

## EU animal welfare strategy, 2012-2015 State of play and possible next steps

### SUMMARY

In recent decades, awareness of and concern for animal welfare have been constantly growing among citizens, businesses and policy-makers. Two Eurobarometer surveys – from 2006 and 2016 – revealed its increasing resonance with public opinion. The topic has been on the EU policy agenda for over 40 years, which has helped achieve considerable improvements in the living conditions of farm animals, and establish some of the world's highest animal welfare standards. In 2012, the EU adopted a strategy for the protection and welfare of animals covering the period until 2015. When this strategy was about to expire, discussions arose about its continuation and possible further policy steps. The European Commission has voiced its intention to focus on finalising the planned actions that are still outstanding and on improving the enforcement of existing rules. A previously envisaged proposal for an EU legislative framework on animal welfare has not been followed up. A similar approach prevailed in the Council of the EU, where Member States too have prioritised the enforcement of existing rules over the introduction of new legislation. They have backed the project of creating an animal welfare platform, which would serve as a forum for discussing all relevant matters.

The European Parliament has advocated a general EU animal welfare law since the launch of the strategy. In recent resolutions, it has urged the Commission to draw up a new animal welfare strategy for the 2016-2020 period, to ensure continuity of action. Concerned about the need to uphold the high level of animal protection and the competitiveness of European producers, it has also called on the Commission to be more ambitious when including animal welfare standards in international negotiations.



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## Introduction

Animal welfare has many dimensions, ranging from scientific to ethical, economic, cultural and political. According to a [definition](#) provided by the World Organisation for Animal Health (OIE), 'An animal is in a good state of welfare if ... it is healthy, comfortable, well nourished, safe, able to express innate behaviour, and if it is not suffering from unpleasant states such as pain, fear, and distress'. The animal welfare concept also includes '[five freedoms](#)' (freedom from hunger and thirst, fear and distress, physical and thermal discomfort, pain, injury and disease; and freedom to express normal behaviour).<sup>1</sup>

Producers are increasingly taking animal welfare into account, linking it to the good quality of their products. Consumers have become more and more concerned about the welfare of animals. Laws, guidelines and best practices are constantly being improved. The EU is a global leader in this area, with standards that are [among the highest](#) in the world. Actions taken at EU level have led to significant [achievements](#). They have, for example, improved housing conditions for [laying hens](#) (placing a ban on [battery cages](#)), [broilers](#) and [pigs](#), in particular pregnant sows. Better [transport](#) arrangements have resulted in reducing injury and exhaustion. Rules on protection at the time of killing aim to minimise pain and suffering at [slaughter](#), through appropriate stunning.

The most important source of EU funding for animal welfare activities are animal welfare payments to farmers under the European Agriculture Fund for Rural Development ([EAFRD](#)). Co-financed by the Member States, the total programmed expenditure for the [2007-2013](#) period was €1.5 billion (with an EAFRD contribution of €885 million). For the [2014-2020](#) period, funds allocated to animal welfare payments (measure 14) account for 1.4 % of the total public expenditure.

This briefing focuses primarily on EU policy, in particular on the European Union strategy for the protection and welfare of animals for 2012-2015 and on the developments after its expiry. More information on the definition, assessment and measurement of animal welfare, as well as on its economy-related aspects (such as the cost of implementing higher standards, the attitudes of consumers and industries), can be found in a European Parliament [briefing](#) from February 2013.

## EU legal framework: protecting animal welfare since the 1970s

Animal welfare has been on the EU agenda for over 40 years. The first piece of legislation on this topic was adopted in 1974.<sup>2</sup> Further acts followed and the rules now cover a range of (mostly farm) animal species and various issues related to the welfare of an animal throughout its life. A horizontal directive<sup>3</sup> lays down the standards for the protection of all farmed animals. Specific acts cover the protection of pigs,<sup>4</sup> calves,<sup>5</sup> laying hens<sup>6</sup> and chickens.<sup>7</sup> There are also rules on welfare standards for the transport of animals<sup>8</sup> and conditions at the time of their killing (stunning and slaughter).<sup>9</sup> Legislation is in place for wild animals in zoos<sup>10</sup> and for animals used for scientific purposes.<sup>11</sup> The EU rules on organic farming include high animal welfare standards.<sup>12</sup>

The importance of animal welfare is reflected in EU primary law. In 1992, a [Declaration](#) on the protection of animals appended to the Treaty of Maastricht called on the EU institutions and Member States to pay regard to the welfare requirements of animals. A [protocol](#) to the Amsterdam Treaty from 1997 recognised animals as sentient beings, and stated that 'in formulating and implementing the Community's agriculture,

transport, internal market and research policies, the Community and the Member States shall pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage<sup>1</sup>. These provisions have subsequently been incorporated into the Treaty on the Functioning of the EU as its [Article 13](#).

In 2006, the relevant aspects of EU policy on animal welfare were brought together in a [community action plan](#) on the protection and welfare of animals for 2006-2010. Its main goals were to upgrade existing standards, to introduce animal welfare indicators, to ensure that animal keepers and the general public were involved and informed, to give high priority to promoting research and to further support international cooperation.

In a 2010 [evaluation](#) of the EU policy on animal welfare, it was found that the legislation already in place had generally improved welfare for the groups of animals to which it applied. However, to be effective, it had to contain clear and detailed requirements, and cover all aspects of welfare. Implementation was found to vary across the EU, which hinders progress towards uniform high standards; more could be achieved with stronger and consistent enforcement. It was recommended to consider extending the scope of the legislation to groups of animals not covered by it (such as cattle, rabbits, sheep, geese and ducks), either through acts for particular groups or through an all-encompassing EU animal welfare law.

### **EU strategy on animal welfare 2012-2015: state of play**

Building on the experience gained through the above-mentioned action plan, the Commission proposed a [European Union strategy](#) for the protection and welfare of animals for the 2012-2015 period. It detailed the line of action over the said period and set itself the task to address the gaps identified: lack of enforcement of the existing legislation by Member States; insufficient information and knowledge on animal welfare among consumers and stakeholders; as well as the need to simplify the existing principles and develop new clear ones for animal welfare.

The proposed approach consisted of two parts: reinforcement of current actions and a possible simplified comprehensive EU legislative framework for animal welfare. The goal was to create the basis for improving welfare standards and to ensure that they are applied and enforced in all Member States. This included laying out a set of general principles which would simplify the rules and strengthen their enforcement; providing consumers with better information; improving training for animal keepers and veterinarians who inspect farms; helping Member States to comply with EU rules; building international cooperation on animal welfare; and finally, performing studies on issues where there appear to be the most problems for animal welfare. The envisaged EU welfare law would be shaped to promote an innovative approach and focus on actual welfare outcomes.

The strategy listed [actions](#) to be completed by 2015: reports on implementation or policy alternatives; enforcement activities; studies on policy issues and a possible legislative proposal which the Commission envisaged presenting by 2014. Table 1 below shows the state of play of these actions, as presented by the Commission during a [meeting](#) with stakeholders and Member States on 23 February 2016 (and including later updates). Overall, the majority of actions have been completed either in time by 2015 or in 2016. From those remaining, seven are scheduled for 2017. The Commission has

not expressed an intention to address the possible proposal for a simplified EU legislative framework for animal welfare.

**Table 1: Actions listed in the EU animal welfare strategy – state of play**

Action completed / outstanding	Due*/planned	Completed / new date
Ban on conventional battery cages for laying hens (Directive 1999/74/EC); applies from 1 January 2012	2012	2012
Implementing group housing of pregnant sows (Directive 2008/120/EC); applies from January 2013	2012	2012
Implementing the slaughter regulation (Council Regulation (EC) No 1099/2009); applies from 1 January 2013	2012	2012
<i>EU implementing rules or guidelines on the protection of animals during transport</i>	2012	2017
<a href="#">Report</a> on the impact of genetic selection on the welfare of chickens bred and kept for meat production* (published April 2016)	2012	2016
<a href="#">Report</a> on the application of Regulation (EC) No 1523/2007 banning the placing on the market of cat and dog fur*	2012	2013
<a href="#">Report</a> on the various stunning methods for poultry, required under Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing*	2013	2013
<a href="#">Report</a> on the application of Directive 98/58/EC concerning the protection of animals kept for farming purposes* (published September 2016)	2013	2016
<a href="#">Recommendation</a> on the protection of pigs (adopted March 2016)	2013	2016
<a href="#">Study</a> on animal welfare education and on information activities directed at the general public and consumers (published January 2016)	2013	2016
<a href="#">Study</a> on the opportunity to provide consumers with the relevant information on the stunning of animals, required under Regulation (EU) No 1169/2011 on the provision of food information to consumers*	2013	2015
<i>Study on the welfare of farmed fish during transport and at the time of killing</i> (initially two studies, on killing and on transport)	2012, 2013	2017
Possible legislative proposal for a simplified EU legislative framework for animal welfare	2014	–
<i>Report on the impact of animal welfare international activities on the competitiveness of European livestock producers in a globalised world</i>	2014	2017
<a href="#">Report</a> on restraining bovine animals by inversion or any unnatural position, required under Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing* (adopted February 2016)	2014	2016
<a href="#">Study</a> on the welfare of dogs and cats involved in commercial practices (published March 2016)	2014	2016
<i>EU guidelines or implementing rules on the protection of animals at the time of killing</i>	2014	2017
<i>Report on the possibility of introducing certain requirements regarding the protection of fish at the time of killing*</i>	2015	2017
<i>Report on the application of Directive 2007/43/EC (the 'Broilers Directive') and its influence on the welfare of chickens bred and kept for meat production*</i>	2015	2017

\*Obligation deriving from EU legislation.

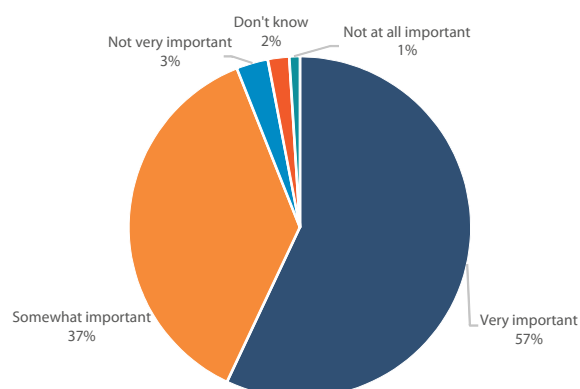
## Eurobarometer 2006 and 2016: animal welfare in EU public opinion

In recent decades, there has been a visible shift in public attitudes towards animals. Consumers are becoming increasingly concerned about the well-being of animals and their most important needs. This trend is growing in countries such as the [USA](#), [Canada](#) and [Australia](#), and is gradually gaining ground in [developing countries](#) as well. The Commission had already recognised it while working on the Community Action Plan for 2006-2010. A special [Eurobarometer 270](#) from 2006 revealed the level of importance EU citizens attach to the welfare of farmed animals: the average respondent rated it at almost 7.8 on a scale of importance where 10 was the maximum; 34 % of respondents gave it a 10. Some 77 % of those polled wanted further improvements of current animal welfare standards in their respective country. A majority (63 %) showed some willingness to change their usual place of shopping in order to be able to purchase more animal-welfare-friendly products.

Due to the constant public interest in this issue, in 2015 the Commission launched another Eurobarometer survey on Europeans' attitudes towards animal welfare, with the intention of taking the results into account in future policy initiatives in this field. The special [Eurobarometer 442](#) was published in March 2016. Its key findings revealed that the overwhelming majority (94 %) of respondents think that protecting animal welfare is important, with well over half considering it very important (see Figure 1). Some 47 % consider that the current choice of animal-welfare-friendly food products in shops and supermarkets is not sufficient (9 percentage points more than in the 2006 Eurobarometer) and 59 % would be willing to pay more for animal-friendly products (3 % would pay even more than 20 % in addition). Some 82 % of respondents believe that the welfare of farmed animals in their country should be better protected than it is now (up 5 percentage points compared to 2006).

**Figure 1: Public attitude to animal welfare**

In your opinion, how important is it to protect the welfare of animals?



Source: [Eurobarometer 442](#), European Commission, March 2016.

## Council: discussing a future EU platform for animal welfare

Animal welfare was on the agenda of the Council presidency, held by the Netherlands in the first half of 2016. During the first meeting of the Agriculture and Fisheries Council (AGRIFISH) under that presidency, on 15 February 2016, the 28 Member States discussed the creation of an EU platform for animal welfare. This idea had originated in December 2014, when the Danish, German and Dutch agriculture ministers adopted a [Joint declaration on animal welfare](#) in the Dutch city of Vught. The declaration stated that the EU should maintain its world-leading position in the animal welfare field after the expiry of the strategy in 2015. Three areas were proposed to be addressed: better regulation, better animal welfare and better awareness and knowledge. In addition, the declaration called upon the Commission to establish an EU platform for animal welfare, to serve both stakeholders and the competent authorities. As a follow-up, Germany, Denmark and the Netherlands, later joined by Sweden, agreed on a common 'position

on the establishment of an EU platform on animal welfare'. This [position paper](#) was the basis for discussions in the Council. The proposed European Animal Welfare Platform, based in the Commission's Directorate-General for Health and Food Safety (SANTE), would serve as a common forum for the Commission, Member States, animal welfare organisations, agriculture organisations, veterinary associations, consumers and others, to discuss matters concerning animal welfare. The plan received broad support in the Council. During the [debate](#), some Member States noted that, given the current high level of EU animal welfare standards, equal treatment should be ensured for EU and non-EU producers, and that the platform should focus on improving the enforcement of existing rules rather than on creating new legislation. The Commission declared its intention to create the platform and outlined the planned next steps consisting of consultations.

In a further [meeting](#) on 17 March 2016 the AGRIFISH Council took note of the results of the Eurobarometer 2016 survey and of the state of play regarding the establishment of the platform. Again, ministers showed broad support for the project and stressed that it should prioritise the implementation and enforcement of existing legislation. The president of the AGRIFISH Council welcomed the Commission's serious intention to set up the platform and indicated that he would strive for a new EU-level animal welfare strategy during the Dutch Presidency.

### **European Parliament: advocating animal welfare**

In 2012, Parliament passed a [resolution](#) voicing its regret that the link between animal welfare and public health was missing from the newly adopted strategy. It criticised the lack of a proper budget for the actions envisaged and urged the Commission to include animal welfare in the negotiations on international trade agreements and to prioritise the reciprocity of animal welfare standards. It also called on the Commission to prepare a proposal for a simplified EU legislative framework for animal welfare.

Towards the end of 2015, when the strategy was about to expire, the Committee on Agriculture and Rural Development (AGRI) addressed a [parliamentary question](#) to the Commission, asking whether it intended to draw up an animal welfare strategy for the 2016-2020 period, and whether it would prepare a proposal for an EU legislative framework, as called for in the 2012 resolution. During the [debate](#), Commissioner Andriukaitis replied that the Commission's priority was to work on completing the remaining actions, enforcing the existing rules, improving dialogue with stakeholders, and including animal welfare considerations in international activities. In light of the expiry of the strategy, the Commission was preparing to evaluate further steps on the basis of the results of a new Eurobarometer survey on animal welfare.

Further to this parliamentary question, on 26 November 2015, Parliament adopted another [resolution](#) in which it urged the Commission to implement the points outstanding from the strategy, and to evaluate it. It also called on the Commission to draw up a new and ambitious strategy for the 2016-2020 period in order to ensure continuity of the framework for high animal welfare standards across the EU. Furthermore, it stressed the importance of ensuring sufficient funding for the common agriculture policy, to prevent the relocation of production and trade to countries with lower animal welfare standards. Finally, it called on the Commission to be more ambitious in including animal welfare standards in negotiations on free trade agreements. This general stance – urging implementation of the outstanding points and

the drawing up of a new and ambitious strategy – was reiterated again in the [resolution](#) of 21 July 2016 on Parliament's priorities for the Commission's 2017 work programme.

#### Intergroup for Animals

The Parliament's [Intergroup](#) on welfare and conservation of animals gathers MEPs from different political parties with the aim to serve as a platform for topical exchange on animal welfare. It discusses many [issues](#) relating to animal protection. In 2014, the Intergroup had called on the new Commission to put forward a new animal welfare strategy and to deliver results on all planned initiatives listed in the strategy for 2012-2015, including an animal welfare framework law. This call for a new EU animal welfare strategy was renewed in June 2016 by the newly elected Intergroup chair, Sirpa Pietikäinen (EPP, Finland) who said that the intergroup's [top priority](#) would be to advocate a new animal welfare strategy.

Parliament has brought up the issue of animal welfare on a number of occasions in its work on various legislative dossiers (such as proposals on [animal health](#), [cloning](#) and [official controls](#)). Animal welfare has been the subject of many parliamentary questions including on [foie gras](#), the [transport](#) of live animals exported outside the EU and the [castration](#) of piglets. Parliament has also addressed the absence of specific legal provisions to protect the welfare of dairy cows and rabbits. Regarding the latter, a 2016 draft [own-initiative report](#) on minimum standards for the protection of farm rabbits (Stefan Eck, GUE/NGL, Germany), aims to raise a discussion about the farming of these animals and to encourage the Commission to come forward with legislative proposals laying down minimum protection standards. The vote on the report is scheduled for November 2016 in the AGRI Committee and for January 2017 in plenary. Another draft [own-initiative report](#) on responsible ownership and care of [equines](#) (Julie Girling, ECR, UK – vote in the AGRI Committee scheduled for January 2017) calls for improving the education of horse owners and developing guidance or a code of good practice in the keeping of equines. It recommends activities and initiatives, inviting the Commission to commit to them and to the enforcement of existing rules.

#### Stakeholders

The organisation [Eurogroup for Animals](#) reacted to Parliament's November 2015 resolution, welcoming its strong call on the Commission to formulate a new strategy for the 2016-2020 period and pointing out that many action points were still outstanding. However, the organisation would have preferred stronger suggestions in relation to the protection of species not yet covered by current legislation. It also regretted that the need to end long-distance transport and to phase out livestock mutilations had not been explicitly mentioned. In January 2016, Eurogroup for Animals [called](#) on the Council to secure the future of EU animal welfare policy and to ensure that it protects all categories of animals, including pets, equines, dairy cows and wild animals. It called for a review of the rules on the protection of animals during transport and for phasing out all mutilations in livestock farming. Eurogroup for Animals found that a harmonised framework law could be one of the mechanisms to address existing shortcomings, however such a law should never downgrade existing legislation. The animal welfare organisation [VIER PFOTEN / FOUR PAWS](#) welcomed the idea of creating an EU animal welfare platform, saying that it could contribute to a more consistent approach of the EU institutions and to better enforcement at national level. Such a platform could also integrate the idea of a 'one-stop-shop for animal welfare'. The farmers' and cooperatives' organisation [COPA-COGECA](#), in response to Council discussions on further animal welfare policy and on setting up an animal welfare platform, pointed out that

the EU had already got high animal welfare standards in place and that the focus must lie on ensuring the implementation and harmonisation of existing EU rules rather than on creating new legislation.

### Further reading

[Animal welfare protection in the EU](#), Katsarova, Ivana, Library Briefing, Library of the European Parliament, 28 February 2013.

### Main references

[Communication](#) from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the European Union Strategy for the Protection and Welfare of Animals 2012-2015, COM(2012) 06 final/2.

### Endnotes

- <sup>1</sup> The concept of 'five freedoms' was developed in the UK in 1965 and has since been recognised by leading organisations and institutions, including the OIE.
- <sup>2</sup> Council [Directive](#) 74/577/EEC of 18 November 1974 on stunning of animals before slaughter (OJ L 316, 26.11.1974, p. 10).
- <sup>3</sup> Council [Directive](#) 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8.8.1998, p. 23).
- <sup>4</sup> Council [Directive](#) 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5–13).
- <sup>5</sup> Council [Directive](#) 2008/119/EC laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).
- <sup>6</sup> Council [Directive](#) 1999/74/EC laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999, p. 53).
- <sup>7</sup> Council [Directive](#) 2007/43/EC laying down minimum rules for the protection of chickens kept for meat production (OJ L 183, 12.7.2007, p. 19).
- <sup>8</sup> Council [Regulation](#) (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations.
- <sup>9</sup> Council [Regulation](#) (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.
- <sup>10</sup> Council [Directive](#) 1999/22/EC relating to the keeping of wild animals in zoos (OJ L 94, 9.4.1999, p. 24).
- <sup>11</sup> [Directive](#) 2010/63/EU of the European Parliament and the Council on the protection of animals used for scientific purposes (OJ L 276, 20.10.2010, p. 33).
- <sup>12</sup> Council [Regulation](#) (EC) No 834/2007 (OJ L189, 20.7.2007, p.1) and Commission [Regulation](#) (EC) No 889/2008 (OJ L 250, 18.9.2008, p.1).

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