

**Question for written answer E-000756/2023**  
**to the Commission**  
Rule 138  
**Filip De Man (ID)**

**Subject:** Spanish breach of European animal health legislation

Spain recently deleted Article 337 of the Criminal Code concerning sexual acts between humans and animals and replaced it with a new article criminalising bestiality if an act injures an animal to such an extent that intervention by a veterinarian is necessary.

Originally, bestiality was considered a form of animal cruelty in criminal law. The new law waters that down by stating that it is only a crime if a sexual act with an animal causes injury to the animal. This means that the left-wing Spanish Government no longer appears to assume that all non-consensual sexual acts equate to criminal sexual abuse. As if that were not bad enough, an amendment calling for a stricter approach was voted down.

New Article 340 of the Spanish Criminal Code, which no longer systematically criminalises bestiality, is in breach of European animal health legislation. One might ask who lobbied for that.

1. Has the Commission taken note of the criminal code amended by the left-wing Spanish Government?
2. Does the Commission intend to point out to the Spanish Government that animal health legislation covers not only transport, but also general animal welfare, and to request a review?

Submitted: 6.3.2023