3.7.9. Support will also be needed for joint evaluation by Community and MNC socioeconomic groups of areas of Mediterranean policy where their role is particularly important.

3.7.10. The Commission could also consider promoting a Euro-Mediterranean social dialogue, in line with Community practice.

3.7.11. The Economic and Social Committee should play a fundamental role in economic and social dialogue and in promoting the involvement of MNC socioeconomic groups. The Committee's role should extend beyond consultative duties (important though these are, and much though they need to be developed with respect to the MNC). The Committee should be an active tool of the Council and Commission in Euro-Mediterranean economic and social dialogue.

3.7.12. We should here reaffirm the Committee's commitment to set up, with the support of the Council, a standing group for liaison between the Committee and the MNC economic and social councils (where they exist) or socio-occupational organizations. The Committee also plans to organize an annual meeting of the socioeconomic groups of the Euro-Mediterranean area. The purpose of these arrangements would be to keep tabs on the implementation of Mediterranean policy in all its aspects, with special reference to those which most directly concern the socioeconomic groups.

4. Conclusions

4.1. The Committee is pleased that the Commission is proposing a new Mediterranean policy and it endorses the specific proposals for the six action areas. However, it feels that the Commission should show greater boldness and coherence by framing a wider joint development policy into which these measures can be slotted.

4.2. At the same time, the Committee cannot hide its regret that talks between Community Governments — as was clear at the Council meeting of 5 February 1990 — still have much ground to cover. Some governments feel that freer access for MNC products is all that is needed; others merely call for an increase in financial aid. This reflects a failure to grasp the strategic importance of the Mediterranean issue and the need for Community policy to adopt a global approach.

Done at Brussels, 26 April 1990.

The Chairman

of the Economic and Social Committee

Alberto MASPRONE

Opinion on the proposal for a Council Regulation (EEC) on the importation of certain furs [1]

(90/C 168/15)

On 18 May 1989, the Council decided to consult the Economic and Social Committee, under Article 198 of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Protection of the Environment, Public Health and Consumer Affairs, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 3 April 1990. The rapporteur was Mrs Flather.

At its 276th plenary session (meeting of 26 April 1990), the Economic and Social Committee adopted, by 70 votes for, 14 against and 35 abstentions, the following opinion:

1. General comments

1.1. The Committee, subject to the following comments, welcomes the Commission's proposal and feels that it is in fact long overdue. It is pleased that the European Community should take such a stand in the interests of more humane treatment of animals. The use of leghold traps was partially banned in Greenland as early as 1938 and totally banned in 1989. Its use is becoming less and less acceptable in more and more countries. We are living in a world of rapidly changing attitudes towards animals and what was acceptable some years ago is no longer so.

As stated in the explanatory memorandum attached to COM(89) 198 final, the leghold trap has been banned in over 60 countries and other countries have imposed strict conditions on its use.

[1] OJ No C 134, 31. 5. 1989, p. 5.

1.2. Concern has been expressed about the legal basis of the Commission's proposed Regulation as it has been formulated under Article 113 of the Treaty, since the objective pursued here is not the harmonization of the Community's fur trade policy but animal welfare. However, it would not be the first time that this approach has been adopted to achieve a laudable objective.

1.3. The case against any use of leghold traps in all circumstances has been stated and is also the opinion of the European Parliament (1).

1.4. Clearly it would be inconsistent to prohibit the use of leghold traps in Member States while continuing to accept the importation of furs trapped in this manner. The Committee accepts that inconsistencies exist in other matters which concern Member States, but feels that its aim should be to achieve as much consistency as possible in matters concerned with welfare of any sort. The Committee proposes, therefore, to amend the proposed Regulation to include this prohibition as a new Article (see specific comments, point 2.4).

1.5. When any animal is killed, wild or domesticated, it should be dispatched in as humane a manner as possible. Leghold traps do not, and cannot, meet this criterion and should be banned by international agreement.

1.6. The objections to leghold traps can be restated briefly as follows:

1.6.1. At best, animals caught in leghold traps may suffer pain and distress for a significant period of time. Inspection of traps takes place only at intervals of many hours. 24-hour intervals between inspections is currently accepted as 'good' practice. However 72-hour trap inspection is permitted on Crown Land in British Colombia. Such land is 90 % of the province. Alberta has reduced the requirement for trap inspection to every 48 hours (previously 72). Manitoba retains 72 hours. Thus the time elapsing between trapping — with possibly a fracture of the leg — and death is measured in hours rather than in minutes or seconds.

1.6.2. In the even less satisfactory cases the trapped animal may remain for days until it dies from cold, starvation or attack from another predator; this is unacceptable.

1.6.3. Non-target species may be caught in leghold traps and injured or killed.

The number and type of non-target animals captured varies considerably. One survey by the British Colombia Ministry of the Environment indicates that 9,3 % of all animals trapped are not even fur-bearers. Another survey mentions 11,5 % are non-target species. The total number of fur-bearing animals trapped in the USA is of the order of 16 million per year and the Canadian total appears to be between 3 and 6 million. It is estimated that figures for the Soviet Union are about 16 to 17 million. If 5 % non-target species are involved this means that at least a million animals or birds are killed 'inadvertently' and these unintended victims may well include some endangered species. The unselective nature of leghold or killing traps makes them unsatisfactory for the control of wildlife populations except in so far as indiscriminate killing reduces the overall animal population and so reduces competition for food and territory. However, without human intervention nature maintains its own ecological balance.

1.6.4. Suggestions that leghold traps could continue in use subject to 'codes of conduct' or controls on positioning and seasonality of their use are not acceptable. Trapping is a 'private' procedure, usually carried out alone and in isolated places. The opportunities for enforcement are very small even if any acceptable use can be agreed.

1.7. Concern has been expressed about the loss of income that trappers would suffer if the leghold trap and other inhumane methods of capture were banned, and the effect that this proposal would have on the traditional way of life of indigenous populations. Leghold traps, particularly steel jaw ones can hardly be described as 'traditional' methods of killing, although they have been in use for the past 100 years.

1.7.1. Details of the numbers of trappers, their ethnic origin and the proportion of their annual income derived from trapping vary very much according to the source of the information, and perhaps according to the point of view that the informant wishes to progress. However 10 or 20 % of total annual income and less than 1 000 dollars seems to be a high estimate of the average income from trapping. In the early 1980s it is said that 105 000 trappers shared between 45 and 85 million dollars per year in Canada (raw pelts sold), i.e. 428 to 809 dollars per trapper before any expenses. The income per trapper in the USA may be considerably greater than this.

1.7.2. There is a very good case for providing help to people of any origin, but especially to the indigenous populations, to enable humane traps to be purchased and to train trappers in their use. The future developmental needs of the indigenous people would not be best served if

(1) Tabled in 1988 as a written declaration by Mrs Castle and Mr Seligman and adopted as an opinion under rule 65 of the Rules of Procedure [OJ No C 69, 20. 3. 1989, p. 198, and COM(89) 198 final].

they were to be excluded from the responsibility of conforming to international standards of animal welfare.

1.7.3. Consideration must be given to making certain that the indigenous populations, whose lifestyle is affected by this proposal, can continue to enjoy a way of life which is satisfactory to them, but clearly continuing to accept inhumane methods of capture and killing cannot be the solution and this acceptance would not reverse social and environmental changes that have taken place over many generations and are continuing so to do.

1.7.4. In any event the present proposal will not prevent hunting and trapping for fur providing humane methods are employed and if the general public were convinced that fur is produced in a humane manner it may increase in popularity — which can only be of benefit to the fur trade.

1.8. There are no internationally agreed humane trapping standards at present. Discussions are proceeding but the Community has no direct input into these discussions. If a Regulation is to be adopted which demands certification of the use of humane trapping methods (or, preferred version, capture and killing), Community involvement in the determination of humane standards is essential. To this end the Community should seek representation on the ISO [1] committee considering humane trapping standards, either in its own right or through Member States.

1.8.1. At the end of 1987 West Germany was a participating member of the ISO technical committee TC 191 on humane animal traps and Italy, Belgium and Spain had observer status. (The other members were Canada, the USA, Sweden, Finland, Australia and Argentina. Other countries with observer status were Hungary, India, Kenya, Switzerland, Turkey and the USSR).

1.8.2. Leghold traps are banned in five Member States and their use is restricted in others. It would seem appropriate that the proposal for harmonization of legislation for a total ban within the Community on the manufacture, sale and use of the leghold trap should be included in the proposed Regulation to avoid any danger of appearing to follow double standards.

2. Specific comments

2.1. *First recital*

This clause is based on the assumption that the manufacture, sale and use of the leghold trap in the Member States will be prohibited under the proposed 'habitats' Directive. The Committee considers that this prohibition should be retained in the present proposal whether or not it appears eventually in the 'habitats' Directive (if and when adopted).

2.2. *Article 1*

Revise this Article to include references to furskins and pelts so that it now reads as follows:

> 'This Regulation applies to the importation of furs, furskins or pelts of the species listed in Annex I and of goods including the fur, furskin or pelt of those species.'

because the skins of fur bearing animals are referred to as 'pelts' by the fur trade and 'furskins' in GATT nomenclature. This change will avoid ambiguity.

2.3. *Article 2 — paragraph 1*

Insert the words 'furskin or pelt' after the word 'fur' in the text so that it now reads:

> 'Specified goods means all goods listed in Annex II which consist of or include the fur, furskin or pelt of any of the animals listed in Annex I.'

For the same reasons as in Article 1.

2.4. Insert between present Articles 2 and 3 a new Article to read as follows:

> 'Member States shall prohibit the manufacture, sale and use of the leghold trap.'

This is in line with the foregoing observation under the first recital.

2.5. *Article 3 (1) — paragraph 1*

The Committee notes that research into humane trapping methods has been going on for nearly 50 years. Earlier implementation of the prohibition is more likely to accelerate the development of humane methods than delay them. It may be of interest to note that as early as 1948 the Royal Society for Prevention of Cruelty to Animals in the United Kingdom had offered a prize of £ 1 000 for an alternative. In 1985 a report on the defence of the fur trade recommended stopping the use of the steel jawed leghold trap, and added 'It is possible Canada can buy more time on the steel trap issue.' That time has been bought; there is no reason for a further inordinate delay.

[1] International Organization for Standardization (ISO), Geneva.

2.6. *Annex I*

The suggested list of eight species (out of a possible 22 caught in the wild) is incomplete as it does not include many of the species which are caught in large numbers using the leghold trap. For example, about 1 600 000 muskrats are trapped each year in Canada alone; also about 1 million mink (USA and Canada); 80 000 foxes (Canada); 250 000 squirrels (Canada).

It is quite possible for those pelts coming from farmed species to be identified by an approved official method and therefore separated from pelts of the same species but caught in the wild.

It is suggested that the list of animals in Annex I is incomplete and should at least include the following:

— coypu: *myocastor coypus,*
— muskrat: *ondatra zibethicus,*
— oppossum: *didelphis virginiana,*
— fisher: *martes pennanti,*
— marten: *martes americana,*
— red fox: *vulpes vulpes,*
— grey fox: *vrocynon littoralis,*
— mink: *mustela vison,*
— squirrel: family *Sciuridae.*

The list may have to be added to from time to time but perhaps the Council should consider the legal implications of this list as far as practical implementation is concerned.

The suggested alteration will mean that all species of wild animals — fur bearing or not — will be protected to the extent that they will not be trapped by inhumane methods.

Sheep skins, cattle hides and similar by-products from the food industry are clearly excluded and problems of identification of particular species of fur avoided — which will make enforcement easier.

2.7. *Annex II*

Add 'articles manufactured prior to the date of implementation of this prohibition are excluded from restrictions'. The burden of proof is to be on the importer; because there is no reason to interfere with any trade in 'second-hand' clothing or other articles containing fur or non-domesticated pelts. As drafted it would appear to prohibit individuals from importing fur garments which may have been their personal property for very many years.

Done at Brussels, 26 April 1990.

The Chairman

of the Economic and Social Committee

Alberto MASPRONE

APPENDIX 1

The following amendments, which were supported by at least a quarter of the votes, were rejected during the debate:

Point 2.2 (Article 1)

Delete and retain the Commission text.

Voting

For: 48.

Against: 56.

Abstentions: 19.

Paragraph 2.7 (Annex I) (in this text: paragraph 2.6)

Annex I (list of species) should be left as it stands in the Commission document.

Voting

For: 53.

Against: 57.

Abstentions: 9.

APPENDIX 2

The following members, present or represented, voted in favour of the opinion:

ARENA, ARETS, BAGLIANO, BAZIANAS, BEALE, BELTRAMI, BERGER, BERNS, BLESER, BOISSEREE, BREDIMA SAVOPOULOU, BREYIANNIS, BRIGANTI, BROICHER, CEYRAC, COYLE, van DAM, DE TAVERNIER, DONCK, DOS SANTOS, EULEN, FORGAS, GARCÍA MORALES, GERMOZZI, GEUENICH, GIACOMELLI, GOMEZ MARTINEZ, GREEN, HAGEN, HANCOCK, JESÚS SEQUEIRA, KAARIS, KAZAZIS, KELLY, KENNA, KIRCHFELD, KITSIOS, KRÖGER, LAPPAS, LAUR, LÖW, LUSTENHOUWER, MAINETTI, MARVIER, MORALES, MUHR, MULLER, NIELSEN Bent., NIERHAUS, NOORDWAL, PARDON, PEARSON, PELLETIER Charles, PETERSEN, PROUMENS, ROBINSON, ROLÃO GONÇALVES, ROMOLI, ROSEINGRAVE, SHADE-POULSEN, SCHMITZ, SILVA, SOLARI, TUKKER, VALLEJO CALDERON, VASSILARAS, VELASCO MANCEBO, VIDAL, WICK, WITHWORTH

The following members, present or represented voted against the opinion:

BERNASCONI, CAVAZZUTI, ALVES CONDE, CORELL AYORA, FREEMAN, LIVERANI, MACHADO VON TSCHUSI, MERCIER, MURPHY, ORSI, STAEDELIN, STRAUSS, VERCELLINO, WILLIAMS

The following members, present or represented abstained:

AMATO, ASPINALL, ATAÍDE FERREIRA, BORDES-PAGES, BOS, Vasco CAL, CALVET CHAMBON, CHRISTIE, DELLA CROCE, DRAGO, DRILLEAUD, van EEKERT, ELSTNER, ETTY, FLATHER, GREDAL, HILKENS, HOUTHUYS, HÖRSKEN, JENKINS, de KNEGT, LAKA MARTIN, MADDOCKS, MARGOT, MORELAND, MOURGUES, NIEUWENHUIZE, de NORMANN, RAMAEKERS, ROUZIER, SALMON, SCHOEPGES, SMITH L.J., STORIE-PUGH, TAMLIN.

Opinion on the proposal for a Council Directive concerning municipal waste water treatment [1]

(90/C 168/16)

On 23 November 1989 the Council decided to consult the Economic and Social Committee, pursuant to Article 130s of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Protection of the Environment, Public Health and Consumer Affairs, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 3 April 1990. The rapporteur was Mr Boisseree.

At its 276th plenary session (meeting of 25 April 1990), the Economic and Social Committee unanimously adopted the following opinion:

I. Summary of the Commission proposal

Following the resolution adopted at the European Summit in Hanover, the Environment Council decided at its 28 June 1988 meeting to call on the Commission to propose measures for the treatment of waste water collected in and discharged from urban sewage plants (municipal waste water). The aim of this proposal is to ensure that the quality of ground and surface water throughout Europe complies with European standards. These quality requirements will provide a basis for drinking water supplies and help to maintain the ecological balance.

The proposal seeks to achieve this aim by laying down Community rules with regard to:

- requirements for the collection and treatment of municipal sewage,
- control of discharges of sludge,
- control of comparable industrial waste water,
- phasing-out of disposal of sludge at sea,
- administrative arrangements: creation of a regulatory committee, implementation of joint national programmes, public access to information, training of skilled staff.

II. General comments on the proposal

1. The proposed treatment of municipal waste water throughout Europe is welcomed on environmental protection grounds.

[1] OJ No C 1, 4. 1. 1990, p. 20.