

Evaluation of the EU Animal Welfare Strategy 2012-2015

Who can participate?

The European Commission has called on citizens, organisations and other stakeholders to participate in an [online consultation](#) to gather information and views on the [Animal Welfare Strategy \(2012-2015\)](#).

When?

The consultation is open until the **15 June 2020** (midnight Brussels time).

Why does the consultation on the EU Animal Welfare Strategy 2015-2015 matter?

The Animal Welfare Strategy 2012-2015 aimed to lay the foundation for improving animal welfare standards and to ensure that they were properly applied and enforced across the EU. Whilst such aims are in and of themselves laudable, they were also reliant on a degree of success. In lieu of real progress flowing from the strategy, we are instead left with no 'foundation' on which to build, whilst eight years have passed in the meantime.

The implementation process of the Strategy clearly faced serious issues with regard to resources, timing and impact, largely as a result of the political priorities of the previous Commission.

This evaluation of the strategy assesses the extent to which the Strategy delivered against its objectives and the extent to which those are still relevant and coherent today. The evaluation will inform any future Commission initiatives on animal welfare. Based on the experience of the previous strategy, we trust that this evaluation will lead to concrete actions focussed on the improvement of existing legislation as well as the introduction of new law to adequately protect other species.

Key recommendation

Given the experience provided by the strategy, we strongly recommend that the Commission now looks at a set of specific actions to improve animal welfare this term, rather than coming forward with a new 'strategy' per se. We are thus suggesting to clearly call for legislative changes, with the revision of existing legislation and the development of new ones and dedicated implementing rules for species not yet covered, instead of a new strategy.

Given the problems we have seen with certain pieces of legislation, we would suggest that the first priority, in line with the Council Conclusions adopted in December 2019, should be to revise certain key acts that Member States have found difficult or impossible to implement, notably:

- Council Regulation (EC) No 1/2005 on the protection of animals during transport
- Council Directive 2008/120/EC laying down minimum standards for the protection of pigs

We would also strongly urge the revision of those acts which need to be updated in line with prevailing science, to further animal welfare outcomes, notably:

- Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production
- Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens — specifically to phase out caged farming systems in this area
- Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes — to turn into a Regulation and to provide for delegated and implementing powers to lay down requirements for all farmed species, including fish, and to allow for the phasing out of caged farming systems in accordance with the European Citizens' Initiative *End the Cage Age*.
- Regulation 1099/2009 - specifically to include species specific requirements for farmed fish

We would also strongly urge new legislation, specifically:

- To ban the use of wild animals in circuses across the EU
- To provide for an EU-wide 'positive list' outlining those species which can be traded and kept as a pet, as the most effective way to ensure that the trade on exotic pets doesn't compromise the welfare of the animals, the human and animal health, the conservation of endangered species and the European biodiversity.
- To avoid the emergence of disease in aquaculture by supporting the natural immune function of fish
- To introduce horizontal rules for EU cross-border pet trade including online
- To establish species-specific requirements for commercial transport of cats and dogs
- To ensure that equine welfare is an incremental part of proposed EU actions (trade agreements, development aid)
- To include equine meat in mandatory country of origin labelling
- To apply new legislation on farm animal welfare to imported products;
- To condition all trade preferences granted to animal-based products in new EU trade agreements to the respect of relevant animal welfare standards applied in the EU
- To ban inhumane methods for killing/managing wildlife

Alongside such actions, and with the full realisation that legislation takes years from inception to application, Eurogroup for Animals suggests that the Commission in the short term:

- Uses available tertiary powers contained in the Animal Health Law and Official Controls Regulation to their fullest extent, specifically to:

- Introduce mandatory identification requirements and data transfer mechanisms between Member States for dogs and cats, to combat the exploitation of the Pet Passport system
- The development of animal welfare indicators, through new EU Reference Centres for Animal Welfare, and in consultation with the Animal Welfare Platform, to provide for measures to assess current compliance with existing animal welfare standards
- Adopts delegated acts to adapt the Annexes I and III to VIII (with the exception of provisions of Sections I and II of Annex VIII) of Directive 2010/63/EU to scientific and technical progress, in line with article 50 of this Directive.
- Puts resources behind the translation and dissemination of guidelines that have already been developed, including those that have been developed through the Animal Welfare Platform.
- Puts resources in the implementation of provisions on animal welfare cooperation in existing EU trade agreements, and establishes lists of priorities with each partner.\
- Puts sufficient resources in auditing animal welfare standards in establishments allowed to meat to the EU
- Undertakes prompt actions to conclude the transposition checks of Directive 2010/63, and 'monitoring' of MS enforcement of the law where flaws have been identified, e.g. unannounced inspections of laboratories

Section About you

This section should indicate your personal information.

Section Individuals (only if you are filling the consultation as a citizen and not as a NGO)

Questions should reflect your awareness and knowledge about the strategy.

How important is it to tackle the following issues that are targeted by the Strategy

	Not at all important	Somewhat important	Moderately important	Very important	Extremely important	Don't know
National competent authorities failing to enforce animal welfare legislation				x		
Animal owners and handlers not being aware of animal welfare rules and principles				x		
Businesses not being encouraged to respect animal welfare law				x		
Consumers lacking information about the welfare of the					x	

animals reared for food production						
Animal welfare law requiring simplification	x					
A lack of understanding of the welfare of farmed fish					x	
Animal welfare not being integrated enough with other policies (agriculture, environment, trade...)					X	
Different animal species not being protected equally in the EU					x	
EU and non-EU businesses not being subject to the same animal welfare rules					x	
EU animal welfare standards not being sufficiently promoted globally					x	

Section Awareness

Questions should reflect your awareness and knowledge about the strategy.

Section Relevance

To what extent are the issues targeted by the Strategy still relevant today (2020)?

	Not at all relevant	Somewhat relevant	Moderately relevant	Very relevant	Extremely relevant	Don't know
Non-compliance due to a lack of awareness among animal owners and handlers			x			
Non-compliance due to a lack of enforcement by national competent authorities				x		
Non-compliance due to weak incentives for				x		

businesses to comply						
A lack of information among consumers					x	
A need to simplify the legal framework	x					
A lack of knowledge on the welfare of farmed fish					x	
Insufficient use of synergies with the Common Agricultural Policy (CAP)					x	
An uneven level of protection for different animal species in the EU					x	
An uneven level playing field (EU and global market) for EU business operators					X	

Where (for which species, in which sectors and/or countries) is there a lack of compliance with EU animal welfare legislation?

- Pigs (Council Directive 2008/120/EC)
- Laying Hens (Council Directive 1999/74/EC)
- Broilers (Council Directive 2007/43/EC)
- All farmed animals (Council Directive 98/58/EC)
- Slaughter (Council Regulation (EC) N° 1099/2009)
- Transport (Council Regulation EC 1/2005)
- Zoos Directive (Council Directive 1999/22/EC)
- Do not know

Please specify the sectors and countries for each option selected. 1000 character(s) maximum

- Ongoing lack of enforcement of the Pig Directive concerning the provision of environmental enrichment and the ban on routine tail docking in all but 2 Member States as shown by audit reports and reports of the DG SANTE (Food Audits and Analysis) Action Plan on rearing pigs with intact tails (2017-19). The Pig Directive entered into force 26 years ago.
- Lack of enforcement of the Farm Animals Directive across EU dairy holdings due to extremely low frequency of controls by the competent authorities as well as the generic formulation of the law, as per overview report of DG SANTE (Food Audits and Analysis).

- The implementation of the Broiler Directive remains poor and very patchy across the EU. As reported in the “Study on the application of the Broiler Directive (DIR 2007/43/EC) and development of welfare indicators” (EC, 2017) practices across Europe differ and it is not possible to assess the impact the directive had on the welfare of broiler chickens. For instance, not all MSs offer appropriate training to the animals keepers (as required by Art 4 of this Directive). Additionally, despite the fact several indicators of animal welfare are used, not all the specified ones are used in all Member States. The EC study also found out that the use of penalties by MSs is generally low, in contradiction to the requirement set by Art 9 of the Directive.
- Slaughter: As indicated by the EC report in 2017, in case of poultry slaughter implementation is problematic given the difficulties of achieving required parameters (amperage) for every single bird entering the water-bath (Annex I, Chapter 2 of Reg 1099/2009). The impact assessment accompanying the document “Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the European Union Strategy for the Protection and Welfare of Animals 2012-2015 ” identified the issue that certain slaughterhouse operators do not properly implement derogation from stunning (Art 4 of Reg 1099/2009), using it to streamline their production process (EC, 2012). Since the entry into force of this Regulation, NGOs across the EU have provided extensive evidence on the use of methods to handle and slaughter animals that are in clear violation with requirements set by Regulation 1099/2009. This Regulation applies also to the killing of wild animals for the purpose of depopulation and for related operations - like the management of invasive alien species according to EU Regulation 1143/2014. However, the Regulations’ requirements on the protection of animal welfare at the time of killing are in part a consequence of the close adherence to detailed methods’ specifications which are in contrast to the current practice in much of wildlife management operations.
- Transport: Audits by DG SANTE (Directorate F) carried out in 2017, 2018 and 2019 revealed that 13 years after the entry into force of the EU Reg 1/2005, still enforcement by MSs remains low. The main violations recorded concern: fitness of the animals for transport, transport of unweaned animals, animal handling, transport during high temperatures, space requirements, journey time and enforcement of the Regulation during extra-EU transport of live animals (EU COJ, Case C-424/13). Evidence collected by NGOs in the past 13 years has confirmed the findings of the EC audits.
- Zoos Directive: Even if the implementation and enforcement of this Directive have been improved in all Member States, too many substandard and/or unlicensed zoos continue to operate. The lack of harmonised minimum standards for the keeping of animals in zoos and of clear criteria for the delivery of licenses are among the main reasons for this.

Are there other current animal welfare issues which are not reflected in the Strategy?

- Yes X
- No
- Do not know

Please indicate which welfare issues are not reflected in the Strategy. 400 character(s) maximum

- The need to revise farmed animal welfare legislation by expanding its scope to (a) include species-specific rules for all farmed species and (b) incorporate the most recent scientific knowledge - not only by simplifying. In the light of the current fast development of animal welfare science it is important that any revision of existing animal welfare law and any new laws foresee the possibility to be easily updated in the light of new scientific findings and with EFSA guidance as appropriate (as is the case for the Slaughter Regulation, for instance).
- Breeding and sale of pets are currently not dealt with directly or in depth. In order to ensure a safe pet market for EU consumers that is monitored and where animals, sellers and breeders are traceable there is a need for rules on EU pet trade.
- Welfare of equines in 3rd countries is not a subject of the strategy that delivered any outputs.
- The welfare of wild animals, even though vaguely mentioned in the Strategy, has not been addressed by any of the Strategy's actions.

Section Coherence

How coherent with each other were the Strategy's actions?

- Not at all coherent
- Somewhat coherent X
- Moderately coherent
- Very coherent
- Extremely coherent
- Don't know

Are you aware of other national, EU or international interventions in the field of animal welfare that took place at the same time as the Strategy?

- Yes X
- No

Please specify which interventions you are familiar with. 600 character(s) maximum

Some suggestions, please choose which you use!

- EU Zoos Directive Good Practices Document
- Two CITES Resolutions addressing the welfare of traded protected animals: Resolution Conf. 17.8 and Resolution Conf. 11.20 (Rev. CoP17)
- EU Action Plan against Wildlife Trafficking (including a specific action on the welfare of confiscated live animals)
- Adoption of a Positive List of allowed pet species in Luxembourg and the Netherlands.
- Transposition 2010/63
- Revision of CAP

Animal welfare measures (M14) under the Common Agricultural Policy's national rural development plans by Member States. Good examples include the regions of Sicily, Italy. Extended conditionality measures as a result of more stringent standards of animal welfare directives by the Member States (e.g.: Sweden for dairy cows) and extended scope of conditionality (e.g.: France implements conditionality requirements across both pillars). However, a 2019 report by the European Court of Auditors highlighted the lack of consistency between animal welfare strategies Member States implemented at national level and the implementation of the CAP in the national rural development plans.

- Official Controls Regulation
- Animal Health Law

EU Trade policy has somewhat intervened in the field of animal welfare. Most EU trade agreements negotiated through the period covered by the strategy included provisions allowing for parties to cooperate on animal welfare. However, there have been shortcoming in the implementation of these provisions, as reflected by the lack of information that can be found in the implementation reports produced by the Commission. More recently, the EU has announced that it has included its first trade preference conditioned upon the respect of animal welfare standards for shell eggs in the EU-Mercosur Agreement. This is an important precedent in trade policy that should be generalised. Conditioning preferential access to the EU market provides the best incentive for foreign producers to increase animal welfare standards.

To what extent do you agree with the following statements on the coherence of the Strategy with other interventions?

The Strategy was coherent with...

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
the Common Agricultural Policy (CAP)	x					
animal health EU policies and interventions				x		
other EU-level policies and interventions related to animal welfare (e.g. environment, trade, single market, fisheries, and research)		x				
national policies and interventions related to animal welfare (e.g. environment, trade, single market, fisheries, and research)		x				

non-EU interventions related to animal welfare (e.g. interventions by a third country, or by an international organisation such as the World Organisation for Animal Health (OIE) and the Food and Agriculture Organization of the United Nations (FAO))		X				
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Could you specify areas of tension between the Strategy and other interventions with an incidence on animal welfare (EU, Member States, international organisations)? 600 character(s) maximum

Section Effectiveness

To what extent did the EU Strategy contribute to:

	No contribution	Some contribution	Moderate contribution	Fairly significant contribution	Great contribution	Don't know
a better protection of animals across species in the EU?	x					
improving compliance by supporting Member State enforcement?		x				
improving compliance by increasing awareness among animal owners and handlers?	x					
improving compliance by strengthening /developing incentives for businesses to comply?	x					
improving consumer information? improving	x					
knowledge and evidence on the welfare of farmed		x				

fish?						
promoting EU animal welfare standards at global level?		x				
improving the use of synergies with the Common Agricultural Policy (CAP)?	x					
creating a more level playing field (EU and global market) for EU businesses?	x					

Where (for which species, in which sectors and/or countries) has there been improvement of compliance with EU animal welfare legislation?

- Pigs (Council Directive 2008/120/EC)
- Laying Hens (Council Directive 1999/74/EC)
- Broilers (Council Directive 2007/43/EC)
- All farmed animals (Council Directive 98/58/EC)
- Slaughter (Council Regulation (EC) N° 1099/2009)
- Transport (Council Regulation EC 1/2005)
- Zoos Directive (Council Directive 1999/22/EC)
- Other
- None
- Do not know
- **Please specify the sectors and countries for each option selected. 600 character(s) maximum**
- The implementation and enforcement of the Zoos Directive in all Member States has improved during the last 10 years. This is mainly due to the work of NGOs that exposed infringement cases, but also to the implementation of training programmes for zoos inspectors and the publication of the EU Zoos Directive Good Practices Document, both somehow in line with the Strategy's actions.

To what extent did the following factors influence the implementation of the EU Animal Welfare Strategy?

	Have hindered the implementation to a great extent	Have hindered the implementation to some extent	Have not influenced the implementation	Have facilitated the implementation to some extent	Have facilitated the implementation to a great extent	Don't know
Political factors (e.g. changing political priorities)	x					
Economic factors			x			

(e.g. market trends)						
Social factors (e.g. cultural changes, changes in consumer /citizens' expectations)			x			
Scientific or technological factors (e.g. advances in animal welfare science)			x			

Which actions/activities of the Strategy were the most effective in achieving their objectives?

Please specify the actions/activities that you feel were most effective. 600 character(s) maximum

Important note. The following activities were effective in bringing together relevant actors and exchanging information and best practice. They were still ineffective in bringing about tangible improvements in enforcement/implementation.

- The tri-annual Action Plan of DG SANTE (Health and Food Audits and Analysis) on rearing pigs with intact tails contributed to raising awareness and exchanging good practice among Member States. The EC team working on this issue was dedicated to driving progress and went to great lengths to inform and push member states to action. The plan contributed to stimulating MS to produce action plans on how to better enforce the Pig Directive. The EU Animal Welfare Platform sub-group on pig welfare was another avenue to create pressure and awareness. However, both initiatives failed (so far) to produce concrete results in terms of decreasing the proportion of pigs with undocked tails, which is the ultimate indicator of success.
- Transport: the EC pilot project on good practice for the enforcement of the Transport Regulation produced detailed guidance for all stakeholders on how to comply with the law. However, under several respects live transport rules are unenforceable and therefore such efforts have limited impact.

Which actions/activities of the Strategy were the least effective in achieving their objectives?

- Studies (e.g. on the welfare of farmed fish at the time of transport and at slaughter, on animal welfare education to the general public, etc).
- International cooperation on animal welfare (e.g. multilateral, bilateral and capacity building activities).
- Actions to improve the integration of animal welfare in the Common Agricultural Policy.
- Communication and education activities targeting consumers and the general public.

Please specify the actions/activities that you feel were least effective. 600 character(s) maximum

In terms of international cooperation, the EU had different channels available during that period. DG SANTE established a Memorandum of Understanding with Brazil and Argentina on animal welfare cooperation. Some activities took place through these channels and mostly contributed to raising awareness in these countries. However, legislation has not progressed much. Through trade policy, the EU could also rely on animal welfare provisions in trade agreements to support similar activities. Unfortunately, not much has happened. EU reports on the implementation of its trade agreements are mostly silent on what the EU does with these partners on animal welfare, with the exception of Canada. With this country, the EU has used the “Regulatory Cooperation Forum” (RCF) established by the treaty to try discussing animal transport, and now focuses on mobile slaughtering. However, this cooperation process has no specific objective, unlike many other topics covered by the EU-Canada RCF.

So far, the EU has also failed to highlight and address the impact of wildlife trade on animal welfare in the context of CITES. Only two Resolutions address the welfare of traded animals: Resolution Conf. 17.8 and Resolution Conf. 11.20 (Rev. CoP17)

Section Efficiency

How familiar are you with the funding and human resources associated with the Strategy?

- Not at all familiar
- Somewhat familiar
- Moderately familiar
- **Very familiar X**
- Extremely familiar
- Don't know

To what extent do you agree with the following statements about the funding and human resources provided for the implementation of the EU Animal Welfare Strategy?

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
The activities outlined in the Strategy received sufficient funding	x					
The human resources provided for the implementation of the Strategy were sufficient	x					
Considering the costs of the actions and the results achieved, the benefits outweigh the costs	x					

To what extent were the funding and human resources associated with the Animal Welfare Strategy appropriate both given the challenges the Strategy faced and its achievements?

- Not at all appropriate X
- Somewhat appropriate
- Moderately appropriate
- Very appropriate
- Extremely appropriate
- Don't know

To what extent do you agree with the following statements about the added value of the Strategy?

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
The Strategy brought benefits in the field of animal welfare, or related fields, that could not have been achieved through national interventions alone.		x				
The Strategy had a negative impact on existing national interventions in the field of animal welfare, or related fields.		x				
Animal welfare issues across the EU called for EU action.					x	
The Strategy brought benefits that the EU could not have achieved without it.				x		

To what extent did the Strategy simplify and develop clear principles for animal welfare by other means than new legislation?

- Not at all X
- To some extent
- To a moderate extent
- To a significant extent
- To a great extent
- Don't know

Section Added Value

Are there any other views on the Strategy that you would like to share? Please note that you may upload a document/position paper as part of your response to this consultation. 600 character(s) maximum

Any assessment of the strategy has ultimately to look at whether it led to demonstrable improvements in animal welfare on the ground. Sadly, any evidence of this is sorely lacking. Whilst some useful insight has been provided on areas that need attention, the aggregate level of animal welfare in the EU is either where it was in 2012, or worse, below that, due to a lack of action flowing from the strategy.

This is in spite of an increase in expectation of action at EU level to improve animal welfare from citizens, and the co-legislators alike. It is clear from Resolutions of the European Parliament, surveys of citizens' attitudes to animal welfare, and declarations and Council Conclusions from Member States, that EU level action on all the areas identified in the strategy — and more — would all add value.

Eurogroup for Animals now expects that such actions will be taken up by the von der Leyen Commission.

Please upload your file The maximum file size is 1 MB Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

We suggest member organisations use their own documentation to explain where they would like to see new legislation/revised legislation on animal welfare and why, according to their own priorities. This is also an opportunity to stress the policy areas that were not or not enough included in the strategy and where further action would be needed (ex: wildlife or animals used in sciences)