

**THE COUNCIL ON ANIMAL AFFAIRS
WEIGHING WILDLIFE WELFARE**



INDEPENDENT ADVISORY REPORT

The purpose and activities of the Council

The Council on Animal Affairs (*Raad voor Dierenaangelegenheden*, RDA) is an independent council of experts, which advises the Minister for Agriculture, Nature and Food quality of the Netherlands. This advice is submitted on request and by the Council's own initiative regarding complex, multidisciplinary issues relating to animal health and welfare. The RDA currently comprises some forty experts with a wide range of backgrounds and expertise, who serve on the Council in a personal capacity, independently and without any outside influence.

The Council on Animal Affairs considers issues across the entire spectrum of animal policy: on captive (“domesticated”) and non-captive (“wild”) animals, smallholding, or hobby farm animals, companion animals (pets), commercially raised animals and laboratory animals.

The Council records the conclusions of its deliberations in opinions. These documents provide an overview of the scientific and societal background to various issues, and include recommendations on policy options and avenues for resolving potential problems. Consensus is not a requirement for the inclusion of opinions; an opinion may contain views held by a minority of Council members.

Preface

The position of animals in the wild and the form in which society should organise responsibility for their welfare is a topic of frequent public discourse in the Netherlands, whether it be a wolf roaming into our country from across the eastern border, an eagle owl that sets its sights on passers-by, meadow birds that sparsely get their chicks raised, or cattle and big game in the Amsterdamse Waterleidingduinen or Oostvaardersplassen (both natures reserves).

The Council on Animal Affairs (*Raad voor Dierenaangelegenheden*, RDA) places a high value on ensuring a coherent policy for the treatment of wildlife which is supported by scientific evidence and which is transparent to all. In its 2012 advisory report “Duty of Care, Naturally”, it therefore published an assessment framework to provide guidance in decisions connected to non-captive animals.

Given the very broad scope of both animal welfare policy and nature

conservation policy, the Council deemed it advisable to study the practical applicability of the assessment framework for several animal species, which has resulted in the advisory report now before you in summary form. The Council has also clarified the lines of thought and reasoning that have gone into this assessment framework.

The Council has condensed them into this citizens' summary in the hope of reaching a wider audience. The complete report is available for download on the RDA website: www.english.rda.nl.

The Hague, July 2017



Marc Schakenraad,
Secretary of the Council

THE COUNCIL ON ANIMAL AFFAIRS

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RAAD VOOR DIERENAANGELEGHEDE

Weighing Wildlife Welfare

Independent advisory report

Question: How can government bodies reach clear, responsible and substantiated decisions in situations that call into question the welfare of animals in the wild due to conflicts with human interests or activities?

Background: ‘The public discourse on the duty of care for animals in the wild by humans keeps cropping up’, said Jacques Kaandorp, one of the two chairs on the panel that addressed this question. ‘Government bodies involved never seem to provide a clear answer to it.’ Jacques van Alphen, the other chair, dished up a long list of examples: ‘This fact applies not only to large herbivores in the Oostvaardersplassen and fallow deer in the Amsterdamse Waterleidingduinen, but also to predators and their impact on survival rates among meadow birds or to live sperm whales washed up on the beach, for example.’ Each new public discourse increased the need for a clear guideline, which would facilitate decision-making by the government and which would be applicable in a range of situations.

Considerations: ‘When it comes to society’s responsibility for non-captive animals, social tensions may run very high’, observed Emeritus Professor of Animal Ecology Van Alphen. ‘As a result, it is hard for the government and managers of nature reserves to arrive at a balanced assessment, even though doing so is vital. To what extent are humans responsible? Can we really talk about non-captive animals in an enclosure such as the Amsterdamse Waterleidingduinen? This call is often difficult to make. Other questions concern the effects that foxes and birds of prey have on the breeding success of meadow birds. Should the welfare of the black-tailed godwit supersede

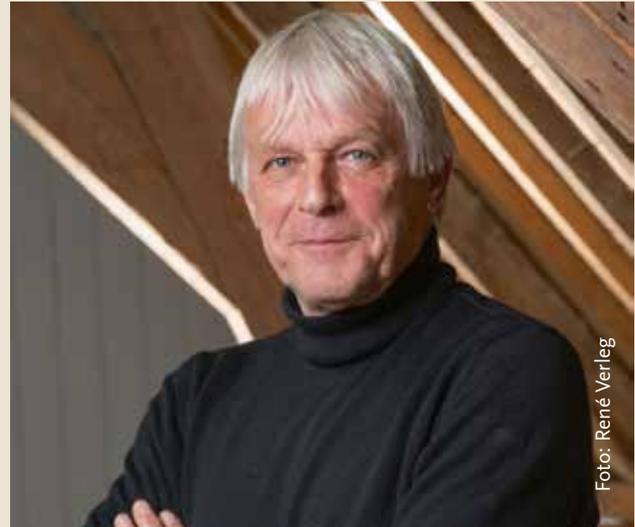


Foto: René Verleg

Jacques Kaandorp, chairman in part for the panel

that of the buzzard? Every individual public discourse turns out to include different arguments which must be taken into account.’

An example mentioned by Kaandorp, who is a veterinarian at five zoos by trade, is the mouse infestation that plagued the Frisian meadows a couple of years ago: ‘Humans have created the perfect ecosystem for mice.’ No two decisions are subject to identical considerations. ‘However, a lot of parties are voicing their own opinion from the sidelines, which complicates matters for the government.’ Another difficulty is the recent decentralisation of nature conservation policy. Kaandorp: ‘For the past few years, provinces have been responsible for nature rather than the central government, including decisions on wildlife welfare. As a result, rules and decisions may vary between provinces,



Foto: Wiebe Kiestra

Jacques van Alphen, chairman in part for the panel

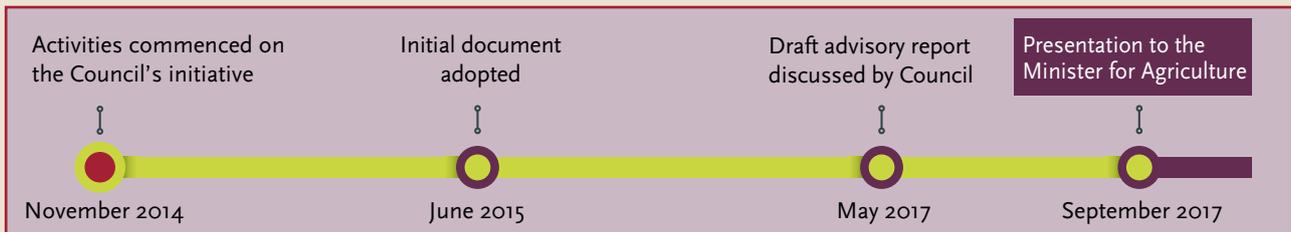
even in similar situations.’ The chairs argue that this fact makes it even more crucial to design a common framework for decision-making, which should at least create transparency with regard to such differences.

This advisory report presents a sample framework as an assessment model with a corresponding flow chart. ‘Such a chart lists a number of steps to determine whether there is a problem and, if so, what you need to do in each case’,

explained Van Alphen. While the Council had previously suggested an assessment model, the panel has now undertaken actually to implement it. Kaandorp: ‘We have tried applying the chart to a number of specific examples: foxes roaming into urban areas, wild wolves reappearing in our country and meadow birds declining.’

The chairs emphasised that the flow chart accommodates all interests and considerations of value to a balanced decision. Van Alphen: ‘While you cannot simply disregard the interests of nature, it is equally impossible to show a lack of consideration for the human perspective. At any rate, we should arrange our thoughts in such a way that we always follow the same steps.’

Recommendation: Take a decision on each situation that calls into question the welfare of animals in the wild due to conflicts with human interests or activities in accordance with the method suggested in this advisory report. Use the flow chart to reach clear and well-considered decisions.



Brief summary of the report

Our relationship with animals in the “wild” is a topic that is part of public discourse almost every day, with issues including wolves crossing into our country, an eagle owl “terrorising” a community, fallow deer in the Amsterdamse Waterleidingduinen, urban foxes and the decline of certain meadow birds such as the black-tailed godwit. It is not always clear how and if we should intervene and what the specific course of action should be, as a variety of interests and values may be at play. The Council on Animal Affairs (RDA) believes it is important to act consistent, scientifically based and transparent when dealing with animals. The Council regards its starting point to be the existing laws and regulations, with the recognition of the intrinsic value of animals – as well as our resulting social responsibility for their welfare – as guiding principles.



Foto: A. Kroeze-Kloosterhuis

The wolf who entered Drenthe from Germany in 2015, here pictured in Groningen, photo taken from a car.

In 2012, the RDA published an assessment framework to serve as a policy guide to shape the moral responsibility for the welfare of non-captive animals in practice: Duty of Care, Naturally. This advisory report reflects on whether and how that assessment framework may be applied to animals living in the wild. Given that both animal welfare policy and nature conservation policy have a very broad scope, the assessment framework and the corresponding flow chart were applied to three case studies: wolves, foxes and meadow birds. This approach resulted in several key conclusions:

- Although there may be opportunities for intervention (for example, by reducing animal numbers), this does not mean that it is necessary nor that other alternatives are unavailable. Alternatives must be seriously and thoroughly considered in all cases before any type of intervention occurs. In cases where human interests conflict with those of animals, the question whether intervention is required should precede the question of what should be done. For such cases, the assessment framework may be a tool to assist in an ethical consideration or assessment of the values and interests involved in the interventions available.
- The Nature Conservation Act (*Wet natuurbescherming*, Wnb) provides the legal framework within which interventions may take place and states the resources which may be used. The various steps of the assessment framework offer guidance and force parties to take stock of all relevant values and interests, with the added benefit of making those aspects explicit. As a result, the way in which values and interests are weighed becomes transparent.



Black-tailed Godwit with in the background a farmer working the soil.

- At present, assessments regarding animals in nature make little explicit mention of the welfare (including the health) of animals. The Council recommends that assessments and decisions on animals in nature should clearly outline how they take animal welfare into account, for which the assessment framework may provide guidance.
- European and Dutch nature conservation laws and regulations focus primarily on the conservation of species. As animal welfare and animal health also remain key in any consideration, knowledge of those aspects is crucial to the decision-making parties.
- As a result of the decentralisation of nature conservation responsibilities, which have been largely shifted from central government to the provinces, differences may arise between provinces in their approaches to animal welfare and the conservation of species' populations. Although the results of the assessment in relation to wild animals may of course differ, the method of the assessment should be the same. This fact can be ensured through the use of the RDA assessment framework.
- Wild animals have no conception of which province they inhabit. We, however, have a moral responsibility – free of any gradations – to take animals into consideration. The practical interpretation of this duty of care, however, varies per scenario. An explicit focus on the welfare of non-captive animals when formulating policy can contribute to reducing the number of differences in the regulations on animal and nature conservation policy.
- Animal welfare policy for captive animals remains the responsibility and competence of the State. This responsibility rests with the provinces for non-captive animals (with the exception of animals in nature reserves that fall

under the responsibility of the State, such as the large bodies of water). The Council notes that this distinction is not always clear and as such wishes to know how the welfare of non-captive animals in nature is safeguarded. When are both the State and the provinces satisfied?

- Decisions on the welfare of individual animals may have an impact on the welfare of individuals in later generations and on populations of other species. That impact must be taken into consideration in every assessment regarding animal welfare. As such, the assessment framework is not only applied to the current animals, but also in view of future generations and other populations.

Flowchart

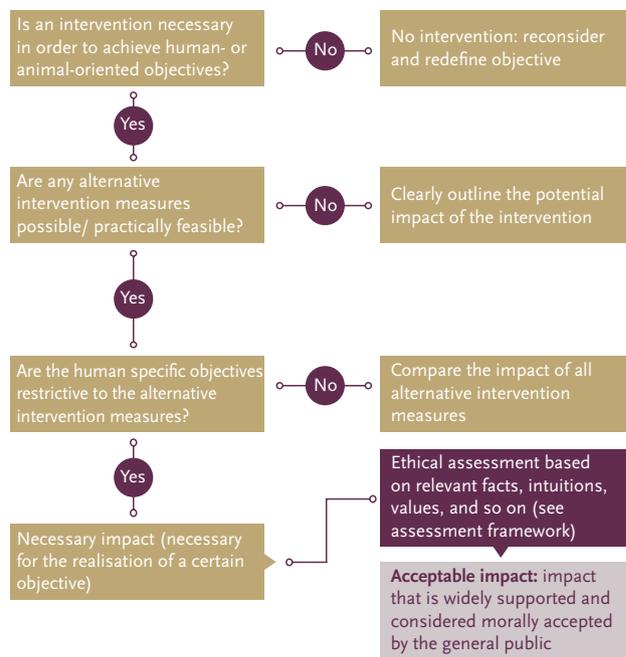
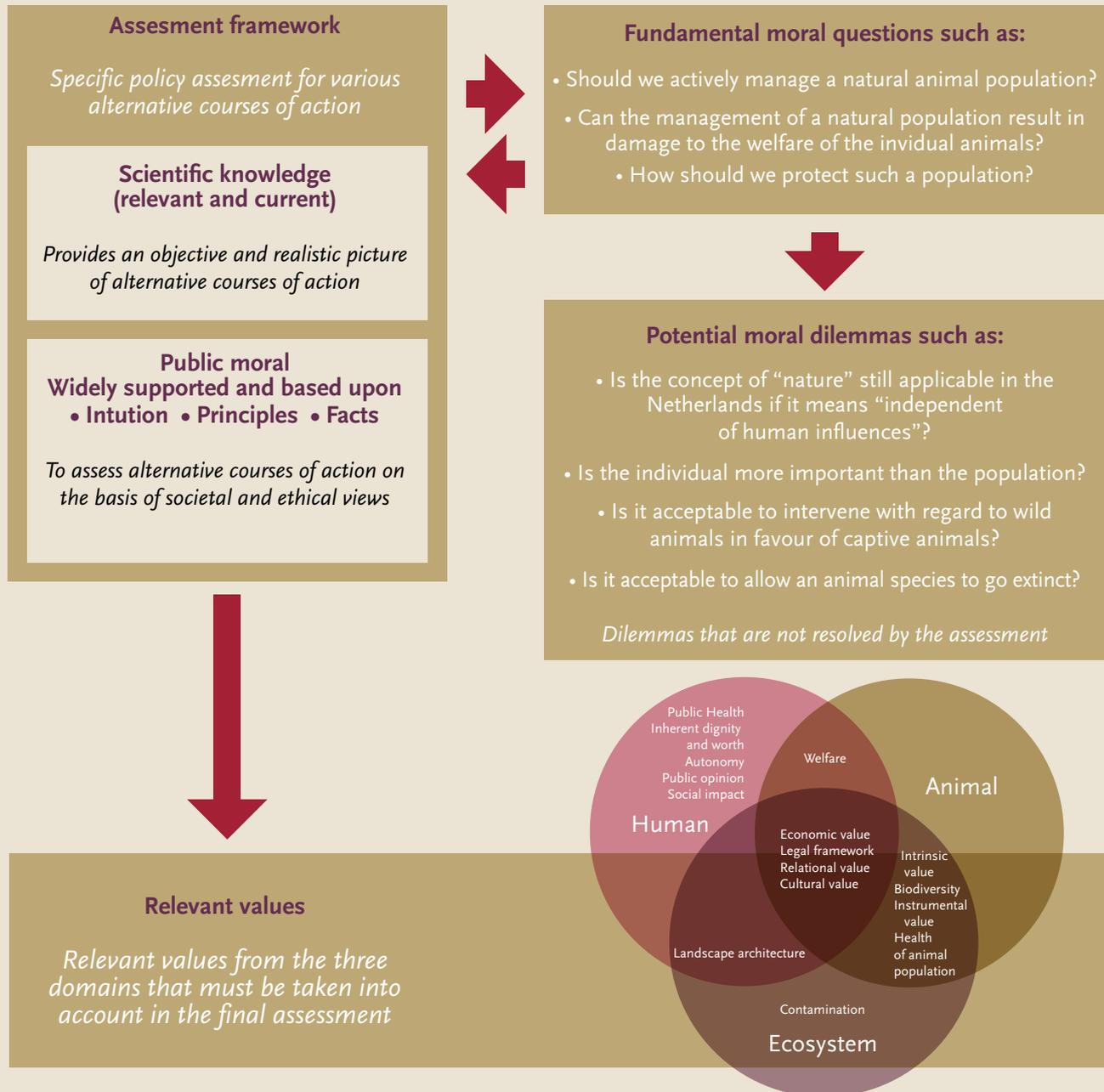


Diagram of the assessment framework



- The survival of the species is also a factor that must be taken into account at the level of the relationship between the animal (sufficient species numbers for reproduction and social contact) and the ecosystem (equilibrium between all existing species). Explicitly outlining the various factors within the assessment may result in more clarity as to when and why the interests of the individual (such as welfare) supersede those of the population (species/ecosystem), or vice versa. Applying the various steps and levels of the assessment framework allows us to ensure the concrete implementation of our statutory duty of care to animals in nature.



Text on sign: Beware, aggressive crows

- The Council notes that the use of the term “intrinsic value” may lead to confusion, e.g. due to the differences between the intrinsic value of animals and the intrinsic value of nature. In addition, as intrinsic value has no measurable quantity, it cannot be used in the assessment of the interests of various species (e.g. fox versus black-tailed godwit) or of individuals and populations. The relationship between the intrinsic value of the animal and the intrinsic value of nature is not outlined further in the relevant legislation. This situation may result in tension and should receive attention in assessments for which the level of populations and ecosystems are important factors. The Council considers consistency and transparency to be key elements, also in the application of concepts and definitions, and would like to contribute to preventing any confusion or ambiguity. Regarding the intrinsic value of animals, the Council proposes to use its own definition: “The term intrinsic value refers to the value inherent in an animal, irrespective of its utility. Respecting this inherent value means factoring in the interests of animals in all decisions that affect them. Specifically, there is a moral obligation for human intervention not to cause structural or serious damage to the welfare, health or integrity of animals or their habitat”.

- Although the use of the assessment framework and the corresponding flow chart result in accuracy and diligence, proficient application requires practice. This method is well suited for diligent and measured decisions made in advance, while it is unsuitable for ad hoc decision-making.

Annex

Parties involved in the preparation of this Advisory Report

This document represents the view of the entire Council on Animal Affairs. It was prepared by a working group composed of RDA members A.G. Dijkhuis, Prof. A.A. Freriks, Prof. S. Haring, J. Hesterman, M. de Jong, M.H.A. Steverink and Prof. J.J.M. van Alphen & J. Kaandorp (joint chairmanship), with support provided by Dr F.L.B. Meijboom. The panel received assistance in conducting its

activities from secretary M.H.W. Schakenraad and the deputy secretary R.L. van Oudheusden on the RDA team. We would also like to acknowledge former RDA chair Frauke Ohl† for her contribution to the preparation of this report and the final adjustments to the assessment framework.

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