



TEXTS ADOPTED

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Protection of animals during transport within and outside the EU

European Parliament resolution of 14 February 2019 on the implementation of Council Regulation (EC) 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

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.

(COM(2012)0006),

- having regard to its Declaration No 49/2011 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 slaughtered¹,
 - having regard to the judgment of the Court of Justice of 23 April 2015²,
 - having regard to the European Court of Auditors Special Report No 31/2018 on animal welfare in the EU³,
 - 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 Parliament called in its resolution of 12 December 2012 for journey times of animals intended for slaughter to be reduced to a maximum of eight hours;
- D. 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;
- E. 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;

¹ OJ C 251 E, 31.8.2013, p. 116.

² Judgment of the Court (fifth chamber) of 23.4.2015, Zuchtvieh-Export v Stadt Kempten, C-424/13, ECLI:EU:C:2015:259.

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’.

- F. 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;
- G. whereas Member States are not enforcing Regulation (EC) No 1/2005 stringently or strictly enough within the EU and are not seeking its enforcement at all outside the EU;
- H. 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;
- I. whereas transport is stressful for animals as it exposes them to a range of challenges 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;
- J. 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;
- K. 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;
- L. 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;
- M. whereas there are extensive studies proving that animal welfare has an impact on meat quality;
- N. 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;
- O. 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;
- P. whereas fitness issues are responsible for the largest percentage of infringements, while documentation issues account for the second largest;
- Q. whereas there is often confusion among those responsible about what needs to be done

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

- if animals are declared unfit for transport;
- R. whereas those responsible are often uncertain as to how far an animal's pregnancy has progressed;
 - S. whereas it is particularly problematic to transport unweaned calves and lambs;
 - T. 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;
 - U. 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 post;
 - V. whereas transport vehicles are often overcrowded; whereas high temperatures and inadequate ventilation inside the vehicle are a major problem;
 - W. 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;
 - X. whereas the transport of meat and other animal-derived products, as well as of semen and embryos, is technically and administratively easier and sometimes 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;
 - Y. whereas slaughtering animals as close as possible to where they were bred would be the best way to ensure their welfare;
 - Z. whereas there is an uneven spread of slaughterhouses across Member States,
 - AA. 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. Stresses that the suffering of animals during transport is a cause of considerable social concern; notes that, on 21 September 2017, the Commission received over one million signatures in support of the #StopTheTrucks campaign, in which EU citizens call for an end to long-distance transport;
4. 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;
5. 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;
6. 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;
7. 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;
8. 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;

9. 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;
10. 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;
11. 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;
12. 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;
13. 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 Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine¹; 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;
14. 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

¹ OJ 121, 29.7.1964, p. 1977.

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;

15. 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;
16. 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;
17. 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;
18. 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 (EC) No 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;
19. 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;
 20. Stresses the importance of distinguishing between the responsibility of animal transport undertakings and that of farmers, as it is undertakings, and not farmers, that should be held accountable for problems arising from the transport of animals; recalls that farmers are the most interested in animal welfare, for emotional and affective reasons, but also economic reasons;
 21. 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 maladministration;
 22. Regrets the decision taken by the Conference of Presidents not to propose the setting up of a parliamentary committee of inquiry on the welfare of animals during transport within 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 the welfare of animals during transport within and outside the EU as from the beginning of the next parliamentary term in order to properly investigate and monitor alleged contraventions and maladministration in the application of Council Regulation (EC) No 1/2005 on the protection of animals during transport;

Data collection, inspections and monitoring

23. 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;
24. 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;
25. 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

¹ OJ L 102, 11.4.2006, p. 1.

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;

26. 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;
27. 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;
28. 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;
29. 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 (EC) No 1/2005;
30. 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

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.

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;

31. 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;
32. 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;
33. 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;
34. 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;
35. 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 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;
36. 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);
37. 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;
38. 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;

39. Calls on the Commission to approve innovative alternatives for export checks in accordance with Article 133(2) of Regulation (EU) 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;
40. 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 (EU) 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

41. 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’;
42. 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;
43. 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;
44. 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;
45. Calls on the Commission to provide a definition of unweaned animal per species, and to limit the journeys of unweaned animals to both a maximum distance of 50 km and a maximum duration of 1.5 hours, given the difficulty of ensuring their welfare during transport;
46. 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;
47. Calls, taking into account Parliament’s resolution of 12 December 2012, for animal

¹ Regulation (EU) 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') (OJ L 84, 31.3.2016, p. 1).

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, when possible, 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;

48. 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;
49. 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;
50. 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;
51. 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;
52. 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;
53. 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;

54. 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;
55. 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;
56. 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

57. 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;
58. 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;
59. 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;
60. 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;

61. 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;
62. 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;
63. 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;
64. 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;
65. Calls on the Commission to ensure that stunning is performed, without exception, before religious ritual slaughter in all Member States;
66. 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;
67. 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;
68. 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;
69. 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;

70. 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;
71. 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;
72. Stresses the need for Member States to ensure that animal transport is properly organised, taking account of weather conditions and type of transport;
73. 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;
74. 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;
75. 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;
76. Calls on the Member States to ensure an improvement in farm record-keeping on gestation periods;
77. 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;
78. Recalls that Member States must find welfare-compliant solutions for animals at the end of their lives and production cycles;

Economic help

79. 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;
80. 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 (EC) No 1/2005;
81. Urges support for measures to bring about a balanced distribution of slaughterhouses in

¹ OJ L 347, 20.12.2013, p. 347.

the Member States that ensures that livestock numbers in a given region are taken into account;

Third countries

82. 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, when possible, 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;
83. Strongly criticises the statistics drawn up by the Commission on compliance with the regulation as regards the journeys made to transport live animals to non-EU countries, and stresses that they have been drawn up without any systematic checks on animal transport vehicles
84. 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;
85. 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 exporting to third countries to work with local authorities to improve animal welfare standards;
86. 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 (EC) No 1/2005, that before vehicles leave the EU the provisions of the Regulation are complied with;
87. 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;
88. 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;

89. 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;
90. 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;
91. 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;
92. 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;
93. 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;
94. 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 (EC) No 1/2005;
95. 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;

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.

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96. 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.