

European Convention for the Protection Vertebrate Animals Use for Experimental and Other Scientific Purposes (1986)

Adopted in Strasbourg on 18 March, 1986.

PREAMBLE

The member States of the Council of Europe, signatory hereto, Recalling that the aim of the Council of Europe is to achieve a greater unity between its members and that it wishes to co-operate with other States in the protection of live animals used for experimental and other scientific purposes;

Recognising that man has a moral obligation to respect all animals and to have due consideration for their capacity for suffering and memory;

Accepting nevertheless that man in his quest for knowledge, health and safety has a need to use animals where there is a reasonable expectation that the result will be to extend knowledge or be to the overall benefit of man or animal, just as he uses them for food, clothing and as beasts of burden;

Resolved to limit the use of animals for experimental and other scientific purposes, with the aim of replacing such use wherever practical, in particular by seeking alternative measures and encouraging the use of these alternative measures;

Desirous to adopt common provisions in order to protect animals used in those procedures which may possibly cause pain, suffering, distress or lasting harm and to ensure that where unavoidable they shall be kept to a minimum,

Have agreed as follows:

Part I

General Principles

Article 1

1. This Convention applies to any animal used or intended for use in any experimental or other scientific procedure where that procedure may cause pain, suffering, distress or lasting harm. It does not apply to any non-experimental agricultural or clinical veterinary practice.

2. In this Convention:

(a) "animal", unless otherwise qualified, means any live non-human vertebrate, including free-living and/or reproducing larval forms, but excluding other foetal or embryonic forms;

(b) "intended for use" means bred or kept for the purpose of sale, disposal or use in any experimental or other scientific procedure;

(c) "procedure" means any experimental or other scientific use of an animal which may cause pain, suffering, distress or lasting harm, including any course of action intended to, or liable to, result in the birth of an animal in any such conditions, but excluding the least painful methods accepted in modern practice (that is, "humane" methods) of killing or marking an animal. A procedure starts when an animal is first prepared for use and ends when no further observations are to be made for that procedure; the elimination of pain, suffering, distress or lasting harm by the successful use of anaesthesia or analgesia or other methods does not place the use of an animal outside the scope of this definition;

(d) "competent person" means any person who is considered by a Party to be competent in its territory to perform the relevant function described in this Convention;

(e) "responsible authority" means in the territory of a given Party, any authority, body or person designated for the relevant purpose;

(f) "establishment" means any stable or mobile facility, any building, group of buildings or other premises, including a place which is not wholly enclosed or covered;

(g) "breeding establishment" means any establishment where animals are bred with a view to their use in procedures;

(h) "supplying establishment" means any establishment, other than a breeding establishment, from which animals are supplied with a view to their use in procedures;

(i) "user establishment" means any establishment where animals are used in procedures;

(j) "humane method of killing" means the killing of an animal with a minimum of physical and mental suffering appropriate to the species.

Article 2

A procedure may be performed for one or more of the following purposes only and subject to the restrictions laid down in this Convention:

(a) (i) avoidance or prevention of disease, ill-health or other abnormality, of their effects, in man, vertebrate or invertebrate animals or plants, including the production and the quality, efficacy and safety testing of drugs, substances or products;

(ii) diagnosis or treatment of disease, ill-health or other abnormality, or their effects, in man, vertebrate or invertebrate animals or plants;

(b) detection, assessment, regulation or modification of physiological conditions in man, vertebrate and invertebrate animals or plants;

(c) protection of the environment;

(d) scientific research;

(e) education and training;

(f) forensic inquiries.

Article 3

Each Party undertakes to take all the necessary steps to give effect to the provisions of this Convention and to ensure an effective system of control and supervision as soon as possible and in any case within a period of five years from the date of entry into force of the present Convention in respect of that Party.

Article 4

No provision in this Convention shall affect the liberty of the Parties to adopt stricter measures for the protection of animals used in procedures or for the control and restriction of the use of animals in procedures.

Part VI

Article 21

1. Animals of the species listed below which are for use in procedures shall be acquired directly from or originate from registered breeding establishments, unless a general or special exemption has been obtained under arrangements to be determined by the Party:

Mouse *Mus musculus*

Rat *Rattus norvegicus*

Guinea pig *Cavia porcellus*

Golden hamster *Mesocricetus auratus*

Rabbit *Oryctolagus cuniculus*

Dog *Canis familiaris*

Cat *Felis catus*

Quail *Coturnix coturnix*

2. Each Party undertakes to extend the provisions of paragraph 1 of this article to other species, in particular of the order of primates, as soon as there is a reasonable prospect of a sufficient supply of purpose-bred animals of the species concerned.

3. Straying animals of a domesticated species shall not be used in procedures. A general exemption made under the conditions of paragraph 1 of this article may not extend to stray dogs and cats.

Article 22

In user establishments, only animals supplied from registered breeding or supplying establishments shall be used, unless a general or special exemption has been obtained under arrangements to be determined by the Party.

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Part XI

Final provisions

Article 31

This Convention shall be open for signature by the member States of the Council of Europe and by the European Communities. It is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 32

1. This Convention shall enter into force on the first day of the month following the expiration of a period of six months after the date on which four member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of Article 31.

2. In respect of a Signatory which subsequently expresses its consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiration of a period of six months after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 33

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may invite any State not a member of the Council to accede to this Convention, by a decision taken by the majority provided for in Article 20 (d) of the Statute of the Council of Europe and by the unanimous vote of the representatives of the Contracting States entitled to sit on the Committee.

2. In respect of any acceding State, the Convention shall enter into force on the first day of the month following the expiration of a period of six months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 34

1. Any Signatory may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, make one or more reservations. No reservations may, however, be made in respect of Articles 1 to 14 or Articles 18 to 20.

2. Any Party which has made a reservation under the preceding paragraph may wholly or partly withdraw it by means of a notification addressed to the Secretary General of the Council of Europe. The withdrawal shall take effect on the date of receipt of such notification by the Secretary General.

3. A Party which has made a reservation in respect of a provision of this Convention may not claim the application of that provision by any other Party; it may, however, if its reservation is partial or conditional, claim the application of that provision insofar as it has itself accepted it.

Article 35

1. Any Signatory may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which the Convention shall apply.

2. Any Party may at any later date, by a declaration addressed to the Secretary General addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration. In respect of such territory, the Convention shall enter into force on the first day of the month following the expiration of a period of six months after the date of receipt of such declaration by the Secretary General.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of such notification by the Secretary General.

Article 36

1. Any Party may at any time denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2. Such denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 37

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, the European Communities and any State which has acceded to this Convention of:

(a) any signature;

(b) the deposit of any instrument of ratification, acceptance, approval or accession;

(c) any date of entry into force of this Convention in accordance with Article 32, 33 and 35;

(d) any other act, notification or communication relating to this Convention.

In Witness Whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Strasbourg, this 18th day of March 1986, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to the European Communities and to any State invited to accede to this Convention.