could be posed. One might compare this method of conservation to wildlife reserves as they currently exist for tourism; hunting reserves may simply be one step further along the process of human interference with wildlife.

However, there is a dearth of evidence to conclusively uphold the argument that trophy hunting benefits conservation programmes in this way. 'Pragmatic' conservationists point to the success story in Namibia and difficulties implementing the ban in Botswana to illustrate the positive impact trophy hunting can achieve.

Permits that validate the organisations through which hunts are carried out are required to be able to import animal trophies into the UK, and WWF supports trophy hunting where it "benefit[s] the wildlife populations of affected species, their habitats and associated ecosystems." Pro-hunting groups are confident that trophy hunting does meet this requirement, so much so that such groups have encouraged hunters to avoid importation bans in Europe by importing animal trophies into neighbouring countries and then smuggling them into the likes of France and the Netherlands in order to defy the growing tide against trophy hunting.

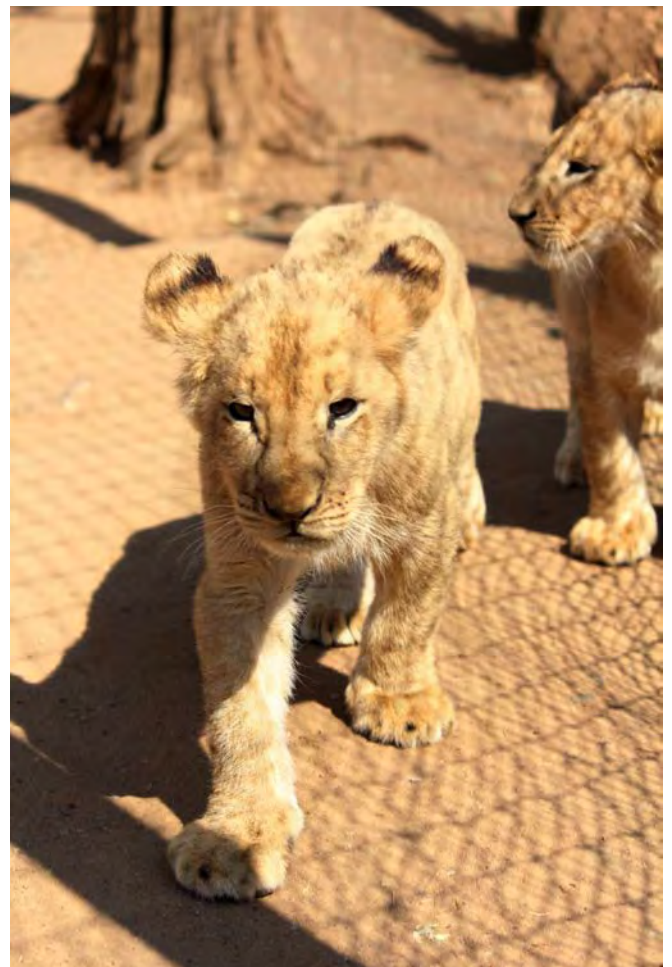
Another benefit that has been cited in favour of trophy hunting is that most of the animals that are hunted are old males who have already contributed to the gene pool. There are scientific studies cited by the International Union for Conservation of Nature (IUCN) stating that in the case of the rhinoceros, the absence of older males from the pool actually improves the fertility of the group, which leads to an increase in the population of rhinos.

However, this research does not blanket-cover all trophy targets. For example, despite the elderly male leaders of lion prides or elephant herds costing the most for a hunter to kill, the effect killing the patriarchs has on the remaining group members and future generations is unseen by pro-hunting parties. Lions, for example, have a unique social

structure whereby if the most dominant male dies, it disrupts the whole group. A new male who becomes dominant, for instance, may lead to cubs that are not his own being killed.

The 2016 **'Missing the Mark'** report by the US House of Representatives Committee on Natural Resources concluded that the implementation of trophy hunting structures did not meet the desired results for conservation benefits in any of the countries it assessed. Only Namibia had produced some positive results according to the report, which cited there had been "[an] increase [in] some wildlife populations through selective trophy hunting" in the country.

It is often argued that areas in which trophy hunting is most intense have seen the steepest decline in populations, as evidenced by Dr. Craig Packer's study in Tanzania. He



found that trophy hunting directly contributed to the decline in lions in most of Tanzania's hunting areas and, in the majority of the country, the proportional decline in leopard harvest was significantly higher in areas with the highest initial harvests.

Dr. Packer also found that the benefits from trophy hunting were not as effective for local communities as pro-hunting groups may suggest. The Maasai people in Tanzania's Serengeti region have repeatedly reported eviction from their lands by a luxury hunting and safari company.

**"... the impacts of trophy hunting in Tanzania have been almost impossible to measure as a result of scientists frequently being prevented from conducting research."**

Furthermore, the impacts of trophy hunting in Tanzania have been almost impossible to measure as a result of scientists frequently being prevented from conducting research. Dr. Packer was banned from Tanzania after expressing his belief that corruption was rife in the hunting industry, with the money generated being recycled in the industry and remaining in the hands of corrupt officials. After all, overhunting and corruption were key contributing factors to the ban implemented in Kenya in 1977, which suggests an inherent lack of professionalism in an industry where money often does not go into local communities.

Researcher Muchazondida Mkono shares these concerns. She states that ground research is difficult to carry out because of restrictions imposed by authorities, as well as anecdotally highlighting the lack of communal change in hunting areas. Clearly,



prohibiting thorough methods of empirical research being carried out in trophy hunting areas is detrimental to the completion of comprehensive analyses of the impact of the industry on conservation.

Despite social media's achievements in raising awareness and instigating government reaction, the solution to the legislative problem has been proven not to be driven simply by online outrage. Albeit passionate, the problem with this type of ethically-charged reaction is that it portrays the trophy hunting issue as black and white when, in reality, there is a nuanced grey area to address.

The online movement against trophy hunting that was provoked by Cecil the Lion's death did manage to instigate global outrage, but commentators have recognised the decline in public protest in the years since. It is therefore clear that in order to change legislation and policy on this issue, more substance is required behind the solutions proposed. In place of trophy hunting as a conservation effort, Mkono proposes the necessity for "viable alternatives that will ensure African economies have equal or better revenue streams for conversation."

The African lion population has declined by over forty percent in the last 20 years. Other contributory factors causing this statistic are clearly at play, including habitat loss, loss of prey base and retaliatory killing of lions by humans. However, the frustration for activist groups such as BornFree and the Campaign to Ban Trophy Hunting is that trophy hunting is an issue that can be addressed immediately, simply by outlawing the importation of animal trophies around the world.

Western attitudes help to dictate the industry's success and, if the UK – a nation synonymous with the neo-colonial image trophy hunting presents – implements a ban on the importation of animal trophies into the country, it will go a long way towards slowing the industry's economy and eliminating the incentive for hunters to bring their animal trophies home.

**Colum is a History and French graduate from the University of Exeter and a has a Graduate Diploma in Law from BPP Cambridge.**





# THE COMMODIFICATION OF ANIMALS FOR SOUVENIRS

BY BRYDIE HAND

Wildlife tourism centres around interactions between tourists and animals, including popular tourist activities such as whale and dolphin watching tours, elephant riding and visiting animals in parks. Although it is a multi-billion-dollar industry, discussions regarding the ethical issues associated with this industry have gained traction in recent years due to increased environmental consciousness and discourse surrounding animal rights and welfare. Despite this, there is limited discussion about one particular aspect of wildlife tourism, namely the trade in animal parts to tourists.

Tourism is an enormous industry and a major

driver of economic growth; in 2017, it accounted for over 10% of global gross domestic product (GDP). While there are no recent reliable estimates about the annual revenue generated by the trade of animal parts to tourists, wildlife trade generally is estimated to be worth billions of dollars each year. With trinkets and jewellery made of coral, rhino horns, ivory, shark and crocodile teeth, sea turtle shells and even dried seahorses available for purchase for over a billion tourists at markets and curios shops around the globe annually, it is clearly a highly lucrative industry. However, while the souvenirs that we purchase in the course of our travels often become reminders of



cherished memories, the unsustainable trade in wildlife, including the sale of animal parts to tourists, has been identified as one of the main challenges to effective wildlife conservation, as it can lead to the introduction of invasive species and disease, and the loss of biodiversity.

Further, this custom also sees animals suffer cruel treatment and deaths, and the ethical issues associated with the commodification of animals – regardless of environmental or societal impacts – are substantial. As such, although these souvenirs may seem like inconsequential purchases, it is important to increase awareness about the nature of this industry and the ethical, environmental and welfare issues it raises.

**"... the complex and sophisticated nature of the illegal wildlife trade presents enforcement challenges for CITES."**

There are two avenues through which animal parts are sold as souvenirs: legally and illegally. At a global level, international policy and legislation – most notably the **Convention on International Trade in Endangered Species of Wild Fauna and Flora** (CITES), which has 183 signatories – exists to protect animal species from the impact of trade by placing varying degrees of restriction on imports and exports of over 5,000 animal species listed under the Convention's Appendices. At a national level, it is up to individual countries to enact and enforce animal protection legislation to regulate the commodification and sale of animal parts. For example, in Australia, the **Environment Protection and Biodiversity Conservation Act 1999** regulates the movement of animals, plants and products to and from Australia and aims to help Australia meet its obligations under CITES.

Despite this, the complex and sophisticated nature of the illegal wildlife trade presents enforcement challenges for CITES. For example, although all seahorses are listed in Appendix II of CITES, Save Our Seahorses has predicted that they could be extinct in as little as 20 years due to overharvesting for sale as jewellery and trinkets, and for their believed medicinal properties. Likewise, although India's Wildlife Protection Act 1972 aims to safeguard several mollusc species, such as the Trapezium Horse Conch, mountains of seashells are nonetheless illegally harvested and sold to artisans who craft jewellery and trinkets to then sell to tourists. This lack of regulation has resulted in the rise of the 'black market', in which animals are illegally sold as exotic pets, props in tourist attractions, or killed to supply demand for sale of their body parts.



The transportation of animals prior to their sale on the 'black market' often causes stress and discomfort. For example, parrots might have their beaks and feet taped shut and be stuffed into plastic tubes that are then hidden luggage, and turtles may be taped to trap them inside their shells. Further, there has been instances of infant pythons being shipped in CD cases, and a man hiding Asian leopard cats in a backpack. Considering the extreme measures taken to trade species, even developed countries with stricter enforcement, such as Canada, have recently seen a boom in illegal trade.

Animals that are killed prior to transportation are often treated and killed in inhumane ways without regard for their welfare or suffering. Once animals are viewed as commodities to be sold for human benefits, their welfare is often no longer priority. For instance, seahorses may be dried alive, and elephants tusks and rhino horns can be hacked off. This industry also sees an unimaginable amount of animal lives wasted as by-catch or casualties to poaching activities. For example, in 2017 it was reported that a herd of rhinos were shot and killed by poachers, despite the majority having already had their horns removed as part of an anti-poaching drive. Both animal welfare and the intrinsic value of animals is disregarded in exchange for profit, leading us to ponder ethical questions regarding the commodification of animals broadly. Can we really put a price-tag on part of an animal? Is a souvenir really worth the death of an animal, even in the absence of pain and suffering?

Despite the cruelty upon which the industry is built, the illegal wildlife trade is reportedly the fourth most lucrative international crime, following drugs, humans and arms. Over 64,000 animals were confiscated by officials between 2010 and 2014. The illegal global wildlife trade is estimated to be worth up to

\$10 billion per year. Accordingly, although it is difficult to find concrete numbers, reports about the number of animals killed for commercial purposes each year are staggering, and instances of large-scale poaching activities occur regularly. As recently as September 2018, almost 100 elephant carcasses were discovered in Southern Africa with their tusks hacked off. Although there is no data available that indicates the proportion of illegally traded animals that are made into souvenirs, this industry and the 'black market' are inextricably linked; it is in developing countries that lack regulation to restrict the black market in which the greatest range of animal-derived souvenirs can be found. This is a significant issue, as developing countries are expected to take over 57% of the market share in international tourism by 2030, meaning demand for animal-derived souvenirs could increase further unless change occurs.

**"... the illegal wildlife trade is reportedly the fourth most lucrative international crime, following drugs, humans and arms."**

Of course, the issues associated with the trade in animal parts to tourists are not confined to the 'black market', as animal products sold legitimately are also often a result of inhumane suffering and deaths and the commodification of animals is plagued with ethical issues in general. However, tourists are often oblivious of the backstory behind their souvenir, and may even be unaware that an animal has died to produce it. This is because only a small part of the animal is usually used to make the product. Many tourists are also unaware that they may be breaking domestic laws by transporting these products from one country to another; just

because a product can be sold in one country, does not make it legal to bring it home.

Accordingly, the actions that must be taken to address this issue are twofold. Firstly, the international framework must be strengthened to restrict the number of animals killed and sold on the 'black market'. This may be achieved through the better enforcement of CITES or the introduction of new legislation and policy at domestic and international levels. Secondly, consumer demand often dictates the market and, although consumers are not responsible for the mistreatment of animals up the chain,

consumers have an ethical duty to avoid funding an industry built on animal suffering and exploitation. For this to occur, more education and a greater discussion of the issues associated with the purchase of animal parts as souvenirs is needed. The commodification of animals must stop if we are to make real progress towards increased animal welfare, biodiversity conservation and ecosystem health and to make that happen, we must use our voice to instigate change.

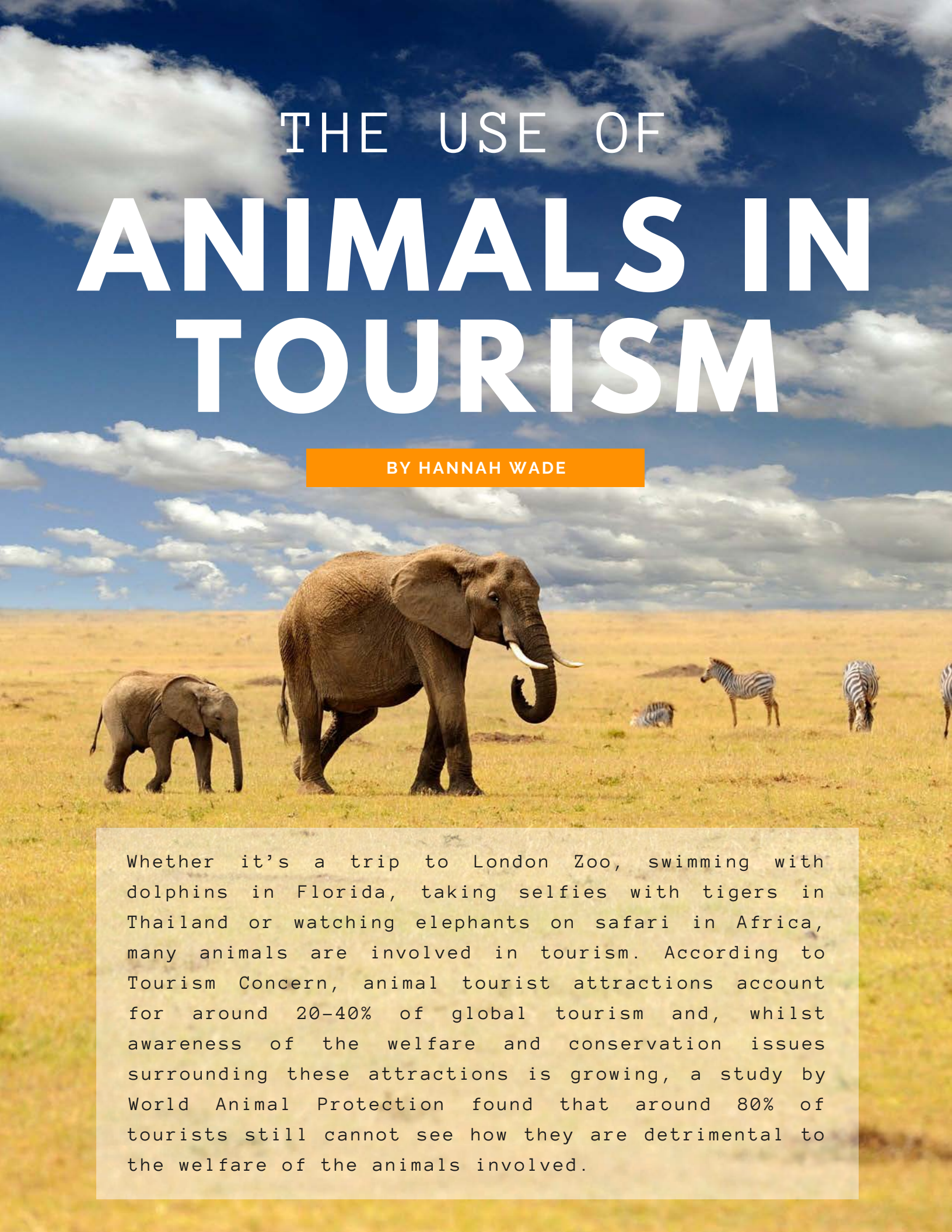
**Brydie is an Australian law graduate with a strong interest in animal and environment law. Brydie works in the litigation team of the NSW Environment Protection Authority**





# THE USE OF ANIMALS IN TOURISM

BY HANNAH WADE



Whether it's a trip to London Zoo, swimming with dolphins in Florida, taking selfies with tigers in Thailand or watching elephants on safari in Africa, many animals are involved in tourism. According to Tourism Concern, animal tourist attractions account for around 20-40% of global tourism and, whilst awareness of the welfare and conservation issues surrounding these attractions is growing, a study by World Animal Protection found that around 80% of tourists still cannot see how they are detrimental to the welfare of the animals involved.



# TROPHY HUNTING

---

One highly controversial way in which animals are used for tourism is in trophy hunting. The position of many governments - including in the UK and the US - is that sustainable, properly managed trophy hunting is beneficial to species conservation due to the funds it generates. The UN Convention on International Trade in Endangered Species of Fauna and Flora (CITES) requires a permit for the import of trophies from species threatened with extinction, allowing the trade to exist in 'exceptional circumstances'. The most prolific importer of lion and elephant trophies is the US, where the body parts of around 500 African lions and 500 African elephants are imported into the country each year. The US's Endangered Species Act of 1973 permits trophy imports if there is proof that the

hunting is beneficial to the species' conservation.

However, trophy hunting remains a controversial form of tourism amongst NGOs and the public. A high-profile example is that of Cecil the lion who was killed by an American trophy hunter in 2015 in Zimbabwe. Cecil was famous amongst local safari tour guides and wildlife photographers, and his death garnered international media coverage. Countries such as France and Australia have since banned the import of lion trophies. As a lucrative business, trophy hunting has also contributed to the rise of 'canned hunting', whereby animals are bred and kept in facilities before being released specifically for hunting. It is estimated that there are currently

6,000 lions across 200 captive predator breeding facilities in Africa. Cubs are often first used for petting or 'walking with lions' experiences and, once of age, are kept in private ranges for hunting. These canned hunting facilities claim to reduce hunting activity among wild populations. However, there are many animal welfare concerns within these facilities.

Trophy hunting is a sport for the wealthy, with

with hunters paying up to \$100,000 to shoot a lion or an elephant. It is the US government's position that sustainable trophy hunting plays a vital role in funding conservation efforts, such as through supporting wildlife ranges, tackling poaching and improving community development. However, the African Wildlife Foundation have said that if the US government is serious about conservation, they could provide this essential funding themselves.

# TRADE

---

A more inconspicuous way in which animals are involved in tourism is through souvenirs made from animal parts, which can introduce elements of the illegal wildlife trade. Souvenirs can include items made from materials such as elephant ivory, tortoise shell from the endangered hawksbill sea turtle or trinkets and jewellery made from protected coral. The illegal wildlife trade is regulated by CITES and tourists bringing souvenirs home that are made from the body parts of protected species could risk fines and even imprisonment. Thailand is heavily involved in the illegal trade in elephant ivory and, in 2013, CITES threatened to impose trade sanctions on the country if they failed to produce a national action plan on ivory. This resulted in the creation of the Elephant Ivory Act 2015 and amendments to the Wild Animals Reservation and Protection Act (1992).

Despite CITES, however, the international trade in ivory continues. Since implementing an effective ban on the international commercial trade in elephant ivory in 1989, CITES has approved two large 'one-off' sales

of stockpiled ivory, which has seen a subsequent increase in elephant poaching each time. According to Responsible Travel, each year 33,000 elephants are killed for their ivory. From 2010-2017, there was a 30% decline in the African elephant population and it is estimated there are now less than 500,000 elephants in Africa, compared to 5 million a century ago.

Unfortunately, sanctions for wildlife crime often amount to relatively small fines or several months imprisonment. As the deterrents are comparatively minor, this makes engaging in the illegal wildlife trade a more desirable and relatively low-risk criminal activity than other areas of organised crime. Not only does the illegal wildlife trade threaten species conservation, it also jeopardises environmental tourism businesses. Areas where poaching is most prevalent often rely heavily upon safaris and sustainable voluntourism experiences. Therefore, working to end the ivory trade helps support local wildlife tourism. The International Fund for Animal Welfare (IFAW)



suggest alternative ways that tourists can support the local economy without buying souvenirs made from animal parts, such as by buying handmade crafts from local communities or by supporting genuine animal sanctuaries or conservation projects.

# WORKING ANIMALS

---

Working equids, camelids and elephants are fundamental to the tourism industry of many countries; whether it's mules in Santorini or elephants in Thailand, animals are often tasked with carrying people and heavy loads. Many in the tourism industry are reliant on their animals to make an income from tourists. However, there can be a limited availability of funding and knowledge about best practice or the right equipment to use to care for working animals, which can impair animal welfare.

Around 50% of the endangered Asian elephant population is held in captivity. Elephant riding is commonplace in Thailand and is supported by the Thai government. However, there are serious concerns about elephant welfare. There is concern surrounding 'Phajaan', for example. This is a horrific training method used to 'break the spirit' of elephants to help prepare them for a life of carrying tourists. However, there is animal protection legislation in place in Thailand, with sections 381 and 382 of the Criminal Code making the ill-treatment or unreasonable overworking of an animal a criminal offence. In addition, the Animal Anti-Cruelty and Welfare Act in Thailand requires

basic welfare provisions for animals used in recreation and work. Unfortunately, however, enforcement of legislation is an issue and harsh training methods are still used.

The use of working animals in tourism is complex. Many rely on their animals to generate a small income from tourism and so, for example, a ban on elephant riding would leave numerous mahouts unemployed. In addition, elephant safaris sometimes generate income used in the conservation of other species. For instance, income generated from elephant rides has been used to fund efforts to save endangered tigers in Thailand. Attempts to make improvements to the welfare of working animals used in tourism must therefore also take into consideration the potential impact upon those who rely on this form of employment.

# VIEWING ANIMALS

---

Another way in which animals are involved in tourism is through visiting captive animals in zoos or encountering wild animals on safaris, both on land and at sea. Many argue that, if managed well, zoos have the potential to promote sympathy for the plight of endangered species, educating visitors on the importance of their conservation in the wild. However, around 90% of zoo animals are not endangered species and there is concern that zoos compromise on animal welfare for visitors' entertainment. In the EU, where animal welfare legislation is



comparatively strict, there are many welfare problems in zoos. The EU Zoo Inquiry discovered widespread non-compliance with Council Directive 1999/22/EC (the Zoos Directive), with many zoos not meeting the physical or behavioural needs of their animals.

Whilst the issues with captive animal attractions may be more obvious, wildlife tourist attractions that involve viewing animals in their natural habitat can also have a negative impact on animal welfare and conservation. From safaris in the African Savannah to the Arctic states, there has been a rise in so-called 'last chance tourism' where tourists travel long distances to catch a glimpse of an endangered species, such as rhino or polar bears.

Arctic polar bear safaris can be detrimental

to bear welfare in several ways. Tourism increases the likelihood of human/bear interactions, increasing possible bear fatalities through 'self-defence' killings. In addition, disturbance to the bears, such as through feeding them or intruding on their habitats, can be detrimental to their welfare. Although the feeding of bears is prohibited and there are regulations about the distance from which tourists can view these creatures, tourist companies have been known to break regulations to ensure that their customers get a close-encounter with a polar bear.

It is a sad irony that the polar bear tourism industry is responsible for producing 20,892 t/CO<sub>2</sub> each season, mainly from the long distances tourists travel to see the bears. It would seem that 'last chance tourism' may be threatening polar bear survival more than it is contributing to their conservation.





# ENTERTAINMENT

---

Animals are often used around the world to provide entertainment to tourists, from marine park shows in Florida to tiger experiences in Thailand. Due to cruel training methods and unsuitable captive conditions, the welfare of these animals is often compromised.

Zoos, aquariums and marine parks around the world are responsible for the care of approximately 3,000 whales and dolphins that are used for entertainment. Due to their complex needs and high levels of intelligence, there is much controversy surrounding the use of cetaceans for entertainment. Possibly the most high-profile marine park, SeaWorld, has been criticised in recent years over the welfare of its captive orcas. A restrictive captive environment, such as that provided by tanks at marine parks, can be very stressful for orcas who use

echolocation to navigate and typically traverse large distances each day in the wild. Stress from living in these unnatural environments has caused captive orcas to show aggression towards their trainers, other whales and even themselves.

Another way that tourists interact with cetaceans is through popular 'swimming with dolphin' experiences. Capturing dolphins from the wild for dolphinariums is not illegal in the US; anyone wishing to capture a wild dolphin for a public zoo or aquarium must obtain a permit in accordance with the Marine Mammals Protection Act 1972. Thankfully, though, no such permit has been granted since 1989. The care of dolphins in marine parks and aquariums is regulated by the Animal Welfare Act (1979), which stipulates, amongst other things, minimum space requirements.



However, regulation is poor and facilities are usually only inspected once a year. In other countries, dolphins are captured from the wild, often from already threatened populations. Recent research has highlighted the 'substantial' welfare impact caused to small cetaceans by drive hunting in Japan, the method typically used to capture dolphins destined for amusement parks. After the stressful journey, dolphins face the trauma of a life of captivity after once knowing the freedom of life in the sea.

Animal entertainment is also provided in the form of tiger experiences, where tourists are allowed to interact with tigers and take selfies with them. These are commonplace in Thailand, where there are around 830 tigers held in tiger petting attractions. The tigers are often weaned as early as two to three weeks old and can be drugged to ensure they are handleable. Tourists wanting up-close encounters with big cats are fuelling the demand for these centres, where tiger welfare is often severely compromised. Tourists that do wish to observe animals whilst on holiday are urged to seek out animal attractions that are beneficial to both conservation and animal welfare. This includes genuine animal sanctuaries that do not breed their animals but instead offer rescue and rehabilitation to the individuals in their care.

---

As tourists, we have a responsibility to support holidays and attractions that do not compromise conservation efforts or animal welfare, and which benefit local and indigenous people. However, many are unaware of the negative impacts that seemingly harmless attractions can have on the animals involved. This is why it is important that we are responsible tourists and do our best to research activities involving animals before we embark upon them, and why governments must ensure that legislation protects vulnerable animals and that policy is regularly updated to reflect best practice.





## SOUTHERN RESIDENT KILLER WHALES: PROTECTIVE MEASURES AFFECTING THE WHALE WATCHING INDUSTRY

BY HARRIET MCRAE

Wildlife tourism that involves observing animals in their natural habitat has largely been considered benign and, in some cases, beneficial from a conservation perspective. However, activities such as gorilla trekking, shark cage diving and whale watching are increasingly coming under scrutiny for their perceived negative impacts on the animals being observed. This has been illustrated recently where concerns about tourists observing the southern resident killer whale (SRKW) population off the west coast of the US have resulted in substantive protective measures being proposed.

SRKWs travel between central southeast

Alaska and central California, spending most of the year in the Salish Sea near the San Juan Islands in Washington State. They attract large numbers of tourists, and the whale watching industry in the Puget Sound region is said to generate \$60m annually for the local economy. However, with the population of SRKWs in 2018 reaching its lowest number in over 30 years (now 75 individuals after the birth of a calf in January this year), Washington's Governor Jay Inslee has proposed restrictive measures on the industry, including:

- A temporary three-year suspension on SRKW watching activities;
- An increase from 200 to 400 yards in the



distance all vessels must maintain from the SRKWs;

- A permanent go-slow zone for all vessels within half a nautical mile of SRKWs; and,
- A whale watching permit system.

These measures are the result of a **report** published in November 2018 by a specially established Southern Resident Orca Task Force, which identified noise disturbance to the whales from vessel traffic (including whale-watching vessels) as one of the factors contributing to the decline in SRKW numbers.

SRKWs have, at times, been observed being surrounded by 16 - 22 whale watching vessels over the course of a day, disrupting and displacing them from their preferred locations with underwater noise disturbance from vessels affecting their ability to locate prey, communicate, rest and rear their young. No calf born between 2015 and 2018 has survived, and in one instance, a female carried her dead new-born for 17 days over more than 1,000 miles in what has been considered to be an act of deep mourning.

However, whilst it is widely agreed that urgent action is needed to protect and conserve the SRKW population, the introduction of a three-year ban on SRKW watching has come under criticism for being inappropriate, ineffective and not giving due consideration to the conservation benefits of whale watching.

Other, arguably more significant factors unrelated to whale watching, were also identified in the Task Force's report as contributing to the decrease in the SRKW population, the main one being the lack of food for the whales due to a decline in the chinook salmon population. A representative from the Center for Whale Research has also argued that the greatest noise interference in

the area comes from large ferries, fishing boats and military vessels rather than whale watching vessels, which often sit idle or move slowly around the whales. With various contributing factors, it is difficult to determine the exact distribution of responsibility for the decline in the SRKW population and the real benefit that implementing a total ban on SRKW watching could bring.

Representatives from the whale watching industry claim that the protective and conservation benefits of whale watching were not given full consideration. They suggest that tour boats serve a protective purpose by patrolling around the SRKW, alerting larger vessels to slow down and to keep their distance, thereby encouraging compliance with the speed restrictions. They also claim their industry makes positive contributions to conservation by educating tour-goers about the whales and their conservation needs, and by gathering crucial information on the sightings of whales, which conservationists and researchers rely on.

**"... the introduction of a three-year ban on SRKW watching has come under criticism for being inappropriate, ineffective and not giving due consideration to the conservation benefits of whale watching."**

Is it possible for whale watching to exist and have a positive impact with appropriate regulation? The other measures proposed in Washington include introducing an increased buffer zone, a go-slow zone and a permit system. These could help to ensure appropriate practices whilst maintaining the conservation benefits of whale watching. Further, the World Cetacean Alliance group, the world's largest partnership for cetacean

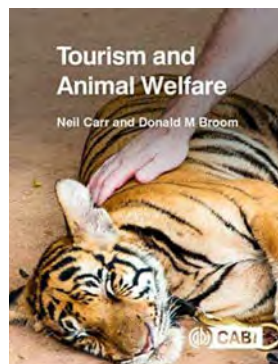
protection, has recently launched a certification scheme requiring members to uphold certain standards of animal welfare and sustainability and to donate \$1 from every ticket sold to conservation and education programmes. With conservation and environmental concerns receiving increased attention, tour operators may well invest in such schemes, if for no other reason than to avoid negative backlash.

**"... the World Cetacean Alliance group has recently launched a certification scheme requiring members to uphold certain standards of animal welfare and sustainability..."**

Washington bill (HB 1580) setting out the proposed new protective measures is currently making its way through the legislature. An amendment to the bill was made on 28 February 2019 (SB 5577) to remove the temporary suspension on SRKW watching. It remains to be seen what the final outcome will be.

**Harriet is a finance associate at DLA Piper in London. When time permits she works on pro bono projects, many of which reflect her strong interest in animal welfare and human rights.**

**Want to learn more about the use of animals in tourism? Read 'Tourism and Animal Welfare' (CABI, 2018) by Neil Carr and Professor Donald Broom.**





# AN INTERVIEW WITH DANIEL TURNER

BY HANNAH WADE

**Daniel is a leading expert on the subject of animals in tourism. He is the co-founder and director of Animondial and previously worked for the Born Free Foundation for 17 years. Daniel co-drafted ABTA's Global Welfare Guidelines for Animals in Tourism and project managed the 2011 EU Zoo Inquiry.**

## When did you develop a passion for animal welfare?

During my environmental biology degree, when I undertook a variety of modules in species conservation and animal behaviour, I became interested in animal welfare and how animals cope in

challenging environments. I suppose my passion was for species conservation and I wanted to work with wildlife in far flung destinations! However, I soon became aware that those experiences are few and far between and thought animal welfare would offer more career opportunities. Following two overseas placements, after graduating, I was given the opportunity to work with the Born Free Foundation in 2000. I started at assistant level in the Zoo Check department and worked my way up to become their Associate Director on Tourism and EU Policy.

## What influenced you to focus on animals in tourism throughout your career?

I started focusing on tourism in 2004. The Born Free Foundation had been approached by some travel companies to help with the development of some guidance for the travel industry about animal welfare and how to safeguard the welfare of animals involved in tourism. At the time, we had decided that we would try to work with the travel companies that were recognised as largely proliferating the problem, rather than criticise them. This change in approach proved to be more fruitful, and together we developed a handbook that provided guidance and education into animal welfare in tourism. Some years later, this was streamlined into a more accessible document, known as ABTA's Animal Welfare Guidelines, that introduced animal welfare science and methods to



Daniel Turner

evaluate it. These ABTA, guidelines are still very much in operation today and are largely recognised as an influencer in improving animal welfare in tourism. Although we had our reservations at the time, as an animal protection NGO, I am pleased to have been a contributor to this important document, it was clear that we had to do the work to try to improve the welfare of animals involved in tourism.

### **From your time working in the field of animal welfare, what achievements are you most proud of?**

In my earlier years at Born Free, we managed to influence the decision to move the elephants from London zoo, in the middle of the city of London, to Whipsnade Zoo in the countryside. This was my campaign as Zoo Check's lead and our efforts ultimately persuaded and encouraged London Zoo to make that move. As a result, there's no longer elephants living on concrete in the middle of the city. That was a nice outcome.

Our work to secure the protection of wild animals in captivity in European legislation required a lot more effort. This was my first experience working on European policy in Brussels and we were working against the odds as, at the time, European legislation only recognised animals in food production and cosmetic testing. The work, which involved the combined efforts of ENDCAP (a coalition of animal welfare NGOs that I established) took about 10 years to complete. However, we finally managed to ensure wild animals in captivity received the protections in European law and the EU Action Plan for the Welfare and Protection of Animals.

Another EU focus was the EU Zoo Inquiry,

which I established and managed from 2009 – 2016. This was another challenge and again a lot of work, but of course that is required if you're trying to change law. The objective of the EU Zoo Inquiry was to influence and encourage improvements to the way animals were kept and managed in zoos across the European Union. Over the years, Born Free and members of the public supporting the charity, had gathered evidence that animals were being kept in some appalling conditions in zoos, many animals were used in unnatural performances and few zoos contributed to species conservation. The European Commission, the EU civil service, at the time said that we needed more evidence to support your claims. The EU Zoo Inquiry involved 21 countries and produced 23 reports, including two summary reports: a summary of the whole project and a report focused on cetaceans in captivity, which was published with World Dolphin Conservation.

The last action I have already mentioned, is my contribution to ABTA's Animal Welfare Guidelines. They are still the only such guidance to the travel industry.

### **Could you tell us more about Animondial?**

I left Born Free in summer 2017 as I felt there was much more that I could achieve. Six months later, I created ANIMONDIAL with an ex-colleague. Animondial is a specialist consultancy that works with travel businesses, NGOs and academics to provide impartial advice and practical guidance to better manage tourism's negative impact on animals and the natural environment. Importantly we maintain an impartial but progressive approach in order to influence change and improve standards in

animal care and protection.

### **What is your average week at work like?**

It depends. The week before last I was in Thailand. I visited a number of elephant camps with the aim of getting a better understanding of their activities. The visit was eye-opening, highlighting the many different types of elephant camps, and the many risks to both people and the animals at those facilities. I hope to be tasked with the development of standards that will improve the welfare of elephants and their mahouts throughout Thailand (and hopefully the whole of South East Asia).

Whilst last week I was at ITB Berlin, which is the largest travel trade fair in the world. My goal there was to raise awareness about the Animondial and our objectives, to identify new partnerships. The topic of elephant camps featured in the discussions there too! This week I have been tying up some loose ends, which usually involves lots of emails, Skype calls and preparing for next week when I'm back in Thailand to support the auditing of some captive animal facilities.

### **How important, do you feel, is the role of education in improving animal welfare for animals used in tourism?**

Unsurprisingly, it's integral! You're not going to achieve anything if you forcefully push with campaigning and lobbying. Whatever your approach is, if you want to influence and deliver meaningful change you have to A) know your topic area, and B) be able to convey your knowledge base in an accessible way to your target audience. You can't expect people to make decisions based on one side of the argument. Travel business need to understand the topic, receive an insight into

how their activities could be impacting on animals and their welfare, and understand how practices can change. Education is integral throughout that process. It is also important not to assume that people know all the facts and to positively convey the information and, if necessary, in a culturally sensitive way.

### **Do you think the increase in 'voluntourism' poses more of an opportunity or threat to improving animal welfare in tourism?**

Both. From a threat perspective, I think we are seeing - and are likely to see more - bogus operations whereby experiences are created or modified under the guise that they are a sanctuary, rescue centre or orphanage. Often, young people who love animals and want to look after them and improve their welfare, are lured to engage with such operations. An example includes the lion petting farms in South Africa, where people are told they are looking after orphaned lion cubs. The reality is that the lion cubs are not orphaned but hand-reared and later used in 'walking with lion' experiences and then eventually killed in canned hunting facilities. These connections are highlighted in the documentary, Blood Lions. Thankfully there is a lot of guidance available to help people ask the right questions of operators of voluntourism to ensure their operations are legitimate and meet recognised standards.

### **What are your main welfare concerns for animals used in tourism in 2019?**

I would say that my main concern is around over-tourism and its growing negative impact

on both terrestrial and marine animals in the wild. Tourists love to view wildlife in the wild, but too many tourists will have a massive impact on the animals' environment and its limited resources. Tourist expectations, and their conduct, needs to be better managed to ensure both sustainable and responsible wildlife viewing. From a captive animal perspective, there is still loads to do in relation to improving the welfare of individual animals. This year Animondial is focused on elephants in South East Asia, cetaceans in captivity and the plight of working animals. My aim is to develop partnerships that will help us deliver meaningful change in tourist destinations.

**In light of your experience co-authoring ABTA's guidelines and leading Born Free's inquiry into the EU Zoos Directive, do you feel that voluntary industry-led initiatives can have a greater impact, or would you prefer to see the introduction of more robust legislation and improved enforcement of / compliance with existing legislation?**

Both. I think you always need to have robust legislation because ultimately this helps to set the boundaries, which all stakeholders are then required to follow. However, this is very much reliant on good enforcement and applied penalties for non-compliance. The EU Zoo Inquiry evidenced that good legislation is worthless without the knowledge, ability and the resources for enforcement agencies to effectively implement the legal requirements. Poor enforcement is a challenge for many government and non-government bodies. This is why self-governance or voluntary industry-led initiatives is usually preferred, as these tend to encourage the respective industry to create and follow their own guidance. ABTA's

guidelines are voluntarily applied. There is no mandatory requirement on their members, or other tour operators, to apply any, or all of their requirements. Such guidelines work when stakeholders want to do the right thing, but do not necessarily know how to.

So voluntary industry-led initiatives, can help to influence change, but I think mandatory application is far more effective if there is a sufficiently robust and efficient enforcement procedure.

**In the inquiry into the Zoos Directive, enforcement was identified as a particular issue amongst all of the countries reviewed, including England. Has there been any improvement since 2011?**

The EU Zoo Inquiry influenced changes to national and regional legislation, as well as action to improve the enforcement of the law. The study also resulted in some funding from the European Commission to undertake training of local authorities and, in particular, veterinarians. We also initiated an extensive review by the European Commission and the European Parliament which ultimately led to the creation of EU guidance for member states on how to improve standards. Ultimately, though, the reason for a lack of enforcement was largely down to poor resources, particularly in light of the introduction of austerity measures across Europe.

**What do you hope this years' CITES meeting in Colombo will achieve?**

I'm not particularly engaged with that, but I would think the focus is going to be on critically endangered species and trying to address the prolific illegal trade in their parts and products. I'm sure ivory will be on



the agenda as well as pangolins and tigers.

In relation to my expertise, the travel industry is a vital component in trying to tackle the illegal trade. Not only are airlines and cargo transporting animal trophies or live animals around the world but also there is a wildlife souvenir component where tourists can buy products made from different animals. Usually, tourists are not aware what they're buying and that they're unsustainable.

**What advice do you have for students looking to work or volunteer in the international animal welfare charity sector? In particular, how can law students use their skills to help?**

I think it's important to consider your interests. It's also important when you've identified your interests to undertake the research and investigation into what jobs exist and what opportunities there are. Also, think outside the box, don't and just go into the first thing you find. Talk to different people within your preferred industry and find out what opportunities exist. You also need to identify whether you want to be a person who undertakes the research and investigation in order to support the work to influence change (such as undertaking a PhD), or whether you want work at the coal-face to directly influence change. The latter is more my focus and interest. Everyone's different but you have to identify your strengths and interests and take all opportunities that present themselves and follow your dreams. It sounds corny but that's really what it's all about.

---

**You can read more interviews with animal protection experts on our website and in past editions of 'Animal Justice UK'.**





## HOW SUCCESSFUL HAS EUROPEAN LEGISLATION BEEN AT PROTECTING ANIMALS IN ZOOS?

BY LOUIS KEYSWORTH

In 1999, the **Zoos Directive (Council Directive 1999/22/EC)** was introduced by European Union legislators with the primary aim of strengthening the role of zoos in conserving biodiversity. It requires Member States of the European Union to establish licensing and inspection systems to regulate the zoos in their countries, using key criteria to measure and to guide the performance of individual zoos towards improving conservation efforts. These criteria included captive breeding programmes and the reintroduction of such animals into the wild, as well as educating and raising awareness about conservation and the animals involved. Although not directly linked to conservation efforts, but equally as

important, the Zoos Directive also outlines that animals in zoos should be kept under appropriate conditions that aim to satisfy the specific biological and conservation requirements of individual species. This article will briefly explore the success of the Zoos Directive in light of the **Evaluation** document produced by the EU Commission in November 2018.

The Zoos Directive has undoubtedly had a net positive impact on the conservation efforts made by zoos across the European Union. As well as the Directive proving more efficient in the delivery of conservation measures than preceding national legislation and other



initiatives, it has also helped lay the legal foundations for individual Member States to build upon their own national legislation. The Zoos Directive incorporates minimum requirements or criteria as mentioned above and, although not universally met, these minimum requirements have played a significant role in ensuring that zoos contribute to conservation efforts and the proper housing of animals. Additionally, these minimum requirements have helped close the gap between zoos that are members of a zoo association and those that are not.

**"One area where the Zoos Directive has been largely successful is in the education provided and awareness raised about conservation issues and the role of zoos in these conservation efforts."**

One area where the Zoos Directive has been largely successful is in the education provided and awareness raised about conservation issues and the role of zoos in these conservation efforts. This has come in the form of education strategies chosen by individual zoos and these efforts are vindicated by the large majority of people who visit zoos and come out better informed about wild animals and protected species (as corroborated by 66% of those surveyed). Zoos have also been relatively successful in their captive breeding, reintroduction and repopulation attempts, according to the EU Commission's Evaluation of the Directive.

Despite the positive effects of the Directive, there are unfortunately a number of failures and limitations. One of the major criticisms aimed at the Zoo Directive by the EU Commission is that record-keeping requirements are not being met by all zoos

which makes it difficult to quantify the actual impact that the Directive has had. The lack of specific targets and a ruling body or committee to enforce them gives zoos less of an incentive to strive to meet the recommendations of the Directive, and this is likely to have hampered conservation efforts. The inclusive nature of the Directive has also meant that it allows for significant discretion across member states in the stringency of their licensing and inspection systems. One important negative consequence of this has been that progress in zoos with fewer resources (usually in the poorer states of the EU) has often been slow and inspection systems less frequent and rigid. This, in turn, has meant many zoos are still not meeting all of the criteria outlined in the Directive.

Whilst captive breeding and reintroduction and awareness raising about conservation may have seen important improvements across the majority of zoos, the same cannot be said for accurate and up-to-date record keeping, research and training, and animal accommodation. For example, a targeted survey carried out as part of the evaluation found that only 57% of zoos who responded had their complete collection of animals covered by their record system. Though this may appear a fairly trivial problem, it severely limits the collaboration possible between zoos on the issue of conservation. Progress in training and research have both been limited, which has resulted in a limited capacity in expert and specialist knowledge on zoos, animals and conservation across Europe. This is a worry for both current and future conservation efforts.

Arguably one of the most important aspects of the Zoos Directive is its requirement that zoos provide suitable accommodation for animals held in zoos. It is crucial that we do

not overlook the welfare of individual animals in our efforts to conserve species. In light of this, despite raising standards in animal accommodation across most zoos, there are still too many zoos with poor quality animal accommodation. This failure to satisfactorily address animal welfare issues is indicated by how less than 50% of the public believe that zoos make adequate provision for animal welfare. One of the major criticisms of the Directive, therefore, is that animal welfare is not at its heart. Even though conservation may be the ultimate goal of the Directive, this should not come at the expense of animal welfare.

**"One of the major criticisms of the Directive is that animal welfare is not at its heart."**

The Zoos Directive has been effective in many areas of conservation including the captive breeding and reintroduction of endangered species, and in the education and raising of awareness about conservation. It has played a key role in providing the legislative groundwork for national legislation and has been pivotal in improving the standards of zoos and their conservation efforts. In spite of this, fresh and more up-to-date EU legislation will be necessary to tackle issues such as animal accommodation and conservation research. What is most important to remember, and something that the Zoos Directive does not do, is the necessity to keep the welfare of the animals held in zoos at the forefront of policy-making.

**'Louis is a Philosophy, Politics and Economics student at the University of York. He has volunteered in the animal welfare sector and is interested in advancing the animal welfare cause through politics'.**



A-law, c/o Clair Matthews, Monckton Chambers, 1&2  
Raymond Buildings, Grays Inn, London WC1R 5NR  
Email: [studentgroup@alaw.org.uk](mailto:studentgroup@alaw.org.uk)  
Visit: [www.alaw.org.uk](http://www.alaw.org.uk)  
Follow us on Twitter, Facebook, Instagram & LinkedIn

