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DRAFT REPORT

on evaluation and assessment of the Action Plan on the Protection and Welfare
of Animals 2006-2010
(2009/2202(INI))

Committee on Agriculture and Rural Development

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United in diversity

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CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION.....	3
EXPLANATORY STATEMENT.....	8

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on evaluation and assessment of the Action Plan on the Protection and Welfare of Animals 2006-2010 (2009/2202(INI))

The European Parliament,

- having regard to the Commission communication of 23 January 2006 on a Community Action Plan on the Protection and Welfare of Animals 2006-2010 (COM(2006)0013),
 - having regard to its resolution of 12 October 2006 on a Community Action Plan on the Protection and Welfare of Animals 2006-2010¹,
 - having regard to its resolution of 22 May 2008 on a new animal health strategy for the European Union 2007-2013²,
 - having regard to Article 13 of the Treaty on the Functioning of the European Union, which lays down that, in formulating and implementing the Union's policies, the Union and the Member States shall always pay full regard to the welfare requirements of animals as sentient beings,
 - having regard to the Commission communication of 28 October 2009 on options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals (COM(2009)0584),
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A7-0000/2010),
- A. whereas good animal health and good livestock farming are of decisive importance to our society, not only in the interests of animal welfare but for the sake of public health as a whole, our economy and Europe's competitiveness,
- B. whereas our high animal welfare standards are part of the 'brand' of European agricultural producers, but only on condition that the rules in force are genuinely complied with,
- C. whereas in its above-mentioned resolution of 2006 the European Parliament insisted that the rules, standards and indicators adopted should be based on the latest technology and science and stressed that a high standard of animal welfare also entailed financial and administrative costs for Europe's farmers,

Action plan for 2006-2010

1. Welcomed the Commission's decision to focus in a multiannual action plan for animal

¹ OJ C 308 E, 16.12.2006, p. 170-178.

² OJ C

welfare on a few essential fields of action and then take vigorous action in these fields;

2. Notes that the vast majority of the measures contained in the current - albeit still none too ambitious - action plan have been implemented satisfactorily;
3. Appreciates the work which has been done to develop alternatives to animal testing and the Commission's efforts, under the auspices of the WTO and in bilateral agreements with third countries, to assign the highest priority to animal welfare;
4. Notes with great satisfaction the progress which has been made in the Animal Welfare Quality Project, as regards new science and knowledge relating to animal health indicators;
5. Regrets, nonetheless, that more has not been done to adopt a proposal for new rules on animal transport and the associated issue of developing a satellite system to monitor such transport, and urges the Commission, in the time still remaining before the action plan expires, to take the initiative in this field;
6. Is particularly concerned that, despite the clear recommendations and conclusions issued by the European Food Safety Authority (EFSA) in this regard, many pig farmers in Europe are violating the provisions of Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs¹, and calls on the Commission, therefore, to devise without delay a strategy to increase compliance with this Directive;
7. Urges the Commission likewise to ensure that the ban on systems which lack cages with nests for laying hens, which enters into force in 2012, is genuinely complied with;

Action plan for 2011-2015

8. Recalls that its above-mentioned resolution of 2006 already called for the existing action plan to be followed by a new one, and urges the Commission therefore to submit without delay an action plan for animal welfare 2011-2015 which, in the light of Article 13 of the Treaty on the Functioning of the European Union, should cover the fields below, backed by the required funding;

A general European animal welfare law

9. Observes that Article 13 of the Treaty on the Functioning of the European Union has created a new legal situation in which new powers and greater responsibility have been vested in the European Union and its institutions and considers that this article applies to all animals and not only food-producing animals;
10. Calls on the Commission, in the light of Article 13 of the Treaty on the Functioning of the European Union, to submit no later than 2012 a proposal for general animal welfare legislation for the EU which, on the basis of the available science and proven experience, should contribute to a common understanding of the concept of animal welfare and the fundamental conditions applicable;

¹ OJ L 47, 18.2.2009, p. 5-13.

11. Considers that this general animal welfare legislation, which should be accompanied by individual legal acts concerning specific species of animal, must include suitable guidelines on responsible keeping of animals, a common system for monitoring and to gather comparable data, as well as requirements relating to basic know-how on the part of handlers of animals and provisions establishing the particular responsibilities of animal owners;
12. Considers that this general animal welfare legislation, like Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety¹, should establish a common basic level of animal welfare in the European Union, which is the precondition for free and equitable competition within the internal market; considers, however, that it should be possible for any person, region or Member State to introduce voluntary systems which are more far-reaching;
13. Welcomes the debate concerning various possible animal welfare labelling schemes in the aforementioned Commission communication of 28 October 2009, and stresses that it is important that consumers in the European Union should receive adequate information to enable them to make well-informed choices in this regard as well as in others;
14. Recommends in this context that the principle should be that all claims concerning a product's characteristics must be provable and that if this entails excessively detailed information, which cannot be accommodated on the label, producers or vendors should afford access to the information on the Internet;
15. Considers furthermore that further measures and any additional individual legal acts should particularly focus on the following:
 - monitoring compliance with the ban on systems which lack cages with nests for hens,
 - more stringent monitoring of compliance with the EU directive on pigs,
 - animal transport and the use of modern technology,
 - forced feeding of geese and ducks,
 - plucking of down from live birds,
 - a ban on rearing animals in ways which hamper their natural behaviour;

A European centre for animal welfare and animal health

16. Considers that a European centre for animal welfare and animal health should be established no later than 2012, whose work should be based on the general animal welfare legislation proposed above;
17. Considers that such a centre should comprise the 'central coordination institute' referred to

¹ OJ L 245, 29.9.2003, p. 4-6.

in the aforementioned Commission communication of 28 October 2009;

18. Considers furthermore that, having regard to Article 13 of the Treaty on the Functioning of the European Union, such a centre should, inter alia, be assigned the tasks of assessing and stating views on future legislative and policy proposals and their impact on animal welfare and animal health, defining and assessing animal welfare standards on the basis of the latest available knowledge, providing training and information about animal welfare and animal health, and coordinating an EU system for testing new techniques;
19. Calls on the Commission, in this context, to assess how the authorities in all Member States have been involved in the work of the European Union on animal welfare and if necessary propose specific measures to tackle any problems; calls on the Commission furthermore to seek to ensure that EFSA's Scientific Panel on Animal Health and Welfare (AHA W) and the working parties attached to it comprise experienced experts from all parts of the European Union;

Better enforcement of existing legislation

20. Calls on the Commission as soon as possible to perform comprehensive inspections to ascertain how the Member States are applying and enforcing existing animal welfare rules, particularly concerning animal transport and pigs, and if necessary to propose in 2012 at the latest recommendations, guidelines and other necessary measures to tackle problems;
21. Considers that the aim must be a purposeful, risk-based monitoring system in which objective factors such as mortality statistics and the use of antibiotics are central;
22. Stresses that the European Union budget must include sufficient appropriations to enable the Commission to monitor the Member States more effectively and comprehensively in this regard;
23. Calls on the Member States to ensure that violations of EU animal welfare rules result in effective penalties, and that in each individual case these penalties are accompanied by comprehensive guidance and advice from the competent authorities;

The link between animal health and public health

24. Recalls that the use of antibiotics is an indicator of the state of health of animals, and expresses its deep concern about the acute problem of antibiotic resistance in animals and humans;
25. Stresses that the problem of antibiotic resistance is not confined to farm animals, and calls on the Commission, therefore, in the light of Article 13 of the Treaty on the Functioning of the European Union, also to take account of the role of pets in this connection;
26. Recalls that diseases are by their nature not confined within national borders and stresses that common measures are therefore needed to tackle diseases - such as salmonellosis and rabies - which are passed on between human beings and animals, including pets, due to poor animal health and inadequate keeping of animals;

27. Recalls in this context its aforementioned resolution of 22 May 2008, which likewise stressed the problem of antibiotic resistance, and emphasises that farmers, breeders and animal owners are primarily responsible for monitoring animals' health and welfare;
28. Calls on the Commission to step up its monitoring of the use of antibiotics in the European Union and, if need be, set up a common European database for this purpose;

Indicators and new techniques

29. Calls for an assessment and further development of the Animal Welfare Quality Project, particularly as regards incentives for farmers and producers to use the new indicators, as much work remains to be done to prepare the new indicators for practical application;
30. Calls on the Commission as soon as possible to propose a trial period for the assessment of animal welfare within the European Union using the methods developed in the Animal Welfare Quality Project;
31. Calls on the Commission as soon as possible to propose a system for trialling new techniques within the European Union which are relevant to animal welfare, and considers that - in addition to common test standards - such a system should comprise a structure for use in disseminating the results among the various Member States;
32. Calls on the Member States in this context to make better use of the opportunities for support for investment in innovation and modernisation beneficial to animal welfare which is available from EU rural development funds;
33. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

Good animal health and good livestock farming are of decisive importance to our society, not only in the interests of animal welfare but for the sake of public health as a whole, our economy and Europe's competitiveness. Our high animal welfare standards are part of the 'brand' of European agricultural producers, but only on condition that the rules in force are genuinely complied with.

Action plan for 2006-2010

The vast majority of the measures contained in the current - albeit still none too ambitious - action plan have been implemented satisfactorily. Good work has been done to develop alternatives to animal testing in order, under the auspices of the WTO and in bilateral agreements with third countries, to assign the highest priority to animal welfare. Particularly gratifying, too, is the progress which has been made under the Animal Welfare Quality Project as regards new science and knowledge relating to animal health indicators.

At the same time, it is regrettable that more has not been done with regard to animal transport and the associated issue of developing a satellite system to monitor such transport. Another matter of particular concern is that many pig farmers in Europe are violating the provisions of Directive 2008/120/EC laying down minimum standards for the protection of pigs.

Action plan for 2011-2015

In its resolution of 2006 the European Parliament already called for the existing action plan to be followed by a new one. This call should be reiterated, particularly in the light of Article 13 of the Treaty on the Functioning of the European Union, as amended by the Lisbon Treaty, which has established a new legal situation.

The rapporteur considers that the new action plan should focus on the following, for the reasons stated below:

1. a general European animal welfare law
2. a European centre for animal welfare and animal health
3. better enforcement of existing legislation
4. the link between animal health and public health
5. indicators and new techniques

In Europe there is an active desire to treat our animals decently, and we have a long tradition of doing so. This tradition should be maintained and enhanced, drawing on new experience and ever increasing knowledge of animals' natural behaviour and all the evident links which exist between animal and human welfare and health.

At present, animal welfare standards vary a great deal between countries, which in some cases results in enormous variations in living conditions for animals, but also prevents free and equitable competition between producers. The internal market is absolutely the most important instrument of cohesion in Europe and the principal preserver of peace and freedom for all. We should preserve freedom and equity on this market in all contexts.

The EU ought therefore as soon as possible to adopt a strong general animal welfare law which accords animals the right to a life worth living and makes it impossible for any producer to offer animal products on the internal market which do not comply with the conditions laid down by the general law.

Such a law should both fulfil the requirements of a worthwhile life in accordance with the nature of each animal species and give all animal producers the same basic market conditions. At the same time each producer, cooperative body or region should be absolutely free to adopt voluntary rules and labels which exceed the requirements of the general law. Such a general law must also indicate the obligation of all animal owners to assume full responsibility for their animals.

Such a general framework should not be a minimum directive but set a high general standard for all detailed legislation in the field, such as rules on animal transport, in much the same way as the EU's general law on food, Regulation (EC) No 178/2002, functions in the field of food safety.

Naturally, implementing more stringent framework legislation on animal welfare will cost all producers time, effort to acquire know-how and money. Know-how can be made available using Member States' own relevant databases, through producer organisations and via a new centre within the EU. Both as citizens and as consumers, we should all be ready to help finance greatly improved animal welfare standards. Even now, considerable resources are available as part of the EU's rural development funding, but these resources cannot be regarded as adequate.

A coordinating body is needed for animal welfare and animal health within the EU. Whether the function is entrusted to a department within the Commission or whether one of the existing national animal welfare centres is assigned a coordinating role is not so important.

The centre should be based on the 'general animal welfare law' and gather all available knowledge; it should have the power to initiate new research when lacunae are observed, one example being the very successful Animal Welfare Quality Project, where knowledge is currently lacking as to how the new indicators should be applied in practice. The centre should also maintain a complete picture of knowledge at a given time and advise on the introduction of new technology.

An absolute precondition to enable any law in any field to function is that there should be monitoring, supervision and (regrettably!) also penalties.

Here the Commission must be given powers and resources to enable it to establish a purposeful and risk-based monitoring system. Member States must also ensure that their supervisory authorities maintain high and equivalent standards and must also operate the requisite system of penalties for animal owners who do not comply with legal requirements.

There are strong ethical reasons for maintaining a high standard of animal welfare - which in itself ought to be adequate grounds for more stringent legislation and compliance with it. Nonetheless, public health aspects of animal welfare are at least as important.

There are such an incredible number of biological factors which are the same for all living

creatures, and even more for mammal species, which include both the vast majority of our animals and ourselves. Animals and human beings are alike in that they experience fear and pain, pleasure and friendship; we also have relatively similar immune systems and share many pathogens.

Animal diseases affect us not only because of the relationship between food-producing animals and human health but also in the form of the diseases to which wild animals and our pets are prone, examples being rabies, which we can catch from wild animals, and toxoplasmosis, most often resulting from infection by our cats. There are therefore many good reasons for interpreting the new Article 13 of the Treaty on the Functioning of the European Union, as amended by the Lisbon Treaty, as extending the EU's powers to cover all animals.

As in all other fields in society, our knowledge of our animals, and particularly of animal diseases and their influence on our health, is growing all the time. We must use this knowledge so as constantly to improve both the lives of animals and our own public health.

It would be in our common interest to establish a European database on the use of antibiotics. In what quantities are they used? Which antibiotics are prescribed? In what geographical areas? And in what fields of production? What quantities of antibiotics are used on pets? There are many vital questions, as antibiotic resistance - now taking the form of both multi- and pan-resistance - is above all a very serious threat to the health of children and the young.

In absolute terms the most serious diseases and those which represent a direct threat to life, such as TB, are precisely animal diseases, which can cause enormous problems. Here too, a new EU centre for animal welfare and animal health could have an important role to play as a driving force and disseminator of knowledge.

There are ethical and cultural reasons, without for one moment forgetting the practical, economic and public health reasons, for maintaining a very high standard of animal welfare. In the rapporteur's view, a new, ambitious multiannual action plan with the above focus would contribute to this.