

Born to be wild

After considering 33 wild animals – equals 120 species - harmless enough to be kept as pets without the need of a license, a recent review in the Dangerous Wild Animals Act in the UK ended up raising the complex implications behind having exotic animals at home, thinking they are just like cats and dogs.

by Jaqueline B. Ramos

Christmas is coming. Suzanne and Bill want to surprise their two children with unusual presents. A breeder in the neighborhood is selling the cutest black lion tamarin. What a catch! No other kids in the school have a pet from the far away rainforests of South America. Tamarins are more exotic than cats and there is no need at all to apply for a license anymore since it was recently listed as a non-dangerous wild animal in the UK.

What an exciting Christmas Eve. The kids are crazy about the animal and spend all their time handling and manipulating it to exhaustion. Crackers, so they named the tamarin, tries to escape the stress of being constantly handled by the kids. Some of the behaviours perceived as cute and playful are no more than expressions of distress and fear. Sooner or later jumping results in accidental crockery breaking. Spots of urine and faeces start appearing all over the furniture. Finally one of the kids is accidentally bitten when handling the monkey which screams in distress.

By February the little monkey seems not to be that funny anymore and the passion fades away. The kids have already forgotten about it and would much rather have the latest I-Pod. Suzanne and Bill only feed it when they have time before and after work, keep it in a cage so it can not destroy the house and think what will be the best thing to do with the monkey - which, by the way, is officially considered as a critically endangered specie (according to the IUCN Red List 2007), as they later surprisingly realize.

This fictional story can very well become a reality since the recent change in the UK Dangerous Wild Animals Act (DWA). A total of 120 species, among them, several tamarins, sloths, lemurs, emus, mangrove snakes and even Brazilian wolf spiders are considered harmless enough to be kept as pets without the need of a license (see box for table of the species at the end of this article).

The reviewed amendment in the DWA Act was released by DEFRA – Department for Environment Food and Rural Affairs on the beginning of October. It removes the need for a license to keep 33 animals and adds another six in the dangerous list. In practical terms this means that owning any of the animals listed as non-dangerous can be done without any difficulty, since control on the consumers and owners of these animals is no longer required.

Natural habitats, not houses

Although the classification as non-dangerous was based on the premise that these animals cause no more harm than a domestic dog or cat, it does not take in consideration the fact that wild animals have not been selectively bred for domestication for as long as our common pets.

It took about 10 thousand years to domesticate dogs and 5 thousand for cats. Despite this many of them still face welfare problems due to the owners' lack of understanding on their behavioural and physiological needs. This misinformation may trigger behavioral problems and the abandonment of many animals, leading to an increasing population of homeless or sheltered animals.

Species that have been domesticated for so many years have been selected for characteristics that make them dependent on humans. There has been a selective pressure to accommodate behaviours that are compatible to humanized environment.

Exotic wild animals, whether bred in captivity or illegally caught, have not been subject to this artificial selection. In order to keep welfare standards, owning one of these animals would require adequate knowledge and information about its life histories.

Domestication of wild animals without appropriate information will only contribute for a substantial decrease of their welfare. Inducing suffering is not ethically acceptable. So, it is reasonable to ask the moral status of the keeping of these animals in artificial humanized environments only for the sake of amusement of humans.

By making it easy to acquire these animals, the change to the DWA Act promotes and facilitates the breeding of species inadequate to live in humanized and urban environments. Wild animals belong in their natural habitats.

Removing an animal from their natural habitats, to be sold as pets or entertainment toy, is also a threat to the biodiversity. These animals can be outsourced in two ways: either by legally registered breeders or illegal wildlife trade. Even with the legal breeders, it is difficult to determine the origin of the matrices.

When DEFRA is questioned about conservation and animal welfare implications of the recent changes of the DWA Act, they make it clear that "the Act was placed to protect the public from wild animals which were privately owned, rather than to conserve species".

Think about how dangerous wild animals can be to humans is not enough. It is also necessary to think about the implications that this classification may lead to. According to DEFRA de-listing these species is not a problem because there is wider legislation covering conservation and animal welfare issues. For example the Animal Welfare Act and the Convention on International Trade in

Endangered Species of Wild Fauna and Flora, (CITES), which controls the import and export of endangered species in 172 member states through a licensing system.

“The DWA Act does have some ancillary welfare provisions within it, although it really shouldn’t, and so we delayed the removal of the species until the AW Act came into force to ensure that the de-listed species wouldn’t be left without any welfare protection”, says Dave Wootton, policy advisor from Wildlife Species Conservation Division who has the responsibility for the DWA Act in DEFRA.

Wootton adds that the present Act will be subject to one more consultation by the end of the year looking at some further deregulatory measures, but not changing the list of species. He explains that ancillary welfare provisions are to be removed and reference will then be made to the AW Act.

The AW Act came into force in 2006 after some review on animal welfare regulation that were considered outdated. The act makes owners and keepers responsible for ensuring that the welfare of their animals are kept. This includes the need for a suitable environment and diet, to exhibit normal behaviour patterns, to be housed with, or away from, other animals (if applicable) and to be protected from pain, injury, suffering and disease.

However, little or no information about the proper handling and husbandry of exotic pets is provided. Neither by the Law – general codes of practice to provide guidance on the keeping of certain species, such as dogs, cats and primates, are still under construction – nor by the suppliers of the animals.

“Many exotic animals are not only potentially dangerous to humans but are extremely difficult to look after properly and need specialist care. We are disappointed and concerned that several exotic species have been removed from the DWA Act schedule”, says Tim Thomas, Senior Scientist of the Wildlife Department from RSPCA – Royal Society for the Prevention of Cruelty to Animals.

Offences under the AW Act, like causing an animal to suffer unnecessarily, can lead to criminal prosecution. RSPCA is the organization responsible for checking a possible offence after being informed of some cruelty against an animal.

“We really hope that the AW Act complements the DWA. But the control to ensure animal welfare is object of concern yet, because we can only do something after the animal is suffering or had already suffered. We depend on people revealing the abuses they see”, alerts Thomas.

“Our biggest concern is still with the welfare of all these exotic pets, even with the new regulation. The AW Act puts a duty of care on pet owners and we urge people to thoroughly research their choice of pet before they buy it and make sure they can look after it properly”, says the scientist of RSPCA.

Thomas mention that RSPCA aims to enforce a code of practice with information about the basic provisions needed to keep exotic animals, so that average people get aware of how complex it is and think more cautiously before decide to have them.

Apart from that, RSPCA is working on a proposal for the last consultation of the DWA Act that the suppliers also have the duty to apply for a license in the local authority, for the case of wild animals which still requires license to be kept as pets.

RSPCA's proposes a stricter control on the suppliers, and a reinforcement to monitor trade in wild animals getting into the UK . this control is presently run by CITES. The Convention came into force in 1975 and was introduced to help protect endangered species from excessive international trade.

Despite the presence of CITES, the effectiveness of the protection depends on the introduction and enforcement of national law. Many member states passed strict laws and created national policing bodies to enforce CITES regulations.

Even though, there is still a large and profitable illegal wildlife trade all around the world, estimated at more than ten billion US dollars a year and compared to drug and weapons trafficking in terms of profits.

According to IUCN Red List 2007, 30% of the de-listed species are considered threatened and, therefore, are covered by appendix I of CITES. Appendix I lists species that are forbidden to trade therefore providing the greatest protection.

DEFRA makes it very clear that the trade itself is not their responsibility. "There is no direct read between the two pieces of legislation. Tigers are listed on Appendix I of CITES but not wandering spiders, however both require a license under the DWA Act", affirms Wootton.

It really does not seem that the DWA Act in the UK ever considered the reinforcement of CITES. On the contrary, one can even say that it encourages the trade of a significant number of wild animals, almost 1/3 of them already threatened, suggesting future problems on conservation and controlling of illegal trade.

Encouraging illegal trade?

In a nutshell, the DWA Act came into force in 1976 intending to regulate the keeping of certain kinds of dangerous wild animals in order to protect the public. Some of the listed species were tasmanian devils, gibbons, tigers, crocodiles and elephants.

According to DEFRA, the large number of zoos and commercial safari parks in the UK during the 1960's and early 70's led to a increasing trade of dangerous carnivores, which was considered an offence at common law causing a public nuisance by keeping animals that may be dangerous to the public.

A major review was commissioned by DEFRA in 2000. This review, and its recommendations, led to further consultations in 2001 and 2004. Analyzing the evolution of the Bill and the intention of Parliament, it's worth pointing out the position of the House of Lords during the latest review: "this Bill deals in a timely way with a mischief which has already become apparent and which, without provision of this kind, definitely threatens to grow larger. The main purpose is to discourage the keeping of dangerous wild animals as pets, but is sufficiently flexible to allow for exceptional circumstances."

De-list 120 wild animals from the need of a license appears to be one of the exceptional circumstances, for it definitely is not a way of discouraging the keeping of exotic pets at all, either they are considered dangerous for humans or not.

"Since the change in the DWA Act there has been unfortunate publicity. Newspapers reported it stating that now it is possible to keep primates, almost encouraging people. In the days following the publicity we took telephone calls from people who had believed that keeping a primate was illegal and are now keen to buy one. The market has been encouraged and, in our opinion, a dangerous message sent out", Rachel Hevesi added, Health and Welfare officer of the Monkey Sanctuary Trust, a charity for primate welfare and conservation based in Cornwall.

DEFRA's justification is that the latest review suggested that the Act should be updated, as some of the animals listed were considered to be no more dangerous than domestic cats and dogs and further animals should be added to the dangerous list. So they took the advice of experts to revise the list of non-dangerous wild animals.

The group of experts consulted by DEFRA for the revision was composed by specialists from RSPCA, Nuffield Department of Clinical Medicine, Bristol Zoological Gardens, Welsh Mountain Zoo, Zoological Society of London, National Association of Private Animal Keepers, Oxford University and International Zoo Veterinary Group.

The experts took into account factors such as the animal's armory, the animal's ferocity, the potential harm do to a child, the animal's likely behaviour when unrestrained or cornered outside of the keeper's premises, recorded incidents of deaths or serious injury and what legislation already exists for regulating the acquisition or keeping of animals.

"After intense discussion with the government, the kind of judgment used for this review was, for instance, the fact that the wild cats listed as non-dangerous have teeth and claws sometimes smaller than a domesticated cat, or that the sloth moves very slowly to cause any harm. The DWA does not take into account the fact that many of the animals de-listed are extremely difficult to look after properly", explains Tim Thomas, from RSPCA, who was one of the experts consulted.

Specialist keepers are also critical both to the recent changes and to the DWA Act. "Licensing procedures and fees charged are found to vary widely between areas and this is a problem. In some counties you pay £95 for a license fee per year and in others this value reaches £600. The level of information required from the candidate of a license is also different. Depending on the county it can be very easy to get a license to own a wild animal", says Rory Matier, consultant to The Specialist Keepers Association (TSKA), based in Lincolnshire.

Basically, nowadays anyone can apply for an exotic pet license at their Local Council, as the Act is administered and enforced by local authorities (city, district or borough councils). The environment or wild life division of the police, for instance, is only called if a situation with a dangerous animal is not more under control.

The Act says that local authorities cannot grant a license unless someone over the age of 18 physically applies specifying the species and number of animals, the premises where they will be kept, and pays the appropriate fee. In addition, a license, that is valid until the end of the year it has been issued, cannot be granted unless a vet has inspected the premises and produced a report for the local authority attesting that the animals can be suitably held there.

According to DEFRA, animals that clearly require specialist keeping, would be for the local authority to decide whether a license should be issued in each case. As long as a person satisfies all of the required local criteria, the assumption is that a license would be granted.

"The main problem emerges from the fact that this legislation never came out aiming husbandry or animal welfare. And apart from that, the trade of wild animals holds a lot of money. Most of times the supplier is not really very interested in who is buying, but only in how much it is paid. After this recent change, it's expected a raise on the prices of some animals, making it even more like business", speculates the consultant to TSKA.

No matter if it is considered dangerous or not, the fact is that the idea of wild animals as pets raises a lot of questions. Is the primary suffering of the animal out of his natural habitat taken into account? And if the owner is not able to cope with the exotic pet and wants to give it up, what happens to the animal? What about the risk of growing illegal trade and suspicious and careless captive breeding of wild animals ?

"I wonder how the non-licensed ownership of wild animals will be policed. Responsible keepers care for the animals in the first place, but we are living in a disposable society. People get what they want, with no serious reflection, and after a while just discharge it. This can easily happens with wild animals as pets. People would lose interest for the animal after some weeks, giving it only basic needs as food and water and keeping it locked in a room or a cage", points Matier.

"No amount of human love can compensate for a primate not having companionship of its own species", declares Hevesi about the monkeys,

although the idea can be applied to every wild animal. “Our link with primate sanctuaries in South America enabled us to gather evidence to show that the UK primate trade did have an impact on the wild population in the native countries”, completes Hevesi.

The origin of the animals – Brazil case study

Coming back to the beginning of this article, one can also establish a link of the recent changes in the DWA Act in the UK with the delicate question of the origin of the exotic pets. The black lion tamarin bought by Suzanne and Bill is a primate which is critically endangered and its natural habitat is the tropical rainforests from Brazil.

Brazil is one of the richest countries in the world in terms of biodiversity, but faces huge problems with poaching and trafficking in wild animals, mainly for “exportation”. Nearly half the animals illegally caught, mostly parrots and other birds, go to Europe and United States, according to the National Network Against Wild Animal Trade (Renctas, in Portuguese). It is also estimated that the country accounts for about 15% of the world’s illegal trade of wild animals.

“The recent change in the dangerous wild animals list in the UK can influence a raise in poaching here, as sloths, tamarins and other monkeys, for instance, are from Brazil. More demand can lead to more animals’ caught from the forests. This won’t help our work on protection of fauna and will make the control procedures even harder to be applied”, speculates Vincent Kurt Lo, environmental analyst of the Brazilian Institute for the Environment and Renewable Natural Resources (Ibama, in Portuguese).

At the same time changes in the DWA Act in the UK took place, the National Council for Environment (Conama) in Brazil approved a resolution to define the criteria for a list of native wild animals that will be allowed to be bred and traded as pets in the country. The list is being prepared by Ibama to be released for public consultancy in six months.

Would the list that is being prepared by Ibama be a barrier to the suspected negative impacts of a stronger demand of wild animals? The answer is: yes and no.

The positive answer is explained because Conama resolution number 394, from 06/11/2007, was approved in order complement one clause of the 5197 Law, from 1967. This Brazilian law defines that the government will stimulate the breeding of wild animals for economic and industrial purposes (more related to leather activities).

However, no clause clearly specifies the breed and trade of wild animals to be kept as pets. This list aims to bridge this gap and is being prepared according to the criteria defined by Conama to choose the wild species which will be allowed to be companion animals.

There's no doubt that regulate a list of wild animals to be kept as pets helps to enforce a rule on the trade. But the (bad) Brazilian reality related to control procedures justifies a negative answer for the question.

The problem is that even with the 40-year old Law and some enforcements brought under control in 1997 and 1998, there is evidence that poaching and trafficking of wild animals has been raising in the last decades in Brazil.

According to the First National Report of Illegal Trade of Wild Animals in Brazil, released in 2001 by Renctas and the Ministry of Environment of the country, about 38 million of animals are illegally caught from the Brazilian ecosystems every year.

From a group of 10 animals caught, only one arrives at the planned final destination, for the other nine die during the transportation. Also, the report estimated that around 400 poachers' gangs are responsible for the poaching in Brazil and 40% of them have connections with other illegal activities.

Another negative implication is the fact that the animals illegally caught are cheaper for the poachers, because there are no expenses with veterinarians, biologists or other specialists to take care properly of the animals. This increases the poachers' profits and reinforces the trafficking industry.

"The trade of wild species has not been working as a solution for the trafficking in Brazil. On the contrary, most of times the official breeders can hide illegal activities and help to raise the non-official trade", tells the environmental analyst from Ibama.

Apart from that, the institute faces problems of lack of people and resources to do all the proper monitoring work in the field. The animals which come from the licensed breeders are marked with microchips or rings and Ibama issues a document attesting its origin.

But the documents, microchips and rings are easily faked by the "trafficking industry". The solution would be a database of the genes of the animals, so that the inspection could be made by DNA test.

According to Vincent, the list of wild animals to be pets is worth only if the number of species be extremely limited. Instead encouraging people to have exotic animals at home, the government should stimulate people to go to Nature to watch them, in ecotourism activities.

Vincent's opinion is not unique. The Fauna Inspection Division of the institute, which is elaborating the list and coordinates the control of the trade in the country, alerts about the disadvantages of the encouragement of owning wild animals as pets.

Among the disadvantages are the diseases that can be transmitted to humans and other animals, lack of technical knowledge by Brazilian vets to treat wild animals, all the problems of welfare and stress in captivity, lack of ready-

balanced food for a proper diet and the abandonment of the animal after realizing all the difficulties of breeding it.

The release of a wild animal in an ecosystem which is not its natural habitat can cause serious ecological problems. In one of the enforcements of the law that came into force in 1997 is defined that “the breeder or the supplier must give the buyers a text with all the basic orientation to a proper care of the wild animal and should recommend that no animal is allowed to be release without Ibama’s consent.” But again, the rule is not followed because of problems on inspection.

Coming back again for the story of the black lion tamarin, which reveals a lot of questions and complex implications, one can be sure that both the recent change in the DWA Act in the UK and the problems of poaching faced by Brazil leads to only one certainty: wild animals were definitely born to be wild. And that’s it.

BOX: Table and graphics about the recent changes in the DWA Act in the UK

Those that don’t need a license – Total: 120 species

Woolly lemurs (<i>Avahi laniger</i>) = 1
Mammal- Primate
Tamarins (species of the genus <i>Leontopithecus</i> and <i>Saguinus</i>) = 19
Mammal- Primate
Night (or owl) monkeys (species of the genus <i>Aotus</i>) = 7
Mammal- Primate
Squirrel monkeys (species of the genus <i>Saimiri</i>) = 5
Mammal- Primate
Titis monkeys (species of the genus <i>Callicebus</i>) = 28
Mammal- Primate
Sloths (<i>Bradypodidae</i> - family) = 4
Mammal
North American porcupine (<i>Erethizon dorsatum</i>) = 1
Mammal
Capybara (<i>Hydrochaeridae</i>) = 1
Mammal
Crested porcupines (species of the genus <i>Hystrix</i>) = 8
Mammal
Cat hybrids (whose ancestry is predominantly <i>Felis Silvestris catus</i> – the domestic cat) = 4
Mammal
Wild cat (<i>Felis silvestris</i>) = 1

Mammal
Pallas cat (<i>Otocolobus manul</i>) = 1
Mammal
Little spotted cat (<i>Leopardus tigrinus</i>) = 1
Mammal
Geoffroy's cat (<i>Oncifelis geoffroyi</i>) = 1
Mammal
Kodkod (<i>Oncifelis guigna</i>) = 1
Mammal
Bay cat (<i>Catopuma badia</i>) = 1
Mammal
Sand cat (<i>Felis margarita</i>) = 1
Mammal
Blackfooted cat (<i>Felis nigripes</i>) = 1
Mammal
Rusty-spotted cat (<i>Prionailurus rubiginosus</i>) = 1
Mammal
Cacomistles (species of the genus <i>Bassariscus</i>) = 2
Mammal
Raccoons (species of the genus <i>Procyon</i>) = 6
Mammal
Coatis (species of the genus <i>Nasua</i>) = 3
Mammal
Olingos (species of the genus <i>Bassaricyon</i>) = 5
Mammal
Little coatimundi (<i>Nasuella olivacea</i>) = 1
Mammal
Binturong (<i>Arctictis binturong</i>) = 1
Mammal
Kinkajou (<i>Potos flavus</i>) = 1
Mammal
Hyraxes (Family <i>Procaviidae</i>) = 4
Mammal
Guanaco (<i>Lama guanicoe</i>) = 1
Mammal
Vicugna (<i>Vicugna vicugna</i>) = 1

Mammal
Emus (Família <i>Dromaiidae</i>) = 1 (2 are extinct)
Bird
Sand snake (species of the genus <i>Psammophis</i>) = 4
Reptile
Magrove snake (<i>Boiga dendrophila</i>) = 1
Reptile
Brazilian wolf spider (<i>Lycosa raptoria</i>) = 1
Arachnida

Those that need one license now = 6 species

Argentine blackheaded snake; Peruvian racer; South American green racer; Amazon false viper; Middle Eastern thin-tailed scorpion; dingo

% of Threatened Species de-listed (according to IUCN Red List 2007) = 30%

