IFAW’s response to the European Union’s Second Animal Welfare Strategy Consultation

Introduction

The International Fund for Animal Welfare is pleased to have the opportunity to comment on the EU strategy on Animal Welfare. We look forward to the further establishment, promotion and enhancement of animal welfare standards within the EU and through its extensive influence, at the international level.

It is clear that European citizens have a strong interest in animal welfare and want to be able to make more informed choices in line with their concern.

The Eurobarometer 2007 survey on animal welfare “demonstrated that there is a considerable interest in animal welfare standards. This is reflected in the demand for more information, whether that be in the form of information on standards in general, or on specific products. Meeting this demand would enable the European public to fulfill an important role as informed advocates for higher animal welfare standards.”

The representatives of the citizens of Europe have echoed this concern.

The European Parliament recently adopted a Resolution on the Animal Welfare Action Plan 2006-2010. It considers that as TFEU Article 13 recognises all animals as sentient beings, there is a need to include in the future strategy other animals including wild animals that are kept in captivity or submitted to treatment which is controlled by humans. The Parliament also considered the inclusion of animal welfare requirements in international agreements as essential and called upon the Commission to submit a proposal for general animal welfare legislation.

IFAW has welcomed recent speeches made by Commissioner for Health and Consumer Policy, John Dalli which reflect this level of support for improved animal welfare and we look forward to seeing his ideas formulated as EU policy.

On 30 November 2010 Commissioner Dali expressed his belief that the EU needs a general European animal welfare law, encompassing all animals. ‘It should be the basis for creating a more flexible, open and participative framework where EU initiatives for animal welfare could be developed. We should not only look at legislative ideas but also at initiatives on communication, education, research and international actions. In particular, we should better communicate the long term sustainability of high welfare standards. Similarly, we should support the dissemination and sharing of good animal welfare practices among producers. Our new strategy should adopt a holistic approach – seeking innovative solutions to reconcile high animal welfare standards demanded by EU citizens with the sustainability and competitiveness needed by EU producers’.

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1 Special Eurobarometer 270 Attitudes of EU citizens towards Animal Welfare (2007)
In order to encapsulate these concerns IFAW calls upon the Commission to:

- Ensure that Member States comply with and adequately resource and enforce existing EU animal welfare legislation and ensure greater awareness, compliance with and enforcement of new laws as they are promulgated.
- Extend the scope of its animal welfare work, which to date has focussed primarily on farm and laboratory animals, to include the welfare of wild animals and companion animals.
- Create comprehensive Community animal welfare policy covering wild animals and pet animals which includes a duty of care and not just an absence of suffering.
- Support the development of voluntary as well as compulsory standards and research, education and training initiatives designed to improve animal husbandry, stockmanship and care of animals of all species.
- Propose further action where there are gaps in current animal welfare policy and review, and if necessary amend, existing EU policy to ensure it is compliant with Article 13 [6b] of the Lisbon Treaty.
- In order to eliminate inconsistencies in formulating and implementing EU policies and initiatives in other sectors, it should be necessary to demonstrate that impacts on animal welfare have been assessed and taken into consideration.
- Press for animal welfare considerations to be included in bilateral and multilateral trade agreements and international fora such as the Convention on International Trade in Endangered Species of Fauna and Flora (CITES) and the International Whaling Commission (IWC)).
- Introduce mandatory identification and registration for dogs and cats in the European Union. IFAW also calls for certification of breeders to protect
consumers from health and other risks, and responsible breeders from a market distorted by poor animal welfare practices.

- Press all EU Member States to ratify the European Convention for the Protection of Pet Animals and to adopt its measures.

- Encourage Member States to put in place a companion animal management plan at national level to ensure that companion animals in the EU have adequate guardianship and to eliminate the euthanasia of homeless companion animals.

- In line with OIE guidelines conduct research and provide support for European Member States in implementing humane animal control programmes and promoting awareness of the need for such programmes both internally and internationally, including by allocating funds where appropriate.

- Assist consumers by providing more information on products and standards to assist with making informed choices and to raise awareness of animal welfare.

- Promote the inclusion of animal welfare in Corporate Social Responsibility policies in line with ISO 26000.

- Promote the inclusion of animal welfare in Sustainable Development Strategies, especially in preparation for RIO +20.

- Facilitate raising animal welfare standards in trading partner third countries. A benchmark should be for the EU, and our trading partners, to have comprehensive, effective and enforced framework animal welfare legislation as the basis for animal protection.

- Develop an animal welfare communication and education strategy for third countries and trading partners with a view to encouraging them to raise their standards to those of the EU.

- Create new financial instruments to support further significant animal welfare research and development of community wide animal welfare improvements.

- Assess social and marketing benefits that can accrue from sound animal welfare policies, standards and practices.
The basis for the EU animal welfare legislation

Over the past 30 years the EU has adopted a number of pieces of legislation designed to protect animals used for farming purposes, scientific purposes, wild animals (Zoo Directive\(^2\), Seals Regulation\(^3\), Leghold Trap Regulation\(^4\)) and companion animals – (Cat and Dog Fur Regulation\(^5\), Passports for Pets\(^6\)).

The legal basis for the protection afforded to animals to date is provided by a number of legal texts (Article 37 (agriculture), Article 95 (ex-100a, internal market), Article 175 (ex-130s, environment), Article 133 (ex-113, trade).\(^7\)

Article 13 of the Treaty on the Functioning of the European Union acknowledges that since animals are sentient beings Member States shall pay full regard to the welfare of animals in formulating and implementing the Union’s agriculture, fisheries, transport, internal market, research and technological development and space policies.

Historical intention to protect animal welfare

There was a clear intention for the future development of a more comprehensive approach to improving animal welfare when the first Community wide animal welfare legislation was introduced on 18\(^\text{th}\) November 1974\(^8\) in the Directive on slaughter. The preamble to this Directive contains the following language:

“Whereas the Community should also take action to avoid in general all forms of cruelty to animals; whereas it appears desirable, as a first step, that this action should consist in laying down conditions such as to avoid all unnecessary suffering on the part of animals when being slaughtered.”

Animal welfare is a consumer issue

Consumer policy is built into the EU’s strategic objective of improving economic competitiveness and the quality of life of all its citizens.

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\(^5\) Regulation (EC) No 1523/2007 Cat and Dog Fur


\(^7\) Evaluation of the community policy on animal welfare (C-PAW) and possible policy options for the future (Terms of Reference)

As well as ensuring action to protect consumers’ rights, consumer interests are intended to be integrated into EU legislation. The opening of trade borders through the expansion of the single market, combined with the growing global internet trade creates new problems for EU consumers who purchase live animals, including dogs. Lack of traceability systems enables unscrupulous dog breeders to market dogs with inherent physical or behavioural problems to unwary consumers. Not only do unscrupulous breeders cause heart ache and great cost to new owners, they also undermine the legitimate business of responsible dog breeders.

**Animal Welfare Funding**

In 2007 the European Union launched a new set of programmes for the distribution of up to €975 billion over a seven year period 2007 – 2013

We call for dedicated funding for the new Strategy on Animal Welfare to ensure all the elements of the future strategy are realised, including more research on the societal, health, consumer and other benefits from higher animal welfare standards.

In IFAW’s view funding for animal welfare, legislation, training and enforcement should be increased following recent FVO and other reports which indicate poor levels of enforcement of existing animal welfare legislation. Industry awareness and support of the legislation in some areas is low.

The European Commission acknowledges the concern of European citizens for the welfare of animals and yet most citizens have no access to information about the actual treatment of animals within the European Union. In addition to increasing funding for the development and implementation of policy, including policy on the welfare of wild as well as companion animals, money needs to be invested to audit compliance and improve enforcement of existing animal welfare legislation.

**Animal welfare and human and animal health:**

There is a relationship between animal welfare and animal and human health and the promotion of high animal welfare standards has the additional benefit of curbing the outbreak and spread of certain diseases.

Commissioner Dalli stressed in his speech on 24 January 2011 at the official opening ceremony of the World Veterinary Year 2011 that ‘issues related to food safety, food security and animal health emerge each and every month. Animal diseases do not respect borders and therefore it is essential that work is being undertaken at the international level’. He continued emphasising the interconnected nature of animal and human health, and the importance of acknowledging the obligations we have towards the animals that provide our food, as well as to ensure a better understanding of animal welfare, and the positive value it can bestow. IFAW is pleased to note the Commissioner believes that the
future acceptance of higher welfare standards is of vital importance not only for the EU but internationally.

However, as mentioned by MEP Maret Paulsen in her report on the evaluation and assessment of the Action Plan 2006-2010, ‘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’. MEP Paulsen added that there are therefore many good reasons for interpreting the new Article 13 of the Treaty on the Functioning of the EU as extending the EU’s power to cover all animals.

We look forward to the development of EU wide Framework Animal Welfare in recognition of the protection this will afford to animals and the additional human and animal health benefits.

**Animal Welfare and Sustainable Communities**

IFAW believes that animal welfare has an important role to play in the development of Sustainable Community initiatives. To this end has been working with municipalities in a pioneering project in the State of New Jersey, USA. Sustainable Jersey is a certification program for New Jersey municipalities that want to go green, control costs, save money, and take steps to sustain their quality of life over the long term.

The program:
1. Identifies concrete actions that municipalities can implement to become “certified” and be considered as leaders on the path to sustainable communities;
2. Provides clear guidance and tools to enable communities to make progress on each action;
3. Provides access to grants, and identifies existing and new incentives for municipalities to make progress toward the actions

The new Animals in the Community action toolkit was created to help communities approach the interrelationship between animals, people and the environment in a holistic manner and to ensure ecological sustainability, a critical step towards sustaining community quality of life over the long-term.

1) Wildlife Interaction Plan
The Wildlife Interaction Plan offers models for practical and appropriate community-based plans that will foster positive human-wildlife interactions and resolve concerns with individual species.
2) Companion Animal Management Plan
A Companion Animal Management Plan is a tool for Municipalities to establish humane, efficient and effective solutions to companion animal (cat and dog) issues.

3) Pledge of Municipal Support for New Jersey’s Wildlife Action Plan
The Pledge is a community’s first step in recognizing the important role that wild animals have in healthy, sustainable communities.

4) Animals in the Community Education Plan
This action identifies opportunities for municipalities to work in partnership with schools and communities to adopt and implement formal and/or informal education programs that foster youth appreciation and respect for animals and our shared environment.

Copies of relevant documents attached

**Animal welfare and trade**

The International Fund for Animal Welfare recognises the progress the European Union and Member States have made towards improving protection for animals within the Union as well as raising awareness of animal welfare issues and responsibilities internationally. We would especially like to take this opportunity to commend the Union for its initiatives prohibiting the trade in seal products from commercial seal hunts, the ban on the importation and intra-community trade of cat and dog fur. A general animal welfare law would not only reflect European values but would provide a framework to defend such legislation.

**Need for an integrated approach:**

European legislation needs to be coherent and a general animal welfare law, which required other sectors to assess the impacts of their policies and initiatives on animals, would help to eliminate inconsistencies. We are concerned that any policy for the management of invasive alien species for biodiversity reasons must also include animal welfare considerations.

**The welfare of wild animals**

IFAW calls upon the Commission to improve coordination on animal welfare, conservation and environmental protection issues. Wild animals need to be protected against cruel treatment as well as endangerment. Wild animals in captivity need to be protected whether in zoos or private ownership.

**Wildlife Trade**

Considerable trade in wild animals exists to, from and within the EU. As well as posing conservation problems, the killing of animals for trade and the capture, transport, marketing and keeping of live wild animals causes immense suffering. Consumers purchasing wild animals, or products made from them, are shielded from the facts about the trade and the cruelty that exists in the chain. Furthermore in purchasing live animals
many people are unaware of the commitment required to keep exotic species alive and to ensure high standards of animal welfare. They are also unaware of the dangers of disease transmission to humans and other animals from exotic species such as reptiles. Mortality of exotic species is high and furthermore owners unable to cope with the demands are known to release animals into the wild creating potential problems of invasive and alien species.

Wild animals and their parts and derivatives are traded commercially throughout the world, causing tremendous suffering of individual animals, endangerment of wild animal populations, species extinctions and degradation of biodiversity. The global trade in wildlife is a multi-billion euro business annually, involving hundreds of millions of individual plants and animals from tens of thousands of species. A significant portion of this trade is unmanaged, unreported and/or illegal, and the development of internet trade has contributed to its expansion due to facility of transactions and difficulty of control.

The species traded are often already highly threatened and in danger of extinction, conditions under which wildlife is transported are often appalling and operators are unscrupulous and indifferent to the environmental damage they cause.

Additionally, illegal trade undermines nations' efforts to manage their natural resources sustainably and causes economic loss and damage to biodiversity. Moreover, illegal and unregulated trade results in the introduction of invasive species that prey upon, or out-compete native species. Invasive species are a major cause of recent extinctions, as well as harm to local agriculture, livelihoods and economies.

In formulating and implementing EU internal policy, the EU and Member States should pay full regard to animal welfare as well as conservation considerations. Furthermore it should also press for animal welfare considerations to be embedded in bilateral and multilateral trade agreements and international fora such as the Convention on International Trade in Endangered Species of Fauna and Flora (CITES) and the International Whaling Commission (IWC).

Whales

The EU and Member States should continue to be active in addressing the fundamental animal welfare issues inherent in the hunting and killing of whales for commercial purposes through actions both inside and outside the International Whaling commission. There is no humane way to kill a whale at sea and the EU is committed, through its common position of 3 March 2009 to support the maintenance of the commercial whaling moratorium and end scientific whaling outside IWC control. As

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9 Worldwide, 1,141 of the more than 5,488 (21%) described mammal species and 1,222 of the more than 9,990 (12%) described species of birds are threatened with extinction (IUCN 2007). According to Dr. Michael Novacek, Provost of Science at the American Museum of Natural History (Ward 2002), “As much as 30 percent of species diversity will be erased by the middle of this century.” In total, an alarming 8,462 species of animals -- from insects and shellfish to gorillas and elephants -- are considered at risk (IUCN 2008). For some of these species, wildlife trade is a key factor in their demise.
demonstrated in the attached scientific analysis of Japan's high-seas whaling activities, IFAW scientists have developed considerable expertise in this area and would be pleased to provide additional information to appropriate EU representatives.

Copies of relevant reports attached

We would like to see the EU pay greater attention to wildlife welfare policies.

**The welfare of pet animals**

Belgium used its presidency to underline the importance of companion animals – specifically cats and dogs – to European citizens. Minister Onkelinx said that "sharing information and experience is the basis for… [a] Europe-wide solution and strategy to create an appropriate and responsible attitude by us humans towards animals". Minister Onkelinx also pointed to the Article 13 of the Treaty on the Functioning of the EU as a basis for further EU action in this area. The Council of the European Union called on the Commission “to study the differences between measures taken by Member states regarding the breeding of and EU trade in dogs and cats and, if appropriate, to prepare policy options for the harmonisation of the internal market” as well as “study and propose…options for facilitating compatible systems of identification.”

IFAW believes that the EU should extend the scope to include companion animals for the following reasons:

1) **High standards of EU-wide animal welfare**

EU citizens have demonstrated their concern for animals through Euro barometer surveys, growth of animal welfare groups and political pressure - all of which reflect EU values. Neglect or mistreatment of animals anywhere in the EU is of concern to EU citizens everywhere. EU tourists frequently request help for the plight of cats and dogs they have seen on travels to other Member States from the animal welfare organizations in their home country. This is of concern to IFAW and our supporters in the UK, Germany, Netherlands and France, where EU citizens give millions of Euros every year in an attempt to address stray animal issues.

2) **Responsible pet ownership and public health**

Dogs and cats, when managed inappropriately, can spread disease and create additional public health concerns including fighting, biting, and unsanitary conditions. The appropriate management and care of animals includes basic veterinary care, breeding control, as well as lifelong guardianship of animals to prevent disease, overpopulation and the development of stray populations.
The EU has already demonstrated its concerns regarding public health due to the movement of dogs and cats within the EU, however the current Pet Passport system fails to provide adequate controls and consistent reporting to ensure the protection of public health. IFAW has demonstrated that the influx of animals bred in poor conditions are entering the Netherlands and Germany from eastern European countries under falsified passports. EU support for a mandatory chipping and registration scheme would help mitigate these concerns.

An additional public concern is the high population of roaming dogs and cats in some Member States. In IFAW’s experience working with stray and roaming populations of dogs and cats around the world, both public health and animal welfare can be protected through the provision of Adequate Guardianship – which means meeting the five freedoms already well established in EU regulations for other categories of animals. This includes adequate veterinary care as well as preventing animals from being exploited through inappropriate husbandry conditions. Recognizing that dogs and cats are not afforded this treatment in all areas of the EU, IFAW respectfully suggests that this is an oversight with regard to community policy. The encouragement of Adequate Guardianship through the improvement of humane education and research would close this gap in standards and protect public health.

3) Economic Considerations
In the absence of good animal welfare and responsible pet ownership there is a backlash against pet owners and growing restrictions that discourage people from keeping dogs and cats. Pet services and products are an important and growing economic sector in the EU including the provision of pet supplies, pet food and pet services (pet insurance, grooming, boarding, dog walking and dog daycare) as well as veterinary service. The pet industry has proved itself to be quite recession-resistant. The worldwide market for pet food and pet supplies has grown about 3 percent annually since 1998 to about 44 billion Euro ($56 billion) 20 years later in 2008 according to research firm Euromonitor International, and is projected to continue growing.

Pet food and supplies is an important industry in the EU as reflected by the economic size of the sector in Western Europe (€16 billion in 2005, €18 billion in 2009). The growth area is at the high end which the pet industry ascribes to the so called ‘humanisation’ of pet animals. In fact, this growth area also reflects an increasing interest in animal welfare and a desire to provide a good quality of life for pet animals.
Spending on Pet Supplies in Europe 2008

Source: Euromonitor (December 2008) and IVH (Germany 2007)
The welfare of pet animals in the EU

Considerable trade in pet animals exists to, from and within the EU. These animals fall into four categories.

- Cats and dogs are domestic pets that have been socialized and are able to form close bonds with and thrive in mutually beneficial relationships with human beings as well as their own species. They are kept primarily for companionship.
- Domesticated pets such as ferrets and rabbits that have been kept by humans for many centuries, have been bred in captivity over many generations and whose characteristics have been substantially altered, as compared to their wild counterparts, by such breeding.
- Exotic pets - animals that were removed from the wild or bred in captivity from wild animals and / or whose characteristics are similar to those of their wild counterparts. Many exotic pets cannot be tamed and are often imported from the wild. (see wildlife section)

Trade impacts all categories and the very high mortality rates in some areas indicate that severe animal welfare issues need to be addressed as a matter of urgency.

Companion animals, mainly cats and dogs, although they are not caged, are still vulnerable to abuse and abandonment and this continues to be a serious problem, even
within the EU. Currently many millions of cats and dogs are killed every year because there are insufficient homes for them. Community and national action is required to take a strategic approach to resolving the issues of irresponsible pet ownership within the European Union in line with Written Declaration 0026/2010 on the welfare of pets.

Cruelty statutes must also apply to companion animals, and infractions should carry criminal penalties. Member States must ensure humane population and disease management practices are in place.

Current EU Animal Welfare policy does very little to support the welfare of companion animals.

Conclusions

The development of the EU strategy on Animal Welfare is an exciting opportunity for the EU to once again take the lead in animal welfare internationally. It is an issue of great concern to IFAW and the citizens of Europe. We are grateful for the opportunity to provide our thoughts in this consultation and look forward to the further development of animal welfare standards within the EU.

If we can be of any further assistance in any way please do not hesitate to contact the International Fund for Animal Welfare.