

Animal Protection in EU-Indonesia trade negotiations



From frogs and reptiles to chickens and apes, Indonesia is home to a tremendous amount of biodiversity. Many of these animals suffer from destruction of their natural habitats or from their own exploitation for economic purposes – or both. A lack of attention in an EU-Indonesia free trade agreement¹ could only intensify these problems.

The harsh reality of orangutans and gibbons is probably the most well-known. The great and lesser apes are nowadays only present in the rainforests of Sumatra and Borneo but they are facing great danger due to the loss of their natural habitat resulting from deforestation. Yet they are not the only ones at risk. Reptiles and frogs also face threats to their survival. Frogs' legs are surprisingly the main meat product exported from Indonesia to the EU, and reptile skin represents a subsequent part of the EU imports of animal-based products.

The trade in animal-based products between the EU and Indonesia has grown in the last decade. As the two countries enter the fifth round of their trade negotiations in July, it is vital that they start considering more seriously the impact that any agreement can have on the animals, and on sustainable development more generally. An EU-Indonesia FTA needs to ensure that habitats and animals will be better protected. So far, the relevant language contained in the EU's proposals terribly lacks ambitions.²

¹ The FTA is currently known as the EU-Indonesia Comprehensive Economic Partnership Agreement or CEPA.

² See the proposals published by the EU on trade and sustainable development (TSD) and sanitary and phytosanitary (SPS) measures.

Indonesia, our first source of frogs' legs

Despite Indonesia being only the fifteenth source of meat for the EU, frogs' legs are interestingly the main single export product. The frogs from which the meat is derived are usually not farmed but caught in the wild. Indonesia exports around 4,000 tons of frogs' legs, among which, in 2016, 2,912 tons went to the EU.³ As it takes up 20 to 50 frogs to make one kilo of frogs' legs, EU imports represent between 58 and 145 million frogs.⁴ Main importers in the EU are Belgium (2,400 tons), France (320 tons) and the Netherlands (150 tons).

This trade raises concerns in terms of the conservation of these amphibians.⁵ In the last decades, the trade in frogs' legs has moved from India and Bangladesh to Indonesia and Viet Nam, with the former countries banning the exports of frogs' legs mid 1980s following the depletion of the targeted species in their territories.⁶ In 1980, France had already adopted a similar approach by banning the commercial hunting of native frogs.⁷ Preserving the frog population is also important as frogs are naturally controlling pests such as insects and mosquitoes. With the population of frog decrease, consumption of – both literally and environmentally – costly pesticides is likely to increase.

The lack of data concerning the level of conservation of frogs species, as well as regarding which ones are actually used in international trade, combined with the previous examples of France, India and Bangladesh should lead to precautionary measures to ensure the frog population is sustainably preserved in Indonesia.⁸ This might start with the listing of targeted species in the Annex II of the Convention on International Trade in Endangered Species (CITES), to impose a monitoring and a regulation of the trade. As the quantity locally consumed in Indonesia is between two to seven times the amount exported, it will also be important to start a dialogue with Jakarta to promote local measures.

Beyond conservation, the handling and killing of the frogs should also raise concerns. While the EU regulation on welfare at the time of slaughter does not apply to amphibians (for the reason that there is no such farm in the EU, as explicitly stated in the regulation), the EU should care about how these animals are transported, handled and slaughtered before their meat is imported to EU consumers.

Trade in live reptiles

Value wise, Indonesia is the EU's fourth source of imported live reptile (360,387 EUR in 2017, behind the US, Uzbekistan and China), half of which going to Czech Republic, and the rest to Germany, the Netherlands, France and the UK. Over the past 5 years, these imports have been steadily growing. In 2015, according to Eurostat, it represented 407,214 specimens. Special attention should be paid to this trade. Although CITES is a powerful tool to reduce or even ban the international trade of threatened species, there are several criminal

³ Eurostat figures

⁴ Veith, M. et al. (2000). A test for correct species declaration of frog legs imports from Indonesia into the EU. *Biodiv. & Cons.*9:333-341.

⁵ Warkentin, "Eating frogs to extinction", *Conservation Biology*, Volume 23, No. 4, 2009

⁶ Altherr, Goyenechea & Schubert, *Canapés to Extinction – the international trade in frogs' legs and its ecological impact*, 2011, p.19

⁷ Neveu, A. (2004). La raniculture est-elle une alternative à la récolte? Etat actuel en France. *INRA Productions Animales* 17: 167-175.

⁸ It is very difficult to distinguish frog species. The few studies made on the topic show that many batches of frogs' legs exported by Indonesia and described as originating from several species actually only contain parts of individuals issued from a single species.

ways to circumvent it (export quotas may be systematically exceeded or inappropriately set).⁹ A lack of knowledge and expertise in reptile species also contributes to an increase in the trade of more endangered species. In addition, many species that would deserved to be protected under CITES are not, and even if they are protected under Indonesian law, their trade in the EU would be deemed legal. To avoid such situation, Eurogroup for Animals would recommend that both partners move towards a “positive” list approach, listing all species that can be traded, rather than the ones that cannot. Such approach would facilitate enforcement by the customs authorities and ensure a more precautionary approach is adopted towards the species for which not much is known at the moment.

The increase of reptiles being raised as pets is another concern. A scientific study showed that at least 75 percent of reptiles adopted as pets died within one year in their new home.¹⁰ Many are also abandoned as people do not realise the amount of care needed when they get the animal. The accidental or deliberate release of reptile pets in the nature can lead to the establishment of invasive alien species, which can disrupt ecosystems and displace local fauna.

Trade in reptile skin

Quantity-wise, Indonesia is the EU’s first source of tanned or crust hides of reptiles with 28 tons for 8.7 million EUR, most of which going to Italy (24 tons), and our 5th source of leather prepared from reptiles (2.5 tons for 2.4 million EUR), also mostly going to Italy. The trade in reptile skins and the welfare-related issues linked with reptile slaughtering should not be taken lightly. In some places, reptiles are still swelled with water alive, leaving them to suffocate to death. According to a report from the International Trade Centre, Indonesia and Malaysia are the main source of pythons for the skin trade, most of which come from the wild.¹¹



The trade in skins can also be used to achieve large scale laundering of endangered species. Once the most protected species are bred in captivity, their trade becomes legal, with the right documents. Yet many of the reptiles allegedly bred in captivity are actually caught in the wild, as shown by field data from 2009 to 2011 which suggested that 80 percent of green tree pythons (*Morelia viridis*) exported by Indonesia as captive-bred came from the wild.¹² In many cases, farming them would not be cost effective. Stockpiling of skins, which occurs a lot in Indonesia and Singapore, and lack of traceability systems also contribute to blur the lines between legally and illegally harvested skins.

⁹ It is for instance the case of several tortoise species originating from Indonesia like the Parker's snake-necked turtle (*Chelodina parkeri*) for which Indonesia has set a collection quota of 150 specimens from West Papua and Papua each, while it is classified by the International Union for Conservation of Nature (IUCN) as Vulnerable and has only a limited distribution.

¹⁰ Toland, E., Warwick, C. & Arena P. (2012) The exotic pet trade: pet hate. The Biologist Vol. 59, No 3 pp.14-18.

¹¹ International Trade Centre, The Trade in South-East Asian Python skins, 2012

¹² Another survey found that all specimens of two lizard species (the emerald tree monitor - *Varanus prasinus* - and Timor monitor - *Varanus timorensis*) exported by Indonesia in 2006 as captive-bred were in fact wild-caught.

Farming practices

At global level, Indonesia ranked 9th in terms of chicken meat production and 8th for the eggs.¹³ With the demand for those products increasing locally, the industry is developing quickly. There is also a political willingness to increase production of pig meat in Indonesia to be exported to other Asian countries.¹⁴

Although the EU does not import these products from Indonesia, there is a need to ensure that farming practices in these industries are sustainable and respect the animals' needs. The number of laying hens and broiler chicken has likely increased since the sector has grown but already in 2011, there were around 200 million laying hens¹⁵ and 2 billion broiler chickens¹⁶ on the archipelago.

The Indonesian legislation (Law 18 - 2009) implicitly recognizes animal sentience and required measures to be adopted in relation "to catching and handling, placement and multiplication, care, transportation, slaughtering and killing." It referred also to "reasonable treatment and tender care" for all vertebrates and to "some of the animals that have no backbone that can feel pain." In 2012, a secondary legislation was adopted (Law 95 - 2012 – on Veterinary Public Health and Animal Welfare) and it contains building blocks the EU can use to promote more cooperation in this field. The Law 95 requires that animal suffering be reduced at slaughter, and the respect of the Five Freedoms in transportation, handling and catching.¹⁷

Higher animal welfare farming practices are not only beneficial to the animals but also to humans. Improving animal welfare contributes to sustainable development. It is notably important in the fight against antimicrobial resistance, as antibiotic use is often correlated with poor welfare husbandry practices, and against climate change; as intensive farming practices have a detrimental impact on the environment, not only on carbon emissions, but also on soil and water pollution. Promoting higher welfare farming should thus be a priority for the EU, especially in such key country.

Protection of the biodiversity

Indonesia is a "mega-diverse" country, one of the richest in terms of biodiversity. However, industrial exploitation (coal, palm oil), deforestation, and even agricultural projects all contribute to the destruction of the habitats of several species, notably apes, living in Indonesia, such as orangutans and gibbons. Indonesia is one of the main producers of palm oil, and this activity raises a wide range of concerns regarding the environment, the numerous land-grabbing situations and the labour exploitation. Animals also suffer from the destruction of their habitats caused by these activities. Some will be killed directly, some will starve and some will move to other areas where they cannot adapt, or where they are in conflict with human activities. Wild populations of orangutans have roughly decreased by 50% in the past decade. Beyond orangutans and gibbons, the rich Indonesian biodiversity – most of which is endemic – is to be seen as a world treasure. Ensuring that the EU-Indonesia Free Trade Agreement does not stimulate any activity that would have a

¹³ FAO Statistics for 2016

¹⁴ Interview with officials from Indonesian government

¹⁵ <https://www.ciwf.org.uk/media/5235021/Statistics-Laying-hens.pdf>

¹⁶ <https://www.ciwf.org.uk/media/5235303/Statistics-Broiler-chickens.pdf>, FAO Statistics

¹⁷ <https://api.worldanimalprotection.org/country/indonesia>

negative impact on the conservation of those animals is key. The FTA should even include detailed provisions on how the EU and Indonesia can work together towards developing more sustainable economic activities.

Orangutans are also hunted, although the phenomenon has not been well studied. On Borneo, it could still represent a loss of 2% of the population per year.¹⁸ The illegal trade of live orangutans is another problem: despite Indonesian law prohibiting the private keeping of these species, the enforcement of the rules remains weak. 85 percent of the illegal trade occurs within Indonesia, proving that they are kept privately. The EU needs to engage with Indonesia to improve the implementation of existing rules and better protect these animals.



The right time to act

The trade in animal-based products between the EU and Indonesia has grown in the last decade. From the risk of trading in more endangered species to continuously destroying natural habitats, any trade deal between the EU and Indonesia needs to seriously consider animal protection and sustainable development.

As seen in the texts proposed by the EU, provisions on animal welfare are seriously lacking ambition. To take into account the needs of animals, the EU cannot propose such weak language. In addition, the EU should complete the Sustainability Impact Assessment before concluding any agreement with Indonesia, also looking at the potential impacts on animals.

While the available EU proposals do mention animal welfare as part of the scope of the sanitary and phytosanitary (SPS) chapter,¹⁹ the EU should have gone further and proposed a text closer to what has been recently agreed with Mexico. The EU-Mexico modernized Global Agreement includes a chapter on animal welfare and antimicrobial resistance, with a mention of animal sentience and of the need to better enforce OIE standards. The text agreed in 2016 with Vietnam – a more alike country - at least mentioned capacity-building and technical assistance to be used to achieve better animal welfare cooperation. This is important especially as the country is an important producer of eggs and poultry meat, which often are intensive activities, leading to antibiotics overuse.

The trade negotiations, as well as the structures that the trade agreement can establish, should be used as an opportunity to discuss with Indonesia the enforcement of CITES-related rules to better protect endangered species (not only apes but also reptiles and amphibians) and the welfare of farmed animals. In the TSD chapter, species-specific provisions could be inserted, as well as strong commitments to work on species listing in CITES. The parties should also commit to work towards “positive listing” to better regulate the trade of wildlife and towards criteria for refuge centres, to avoid species laundering. The environmental impact, as well as the use

¹⁸ According to IUCN website, “overall, poaching contributes 12% to the estimated 1973–2025 population decrease”

¹⁹ The provisions affirms the need to “enhance” collaboration on animal welfare.

of antibiotics in livestock production, of animal-based industries should be monitored carefully, especially but not only if connected to a specific trade with the EU.

The EU should be more ambitious on conservation and not only work on animal welfare when there is a direct threat to its producers. If trade is really about projecting European values, it should ensure that liberalisation not only does not imply more animals suffering but also promotes a better fate for all living creatures.

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