

**COMPLAINT<sup>1</sup>**  
**TO THE COMMISSION OF THE EUROPEAN COMMUNITIES**  
**CONCERNING FAILURE TO COMPLY WITH COMMUNITY LAW**

1. Surname and forename of complainant: [REDACTED]
  
2. Where appropriate, represented by: N/A
  

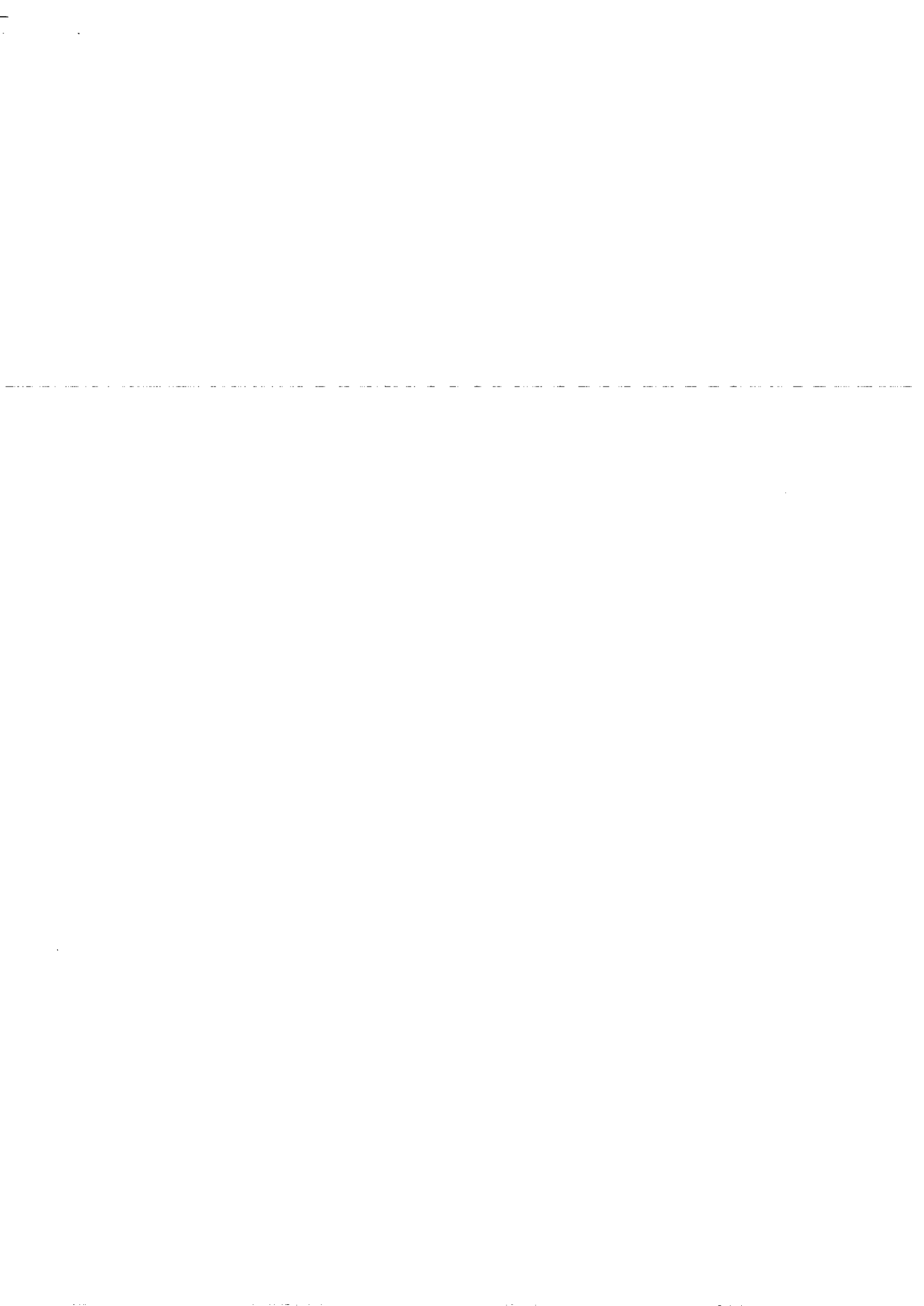
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3. Nationality: **British**
  
4. Address or Registered Office<sup>2</sup>: [REDACTED]  
[REDACTED]
  
5. Telephone/fax/e-mail address: [REDACTED]
  
6. Field and place(s) of activity: [REDACTED]
  
7. Member State or public body alleged by the complainant not to have complied with Community law: **Government of the United Kingdom**

<sup>1</sup> You are not obliged to use this form. You may also submit a complaint by ordinary letter, but it is in your interest to include as much relevant information as possible. You can send this form by ordinary mail to the following address:  
Commission of the European Communities  
(Attn: Secretary-General)  
Rue de la Loi 200,  
B-1049 Brussels  
BELGIUM

You may also hand in the form at any of the Commission's representative offices in the Member States. The form is accessible on the European Union's Internet server ([eu-law/your\\_rights/your\\_rights\\_forms\\_en.htm](http://eu-law/your_rights/your_rights_forms_en.htm)).

<sup>2</sup> To be admissible, your complaint has to relate to an infringement of Community law by a Member State. You should inform the Commission of any change of address and of any event likely to affect the handling of your complaint.

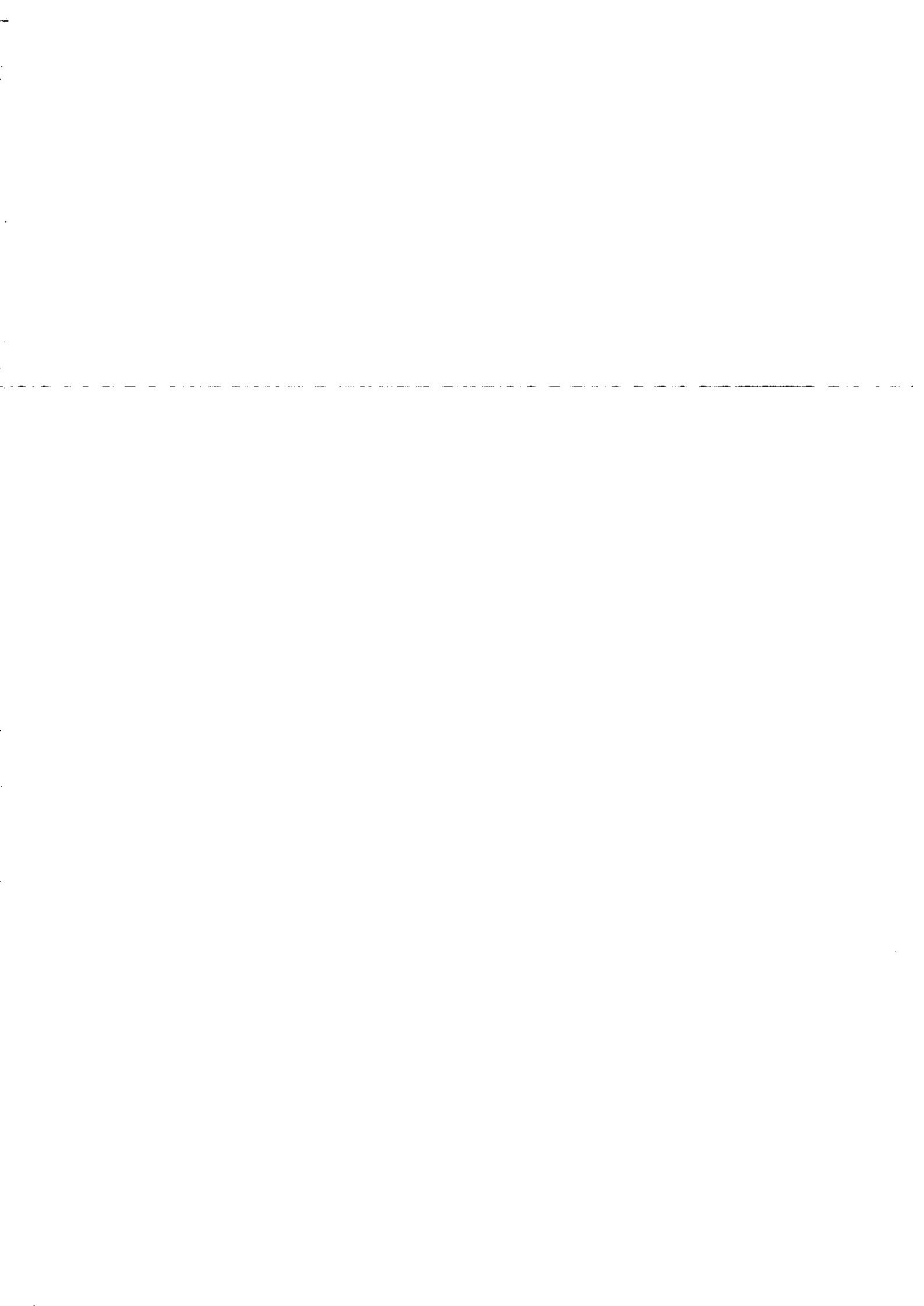


8. **Fullst possible account of facts giving rise to complaint: As a consequence of a study commissioned to me at the beginning of 2011 by the [REDACTED] in my quality of [REDACTED] I had the chance to read many official zoo inspection reports, zoo licences and correspondence between Local Authorities in England and zoo operators, representing a total of 207 zoological collections from England, and relative to the period of time between January 2005 and March 2011. The [REDACTED] in question gave me access to 2105 documents, which included 1499 pieces of correspondence, and 738 official inspection reports, obtained from Local authorities using the provisions of Freedom of Information Act 2000. The reading of these documents, and posterior analysis of their content, let me to conclude that there were many irregularities in the zoo licensing system created, run and supervised by the Government of the United Kingdom, till the point that I believe it can be concluded that the provisions of European Council Directive 1999/22/EC have been systematically not met.**

**Once my study finished I produced a comprehensive written scientific report with its findings, which I sent to the [REDACTED] in October 2011. When this organization made it public on the [REDACTED], I also sent it to the Department of Environment, Food and Rural Affairs of the UK Government. This report, titled [REDACTED] is the evidential basis of my complaint, and I am submitting it with this document.**

**In the conclusions chapter of the report the grounds of my complaint are explained, but they can be summarised as follow: from 2005 to today the UK Government has been failing to implement the EC Zoos Directive properly –at least in England– by allowing the majority of zoological collections to breach licence conditions that were defined by the EC Zoos Directive without any effective enforcing action taken against them, and effectively by failing to sufficiently protect the wild animals involved in zoo practice. In particular...**

- 1. The UK zoo licensing system, because of the way dispensations have been defined and granted, allows zoos not to be licensed or to be under-inspected because their size and types of animals they keep, without using alternative methods to guarantee the wellbeing of such animals.**
- 2. The UK zoo licensing system allows zoos to keep animals in an unsatisfactory manner for a considerable time without any effective enforcing action taken against the zoos operators.**
- 3. The UK zoo licensing system, and its implementation, does not allow sufficient inspection time for inspectors to assess properly the conditions of the animals kept in the majority of zoos.**
- 4. The UK government, or any regional or local authority under it, does not close down most of the persistent sub-standard zoos.**
- 5. The incorrect implementation of the UK zoo licensing system allows many zoos to remain open to the public despite being in breach of their zoo licence conditions.**
- 6. The incorrect implementation of the UK zoo licensing system allows many zoos to miss required inspections.**
- 7. The incorrect implementation of the UK zoo licensing system allows many zoos not to meet the requirements set by article 3 of the European Council Directive 1999/22/EC.**



The over 2000 official documents from which the study is based are in the possession of [REDACTED]

9. As far as possible, specify the provisions of Community law (treaties, regulations, directives, decisions, etc.) which the complainant considers to have been infringed by the Member State concerned: **European Council Directive 1999/22/EC (the EC Zoos Directive)**
10. Where appropriate, mention the involvement of a Community funding scheme (with references if possible) from which the Member State concerned benefits or stands to benefit, in relation to the facts giving rise to the complaint: **N/A**
11. Details of any approaches already made to the Commission's services (if possible, attach copies of correspondence): **None by complainant, but I understand that the [REDACTED] might have sent a separate (but related) complaint**
12. Details of any approaches already made to other Community bodies or authorities (e.g. European Parliament Committee on Petitions, European Ombudsman). If possible, give the reference assigned to the complainant's approach by the body concerned: **No other approach made to any other Community body yet.**
13. Approaches already made to national authorities, whether central, regional or local (if possible, attach copies of correspondence):
  - 13.1 Administrative approaches (e.g. complaint to the relevant national administrative authorities, whether central, regional or local, and/or to a national or regional ombudsman): **On 8<sup>th</sup> April 2012 I sent the report to [REDACTED] from the *Animal Health and Veterinary Laboratories Agency (AHVLA)* working for of the *Department for the Environment, Food & Rural Affairs (DEFRA)*, which are the official department and ministry dealing with zoo matters in the UK and England respectively. I also emailed the report to the general email address of the *zoo branch* of DEFRA. I have not received any reply yet.**
  - 13.2 Recourse to national courts or other procedures (e.g. arbitration or conciliation). (State whether there has already been a decision or award and attach a copy if appropriate): **None**
14. Specify any documents or evidence which may be submitted in support of the complaint, including the national measures concerned (attach copies): **PDF copy (file named [REDACTED]) of the study titled [REDACTED] from [REDACTED] which I am the sole author.**



15. Confidentiality (tick one box)<sup>3</sup>:

"I authorise the Commission to disclose my identity in its contacts with the authorities of the Member State against which the complaint is made."

~~"I request the Commission not to disclose my identity in its contacts with the authorities of the Member State against which the complaint is made."~~

16. Place, date and signature of complainant/representative:

London, 13<sup>th</sup> April 2012



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<sup>3</sup> Please note that the disclosure of your identity by the Commission's services may, in some cases, be indispensable to the handling of the complaint.

