

**Executive Vice-President Dombrovskis  
Commissioner Kyriakides  
Commissioner Wojciechowski  
European Commission  
Le Berlaymont  
Rue de la Loi 200  
1049 Bruxelles**

**Brussels, 30 May 2022**

**Open letter - Animal Welfare & Mirror Measures**

Dear Executive Vice-President Dombrovskis,  
Dear Commissioner Kyriakides,  
Dear Commissioner Wojciechowski,

Eurogroup for Animals welcomes the Commission's initiative to produce a report on the application of EU health and environmental standards - including animal welfare - to imports of agricultural and food products. As expressed in the study published by the Delors Institute in April 2022 and in the first version of the report that was published in the media, we believe that there is space to extend the application of EU animal welfare standards to imported goods.

First and foremost, this would be desirable as applying our animal welfare rules to imported animal products would ensure that European consumption does not fuel inhumane and unsustainable models of production beyond the EU's borders. According to a 2016 Eurobarometer survey, over 90% of EU citizens are in favour of this. In addition, it would avoid that the EU externalises the concerns it intends to fight through regulation, such as poor animal welfare.

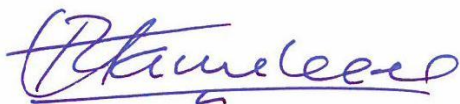
Such measures would also reaffirm the EU's role as a global leader in animal protection and may also lead to a positive "trickle-down effect" in partner countries. Producers targeting the local market could increase their welfare standards, influenced by those exporting to the EU. Indeed, animal protection organisations located in key EU trading partner countries (US, Brazil, Thailand and India) have [expressed their support](#) for the EU to establish stricter standards for imports. Animal welfare is not a concern only shared by Europeans, but globally. This was further demonstrated by the [adoption of a resolution](#) on the nexus between animal welfare, the environment and sustainable development at this year's session of the UN environmental assembly.

Secondly, we believe including imports within the scope of revised EU animal welfare standards would be feasible from a legal perspective. Even if such measures were to be challenged at the WTO, the EU would have a strong case to defend them. In a nutshell, the EU could either rely on recent WTO case law that has allowed differential treatment of products in cases where consumers view them as being different and are not willing to substitute one for another. If this difference is not recognised, the EU could still rely on exceptions listed in WTO rules permitting trade restrictions that are not arbitrary or discriminatory. In particular, it could refer to the exception aimed to protect public morals (article XXa), which WTO case law has confirmed encompasses animal welfare.

To ensure that this measure is not seen as protectionist, it will be important for the EU to underline that the primary objective is to fulfil the wishes of EU citizens, which is to make sure their consumption does not fuel inhumane practices outside the EU. The EU should also complement the compliance with animal welfare standards with diplomatic actions promoting higher animal welfare standards at multilateral and bilateral levels. This could go hand in hand with strong cooperation efforts including targeted support measures, especially aiming at farmers in developing countries, such as technical assistance, transfer of technology, and capacity building on the different forms of higher welfare systems. Developing a strong cooperation strategy is certainly complementary to the needed adoption of autonomous measures.

As underlined in the draft report, the EU has a clear opportunity to apply this approach in the coming revision of EU animal protection rules. We look forward to the publication of the report and trust that it will represent a strong basis on which the EU can ensure more coherence between its trade, food and agricultural policies.

Yours sincerely,



**Reineke Hameleers,  
CEO**