

BRIEFING DOCUMENT

Eurogroup for Animals' flagship campaign to
end long distance live animal transport

#StopTheTrucks

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OBJECTIVES

In March 2016 Eurogroup for Animals launched its flagship campaign #StopTheTrucks to end long distance live animals transport. The campaign was launched on the backdrop of a Eurobarometer survey showing that a staggering 94 percent of European citizens believe that protecting the welfare of farm animals is important.

The campaign which was actively promoted across Europe, received overwhelming support, exceeding its target of 1 million signatures. Eurogroup for Animals, its member organisations, and the 1 million citizens from #StopTheTrucks are calling on the European Commission to:

- Phase out long distance live animal transportation and urgently develop a medium and long-term strategy to replace the transport of live animals with the transport of meat products and carcasses only;
- Refine the frequency of all transport of live animals and drastically improve the conditions of short journeys;
- Build up approved facilities in Third countries to apply the provisions of Regulation (EC) 1/2005 and implement the legally binding European Court of Justice ruling (Ref. CoJ C-424/13);
- Use Art 135 (C) of the Animal Health Law (Ref. Regulation 2016/429) to insert in the Transport Regulation (Ref. regulation 1/2005) species specific journey time;
- Revise Regulation (EC) 1/2005 to align it with current scientific knowledge;
- Ensure that Member States increase and tighten official checks of live transports and report the findings in a detailed and transparent way;
- Use Art 21.8 of the Official Control Regulation (Ref. of Regulation 2017/625) to standardise and enhance the quality of the official checks and to implement a more dissuasive sanction system, which *shall* be proportionate at least to the economic gain of the operator or, as appropriate, shall be equivalent to a fixed percentage of the operator's turnover (Ref. Art 139 of Regulation 2017/625);

WHY DO WE NEED TO STOP THE TRUCKS?

Every year at least 1.37 billion live animals are transported within the EU and to Third countries, most of them for slaughter. Live transport, especially over long distances, is a major animal welfare concern. Animals are exposed to stress at loading and unloading, and can suffer hunger, thirst, exhaustion, and lack of space and rest during transit. Transporting live animals also poses serious risks for animal and public health due the

possible spread of diseases. Scientific evidence shows that the stress of transport weakens the immune system making animals more vulnerable to diseases.

The EU has had rules governing animal welfare during transport since 1977 (Ref. Directive 77/489/EEC). Today, EC Regulation 1/2005 applies to all livestock transport within and from the EU, regulating the rest periods, the training and authorisation of drivers, stocking densities and general transport conditions. Unfortunately, the vast number of derogations still allow animals to be transported for days on end throughout and outside Europe. Additionally, the enforcement of existing rules is very poor and the control by public authorities is scarce, leading to very poor compliance and animal suffering.

The situation gets even worse when animals are exported to Third countries: journeys last hundreds of hours and animals face further transportation (sometimes for days) and inhumane slaughter practices upon arrival. The European Court of Justice ruling (Ref. CoJ C-424/13) establishing that provisions of the Transport Regulation (Ref. Regulation 1/2005) also applies to those stages of the journey taking place outside the EU, remains to all effects disregarded. Despite it being well-known that when animals leave Europe they are no longer protected, the European Commission is promoting and expanding this trade, sending a growing number of live animals to Third countries (in 2017 this trade is expected to further grow by 10 percent, compared to the already high level registered in 2016).

WHY BETTER ENFORCEMENT IS NOT GOOD ENOUGH

Since its entry into force, scientific bodies and committee have provided abundant evidence of how Regulation 1/2005 is unfit for purpose. In 2009 the Report of the Animal Welfare Working Group of the OIE concluded that “the OIE should recommend phasing out of unnecessarily long transport (including export) of animals for slaughter” (OIE, 2009). A similar position was adopted by EFSA, which in 2011 also concluded that “Parts of the Regulation are not in line with the current scientific knowledge” (EFSA, 2011). Although an independent study on the Impact of the Regulation on the protection of animals during transport reported that “there are no indications that animal welfare during transport has improved substantially with the Introduction of Regulation 1/2005” (W. Baltussen, G. Gebrens, and K.de Roest, 2011), the European Commission determined that there was no need to revise the legislative text and that a steady legal situation was the best approach to address the identified problems (EC, 2011).

Since 2007 over 200 investigations and reports have been sent to the European Commission, exposing the brutality behind live transport as well as the systematic violations to the Regulation (Ref. Regulation 1/2005). Regrettably, so far the European Commission has only relied on the annual reports submitted by Member States under Art. 27 of Regulation 1/2005 to assess enforcement. Even if the audits carried out by the Commission’s own inspectorate, Directorate F (former Food and Veterinary Office), are an important source of information for the Commission, the limited number of missions in the field of welfare during transport (from 2010 to 2016 only 1,87% of the total audits - 27 out of 1441) makes them far less effective than they could be.

OVERWHELMING SUPPORT FOR #STOPHETRUCKS

Over 1 million citizens have supported the campaign calling on EU decision makers to end long distance live animal transport. The #StopTheTrucks campaign reiterates a call made to the Commission by animal welfare

groups and renowned scientific bodies¹ on the need to revise the current system and rules governing long distance live animal transport

Eurogroup for Animals, its member organisations, and the 1 million citizens are calling for concrete steps to significantly improve the lives of animals transported across long distance both within and outside the EU.

BRIEFING RELATED LINKS

Council Directive 77/489/EEC of 18 July 1977 on the rules on the protection of animals during international transport; O J L 200, 8.8.1977.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31977L0489&from=SL>

Council Directive of 19 November 1991 on the protection of animals during transport and amending Directives 90/425 /EEC and 91 /496/EEC.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31991L0628&from=EN>

Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals during transport.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31995L0029&from=EN>

European Parliament resolution on the Commission report on the experience acquired by Member States since the implementation of Council Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals during transport (COM(2000) 809 - C5-0189/2001 - 2001/2085(COS)), 2001.

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P5-TA-2001-0595>

Food and Veterinary Office Position Paper. Transport of live animals, 2001

http://www.fve.org/uploads/publications/docs/043_fve_paper_on_transport_of_live_animals_final.pdf

Report of the Scientific Committee on Animal Health and Animal Welfare (SCAHAW). The welfare of animals during transport (details for horses, pigs, sheep and cattle), 2002.

https://ec.europa.eu/food/sites/food/files/safety/docs/sci-com_scah_out71_en.pdf

Opinion of the Scientific Panel on Animal Health and Welfare (AHAW) on a request from the Commission related to the welfare of animals during transport, 2004.

<https://www.efsa.europa.eu/en/efsajournal/pub/44>

Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

<http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32005R0001>

Food and Veterinary Office Position Paper. The welfare of animal during Transport, 2008.

http://www.fve.org/news/position_papers/animal_welfare/fve_08_016_transport.pdf

¹ OIE, FAO, FVE, and EFSA

Report to the Animal Welfare Working Group of the OIE Ethical concerns relevant to the work of the OIE on international animal welfare guidelines/standards Long-distance transport (including export) of animals for slaughter, 2009.

<https://www.oie.int/doc/ged/D6546.PDF>

Scientific Opinion of the EFSA Panel on Animal Health and Welfare (AHAW) Concerning the Welfare of Animals during Transport, 2011.

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

Study on the impact of regulation (EC) No 1/2005 on the protection of animals during transport, 2011.

https://ec.europa.eu/food/sites/food/files/animals/docs/aw_practice_trans_study_report_en.pdf

Report from the Commission to the European Parliament and the Council on the impact of Council Regulation (EC) 1/2005 on the protection of animals during transport, 2011.

https://ec.europa.eu/food/sites/food/files/animals/docs/aw_practice_trans_10112011_report_en.pdf

8hours Campaign, 2011.

<http://www.animals-angels.com/law-politics/8hours-campaign.html>

European Parliament resolution of 12 December 2012 on the protection of animals during transport, 2012.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0499+0+DOC+XML+V0//EN>

Judgment of the Court (Fifth Chamber), 23 April 2015 (*) (References for a preliminary ruling — Agriculture — Regulation (EC) No 1/2005— Protection of animals during transport — Long journey between Member States and between Member States and third countries — Article 14(1) — Check to be carried out related to the journey log by the competent authority at the place of departure prior to long journeys — Applicability of that provision in regards to the stages of the journey taking place outside the territory of the European Union — Applicability of the standards fixed by that regulation to that part of the journey), 2015.

<http://curia.europa.eu/juris/document/document.jsf?text=&docid=163872&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=1524186>

The Myth of Enforcement of regulation (EC) 1/2005 on the protection of animals during transport, 2016.

https://www.animals-angels.de/fileadmin/user_upload/1_DATEN_AB_2014/4_AA_PRESS/Animals_Angels_Myth_of_Enforcement.pdf

Food and Veterinary Office calls to end suffering of animals during long distance transports, 2016.

http://www.fve.org/uploads/publications/docs/065_long_distance_transport_of_livestock_160927_.pdf

DG Health and Food Safety Overview Report Systems to Prevent the Transport of Unfit Animals in the EU, 2016.

http://ec.europa.eu/food/audits-analysis/overview_reports/index.cfm

Animal Welfare in the European Union. Study for the Peti Committee, 2016.

[http://www.europarl.europa.eu/RegData/etudes/STUD/2017/583114/IPOL_STU\(2017\)583114_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/583114/IPOL_STU(2017)583114_EN.pdf)

Regulation (EU) 2016/429 of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law').

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2016:084:FULL&from=EN>

Regulation (EU) 2017/625 of the European Parliament and of the Council 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 and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation).

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R0625&from=en>

Annex 1_ Live Animal Transport in the EU

Overview of the main Directives, Regulations and key documents published from 1995 to 2017 on welfare during transport:

Reference	Citation
Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals during transport	<i>Introduced limits on travel time and maximum stocking densities for transporting animals within the EU.</i>
EC, 2000. Report from the Commission and the Council to the EU Parliament on the experience acquired by Member States since the Implementation of Council Directive 95/29/EEC amending Directive 91/628/EEC concerning the protection of animals during transport.	<i>"Several fundamentals of the Directive should be evaluated on a scientific basis and notably data concerning travelling times and loading densities."</i>
EP, 2001. European Parliament resolution on the Commission report on the experience acquired by Member States since the implementation of Council Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals during transport (COM(2000) 809 - C5-0189/2001 - 2001/2085(COS))	<i>"In the case of cattle, horses, goats, sheep and pigs not intended for specific breeding and/or sporting purposes, transport should be limited to a maximum of eight hours duration."</i>
FVE, 2001. Position Paper_ Transport of live animals	<i>"The fattening of animal should take place within or near the place of birth. Animals should be slaughtered as near the point of production as possible. The journey time for slaughter animals should never exceed the physiological needs of the animal for food, water or rest. The long distance transport of animals for slaughter should be replaced, as much as possible, by a carcass"</i>

	<i>only trade. In addition, the transport of animals for breeding purposes can sometimes be replaced by the transport of sperm and embryo."</i>
SCAHAW, 2002. Report of the Scientific Committee on Animal Health and Animal Welfare (SCAHAW). The welfare of animals during transport (details for horses, pigs, sheep and cattle)	<i>"After a few hours of transport welfare tends to become poorer as journey length increases. Hence such animals should not be transported if this can be avoided and journeys should be as short as possible."</i>
EFSA, 2004. Opinion of the Scientific Panel on Animal Health and Welfare (AHAW) on a request from the Commission related to the welfare of animals during transport	<i>"Transport should be avoided wherever possible and journeys should be as short as possible."</i>
Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97	<i>The EU judged to be more appropriate to set out the community rules governing live transport in a Regulation. Still not maximum journey time is set in this Regulation and the recommendations given by SCAHAW regarding transport time and stocking density are not incorporated into the legislative framework.</i>
FVE, 2008. Position Paper: The welfare of animal during Transport	<i>"The transportation of animals should be subject to the "3R" principle – it should be refined, reduced and replaced wherever possible. Animals should be reared as close as possible to the premises on which they are born and slaughtered as close as possible to the point of production."</i>
OIE, 2009. Report to the Animal Welfare Working Group of the OIE Ethical concerns relevant to the work of the OIE on international animal welfare guidelines/standards. Long-distance transport (including export) of animals for slaughter	<i>"OIE should recommend phasing out of unnecessarily long transport (including export) of animals for slaughter. It should set a target date, for example 2020, and work with stakeholders including governments towards ending such transport by that date."</i>
EFSA, 2011. Scientific Opinion Concerning of EFSA Panel on Animal Health and Welfare (AHAW) on the Welfare of Animals during Transport	<i>"In order to reduce the risk of transport-associated disease outbreaks, strategies should be developed to reduce the volume of transport (e.g. replacing the transport of breeding animals by using semen or embryos), and long distance transport of animals for finishing or slaughter (e.g. by the transport of carcasses and food products) or reducing journey times (e.g. by slaughtering animals as close as possible to the site of production)."</i>
EC, 2011. Commission Report on the impact of Council Regulation (EC) No 1/2005	<i>"According to the EFSA opinion it appears that parts of the Regulation are not fully in line with the current scientific knowledge. Enforcement of the Regulation remains a major challenge, partly because of differences in interpretation of the requirements and because of lack of controls by the Member States. Furthermore, the quality of monitoring data, submitted to the Commission by Member States, is often insufficient to provide</i>

	<i>a clear analysis of the situation and to allow planning of specific corrective measures at EU level." (page</i>
W. Baltussen, G. Gebrensbet, and K.de Roest, 2011. Study on the impact of Regulation (EC) No 1/2005 on the protection of animals during transport	<i>"For the main groups of animals there are no indications that animal welfare during transport has improved substantially with the introduction of Regulation (EC) 1/2005."</i>
8 Hours Campaign, Animals Angels campaign, 2011.	<i>1,103,248 EU citizens backed the Campaign petitions for the abolition of long distance transports.</i>
EP, 2012. European Parliament resolution of 12 December 2012 on the protection of animals during transport (2012/2031)	<i>The European Parliament calls on the Commission and Council to review Council Regulation (EC) No 1/2005 in the light of the latest scientific evidence published by EFSA.</i>
CoJ, 2015. Judgment of the Court (Fifth Chamber), 23 April 2015 in Case C-424/13	<i>It ruled that Council Regulation (EC) 1/2005 also applies journeys outside the EU, so the EU Regulation provisions must be implemented even once the animals have exited EU territory.</i>
Animals Angels, 2016. The Myth of Enforcement of Regulation 1/2005 on the protection of animals during transport_	<i>The report collect evidence on the unenforceability of Regulation 1/2005' s provisions as well as of the main violations occurring during live transport.</i>
FVE, 2016. Position paper: FVE calls to end suffering of animals during long distance transports	<i>"Animals should be reared as close as possible to the premises on which they are born and slaughtered as close as possible to the point of production."</i>
EC, 2016. Overview report Systems to Prevent the Transport of Unfit Animals in the EU	<i>"There is no generalised use of actions such as suspension or revoking of licences, increased controls or restrictions in activity. While most Member States opt for administrative processes (fines) and sanctions, the former are generally too long to be effective and the latter too low to be dissuasive."</i>
D. Broom, 2017. Animal Welfare in the European Union. Study for the Peti committee	<i>"The wording of the legislation needs some improvement."</i>
#StopTheTrucks Eurogroup for Animals Flagship Campaign, 2017.	<i>Over 1 million citizens signed the petition to end long distance live animal transport.</i>