

No. 29468

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**MULTILATERAL**

**European Convention for the protection of vertebrate animals used for experimental and other scientific purposes (with appendices). Concluded at Strasbourg on 18 March 1986**

*Authentic texts: English and French.*

*Registered by the Secretary-General of the Council of Europe, acting on behalf of the Parties, on 22 January 1993.*

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**MULTILATÉRAL**

**Convention européenne sur la protection des animaux vertébrés utilisés à des fins expérimentales ou à d'autres fins scientifiques (avec annexes). Conclue à Strasbourg le 18 mars 1986**

*Textes authentiques : anglais et français.*

*Enregistrée par le Secrétaire général du Conseil de l'Europe, agissant au nom des Parties, le 22 janvier 1993.*

## EUROPEAN CONVENTION<sup>1</sup> FOR THE PROTECTION OF VERTEBRATE ANIMALS USED FOR EXPERIMENTAL AND OTHER SCIENTIFIC PURPOSES

### 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,

<sup>1</sup> Came into force on 1 January 1991, i.e., 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 had deposited an instrument of ratification, acceptance or approval with the Secretary-General of the Council of Europe, in accordance with article 32 (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification or acceptance (A)</i>	
Finland .....	14 June	1990 A
Norway .....	9 July	1986
Spain .....	12 September	1989
Sweden .....	15 September	1988

Subsequently, the Convention came into force for the following States on the first day of the month following the expiration of a period of six months after the date of the deposit of their instrument of ratification, acceptance or approval with the Secretary-General of the Council of Europe, in accordance with article 32 (2):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>	
Germany* .....	19 April	1991
(With effect from 1 November 1991.)		
Belgium .....	20 December	1991
(With effect from 1 July 1992.)		
Greece .....	27 May	1992
(With effect from 1 December 1992.)		

\* See p. 94 of this volume for the text of the reservation made upon ratification.

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 it 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, or 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 II

#### *General care and accommodation*

#### Article 5

1. Any animal used or intended for use in a procedure shall be provided with accommodation, an environment, at least a minimum degree of freedom of movement, food, water and care, appropriate to its health and well-being. Any restriction on the extent to which an animal can satisfy its physiological and ethological needs shall be limited as far as practicable. In the implementation of this provision, regard should be paid to the guidelines for accommodation and care of animals set out in Appendix A to this Convention.
2. The environmental conditions in which animals are bred, kept or used shall be checked daily.
3. The well-being and state of health of animals shall be observed sufficiently closely and frequently to prevent pain or avoidable suffering, distress or lasting harm.
4. Each Party shall determine arrangements to ensure that any defect or suffering discovered is corrected as quickly as possible.

### PART III

#### *Conduct of procedure*

#### Article 6

1. A procedure shall not be performed for any of the purposes referred to in Article 2, if another scientifically satisfactory method, not entailing the use of an animal, is reasonably and practicably available.

2. Each Party should encourage scientific research into the development of methods which could provide the same information as that obtained in procedures.

#### Article 7

When a procedure has to be performed, the choice of species shall be carefully considered and, where required, be explained to the responsible authority; in a choice between procedures, those should be selected which use the minimum number of animals, cause the least pain, suffering, distress or lasting harm and which are most likely to provide satisfactory results.

#### Article 8

A procedure shall be performed under general or local anaesthesia or analgesia or by other methods designed to eliminate as far as practicable pain, suffering, distress or lasting harm, applied throughout the procedure unless :

- a. the pain caused by the procedure is less than the impairment of the animal's well-being caused by the use of anaesthesia or analgesia, or
- b. the use of anaesthesia or analgesia is incompatible with the aim of the procedure. In such cases, appropriate legislative and/or administrative measures shall be taken to ensure that no such procedure is carried out unnecessarily.

#### Article 9

1. Where it is planned to subject an animal to a procedure in which it will or may experience severe pain which is likely to endure, that procedure must be specifically declared and justified to, or specifically authorised by, the responsible authority.
2. Appropriate legislative and/or administrative measures shall be taken to ensure that no such procedure is carried out unnecessarily.

Such measures shall include :

- either specific authorisation by the responsible authority ;
- or specific declaration of such procedure to the responsible authority and judicial or administrative action by that authority if it is not satisfied that the procedure is of sufficient importance for meeting the essential needs of man or animal, including the solution of scientific problems.

#### Article 10

During a procedure, an animal used shall remain subject to the provisions of Article 5 except where those provisions are incompatible with the objective of the procedure.

#### Article 11

1. At the end of a procedure it shall be decided whether the animal shall be kept alive or killed by a humane method. An animal shall not be kept alive if, even though it has been restored to normal health in all other respects, it is likely to remain in lasting pain or distress.