

Intergroup  
SUSTAINABLE HUNTING, BIODIVERSITY & COUNTRYSIDE ACTIVITIES  
Intergroupe  
CHASSE DURABLE, BIODIVERSITÉ & ACTIVITÉS RURALES  
Intergruppe  
NACHHALTIGE JAGD, BIODIVERSITÄT & LÄNDLICHE AKTIVITÄTEN  
Interguppo  
CACCIA SOSTENIBILE, BIODIVERSITÀ & ATTIVITÀ RURALI  
Intergupo  
CAZA SOSTENIBLE, BIODIVERSIDAD & ACTIVIDADES RURALES

## Meeting of 11.05.2005

### MEPs

|                                  |                                 |
|----------------------------------|---------------------------------|
| BERLATO Sergio (UEN / It)        | LEHTINEN Lasse (PES / Fin)      |
| DESS Albert (EPP-ED / De)        | MATHIEU Véronique (EPP-ED / F)  |
| EBNER Michl (EPP-ED / It)        | NAVARRO Robert (PES / F)        |
| GOUDIN Hélène (IND/DEM / Sw)     | PIEPER Markus (EPP-ED / De)     |
| GRABOWSKI Dariusz (IND/DEM / Pl) | RÜBIG Paul (EPP-ED / At)        |
| GRANDES, Luis de (EPP-ED / Es)   | SCHEELE Karin (PES / At)        |
| HELMER Roger (EPP-ED / UK)       | SCHIERHUBER Agnes (EPP-ED / At) |

### Represented

PEK Bogdan Marek (IND/DEM / Pl)  
WHITEHEAD Phillip (PES / UK)

### Apologized

GRIESBECK Nathalie (ALDE / F)  
KARAS Othmar (PPE-DE, At)  
McCARTHY Arlene (PES / UK)  
STURDY Robert (EPP-ED / UK)

### Assistants

CABALLÉ Guy (R. NAVARRO)  
LITTLEWOOD Holly (P. WHITEHEAD)

MATYSIAK Marcin (B. PEK)  
MICH Paola (M. EBNER)

### European Commission

PLANK Irene (DG ENV)

### Experts

SAULNIER Jean-Claude (UNAPAF)  
SCULL Stewart (BASC)

### Observers

BONAVIA Marie-Claire (EPP-ED)  
BOSTEELS Jean-Louis (RSHCB)  
BOURGEOIS Delphine (*Eurogroup for animal welfare*)  
BRAINERD Scott (*Nordic Hunters' Cooperation*)  
BUDNIOK Alice (ELO)  
CARETTA Maria Cristina (CONFAVI)

DU RIETZ Clara (EPP-ED)  
FUZIES Pierre (FNC)  
GAVARD-GONGALLUD Nicolas (*Nos chasses*)  
KLOUCEK Reinhard (*PanEuropa*)  
SCHOCH Liliano (COMURNAT)  
de TURCKHEIM Gilbert (FACE)  
von WÜLFING Goddert (DJV)

### Secretariat

LECOCQ Yves (FACE)

ESPÁRRAGO Manolo (FACE)

## **1. Opening remarks and introduction**

M. EBNER, in his capacity as President of the Intergroup, opens the meeting and welcomes all MEPs present or represented, as well as the invited speakers and the experts. He apologizes for the fact that no simultaneous interpretation will be available. This is the result of the decision taken the previous day by the President of the EP and communicated only in the morning by the Secretary General, to cancel all events with participation of MEPs from 15:00 to 17:30, except the Plenary (for a special session commemorating the 60<sup>th</sup> anniversary of the end of World War II). He hopes that with the assistance of the FACE Secretariat, it will be possible to have an improvised consecutive interpretation English / French.

## **2. Adoption of a *Resolution on private gamekeepers***

Having received no comments on the text of the *Draft* Resolution circulated with the minutes of the February meeting, and no Member asking for the floor, the President concludes that this Resolution is adopted (final text attached).

## **3. Proposal for Directive on “Humane Trapping Standards” COM(2004)532fin**

The Chair of the meeting being handed over to V. MATHIEU, she briefly introduces the main topic on today’s Agenda as well as the different Members and experts making a presentation.

I. PLANK, the official responsible for this topic at the European Commission, DG.ENV, presents the Proposal for a Directive, which is to be seen as a legal obligation for the implementation by the EU of the *International Agreement on Humane Trapping Standards* (AIHTS), concluded in 1998 between the EU, Canada and Russia and the *Agreed Minute* with USA concluded in the same year. The AIHTS with Canada and Russia should enter into force as soon as the Russian Federation ratifies it (expected very soon), and in case implementing EU legislation were not adopted by that time, the EU would be in breach of its international obligations. The trapping standards in the Proposal are fully in line with the AIHTS and are the result of work conducted by an expert group consisting of independent scientific experts from the EU, Canada, the USA and the Russian Federation. Taking account of available scientific and technical data, the independent expert group established these trapping standards with the aim to reduce animal pain and suffering.

Moreover, the Proposal addresses a legal gap, in view of the fact that besides Regulation 3254/91 (and Directive 92/43 with regard to selectivity criteria for capture and killing of certain species) there is no further legislation on trapping standards at EU level and no harmonised standards at national level. This means that there is no uniform scientifically based system in place across the EU to evaluate other available traps and ensure that only the most humane systems are used.

To summarise, the Proposal intends to ban the use of inhumane traps for catching certain animal species and provides the tools to ensure a harmonized approach to reach this aim. This means, that Member States need to take the necessary steps to ensure that their relevant competent authorities establish processes for certifying traps after testing their conformity with the standards. Member States need to ensure that trappers are competent and have proper knowledge or receive training. The Proposal further requires that Member States promote and encourage research in relation to improvement and extension of the humane trapping standards with the aim to improve the welfare of trapped animals.

In her capacity as *Rapporteur* for the EP “Environment” Committee, K. SCHEELE announces that in her *Report*, currently in the process of being translated but due to be available by mid-June, she formulates a number of proposals to improve the Directive with a view to make it more effective. She feels that such amendments are indeed required as the Commission’s Proposal presents some serious shortcomings, insofar that her initial view had even been to send the text back for complete re-drafting. According to her, the AIHTS is a bilateral agreement whose main objective was to avoid a commercial dispute between the EU and Canada. The future Directive should however go beyond that aspect and address the issue of animal suffering as a result of trapping more completely. She proposes in particular to attach more importance to the professional training of trappers (Article 8), to strengthen the conditions for the approval of restraining and of killing traps (Article 5) and to review the list of species covered by the Directive (Annex I) on the basis of more scientific criteria. She finally believes that the reference to the concept “*humane*” in relation to trapping standards is inappropriate and proposes therefore to change the title of the Directive accordingly (e.g. by calling it a Directive *introducing certified trapping methods*, or some similar wording). She hopes that it will be possible to come to an agreement with her colleagues from the other Groups to make the Directive as effective as possible.

R. HELMER, *Shadow Rapporteur* for the EPP-ED Group, first thanks Mrs. PLANK and SCHEELE for their very instructive and useful presentations. He admits that he is often very critical towards the EU and the Commission in particular but he states that in this particular case, he wants to support the position of the Commission. Indeed, he is convinced that – contrary to what the *Rapporteur* seems to indicate – the AIHTS has been carefully drafted on the basis of the best possible scientific and technical expertise. It would therefore be unwise to ignore this work by proposing that the Directive differs significantly from the text of the AIHTS. This is confirmed by the *Recommendation* recently adopted by the *World Conservation Union* (IUCN), quoting the AIHTS as a model for the development of appropriate trapping standards (text attached). The effectiveness of the AIHTS is illustrated by the fact that the Canada – where it is already implemented and enforced – between half and three quarters of all traps used previously have now been eliminated. Canada has also put into place excellent training programs for trappers. He can understand that the *Rapporteur* has some difficulties with the term “*humane trapping*” but he is confident that “consensus can be found on another wording. He remains convinced that in this case too the principle of subsidiarity needs to apply and that therefore the Directive should leave a certain margin of implementation to the Member States.

He concludes that for him the substance of the Proposal is very satisfactory but that it can be improved on a number of details, so as to make it even more effective for the purpose everyone agrees on, namely to reduce animal suffering as practical feasibly.

In his presentation (attached), S. SCULL, *British Association for Shooting and Conservation*, first underlines the legitimacy and the necessity of trapping in the EU as a tool for regulating certain damage-causing species (such as Muskrat) and for an ecologically balanced wildlife management. Trappers are very well aware of the need to reduce the risk of suffering as much as possible and FACE is therefore in favour of internationally agreed trapping standards. But probably this could be achieved as well without a Directive, also because it is not clear if the EU has any legal competence in this domain.

The Proposal would indeed benefit from a number of clarifications (such as the definition of “traps”). It will also be necessary to exempt the so-called *homemade* traps (widely used in certain Member States) from its provisions, as only the *design* or *model* for such traps require to be tested and certified. The use of computer-simulated models is to be encouraged as an alternative for testing with live animals. He concludes that the Directive should address the issue of reducing animal suffering without leading however to unjustified and unreasonable restrictions on trapping.

J. C. SAULNIER, President of the *French federation of licensed trappers* (UNAPAF) presents the situation in France, where since 1984 a specific legislation is in place covering *inter alia* the training of trappers, the species concerned, the different traps and trapping methods authorised, etc. This system could very well be seen as a model for other Member States. He confirms that the AIHTS standards are strict and effective and have resulted in Canada in over 50 % of *killing* traps and 87 % of *restraining* traps being banned. The AIHTS includes itself a procedure (Article 9) to regularly review the standards in the light of scientific research. He is also in favour of reducing testing with live animals as much as possible. (The full text of his presentation is attached in French)

G. de TURCKHEIM, President of FACE, referring to the third preamble of the Proposal, draws the attention of MEPs to the concept of welfare of *wild* animals, appearing for the very first time in an official text, despite the fact that under the *Treaty* the EU has no legal competence in this field. Considering that this concept cannot be properly defined, the risk is real that a restrictive interpretation, in combination with the so-called *precautionary* principle, will lead to totally unjustified restrictions on a wide range of human activities (including all hunting).

According to H. GOUDIN, there is a lot of expertise in Sweden regarding trap testing and trap certification and she would like to know if this material or information has been made available to the Commission.

I. PLANK confirms that this has been indeed the case.

S. BRAINERD, representing the *Nordic Hunters' Cooperation* (Denmark, Finland, Sweden, Iceland and Norway), supports the position of FACE. He too expresses concern about certain definitions and concepts and underlines the need to have an exemption for homemade traps. He further advocates the use of computer-simulation testing facilities.

The Nordic position paper is attached.

V. MATHIEU thanks all speakers for their balanced contributions and interventions on a topic likely to lead to be inspired by strong personal feelings. She hopes that the *Report* will address the need for clear definitions and precise wording of the different provisions, so as to avoid problems as those resulting still today from certain aspect of the 1979 “Birds” Directive. The future Directive implementing the AIHTS in the EU should be realistic and pragmatic, making a real contribution to reduce avoidable suffering but without unjustified restrictions on trapping.

#### 4. Next meeting

The program for the coming Intergroup meetings for the current year is as follows:

- 8<sup>th</sup> June (16:30-18:00, room N.3.2): meeting of the Intergroup *Bureau* - open to all Members.  
Chair: M. EBNER
- 6<sup>th</sup> July (16:30-18:00, room N.3.2): “Property rights & hunting”.  
Chair: D. GRABOWSKI
- 28<sup>th</sup> September (15:30-16:30, room SDM S3): “The *Birds* Directive”.  
Chair: S. BERLATO
- 16<sup>th</sup> November (17:30-18:30, room to be defined): “Jubilee” session to mark the 20<sup>th</sup> anniversary of the Intergroup
- 14 December (15:30-16:30, room SDM S3): main theme to be defined.

M. ESPARRAGO

### **IUCN Recommendation RECWCC3.089 on Humane trapping standards**

ACKNOWLEDGING the important role of IUCN and its members in protecting and conserving biodiversity and ecosystems globally;  
 BEARING IN MIND that conservation and sustainable use imply a sense of caring for the welfare of the wild animals that are killed or captured;  
 ACKNOWLEDGING that wild animals are trapped in almost every country, for a variety of reasons;  
 RECALLING Resolution 18.25 *Methods for Capturing and/or Killing of Terrestrial or Semi-aquatic Wild Animals* adopted by the General Assembly of IUCN at its 18 th Session (Perth, 1990), which urged that when a wild animal is captured and/or killed, that this be done in a humane way;  
 ALSO RECALLING that Resolution 18.25 noted the work of ISO, the International Organization for Standardization, in developing international, scientifically-based, humane trap standards, and urged the broadest practicable international participation in this work;  
 NOTING that Resolution 18.25 urged IUCN members to adopt regulations setting out specific humane trapping practices to ensure that the most humane and selective techniques available are employed in the capture and/or killing of wild animals; and  
 WELCOMING, with appreciation, the initiative taken by the Governments of Canada, the European Union, the Russian Federation, and the United States of America, which, using ISO's work as a basis, negotiated the *Agreement on International Humane Trapping Standards* (AIHTS), for the capture and/or killing of, initially, 19 wild species;  
 The World Conservation Congress at its 3 rd Session in Bangkok, Thailand, 17-25 November 2004: URGES IUCN members, particularly governments, to study the AIHTS, especially the humane trap standards annexed to it, as well as the ISO trap-testing standards, with a view to using them as models for the development of standards appropriate for the trapping systems and practices used in their countries.  
*State and agency members United States refrained from engaging in deliberations on this motion and took no national government position on the motion as adopted for reasons given in the US General Statement on the IUCN Resolution Process.*

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### **Recommandation de l'UICN RECWCC3.089 - Normes de piégeage sans cruauté**

CONSCIENT du rôle important que jouent l'UICN et ses membres en protégeant et conservant la diversité biologique et les écosystèmes à l'échelle mondiale ;  
 AYANT PRÉSENT À L'ESPRIT que la conservation et l'utilisation durable portent en elles l'idée d'éviter des souffrances aux animaux sauvages tués ou capturés ;  
 SACHANT que dans presque tous les pays des animaux sauvages sont piégés pour des raisons diverses ;  
 RAPPELANT la Résolution 18.25 *Méthodes utilisées pour capturer et/ou tuer des animaux sauvages terrestres ou semi-aquatiques*, adoptée par l'Assemblée générale de l'UICN à sa 18 e Session (Perth, 1990), qui demandait que, lorsqu'un animal sauvage est capturé et/ou tué, cela soit fait sans cruauté ;  
 RAPPELANT ÉGALEMENT que la Résolution 18.25 se félicitait de l'initiative prise par l'Organisation internationale de normalisation (ISO), afin d'élaborer des normes internationales de piégeage sans cruauté reposant sur des critères scientifiques et invitait à la plus grande collaboration internationale possible à ces travaux ;  
 NOTANT que la Résolution 18.25 priait les membres de l'UICN d'adopter des règlements décrivant des méthodes spécifiques de piégeage sans cruauté afin de garantir que les techniques les moins cruelles et les plus sélectives soient employées pour capturer et/ou tuer des animaux sauvages ;  
 ACCUEILLANT AVEC SATISFACTION l'initiative prise par les gouvernements du Canada, des États-Unis d'Amérique, de la Fédération de Russie et l'Union européenne qui, en s'inspirant des travaux de l'ISO, ont négocié l'*Accord sur les normes internationales de piégeage sans cruauté* pour capturer et/ou tuer, dans un premier temps, 19 espèces animales sauvages ;  
 Le Congrès mondial de la nature, réuni du 17 au 25 novembre 2004 à Bangkok, Thaïlande, pour sa 3 e Session :  
 PRIE INSTAMMENT les membres de l'UICN, en particulier les gouvernements, d'étudier l'*Accord sur les normes internationales de piégeage sans cruauté*, en particulier les normes de piégeage sans cruauté qui lui sont annexées, ainsi que les normes ISO des méthodes d'essai des pièges pour animaux, dans le but de les utiliser comme modèles pour élaborer des normes appropriées pour les pièges et méthodes de piégeage employés dans leurs pays respectifs.  
*Les États-Unis d'Amérique (État membre et organismes publics membres) se sont abstenus de participer aux délibérations relatives à cette motion et n'ont pris aucune position nationale sur la motion telle qu'elle a été adoptée pour les raisons énoncées dans la Déclaration générale des États-Unis sur le processus des résolutions de l'UICN.*

**Stewart Scull, Head of Gamekeeping and Wildlife Management**  
**British Association for Shooting and Conservation (BASC)**

FACE was founded in 1977 and is a non-profit-making, non-governmental, international association, headquarters in Brussels and represents the interests of some 7 million European hunters. BASC is an active FACE member in the UK.

Trapping is a legitimate and indispensable activity necessary for the prevention of serious damage to agriculture from species such as the muskrat and the protection of a wide range of rare ground nesting birds. Within EU Member States, a right to hunt also includes the right to trap 'game' & 'pests' and trappers already ensure their activities reduce animal suffering to absolute minimums.

FACE is in favour of international humane standards for trapping but questions whether a legal instrument at the EU level is needed in order to comply with the international Agreement. The Directive is to improve wild animal welfare and FACE questions whether the EU has any formal competence in this area. If this is the case then the EU should simply implement the international standards and compliance with the Agreement could be reached through national implementation in Member States. The Commission could simply adopt a Recommendation along those lines.

The Directive is based on two international Agreements in 1998 to establish international trapping standards, however, some wording remains 'unclear'. For example FACE believes definition of traps does not include snares. The Directive defines traps are '*mechanical capturing devices designed for killing and restraining*'. Snares are not mechanical capturing devices.

*FACE feels the suggestions made by the Rapporteur to extend the list of species covered by the Directive as unnecessary and is satisfied that trapping is already carried out to high standards and questions whether further training of trappers is required.*

FACE believes only trap designs and models should be tested and approved – not individual traps. Homemade traps are widely used in Member States and should therefore be exempt. The use of 'homemade traps is permitted under the international Agreement.

Trap testing facilities are not available in many Member States and it would therefore be costly to carry out this requirement. Computer models are now available and would reduce the number of test animals. Traps already approved to ISO standards should be exempt from further testing with the exception of field-testing. This would then form the basis for fulfilling the standards for humane trapping methods.

Legislative and administrative provisions should be based on best available knowledge regarding trap and methodology. Trappers have an important role to play and their expertise and skills should not be utilised and overlooked. Where knowledge is insufficient then research should be encouraged and undertaken to minimise suffering. Overall it must not result in any unjustified restrictions, however, FACE believes the Directive is in danger of doing this.

FACE will continue to work for understanding and acceptance of trapping as a legitimate activity; for regulation that does not impose impractical or unreasonable restrictions; for a trap certification system based on an international standard and is working to create a platform for efficient international cooperation in the certification of trap types.

## Jean-Claude SAULNIER, Président UNAPAF

Madame la Présidente, Mesdames, Messieurs, j'interviens ici en tant que Président de l'Union nationale des associations de piégeurs agréés de France (UNAPAF), structure indépendante constituée de bénévoles, pour vous présenter sommairement la situation du piégeage en France et la contribution que nous pouvons apporter dans le dossier qui nous préoccupe aujourd'hui, à savoir la mise en œuvre de l'Accord sur les normes internationales de piégeage sans cruauté dans l'Union européenne.

### 1. L'Accord

Cet Accord signé le 15 décembre 1997 entre le Canada et l'Union Européenne, en voie de ratification imminente par la Fédération de Russie, prévoit que des normes internationales de piégeage sans cruauté doivent être mises en vigueur dans les pays signataires. Pour la mise en œuvre de cet Accord dans l'UE, un projet de Directive est élaboré par la Commission. Ce projet de Directive reprend quasiment mot pour mot les termes de l'Accord. Il emporte l'adhésion des piégeurs français.

Il serait question de durcir les normes et de rallonger la liste des espèces concernées. Pour nous, en l'état, c'est inconcevable car :

- la possibilité d'ajouter des espèces est déjà intégrée à l'Annexe I, Partie II, 4.1
- il prévoit dans son article 9 la possibilité de faire évoluer ces normes en fonction des recherches en cours et permet de réévaluer et de mettre à jour l'Annexe I pour la première fois **trois ans** après son entrée en vigueur.
- il faut d'abord appliquer les normes tel quel aux pièges utilisés dans l'UE avant d'y toucher afin d'évaluer leur niveau de conformité.
- les normes en vigueur sont, quoiqu'on en dise, très sévères. Actuellement par les tests effectués au Canada depuis les 6 dernières années, seul pays ayant mis en œuvre pour le moment des batteries de tests qui ont nécessité un investissement de 5 millions d'euros :
  - plus de 50 % des pièges mortels et plus de 87 % des pièges de captures vivantes sont rejetés,
  - de tous les pièges mortels testés pour le blaireau et de capture vivante pour le loup, aucun ne rencontrent ces normes,
  - les pièges les plus utilisés et possédés pour le piégeage de 75% des espèces inscrites à l'Accord, ne se conforment pas à ces normes.

Dire que les normes ont été adaptées aux pièges existants au moment de la signature de l'Accord est donc une contre vérité.

### 2. La situation en France

#### Un peu d'histoire

La France s'est penchée très tôt sur cette notion du bien-être animal puisque dès 1984, les pièges à mâchoires à dents ont été interdits sur tout son territoire. Ensuite, les mâchoires métalliques ont été munies de garnitures en caoutchouc et un espace a été laissé entre celles-ci afin que le piège ne se referme pas complètement sur les membres de l'animal capturé. Par expérience personnelle, je peux dire ici que lors de mes opérations de piégeage de renards, mustélidés ou becs droits, espèces pouvant être classées nuisibles en France, je n'ai jamais eu à déplorer de blessures graves et notamment de fractures des membres. Je suis convaincu que le piège français interdit en 1995 dans le cadre de l'interdiction dans les pays de l'UE n'était pas celui qui était présenté au PE, mais ce n'est pas l'objet du débat actuel. A noter simplement que si ce piège était testé selon les normes en vigueur, il serait jugé conforme aux exigences de l'Accord car il n'a rien à envier aux pièges à mâchoires canadiens certifiés pour le coyote et le lynx tels que les pièges Victor.

Dès 1984, la France a mis en place une législation spécifique sur le piégeage : arrêté du 23 mai 1984. Cette législation codifie les catégories de pièges, les méthodes de mises en œuvre de ceux-ci et définit qui peut les utiliser. Elle précise la fonction du piégeur, ses droits et ses devoirs et l'assujettit à une formation délivrée par des organismes compétents. Elle va plus loin, puisque tout piège, hormis les pièges de première catégorie (cage) et de cinquième catégorie (pièges rustiques dit "assommoirs", pièges dont l'autorisation d'utilisation est très restreinte) doit être homologué par le Ministère de tutelle après avis d'une Commission d'homologation constituée de personnalités compétentes et notamment d'associations militant pour la défense des droits de l'animal. Cette homologation entraîne de la part du fabricant l'obligation d'apposer le sigle PHE

(piège homologué environnement) et un numéro d'homologation sur le piège. On n'est pas loin de ce que préconise l'article 7, paragraphe d) de l'Accord.

▪ Pourquoi piège-t-on en France ?

Rappel de la législation : *Dans chaque département, le préfet détermine les espèces d'animaux nuisibles en fonction de la situation locale, et pour l'un des motifs ci-après :*

*1° Dans l'intérêt de la santé et de la sécurité publiques ;*

*2° Pour prévenir les dommages importants aux activités agricoles, forestières et aquacoles ;*

*3° Pour la protection de la flore et de la faune.*

On voit donc que si le piégeur a un rôle non négligeable vis-à-vis de la chasse pour la protection du petit gibier, son rôle ne se limite pas à cela. Il est au service de tous : agriculteurs, particuliers, collectivités... Il a un rôle capital dans la lutte contre les espèces exogènes et envahissantes (ragondins, rats musqués) et intervient pour la protection des espèces menacées (plan de restauration du vison d'Europe notamment). Son rôle est essentiel pour la suppression de l'utilisation de la lutte chimique (empoisonnement), méthode que l'on ne peut qualifier ni d'écologique, ni de sélective. Il a une mission d'intérêt général, voire de service public qui lui est de plus en plus reconnue par les autorités compétentes.

▪ La formation des piégeurs

Je précise à nouveau qu'en France, le piégeage est dissocié de la chasse, ce qui n'empêche pas chasseurs et piégeurs d'être "les meilleurs amis du monde". Le permis de chasser n'est pas nécessaire pour piéger, mais la formation des piégeurs est obligatoire. En quoi consiste-t-elle ?

Tout futur piégeur doit participer à une session de formation d'une durée minimale de 16 heures organisée par l'Office National de la Chasse et de la Faune Sauvage, une Fédération Départementale des Chasseurs ou tout autre organisme habilité à cet effet. Elle est dispensée par des moniteurs piégeurs formés par l'Office National de la Chasse et de la Faune Sauvage. A l'issue de cette formation, le piégeur se voit délivrer un numéro d'agrément valable sur tout le territoire national, numéro qu'il devra faire figurer de manière indélébile sur chacun de ses pièges. Que contient cette formation ?

- connaissance des espèces recherchées,
- connaissance des différents types de pièges, de leurs possibilités et condition d'utilisation,
- manipulation des pièges,
- connaissance des mesures propres à diminuer les souffrances des animaux capturés,
- application des connaissances.

J'ai dit que l'arrêté du 23 mai 1984 dispensait de cette formation les piégeurs utilisant des pièges de première catégorie (cages). Cette restriction doit disparaître puisque dans une révision de cet arrêté à l'étude actuellement et qui devrait aboutir très prochainement, tout piégeur, quelque soit les pièges utilisés, devra être agréé et donc suivre cette formation. On est en plein dans ce qu'indique l'article 8, paragraphe b) de l'Accord. Il suffira d'intégrer la connaissance des normes dans la formation, ce qui n'est pas très compliqué.

Sans mésestimer le travail fait par nos partenaires de l'UE, je crois sincèrement que la France étant en pointe dans ce domaine, son expérience peut servir de base de travail dans l'élaboration d'une future plate forme commune en ce qui concerne notamment la formation des piégeurs. J'espère avoir pu faire passer ce message aujourd'hui.

▪ Les associations de piégeurs agréés

Le piégeage étant, comme on l'a vu, dissocié de la chasse, les piégeurs français se sont regroupés en Associations départementales chapeautées au sommet par une Union nationale, l'UNAPAF. Ces structures sont les garantes de la mise en œuvre de l'Accord sur le terrain car elles sont à même d'avoir une action de conseil, de formation, voire de "police" au sens non officiel du terme en étant un relais des organismes officiels. Je pense notamment à la surveillance de la qualité des pièges certifiés : qui mieux qu'elles pourront s'apercevoir qu'un piège pourtant certifié ne correspond pas aux normes, par manquement dans la fabrication et pourront demander au constructeur ou à l'organisme certificateur d'en vérifier la conformité ?

Je terminerai cet exposé en vous remerciant de votre attention et en insistant sur le fait que nous sommes prêt à mettre nos compétences en la matière au service de tous et notamment auprès de l'Union européenne si elle juge que nous pouvons être d'une quelconque utilité.

## **The position of the Nordic Hunter's Cooperation regarding the proposed EU Directive on Humane Trapping**

The Nordic Hunters' Cooperation (NHC) wishes to comment on the directive proposed by the European Commissions that would introduce humane trapping standards for certain animal species (COM (2004) 532 final).

### **Content of the draft Directive**

The text of the draft Directive proposes the testing of traps relative to special standards for the capture of 19 species, a special training course for trappers as well as imposing strict restrictions on the construction and use of home-made traps. The draft Directive encompasses all forms of trapping and stipulates deadlines for testing traps. The Commission will be assisted by the CITES-Committee in the technical implementation of the Directive. The basis of the proposed legislation are two international agreements concluded in 1998 for the purpose of establishing humane trapping standards at an international level between the European Union (EU) and the governments of Canada and the Russian Federation, as well as that of the United States. The contents of each agreement are essentially similar, and therefore will be hereafter referred to as "the Agreement".

### **The effect of the proposed Directive on trapping in Nordic countries**

The draft Directive proposes restrictions which will in effect make it practically impossible for trapping in Nordic countries (particularly in Fennoscandia), which will in turn lead to adverse impacts on flora and fauna. The draft Directive assumes that traps will be tested although there are no suitable test facilities in Europe. Such tests are relatively expensive, but at present there is no plan for how these will be financed. In Nordic countries, traps are often manufactured by small companies or individuals with small profit margins. If manufacturers must pay a testing fee of €100,000, this will inhibit design of better and more effective models in the future.

The proposed Directive can effectively lead to a discontinuation in the use of home-made traps, since its restrictions will make it practically impossible to make and use traps constructed at home. Such traps are commonly used and are constructed from blueprints of traps that have been tested and approved (as is the case in Sweden). The extensive number of required test animals and parameters required for testing traps also imposes difficulties.

### **NHC recommendations for amendments to the proposed Directive**

Several points of the proposed Directive must be amended in order to assure their realistic implementation.

#### **1. Subject matter and scope**

NHC proposes that the trapping of exotic invasive species in order to prevent irreversible damage to ecosystems in the EU, is not to fall under the scope of this Directive.

#### **2. Home-made traps**

NHC proposes that member states allow the manufacturing and usage of such traps by private individuals under the condition that these are based on designs approved by the proper authority for particular species. Once a particular trap type and model has been tested and approved, home construction of traps should be allowed as long as these are in accordance with approved design specifications. This amendment should be made in Article 4 of the proposed Directive. The possibility for individuals to use "home-made" traps is explicitly foreseen in the Agreement and should not be subject to "case-by-case" derogations. Considering the fact that such traps are widely used within the EU, an individual derogation system would be very impractical and much too bureaucratic.

#### **3. Traps that already have been tested and approved**

Traps and trapping methods which have already been tested and approved by member States should only have to be subjected to field tests. The results of such field tests should then function as a basis for fulfilling the standards for humane trapping methods. Tests that have been conducted in Sweden, for example, have been very extensive. By eliminating the demand for laboratory tests of these traps, the number of experimental animals required would be greatly reduced. This amendment should be inserted in Article 7.

**4. Testing of trap models**

It should be made clear in the Directive that trap models, and not every individual trap, must be tested, since the latter would be practically impossible. This must also be the intent of the Commission. Instead, models of traps should be tested and traps should be manufactured in strict accordance with the design of the trap model that has been tested and approved. This amendment should be made in Article 2.1, where "traps" should be replaced with "trap models".

**5. Time tables**

The Commission proposes specific deadlines for which traps shall be tested. Even today it is apparent that these deadlines are unreasonably short, since they do not allow enough time for the creation of national legislation, test facilities and the testing of traps. NHC proposes that national legislation should be implemented no later than two years, and testing of traps and methods no later than eight years after the Directive has been implemented.

**6. Trap tests**

The proposed Directive requires that at least 20 test animals be used for testing restraining traps, and at least 12 for killing traps. These tests shall be conducted in test compounds and in the field. Compound tests require that animals shall first be captured in the wild and then habituate to the compound before being subject to tests. NHC proposes that the number of test animals should be reduced through the greater use of field tests and computer simulations. Even in cases where there is a lack of basic research data on parameters given in Appendix II and III, field tests should be the basis for trap model approval.

**7. Trapper training**

NHC welcomes an emphasis on trapper education that is in keeping with the intention of the Directive. Thus, we propose that the text in Article 2.5 be amended such that trappers must fulfill the requirements set by the competent authority of a Member State for trapping particular animal species, rather than a requirement for "authorization". Further, we wish to amend the text in Article 8 such Member States shall ensure that trappers receive appropriate training (preferably in collaboration with national hunters' and/or trappers' organisations) or have equivalent practical experience, competence and knowledge qualifying them to trap according to the objectives of the Directive. The text in this section illustrates problems with translation from the original language document to Swedish. For example, the word "trapper" has been translated to the Swedish word for "hunter".

**8. Technical committee**

The Commission proposes that it shall be assisted by the CITES-committee in the implementation of the Directive. However, the CITES-Committee does not have the necessary qualifications necessary, and NHC recommends that a special committee comprised of experts in trapping, animal welfare and stakeholder groups be constituted for this purpose.

**9. Legal grounds**

The legal grounds of the proposed Directive is in itself questionable. Art. 175.1 refers to EU's environmental policy while the goal of the Directive is to improve wild animal welfare. EU does not have any formal competence in this area. Therefore it would be more appropriate to use Article 95 since the Directive is based upon the Agreement with the intent of facilitating trade of fur and traps between the EU, Russia, Canada and the U.S.

*NHC will gladly supply detailed comments and suggested amendments to the proposed Directive.*

**Trapping in Nordic countries**

In the Nordic countries (primarily Sweden, Norway and Finland), trapping is a common activity and is considered important for wildlife conservation. It is primarily directed at small carnivores and rodents that can cause damage to other flora and fauna. The skin and other products of harvested animals are also highly valued resources.

Home-made traps are very common and these are based upon readily available design blueprints for models that are considered effective and selective.

Trapping is strictly regulated and trappers must receive training in humane and effective trapping methodology. Regulations specify how often traps must be checked, for what species and under what conditions these can be used in a humane and effective manner. In Sweden, only traps that have been tested and approved by the management authority are allowed to be used. These traps are in general use in the other Nordic countries.

If trapping were to be banned in the future, this will lead to negative impacts on bird life in particular, as well as to agriculture and forestry.

***The Nordic Hunters' Cooperative***

*The Nordic Hunters' Cooperative was founded in 1947 and represents about 850,000 hunters in Sweden, Finland, Norway, Denmark and Iceland. We work for the preservation and development of the Nordic hunting tradition, the support of research which provides the basis for sustainable utilization of our wildlife resources as well as the need for information to the public and management authorities. The Nordic hunter is a well-trained and hunting is grassroots activity that combines resource utilization with recreational interests. Game meat is contributes significantly to the national economy and diet. For more information see: [www.nordichunters.org](http://www.nordichunters.org)*

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### **Resolution on private gamekeepers**

Following their meeting of 23<sup>rd</sup> February 2005 at the European Parliament in Strasbourg, MEPs, Members of the *Sustainable Hunting, Biodiversity & Countryside Activities* Intergroup:

- fully acknowledge the importance of the work and the status of private gamekeepers in the EU, in particular with regard to game management, wildlife conservation, habitat improvement, regulation of "pest" species, monitoring of populations and prevention of poaching or other environmental offences;
- recognise the significant contribution that private gamekeepers make towards sustainable hunting and thereby to the economic and social well-being of rural communities;
- while pointing out that, in application of the *subsidiarity* principle, the EU has no specific competence in this area, encourage representatives of private gamekeepers to better organise themselves at EU level, in particular to explore options to harmonise certain aspects of their profession;
- underline the essential role that private gamekeepers may play to increase awareness and to educate the public and all nature-users, and to spread efficiently the message that sustainable use is an instrument for biodiversity conservation.