



Brussels, 03 April 2018

Dear Mr Sá,

Eurogroup for Animals is honored to have the opportunity to present its suggestions and opinions to the Working Group on the use of animals in circuses in Portugal.

Eurogroup for Animals represents 60 animal advocacy organisations in 24 EU member states, the USA, Switzerland, Australia, Serbia and Norway. Since its inception in 1980, the organisation has succeeded in encouraging the EU and Member States to adopt higher legal standards for animal protection. Eurogroup for Animals reflects public opinion through its membership organisations' affiliations across the Union, and provides authoritative advice on issues relating to animal welfare (for more information on our work, please visit www.eurogroupforanimals.org).

Eurogroup for Animals strongly encourages your government to introduce a legislation to ban the use of animals in circuses. In recent years, there has been increasing doubt about the ethics of using live animals for public entertainment and this is reflected in the national legislation of a growing number of states in Europe and across the world. Indeed, 21 European Member States have already adopted a total or partial ban on using animals in circuses. With Denmark announcing its decision only a few days ago, 10 Member States and Scotland have now adopted a total ban on the use of wild animals in circuses, while three have adopted a total ban on the use of all animals. Other countries, like Italy, Finland, Luxembourg, the UK, Estonia and Lithuania are also revising their legislation to include a ban on the use of either all or only wild animals in circuses.

We fully support the Proposal 695/XIII submitted by PAN, which clearly summarises the main arguments in support of a ban on the use of animals in circuses in Portugal.

- **Why is a ban needed?**

As stressed in the PAN proposal, the circus experience has nothing to do with the reality of the wild animals' life and behaviour. Wild animals in circuses are bought and sold, prematurely separated from their mothers and then from companions, confined or chained and forced to stand for hours and frequently moved in small compartments on trains or trucks. They are required to perform behaviours never seen in nature. Wild animals that have been bred for tens of generations in captivity still show extremely high motivation to perform the behaviour typical of their wild counterparts. In addition to the position papers published by the Federation of Veterinarians of Europe mentioned in the PAN Proposal, the scientifically-proven negative effects of the circus life on the welfare of wild animals have been summarized in a statement co-signed by many eminent

University professors, ethologists and veterinarians, clearly demonstrating that wild animals are not suited to a circus life (see Annex I).

In addition, a recent report was commissioned by the Welsh Government on the welfare of wild animals in circuses¹. The study offers an impartial literature review and an analysis of the scientific evidence available to determine whether captive wild animals in travelling circuses achieve their optimal welfare requirements as set out under the UK Animal Welfare Act and any other relevant legislation. The authors used 1274 scientific peer-reviewed papers, reports and higher degree theses in their review and the conclusions are in line with the ones that have been summarised in the above-mentioned statements: “ *The available scientific evidence indicates that captive wild animals in circuses and other travelling animal shows do not achieve their optimal welfare requirements.*” “*Life for wild animals in travelling circuses...does not appear to constitute either a ‘good life’ or a ‘life worth living’*”.

The use of wild animals in circuses represents also a serious threat to public security, as it regularly leads to accidents involving animal tamers, circus employees and public. A report recently published by Eurogroup for Animals presents new data on the shocking number of incidents involving the public and wild animals in circuses across the EU². Over the past 22 years, 305 incidents involving 608 wild animals were recorded, which is on average 15 per year in the whole of the EU. This data is even more striking if we consider the limited number of circuses using wild animals in Europe and then the relatively small amount of animals potentially implicated. Incidents involving animals in circuses occur regularly and frequently, causing varying degrees of public disorder or even the injury or the death of people. The temporary nature of traveling circuses and the close proximity of dangerous animals to the public mean that this type of public entertainment can never be entirely safe.

Besides animal welfare and public safety arguments, there is also the widely supported conviction that animals used for public entertainment does not have any educational value and, on the contrary, may have a negative impact on the public’s perception of animals. This is coherent with the attached declaration promoted by the psychologist Annamaria Manzoni and signed by over 100 Italian psychologists (see Annex II).

- **Is the ban the only appropriate solution?**

Only the end of the use of animals in circuses will solve the above-mentioned problems. Given the constant travel and their temporary nature, circuses cannot provide animals with adequate facilities to keep them physically or psychologically healthy. Welfare is always compromised.

Any attempts to improve the welfare of the animals have demonstrated to fail. For example, instead of a ban, Belgium at first (in 2005) adopted legal provisions that required circuses to adhere to the same standards of animal keeping and management as zoos. However, after these standards were adopted, Belgian veterinary officers discovered the implementation of holding effective inspections of circus animals was impossible. Indeed they made the call for a total prohibition on keeping wild animals in circuses. Consequently, in 2013, the ban was adopted. It came into force in 2014, and Belgium recognized this was the only way to ensure the respect of the circus animals’ welfare.

¹J. Dorning, S. Harris and H. Pickett. The welfare of wild animals in travelling circuses, 2016

https://www.ispca.ie/uploads/The_welfare_of_wild_animals_in_travelling_circuses.pdf

²http://www.eurogroupforanimals.org/wp-content/uploads/E4A-Circus_Report-Digital-OK-v2.pdf

- **How to facilitate the adoption of the ban?**

Last year, the Censis Foundation (<http://www.censis.it>) has published a report commissioned by the Italian NGO LAV, in support of a recently adopted law proposal that will gradually dispel of animals in circuses in Italy³. The report sheds some light on the socio-economic impacts the ban would have in Italy and how it would influence circuses as well as the state. The Censis report (unfortunately available only in Italian) highlights that by ending use of animals in circuses, the costs of sanitary inspections and of animals' daily maintenance would stop, thus providing more capital to be invested into human resources, training, equipment and stage sets for more innovative performances. Even if the study is tailored to the Italian situation, it may provide some interesting ideas and information that could help the process in Portugal.

The Eurogroup for Animals' report "Wild Animals in EU Circuses"⁴ recommends some solutions that can be adopted when phasing out animals in circuses. A summary of the information collected on the process of enforcement in Member States who have adopted a ban on the use of either all or exclusively wild animals is presented, with a particular focus on the challenges encountered and the solutions adopted. This shows that thanks to the support offered by national and international NGOs in finding suitable structures for rehoming the animals, cases of infringement have been limited and the bans have been respected without major challenges or problems for the involved national governments.

Indeed, when bans on the use of wild animals in circuses are adopted, one of the main challenges is that circuses and/or national authorities have to find a solution for managing the dismissed animals. The report provides an overview of the rescue centres and sanctuaries that have been indicated by Eurogroup for Animals' member organisations as some of the most suitable ones to rehome wild animals from circuses. These facilities are genuinely committed to provide a better life to the animals, after years of mistreatment and suffering.

In addition, some Eurogroup for Animals' member organisations, like Animal Defenders International (http://www.ad-international.org/adi_home/) and AAP Animal Advocacy and Protection (<https://www.aap.nl/en>), regularly provide support to identify suitable facilities to rehome dismissed animals.

As in Portugal the previous attempt to have a transition period for the gradual dismissing of the use of wild animals in circuses (as for the law n.º 1226/2009) has failed and about 1000 animals are still used in performances, we strongly recommend to carefully prepare a management plan for the retirement/rehoming of this significant number of animals.

- **The ban's scope and definitions : some suggestions**

The experience of other European countries shows that particular attention should be paid to the definition of the scope of the ban, to avoid misinterpretations. The recently adopted ban in Romania (Law N. 205/2004, modified on 13/06/2017) offers a good example of a clear text. This states that "It

³ <http://www.lav.it/cpanelav/js/ckeditor/kcfinder/upload/files/files/REPORT%20CENSIS%20-%20I%20circhi%20in%20Italia.pdf>

⁴ http://www.eurogroupforanimals.org/wp-content/uploads/E4A-Circus_Report-Digital-OK-v2.pdf

is forbidden to use animals - no matter the degree of the training they undergone, born in captivity or wild caught - in circus shows, travelling shows or any other kind of similar shows”.

We strongly encourage your government to adopt a ban on the use of all animals in circuses, as given the constant travel and their temporary nature, circuses cannot provide any animal species with adequate facilities to keep them physically or psychologically healthy. Should however the Portuguese government decide to adopt a ban only on the use of wild animals, we suggest to include in the legislation a list of allowed (domesticated) species. This approach, which has been adopted in the Netherlands, Belgium and Finland, avoids any confusion on what should be considered as a “wild animal” opposed to a “domesticated animal”. In this case, a clear text for the legislation could be: *“It is prohibited to use animals, no matter the degree of the training they undergone, born in captivity or wild caught, other than the ones belonging to the species listed in Annex ... in circus shows, travelling shows or any other kind of similar shows”*

We thank you once more for your work and the opportunity offered to present our suggestions and opinions. Eurogroup for Animals remains at your disposal for any question or further information, and hopes Portugal will join soon the growing list of European countries that are banning the use of animals in circuses.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ilaria Di Silvestre', with a stylized flourish at the end.

Ilaria Di Silvestre

Wildlife Programme Leader at Eurogroup for Animals

EUROGROUP 4ANIMALS

Statement on

ETHOLOGICAL NEEDS AND WELFARE OF WILD ANIMALS IN CIRCUSES

September 2015

Introduction

In recent years, there has been an increasing discussion about the justification for the use of wild animals in public entertainment. This has been reflected in different national legislations too and by now, 18 EU-countries have adopted limitations on using wild animals in circuses.

The supporters of the use of wild animals in circuses claim that these animals do not possess the same behavioral and physiological needs as their wild counterparts, as they were born in captivity, sometimes even for several generations, and thus that these animals' welfare is not affected.

The purpose of this document is to provide a broad scientific consensus that this claim cannot be substantiated by scientific arguments. This statement clearly explains the differences between tamed and domesticated animals and lists the welfare implications that life in circuses has on the welfare of wild animals, both at individual and social levels. ***The undersigned scientists with extensive research records in wildlife biology/ ecology/ ethology, pose that wild animals are not suited for a life as circus entertainment.***

Tamed or domesticated: a crucial difference

Wild animals in circuses are individuals forced to adapt to and submit themselves to humans. Often, they have been hand-reared (Harris *et al*, 2006), which made them less fearful to humans (Pedersen, 1994; Trut, 1999; Pedersen and Jeppesen, 1999). These individuals are sometimes referred to as *tamed* animals, but they cannot be considered domesticated (Harris *et al*, 2006). A part for the elephants, that are mainly wild-caught, circuses breed with animals available to them (Kiley-Worthington, 1989, Kiley-Worthington , 1990), and there is no evidence on consequent selective reproduction (Harris *et al*, 2006). Thus, genetically wild animals in circuses are identical to their wild conspecifics. They express similarly high motivation to perform their species-specific behaviors (Price, 1984; Price, 1999) and also their instincts are unaffected. As a result, (tamed) wild animals in captivity are often unpredictable and under stressful circumstances likely to become aggressive (Belayev, 1979; T. A. E. R. Project, 2008).

In general one can say that 'tamed' is a term restricted to *individual* animals, while the term 'domesticated' refers to animals on *species* level which are result of long-lasting selective

breeding process. Over many thousands of years, only few species have been domesticated, others may not become so even after many generations of selective breeding (Price, 1984). An animal species is considered domesticated when it has undergone genetic changes that alter its appearance, physiology, and, consequently, its behavior (Ricker *et al.*, 1987; Price, 1999). This lengthy process requires selection for specific traits for many generations on row, which can mean many dozens of years or even centuries (Belayev, 1979; Trut, 1999), depending on the strictness of selection and reproductive rate of the species concerned.

Main welfare implications of a circus life for wild animals

- **Limited space availability:** circus animals spend the majority of the day confined, about 1-9% of the day performing/training and the remaining time in exercise pens (Nevill and Friend, 2006). These are often significantly smaller than minimum zoo standards for outdoor enclosure (Iossa *et al.*, 2009). Constrained housing conditions of circus animals are likely to induce pacing behavior in big cats (Clubb and Mason, 2003) and elephants (Gruber *et al.*, 2000).
- **Maternal separation:** in order to tame them, infant wild animals in circuses are regularly separated from their mother and hand-reared (Harris *et al.*, 2006). This increases stress-related behavior and elevated and prolonged stress-response (Dettling, 2002; McEwen, 2007; Reimers *et al.*, 2007). These effects can last into adulthood in terms of increased stress sensitivity (Cirulli *et al.*, 2009), occurrence of abnormal behavior (Latham and Mason, 2008), increased aggression (Howard *et al.*, 1981) and susceptibility to psychopathology (Cirulli *et al.*, 2009; Freund *et al.*, 2013).
- **Restricted social interactions:** in entertainment practices it is often unavoidable that social animals are housed singly, in groups smaller than the average in the wild or in unnatural groupings (Agoramoorthy and Hsu, 2005). This prevents establishment of normal social dynamics and has significant consequences for behavior, welfare and reproduction (Price and Stoinski, 2007).
- **Frequent traveling:** wild animals show signs of behavioral and physiological distress when travelling (Montes *et al.*, 2004), in contrary to habituation seen in domesticated animals (Grandin, 1997). A study of captive black rhinoceroses demonstrated a connection between transport and the immediate development of a skin disease (Munson *et al.*, 1998). Although habituation to travel was suggested (Kiley-Worthington, 1990; Toscano *et al.*, 2001), in circus tigers pacing was reported to increase with prolonged travel time (Nevill and Friend, 2006) as were altered levels of stress hormones [Dembiec *et al.*, 2004].
- **Training and performance:** the majority of the evidence available suggests that performance acts in the presence of spectators may cause severe stress to wild animals (Hossey, 2000; Carlstead & Brown, 2005). These stressful situations include restricted movement options, incorrect (artificial) lighting, exposure to loud or aversive sounds, uncomfortable or disturbing odors and temperatures (Morgan and Tromborg, 2007). The type of training that is used highly affects the welfare of the animals, since training procedures that include physical punishment will be stressful for and impose fear on the animals undergoing them (Morgan and Tromborg, 2007). Finally, joint and hernia problems result from circus elephants repeatedly assuming unnatural positions during performance (Kuntze, 1989). Stereotypic behavior is associated with performances in circus elephants (Friend and Parker, 1999) and tigers (Krawcel *et al.*, 2005).

Conclusions

Wild animals used in circuses are tamed, not domesticated, and evidence from literature demonstrates that circuses are an unsuitable environment for wild animals. For wild animals in general, circuses fail to provide some of the most basic social, spatial and health requirements. The ability to execute many natural behaviors is severely reduced, while the animals are obliged

to perform unnatural behavior. As a direct consequence, their welfare, health and reproduction are significantly reduced.

Highly social animal species such as elephants and wide-ranging species like big carnivores are amongst the most popular species kept in circuses (Galhardo, 2005), whereas they also appear to be the least suitable to circuses (T. A. E. R. Project , 2008; Iossa et al, 2009). This has already been recognized in many countries across the world where (some or all) wild animals have become prohibited in circuses.

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ANNEX II

Psychologists' statement **on the anti-pedagogical value of the** **the abuse of animals in circuses and performances**

Noting that:

Coexistence with animals, with their dignity as living beings, is a profound and authentic need of the human species;

Relationships we establish with animals, far from being neutral, can have an effect on emotion and thought;

A relationship with animals is part of undisputed importance in the growth, development and education of children;

The undersigned psychologists express reasoned concern over the pedagogical, educational and psychological consequences of children who attend circuses and other shows in which animals are improperly kept and used.

Indeed, these experiences entail that the animals are deprived of freedom, kept in unnatural settings under conditions not respectful of their needs, and are forced to perform unnatural behaviour.

Such contexts, far from facilitating and promoting learning about the animals' nature and needs, may promote a lack of respect for living beings, lead to the denial of pain messages and hinder the development of empathy which is critical during the development and growth process as they may solicit an incongruous response – that is, amusement and joy - to punishment, discomfort and injustice.

The undersigned psychologists are dedicated to promote the psychological well-being of the individual, the group and the community of animals, and consequently call for a radical change of these traditions to ban the use of animals in circuses and other shows.

Promoter: **Annamaria Manzoni** –Psychologist, psycho-therapist, grapho-analyst, hypnosis-therapist, anthrozoology scientist; writer and essayist.

The statement has been signed by over **100 psychologists** (full list is available here: <http://annamariamanzoni.blogspot.be/p/documento-psicologi.html>), including:

Melanie Joy, Professor of psychology and sociology at the University of Massachusetts (Boston); author of articles and books, like the best seller "Why We Love Dogs, Eat Pigs, and Wear Cows".

Jeffrey Moussaieff Masson, Psychoanalyst with PhD on Sanskrit and Indian studies, Project Director of the Freud Archives. Expert on animal psychology. Author of several international bestsellers, like "When Elephants Weep".

Fulvio Scaparro, Professor of psychopedagogy and psychology at the University of Milano. Expert on childhood, adolescence, elderly and ADR (Alternative Dispute Resolution). Writer, columnist and journalist.

Camilla Pagani, Researcher at the Institute of Cognitive Sciences and Technology, National Research Council; Fellow at Denver University, the Graduate School of Social Work, Institute for Human-Animal Connection.

Marco Poli, Director of the Institute of Psychology, Milano University; Doctor and Psychologist.

Stefano Federici: Associate Professor of General Psychology, University of Perugia;

Chiara Ripamonti, Researcher on Clinical Psychology, University of Milano; Referee for the Journals "Ricerche di Psicologia" and "Psicologia della salute", Franco Angeli editions.

Domenico Barrilà, Psychologist and Psychoanalyst ;

Valeria La Via, Psychologist and Psychoanalyst ;

Laura Occhini, Researcher, University of Siena;

Marina Valcarenghi, Psychologist and Psychoanalyst;

Marcella Danon, Psychologist and Journalist;

Mariangela Ferrero, Psychologist and Psychotherapist.