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## OPINION 28/11/2018 - Flemish Council for Animal Welfare

# Positive list for reptiles

*This advisory text is a summary. More detailed information can be found in the accompanying opinion guide.*

### **Flemish Council for Animal Welfare opinion**

The Flemish Council for Animal Welfare proposes formulating legislation that limits the keeping of reptiles to species that appear on a list (positive list).

The Council has therefore compiled a list containing 422 reptile species. In addition, the Council also proposes procedures for requesting accreditation for keeping a species that does not appear on the list and for adding a species to the positive list.

### **Background**

The Animal Welfare Act of 1986 specifies that the Government of Flanders can establish lists containing species or categories of animals. Animals that are not included on this list may not be kept or sold. A similar list was drawn up for mammals in 2009.<sup>1</sup>

Although the needs of a considerable number of species can be relatively easily met, others have specific requirements in terms of care in captivity. As with other animals, a lack of knowledge and impulse buying, amongst other things, have a negative impact on the welfare of reptiles in captivity. Animals are also offered in the trade that have been captured in the wild, as well as species that are only suitable for the more experienced reptile keeper. Hence the requirement for a positive list of reptiles. Several initiatives have been launched in the past, yet without success.

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<sup>1</sup> Royal Order of 16 July 2009 establishing the list of non-production mammals that may be kept

## **Working method**

A working group, comprising scientists and representatives from animal reception centres, animal fanciers' associations, traders, animal welfare organisations and nature protection associations, was established. This working group formulated objective criteria that species on the list must comply with. These criteria are described in Appendix I. It was emphasised that the species on the list for novice reptile keepers are easy to keep, without posing a danger to humans and on the basis of sufficient information being available. Based on this criteria, crocodiles and poisonous snakes were not considered for inclusion on the positive list. It was also explicitly stated that it is not permitted to keep or sell reptiles captured from the wild.

Reference was made to the list of reptiles that was drawn up by the 'Conseil wallon du Bien-être animal' in 2017. The Walloon list for lizards, snakes and turtles was examined and species were both added and removed. 'The Reptile Database' containing almost 11,000 reptile species was consulted for this work<sup>2</sup>. Ultimately, a list of 422 species was derived (please refer to appendix II). Since account was also taken of the current availability and thus incidence of keeping the evaluated species, the number of reptile species that potentially conform with the documented criteria undoubtedly exceeds the number of species included on the list. As the number of reptiles in Flanders is estimated to be higher than in Wallonia, and since the number of reptile species is presumably also more varied, the proposed Flemish positive list is more extensive than the Walloon positive list.

## **Dynamic list**

The dynamic nature of such a list is a key aspect of the current proposal. A dynamic list implies that an accreditation can be applied for keeping a species that does not appear on the positive list, and that a species can be added or removed from the list.

The Council therefore developed procedures for current applications. The Council proposes that applications be processed by a expert committee, comprising representatives from stakeholder groups, and scientific and veterinary experts. These procedures are described in Appendix III.

The proposed list must not be confused with other legislation that imposes restrictions on the keeping of dangerous reptiles (VLAREM) or that regulates the trade in endangered species (CITES).

The Flemish Council for Animal Welfare emphasises that the creation of an 'ideal' positive list per animal class is not possible. The proposed positive list has broad support within reptile farming, and can provide a solid basis for further enhancing and promoting the welfare of these captive animals.

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<sup>2</sup> <http://www.reptile-database.org/db-info/SpeciesStat.html>