



Explanatory Report to the Protocol of Amendment to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes *

Strasbourg, 22.VI.1998

I. The Protocol of Amendment to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes was opened to signature by Signatories to the Convention, in Strasbourg, on 22 June 1998.

II. The text of the Explanatory Report does not constitute an instrument providing an authoritative interpretation of the text of the Protocol, although it might be of such nature as to facilitate the understanding of the provisions contained therein.

Introduction

1. The European Convention for the protection of vertebrate used for experimental and other scientific purposes was opened for signature on 18 March 1986. It entered into force on 1 January 1991.

2. Since 1992, in accordance with Article 30 of the Convention, the Parties have met regularly in multilateral consultations "to examine the application of this Convention, and the advisability of revising it or extending any of its provisions."

3. In the course of their work, taking into account new scientific evidence and practical experience acquired since the entry into force of the Convention, the Parties have agreed on the need to update the highly technical provisions set out in the Appendices to the Convention.

4. Considering the evolution of scientific knowledge and changing circumstances, the Parties have agreed that these technical Appendices might need to be adapted more frequently than the other provisions of the Convention.

5. In order to facilitate such adaptation, the Parties have made proposals to the Committee of Ministers to provide a simplified procedure for amendments of the technical Appendices.

6. Furthermore, the Parties agreed that the adoption of rules of procedure would facilitate the functioning of the multilateral consultations.

7. The draft Protocol of Amendment was approved by the Multilateral Consultation on 30 June 1997 and submitted to the Committee of Ministers.

(*) The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community entered into force on 1 December 2009. As a consequence, as from that date, any reference to the European Community shall be read as the European Union.

8. The Committee of Ministers adopted the Protocol of Amendment on 12 February 1998, and decided to open it for signature on 22 June 1998.

Comments on the provisions of the Protocol of Amendment

Article 2

The new Article 30 empowers Parties themselves, without formal adoption by the Committee of Ministers, to amend the Appendices of a technical nature which might require more frequent adaptation in the light of new scientific evidence and experience acquired, and the modification of which is unlikely to have direct political consequences for the Council of Europe.

Articles 4 to 6

In general, the final provisions of this Protocol of Amendment follow the usual pattern of final clauses adopted by the Committee of Ministers of the Council of Europe for conventions and agreements drawn up within the Organisation.