

E-6021/09EN
Answer given by Ms Vassiliou
on behalf of the Commission
(13.1.2010)

The Commission strongly disapproves of individual acts of cruelty against animals such as the one shown on the video in question.

The Commission attaches great importance to animal welfare. Animals are recognised as sentient beings by Article 13 of the Treaty on the Functioning of European Union¹ (TFEU). European Institutions are obliged to pay full regard to the welfare requirements of animals when formulating and implementing Community legislation. At the same time, however, the European institutions must stay within the competences conferred on them by the Treaties. Their power to act in improving the welfare of animals extends only to the policy areas covered by the Treaties, such as agriculture or internal market.

Accordingly, although a considerable body of Community legislation for the protection of farm animals has been adopted, the Community legislator has no power to act in order to protect companion animals against cruelty, as this is not a policy area covered by the Treaty (TFEU). Therefore in line with the principle of subsidiarity, it is appropriate for Member States to respond to such individual acts, not for the European Union.

The Commission is presently starting an evaluation on the Union's policy on animal welfare to be carried out by an external consultant. The question of protection of companion animals will be considered in this framework.

¹ Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (Official Journal C 115 of 9 May 2008).