



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

Committee of Ministers  
Comité des Ministres

*Ministers' Deputies*

## CM Documents

CM(2007)19

21 February 2007<sup>1</sup>

---

### 990 Meeting, 21 March 2007

10 Legal Questions

#### 10.1 Fourth multilateral consultation of parties to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes (ETS 123)

(Strasbourg, 15 June 2006) -

Report

---

#### I. INTRODUCTION

1. At its 409th meeting at Deputy level (June 1987), the Committee of Ministers:

- approved the proposals made by the Secretary General for monitoring the Council of Europe Conventions on the protection of animals, and

- authorised the Secretary General to convene, as from 1988, one Multilateral Consultation of Contracting Parties per year, which should be dedicated to monitoring the implementation of the following Conventions, and to provide the secretarial services for these Consultations:

- the European Convention for the protection of animals during international transport (ETS 65);
- the European Convention for the protection of animals for slaughter (ETS 102);
- the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes (ETS 123);
- the European Convention for the protection of pet animals (ETS 125).

2. In 1988 and 1989, the Multilateral Consultations were dedicated to monitoring the implementation of the European Convention for the protection of animals during international transport. A Multilateral Consultation of Parties to the European Convention for the protection of animals for slaughter was held in 1991.

3. In 1992 and 1993 the Multilateral Consultations were dedicated to monitoring the implementation of the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes.

4. In 1995, the Multilateral Consultation brought together the Parties to the European Convention for the protection of pet animals.

5. The third Multilateral Consultation of the Parties to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes was held in 1997.

---

<sup>1</sup> This document has been classified restricted at the date of issue. Unless the Committee of Ministers decides otherwise, it will be declassified according to the rules set up in Resolution Res(2001)6 on access to Council of Europe documents.

## II. ITEMS SUBMITTED TO THE COMMITTEE OF MINISTERS

6. The Committee of Ministers is invited:

- to take note of the enclosed revised Appendix A of the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes – Guidelines for accommodation and care of animals, adopted unanimously at the fourth Multilateral Consultation of the Parties to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes (see CM(2007)19 Addendum);

- to take note of the present Report as a whole.

## III. REPORT

7. The fourth Multilateral Consultation<sup>2</sup> of the Parties to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes was held in Strasbourg on 15 June 2006.

8. The Multilateral Consultation was chaired by Mr Jon Richmond (United Kingdom).

9. The European Community was represented at the Multilateral Consultation at the level of the Commission by Ms Susanna Louhimies, DG Environment.

10. It should be mentioned that on 25 April 2006 the Council of the European Union decided that at the fourth Multilateral Consultation of the Parties to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes, the Commission would support on behalf of the Community the adoption of a revised Appendix A to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes. Moreover, following the 15th June 2006 decision the Community will be taking action to align the guidelines for accommodation and care of animals in Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the member states regarding the protection of animals used for experimental and other scientific purposes with the newly adopted provisions.

11. Observers from the following organisations were admitted to the Consultation:

- the Canadian Council on Animal Care (CCAC);
- the European Biomedical Research Association (EBRA);
- the European Federation of Animal Technologists (EFAT);
- the European Federation for Primatology (EFP);
- the European Federation of Pharmaceutical Industries and Associations (EFPIA);
- the European Science Foundation (ESF);
- the Federation of European Laboratory Animal Breeders Associations (FELABA);
- the Federation of European Laboratory Animal Science Associations (FELASA);
- the Federation of Veterinarians of Europe (FVE);
- the International Council for Laboratory Animal Science (ICLAS);
- the Institute for Laboratory Animal Research (ILAR);
- the International Society for Applied Ethology (ISAE);
- the World Society for the Protection of Animals (WSPA);
- the Eurogroup for Animal Welfare (EUROGROUP).

## IV. IMPLEMENTATION OF THE CONVENTION

12. The Multilateral Consultation noted that the following member states are Parties to the Convention: Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Greece, the Netherlands, Norway, Spain, Sweden, Switzerland, "the Former Yugoslav Republic of Macedonia", the United Kingdom and the European Community.

13. Moreover, the following member states are Signatories to the Convention: Ireland, Lithuania, Portugal, Romania, Slovenia and Turkey.

---

<sup>2</sup> The list of participants can be found in the document Cons123 (2006)4.

14. On 2 December 2005, following the ratification by the European Community, the Protocol of Amendment to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes (CETS No. 170) entered into force.

15. This instrument provides for a simplified procedure for the amendment to the technical appendices to the Convention. The new Article 31 of the Convention empowers Parties themselves, without formal adoption by the Committee of Ministers, to amend the Appendices of a technical nature which might require periodic revision in the light of new scientific evidence and experience, and the modification of which is unlikely to have direct political consequences for the Council of Europe.

16. The present Multilateral Consultation was convened with the intention of adopting the revised Appendix A following the finalisation of its technical drafting.

## **V. PREPARATION OF THE MULTILATERAL CONSULTATION**

17. In May 1997, the third Multilateral Consultation of the Parties to the Convention ETS 123 agreed to revise Appendix A, which contains housing and care guidelines for animals used for experimental or other scientific purposes. The text of the revised Appendix A was prepared during the course of eight meetings of a Working Group comprised of experts from the Parties and Observers to the Convention ETS 123.

18. The Working Party examined all the technical provisions of the existing Appendix, in order to update them in the light of the experience, current good practice and scientific findings obtained since the drafting of the original Appendix<sup>3</sup>.

19. The revised version contains a general section and species-specific sections for rodents, rabbits, cats, dogs, ferrets, non-human primates, farm animals and mini-pigs, birds, amphibians, reptiles and fish.

20. At the same time, the Working Party undertook the preparation of supplementary technical monographs providing the scientific background for the species-specific provisions. The groups of experts<sup>4</sup> were instructed to prepare the aforementioned papers and their outputs were submitted to the Working Party. These documents contain no additional provisions and were prepared with the aim of facilitating the understanding and the use of the revised Appendix A by the scientific community.

21. A separate editorial group composed of representatives of the States Parties to the Convention ETS 123 and Observers conducted numerous meetings, including on-line meetings, to harmonise the presentation of the draft revised Appendix A.

22. The Working Party agreed the final draft of the revised Appendix A at its 8<sup>th</sup> meeting on 22-24 September 2004 and submitted it to the Multilateral Consultation for adoption.

## **VI. PROCEEDINGS OF THE MULTILATERAL CONSULTATION**

23. The fourth Multilateral Consultation of Parties to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes (ETS 123) was held in Strasbourg on 15 June 2006. The adopted agenda appears to Appendix I to the present Report.

24. During this meeting, the draft revised Appendix A of the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes – Guidelines for accommodation and care of animals was unanimously adopted by the Parties to the Convention.

25. It shall enter into force twelve months after its adoption, i.e. 15 June 2007, as required by Article 31 of the Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes.

---

<sup>3</sup> The Working Party progressed its work by establishing Groups of Experts, with membership drawn from nominees of Observer organisations. These Groups considered the care and accommodation needs of the various species and prepared proposals for revision of Appendix A. These proposals were then considered, amended where necessary and agreed by the full Working Party.

<sup>4</sup> The expert groups have been set up for every species-specific section in order to provide technical information in support of the initial proposals. See also footnote 1.

26. The Multilateral Consultation adopted the executive summary which served as the basis for the present report (Appendix II to the present Report).

## **VII. CONCLUSIONS**

### Multilateral Consultations

27. The need to harmonise the implementation of these new provisions at national level, and to make provision for appropriate transitional arrangements, was emphasized by various Observers.

28. Furthermore, it was agreed that the participation of states which are not yet Party to the Convention facilitates the progress made in these countries, contributing thereby to the reduction in existing differences between states in the areas covered by the Convention.

### Preparatory meetings

29. The Multilateral Consultation reaffirmed the importance of the background work done in the course of the preparatory meetings. It noted that eight such meetings, as well as numerous meetings of the groups of experts for species-specific provisions and a separate editorial group, had been necessary to prepare the Multilateral Consultation and to elaborate the draft revised Appendix A.

### Future Activities

30. No new work items were proposed or agreed. The Multilateral Consultation took note of Article 30 of the Convention ETS 123 on the provisions to convoke future Multilateral Consultations.

### Decisions

31. The Multilateral Consultation unanimously adopted under the provisions of Article 31 of the Convention ETS 123 amended by the said ETS 170 Protocol of Amendment the revised Appendix A. The Committee of Ministers is invited to note this decision through this Report.

## **VIII. PREPARATION OF THE OTHER COUNCIL OF EUROPE'S MULTILATERAL CONSULTATIONS IN THE AREA OF ANIMAL WELFARE**

32. The Multilateral Consultation noted the expectation that by the end of 2006 a Multilateral Consultation of the Parties to the European Conventions on protection of animals during international transport (Conventions ETS 65 and ETS 193) will be held. The objective of this Multilateral Consultation will be to conclude the work on the Council of Europe Codes of Conduct for international transport of animals by road, air, sea and rail and on the two Additional Protocols to the revised Convention on international transport.

Appendix I

**AGENDA**

- I. Opening of the meeting
- II. Election of the Chairman of the Multilateral Consultation
- III. Adoption of the agenda
- IV. Communication by the Secretariat
- V. Communication by Representatives and Observers on the implementation of the Convention
- VI. Adoption of revised Appendix A – Guidelines on Accommodation and Care - of the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes
- VII. Other business:
  - Exchange of views on future activities
  - Adoption of the Executive Summary of Proceedings

## Appendix II

**Executive Summary**

The fourth Multilateral Consultation of Parties to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes (ETS 123) held its meeting in Strasbourg on 15 June 2006.

During this meeting, the draft revised Appendix A of the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes – Guidelines for accommodation and care of animals was unanimously adopted by the Parties to the Convention. It shall enter into force twelve months after its adoption, i.e. 15 June 2007, as required by Article 31 of the Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes.

The Multilateral Consultation adopted the present executive summary which will serve as the basis for the report to the Committee of Ministers. It also instructed the Secretariat to prepare as soon as possible after the meeting a summary of proceedings of its works.