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*Plenary sitting*

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**B8-1281/2015**

24.11.2015

## MOTION FOR A RESOLUTION

further to Question for Oral Answer B8-1107/2015

pursuant to Rule 128(5) of the Rules of Procedure

on a new animal welfare strategy for 2016-2020  
(2015/2957(RSP))

**Stefan Eck, Anja Hazekamp, Neoklis Sylikiotis, Takis Hadjigeorgiou,  
Helmut Scholz, Sabine Lösing, Kostas Chrysogonos, Stelios Kouloglou,  
Kostadinka Kuneva, Lola Sánchez Caldentey**  
on behalf of the GUE/NGL Group  
**Keith Taylor, Bart Staes**  
on behalf of the Verts/ALE Group  
**Janusz Wojciechowski**

**European Parliament resolution on a new animal welfare strategy for 2016-2020  
(2015/2957(RSP))**

*The European Parliament,*

- having regard to Article 13 of the Treaty on the Functioning of the European Union, which lays down that, in formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage,
- having regard to Article 43 of the Treaty on the Functioning of the European Union on the functioning of the Common Agricultural Policy and the Common Fisheries Policy,
- having regard to Article 114 of the Treaty on the Functioning of the European Union on the establishment and functioning of the single market,
- having regard to Article 168(4)(b) of the Treaty on the Functioning of the European Union on measures in the veterinary and phytosanitary fields which have the protection of public health as their direct objective,
- having regard to its resolution of 5 May 2010 on the evaluation and assessment of the Animal Welfare Action Plan 2006-2010<sup>1</sup>,
- having regard to the Commission Communication of 15 February 2012 on the European Union Strategy for the Protection and Welfare of Animals 2012-2015 (COM(2012)0006/2),
- having regard to its resolution of 4 July 2012 on the European Union Strategy for the Protection and Welfare of Animals 2012-2015<sup>2</sup>,
- having regard to its resolution of 15 April 2014 on the proposal for a regulation on Animal Health<sup>3</sup>,
- having regard to its resolution of 15 April 2014 on the proposal for a regulation on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...]/2013 and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official

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<sup>1</sup> OJ C 81E, 15.3.2011, p. 25.

<sup>2</sup> OJ C 349E, 29.11.2013, p. 62.

<sup>3</sup> Texts adopted, P7\_TA(2014)0381.

Controls Regulation)<sup>1</sup>,

- having regard to the Commission Communication of 28 October 2009 on options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals (COM(2009)0584),
- having regard to Regulation (EC) 1099/2009 on the protection of animals at the time of killing<sup>2</sup>,
- having regard to the Commission Communication of 24 July 2009 on the 2009 Review of the European Union Strategy for Sustainable Development (COM(2009)0400),
- having regard to the European Declaration on alternatives for surgical castration of pigs,
- having regard to its resolution of 12 May 2011 on antibiotic resistance<sup>3</sup>,
- having regard to its resolution of 8 March 2011 on EU agriculture and international trade<sup>4</sup>,
- having regard to its declaration of 15 March 2012 on the establishment of a maximum 8-hour journey limit for animals transported in the European Union for the purpose of being slaughtered<sup>5</sup>,
- having regard to the Judgment of the Court of Justice of the European Union of 23 April 2015 in Case C-424/13, Zuchtvieh-Export GmbH v Stadt Kempten,
- having regard to its declaration of 13 October 2011 on dog population management in the European Union<sup>6</sup>,
- having regard to the Joint Declaration on Animal Welfare by Denmark, Germany and the Netherlands, signed in Vught, December 2014,
- having regard to the Joint Declaration on Pig Welfare by Sweden, Denmark, Germany and the Netherlands, signed on 29 April 2014 in Copenhagen,
- having regard to the conclusions of the Companion Animal multisectorial interprofessional and Interdisciplinary Strategic Think tank On zoonoses (CALLISTO Project) of December 2014<sup>7</sup>,
- having regard to the Agriculture and Fisheries Council Conclusions of 29 November 2010 on the welfare of dogs and cats,
- having regard to Regulation (EU) No 576/2013 on the non-commercial movement of

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<sup>1</sup> Texts adopted, P7\_TA(2014)0380.

<sup>2</sup> OJ L 303, 18.11.2009, p. 1.

<sup>3</sup> OJ C 377E, 7.12.2012, p. 131.

<sup>4</sup> OJ C 199E, 7.7.2012, p. 48.

<sup>5</sup> OJ C 251E, 31.8.2013, p. 116.

<sup>6</sup> Texts adopted, P7\_TA(2011)0444.

<sup>7</sup> <http://www.callistoproject.eu/joomla/attachments/article/112/CALLISTO%20Project%20Final%20report.pdf>

pet animals<sup>1</sup>,

- having regard to Regulation (EU) No 1143/2014 on the prevention and management of the introduction and spread of invasive alien species<sup>2</sup>,
- having regard to Directive 2010/63/EU on the protection of animals used for scientific purposes<sup>3</sup>,
- having regard to the Commission Communication of 15 November 2011 on an action plan against the rising threats from Antimicrobial Resistance (COM(2011)0748),
- having regard to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora<sup>4</sup>,
- having regard to Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds<sup>5</sup>,
- having regard to Council Directive 1999/22/EC relating to the keeping of wild animals in zoos<sup>6</sup>,
- having regard to Commission Regulation (EC) No 1739/2005 of 21 October 2005 laying down animal health requirements for the movement of circus animals between Member States<sup>7</sup>,
- having regard to the Commission Communication of 7 February 2014 on the EU Approach against Wildlife Trafficking (COM(2014)0064),
- having regard to the Commission Roadmap for an EU Action Plan against Wildlife Trafficking published in July 2015,
- having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of endangered species of wild fauna and flora by regulating trade therein<sup>8</sup>,
- having regard to Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations<sup>9</sup>,
- having regard to its resolution of 12 December 2012 on the protection of animals during transport<sup>10</sup>,
- having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals,

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<sup>1</sup> OJ L 178, 28.6.2013, p. 1.

<sup>2</sup> OJ L 317, 4.11.2014, p. 35.

<sup>3</sup> OJ L 276, 20.10.2010, p. 33.

<sup>4</sup> OJ L 206, 22.7.1992, p. 7.

<sup>5</sup> OJ L 20, 26.1.2010, p. 7.

<sup>6</sup> OJ L 94, 9.4.1999, p. 24.

<sup>7</sup> OJ L 279, 22.10.2005, p. 47.

<sup>8</sup> OJ L 61, 3.3.1997, p. 1.

<sup>9</sup> OJ L 3, 5.1.2005, p. 1.

<sup>10</sup> Texts adopted, P7\_TA(2012)0499.

semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC<sup>1</sup>,

- having regard to the decision of the Appellate Body of the World Trade Organisation concerning the EU ban on the trade in seal products, which stated that trade can legitimately be restricted for moral reasons concerning the protection of animal welfare; having regard to the proposal from the Commission to bring the seal ban measure in line with the World Trade Organisation recommendations whilst maintaining the ban,
  - having regard to the question to the Commission on a new animal welfare strategy for 2016-2020 (O-000141/2015 – B8-1107/2015),
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas existing Union legislation concerning animal health and welfare does not regard animals as sentient beings, in accordance with Article 13 of the Treaty on the Functioning of the European Union;
- B. whereas European citizens have a strong interest in animal welfare and wish to be able to make more informed choices as consumers;
- C. whereas EU legislation in the field of animal welfare contributes to a level playing field within the Union and thereby to a well-functioning internal market;
- D. whereas ongoing and specific animal welfare problems, not only relating to livestock production in the farming sector, but also in other sectors, such as those concerning companion animals, equines, wild animals and other animals kept or traded in the context of an economic activity, can only be solved at EU level;
- E. whereas production and consumption of animal-based foods accounts for a major share of resource use and significantly impacts animal health and welfare, public health, the climate and the environment;
- F. whereas animal welfare should be further improved on the basis of prevailing scientific findings and with due regard for the efficiency and competitiveness of agricultural livestock husbandry;
- G. whereas the World Organisation for Animal Health (OIE) adopted the first ever global standard on dairy cow welfare at its General Assembly in May 2015;
- H. whereas animal welfare is closely interrelated with animal and public health;
- I. whereas a high level of animal welfare is important to ensure sustainability, although it entails investments and additional operating costs that are not distributed proportionately throughout the food chain;
- J. whereas the increasing number of exotic animals kept as pets could result in the increased spread of contagious diseases to domestic animals and, at the same time, have an adverse effect on public health, animal health and animal welfare;

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<sup>1</sup> OJ L 268, 14.9.1992, p. 54.

- K. whereas, owing to their complexity and differing interpretations, EU and national rules on animal welfare create legal uncertainty and can put producers in certain Member States at a serious competitive disadvantage; whereas, with regard to the implementation of EU law, a lack of compliance, unharmonised standards and the absence of legal milestones distorts competition and results in an unlevel playing field;
- L. whereas, since the proposed regulation on animal health does not include a clear definition of animal husbandry, this might lead to a number of different interpretations in the Member States;
1. Urges the Commission to implement, without delay, the points outstanding from the European Union Strategy for the Protection and Welfare of Animals 2012-2015;
  2. Recalls that Article 13 of the Treaty is of general application and horizontal, and as such is as important as the provisions on the environment or consumer protection and takes legal precedence over all internal market policies;
  3. Notes that over 30 basic acts relating to animal welfare have been adopted over a period of more than 30 years, many of which offer varying levels of protection for animals; stresses that the majority of the existing acts fail to sufficiently recognise animals as sentient beings, as required by Article 13 of the Treaty;
  4. Expresses its concern about the effective implementation and enforcement of current EU legislation relating to the welfare of animals;
  5. Notes that only 9 out of the 20 actions contained in the European Union Strategy for the Protection and Welfare of Animals 2012-2015 have so far been implemented by the Commission;
  6. Calls on the Commission to propose a harmonised, updated, comprehensive and clear legislative framework to fully implement the requirements of Article 13 of the Treaty;
  7. Urges the Commission to ensure that all categories of animals – farm, wild, research, pet and aquatic – are covered by any harmonisation of the legislative framework on animal welfare;
  8. Seeks reassurance that any harmonisation of the legislative framework will not lead to a decline in animal welfare standards or a lowering of ambitions to improve animal welfare, and calls on the Commission to augment existing standards on the basis of updated scientific findings;
  9. Calls on the Commission to adopt an EU-wide ban on any traditional or cultural use of animals that implies mistreatment and suffering;
  10. Calls on the Commission, in the absence of any consolidation of the existing legislative framework, to adopt species-specific secondary legislation for other farm animals, such as equines, turkeys, rabbits, broiler breeders, pullets, ducks, geese and aquatic animals;
  11. Calls on the Commission to assess the World Organisation for Animal Health (OIE) dairy cattle standards against existing dairy standards within the Union, and to correct

any differences via secondary legislation as required;

12. Calls on the Commission to phase out restrictive cage systems for farm animals and replace them with improved welfare systems that meet the animals' ethological needs;
13. Calls on the Commission to revise the existing rules on the protection of animals during live, commercial transportation in line with Parliament's resolution of 12 December 2012 on the protection of animals during transport and its declaration No 0049/2011; calls on the Commission to provide clear guidance to the competent authorities on the implementation of Council Regulation (EC) No 1/2005 following the judgment of the Court of Justice of the European Union in Case C-424/13;
14. Calls on the Commission to propose improved legislative requirements for pigs, specifically to end surgical castration by 2020, increase minimum space requirements, incentivise the use of partially slatted floors, phase out individual stalls for pregnant sows and promote loose housing in farrowing pens;
15. Calls on the Commission to adopt delegated legislation to harmonise identification and registration requirements for animals that are kept or traded in the context of an economic activity, particularly for dogs, cats, equines and wild animals kept as pets;
16. Calls on the Commission to develop, exchange and disseminate scientifically based best practices for the prevention and humane management of invasive alien species in Member States;
17. Calls on the Commission to recognise that the biological needs of wild animals can never be adequately met in a circus environment, and thus to harmonise the legislation restricting the use of wild animals in circuses already implemented in 19 Member States, thereby adopting an EU-wide ban on wild animals in circuses;
18. Calls on the Commission to ensure zoological collections are licensed and inspected by the Member State competent authorities to ensure full compliance with the EU Zoos Directive 1999/22/EC and, where necessary, to provide Member State competent authorities with access to training and guidance to help improve the implementation and enforcement of national zoo legislation;
19. Calls on the Commission to recognise that conditions in captivity can never sufficiently provide for the physical, biological and behavioural needs of cetacean species, as required by the EU Zoos Directive 1999/22/EC, and to therefore recommend that the Member States prohibit the keeping of cetaceans in captivity;
20. Calls on the Commission to commit to funding alternative non-animal testing methods through new and existing funding schemes, such as Horizon 2020 and the Innovative Medicines Initiative;
21. Calls on the Commission to use new EU reference centres for animal welfare to aid with the implementation of existing rules by disseminating information and sharing best practice and providing training for competent authorities, and to implement the use of validated animal welfare indicators;

22. Calls on the Commission to empower and protect citizens by providing consumer guidance related to the buying, selling, rehoming and husbandry of animals that are kept or traded in the context of an economic activity, particularly for dogs, cats, wild animals kept as pets and equines;
23. Commends the Commission for its intention to develop an EU Action Plan against wildlife trafficking and encourages the Commission to include appropriate animal welfare provisions within the action plan, specifically on protecting wild animals from the impacts of trade;
24. Calls on the Commission to provide funding for scientific research on more humane slaughter practices for poultry and pigs and for animal welfare education programmes for citizens;
25. Urges the Commission to empower consumers by extending the rules relating to the labelling of fresh and frozen meat by country of origin to fresh and frozen meat from equines and to all processed meat derived products; urges the Commission to undertake an impact assessment on a mandatory method of labelling for meat and dairy products;
26. Calls on the Commission to ensure that the common agricultural policy fully recognises animal sentience and holistically addresses environmental and public health challenges associated with poor welfare practices; calls on the Commission to support the development of a new sustainable food policy that recognises the improvement of farm animal welfare in conjunction with the uptake of plant-based foods and consumption;
27. Urges the Commission, when negotiating bilateral trade agreements with third countries, to require third countries to comply with European animal welfare rules when exporting both livestock and animal products to the Union market;
28. Urges the Commission to recognise animal welfare as a driver of economic development; calls on the Commission to reward good animal welfare outcomes by means of development aid to third countries;
29. Calls for the establishment of a horizontal, Commission-wide, permanent platform for animal welfare to better facilitate cooperation, provide a focus on animal welfare challenges and promote interaction with stakeholders, including civil society;
30. Calls on the Commission to include paragraphs 6 to 26 of this resolution in a new European Union Strategy for the Protection and Welfare of Animals, 2016-2020;
31. Urges the Commission to outline legal milestones within such a strategy;
32. Instructs its President to forward this resolution to the Council and the Commission.