




Parliamentary questions

25 October 2011

P-009807/2011

Question for written answer
to the Commission
Rule 117
Kriton Arsenis (S&D)

▶ Subject: Export of wild orca from Netherlands to Spanish theme park

 Answer(s)

The Dutch Ministry of Economic Affairs, Agriculture and Innovation has recently announced its intention to issue a certificate for the export of a young, wild-born orca (*Orcinus orca*) from the Netherlands to Loro Parque, a marine theme park in Tenerife, Canary Islands. This animal had been rescued from the Wadden Sea in June 2010 after being found in a severely weakened state. It has undergone rehabilitation at the Dolfinarium, Hardewijk, a commercial enterprise that now wishes to transfer the animal to Spain. A viable plan to gradually release the animal back into the wild has been rejected by the Dutch authorities, despite strong support from internationally renowned marine mammal scientists. According to the provisions of Council Regulation (EC) No 338/97, an exemption for trade in live animals, such as cetaceans, listed under Annex A may be granted when the specimen concerned is intended for research or education aimed at the preservation or conservation of the species.

However, animal protection NGOs have raised grave concerns that if transported to Loro Parque, this orca will be exploited primarily for commercial purposes, being forced to perform in shows and participate in a captive-breeding programme that does not have as a goal release to the wild to augment depleted populations. The available evidence also suggests that little, if any, scientific research with the aim of conserving orcas is actually taking place at Loro Parque.

For example, in 2006, four orcas from SeaWorld in the United States were similarly sent to this establishment under the guise of scientific research, yet to date it appears that just one peer-reviewed article on orca vocalisations in captivity has been published. It should also be noted that the export certificate for the transport of this orca was rescinded by an Amsterdam District Court Judge in August 2011, in part because he was unconvinced that the animal would be used in conservation research.

1. Is the Commission aware of the circumstances pertaining to the planned export of the aforementioned wild orca from the Netherlands to Spain?
2. Does the Commission consider that the Dutch authorities are in breach of Regulation (EC) No 338/97 by issuing an exemption for the trade in a live specimen listed under Annex A that will be exploited in captivity for primarily commercial, rather than scientific or educational purposes? And, if so, does the Commission plan to instigate an infringement procedure in this case?

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