



INTERNATIONAL LEGISLATION

Several countries around the world have developed legislation prohibiting the keeping Of cetaceans in captivity.

CHILE

In January 2005, the Chilean Fisheries Decree 225 was modified. It establishes a prohibition on the “capture, import into the country and for the permanent or temporary enclosure of any cetacean species, for public exhibition or any other objective associated to its utilization by man, whatever the characteristics of the facility in which the enclosure is intended.”

COSTA RICA

In July 2005, Costa Rica decreed “Regulations for the Operation of Activities relating to Cetaceans in Costa Rica”. Under Article 14 of these regulations, “it is strictly forbidden to:

1. Catch and kill marine mammals.
2. Keep cetaceans and other marine mammals captive.
3. Touch or trap any cetacean or other marine mammal.
4. Feed or attempt to feed any marine mammal that is in the water or on land.”

Under Article 15, “cetaceans may be killed, caught, kept captive, touched, trapped or fed, and attempts may be made to feed them, in the following cases:

1. Euthanasia due to irreversible illness, injury or infection causing the animal great suffering and death, verified by a qualified vet in the presence of the relevant authority...
2. Animals that have been stranded, entangled or hurt by human or natural causes and that require rehabilitation so that they can be released subsequently. A diagnosis must be sought from specialist biologists and vets and a permit must be obtained..., provided that the period of captivity does not exceed one year.”

CROATIA

In July 2009, the State Institute for Nature Protection announced the enactment of a new regulation that prohibits the keeping of cetaceans in captivity for commercial purposes, including dolphinarium, aquaria and similar facilities. An exemption to the regulation can only be granted for the rehabilitation and return to their natural environment of sick or injured animals. The regulation was adopted to meet the provisions of ACCOBAMS Resolution 3.13 on Dolphin Interaction Programmes, adopted at the Third Meeting of the ACCOBAMS Parties in Dubrovnik in 2007. The Resolution notes the ongoing proliferation of dolphinarium in the Agreement area and requests Parties to take action to address it.



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CYPRUS

A 1997 Ministerial decree prohibits cetacean shows and the use of cetaceans for commercial purposes.

INDIA

In 2013, the Government of India announced a policy on the establishment of dolphinarium noting that some experts believe that dolphins should be seen as “non-human persons” and that they had decided not to allow the establishment of dolphinarium in the country.

SLOVENIA

A Governmental decree on the handling and protection of animals and plants in trade prohibits the keeping of cetaceans in captivity for commercial purposes, including for therapeutic purposes. Slovenia is also a Party to ACCOBAMS.

CETACEAN IMPORTS

Cetacean imports are prohibited in Hungary and Switzerland. Australia prohibits trade in live cetaceans for commercial purposes. Benin prohibits trade in live cetaceans caught in the wild. Israel prohibits the import for commercial purposes of wild-caught cetaceans. Mexico has prohibited trade in marine mammals. Monaco prohibits the import of cetaceans for commercial purposes. CITES legislation in the European Union lists all cetaceans on its Annex A, prohibiting commercial trade by Member States.