

Research for ANIT Committee – The practices of animal welfare during transport in third countries: an overview

KEY FINDINGS

- The volume of international trade in live animals results in serious animal welfare problems and violations of recognised animal welfare standards (e.g. OIE - World Organisation for Animal Health - Standards).
- The most important European legal standards regulating the transport of live animals have not been significantly revised since they came into force. Legislation on animal welfare should be adapted to the actual needs of the animals and to their ability to cope with conditions during transport (e.g. transport duration generally limited to a maximum of 8 hours).
- Scientific projects carried out as preliminary work for the implementation of higher animal welfare standards throughout the entire transport chain within the EU should therefore be extended and implemented. Time-limited approvals of means of transport for animals should be carried out throughout the EU and control posts, staging points, assembly centres, transport companies, and as far as possible the main routes outside of the EU should be certified and audited by independent institutions.
- As poor compliance and improper enforcement lead to poor animal welfare, the Commission's role in improving enforcement is to stimulate and facilitate the work of competent authorities (CAs) in the Member States. Therefore, the harmonisation, standardisation and digitalisation of the enforcement of animal welfare law by CAs are key elements to improve animal welfare during long journeys.

The present document is the executive summary of the study on “The practices of animal welfare during transport in third countries: an overview”. The full study, which is available in English can be downloaded at: <https://bit.ly/3vOWs7H>



The purpose of this study is to review animal welfare practices during transport in and to third countries. It compares the practices, guidelines and tools used by main trading partners with the EU and European standards. It also provides concrete policy recommendations on how to improve the current EU legislation on animal welfare during transport.

Every year almost two billion animals are transported via road, sea or air on journeys that can take several weeks. More precisely, within the global trade of live

farm animals, at least five million are in transit across borders each day. The transport of live animals in or to third countries involves an international dimension with different legislative and social approaches concerning animal welfare obligations. This includes increased hazards and risks for animal welfare caused by long transport routes under possibly unfavourable environmental conditions.

The study provides a brief overview of the "good practice" developed and applied in third countries for welfare-friendly animal transport, as listed in guidelines of Brazil and Australia - both with high export quotas for livestock animals sometimes involving very long overland journeys. In these countries, many aspects of transport planning, implementation and time limits, some of which are quite central (e.g. loading densities), are listed exclusively in guidelines. In the EU, by contrast, the guidelines for good (interpreting animal welfare law) and better (going beyond animal welfare law) transport practice primarily serve to interpret Regulation (EC) No 1/2005.

A detailed analysis of the European legal framework on animal welfare during transport confirms that Regulation (EC) No 1/2005 and Regulation (EC) No 1255/97 concerning control posts are valid until the animal reaches its final destination in the third country, as confirmed by the European Court of Justice (ECJ). Most of the third countries only have limited legislation on animal welfare and thus the role of CAs for its enforcement is also limited. Furthermore, enforcement is complicated by poor information exchange at official level. However, these countries belong to the OIE (World Organisation for Animal Health) and have recognised the OIE Terrestrial Animal Health Code (2019), which sets out minimum animal welfare standards in Chapter 7 regarding transport.

Regulation (EC) No 1/2005 (hereinafter referred to as the Regulation) is partly based on a scientific background paper from the Scientific Committee on Animal Health and Animal Welfare (SCAHAW) and the European Food and Safety Agency (EFSA). However, the scientific evidence primarily serves to interpret the undefined requirements of Art. 3 of the Regulation and to identify possible needs for amendments. As the enforcement of the Regulation is risk-based, the EFSA has developed guidelines on a scientific basis, e.g. for the risk assessment of animal transport. But these, have not yet found their way into practice, which would be of great importance for monitoring third-country transports in particular.

In recent years Commission policy has focused on general conditions for the transport of live animals. This included the development and implementation of "good" as well as "better practices" for the organization and execution of long transports. Additionally, a platform for animal welfare was established with the participation of delegates from industry, science and Member States authorities. However, many Food and Veterinary Office (FVO) audits in EU Member States revealed that the introduction of the Regulation and the implementation of the resulting requirements concerning animal welfare were insufficient due to large differences between individual Member States: in a report to the European Parliament the Commission stated that poor compliance and improper enforcement lead to poor animal welfare.

Based on the results of the Food and Veterinary Office (FVO) audits, study visits by members of the enforcement authorities of some Member States were carried out. As a result, a collection of enforcement practices was developed, which could be easily harmonized at EU level. Nevertheless, some aspects remained open, such as access of the authorities to electronic data, information exchange between Member States, sea transport on ships and ferries, transport legs in third countries and the execution of retrospective controls.

The “EU Network of National Contact Points (NCP) on Animal Welfare during Transport” also prepared a document to improve and standardize regulatory controls on road transport for live animal exports to third countries, taking into account the ECJ rulings. All aspects of route planning by the organizer, loading of animals for transport and access to electronic data were listed. In particular, attention was paid to plausibility checks, the existence of route-related emergency plans and the inclusion of weather forecasts.

The Commission report on the welfare of animals transported by road, including to third countries (2020), also noted that due to the international dimension, there are major difficulties in enforcing the complex requirements of animal welfare legislation.

The current legal situation does not protect animals effectively from injury, pain and suffering during long journeys, especially in third countries.

Therefore, legal norms on animal welfare during transport should be revised, in particular, to allow for more appropriate rules for the individual species and categories of animal species. In addition, the transport, resting and feeding intervals should be adapted first to the actual needs of the animals and secondly to their individual coping capacity. Moreover, the authorized duration of transport should generally be limited to 8 hours – including the loading and unloading process – regardless of the means of transport used. Exceptions for prolonged durations of transport should only be based on a case-by-case decision including approval by the Competent Authorities.

Enforcement of the Regulation and the ECJ rulings by the CAs must be harmonized and strengthened through an EU-wide standard catalogue. All authorities directly or indirectly involved in the respective transport operation must have access to the related electronic data at any time. Furthermore, the results of inspections and controls should also be entered into this system, which should also allow to fill complementary entries.

An EU-wide harmonized set of technical requirements and systems for the approval of all kinds of transport means (road vehicles, vessels, Ro-Ro ferries, containers) should be developed and applied by specialised experts. Ports of exit from the EU and the ports in the third countries, control posts and staging points as well as transporters and organizers within the EU and in third countries should be certified, approved and audited by specialized experts in cooperation with CAs according to a uniform set of requirements. Audits for verification should take place at intervals of no more than 2 years.

Further information

This executive summary is available in the following languages: English, French, German, Italian and Spanish. The study, which is available in English, and the summaries can be downloaded at: <https://bit.ly/3vOWs7H>

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