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REPORT

on the implementation of Council Regulation No 1/2005 on the protection of animals during transport within and outside the EU
(2018/2110(INI))

Committee on Agriculture and Rural Development

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the implementation of Council Regulation No 1/2005 on the protection of animals during transport within and outside the EU (2018/2110(INI))

The European Parliament,

- having regard to Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations¹,
- having regard to Article 13 of the Treaty on the Functioning of the European Union, which stipulates that ‘in formulating and implementing the EU’s policies, the EU and its Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals’,
- having regard to the European Implementation Assessment on Regulation (EC) No 1/2005 on the protection of animals during transport, and its relevant annexes, as published by the European Parliamentary Research Service (EPRS)² in October 2018,
- having regard to its resolution of 12 December 2012 on the protection of animals during transport³,
- having regard to the scientific opinion of 12 January 2011 of the European Food Safety Authority (EFSA) concerning the welfare of animals during transport⁴,
- having regard to the report from the Commission to the European Parliament and the Council of 10 November 2011 on the impact of Council Regulation (EC) No 1/2005 on the protection of animals during transport (COM(2011)0700),
- having regard to the communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee of 15 February 2012 on the European Union Strategy for the Protection and Welfare of Animals 2012-2015 (COM(2012)0006),
- having regard to its Declaration No 49/2011 of 30 November 2011 on the establishment of a maximum 8-hour journey limit for animals transported in the European Union for the purpose of being slaughtered⁵,
- having regard to the judgment of the Court of Justice of 23 April 2015⁶,

¹ OJ L 3, 5.1.2005, p. 1.

² [http://www.europarl.europa.eu/RegData/etudes/STUD/2018/621853/EPRS_STU\(2018\)621853_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2018/621853/EPRS_STU(2018)621853_EN.pdf)

³ OJ C 434, 23.12.2015, p. 59.

⁴ Official Journal of EFSA 2011:9(1):1966.

⁵ Texts adopted, P7_TA(2012)0096.

⁶ Judgment of the Court (fifth chamber) of 23.4.2015, Zuchtvieh-Export v Stadt Kempten, C-424/13, ECLI:EU:C:2015:259.

- having regard to the European Court of Auditors Special Report No 31/2018 on animal welfare in the EU¹,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinions of the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism and the Committee on Petitions (A8-0057/2019),
- A. whereas the EU, as is stated in Article 13 of the Treaty on the Functioning of the European Union, considers animals not merely as goods or products or possessions, but as sentient beings, meaning that they are capable of feeling pleasure and pain; whereas EU legislation has translated this notion into measures which should ensure that animals are kept and transported under conditions that do not subject them to maltreatment, abuse, pain or suffering; whereas the EU is where animal welfare is most respected and defended, and it is an example for the rest of the world;
 - B. whereas every year millions of animals are transported between Member States, within Member States and to third countries over long distances for breeding, rearing, further fattening and slaughter; whereas animals are also transported for recreation, for shows and as pets; whereas EU citizens are increasingly concerned about compliance with animal welfare standards, especially in live animal transport;
 - C. whereas, according to the definition of 2008 of the World Organisation for Animal Health (OIE), animal welfare means that an animal is healthy, has enough space, is well nourished, feels safe, is free to express normal patterns of behaviour and does not suffer from feelings such as fear, pain and distress; whereas this is not the case in the vast majority of cases in live animal transport, in particular over long distances;
 - D. whereas Regulation (EC) No 1/2005 on the protection of animals during transport operations applies to the transport of all live vertebrate animals carried out within the Union;
 - E. whereas Member States are responsible for ensuring the correct implementation and enforcement of the Regulation at national level, including official inspections, while the Commission is responsible for ensuring that Member States implement EU legislation properly;
 - F. whereas Member States are not enforcing Regulation 1/2005 stringently or strictly enough within the EU and are not seeking its enforcement at all outside the EU;
 - G. whereas the large number of infringements identified by the Commission's DG SANTE in 2017 in several Member States would require the initiation of the relevant Treaty infringement proceedings;
 - H. whereas transport is stressful for animals as it exposes them to a range of challenges

¹ European Court of Auditors Special Report No 31/2018 of 14 November 2018 entitled 'Animal welfare in the EU: Closing the gap between ambitious goals and practical implementation'.

deleterious to their welfare; whereas, as regards trade with certain third countries, additional animal suffering is caused by very long journeys including long delays at borders for checking documents, vehicles and the fitness of animals for transport;

- I. whereas the quality and frequency of the Member States' inspections have a direct impact on the level of compliance with the requirements; whereas an analysis of Member States' inspection reports reveals huge differences between Member States in terms of the number of inspections, ranging from zero to several million per annum, and the incidence of infringements, ranging from zero to 16.6 %, which suggests that Member States take different approaches to inspections, e.g. random versus risk-based strategies; whereas such differences in approach also make it impossible for data to be compared between Member States;
- J. whereas training and education of drivers to promote careful driving based on which types of animals are being transported would improve the welfare of animals during transport¹;
- K. whereas proper animal handling can result in reduced time for loading and unloading animals, reduced weight loss, fewer injuries and wounds and better meat quality;
- L. whereas there are extensive studies proving that animal welfare has an impact on meat quality;
- M. whereas the quality of stockmanship at loading and unloading, together with care in transit, should remain the primary focus in order to protect animal welfare during transport;
- N. whereas fitness for transport is a major factor in ensuring animal welfare during transport, as welfare risks during transport are greater for animals which are injured, weakened, pregnant, unweaned or sick; whereas there can be uncertainty as regards fitness for transport and stage of gestation;
- O. whereas fitness issues are responsible for the largest percentage of infringements, while documentation issues account for the second largest;
- P. whereas there is often confusion among those responsible about what needs to be done if animals are declared unfit for transport;
- Q. whereas those responsible are often uncertain as to how far an animal's pregnancy has progressed;
- R. whereas it is particularly problematic to transport unweaned calves and lambs;
- S. whereas farmers are the party most interested keeping in their animals fit for transport and which has most to lose if transport does not comply with the existing rules;
- T. whereas there are often shortcomings in providing animals with sufficient food and water and observing the 24-hour rest period when there is a stop at a verified control

¹ <https://www.efsa.europa.eu/en/efsajournal/pub/1966>

post;

- U. whereas transport vehicles are often overcrowded; whereas high temperatures and inadequate ventilation inside the vehicle are a major problem;
- V. whereas there have been recent outbreaks in various Member States of infectious animal diseases such as African swine fever, avian flu and small ruminant and bovine animal diseases; whereas transport of live animals can increase the risk of spread of those diseases;
- W. whereas the transport of meat and other animal-derived products, as well as of semen and embryos, is technically and administratively easier and financially more beneficial for livestock farmers than the transport of live animals for the purpose of slaughter or breeding; whereas the Federation of Veterinarians of Europe (FVE) and the OIE emphasise that animals should be reared as close as possible to the premises in which they were born and should be slaughtered as close as possible to the point of production; whereas the availability of slaughter facilities, including mobile facilities, at or near rearing sites can help generate livelihoods in rural areas;
- X. whereas slaughtering animals as close as possible to where they were bred would be the best way to ensure their welfare;
- Y. whereas there is an uneven spread of slaughterhouses across Member States,
- Z. whereas for some Member States and supply chains in the Union, the live transport of animals, for further production or slaughter, is important to ensure competition in the marketplace;

Recommendations

Implementation and enforcement

1. Notes that each year millions of animals are transported live for slaughter or breeding within the EU and from the EU to third countries; considers that, where correctly implemented and enforced, Regulation (EC) No 1/2005 has a positive impact on the welfare of animals during transport; welcomes the Commission's guidelines on the subject, but regrets that, according to the European Court of Auditors Special Report No 31/2018, those guidelines and some of the actions planned by the Commission were delayed by up to five years; notes that severe problems with transport still persist and that the enforcement of the Regulation would appear to be the primary concern of those involved in its implementation;
2. Highlights the fact that the Committee on Petitions receives a very large number of petitions on animal welfare during transport, which frequently denounce systematic, continuous and serious violations of Council Regulation (EC) No 1/2005 by both Member States and transporters;
3. Regrets the fact that the degree of progress in implementation of Regulation (EC) No 1/2005 by Member States has been insufficient to meet the Regulation's main objective, which is to improve animal welfare during transport, particularly in relation to the

verification of journey logs and the application of penalties; calls on Member States to substantially improve compliance with the Regulation; calls on the Commission to ensure an effective and uniform enforcement of existing EU legislation on animal transport across all Member States; urges the Commission to pursue legal action against, and impose sanctions on, Member States which fail to apply the Regulation correctly;

4. Emphasises that partial implementation is insufficient to achieve the Regulation's overarching purpose of avoiding injury to or undue suffering of animals or their death during transport, and that greater efforts should therefore be made to prevent serious incidents which have a significant impact on animal welfare and to prosecute those responsible for them;
5. Regrets that a number of issues related to Regulation (EC) No 1/2005 are yet to be resolved, including: overcrowding; insufficient headroom; failure to provide the required rest stops, food and water; inadequate ventilation and watering devices; transport in extreme heat; transport of unfit animals; transport of unweaned calves; the need to ascertain the pregnancy status of live animals; the extent to which the journey logs are checked; the infringement/enforcement/penalty relationship; the 'mixed' impact of training, education and certification; and insufficient bedding, as also identified by the European Court of Auditors in its Special Report No 31/2018 and by NGOs in complaints lodged with the Commission; calls for improvement in the abovementioned areas;
6. Calls on all Member States to ensure that journeys are planned and executed, from departure to destination, in line with EU animal welfare requirements, taking into account the different means of transport and the range of geographical conditions across the EU and third countries;
7. Stresses that the systematic breach of the Regulation in certain areas and some Member States leads to unfair competition resulting in an uneven playing field between operators in the different Member States, which in turn can lead to a 'race to the bottom' regarding animal welfare standards during transport; calls on the Commission, given that sanction levels can be more than ten times higher in some Member States than in others, to develop a harmonised EU sanction system, in order to ensure that penalties are effective, proportionate and dissuasive, taking into account repeated infringements; calls on the Commission to develop a roadmap to align sanctions across the Member States;
8. Regrets that the Commission ignored Parliament's resolution of 12 December 2012, and emphasises that strong and harmonised enforcement with effective, proportionate and dissuasive penalties in accordance with Article 25 of the Regulation is central to improving animal welfare during transport and that the Member States cannot restrict themselves simply to issuing recommendations and instructions; calls on the Commission to act on the call in that resolution to check the Regulation for incompatibilities with legal requirements in individual Member States;
9. Considers that repeated infringements, where they occur in circumstances over which the transporter had control, should lead to prosecution; calls on Member States to prosecute breaches of the Regulation, especially for repeated infringements; considers

that effective, proportionate and dissuasive penalties should include the confiscation of vehicles and compulsory retraining of those responsible for the welfare and transport of animals, and believes this should be harmonised through the Union; considers that the penalties should reflect the damage, scope, duration and recurrence of the infringement;

10. Calls on the Member States to make more effective use of the strong enforcement powers conferred on them under the Regulation, including the obligation to require transporters to establish systems to prevent the recurrence of breaches and to suspend or withdraw a transporter's authorisation; calls on the Member States to take sufficient corrective actions and introduce sanctions in order to avoid animal suffering and deter continued non-compliance on the part of operators; calls on the Member States and the Commission to aim for zero non-compliance in implementing and enforcing the Regulation;
11. Calls on the Commission to draw up, after consultation of the National Contact Points, a list of operators who have perpetrated repeated and serious breaches of the Regulation, on the basis of inspection and implementation reports; calls on the Commission to publish frequent updates of this list, and also to promote examples of best practice in both transport and governance;
12. Emphasises that non-compliance with the Regulation by Member States threatens its purpose of preventing the occurrence and spread of infectious animal diseases, as transport is one of the causes of the rapid spread of such diseases, including those which can be transmitted to humans; notes that vehicles often do not conform to the requirements of Article 12 of the amended Directive 64/432/EEC; considers, in particular, that inadequate waste storage poses risks for the spread of antimicrobial resistance and disease; calls on the Commission to develop harmonised procedures to grant approval to vessels and trucks and to take action to prevent the spreading of infectious animal diseases through transport, both within the EU and from third countries, by promoting biosecurity measures and greater animal welfare;
13. Calls for increased cooperation between competent authorities to strengthen enforcement by using technology to create a real-time feedback loop between the Member State of the point of departure, the Member State of the point of arrival and any countries of transit; calls on the Commission to develop geolocation systems to enable tracking of the animals' location and the duration of journeys in transport vehicles, as well as any non-compliance with transport schedules; takes the view that where animals which start out in a good state of fitness arrive unfit, this should result in a full investigation, and in the event of recurrence the responsible parties in the transport chain must be immediately penalised in accordance with the law, and the owner-farmer must be entitled to compensation under national law for any resultant loss of income; further takes the view that the competent authorities should severely penalise the organiser and the certifying officer of any journey log created in the Member State of departure in the event of the log being falsely or misleadingly filled in;
14. Considers that enforcement is particularly difficult when a journey passes through several Member States and when the various enforcement tasks (journey log approval, transporter authorisation, certification of competence and of vehicle approval, etc) are undertaken by several different Member States; calls on Member States that find

breaches to notify all other Member States involved, as required by Article 26 of the Regulation, in order to prevent recurrence of the infringements and enable optimised risk assessment;

15. Asks the Commission to submit regular reports to Parliament on the implementation and enforcement of the Regulation, including breakdown of infringements by Member State, by species and by type of infringement, in relation to the volume of live animal transport per Member State;
16. Welcomes the cases where governments, scientists, businesses, industry representatives and national competent authorities have worked together to define best practices in order to ensure compliance with the requirements of the legislation, as is the case inter alia with the Animal Transport Guides website; calls on the Commission to disseminate and promote best practices for the Member States regarding the transport of livestock, and to support the EU animal welfare platform, promoting enhanced dialogue and the exchange of good practices between all actors; calls on the Commission to develop a new animal welfare strategy for the period 2020-2024 and to support innovation in animal transport;
17. Calls on the Commission to continue cooperating with the OIE, EFSA and the Member States in order to support the implementation and proper enforcement of Regulation 1/2005, with a view to promoting an enhanced dialogue on issues relating to animal welfare during transport, with a particular focus on:
 - better application of EU rules on animal welfare during transport, through exchanges of information and best practices and the direct involvement of stakeholders;
 - supporting training activities aimed at drivers and transport companies;
 - better dissemination of the Animal Transport Guides and Factsheets, translated into all EU languages;
 - development of and action on voluntary commitments on the part of businesses to further improve animal welfare during transport;
 - increased exchanges of information and greater use of best practices among national authorities in order to reduce the number of infringements caused by transport companies and drivers;
18. Calls on the Commission to assess the compatibility of the Regulation with Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport¹, as regards driving time and drivers' rest periods;
19. Recalls that the Commission, in its role as guardian of the Treaties, is responsible for monitoring whether EU laws are applied correctly; calls on the European Ombudsman to investigate whether the Commission has consistently failed to ensure compliance with the current Regulation and whether it could thus be held responsible for

¹ OJ L 102, 11.4.2006, p. 1.

maladministration;

Data collection, inspections and monitoring

20. Regrets the difficulty of carrying out a coherent analysis of the implementation of the Regulation that exists owing to differing approaches to data collection between Member States; calls on the Commission to set common minimum standards for tracing systems regarding all journeys in order to allow more harmonised data collection and assessment of the parameters monitored; calls on the Member States to step up their efforts to supply the Commission with harmonised, comprehensive and complete data on transport inspections and infringement levels; calls on the Member States to carry out more unannounced controls and to develop and apply a risk-based strategy in order to target their inspection activities on high-risk forms of transport so as to maximise the efficiency of the limited inspection resources;
21. Notes that the Commission, according to the 2018 Court of Auditors Special Report on animal welfare in the EU, has recognised that the data reported by Member States is not sufficiently complete, consistent, reliable or detailed to permit drawing conclusions on compliance at EU level;
22. Stresses that inspections must be carried out uniformly throughout the Union and on an adequate proportion of the animals transported each year within each Member State, in order to guarantee and maintain the proper functioning of the internal market and avoid distortions of competition within the EU; calls, in addition, on the Commission to increase the number of unannounced spot inspections by the Food and Veterinary Office (FVO) focused on animal welfare and the transport of animals; believes that differing methods of data collection and control mechanisms make it difficult to establish an accurate picture of compliance in individual Member States; calls on the Commission, therefore, to adopt a more harmonised reporting structure and to undertake further analysis of the data generated by FVO inspection reports and from Member States' returns relating to their Multiannual National Control Plans (MANCPs); recognises that the DG SANTE audits serve as an important source of information for the Commission to assess the implementation of the current Regulation; calls on the Commission to carry out at least seven unannounced visits every year, in line with the Court of Auditors' recommendation;
23. Calls on the Commission to provide guidance to Member States on how the Trade Control and Expert System (TRACES) can be used to support the preparation of risk analyses for inspections regarding the transport of live animals, as recommended by the Court of Auditors in its 2018 Special Report, which notes that the authorities of the Member States responsible for transport inspections were rarely using information from TRACES to target inspections; calls for a more effective and transparent monitoring system, including public access to information collected via TRACES; further calls for an increase in the number of yearly inspections by the FVO;
24. Calls on the Member States to increase controls across the entire production chain and, in particular, to carry out efficient and systematic inspections of animal consignments before loading, in order to halt practices that breach the Regulation and worsen conditions for the transport of animals by land or sea, such as allowing overstocked means of transport or unfit animals to continue their long journeys, or permitting the

- continued use of control posts with inadequate facilities for resting, feeding and watering animals in transport;
25. Is concerned about the low level of inspections in some Member States and the low or zero level of infringements reported; questions the accuracy of inspection systems and reporting; calls on those Member States which currently conduct few inspections or none at all to carry out inspections in sufficient numbers, and to submit comprehensive inspection reports to the Commission;
 26. Calls on the Member States also to inspect intra-European transport where animals are being loaded on to vehicles in order to check compliance with the requirements of Regulation 1/2005;
 27. Agrees with the Commission that it is good practice for competent authorities to inspect all consignments destined for non-EU countries at loading stage¹; believes that a percentage of intra-EU consignments should also be inspected at loading stage in proportion to the number of violations reported by NGOs and FVO inspections; considers that competent authorities should check at loading stage that the Regulation's requirements on floor space and headroom are being respected, that the ventilation and water systems are operating properly, that the drinking devices are working properly and are appropriate to the species carried, that no unfit animals are loaded, and that sufficient feed and bedding are being carried;
 28. Calls on the Member States to ensure that there is a sufficient number of accessible, clean and functioning drinking facilities in keeping with the needs of each species, that the water tank has been filled and that there is a sufficient quantity of fresh litter;
 29. Calls on the Member States to ensure that the competent authorities verify that the journey logs contain realistic information, and thus comply with Article 14(1) of the Regulation;
 30. Calls on the Member States to ensure that transport vehicles comply with the minimum space requirements set out in Chapter VII of Annex I to the Regulation and that in case of high temperatures the animals are allowed correspondingly more space;
 31. Calls on the Member States to ensure that the internal height of transport vehicles meets minimum standards and that there are no gaps between the floor or vehicle wall and the partitions;
 32. Acknowledges that some progress has been made in animal transport within the EU, but is concerned at the number of reports of inappropriate vehicles being used to transport live animals by both land and sea, and calls for the monitoring and sanctioning of such practices to be stepped up; recognises that the requirements set out in Articles 20 and 21 of the Regulation regarding transport by livestock vessels are often disregarded; calls on Member States not to authorise the use of vehicles and livestock vessels which do not comply with the provisions of the Regulation, and to withdraw authorisations already

¹ 'Final report of an audit carried out in the Netherlands from 20 February 2017 to 24 February 2017 in order to evaluate animal welfare during transport to non-EU countries', European Commission, Directorate-General for Health and Food Safety, 2017.

issued in the event of non-compliance; calls on Member States to be more rigorous in both certification and approval procedures for vehicles and granting certificates of competence to drivers;

33. Calls, therefore, for harmonised and binding standards for the authorisation of vehicles and vessels as means of transport for livestock, which should be issued by a central EU authority; whereas that authority should be responsible for determining the suitability of the means of transport for transporting animals in terms of the vehicles' state and the nature of their equipment (e.g. on-board presence of an appropriate satellite navigation system);
34. Calls on operators to provide for the thorough training of drivers and attendants in line with Annex IV to the Regulation, so as to ensure correct treatment of animals;
35. Recognises that some Member States have ships and ports which meet the required standards, but highlights that poor conditions nonetheless prevail during maritime transport, particularly in relation to loading and offloading; calls on Member States to be more rigorous in their certification and approval procedures for vessels, to improve their pre-loading checks on livestock vessels and animal fitness, and to properly inspect loading operations in line with the Regulation; calls on Member States to provide the Commission with detailed plans of their inspection facilities; calls on the Commission to draw up, update and circulate a list of ports with adequate animal inspection facilities; further calls on the competent authorities not to approve journey logs that plan to use ports without such facilities; calls on Member States to adapt their ports and ensure due maintenance of their vessels, in order to improve the conditions of animal welfare in animal maritime transport;
36. Calls on the Commission to approve innovative alternatives for export checks in accordance with Article 133(2) of Regulation 2016/429¹, such as platform inspections, which are an improvement for animal welfare as they have a lower stocking rate and do not require animals to be unloaded, thus shortening waiting times;
37. Notes that the requirement of animal health certificates for transport across Member States creates a negative incentive to choose domestic destinations over the closest possible destination; calls on the Commission to use its powers under Article 144(1) of Regulation 2016/429 to adopt a delegated act that would provide a derogation for movements that pose a low risk for the spread of disease;

Journey times

38. Insists that the journey time for all animals being transported should be only as long as necessary, taking into account the geographical differences at Member State level and in line with recital 5 of the Regulation, which states that 'for reasons of animal welfare the transport of animals over long journeys ... should be limited as far as possible' and its recital 18, which states that 'long journeys are likely to have more detrimental effects on the welfare of animals than short ones';

¹ Regulation 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law').

39. Insists that the transport time for animals, including loading and unloading time, must take into account species-specific veterinary advice, irrespective of whether land, sea or air transport is involved;
40. Regrets the infringements of the Regulation that concern non-application or incorrect application of the specific rules concerning unweaned animals, such as calves, lambs, kids, foals and piglets, which are still on a milk diet, and calls for the introduction of more detailed measures to ensure that the welfare of these animals is fully protected during transport;
41. Calls on the Member States to ensure that unweaned animals are unloaded for at least one hour so they can be supplied with electrolytes or milk substitutes and that they are not transported for more than eight hours in total;
42. Points out that transport planning documents often only specify placenames and fail to provide precise addresses of control, supply and assembly points, which makes controls significantly more difficult;
43. Calls, taking into account Parliament's resolution of 12 December 2012, for animal journey times to be as short as possible and in particular for the avoidance of long and very long journey times as well as journeys outside the EU's borders, by employing alternative strategies, such as ensuring economically viable and fairly distributed local or mobile slaughter facilities near livestock farms, promoting short distribution circuits and direct sales, replacing the transport of breeding animals by using semen or embryos, and transporting carcasses and meat products, as well as by means of regulatory or non-regulatory initiatives in Member States to facilitate on-farm slaughter; calls on the Commission to clearly define specific lower journey times as appropriate, for the transport of all the various species of live animals, and also for the transport of unweaned animals;
44. Notes that a variety of requirements, as well as changing market conditions and policy decisions, have rendered small slaughterhouses economically unviable, resulting in an overall decline in their numbers; urges the Commission and local authorities in Member States to support and promote, where needed, the options of on-farm slaughter, economically viable local or mobile slaughter, and meat processing facilities within Member States, so that animals are slaughtered as close as possible to their place of rearing, which is also in the interests of maintaining employment in rural areas; calls on the Council and Commission to develop a strategy for moving towards a more regional model of livestock production in which animals are born, fattened and slaughtered in the same region, wherever practicable taking into account geographical differences, instead of being transported over extremely long distances;
45. Urges the Commission to examine how farmers, slaughterhouses and the meat processing industry could be incentivised to slaughter animals at the nearest facility in order to prevent lengthy animal transport times and reduce emissions; calls on the Commission to facilitate innovative solutions in this regard, such as mobile slaughtering, while ensuring high animal welfare standards;
46. Considers that in certain cases a reduction in the permitted journey times, as currently laid down in Chapter V of Annex 1 to the Regulation, would not be viable, and that

therefore solutions should be found for cases where geographical circumstances and rural isolation require the transport of live animals over land and/or sea for further production or slaughter;

47. Calls on the Member States to allow emergency slaughtering directly on the livestock and fattening farms, where appropriate, in the event that an animal is found to be unfit to be transported and where first aid measures prove ineffective, in order to avoid unnecessary animal suffering;
48. Notes that the societal and economic value of an animal can impact on its standard of transportation; highlights that transport standards for breeding animals in the equine industry are of high quality;
49. Calls on the Commission to develop a strategy to ensure a shift from live animal transport to a mainly meat-and-carcass and germinal products trade, given the environmental and animal welfare and health impacts of live animal transport; considers that any such strategy must address the economic factors that influence the decision to transport live animals; calls on the Commission to include transport to third countries in this strategy;
50. Calls on the Member States to make programmes for the religious slaughter of animals available in slaughterhouses, given that a large proportion of exports of live animals are to Middle Eastern markets;
51. Recognises the current market distortion caused by differing tariffs applied to live animals and to meat, which strongly incentivises the trade in live animals; urges the Commission, alongside its trading partners, to review this distortion with the aim of reducing the trade in live animals and, where necessary, replacing these sales with meat;
52. Recalls that, under the current Regulation, a rest break at an approved control post is already mandatory after the maximum period of transport of domestic Equidae and domestic animals of the bovine, ovine, caprine and porcine species, where the transport time exceeds eight hours;

Animal welfare

53. Calls on the competent authorities of the Member States to ensure that official veterinarians are present at Union exit points, tasked with verifying that animals are fit to continue their journey and that vehicles and/or vessels meet the requirements of the Regulation; notes in particular that Article 21 of the Regulation specifies that veterinarians shall check vehicles before they leave the EU, to ensure that they are not overcrowded, provide sufficient headroom, provide bedding, and are carrying sufficient feed and water, and that the ventilation and water devices are functioning correctly;
54. Encourages the use of contingency plans for all journeys, including, for example, replacement trucks and contingency centres, to enable the transporter to respond in an effective manner to emergencies and reduce the impact of a delay or accident on the animals transported for breeding or slaughter, as is already required of transporters on long journeys under the Regulation;

55. Insists that animal welfare legislation should be based on science and the latest technology; deplores the fact that, despite clear recommendations from EFSA and Parliament's request in its 2012 resolution, the Commission has failed to update the rules on animal transport with the latest scientific evidence; calls on the Commission, therefore, to update the rules addressing specific needs on the basis of the latest scientific knowledge and technology, in particular as regards factors including sufficient ventilation and temperature and humidity control through air conditioning in all vehicles, appropriate drinking systems and liquid feed, particularly for unweaned animals, reduced stocking densities and specified sufficient minimum headroom, and for the vehicles to be adapted to the needs of each species; highlights the EFSA opinion's conclusion that other aspects come into play in the welfare of animals aside from the duration of the journey, such as proper loading and unloading, as well as vehicle design;
56. Expresses concern over journeys in which animals are watered with contaminated water that is unfit for consumption or are deprived of access to water because of malfunctioning or badly located watering devices; stresses the need to ensure that vehicles used for the transport of live animals carry sufficient water during journeys, and that in any case the amount supplied should be appropriate for the specific requirements of the animals being transported and for the number of those animals;
57. Welcomes the Commission's commitment to develop animal-based welfare indicators which should promote better welfare outcomes for animals in transport; considers that it should develop these indicators without delay so that they can be used as a complement to current legislative requirements;
58. Calls on the Commission to ensure that any future revision of the legislation on animal welfare during transport is based on objective and scientifically sound indicators, in order to prevent arbitrary decisions having an unjustified economic impact on livestock sectors;
59. Insists that under EU law farmers are legally responsible for ensuring that their animals being transported will not be caused injury, harm or any undue suffering;
60. Stresses that infringements are often due to the inadequacy of the ventilation systems of vehicles used for the road transport of live animals over long distances, and that in these situations, animals are forced into small spaces with extreme temperatures, well beyond the range of temperatures and tolerance limits set out in the Regulation;
61. Calls on the Commission to ensure that stunning is performed, without exception, before religious ritual slaughter in all Member States;
62. Regrets that compartments for animals do not always provide sufficient space to allow adequate ventilation inside vehicles and that natural movements for animals are prevented, often forcing them to take up unnatural positions for long periods, in clear violation of the technical rules set out in Article 6 of the Regulation and Chapter II, point 1.2 of Annex I thereto;
63. Considers it necessary to make it compulsory for veterinarians to be present on board ships used for the transport of live animals, to report and keep count of the number of

animals that die during the journeys, and to draw up emergency plans to deal with any situations at sea that might have a negative impact on the welfare of the animals being transported;

64. Notes that farmers, transporters and competent authorities across Member States interpret and enforce Regulation (EC) No 1/2005 differently, especially with regard to the fitness of animals for transport; calls on the Commission to revise the Regulation in order to specify the requirements for transport in greater detail where necessary; urges the Commission and the Member States, in the context of a level playing field, to ensure that in future the Regulation is enforced and implemented in a harmonised and uniform way throughout the Union, in particular as regards the fitness of animals to be transported;
65. Calls on the Commission to develop a full working definition of what constitutes animals' fitness for transport, and to draft practical guidelines for its assessment; calls on the Member States to provide awareness-raising and information activities, including solid, regular and mandatory training courses, education and certification for drivers, transporters, traders, assembly centres, slaughterhouses, veterinarians, border agents and any other operator involved in the transport of animals in order to reduce the high levels of fitness infringements; calls on operators to ensure the thorough training of drivers and attendants in line with Annex IV to the Regulation;
66. Calls for strict vigilance to ensure that sick, weak or lightweight animals, lactating animals, pregnant females and females not meeting the necessary weaning time are not transported;
67. Stresses that, in accordance with Regulation (EC) No 1/2005, it is already mandatory to provide animals being transported over long distances with water, feed and rest, at suitable intervals and as appropriate to their species and age; urges the Commission to conduct more effective monitoring with a view to ensuring the full and harmonised compliance with these legal requirements on the part of all Member States;
68. Stresses the need for Member States to ensure that animal transport is properly organised, taking account of weather conditions and type of transport; calls on the Member States to ensure that journey logs and transport plans are only approved if the weather forecast does not indicate temperatures above 30 degrees Celsius during the entire transport period;
69. Stresses that when animals are required to be unloaded for a 24-hour rest period in third countries, the organiser must identify a place for rest with facilities equivalent to those of an EU control post; calls on the competent authorities to regularly inspect these facilities and not to approve journey logs if the proposed place for rest has not been confirmed to have EU-equivalent facilities;
70. Calls on the Member States to ensure that the transport planning includes proof of a reservation, including feed, water and fresh litter, at a control post; calls on the Commission to define the requirements for the location and facilities of places of rest;
71. Recognises that lower stocking densities and interrupting journeys to let animals rest have an adverse economic impact on transport operators which may affect the proper

handling of transported animals; calls on the Commission to encourage incentives for their proper handling;

72. Calls on the Member States to ensure an improvement in farm record-keeping on gestation periods;
73. Calls on the Commission to formulate, on the basis of scientific findings, guidelines regarding water for animals transported in cages and conditions for transporting chicks that promote a high level of welfare;
74. Recalls that Member States must find welfare-compliant solutions for animals at the end of their lives and production cycles;

Economic help

75. Calls for more extensive use of the rural development measure ‘animal welfare payments’, pursuant to Article 33 of Regulation (EU) No 1305/2013¹, which provides support for high standards of animal welfare going beyond the applicable mandatory standards;
76. Calls for the upcoming CAP reform to maintain and reinforce the link between CAP payments and improved animal welfare conditions which fully respect or go beyond the standards set out in Regulation 1/2005;
77. Urges support for measures to bring about a balanced distribution of slaughterhouses in the Member States that ensures that livestock numbers in a given region are taken into account;

Third countries

78. Is concerned at the persistent reports of animal transport and welfare problems in certain third countries; notes that slaughter in certain third countries to which the EU sends animals entails extreme and prolonged suffering and regularly breaches the international standards on welfare at slaughter as laid down by the OIE; while acknowledging that demand in third countries is often for live animals, calls on the Commission and the Member States to promote a shift towards the transport of meat or carcasses, instead of live animals, to third countries, as well as the transport of semen or embryos instead of breeding animals;
79. Requests the Commission, in its bilateral trade negotiations with third countries, to demand compliance with the EU’s animal welfare rules and to defend the internationalisation, within the framework of the World Trade Organisation, of the Union provisions on the subject;
80. Regrets the fact that the standards practised by certain third countries are not as high as those within the EU; calls on the Commission to strengthen the existing requirements vis-à-vis the Union’s trading partners, especially regarding trade in and transport of animals, so that they are at least as stringent as EU standards; calls on Member States

¹ OJ L 347, 20.12.2013, p. 347.

exporting to third countries to work with local authorities to improve animal welfare standards;

81. Calls for consistent and full compliance with the 2015 judgment of the Court of Justice of the European Union in Case C-424/13, in which the Court ruled that, for the transport of animals involving a long journey commencing in EU territory and then continuing outside of it, the transporter, in order to be authorised to depart, must submit a journey log which is realistic in terms of compliance, with particular attention to the temperature forecast; calls on competent authorities not to approve journey logs where, in line with the Court's ruling, animals must be unloaded for a 24-hour rest in a non-EU country except where the organiser has identified a place for that rest that provides facilities equivalent to those of a control post; recalls also, in this regard, that the only list which exists is one from 2009 for animal housing on the routes in third countries, in which precise address details are frequently lacking, thus making the necessary inspections under EU law significantly more difficult; calls on official veterinarians at exit points to check, as required by Regulation 1/2005, that before vehicles leave the EU the provisions of the Regulation are complied with;
82. Recalls also, in this context, the Commission proposal for a directive on the protection of persons reporting on breaches of Union law (whistleblowers) (COM(2018)0218), in particular in the context of veterinary checks;
83. Deplores the often lengthy delays at borders and ports and draws attention to the increased pain and distress that this causes to animals; calls on Member States bordering third countries to provide rest areas where animals can be unloaded and given feed, water, rest and veterinary care so that journey logs can be correctly completed, and to open dedicated express lanes which are sufficiently staffed at customs for animals being transported in order to reduce waiting periods, without undermining the quality of sanitary and customs controls at the borders; further calls on Member States to cooperate better in planning livestock transport, in order to avoid too large a number arriving for border controls at the same time;
84. Calls on the Commission to increase cooperation and communication, including further mutual assistance and accelerated exchange of information, between the competent authorities in all Member States and in third countries in order to reduce animal welfare and animal disease problems related to poor administration by ensuring that exporters meet the administrative requirements in full; asks the Commission to promote animal welfare internationally and to conduct initiatives to increase awareness among non-EU countries;
85. Calls on the Commission to exert pressure on transit countries which put in place bureaucratic hurdles and security obstacles that delay unnecessarily the transport of live animals;
86. Calls on the Member States and the Commission to pay particular attention to animal welfare infringements during waterway and maritime journeys to third countries and to assess possible breaches of legislation, such as the prohibited discharge of dead animals from vessels into the Mediterranean (often with earmarks cut off) that occurs because disposal is often not possible at the port of destination;

87. Highlights Council Decision 2004/544/EC on the signing of the European Convention for the Protection of Animals during International Transport¹, under which transport can be any one of the following: between two Member States passing through the territory of a non-member state; between a Member State and a non-member state; or between two Member States directly;
88. Stresses that unless animal transport standards in third countries are aligned with those of the EU and their implementation is sufficient to ensure full compliance with the Regulation, live animal transport journeys to third countries should be subject to bilateral agreements to mitigate these differences, and that in the event of failure to achieve this, they should be forbidden;
89. Reminds Member States that, under established case-law², they may introduce stricter national rules for the protection of animals during transport, as long as these rules are in line with the main objective of Regulation 1/2005;
90. Calls on the Commission to promote the exchange of best practice and regulatory equivalence measures with third countries as regards the transport of live animals;
91. Instructs its President to forward this resolution to the Council and the Commission, the European Court of Auditors, the European Food Safety Authority, and the governments and parliaments of the Member States.

¹ OJ L 241, 13.7.2004, p. 21.

² Judgment of the Court (First Chamber) of 14.10.2004 - Case C-113/02, Commission of the European Communities v Kingdom of the Netherlands, and Judgment of the Court (Third Chamber) of 8.5.2008 - Case C-491/06, Danske Svineproducenter.

EXPLANATORY STATEMENT

Introduction

This report provides information regarding the state of implementation of Regulation (EC) No 1/2005 that regulates the protection and welfare of animals during transport. Several policy recommendations are formulated, aimed at improving its implementation, which is still insufficient and greatly differs between Member States.

Key findings¹

1. Insufficient implementation

1.1. Incomplete, inconsistent and unreliable data to analyse implementation

Approaches to data collection between Member States differ so widely that it is difficult to carry out a coherent analysis of the implementation of the Regulation. Furthermore, as the 2018 Court of Auditors special report on animal welfare in the EU points out, the Commission has recognised that the data reported by Member States is not complete, consistent, reliable or sufficiently detailed to draw conclusions on compliance at EU level².

TRACES (the EU online platform used to monitor intra-EU long distance, cross-border movements of animals) contains information and reporting tools that the authorities could use to target inspections of animal transports. The Court of Auditors, as indicated in its special report, has found that Member State authorities responsible for transport inspections have rarely used information from TRACES to target inspections.

Besides, recording of compliance with fitness guidelines across Member States has only recently started to result in analysable data (only data for 2014 and 2015, and recently 2016, have yet been made public), so that there is a lack of public data and good indicators for the development of animal welfare during transport of live animals. It is namely striking that, as an analysis of Member States' inspection reports reveals, there are huge differences between Member States in terms of the number of inspections, which range from zero (!) to several million (!) per annum, and the incidence of infringements ranging from zero to 16,6%. This suggests that Member States take different approaches to inspections, e.g. random versus risk-based strategies.

There is an obvious need for common minimum standards to allow for a more harmonised data collection and assessment of the monitored parameters.

1.2. Long and very long journeys are increasing

Every year millions of animals are transported across Member States and to third countries

¹ The findings are based, in particular, on two studies commissioned by Parliament's European Parliamentary Research Service. They are entitled as follows: 'Implementation of Regulation (EC) No 1/2005 (2009-2015), with a focus on data recording' and 'Compliance with the technical rules on fitness for transport set out in Annex I to Regulation (EC) No 1/2005 on the protection on animals during transport'.

² Report from the Commission to the European Parliament and the Council on the implementation of Council Directive 98/58/EC concerning the protection of animals kept for farming purposes (COM(2016) 558 final of 8.9.2016) and minutes of the national Contact Point meetings for animal welfare during transport.

over long distances to be bred or slaughtered. Transport is stressful for animals as it exposes them to a range of challenges for several hours, which may include reduced space allowances, temperature changes, limitations to food and water and vehicle motion. Hazards during transportation include a range of issues such as quality of driving, presence of adequate equipment and unexpected changes in road or weather conditions, and it is therefore possible that animals, which have been certified fit for transport at the place of departure, fall ill or are injured during transportation. Nevertheless, it has been established that checks of the animals before and after the journey are far more prevalent than checks during transport. Most checks are at the slaughterhouses and concern mostly short distance transports.

The rapporteur is concerned at the appalling number of reports of inappropriate vehicles being used to transport live animals both on land and at sea. Particularly, as regards trade with third countries, additional animal suffering is caused by very long journeys including long stops at the border for checking documents, vehicles and animals. Poor conditions during maritime transport are a further cause of concern. Member States should be more rigorous in certification and approval procedures for vessels and improve the checks on animal fitness before loading. The rapporteur also takes the view that the Commission should provide a list of ports with adequate animal inspection facilities.

Additionally, there is a need for contingency plans for all journeys in order for the transporter to respond in an effective manner to emergencies and reduce the impact of a delay or accident on the animals.

2. Stronger and harmonised enforcement is required

2.1. Effective and dissuasive penalties

Stronger and harmonised enforcement with effective and dissuasive penalties is central to improving animal welfare during transport. Regrettably, as regards the system of penalties, it appears that the Commission has ignored Parliament's resolution of 12 December 2012. The Commission has also ignored the call to check the Regulation for incompatibilities with legal requirements in individual Member States.

For the implementation of the Regulation to improve, repeated infringements should lead to prosecution, penalties including the confiscation of vehicles, and compulsory retraining of those responsible for the welfare and transport of animals.

It is recalled that the Regulation gives strong enforcement powers to Member States, including the power to require transporters to establish systems to prevent the recurrence of breaches and to suspend or withdraw a transporter's authorisation.

2.2. Use latest technology to check journey logs

Competent authorities should cooperate to strengthen enforcement through the use of technology. Namely, technology could help them to create a real-time feedback loop between the Member State at the point of departure and documentation and the Member State at the point of arrival. In the case where animals in a good state of fitness arrive in a poor state of fitness, the exporter company must be immediately penalised.

3. Update regulation in line with latest scientific knowledge and technology

Animal welfare legislation should be based on science and the latest technology. Regrettably, the Commission, despite clear recommendations from EFSA and Parliament's request in its resolution adopted in 2012, has failed to update the rules on animal transport with the latest scientific evidence. The Commission should update those rules as soon as possible, particularly, as regards to sufficient ventilation and cooling in all vehicles, appropriate drinking systems, particularly for unweaned animals, as well as specific minimum headroom.

3.1. Define what constitutes fitness

Using fitness at loading as a selection criteria is a major factor in assuring animal welfare during transport, as welfare risks during transport are greater for animals which are injured or sick. It is essential that all animals are checked before loading to determine fitness for transportation, and that unfit animals are cared for at the place of origin. The audits by the Commission between 2007-2017 in several Member States almost always refer to non-compliance with the rules on fitness. The issue of fitness is responsible for the largest percentage of infringements (with documentation being the second largest). Moreover, as already mentioned, recording of compliance with fitness guidelines across Member States has only recently started to result in analysable data, so that there is a lack of public data and good indicators.

The Commission should develop a full working definition of what constitutes fitness and provide robust training courses to farmers, drivers and veterinarians in order to reduce the high levels of fitness infringements in Member States.

4. Economic Help

The CAP links farm payments to minimum levels of animal welfare, while rural development policy encourages farmers to pursue higher standards; namely, Article 33 of Regulation (EU) No 1305/2013 provides for the Rural Development measure 'animal welfare payments' which provides support for high standards of animal welfare going beyond the applicable mandatory standards. However, the Court of Auditors, in its 2018 special report, points out that this measure has not been used extensively enough in the different Member States. In fact, ten Member States have not used it at all.

The upcoming CAP reform should maintain and step reinforce the link between CAP payments and improved animal welfare conditions which fully respect or go beyond the standards set out in Regulation 1/2005.

5. Reducing animal journey times

It is recalled that recital 5 of Regulation (EC) No 1/2005 states that 'for reasons of animal welfare the transport of animals over long journeys ... should be limited as far as possible'.

5.1. Alternative strategies to live animal transport

As a general approach, animal journey times should be reduced as far as possible, in particular long and very long journey times. This can be best achieved through alternative strategies, such as economically viable local slaughter facilities, replacing the transport of breeding animals by using semen or embryos, transportation of carcasses and meat products, as well as legislative initiatives in Member States to facilitate on-farm slaughter.

It should be born in mind that the transport of meat and other animal products is technically easier and ethically more rational than the transport of live animals for the sole purpose of being slaughtered. In light of this, the Commission should support, where needed, the construction of economically viable slaughter facilities within Member States in order to slaughter animals as close as possible to their place of rearing. A strategy should be developed to shift from live transport to a meat and carcasses only trade, considering the environmental, animal welfare and food safety impact of live animal transport.

5.2. Align third country animal transport standards with the EU

Given that the standards practised by third countries are not as high as those within the EU, the Commission should strengthen the existing requirements vis-à-vis the Union's trading partners, especially regarding trade in animals. There is also a need for increased cooperation and communication between the competent authorities in all Member States and those in third countries in order to reduce animal welfare problems related to poor administration.

Reports of extremely long and distressing waiting periods for animals at borders are appalling. To improve this situation, it is suggested that Member States with borders to third countries should open dedicated express lanes at customs for animals being transported in order to reduce waiting periods. Moreover, Member States and the Commission should pay particular attention to animal welfare infringements during maritime journeys to third countries.

There should be a consistent and full compliance with the judgment of the Court of Justice of the European Union in Case C-424/13. The Court ruled that, for the transport of animals involving a long journey commencing in EU territory and then continuing outside of it, the transporter in order to be authorised to depart must submit a true and accurate travel log for the purpose of verifying compliance with Regulation (EC) No 1/2005.

The rapporteur takes the view that, unless animal transport standards in third countries are aligned with those of the EU, live animal transport journeys to third countries should be forbidden.

Conclusions and recommendations

The rapporteur is of the view that the following key policy recommendations should be put in place:

- Animal journey times should be reduced as far as possible, in particular long and very long journey times; this can be best achieved through a range of alternative strategies, such as economically viable local slaughter facilities, replacing the transport of breeding animals by using semen or embryos, as well as transportation of carcasses and meat;
- It is recommended that the Commission should update the rules based on the latest scientific knowledge and technology;
- The Commission should develop a full working definition of what constitutes fitness and provide training courses to farmers, drivers and veterinarians in order to reduce the high levels of fitness infringements;

- The upcoming CAP reform should maintain and step reinforce the link between CAP payments and improved animal welfare conditions which fully respect or go beyond the standards set out in Regulation 1/2005;
- It is recommended that, unless animal transport standards in third countries are aligned with those of the EU, live animal transport journeys to third countries should be forbidden.

13.12.2018

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

for the Committee on Agriculture and Rural Development

Implementation report as regards Regulation (EC) No 1/2005 on the protection of animals during transport within and outside the EU
(2018/2110(INI))

Rapporteur (*): Karin Kadenbach

(*): Associated committee – Rule 54 of the Rules of Procedure

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 into its motion for a resolution:

1. Notes that each year millions of animals are transported live for slaughter or breeding within the EU and from the EU to third countries; considers that, where correctly implemented and enforced, Regulation (EC) No 1/2005¹ has a positive impact on the welfare of animals during transport; welcomes the Commission's guidelines on the subject, but regrets that they and some of the actions planned by the Commission were delayed by up to five years²; notes that severe problems with transport still persist and that enforcement of the regulation would appear to be the primary concern of those involved in its implementation;
2. Regrets that a number of issues related to Regulation (EC) No 1/2005 are yet to be solved, including overcrowding, insufficient headroom, failure to provide the required rest stops, food and water, inadequate ventilation and watering devices, transport in extreme heat, transport of unfit animals, transport of unweaned calves, the need to ascertain the pregnancy status of live animals, the extent to which the journey logs are checked, the

¹ Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ 3, 5.1.2005, p. 1).

² European Court of Auditors Special Report No 31/2018 of 14 November 2018 entitled 'Animal welfare in the EU: Closing the gap between ambitious goals and practical implementation'.

infringement-enforcement-penalty relationship, the ‘mixed’ impact of training, education and certification, and insufficient bedding, as also identified by the European Court of Auditors in Special Report No 31/2018¹ and non-governmental organisations in complaints lodged with the Commission; calls for improvement in the abovementioned areas;

3. Calls on Member States and transporters to substantially improve the enforcement of and compliance with Regulation (EC) No 1/2005 and urges the Commission to launch infringement procedures against the Member States found to be non-compliant, in order to preserve animal welfare and ensure fair competition;
4. Agrees with the Commission that it is good practice for competent authorities to inspect all consignments destined for non-EU countries at loading stage²; believes that a proportion of intra-EU consignments should also be inspected at loading stage; notes that competent authorities should check at loading stage that the regulation’s requirements on floor space and headroom are being respected, that the ventilation and water systems are operating properly, that the drinking devices are working properly and are appropriate to the species being carried, that no unfit animals are loaded, and that sufficient feed and bedding are being carried;
5. Is concerned about the fact that the loading of animals onto livestock vessels is often carried out roughly; calls on competent authorities to carry out thorough pre-loading inspection of animals to ensure that they are fit to continue their journey and to check that loading operations are carried out in compliance with Article 20 of Regulation (EC) No 1/2005, without rough handling and regular use of sticks and electric prods; calls on competent authorities not to approve journey logs at ports that do not use facilities enabling proper pre-loading inspection of animals;
6. Stresses that the suffering of animals during transport is causing great social concern and outrage; notes that, on 21 September 2017, the Commission received over 1 million signatures in support of the #StopTheTrucks campaign, in which European citizens call for an end to long-distance transport;
7. Takes the view that the shortcomings in the implementation of Regulation (EC) No 1/2005 are a clear example of the need to do more to prevent serious incidents that have a significant impact on animal welfare and prosecute those who break the law;
8. Calls on the Commission to revise Regulation (EC) No 1/2005, in line with Recital 11 thereof, to align it with current scientific knowledge;
9. Recalls the numerous parliamentary questions, letters and complaints sent by MEPs to the Commission, highlighting the systematic infringements of the regulation and condemning the unacceptable conditions of stress, pain, anguish and suffering of live animals

¹ European Court of Auditors Special Report No 31/2018 of 14 November 2018 entitled ‘Animal welfare in the EU: Closing the gap between ambitious goals and practical implementation’.

² ‘Final report of an audit carried out in The Netherlands from 20 February 2017 to 24 February 2017 in order to evaluate animal welfare during transport to non-EU countries’, European Commission, Directorate-General for Health and Food Safety, 2017.

transported within the Union and to third countries;

10. Regrets the infringements of the regulation that concern the failure to properly apply the rules concerning unweaned animals, such as calves, lambs, kids, piglets and foals that are still on a milk diet, and calls for the introduction of more detailed measures to ensure that the welfare of these animals is fully protected when they are being transported;
11. Insists that the transport time of animals be limited to eight hours, including loading time and taking into account species-specific veterinary advice, irrespective of whether this takes place on land, at sea, or by air; believes that unweaned animals should not be transported on journeys longer than four hours;
12. Deplores the fact that, despite clear recommendations from the European Food Safety Authority (EFSA), parts of the regulation are not in line with current scientific knowledge on animal welfare, as is required by the regulation itself; calls, therefore, for updated and improved rules on:
 - ventilation and cooling in all vehicles/vessels,
 - appropriate drinking systems, particularly for unweaned animals,
 - transport of unfit animals,
 - increased minimum headroom,
 - reduced stocking densities;
13. Stresses that, in accordance with Regulation (EC) No 1/2005, animals being transported over long distances must be offered water, feed and rest at suitable intervals and appropriate to their species and age; urges the Commission to monitor more effectively full and harmonised compliance with these legal requirements by all Member States;
14. Deplores the often lengthy delays at borders, where a lack of rest, water and veterinary care facilities can also result in increased animal health and welfare problems, including suffering and fatalities; calls on the Member States to ensure that organisers plan their journeys better and stresses the need to improve communication among the national authorities of different Member States in order to prevent the concentration of trucks transporting animals at the borders;
15. Notes that enforcement is particularly difficult when a journey passes through several Member States and when different Member States are responsible for approving the journey log, granting authorisation to the transporter and a certificate of competence to the driver; calls on all those Member States that discover breaches to notify the other Member States involved at the earliest opportunity; notes that Article 26 of Regulation (EC) No 1/2005 gives Member States strong enforcement powers, including the power to suspend or withdraw a transporter's authorisation in the case of serious breaches, requiring the transporter concerned to establish systems to prevent recurrence of the breach and subjecting the transporter to extra checks, such as the presence of a veterinarian when animals are loaded; is concerned that in many Member States, these powers are not used properly and their use is not monitored; calls on the Member States notified of breaches to

take appropriate action in a timely manner to prevent their recurrence;

16. Regrets that the total number of checks carried out by national competent authorities pursuant to Regulation (EC) No 1/2005 has fallen, despite the number of consignments in the EU containing live animals having increased¹; calls on the Member States to significantly increase the minimum number of controls for live animal transport to ensure the welfare of animals;
17. Is concerned about transport conditions in third countries; calls on the Member States and transporters to strictly abide by the Court of Justice's ruling which concluded that Regulation (EC) No 1/2005 also applies to cases of exports to non-EU countries² until they reach their final destination; calls on the Member States to carry out further controls at EU exit points to check that every animal is fit to continue their journey beyond EU borders;
18. Calls on the Commission to ensure that Member States increase and tighten official checks of live transport and report the findings in a detailed and transparent way; urges the Commission to this end to make TRACES publicly available;
19. Highlights the importance of training, education and competence certification for drivers to improve animal welfare during transport; calls on Member States, with the help of the Commission, to ensure the existence of suitable and harmonised training for the operators involved;
20. Calls on the competent authorities of the Member States to ensure that official veterinarians are present at Union exit points, tasked with checking that vehicles used to transport animals contain compartments with sufficient space to insure against overcrowding, that there is bedding, feed and water in amounts appropriate to the species and number of animals being transported, and that the animals' ventilation and fresh water systems work properly;
21. Urges the Commission to examine how farmers, slaughterhouses and the meat processing industry could be incentivised to slaughter their animals at the nearest slaughter facility in order to prevent lengthy animal transportation times and reduce emissions; calls on the Commission to facilitate innovative solutions in this regard, such as mobile slaughtering solutions, while ensuring high animal welfare standards;
22. Considers that the transportation of meat instead of live animals can significantly improve animal welfare and reduce the volume of related transport, which would also have a positive impact on the environment; calls on the Member States and transporters to develop strategies to replace the transport of live animals with the transport of meat products and carcasses;
23. Calls on the Commission to define the requirements for the location and facilities of

¹ Study – 'Regulation (EC) No 1/2005 on the protection of animals during transport and related operations – European Implementation Assessment', European Parliamentary Research Service (EPRS), 2018, p. 31.

² Judgment of the Court of Justice of 23 April 2015, *Zuchtvieh-Export GmbH v Stadt Kempten*, C-424/13, ECLI:EU:C:2015:259.

places of rest;

24. Regrets that there are livestock vehicles and vessels that should not have been approved as fit to carry animals; recognises that the requirements set out in Articles 20 and 21 of Regulation (EC) No 1/2005 regarding transport by livestock vessels are often disregarded; calls on the Member States not to approve or renew the approval of livestock vehicles and/or vessels that do not meet the requirements of Regulation (EC) No 1/2005 and to conduct the required pre-loading inspections of livestock vessels thoroughly;
25. Notes that farmers, transporters and competent authorities across Member States may have different interpretations of Regulation (EC) No 1/2005, especially with regard to the fitness of animals for transport; calls on the Commission to revise the regulation to clarify the transport requirements where necessary;
26. Highlights the need to make it compulsory for veterinarians to be present on board ships used for the transport of livestock by sea, to report and keep count of the number of animals that die during sea journeys and to draw up emergency plans to deal with any situations at sea that might have a negative impact on the welfare of the animals being transported;
27. Deplores the fact that according to the Commission the data reported by Member States is not always complete, consistent, reliable or sufficiently detailed to draw conclusions on compliance at EU level; calls on the Commission and the Member States to develop reliable indicators and public data to measure animal welfare during the transport of live animals;
28. Urges the Commission, together with the Member States, to better align sanction levels in the case of breaches, as these can be more than 10 times higher in some Member States than in others; recalls that sanctions should be effective, proportionate and dissuasive; calls on the Commission to develop a road map to align sanctions across the Member States;
29. Recommends a higher rate of EU investment in the development of smaller-scale, locally-based animal agriculture and in the promotion of healthy plant-based diets to replace today's high consumption of animal products;
30. Calls on the Commission to draw up a blacklist of operators guilty of repetitive and serious breaches of the regulation based on inspection and implementation reports; calls on the Commission to update and publish these blacklists frequently and to facilitate the exchange of best practice between Member States in the fields of both transport and governance;
31. Notes that calves may be transported from 14 days of age; considers that it is impossible to meet the needs of very young animals during transport, including the natural need for calves to suckle from their mothers, and therefore calls on the Commission to put an end to this practice;
32. Calls on the Commission to ensure that any future revision of legislation on animal welfare during transport is based on objective and scientifically sound indicators to prevent arbitrary decisions with an unjustified economic impact on livestock sectors;

33. Calls on the Commission to evaluate possible violations of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78);
34. Calls on the Commission to evaluate possible violations of the International Convention for the Safety of Life at Sea (SOLAS), Directive 2009/16/EC on port State control¹ and Article 19 of Regulation (EC) No 1/2005;
35. Regrets that Member State authorities responsible for transport inspections rarely use information from TRACES to target inspections in order to monitor intra-EU long-distance and cross-border movements of animals, in part as a result of certain user access restrictions²; calls on the Commission and Member States to promote and simplify the use of the interactive search tool;
36. Calls for the use of a GPS tracking system, regardless of transport length;
37. Notes that Member State authorities usually delegate responsibility for carrying out risk analyses for transport inspections to local authorities³; urges the Member States to put in place systems to check the existence, quality and implementation of local risk analyses;
38. Calls on the Commission to report annually to Parliament on its actions concerning the protection of animals during transport;
39. Urges the Commission to assess possible violations of legislation during the transport of animals from the EU to third countries by sea, such as the prohibited discharge of dead animals from vessels into the Mediterranean Sea (often with earmarks cut off), as their disposal is not often possible in the port of destination.

¹ OJ L 131, 28.5.2009, p. 57.

² European Court of Auditors Special Report No 31/2018 of 14 November 2018 entitled 'Animal welfare in the EU: closing the gap between ambitious goals and practical implementation'.

³ European Court of Auditors Special Report No 31/2018 of 14 November 2018 entitled 'Animal welfare in the EU: closing the gap between ambitious goals and practical implementation'.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	6.12.2018
Result of final vote	+: 40 -: 4 0: 3
Members present for the final vote	Marco Affronte, Pilar Ayuso, Zoltán Balczó, Ivo Belet, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Angélique Delahaye, Stefan Eck, Bas Eickhout, José Inácio Faria, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Julie Girling, Sylvie Goddyn, Françoise Grossetête, Jytte Guteland, Anneli Jäätteenmäki, Benedek Jávor, Karin Kadenbach, Urszula Krupa, Giovanni La Via, Jo Leinen, Susanne Melior, Miroslav Mikolášik, Pavel Poc, Julia Reid, Frédérique Ries, Annie Schreijer-Pierik, Davor Škrlec, Adina-Ioana Vălean, Jadwiga Wiśniewska, Damiano Zoffoli
Substitutes present for the final vote	Caterina Chinnici, Albert Deß, Eleonora Evi, Christophe Hansen, Martin Häusling, Anja Hazekamp, Jan Huitema, Norbert Lins, Ulrike Müller, James Nicholson, Sirpa Pietikäinen, Gabriele Preuß, Keith Taylor

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ALDE	Gerben-Jan Gerbrandy, Anneli Jäätteenmäki, Ulrike Müller, Frédérique Ries
ECR	Urszula Krupa, Jadwiga Wiśniewska
EFDD	Eleonora Evi, Sylvie Goddyn
GUE/NGL	Stefan Eck, Anja Hazekamp
NI	Zoltán Balczó
PPE	Pilar Ayuso, Ivo Belet, Angélique Delahaye, José Inácio Faria, Francesc Gambús, Julie Girling, Françoise Grossetête, Christophe Hansen, Giovanni La Via, Norbert Lins, Sirpa Pietikäinen, Adina Ioana Vălean
S&D	Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Caterina Chinnici, Jytte Guteland, Karin Kadenbach, Jo Leinen, Susanne Melior, Pavel Poc, Gabriele Preuß, Damiano Zoffoli
Verts/ALE	Marco Affronte, Bas Eickhout, Martin Häusling, Benedek Jávor, Davor Škrlec, Keith Taylor

4	-
PPE	Albert Deß, Elisabetta Gardini, Miroslav Mikolášik, Annie Schreijer-Pierik

3	0
ALDE	Jan Huitema
ECR	James Nicholson
EFDD	Julia Reid

Key to symbols:

+ : in favour

- : against

0 : abstention

4.12.2018

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on Agriculture and Rural Development

on the implementation report as regards Regulation 1/2005 on the protection of animals during transport within and outside the EU (2018/2110(INI))

Rapporteur for opinion (*): Keith Taylor

(*) Associated committee – Rule 54 of the Rules of Procedure

SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on Agriculture and Rural Development, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Deplores the poor implementation of Regulation 1/2005, leading to persistent severe animal welfare problems during transport; considers that the requirements of the Regulation have not been sufficiently met; asks the Commission to present regular reports to Parliament on the implementation and enforcement of the current Regulation using concrete data;
2. Reiterates that transport is one of the most sensitive moments in the life of an animal and that even the best planned transport causes animals to suffer stress; considers, therefore, that transported animals must be subject to the highest and strictest legal protection;
3. Calls for a ban on all journeys over eight hours irrespective of the mode of transport and for journeys to slaughter to be limited to four hours; believes that unweaned animals should not be transported for longer than four hours;
4. Favours a more efficient, economical and ethical transport system that gives priority to the transport of meat over animals transiting to slaughter;
5. Favours animal slaughter and meat processing as close as possible to the breeding location, and therefore calls on the Commission to promote the development of regional and/or mobile slaughterhouses;

6. Points out that some 70-80 % of journeys involve animals for slaughter, and that the economic losses resulting from poorly carried out or excessively long transport can be very high and significantly reduce the animals' welfare;
7. Recognises that many problems can be detected and remedied before the start of the journey, and therefore urges Member States to inspect all consignments destined for non-EU Member States and at least a minimum number of vehicles during loading in proportion to the number of violations reported by NGOs and Food and Veterinary Office inspections; demands appropriate loading and unloading facilities for animals onto vehicles/vessels and adequately trained personnel;
8. Recognises the current market distortion caused by differing tariffs applied to live animals and to meat, which strongly incentivises the trade in live animals; urges the Commission, alongside its trading partners, to review this distortion with the aim of reducing the trade in live animals and, where necessary, replacing these sales with meat;
9. Deplores the conditions at border controls on third-country frontiers where the severe lack of facilities results in long queues and overheating, causing fatalities and horrific suffering for many animals;
10. Echoes the Court of Justice of the European Union's judgment C-424/13 to the effect that EU traders must comply with the Regulation until the final destination even when a consignment has left the Union; believes that until compliance can be guaranteed, such live animal transport should not be permitted; asks the Commission to promote animal welfare internationally and to conduct initiatives to increase awareness among non-EU countries;
11. Stresses the need for Member States to ensure that animal transport is properly organised, taking account of weather conditions and the type of transport;
12. Stresses that when animals are required to be unloaded for a 24-hour rest period in third countries, the organiser must identify a place for rest with facilities equivalent to those of an EU control post; calls on the competent authorities to regularly inspect these facilities and not to approve journey logs if the proposed place for rest has not been confirmed to have facilities equivalent to those of an EU control post;
13. Calls on official veterinarians at EU exit points to verify that animals are fit to continue their journey and that vehicles and/or vessels meet the requirements of the Regulation;
14. Highlights the need to improve conditions during maritime transport as established by the current regulation, and calls for:
 - Member States and competent authorities to be more rigorous in certification and approval procedures for vessels and to improve the checks on the animals' fitness for travel before each loading;
 - Member States to provide the Commission with detailed plans of their inspection facilities before using any port as an exit point for animals, and the Commission to draw up a list of ports with adequate animal inspection facilities, based on information from the Member States;

- a veterinarian (or at least an animal health technician) to be present throughout all sea journeys;
15. Further highlights the poor conditions during road transport and calls on:
- Member States to be more rigorous both in certification and approval procedures for vehicles and in granting certificates of competence to drivers;
 - competent authorities to ensure that there are no gaps between the bottom of the partition and the vehicle floor or between the outer edge of the partition and the wall of the vehicle, and that there is sufficient clean bedding throughout the journey;
 - operators to ensure the thorough training of drivers which is vital in ensuring the correct treatment of animals in line with Annex IV;
16. Notes that, despite clear recommendations from the European Food Safety Authority (EFSA), parts of the Regulation are not in line with current scientific knowledge; reiterates its call for the rules to be updated in relation to the gaps existing between the legislation and the latest scientific evidence as identified by EFSA; emphasises in particular the following:
- sufficient ventilation and adequate temperature control in all vehicles;
 - appropriate drinking systems, particularly for unweaned animals;
 - sufficient and specific minimum headroom;
 - reduced stocking densities;
17. Calls on the Member States to substantially improve compliance with Regulation 1/2005; insists that Member States that detect breaches of the proper implementation of the Regulation use their strong enforcement powers provided for under Article 26 thereof in order to prevent any recurrence of such breaches; calls in particular on Member States to take corrective actions and apply sanctions in order to avoid the suffering of animals and unfair competition, including the suspension or withdrawal of a transporter's certificate of authorisation, and to inform the Commission thereof;
18. Calls on the Commission as guardian of the Treaties to take action against Member States which systematically fail to implement and enforce the Regulation, and to undertake a mapping exercise of sanction systems, in order to ensure that penalties are effective, proportionate and dissuasive;
19. Calls on the Commission to draw up, after consulting the National Contact Points, a list of operators guilty of repetitive and serious breaches of the Regulation based on inspection and implementation reports; calls on the Commission to publish and update this list frequently, and also to promote examples of best practice, both in transport and governance;
20. Calls on the Commission to continue cooperating with the World Organisation for

Animal Health (OIE), EFSA and Member States to support the implementation and proper enforcement of Regulation 1/2005 in order to promote an enhanced dialogue on animal welfare during transport issues, with a particular focus on:

- better application of EU rules on animal welfare during transport, through exchanges of information and best practices and the direct involvement of stakeholders;
 - supporting training activities aimed at drivers and transport companies;
 - better dissemination of the Animal Transport Guides and Factsheets, translated into all EU languages;
 - the development and use of voluntary commitments by businesses to further improve animal welfare during transport;
 - increased exchanges of information and best practices among national authorities to reduce the number of infringements caused by transport companies and drivers;
21. Regrets the low and insufficient number of checks and official audits, and believes that the number of yearly inspections conducted by the Food and Veterinary Office should be increased; calls for a more effective and more transparent monitoring system, including public access to information collected via the Trade Control and Expert System (TRACES); strongly calls on the Commission to support studies on the technical feasibility and financial sustainability of animal geolocation systems to enable tracking of their location and the duration of journeys in transport vehicles, as well as any non-compliance with transport schedules;
22. Urges the Commission to approve and submit a proposal for a review of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations, with a view to setting up enhanced mechanisms for ensuring compliance by Member States with rules to protect live animals during transport.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	3.12.2018
Result of final vote	+: 27 -: 5 0: 1
Members present for the final vote	Daniela Aiuto, Lucy Anderson, Georges Bach, Izaskun Bilbao Barandica, Deirdre Clune, Michael Cramer, Andor Deli, Isabella De Monte, Ismail Ertug, Tania González Peñas, Dieter-Lebrecht Koch, Merja Kyllönen, Innocenzo Leontini, Peter Lundgren, Gesine Meissner, Renaud Muselier, Markus Pieper, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, Dominique Riquet, Massimiliano Salini, Keith Taylor, István Ujhelyi, Marita Ulvskog, Peter van Dalen, Wim van de Camp, Marie-Pierre Vieu, Janusz Zemke, Kosma Złotowski
Substitutes present for the final vote	Jakop Dalunde, Mark Demesmaeker, Evžen Tošenovský
Substitutes under Rule 200(2) present for the final vote	Lieve Wierinck

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

27	+
ALDE	Izaskun Bilbao Barandica, Gesine Meissner, Dominique Riquet, Lieve Wierinck
ECR	Peter van Dalen, Mark Demesmaeker, Peter Lundgren, Evžen Tošenovský, Kosma Zlotowski
EFDD	Daniela Aiuto
GUE/NGL	Tania González Peñas, Merja Kyllönen, Marie-Pierre Vieu
PPE	Georges Bach, Dieter-Lebrecht Koch, Markus Pieper
S&D	Lucy Anderson, Isabella De Monte, Ismail Ertug, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, István Ujhelyi, Marita Ulvskog, Janusz Zemke
VERTS/ALE	Michael Cramer, Jakop Dalunde, Keith Taylor

5	-
PPE	Wim van de Camp, Deirdre Clune, Andor Deli, Innocenzo Leontini, Renaud Muselier

1	0
PPE	Massimiliano Salini

Key to symbols:

+ : in favour

- : against

0 : abstention

23.10.2018

OPINION OF THE COMMITTEE ON PETITIONS

for the Committee on Agriculture and Rural Development

on the implementation report as regards Regulation 1/2005 on the protection of animals during transport within and outside the EU
(2018/2110(INI))

Rapporteur for opinion: Ángela Vallina

SUGGESTIONS

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

1. Highlights the fact that the Committee on Petitions receives a very large number of petitions on animal welfare during transport, which frequently denounce systematic, continuous and serious violations of Council Regulation (EC) No 1/2005¹ by both Member States and transporters;
2. Deplores the woeful lack of rigour displayed by the Commission in pursuing serious and systematic infringements of Regulation (EC) No 1/2005 directly brought to its attention in almost 200 specific and detailed NGO reports forwarded to it since 2007;
3. Draws attention to the multitude of parliamentary questions and letters of complaint submitted by Members of the European Parliament and addressed to the Commission, highlighting the systematic infringements of Regulation (EC) No 1/2005 which result in severe suffering and hardship for animals during transport; strongly criticises the statistics provided by the Commission on compliance with Regulation (EC) No 1/2005 as regards the transport of live animals to third countries, which have been drawn up without any systematic checks on animal transport vehicles;
4. Condemns this situation and considers it unacceptable that, 13 years after the entry into force of the regulation, many testimonies continue to emerge of animals transported, in violation of the provisions of Regulation 1/2005, in poor conditions in inadequate and overcrowded means of transport, which causes undue animal suffering and poses

¹ OJ L 3, 5.1.2005, p. 1.

serious risks to both animal and human health;

5. Points out that the most frequent infringements of Regulation (EC) No 1/2005 concern overcrowding and the insufficient space given to animals in transport vehicles, which forces them to stand in unnatural positions for long periods of time, the failure to respect drinking and feeding intervals, journey times and resting periods for animals, the inadequacy of ventilation and watering devices, transport in extreme temperatures, transport of unsuitable animals and insufficiency of bedding and feed;
6. Notes with great concern that during long journeys animals are watered with contaminated water that is unfit for consumption and often have no access to water because of malfunctioning or badly located watering devices, or insufficient water that is not commensurate with the species and size of the animals being transported;
7. Notes that the reported infringements of Regulation (EC) No 1/2005 concerning inadequate ventilation systems in animal transport vehicles for long journeys attest the presence of extreme temperatures inside vehicles, far exceeding legal limits, causing terrible suffering to animals; points out that, in some cases, sensors monitoring temperatures inside animal transport vehicles have been found to have been tampered with;
8. Notes that the Commission, while aware of the fact that certain Member States are failing to report cases where the internal temperatures of vehicles used for animal transport exceed 35 °C, has officially stated that it does not perform systematic checks on internal vehicle temperatures, making it impossible obtain an accurate picture of animal transport conditions;
9. Calls on all Member States to ensure that journeys are planned and executed, from departure to destination, in line with EU animal welfare requirements, taking into account the different means of transport and the range of geographical conditions across the EU and third countries;
10. Calls on all Member States to prohibit all long-distance animal transport during extreme weather conditions, especially when temperatures in the places of departure or destination, or along the route, are forecast to exceed 30 °C; stresses that other aspects come into play in the welfare of animals aside from the duration of the journey, such as proper loading and unloading, proper nutrition, the design and equipment of vehicles and the number of animals loaded in container units;
11. Stresses that, at the time of loading, the competent authorities, including official veterinarians at EU exit points, should check that the requirements of Regulation (EC) No 1/2005 concerning the health conditions of animals and the space and height of the compartment have been complied with, that ventilation and water systems work properly and are appropriate for the size and species of animals transported, and that sufficient feed and bedding are transported; takes the view that, in those cases in which Regulation (EC) No 1/2005 requires that animals be unloaded at a control post or for a 24-hour rest period in a third country, the competent authorities should only approve journey logs after verifying and receiving confirmation that the organiser has made a reservation at a control post or found a resting place that provides facilities equivalent to those of a control post and that is, in any case, able to respect the welfare of animals in

full;

12. Deeply regrets that the loading of animals onto ships frequently involves great cruelty such as the use of electric sticks and prods, as well as loading facilities that fail to provide full guarantees regarding animal welfare;
13. Expresses its concern at non-compliance with Regulation (EC) No 1/2005 regarding the transport of unweaned animals; considers it necessary to adopt more detailed and incisive measures to ensure that all specific needs regarding this type of transport are met;
14. Expresses concern at the number of reports of inappropriate vehicles being used to transport live animals both on land and at sea, and calls for the monitoring of such practices to be stepped up; calls on the Commission to undertake research into how new and existing technology can be applied in livestock vehicles to regulate, monitor and register temperature and humidity, which are essential elements for controlling and protecting the welfare of specific categories of animals during transport, in line with European Food Safety Authority (EFSA) recommendations;
15. Deplores the fact that, despite clear recommendations from EFSA, parts of the regulation are not in line with current scientific knowledge, and calls for updated rules on: sufficient ventilation and cooling in all vehicles; appropriate drinking systems suitable for different species and ages, particularly for unweaned animals; specific minimum requirements for headroom;
16. Calls for fewer animals to be transported over long distances and for the duration and frequency of animal transport to be kept to a minimum; takes the view that many of the severe problems related to the lengthy transport of live animals, in particular from the EU to third countries, would be solved by a shift to the transport of meat or carcasses, instead of live animals;
17. Calls for a ban on journeys that exceed eight hours;
18. Calls for the mobilisation of resources for local processing where possible and the creation of shorter supply chains;
19. Strongly deplores the uneven and poor enforcement of the regulation in many Member States, which are failing to effectively and uniformly monitor and sanction persistent violations of EU law, thereby allowing some transporters to operate illegally; is greatly concerned at the failure of many Member States to make proper and effective use of the powers conferred on them under Article 26 of Regulation (EC) No 1/2005, including the power to call on the transporter in question to introduce arrangements to avoid any recurrence of irregularities detected, to carry out additional inspections and, in particular, to require the presence of a veterinarian when animals are being loaded and to suspend or revoke transporters' permits or type-approval certification for the form of transport used; calls on the Commission, in view of the lack of harmonisation of controls and sanctions across the Member States, to consider revising the current provisions, as laid out under Regulation (EC) No 1/2005, particularly Recital 11 and Article 30 (1) thereof, in order to ensure that effective and dissuasive sanctioning mechanisms are uniformly introduced and imposed across the EU;

20. Calls on the Member States to increase controls across the entire production chain and, in particular, to carry out efficient and systematic inspections of animal consignments before loading, in order to halt practices that infringe on Regulation (EC) No 1/2005 and worsen conditions for the transport of animals by land or sea, such as allowing overstocked means of transport or unfit animals to continue their long journeys, or permitting the continued use of control posts with inadequate facilities for resting, feeding and watering animals in transport;
21. Calls on the Member States to improve enforcement of existing rules by ensuring the effective use of navigation systems that are used when animals must be transported for more than eight hours, thus allowing the competent authorities to control more accurately the journey and resting times of such transports;
22. Calls on Member States, when they detect infringements of the provisions of Regulation (EC) No 1/2005, to provide the notifications laid down in Article 26 in a detailed and systematic manner; calls on the Member States receiving such notifications to act effectively and in a consistent and timely manner to prevent the repetition of such infringements; takes the view that, where feasible, the competent authorities of the Member States should attach to the notifications photos of the relevant infringements;
23. Stresses that ineffective coordination between authorities at border inspection posts, coupled with the inadequacy of operational structures and procedures has led to unjustified waiting times for animal transport vehicles which, given the extreme internal temperatures and lack of ventilation, have had a devastating impact on animal welfare, in clear violation of the provisions of Regulation (EC) No 1/2005;
24. Considers it of the utmost importance that national authorities adhere consistently and in full to Article 19 of Regulation (EC) No 1/2005 concerning the issuance of approval certificates for animal transport vessels and that they refuse to approve travel logs if they indicate the use of ports that do not have necessary facilities for the systematic inspection of animals;
25. Believes that the presence of qualified and independent veterinarians should be mandatory during the transport of animals by ship, that the deaths of any animals en route should be reported and registered and that specific and detailed action plans should be drawn up to deal with any emergencies that adversely affect animal wellbeing;
26. Calls on the Commission to take measures to increase cooperation and communication between the competent authorities in all Member States in order to improve awareness and share best practices with regard to animal welfare aspects among different stakeholders involved in transport of live animals;
27. Deplores the fact that compliance with the regulation in the case of transport outside the EU is still, in the vast majority of the cases, completely absent, despite the Court of Justice's rulings requiring transporters to abide by its provisions for the entire duration of journeys with destinations in third countries; calls for the harmonisation of animal population registers for transport to third countries;
28. Calls for consistent and full compliance with the case law established by the EU Court

of Justice, including Case C-424/13 of 23 April 2015¹, in which the Court ruled that, for the transport of animals involving a long journey commencing in EU territory and continuing outside it to be authorised at the place of departure, the transporter must be required to submit a true and accurate travel log for the purpose of verifying compliance with Regulation (EC) No 1/2005 in the territory of the EU and of the third countries in question; notes that if this is not the case, the authorities responsible must be empowered to require modification of the transport arrangements to ensure compliance with the regulation for the duration of the journey;

29. Calls for better enforcement within the Member States as well as by operators who transport animals outside the territory of the EU, where the situation of animal welfare is usually much worse than inside the EU;
30. Deplores the fact that the standards reached by the EU's external partners are not as high as the standards within the Union; calls on the Commission to strengthen the requirements with the Union's trading partners, namely the international economic partners, especially regarding the importation of animals from third countries; believes that there should be an economic impact when external partners with lower standards export to the EU market;
31. Highlights Council decision 2004/544/EC² to sign the European Convention for the protection of animals during international transport, where transport can be any one of the following: between two Member States passing through the territory of a non-Member State; between a Member State and a non-Member State; or between two Member States directly;
32. Regrets the decision taken by the Conference of Presidents, without a plenary vote in Parliament, not to set up a parliamentary committee of inquiry on the wellbeing of animals during transport inside and outside the EU, despite the support of a large number of MEPs from different political groups; recommends therefore that Parliament establish a committee of inquiry on animal transport inside and outside the EU as from the beginning of the upcoming parliamentary term in order to properly investigate and monitor cruelty in animal transport;
33. Urgently calls on the Commission, in the light of these systematic enforcement issues, to establish effective monitoring of the compliance with the regulation at all levels in all Member States, to immediately launch the necessary investigations into possible breaches of the regulation, and to open infringement procedures against the Member States responsible.

¹ Judgement of the Court (fifth chamber) of 23 April 2015, *Zuchtvieh-Export v Stadt Kempten*, C-424/13, ECLI:EU:C:2015:259.

² OJ L 241, 13.7.2004, p. 21.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	8.10.2018
Result of final vote	+: 24 -: 0 0: 0
Members present for the final vote	Margrete Auken, Beatriz Becerra Basterrechea, Pál Csáky, Miriam Dalli, Rosa Estaràs Ferragut, Eleonora Evi, Peter Jahr, Rikke-Louise Karlsson, Jude Kirton-Darling, Svetoslav Hristov Malinov, Notis Marias, Ana Miranda, Miroslavs Mitrofanovs, Marlene Mizzi, Virginie Rozière
Substitutes present for the final vote	Urszula Krupa, Sven Schulze, László Tőkés, Ángela Vallina, Rainer Wieland
Substitutes under Rule 200(2) present for the final vote	Javier Couso Permuy, Rosa D'Amato, Anja Hazekamp, Barbara Kudrycka

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

24	+
ALDE	Beatriz Becerra Basterrechea
ECR	Urszula Krupa, Notis Marias
EFDD	Rosa D'Amato, Eleonora Evi
GUE/NGL	Javier Couso Permuy, Anja Hazekamp, Ángela Vallina
NI	Rikke-Louise Karlsson
PPE	Pál Csáky, Rosa Estaràs Ferragut, Peter Jahr, Barbara Kudrycka, Svetoslav Hristov Malinov, Sven Schulze, László Tőkés, Rainer Wieland
S&D	Miriam Dalli, Jude Kirton-Darling, Marlene Mizzi, Virginie Rozière
VERTS/ALE	Margrete Auken, Ana Miranda, Miroslavs Mitrofanovs

0	-

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	24.1.2019
Result of final vote	+: 22 -: 12 0: 4
Members present for the final vote	John Stuart Agnew, Clara Eugenia Aguilera García, Eric Andrieu, Daniel Buda, Jacques Colombier, Michel Dantin, Paolo De Castro, Albert Deß, Jørn Dohrmann, Herbert Dorfmann, Norbert Erdős, Luke Ming Flanagan, Karine Gloanec Maurin, Martin Häusling, Anja Hazekamp, Esther Herranz García, Ivan Jakovčić, Philippe Loiseau, Mairead McGuinness, Ulrike Müller, James Nicholson, Maria Noichl, Marijana Petir, Jens Rohde, Bronis Ropè, Maria Lidia Senra Rodríguez, Czesław Adam Siekierski, Tibor Szanyi, Marc Tarabella, Marco Zullo
Substitutes present for the final vote	Angélique Delahaye, Stefan Eck, Fredrick Federley, Maria Heubuch, Anthea McIntyre, Momchil Nekov, Annie Schreijer-Pierik, Vladimir Urutchev, Thomas Waitz
Substitutes under Rule 200(2) present for the final vote	Krzysztof Hetman, Stanisław Ożóg

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

22	+
ALDE	Fredrick Federley, Ivan Jakovčić, Ulrike Müller, Jens Rohde
ECR	Jørn Dohrmann
EFDD	Marco Zullo
ENF	Jacques Colombier, Philippe Loiseau
GUE/NGL	Stefan Eck, Luke Ming Flanagan, Anja Hazekamp, Maria Lidia Senra Rodríguez
PPE	Czesław Adam Siekierski
S&D	Eric Andrieu, Karine Gloanec Maurin, Momchil Nekov, Maria Noichl, Tibor Szanyi, Marc Tarabella
VERTS/ALE	Martin Häusling, Bronis Ropè, Thomas Waitz

12	-
ENF	John Stuart Agnew
PPE	Daniel Buda, Michel Dantin, Angélique Delahaye, Albert Deß, Norbert Erdős, Mairead McGuinness, Marijana Petir, Annie Schreijer-Pierik, Vladimir Urutchev
S&D	Clara Eugenia Aguilera García, Paolo De Castro

4	0
ECR	Anthea McIntyre, James Nicholson, Stanisław Ożóg
PPE	Herbert Dorfmann

Key to symbols:

+ : in favour

- : against

0 : abstention