



Plenary sitting

B9-0000/2021

28.5.2021

EUROPEAN PARLIAMENT DRAFT RECOMMENDATION TO THE COUNCIL AND THE COMMISSION

pursuant to Rule 208(12) of the Rules of Procedure

following the investigation of alleged contraventions and maladministration in the application of Union law in relation to the protection of animals during transport within and outside the Union

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on behalf of the Committee of Inquiry on the Protection of Animals during Transport

European Parliament draft recommendation to the Council and the Commission following the inquiry on the protection of animals during transport within and outside the Union (2021/XXXX(RSP))

The European Parliament,

- having regard to Article 226 of the Treaty on the Functioning of the European Union (TFEU),
 - having regard to Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the Commission of 19 April 1995 on the detailed provisions governing the exercise of the European Parliament’s right of inquiry¹,
 - having regard to its decision of 19 June 2020 on setting up a committee of inquiry to investigate alleged contraventions and maladministration in the application of Union law in relation to the protection of animals during transport within and outside the Union, and defining its responsibilities, numerical strength and term of office²,
 - having regard to the draft recommendation of the Committee of Inquiry on the Protection of Animals during Transport within and outside the Union,
 - having regard to the final report of the Committee of Inquiry on the Protection of Animals during Transport within and outside the Union(A9-XXXX/2021),
 - having regard to Rule 208(12) of its Rules of Procedure,
1. Stresses that all the conditions necessary to guarantee animal welfare during transport must be ensured at all times, regardless of their species, age, physical condition or the means and length of the journey;
 2. Agrees with the Court of Auditors that the EU³ has some of the world’s highest animal welfare standards, but insists that these only become effective if they are fully enforced; considers that the EU needs to step up its efforts to ensure that animal welfare during transport is fully respected everywhere, at all times, and by every party concerned, from the origin until the final destination;
 3. Urges the Member States and the Commission to take all the necessary steps to improve implementation and enforcement within the current regulatory framework; considers that the only way to address some of the issues regarding animal welfare during transport in a

¹ OJ L 113, 19.5.1995, p. 1.

² Texts adopted, P9_TA(2020)0163.

³ European Court of Auditors Special Report No 31/2018 on animal welfare in the EU.

harmonised way across the EU, and factor in the latest scientific updates, is through a revision of the Animal Transport Regulation;

4. Acknowledges the Commission's commitment to revise the animal welfare legislation, including the Animal Transport Regulation, with the aim of aligning it with the latest and best scientific evidence, broadening its scope and facilitating its enforcement;

5. Considers that the EU must work to create the necessary conditions that would allow a transition over time from the need to transport live animals to the transport of carcasses, meat products and genetic material;

6. Considers that operators in the sector and all parties involved in the transport of live animals need to have a predictability framework; calls on the EU institutions to take this into account when proposing a new regulation;

7. Calls on the Commission to dedicate funds from existing programmes and to envisage new funding instruments devoted to improvements in animal welfare during transport;

8. Calls on the Commission to develop campaigns and initiatives with the aim of raising EU citizens' awareness of the EU's high standards of animal welfare during transport;

9. Calls on the Commission to exercise stronger enforcement powers, namely when faced with recurrent and repeated violations of the regulation, and to apply sanctions to Member States that repeatedly fail to apply the regulation correctly;

10. Insists that the provisions on the means of transport must always consider the species-specific and physiological status of the animal, and also the breed variation within species and the age of the animals; stresses that the transport methods used should always best meet the physiological and mental needs of the animal;

11. Calls on Member States and transporters to promote and fully apply the EU 'Animal Transport Guides' promoted by the Commission, which establish best practices designed to support the industry in improving the welfare of animals during transport; calls on the Commission to promote the translation of the guides into all EU official languages;

12. Insists that space allowances and headroom provisions need to be aligned with the most recent scientific data, with rules to be set out in the regulation in a precise way that leaves no room for different interpretations;

13. Recalls the European Food Safety Authority's recommendation to use allometric equations when defining space allowances for cattle, sheep and pigs, and the area per kg for horses, which will give a more objective calculation and will ultimately benefit animal welfare and the consistency of interpretation by transporters and controlling authorities;

14. Considers that better solutions for the design of means of transport that take into account species-specific and physiological requirements, age requirements and breed variations within species are needed;
15. Calls on the Commission to work on defining a set of criteria and minimum standards, developed by an EU-wide expert panel (comprising veterinarians, technical engineers, hauliers, manufacturers and members of the competent authorities), for the approval of means of animal transport;
16. Calls on the Member States to be more rigorous in both the certification and approval procedures for vehicles and in granting certificates of competence to drivers;
17. Calls on Member States to create the conditions for engineers to support veterinary officers during the approval of means of transport in relation to specific items, such as ventilation systems, water supply and the associated required primary sources of power;
18. Urges the Commission to rapidly develop a central database of authorised transporters and certificates of competence in the EU, including a report on breaches of the provisions of Council Regulation (EC) No 1/2005 and on the sanctions applied; considers that the certificates of competence should be in a uniform multilingual standard format, to be defined in EU legislation;
19. Calls on Member States to make better use of TRACES and take advantage of its new features in order to improve the targeting of their inspections and/or audits based on a risk assessment, and to improve their plausibility checks when approving journey logs and when performing retrospective checks;
20. Calls on the Commission to establish a minimum common framework on the number of checks on animal transports, proportionate to the number of animal consignments departing from the Member State's territory;
21. Stresses that the Action Plans presented by Member States to address deficiencies detected in the implementation of the Transport Regulation must contain concrete initiatives and a set timeline to complete them; calls on the Commission to carry out a thorough follow-up of the plan in order to guarantee the complete execution of the actions and the full accomplishment of the objectives;
22. Calls on the Commission to establish a harmonised and effective EU sanctions system, with a definition of common minimum criteria for sanctions for infringements to the regulation, in order to lay the foundations for an effective, proportionate and dissuasive system across the EU;
23. Considers that adequate training for any person working in the animal transport sector is an essential requirement to the safeguard animals' well-being during transport; strongly recommends, therefore, that training systems include all aspects of the transport process, such as the means of transport, the animals' specific requirements, the type and nature of the

journey, the appropriate handling of animals and the decision-making process regarding ‘fitness for transport’;

24. Urges the Member States to adapt their rules in such a way as to ensure that training to obtain the certificate of competence be species-specific, valid for a limited period and that a mandatory refresher course be set in order to obtain its renewal;

25. Calls for animal-based welfare indicators (i.e. based on observations of the animals) to be incorporated into the Animal Transport Regulation to be used by transporters and veterinary inspectors under commercial conditions, which would be a useful tool to assess animal well-being during transport;

26. Considers that equipping the means of transport with a CCTV system, with a particular focus on the loading and unloading operations, should be promoted for the sake of animal welfare protection and in order to safeguard operators who comply with the rules; stresses that data protection and privacy rights must be ensured by the competent authorities throughout the entire process;

27. Considers it fundamental that real time access to the satellite navigation systems be possible for the competent authorities; considers that the means of transport should be equipped with more updated controls systems, such as temperature measurements, water supply and the recording of loading and unloading operations;

28. Recommends the establishment, as an EU-wide procedure, of the logging of feeding and watering frequency from the last feeding, before loading in the farm of origin to the end of the journey;

29. Calls on the Member States to strictly apply the current provisions regarding temperature and only grant approval of a journey when the weather forecast for the duration of journey does not predict temperatures outside the -5°C and 30°C range, regardless of the means of transport used;

30. Considers it essential to have clearer rules in the future for transport on the optimal temperature range, taking different species needs, as well as the physiological status of the animal, breed variations within species and the age of the animals into account; considers that the approved temperature range should be based on effective temperature, the combination of temperature and humidity; recommends, moreover, the recording of the temperature by devices placed in the different compartments of the means of transport;

31. Considers that more research needs to be focused on improving knowledge about the transport needs of unweaned animals, in particular in relation to optimal journey time, the right age, appropriate drinking devices and the assessment of the fitness of animals for transport that needs to be properly ensured and assessed;

32. Insists that the provisions regarding the length of the journey should be revisited, so as to integrate the most up-to-date scientific evidence and to take animals' specific needs into account; considers that the risks of lower levels of protection of animals with less economic value, such as animals at end of their productive life, is very real and this should therefore be factored into the revision of the provisions;
33. Calls on the Member States to inspect all consignments at the point of loading for long journeys to non-EU countries and to develop procedures for the inspections, covering areas such as the amount of feed and water for the duration of the journey, the space and headroom for the animals, the quality, placement and proper functioning of the drinking devices according to the needs of the animals being transported and to ensure that no unfit animal is loaded;
34. Considers that more research is required in order to identify the appropriate feed, feeding intervals, thermoregulation and resting needs of different animal species and categories;
35. Considers that the contingency plans presented by transporters should cover all types of incidents and emergency scenarios that may occur during transport, either natural or resulting from human actions, including remedying the mechanical problems, the management of delays, the setting of alternative routes if necessary, among other things; considers that the contingency plans must be adapted to reflect the specificities of each journey;
36. Finds it absolutely essential to improve and clarify the provisions on maritime transport, in particular on the definition and identification of organisers and transporters and of their obligations, in order to establish a clear chain of responsibility and communication with the competent authorities;
37. Calls on the Member States to ensure the existence of proper facilities at borders and ports to unload the animals and to allow them to rest properly, thereby safeguarding animal well-being when delays occur;
38. Considers it fundamental to guarantee the presence of a veterinarian during loading operations and at exit points, in particular for long-distance transport; calls for mandatory provisions to be introduced for sea journeys, ensuring the presence of a veterinarian on board for the whole duration of the sea journey;
39. Recommends the creation and implementation of a priority lane at borders, specifically intended for animal transport at the border, in order to minimise, as much as possible, any delays that can negatively impact the animals' welfare;
40. Recalls that regarding the transport of live animals to third countries, consignments should only be authorised once the competent authority has obtained assurance that the Transport Regulation will be effectively implemented, including the stages of the journey taking place outside the EU, in line with the judgment of the Court of Justice of the European Union of 2015;

41. Insists on the need to strengthen cooperation and communication with third countries, in particular on mutual assistance and the rapid sharing of information, and on carrying out different initiatives with a view to raising awareness and promoting the implementation of EU standards in third countries;
42. Recommends that the Commission develop a list of rest facilities available in third countries and in compliance with the requirements of the EU Regulation; calls on the Member States not to approve journey logs, if no confirmation has been given that the proposed facilities for the rest period actually exist and that they provide the necessary conditions to unload the animals;
43. Considers the reinforcement of financial support for foreign aid and international cooperation to be essential, particularly for third countries that need greater investment with regard to, for example, the cooling of carcasses or the handling of germinal products;
44. Reiterates the importance of enforceable trade and sustainable development chapters in all EU trade agreements, as a means of guaranteeing that the greater regulatory ambitions put forward are consistent with EU trade policy and complied with by third countries that have signed trade agreements with the EU; underlines that trade and sustainable development chapters should also take account of equivalent standards of production, in particular animal welfare;
45. Instructs its President to forward this recommendation and the final report of the Committee of Inquiry to the Council and the Commission and to the parliaments of the Member States.