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REPORT

on the European Union Strategy for the Protection and Welfare of Animals
2012–2015
(2012/2043(INI))

Committee on Agriculture and Rural Development

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the European Union Strategy for the Protection and Welfare of Animals 2012-2015 (2012/2043(INI))

The European Parliament,

- having regard to the Commission Communication of 19 January 2012 on an EU Strategy for the Protection and Welfare of Animals 2012–2015 (COM(2012)0006),
- having regard to Articles 7 and 13 of the Treaty of the Functioning of the European Union,
- having regard to its resolution of 12 October 2006 on a Community Action Plan on the protection and welfare of Animals 2006–2010¹,
- having regard to its resolution of 22 May 2008 on a new animal health strategy for the European union 2007–2013²,
- having regard to its resolution of 6 May 2009 on the proposal for a Council regulation on the protection of animals at the time of killing³,
- having regard to its resolution of 5 May 2010 on evaluation and assessment of the animal welfare action plan 2006–2010⁴,
- having regard to its resolution of 12 May 2011 on antibiotic resistance⁵,
- having regard to its resolution of 8 March 2011 on EU agriculture and international trade⁶,
- having regard to its written Declaration N°0049/2011 of 15 March 2012 on the establishment of a maximum 8-hour journey limit for animals transported in the European Union for the purpose of being slaughtered⁷;
- having regard to its Written Declaration N°0026/2011 of 13 October 2011 on dog population management in the European Union⁸,
- having regard to the Agriculture and Fisheries Council Conclusions of 29 November 2010 on the welfare of dogs and cats,
- having regard to the Commission Communication of 15 November 2011 on an action plan against antimicrobial resistance (COM(2011)0748),

¹ OJ C 308 E, 16.12.2006, p. 170-178.

² OJ C 279E, 19.11.2009, p. 89-98.

³ OJ C 212 E, 6.5.2009, p. 326-346.

⁴ OJ C 81E, 15.3.2011, p. 25-32.

⁵ Texts adopted, P7_TA(2011)0238.

⁶ Texts adopted, P7_TA(2011)0083.

⁷ Texts adopted, P7-TA(2012)0096

⁸ Texts adopted, P7_TA(2011)0444.

- having regard to the Commission Communication of 10 November 2011 on the impact of the Council regulation No 1/2005 on the protection of animals during transport (COM(2011)0700),
- having regard to the European Food Safety Authority (EFSA) scientific opinion of 2 December 2010 on animal welfare during transport¹,
- having regard to the EFSA scientific opinion of 13 December 2011 on Guidance on Risk Assessment for Animal Welfare²,
- having regard to the World Organisation for Animal Health (OIE) definition of animal welfare³,
- having regard to the twelve additional Principles and criteria of good Animal Welfare developed by the Welfare Quality Project⁴,
- having regard to Council Decision 78/923/EEC of 19 June 1978 concerning the conclusion of the European Convention for the protection of animals kept for farming purposes⁵,
- having regard to the European Convention for the Protection of Pet Animals⁶,
- having regard to Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁷,
- having regard to Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos⁸,
- having regard to Directive 2010/63/EU of 22 September 2010 on the protection of animals used for scientific purposes⁹,
- having regard to the Communication from the Commission on mainstreaming sustainable development into EU policies and on the 2009 Review of the European Union Strategy for Sustainable Development (COM(2009)0400),
- having regard to the Commission Communication on options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals (COM(2009)0584),

¹ EFSA Journal 2011; 9(1)1966.

² EFSA Journal 2012;10(1):2513.

³ OIE Terrestrial Animal Health Code, Article 7.1.1. (2011).
http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_1.7.1.htm.

⁴ www.welfarequality.net/everyone/43395/7/0/22.

⁵ OJ L 323, 17.11.1978, p. 12-13.

⁶ ETS 125 – Protection of pet animals, 13.XI.1987.

⁷ OJ L 165, 30.4.2004, p. 1-141.

⁸ OJ L 94, 9.4.1999, p. 24-26.

⁹ OJ L 276, 20.10.2010, p. 33-79.

- having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety and the Committee on Petitions (A7-0216/2012),
- A. whereas a high level of animal welfare, which is part of sustainable development, is important to protect animal health and to ensure productivity, although it entails additional operating costs that are not distributed proportionately throughout the food chain;
 - B. whereas the deterioration in the state of health of wild animals, whose numbers are increasing in the majority of Member States, could result in an increased spread of contagious diseases to domestic animals and, at the same time, have an adverse effect on public health;
 - C. whereas EU and national rules on animal welfare, owing to their complexity and differing interpretations, create legal uncertainty and can put producers in certain Member States at a serious competitive disadvantage; whereas with regards to the implementation of EU law, a lack of compliance, unharmonised standards and the absence of legal milestones distorts competition and results in an unlevel playing field;
 - D. whereas national rules on animal welfare must not be contrary to the principles of the EU single market;
 - E. whereas the approach to animal welfare should be based on solid scientific evidence and the best scientific knowledge, keeping in mind the need for simplification, cost-efficiency, applicability of standards and consistency with, in particular, environmental and public health policy;
 - F. whereas modern consumers reasonably expect farm livestock to be entitled to the same necessities as humans are: good food, good living conditions and appropriate medical care;
 - G. whereas animal health standards are of vital importance for livestock management in Europe, which has an increasing impact on the level of competitiveness of agricultural holdings;
1. Welcomes the broad Animal Welfare Strategy for the EU in 2012–2015;
 2. Recalls that Article 13 of the Treaty is of general application and, as such, is as important as the provisions for environment or consumer protection, and takes legal precedence over all internal market policies;
 3. Stresses that animal welfare is a complex and multifaceted issue that has an impact on international and domestic policies, and has important ethical, scientific, economic, cultural and political dimensions;
 4. Welcomes the Commission’s intention to address the issue of compliance with animal welfare law as a matter of priority;

5. Welcomes the fact that the strategy paper outlines a policy whereby consumer choice mobilises consumer markets for animal welfare-friendly products and harnesses the forces of the common market for the welfare of farm animals;
6. Deplores the fact that some actions from the Action Plan for 2006–2010 could not be completed, and calls on the Commission to align the target dates for the new actions to the legal deadlines;
7. Deplores the fact that the Strategy has not received the financial backing which the Parliament requested in its resolution of 5 May 2010; calls on the Commission to increase this backing by reprioritising, and by ensuring a better and more coherent integration of animal welfare in other EU policy areas, such as consumer policy, research programmes, and the CAP, as appropriate;
8. Welcomes the Commission's reform proposals and its commitment to animal welfare; underlines the importance of giving strong support to farmers that respect standards and good practices for animal husbandry and that invest in better farming facilities; underlines the importance of adequate funding for the future CAP, as we need a budget that is compatible with the level of our ambitions;
9. Underlines that farmers today face multiple challenges, such as climate change, and have to meet numerous requirements, of which good animal welfare is but one; calls, therefore, on the Commission to ensure proper policy coherence in accordance with Article 7 of the Treaty of the Functioning of the EU (TFEU);
10. Calls on the Member States to make more effective use of the opportunities for assistance offered by the EU rural development funds, and by the Seventh Framework Programme (2007-2013) of DG Research, to promote applied research and to invest in innovative and modern animal welfare solutions; calls on the Member States and the Commission to increase investments in research on and development of new animal welfare techniques and technologies;
11. Regrets that the Strategy fails to make use of the opportunities offered by the Sustainable Consumption and Production, Green Public Procurement and Corporate Social Responsibility policies to promote high levels of animal welfare standards;
12. Urges the Commission to be more ambitious in including and prioritising reciprocity of animal welfare standards, as a non-trade concern in its trade policy and when negotiating multilateral and bilateral international trade agreements, and to promote animal welfare in third countries by requiring equivalent welfare standards for imported animals and products accompanied by strict controls;
13. Calls on the Commission to evaluate and report on animal welfare standards applying in third countries prior to commencing negotiations on trade agreements; asks the Commission also to carry out this exercise without delay in countries where trade negotiations are currently underway;
14. Calls on the Commission henceforth to refrain from submitting free trade agreements to the European Parliament that fail to ensure that equivalent animal welfare regulations

apply to imported products as to European products;

15. Welcomes also the Commission's intention to examine how animal welfare can be better integrated in the framework of the European neighbourhood policy;
16. Calls on the Commission to insist that the WTO rapidly incorporates non-commercial concerns into the Strategy for World Trade, so as to avoid that the competition between EU Member States – required as they are to comply with the most stringent animal welfare standards in the world – and third countries is distorted;
17. Considers that it should be obligatory to inform consumers whether an imported product, or a product containing an imported product, is made from animals that were kept under conditions different from those required by European animal welfare regulations;
18. Regrets that the Strategy fails to reflect the importance of animal health to the well-being of animals and the link between animal health and public health; calls on the Commission to apply the 'One Health' principle to this Strategy and to ensure efficient coordination with the Animal Health Strategy, as good animal husbandry, among other factors, helps prevent the spread of diseases and antimicrobial resistance;
19. Recalls that the Parliament, in its resolution of 12 May 2011 on antibiotic resistance, stressed the need to get a full picture of when, where, how and on which animals antimicrobials are actually used today, and believes that such data should be collected, analysed and made public by the Commission without delay;
20. Observes that in the EU, emergency vaccination, and sometimes preventive vaccination, is allowed, but that regulations still hinder the international sales of products from vaccinated animals; observes that these limitations do not adequately take into account advances in vaccination technology and diagnostics; requests that the European Commission rescinds, where possible, trade-limiting measures that unnecessarily restrict the use of vaccination;
21. Calls on the Commission to pay proper attention to the health risks posed by wild animals; considers that a significant number of emerging infectious diseases are zoonotic (transmissible between wildlife, domestic animals and humans), and recognises that trade in wildlife, as well as changes in land use and management, may lead to new or modified interfaces between humans, domestic animals and wildlife that could favour disease transmission; stresses the need for coherence between policies for animal health, animal welfare and trade;
22. Calls on the Commission to produce, by 2015, a report on the state of health of wild animal and the risk of cross-contamination of domestic animals and humans;
23. Calls on the Commission to actively and continuously improve animal welfare regulations in the framework of the EU Wildlife Trade Regulation (EC) No 338/97¹ (as amended);
24. Points out that the EU's dog and cat population is estimated at around one hundred million

¹ OJ L61, 3.3.1997, p. 1-69

animals and that no EU legislation exists on pet animal welfare;

25. Calls for a report on stray animals recommending concrete, ethical and sustainable solutions for the Member States and including the evaluation of a coordinated system for the registration and the electronic identification of pets, to be added to the list of actions;
26. Stresses that mandatory identification of cats and dogs, when combined with an effective and reliable system of registration, ensures traceability and is crucial for successful animal health and welfare management, helping to promote responsible ownership and preserve public health;
27. Calls on the European Union and the Member States to ratify the European Convention for the Protection of Pet Animals, and to transpose its provisions in national legal systems;
28. Calls on the Member States to adopt comprehensive dog population management strategies which include measures such as dog control and anti-cruelty laws, support for the veterinary procedures – including rabies vaccination and sterilisation – needed to control the number of unwanted dogs, and the promotion of responsible pet ownership, as requested in Written Declaration 0026/2011 adopted by the European Parliament;
29. Urges the Commission, in its 2014 study on the welfare of dogs and cats involved in commercial purposes, to recommend concrete solutions to prevent dogs and cats from being bred and traded in a way which is likely to cause welfare problems;

Enforcement first

30. Shares the Commission's view that there are today still shortcomings as regards compliance with animal welfare rules, despite the progress made in several fields; reminds the Commission that while current legislation on animal welfare is already, to a large extent, sufficient, it has not been applied to the desired extent in all Member States; calls on the Commission and the Member States to ensure that legislation on animal welfare is complied with in all Member States;
31. Regrets that seven years since its full implementation, Council Directive 1999/22/EC¹, relating to the keeping of wild animals in zoos, has still not been fully implemented across all Member States; reiterates that the conditions for and welfare of animals kept in zoos has specifically been laid out in this Directive which should be enforced;
32. Welcomes the Commission's "Preferred Code of Practice for Zoos", and requests that the Commission include in this Code best practice guidance on the appropriate keeping of animals of wild species in captivity;
33. Considers that one area where better enforcement is needed is the area of animal transport which, even though it only accounts for a very limited part the life of an animal, needs to be improved in the light of the scientific data gathered by EFSA as required by Regulation (EC) N° 1/2005²;

¹ OJ L 94, 9.4.1999, p. 24-26.

² OJ L 3, 5.1.2006, p. 1-44

34. Stresses that the full body of existing animal welfare legislation should be fully implemented and complied with in all EU Member States; considers, however, that non-compliance should not hamper new legislation in areas where legislation needs to be updated in the light of new science or in cases where there are gaps;
35. Recalls that there are imbalances in the food chain that place the primary producer at a disadvantage, and that this situation limits the scope for animal welfare investments at farm level;
36. Highlights the costs incurred by producers, and the potential for loss of competitiveness, as a result of the adoption of new and changing animal welfare standards; notes that it is often the case that these costs are not reflected in the price received by farmers;
37. Welcomes the suggestion that consumers should be better informed about existing EU animal welfare regulations; calls on the Commission to include farmers more effectively in research projects and campaigns; underlines the need to make consumers more aware of the additional costs associated with enhanced animal welfare, and to spread these costs in a balanced way throughout the food chain;
38. Urges the Commission, where there is clear scientific evidence demonstrating animal welfare and animal transport problems, to adapt or introduce new policy instruments to resolve these problems, factoring in a better way of distributing animal welfare costs along the food chain; considers that these instruments could include species-specific legislation, outcome-based animal welfare indicators as well as criteria associated with a risk-assessment system as applied in the food safety area;
39. Stresses the need to implement, in partnership with all stakeholders, duly justified 'legal milestones' during the transitional period in future animal welfare legislation;
40. Calls for the creation of a new system of comprehensive early intervention to ensure compliance; stresses that Member States struggling to meet the deadline should be identified early by means of a new procedure requiring close co-operation with the Commission; suggests that best-practice forums be set up to allow the Commission, Member States and relevant stakeholders to exchange information on the best way to meet these deadlines, that the Member States draw up an implementation plan incorporating milestones and targets leading up to the deadline in stages, and that a study be initiated to identify the possibilities by which the European authorities could help ensure full compliance with animal welfare legislation;
41. Stresses that the Commission, and in particular the Food and Veterinary Office, must be given increased resources, in keeping with EU budget recommendations and powers, to adequately control the animal welfare inspections carried out by the Member States, a proportion of which should be unannounced checks, and to address breaches; calls on the Member States to ensure that there are sufficient animal welfare inspectors who are adequately trained, with harmonised performance measures in place to ensure consistent checks across all Member States, and to consider giving greater responsibility and power to producer organisations;
42. Calls on the EU Member States to ensure that breaches of EU animal welfare rules are penalised in an effective and proportionate manner, and that each sanction is accompanied

by ample information and guidance from the competent authorities as well as by appropriate corrective measures;

43. Recalls the European Parliament's opposition to the use of privately contracted inspection assistants (PIAs) in slaughterhouses for the red meat sector; considers that hygiene inspection in this sector must be carried out by independent meat inspectors;
44. Notes the final deadline of March 2013, after which the sale of new cosmetics tested on animals will not be allowed; supports this deadline and calls on the Commission not to extend it;
45. Recalls the Commission's obligation, when there is due reason for concern, to undertake controls of national inspections in order to verify compliance with Directive 2010/63/EU on animal testing¹;
46. Calls on the Commission to continue to encourage research into test methods requiring fewer test animals and to promote the application of such methods wherever possible; calls, in this context, for the Commission to recognise and utilise the 'extended one' test under REACH;
47. Calls on the Commission and the Member States to ensure that the Horizon 2020 research programme foresees adequate opportunities for research in the fields of biodiversity conservation, wildlife trade, the development and validation of non-animal alternatives and the impact of emerging technologies;
48. Calls on the Commission to integrate animal welfare as an objective of the future 7th Environment Action Programme, ensuring, in particular, the inclusion of strategies and actions aiming to reduce the use of animals in research;
49. Points to the concern among European citizens, expressed through their petitions to Parliament, about abuse of the derogations for un-stunned slaughtering in the EU; is particularly concerned that the current derogation for un-stunned slaughter is abused to a large extent in some Member States, to the detriment of animal welfare, of farmers and of consumers; urges the Commission to accelerate its evaluation on the labelling of meat from animals slaughtered without stunning and to present its report before 2013, following its commitment to undertake this evaluation in 2011; highlights that the question of consumers not being informed as to whether or not the meat they are buying is from animals slaughtered without stunning is an issue of great public interest for reasons of both transparency and animal suffering; underlines, however, that labelling is not an alternative to proper enforcement as it can only guide consumers if the information provided is verified and correct;
50. Stresses the need to establish more effective protection measures for animals which are exported from the EU to third countries for slaughter;
51. Considers that practicable and harmonised guidelines should accompany EU animal welfare legislation to ensure uniform application and implementation of the legislation

¹ OJ L 276, 20.10.2010, p. 33-79

covering, for example, issues such as fitness for transport and the provision of water before and during transport, at rest stops and at destination;

52. Recognises that any deficiencies in implementation are frequently due to legal provisions that cannot be implemented in practice;
53. Stresses that European citizens regularly petition Parliament about the failure of Member States to enforce the provisions of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules¹;
54. Reminds the Commission and the Member States of their duties as laid down in Regulation (EC) No 882/2004, to provide comparable animal welfare information; calls on the Commission to take effective actions in cases of non-compliance;
55. Calls on all European major retailers to adopt a joint public declaration whereby they commit themselves only to sell products which meet or exceed the standards set in EU animal welfare legislation;

Communication and education

56. Emphasises the importance of information and education being adapted and made available at regional and local level, for example through regional workshops and the use of modern technology, and that information concerning new legislation and scientific advances reach all animal handlers; recalls the role which could be played by an EU coordinated network of animal welfare centres in this regard;
57. Considers that the European network of reference centres must provide relevant, high-quality, professional and consistent support to the Member States and other stakeholders regarding best practices in relation to animal welfare;
58. Calls on the Commission to promote existing animal welfare guidelines and other voluntary initiatives by developing a web-based portal through which such documents, having been validated, could be collected and disseminated;
59. Calls on the Member States to make better use of the provisions for cross-border knowledge-transfer concerning animal welfare, breeding systems and the control of diseases, in the context of the EU financed programmes for rural and regional development;
60. Considers that animal welfare requirements should be made mandatory in future rural development programmes; believes, furthermore, that the European added value of high animal welfare should be reflected in the co-financing rates;
61. Reminds the Commission that there is a link between animal welfare and the welfare of producers; calls on the Commission and the Member States to invest in projects to research and develop methods to promote welfare among producers, to develop substitute

¹ OJ L 165, 30.4.2004, p.1-141

cover services and to improve healthcare for producers;

Framework law

62. Welcomes the inclusion of a European Animal Welfare Framework Law in the Strategy, as suggested by the Parliament, and calls on the Commission to present its proposal in conjunction with the revision of Directive 98/58/EC foreseen for 2013; believes that such a Framework Law should be clearly written, should be prepared after consultation of all the stakeholders, should focus on both inputs and outcomes and should result in better animal welfare;
63. Points out that such a Framework Law should be a tool for the simplification and streamlining of existing animal welfare legislation; notes that the main aim of the Framework Law should be to achieve better and more thorough levels of compliance with existing animal welfare law;
64. Recalls that producers are overburdened with administrative requirements and that, in the continued search for administrative simplification, this European framework legislation should not further increase this burden;
65. Recalls that the Parliament considers that such a Framework Law should be based on validated science and proven experience and cover all kept and abandoned animals, including stray animals of domesticated species; recalls that for the species of animals raised for food production, the Parliament has called for the Animal Welfare Quality project to be further developed as regards its simplification and practical application;
66. Believes that a Framework Law, closely associated with OIE definitions and recommendations, would strengthen the competitiveness of EU animal keepers owners and livestock producers in the international market, as it would also help to ensure fair competition in the internal market;
67. Considers that the European Animal Welfare Framework Law should establish a common base level for animal welfare throughout the European Union as an essential condition for free and fair competition in the internal market, both for domestic products and for those imported from third countries; considers, however, that the Member States and the regions should be able to permit individual producers or groups of producers to set up voluntary systems with more profound effects, while avoiding distortions of competition and while protecting EU competitiveness in international markets;
68. Recalls that the Parliament considers that such a Framework Law should not prevent producers from introducing voluntary systems which go beyond EU rules, and believes that those systems should also be science based and could be promoted by certified and cohesive labels; calls on the Commission to build on its communication COM (2009) 584 by producing a study, if appropriate accompanied by legislative proposals, on EU-wide labelling schemes for meat and dairy products, aimed at informing consumers about the farming methods used, and their impact on the welfare of animals, to achieve the maximum effective and consistent transparency and communication to consumers;
69. Considers that the European Animal Welfare Framework Law should include:

- a) a common OIE-based definition and understanding of animal welfare, and general science-based objectives;
- b) the principle of duty of care for all animal owners and handlers, whereas stray animals should firstly be the responsibility of the owner and ultimately of the Member States' authorities because of the public health and safety related risks;
- c) awareness-raising tools and guidelines for staff from public authorities, on how to identify animal welfare issues in the course of their duty;
- d) a requirement, when needed, to ensure the competence – while recognising the skills and knowledge already acquired through practical experience or training – of any person handling animals in the course of their professional duties, along with adequate training requirements for specific animal welfare responsibilities;
- e) an obligation for Member States to submit to the Commission biennial reports on the implementation of EU animal welfare legislation, including a roadmap for the following two years, and the requirement for the Commission to publish, without delay, these reports together with an executive summary;
- f) effective and timely actions against those Member States who do not submit reports or do not fulfil their obligations to carry out controls and inspections;
- g) the creation of a coordinated European Animal Welfare Network which, based on the experiences of the Pilot Project X/2012, will support information and education campaigns, evaluate the animal welfare requirements on the basis of the latest peer-reviewed scientific knowledge, and coordinate an EU system for the pre-testing of new technologies in line with existing programmes promoted by the Commission and its agencies and committees;
- h) a structure for science-based sectoral legislation and non-legislative measures;
- i) a review clause to allow the framework law to be regularly adapted to new scientific developments while respecting the need for legal certainty and taking into account the economic lifespan of the investments made;

70. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

Animal welfare today

The Commission Communication COM(2012)0006 on the Strategy for the Protection and Welfare of Animals 2012-2015 is much welcomed, especially as it contains so many aspects of the Parliament's Resolution of 5 May 2010. The Communication can be seen as an open door, leading - if we use it properly - to a clear and equivalent animal welfare level within the EU.

A high level of animal welfare is a part of sustainable development and important to protect animal health, public health and the productivity and competitiveness of the livestock sector in Europe. However, the complex European and national rules on animal welfare, together with the lack of information regarding these, create legal uncertainty while the lack of compliance and of 'legal milestones' distorts competition. Therefore, there is a need for a new approach to animal welfare, one which must be based on the science and proven experience which has been acquired over the last years, and where the legislation is easy to understand and easy to control.

Complex and diverging rules on animal welfare

Although there is still no legislation on specific aspects of animal welfare such as that concerning pets and dairy cows, there is no general lack of animal welfare related legislation today. In addition, there are uncountable and diverging national legal requirements in use at the present time. There are no shared definitions and the complex sets of rules and requirements impede the understanding of good animal husbandry or practice for the individual animal handler or owner. As a consequence, the animal welfare conditions, in the EU today, vary greatly between countries and between animal species.

Lack of compliance and enforcement

Furthermore, there is still a severe lack of compliance regarding certain pieces of animal welfare legislation, despite the progress made in several fields. The current set of rules with long transitional and implementation periods without any 'legal milestones' have resulted in a lack of compliance of, for instance, Council Directive 1999/74/EC on the protection of laying hens. There is now also a very present risk that a similar situation will occur regarding Council Directive 2008/120/EC on the protection of pigs and Directive 76/768/EEC ('the Cosmetics Directive'). Another example where animal welfare is not being protected is the abuse of the derogation established for the un-stunned slaughter for religious or ritual purposes, which is causing the unnecessary suffering of animals and is misleading consumers.

It is apparent that the capacity and resources of the Commission have not been sufficient to ensure a proper enforcement of the rules. Nevertheless, compliance could also be expected from the Commission itself. Some actions from the Action Plan for 2006-2010, such as the two reports on pigs, have not been completed. Furthermore, the timetable for the new actions

should be adjusted to the deadlines that are laid down in the existing legislation¹.

The new Strategy

Scope

The broad approach taken by the Commission is greatly appreciated. With a broad approach there is room for improvement as regards the welfare of pets animals for example, even if we must not forget that in Europe, around 95% of all the domesticated animals are handled by farmers - together with transporters, inspectors, veterinarians etc.

It is regrettable, however, that the Commission fails to reflect the link between the animals' wellbeing and public health. The 'One Health' approach should also apply to this Strategy, since good husbandry of all animals - including pets - is a tool to reduce the spread of diseases and antimicrobial resistance.

Policy coherence and coordination of finances

Another flaw of the new Strategy is the lack of a proper budget for the actions listed. In its resolution of 5 May 2010, the Parliament explicitly called for the new Strategy to be given sufficient financial backing. It is therefore of the outmost importance that the Commission, through policy coherence, make every effort to increase the means available for animal welfare in Europe.

For instance, animal welfare should be given greater attention in the EU's Consumer Policy, in the Framework Programmes for research, and in the CAP, where relevant (of course, it would never be relevant to make the CAP pay for cats and dogs in urban areas). Investments in animal welfare are costly, which is why it is very important to ensure that buildings, technology and so on, are appropriate and will last for many years. There are also still imbalances in the food chain which place the primary producer at a disadvantage, and those imbalances limit the scope for animal welfare investments at farm level. This would need to be taken into account in the new Strategy.

Perhaps, it is also worth pointing out that policy coherence follows from Article 7 of the Treaty, and is not really a matter of political choice. Since Article 13 of the Treaty obliges the EU and Member States to pay full regard to the welfare of animals, it is compulsory to consider activities in other policy areas which could promote animal welfare and prevent any negative impact of other policies on animals.

¹ For instance, Directive 2007/43/EC on chickens kept for meat production sets out 30 June 2012 as deadline for a report on the welfare of chicken, including the development of welfare indicators - not 2015 as suggested in the Strategy.

¹ 'Animal welfare means how an animal is coping with the conditions in which it lives. An animal is in a good state of welfare if (as indicated by scientific evidence) 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. Good animal welfare requires disease prevention and veterinary treatment, appropriate shelter, management, nutrition, humane handling and humane slaughter/killing. Animal welfare refers to the state of the animal; the treatment that an animal receives is covered by other terms such as animal care, animal husbandry, and humane treatment.'

On this note, it is very important that the Commission continues to ensure that animal welfare issues are given priority in its Trade Policy and in bilateral and international trade agreements, and that animal welfare in third countries is promoted by including equivalence to EU standards as a requirement for imported products.

Animal welfare tomorrow

Science

Within the field of animal welfare there has been an increase in the research carried out over the last decade, both in the EU and elsewhere, such as the Welfare Quality Project. This ever-growing scientific knowledge is the most logical basis for the Animal Welfare Strategy and legislation. It is important that this knowledge is used in all aspects of animal practice from the development of new technology and building of animal housing through pre-testing, to the overall supervision and control of animal welfare with the Union.

Enforcement

As mentioned above, the single most important problem for the animal welfare in Europe today is the lack of compliance and enforcement of the legislation. Future legislation should contain 'legal milestones' during the transitional periods, in order to provide the Commission with the opportunity to assess the progress made in implementation and to take proactive action when needed. Simply waiting for an infringement to take place and then addressing the matter in the EU Court is not enough.

Furthermore, our animals need some kind of 'FBI' which controls how the Member States are performing their own inspections. Therefore the FVO must be given increased resources in order to adequately control animal welfare inspections carried out by the Member States and to investigate and penalise non-compliance. However, the main responsibility for the proper enforcement lies with the Member States, who need to make sure that they have sufficient numbers of animal welfare inspectors and that these are adequately trained.

Another important tool is transparency. The Commission and the Member States already have a duty, as laid down in Regulation (EC) No 882/2004, to provide comparable information on animal welfare in the EU and to make this information public. The Regulation clearly requires that Member States establish multi-annual control plans and submit reports to the Commission annually. It seems that full use of this Regulation has not been made, and the Commission should consider ways to take effective action against non-compliance, such as a system of 'naming-and-shaming'.

Communication

An essential element for accomplishing a uniform animal welfare standard with the EU is to provide exact, concrete and comprehensible training, information and guidelines which reach the persons who handle animals on a daily basis. This information should contain both legislation and the science it is based on.

To ensure the understanding of this information, and access for the people who are handling

animals everyday, it must be adapted and made available at regional and local level. A European coordinated network of animal welfare centres could play an important role in this matter.

European Animal Welfare Framework Law

The Commission has in its Communication included the Parliament's idea of a European Animal Welfare Framework Law. The basic concepts of such a Law are clarity, simplification and practical applicability, on a scientific base.

Such a Law would also increase competitiveness, both on the internal market and in trading with third countries, and increase the quality of the animal products. With a common and well implemented animal welfare level within Europe, it may be easier for the EU to demand that imports from third country meet equivalent standards.

A review of Council Directive 98/58/EC is planned for 2013, and this is a perfect opportunity to broaden, clarify and strengthen this Directive by transforming it into a Framework Law. As the Commission recognised in its Communication, it is important to focus on outcome based measures. This approach is greatly welcomed, but it is important to point out that such indicators should be used to complement, not replace, provisions on welfare inputs as the quality of inputs. Inputs, such as housing system and sufficient space allowance, cannot be ignored as, if these are poor, good welfare outcomes cannot be achieved.

A Framework Law creates a level playing field through a common definition and understanding of animal welfare. Similar to the construction of the General Food Law (Regulation (EC) No 178/2002), it would provide a common basis. It should not, however, prevent producers from introducing voluntary systems which go beyond EU rules, provided that those systems also are science-based.

It is reasonable to begin the framework law with the global definition of animal welfare, as described by OIE¹. It should also, apart from general science-based objectives, contain a principle of duty of care. It is essential that every animal included in the Framework Law have a natural or legal person responsible for it at every step of the chain. In the case of abandoned animals, including stray animals of domesticated species, they should be the responsibility of the Member States' authorities since these animals also pose a risk from a public health point of view (e.g. rabies).

There should be a requirement of competence for any person handling animals in the course of their professional duties, along with adequate training when needed. A type of certificate or other proof of competence should be required from people, such as farmers and animal transporters, who - without relevant experience - would like to start up a business. In addition, a system for pre-testing permits for the construction or reconstruction of animal premises should be established.

Similar to what is required in the Control Regulation ((EC) No 882/2004) there should be an obligation for Member States to submit to the Commission a yearly report on the

implementation of European animal welfare legislation, including a road map for the next year. The Commission should, without delay, make these reports public together with a report summarising the information submitted by the Member States.

Compliance is primarily the responsibility of the Member States, who need to put in place sanctions which are deterring and efficient. However, the Framework Law must also contain the tools for the Commission to take effective actions against the Member States that do not submit their reports or disregard their obligations.

The Framework Law should set the conditions for the creation of a coordinated European Animal Welfare Network. This network should not replace or duplicate the tasks already performed by the Commission and its agencies, such as EFSA. Rather, based on the experiences of the Pilot Project in 2012, it should support with information and education, evaluate the animal welfare requirements on the basis of the latest scientific knowledge, as well as coordinate an EU system for the pre-testing of new technology.

The Framework Law should be followed by category specific or vertical legislation, to fill the gaps where such legislation is lacking, as in the case of dairy cows, pets, etc. This legislation must also be science-based, and be easy to interpret and apply in practice.

It is also important that the Framework Law is regularly reviewed and adapted to new, relevant science, whilst at the same time ensuring that the legal certainty is safeguarded, all under the overarching objective to modify, simplify and clarify the requirements for animal welfare in Europe.

05.6.2012

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

for the Committee on Agriculture and Rural Development

on the European Union Strategy for the Protection and Welfare of Animals 2012-2015
(2012/2043(INI))

Rapporteur: Kartika Tamara Liotard

SUGGESTIONS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Agriculture and Rural Development, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Recalls that Article 13 of the Treaty is of general application and as such is equally as important as the environment or consumer protection and legally preeminent to all internal market policies; stresses that, consequently, the EU's strategy on animal welfare must include initiatives, actions and instruments to ensure that the welfare of all animals features in all policy areas;
2. Welcomes the European Union Animal Health Strategy 2012–2015 but notes with regret that the importance of healthy animals for public health, as promoted in the concept of 'Animals + Humans = One Health', or the link between animal health and animal welfare, does not feature in that strategy;
3. Strongly regrets that the Commission has failed to come up with new legislative proposals that will improve the welfare of animals in the EU as a part of the Strategy; acknowledges that improved enforcement is a key element in better animal welfare in the EU but insists that new legislation must be presented in order to improve the current animal welfare standards;
4. Stresses that improved animal welfare impacts on food safety and results in economic benefits for the food chain;

5. Welcomes the inclusion of a European Animal Welfare Framework Law in the Strategy, provided that such a legal framework is not allowed to dilute existing national provisions and that the principle of subsidiarity is carefully examined; reiterates that such a Framework Law should be based on up-to-date validated science and should cover all animals, whether domesticated or stray, as well as wild animals kept in zoos and aquariums, and invasive alien species; in addition, welcomes acknowledgement of the need for the general public to be more effectively informed about animal welfare;
6. Stresses the need to improve animal welfare through maintaining and developing policies and legal standards in the area of livestock farming, live animal transport (also called live export), wildlife protection and animals used in research and testing;
7. Urges the Commission, where there is clear scientific evidence demonstrating animal welfare and animal transport problems, to adapt or introduce new policy instruments, such as species-specific legislation and outcome-based animal welfare indicators and criteria associated with a risk assessment system as applied in the food safety area, to resolve these problems, factoring in a better share-out of animal welfare costs along the food chain, including in particular the cases of dairy cattle, beef cattle, rabbits, farmed fish and live animal transport; points out that use should be made of the EFSA scientific opinion in this connection;
8. Regrets that the strategy fails to promote high levels of animal welfare standards by using the opportunities in the Sustainable Consumption and Production, Green Public Procurement and Corporate Social Responsibility policies;
9. Stresses that the list of actions included in the Strategy must include:
 - revision of Regulation 1/2005, including a proposal to limit the duration of transport of farmed animals to 8 hours, as requested, inter alia, by Written Declaration 49/2011 adopted on 15 March 2011 and by over 1 100 000 signatories of the 8hours petition, and a genuine move towards simplifying the applicable statutory provisions and reducing administrative costs, leading to greater flexibility for economic operators;
 - a legislative proposal introducing a ban on cloning and on the placing on the market of products from clones and their offspring;
 - a legislative proposal introducing a ban on the genetic modification of animals and on the placing on the market of products from genetically modified animals and their offspring;
 - legislative proposals laying down minimum standards for the protection of both cattle and rabbits;
 - the introduction of rules for informing consumers, by means of labels, about animal slaughtering methods;
 - the introduction of EU guidelines or implementing rules on the protection of animals at the time of killing;
 - implementation of the European Declaration on alternatives to surgical castration of pigs;

10. Considers that the European Animal Welfare Framework Law should approach the issue of stray animals, which is particularly serious in the EU's southern and eastern Member States, by implementing effective sterilisation measures; calls on the European Union and the Member States to ratify the European Convention for the Protection of Pet Animals;
11. Considers that the European Animal Welfare Framework Law should include measures aimed at solving the problem of the possession of wild birds from capture or from farming used in some Member States as live decoys in hunting migratory birds, in conditions incompatible with their nature;
12. Encourages the Commission to adopt an EU-wide strategy for the development and use of alternative non-animal testing methods as soon as possible, in the context of the revision of EU legislation and in the context of new technologies, such as, but not restricted to, nanotechnology and cloning; points out, however, that consumer safety must remain the priority; supports the final deadline of March 2013 for the prevention of the sale of new cosmetics tested on animals and calls on the Commission not to extend it or grant any exemptions;
13. Calls on the Commission to actively support the relevant strategy-setting and research functions of the EU Reference Laboratory (the Joint Research Centre) to identify priority areas for replacement of animal research techniques, including through identification of human toxicity and disease pathways and development of human-relevant in-vitro and computational models of disease;
14. Calls on the Commission and the Member States to ensure that the Horizon 2020 research programme foresees adequate opportunities for research in the fields of biodiversity conservation, wildlife trade, the development and validation of non-animal alternatives and the impact of emerging technologies such as, but not restricted to, nanotechnology and cloning;
15. Urges the Commission to undertake a careful examination of the impact on animal health, human health and the environment of current unsustainable methods of livestock production and to ensure that the planned synergies with the CAP included in the Strategy result in greater support for sustainable production systems with improved animal welfare, thereby also helping prevent the spread of diseases and antimicrobial resistance; recommends drawing on practical experience – this should include a report evaluating the extent of routine prophylactic, non-therapeutic use of antibiotics in agriculture, as well as of the existing systems of monitoring and reporting on this matter in all the Member States;
16. Urges the Council to guarantee a substantial improvement in animal welfare through rural development, particularly by providing for adequate funding for the animal welfare payment and ensuring that all rural development programmes for the period 2014-2020 include the animal welfare measure;
17. Stresses the need for the CAP after 2013 to support farmers who apply higher animal welfare standards beyond cross-compliance and to adopt specific measures in order for EU agriculture to move from industrial livestock production to more sustainable, environment-friendly, humane forms of animal husbandry;

18. Calls on the Commission and the Member States to use cross-compliance as a tool to improve the enforcement of EU animal welfare legislation; believes in this regard that all the EU standards on the protection of animals kept for farming purposes should be included in cross-compliance and that penalties should be high enough to be dissuasive;
19. Stresses the clear relationship between animal health, human health and the protection of the environment and calls on the Commission to integrate animal welfare as an objective of the future 7th Environment Action Programme, ensuring, in particular, the inclusion of strategies and actions aiming to reduce the use of animals in research, to protect wild animals, to effectively protect and improve biodiversity, and to promote sustainable livestock farming;
20. Calls on the European Commission and the Member States to take the necessary measures to educate stakeholders in the requirements for keeping wild animal species in captivity, ensuring effective use of a species-specific enrichment programme that provides appropriate mental and physical stimulation, in order to improve the welfare of wild animals currently in captivity; calls for an urgent and thorough implementation of the Zoo Directive and for all enforcement personnel and zoo veterinarians to be appropriately trained and qualified;
21. Supports the principle of labelling of food products that comply with animal welfare standards which are more stringent than those required by law; calls on the Commission to build on its report COM (2009)584 by coming forward with legislative proposals on EU-wide labelling schemes for meat and dairy products as well as eggs in processed products, thereby informing consumers about the farming methods used and their impact on the welfare of animals, in order to achieve the maximum effective and consistent communication to consumers;
22. Calls on the Commission to introduce labelling for meat from slaughter without stunning;
23. Calls on the Commission to launch an extensive consumer information campaign about European animal welfare legislation, communicating any changes required of European producers as such changes occur, in order for consumers to understand the resulting price increases and to make the efforts of producers more visible and improve the added value of their products;
24. Recalls the role which could be played by a coordinated network of animal welfare centres in the EU in providing significant, high-quality, professional and consistent support to Member States and other stakeholders regarding best practice in animal welfare;
25. Welcomes the Commission's intention to address the issue of compliance with animal welfare law as a matter of priority; encourages the Commission to include in any legislative proposal in this field an obligation for Member States to establish implementation plans and to provide for systems of early identification of Member States struggling to meet deadlines, with the possibility of intervention if deadlines are not met;
26. Calls on the Commission to accord highest priority to animal welfare in the context of negotiations in the WTO (World Trade Organisation) and bilateral agreements;

27. Urges the Commission, when negotiating bilateral trade agreements with third countries, to require those countries to comply with European animal welfare rules when exporting both livestock and meat products to the Community market.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	30.5.2012
Result of final vote	+: 33 -: 16 0: 11
Members present for the final vote	Kriton Arsenis, Sophie Auconie, Pilar Ayuso, Paolo Bartolozzi, Sergio Berlato, Lajos Bokros, Milan Cabrnock, Martin Callanan, Chris Davies, Esther de Lange, Anne Delvaux, Bas Eickhout, Edite Estrela, Jill Evans, Karl-Heinz Florenz, Elisabetta Gardini, Gerben-Jan Gerbrandy, Matthias Groote, Cristina Gutiérrez-Cortines, Satu Hassi, Jolanta Emilia Hibner, Karin Kadenbach, Christa Kläß, Holger Kraemer, Jo Leinen, Corinne Lepage, Peter Liese, Kartika Tamara Liotard, Zofija Mazej Kukovič, Linda McAvan, Radvilė Morkūnaitė-Mikulėnienė, Miroslav Ouzký, Vladko Todorov Panayotov, Andres Perello Rodriguez, Mario Pirillo, Pavel Poc, Anna Rosbach, Oreste Rossi, Dagmar Roth-Behrendt, Kārlis Šadurskis, Carl Schlyter, Richard Seeber, Theodoros Skylakakis, Bogusław Sonik, Salvatore Tatarella, Anja Weisgerber, Åsa Westlund, Glenis Willmott, Sabine Wils
Substitute(s) present for the final vote	Inés Ayala Sender, Gaston Franco, James Nicholson, Justas Vincas Paleckis, Vittorio Prodi, Britta Reimers, Michèle Rivasi, Alda Sousa, Bart Staes, Marita Ulvskog, Andrea Zannoni

10.5.2012

OPINION OF THE COMMITTEE ON PETITIONS

for the Committee on Agriculture and Rural development

on the European Union Strategy for the Protection and Welfare of Animals 2012-2015
(2012/2043(INI))

Rapporteur: Victor Boștinaru

SUGGESTIONS

The Committee on Petitions calls on the Committee on Agriculture, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Deplores the fact that, although the animal welfare agenda has been advanced through specific pieces of legislation, there are still too many areas where no specific EU legislation exists;
2. Stresses that animal welfare is a complex and multi-faceted issue with an impact on international and domestic policies, and with important ethical, scientific, economic, cultural and political dimensions;
3. Draws attention to the ever-increasing number of petitions from European citizens from all the Member States asking for targeted and detailed regulations on animal protection and welfare, especially inside animal parks, gardens and zoos, to be tightened up in order to fill the numerous existing loopholes;
4. Welcomes the Commission's objective of considering the feasibility of introducing a simplified EU legislative framework containing animal welfare principles for all animals kept in the context of an economic activity, including, where appropriate, pet animals; takes the view, however, that the first step should be to enforce compliance with the existing animal welfare regulations and stresses the need to implement 'legal milestones' during the transitional period in future animal welfare legislation;
5. Notes that, in their petitions, some European citizens protest against bullfights and other spectacles that expose animals to unnecessary stress or cause injury to and/or kill animals;
6. Points out that the EU's dog and cat population is estimated at around one hundred million

animals and that no EU legislation exists on pet animal welfare; calls on the Commission, therefore, in line with the 2010 Council Conclusions on the Welfare of Cats and Dogs, to promote the welfare of pet animals by ensuring minimum standards for their treatment and protection and a compulsory registration and microchipping system;

7. Stresses that mandatory identification of companion animals, only in combination with an effective and reliable system of registration, leads to traceability and is crucial for successful animal health and welfare management, helping to promote responsible ownership and preserve public health;
8. Considers that the European Animal Welfare Framework Law should include measures to solve the stray animal problem, which is particularly serious in the EU's southern and eastern Member States, and urges that EU funding be provided for the implementation of effective sterilisation and castration measures; calls on the European Union and the Member States to ratify the European Convention for the Protection of Pet Animals and to transpose its provisions in national legal systems;
9. Calls on the Member States to adopt comprehensive dog population management strategies which include measures such as dog control and anti-cruelty laws, support for the veterinary procedures, including rabies vaccination and sterilisation, needed to control the number of unwanted dogs, and the promotion of responsible pet ownership, as requested in Written Declaration 0026/2011 adopted by the European Parliament;
10. Calls on the Commission and Member States to take the necessary measures to ensure the implementation of Council Directive 1999/22/EC relating to the keeping of wild animals in zoos;
11. Stresses the need to establish more effective protection measures for animals which are exported from the EU to third countries for slaughter;
12. Calls on the Member States to ensure more effective implementation of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations;
13. Points to the concern among European citizens, expressed through their petitions to Parliament, about abuse of the derogations for un-stunned slaughtering in the EU; calls on the Member States to ensure more effective enforcement of the legislation, permitting un-stunned slaughter solely on demonstrably religious grounds and in accordance with stringent derogation provisions;
14. Calls for better information of consumers about the methods of production of animal products or animal by-products and their impact on the welfare of animals in the form of transparent and adequate labelling and package leaflets, mandatory inclusion of information on animals' countries of origin and identification of products;
15. Stresses that European citizens regularly petition Parliament about the failure of Member States to enforce the provisions of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules; calls on the

Commission, therefore, to intervene effectively when non-compliance is identified;

16. Welcomes the Commission's intention to include animal welfare in bilateral trade agreements and cooperation forums, and urges that any such provisions be made binding under the dispute settlement mechanisms of Free Trade Agreements; welcomes also the Commission's intention to examine how animal welfare can be better integrated in the framework of the European neighbourhood policy;
17. Calls for an obligation to use non-animal alternative methods as far as possible and wherever scientifically available in order to reduce to a minimum experiments which involve severe and prolonged suffering for animals, as regulated in the Animal Testing Directive (2010/63);
18. Calls on the Commission to augment duties concerning coordination and promotion of the development and use of alternatives to animal procedures in the areas of basic and applied research and regulatory testing, as described in Annex VII of Directive 2010/63, by actively supporting relevant strategy-setting and research functions of the EU Reference Laboratory (the Joint Research Centre) in order to identify priority areas for replacement of animal research techniques.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	8.5.2012
Result of final vote	+: 17 -: 0 0: 0
Members present for the final vote	Elena Băsescu, Heinz K. Becker, Victor Boştinaru, Simon Busuttil, Ágnes Hankiss, Iliana Malinova Iotova, Carlos José Iturgaiz Angulo, Peter Jahr, Erminia Mazzoni, Judith A. Merkies, Ana Miranda, Nikolaos Salavrakos
Substitute(s) present for the final vote	Daniel Caspary, Kinga Göncz, Cristian Dan Preda, Keith Taylor
Substitute(s) under Rule 187(2) present for the final vote	Krzysztof Lisek

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	19.6.2012
Result of final vote	+: 34 -: 3 0: 4
Members present for the final vote	Liam Aylward, José Bové, Luis Manuel Capoulas Santos, Vasilica Viorica Dăncilă, Michel Dantin, Paolo De Castro, Albert Deß, Diane Dodds, Herbert Dorfmann, Hynek Fajmon, Iratxe García Pérez, Julie Girling, Béla Glattfelder, Sergio Gutiérrez Prieto, Martin Häusling, Esther Herranz García, Peter Jahr, Elisabeth Jeggler, Elisabeth Köstinger, George Lyon, Gabriel Mato Adrover, Mairead McGuinness, Mariya Nedelcheva, Wojciech Michał Olejniczak, Georgios Papastamkos, Marit Paulsen, Britta Reimers, Ulrike Rodust, Alfreds Rubiks, Giancarlo Scottà, Czesław Adam Siekierski, Alyn Smith, Janusz Wojciechowski
Substitute(s) present for the final vote	Luís Paulo Alves, Salvatore Caronna, María Auxiliadora Correa Zamora, Spyros Danellis, Jill Evans, Sylvie Goulard, Christa Klaß, Giovanni La Via, Anthea McIntyre, Petri Sarvamaa, Milan Zver