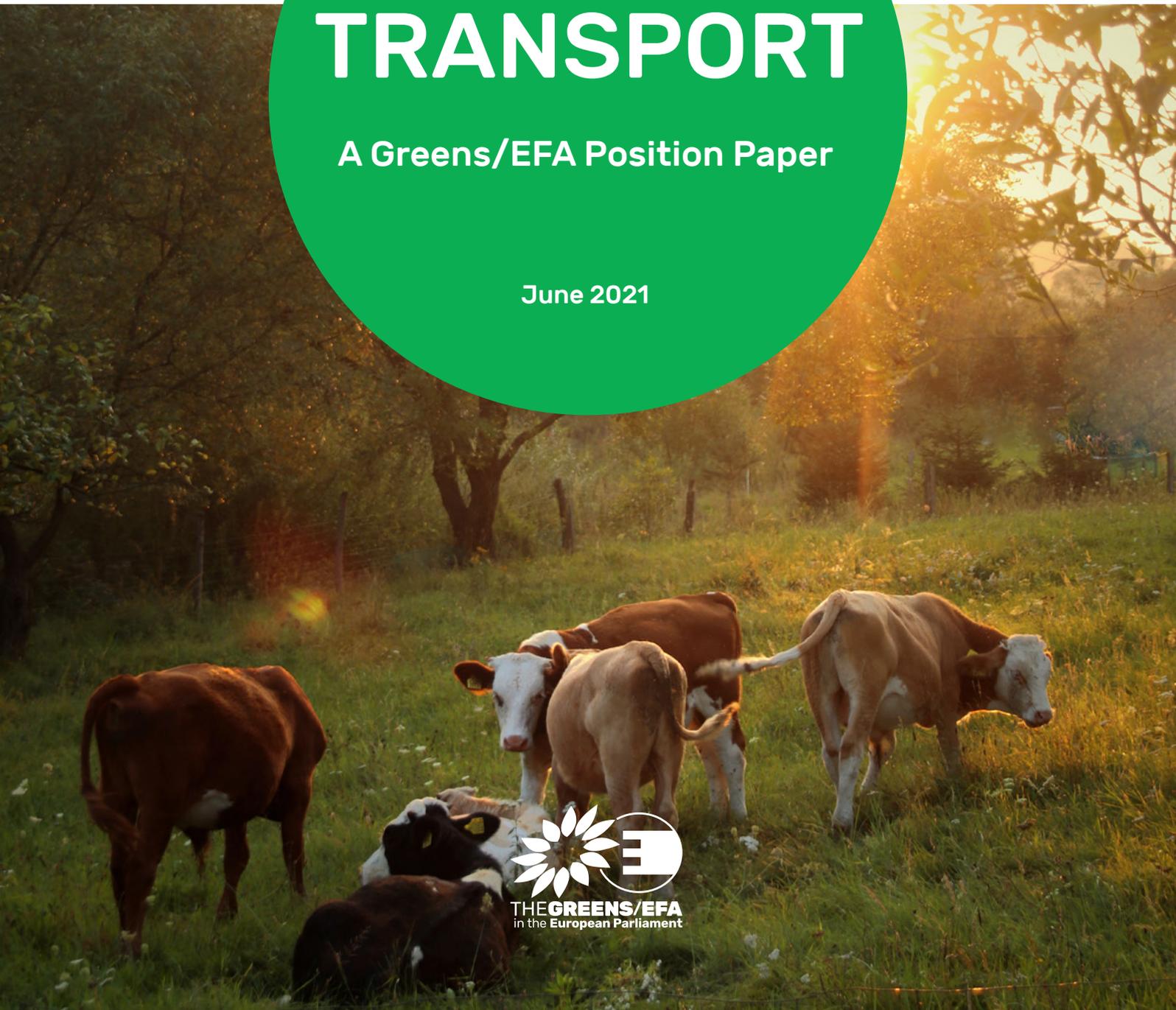




ANIMAL TRANSPORT

A Greens/EFA Position Paper

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THE GREENS/EFA
in the European Parliament



The Greens-EFA have long called for investigation into the implementation of **animal welfare rules in transport**, and in 2020, the European Parliament finally created a Committee of Inquiry on the protection of animals during transport. The Greens-EFA group stands for a **better protection of animals**, and therefore adopts the following position on animal transport in connection with an economic activity.

The EU is estimated to be the world's biggest exporter of animals. The number of animals traded and transported within the bloc regularly reach into the billions each year. Animals are transported not only to slaughter, or as exports, but also within the production cycle itself, notably for further fattening. Yet transport is recognised as a source of significant stress and suffering for animals. Whilst early legislation from 1991 focused on lifting barriers to trade and transport of animals, with a framework for minimum welfare standards, the current Regulation 1/2005 was adopted to further protect the welfare of animals during transport. The Regulation's general principles apply to all vertebrate animals transported for economic purposes (with limited exceptions for e.g. transhumance and veterinary visits), and it contains specific provisions covering the transport of common farm animals.

Article 13 of the Treaty on the Functioning of the European Union recognizes animals as sentient beings and states that EU legislation should therefore pay full regard to the welfare requirements of animals. Yet, despite existent legislation, NGOs and journalists frequently witness and report on significant suffering of animals during transports, due to the poor implementation of Regulation 1/2005 and its outdated scientific basis and recommendations.

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TRANSPORT OF FARM ANIMALS AND THE FOOD SYSTEM

The question of animal transport cannot be separated from the broader questions of our food system and treatment of animals. Over the years, we have witnessed an increase in animal transports within the EU and beyond, occurring in tandem with the industrialisation of animal farming. This sees increased concentration and segmentation of the production cycle, with each stage becoming more specialised in particular countries, or even regions. Animals are routinely born in one country, raised and fattened in a second one, slaughtered in a third one, their meat being sold in a fourth one.

We believe that both animal welfare and rural economies are better served by shorter supply chains focused on more local or regional breeding and consumption. The Greens-EFA group call for the transformation of our food system (see CAP for the Future – Greens-EFA Policy Paper), which, for the livestock sector, implies a necessary shift towards lower volumes, of higher quality and sustainability, based on locally sourced products and feed, with supply focused on EU demand.

Reducing the transport of animals is not only possible, it is also desirable and coherent with the Greens-EFA vision of a sustainable farming sector. In many cases, the transport of live animal can be replaced by the transport of carcasses and meat, or by the trade of genetic material. Existing EU funds should be redirected to financially support small-scale, local, collective or mobile slaughterhouses and processing units, so that animals are slaughtered on-farm or as close as possible to their place of rearing, with the aim to limit distance of transport to slaughter at 300km maximum.

REDUCING AND IMPROVING ANIMAL TRANSPORT

Rules for travel inside the EU

The duration of a journey has an important impact on animal welfare. Current rules allow for maximum journey time of 8 hours, followed by a rest of 24 hours. Yet the legislation allows to extend this duration considerably, if certain provisions on vehicle standards, resting and feeding are met. In practice, a journey of 8 hours for pigs and horses can rise to up to 24 hours. The Greens-EFA group calls to limit journeys to a absolute maximum of 8 hours, irrespective of the mode of transport, and for the setting of lower, species-specific maximal journey times and distances, in particular 4 hours for poultry and rabbits.

The definition of journey time also matters. Loading and unloading times, whether at the beginning, at the intermediate rest point or at the end of the journey, should count as part of the journey time. Competent authorities should check whether planned loading/unloading times are realistic and fit within the overall journey time declared in the journey log.

The definition of the place of destination also creates important loopholes. This is currently defined as the end point of a journey, where animals stay for a period of at least 48 hours. Yet, in practice, it is difficult to distinguish between a true destination and a mere place of transfer, possibly with a change of means of transport. Worse, some journeys are approved with an obviously false final destination. The required accommodation period should be extended to 30 days, to ensure that journey limits are not bypassed by shifting animals along several journeys, one after the other.

Temperature is another important factor. Regulation 1/2005 provides that for journeys over 8 hours ventilation systems must be able to maintain a constant internal temperature between 5 and 30°C, with a +/- 5°C tolerance. Yet most vehicles do not have adequate air cooling systems to regulate the temperature inside the vehicle, leading to frequent breaches. Member States' competent authorities should not authorise any transport of animals during extreme weather conditions, according to national meteorological systems. Any flexibilities should be specified, for instance during periods of intense heat, competent authorities should issue bans on animal transport for the hottest hours, while only allowing transport to take place during the night if the verified temperature allows it.



Export to third countries

A significant number of animals are exported alive to third countries. NGOs have documented animal suffering both during the transport itself and on the place of arrival, due to lower standards of animal welfare legislation. In its 2015 case C-424/13, the ECJ ruled that the protection of animals under EU law does not stop at the borders of the EU, and that the requirements relating to watering, feeding intervals, duration of journeys and resting periods also apply to stages of the journey that take place outside the EU. As a consequence, several countries and regions in the EU have partially or fully banned exports of live animals, on the grounds that they cannot guarantee the respect of EU law beyond the borders. Investigations have shown that the regulation was regularly breached by transports into extra-EU countries. At the same time, transporters have been able to bypass these few regional or national laws, by taking their transports through less strict regions and countries.

The Greens-EFA group calls for prohibition of live animal exports to third countries by 2025, in addition to the full - and immediate - implementation of the existing ECJ ruling. Exports to the EU's nearby neighbour countries could be authorised within the standard 8 hour limit, if the country in question commits, through an international agreement, to implement animal welfare standards at least as protective as EU rules, for breeding, slaughtering and transport of animals, and if there are guarantees that animals will not be further exported.

During the export phase-out period, Member States must fully implement the ECJ ruling. To facilitate this, the Commission should audit and certify control posts (places of rest or transfer) in third countries, to develop an audited list of acceptable control posts, against which Member States can verify the journey logs. Competent authorities must not approve journey logs where animals are unloaded for rest in a non-EU country, unless the journey log has identified an audited post with facilities equivalent to those of a control post in the EU. Better implementation is needed at exit points, where official veterinarians verify the animals' fitness for transport and the vehicles/vessels standards.

ANIMAL-SPECIFIC DEMANDS

Certain species and types of animals – such as unweaned young, end-of-career or gestating animals – are particularly vulnerable, and yet Regulation 1/2005 affords them few specific protections. Unweaned calves, for example, have weak immune systems, and particular needs (feeding, resting) which are difficult to ensure during transport. The Greens-EFA group calls for a ban of the transports of unweaned animals, with only limited exceptions for transhumance or for transport by farmers of their own animals. The definition of unweaned animals should be clarified, to specify animals incapable of independent intake of solid feed and water, and with a clear minimum age in weeks, according to species. Calves should not be transported before they reach 12 weeks of age. Regarding pregnant animals, their transport should be prohibited once they reach 40% of the expected gestation period.

The regulation is applied in full only to a limited number of species (equine, bovine, ovine, caprine and porcine species). Existing guidelines – species-specific guidelines, developed by the Commission to fill this legislative gap – are not legally binding, and should now become enforceable law. This is particularly urgent for those species poorly covered and subject to loopholes in the Regulation, such as poultry and rabbits. Further, we call for species-specific rules in the legislation to cover the transport of laboratory animals, pets (in commercial transports, especially those originating in third countries), registered Equidae, and fish transported for aquaculture.

Even for the more common farm animals it covers, Regulation 1/2005 contains many open norms and broad terms such as “unnecessary suffering”. To make compliance easier to verify during official controls, those broad terms should be translated into clear qualitative or quantitative criteria. Existing standards should be elaborated upon, for instance, to clarify minimum and maximum external temperatures per species and category of animal. We also call to develop indicators for the direct assessment of animal welfare, to be verified by the competent authorities during controls.

For many species, the current provisions of Regulation 1/2005 are vague – but for fish they are entirely impossible to implement. It contains few provisions applicable or relevant to their welfare. The regulation must better take into account fish welfare, bringing standards up to the World Organisation for Animal Health equivalent, with relevant provisions for the different species and for the equipment necessary to maintain and monitor water quality during transport.

MEANS OF TRANSPORTS, EQUIPMENT AND EXPERTISE

Today, individual Member states are in charge of certifying vehicles (trucks, vessels, trains), which results in varying implementation of the EU requirements. We call for the establishment of an EU-wide harmonized system for certification of vehicles, specifying the species and age for which the vehicles are appropriate. EU legislation should include measurable concepts and precise definitions, notably concerning the surface area required for the species, type and number of watering devices per animal, amount of bedding, and headroom requirements.

Not all modes of transports are considered equally in the legislation. Journeys on sea vessels are not limited in time, and consequently records do not reflect the reality of animals' journeys. This allows for transport of many days, possibly in extremely rough conditions, with few obligations for transporters, especially in the case of export to third countries. The Greens-EFA group calls for the definition of journey time, and journey time limits, to apply equally to all modes of transport, whether by road, train, sea or air. Given the multidisciplinary nature of vessel certifications, involving engineers and veterinarians alike, an EU-wide body should be established to undertake vessel certifications, via a uniform procedure. Sea journeys should be attended by on board veterinarians proportionate to the number of animals on board.

After the errant months that the Elbeik vessel spent at sea, with thousands of suffering cows, it is clearer than ever that solid contingency plans are needed, in case of disruption of transport or diseases on board. Harmonised rules on the required contingency planning should be introduced for all transports. Contingency plans should include provisions for emergency slaughter, and the on-ship facilities needed to undertake this humanely.

Transporters themselves have highlighted that the minimum requirements for driver training are insufficient, and they have to self-organise the staff training. Member states should reinforce both practical and theoretical education and training for the drivers and staff involved in the transport of animals, guided by minimum standards established and disseminated at EU level.

ENFORCEMENT AND SURVEILLANCE OF THE REGULATION

The Animal Transport Inquiry Committee has revealed that the current legislation is poorly implemented and enforced across Europe. Such poor implementation of the legislation is not only detrimental to the animals transported, it also constitutes unfair competition, in which transporters respecting the legislation are effectively penalised. We also call on the Commission to launch infringement procedures against Member States where breaches of the Regulation 1/2005 and/or the ECJ ruling are frequently observed and reported, without being properly sanctioned.

Sanctions systems vary greatly between Member States. We support the development and introduction of a harmonised EU sanction system, including on-the-spot fines to be applied in a systematic way, and which applies higher sanctions in case of repeated infringements. An infringement grid should lay down effective, proportionate and dissuasive fines and actions for each category of infringement. Member States that find breaches should systematically notify all other Member States involved, as required by Article 26 of Regulation 1/2005, and ensure that these breaches are acted upon.

We call to reinforce controls on animal transport, both through an increased human presence and via digital means. The training of road police and veterinary services should be improved. Vets should be present to check the fitness of animals for every journey of more than 4 hours. A rotation principle should be developed, so that vets are not put in a situation of dependence or pressure from transporters/exporters. Veterinarians in charge of approving animal transports often experience pressure from companies involved, which must be sanctioned.

In order to properly assess the implementation of the Regulation, a more effective and transparent monitoring system is needed. A new digital journey log should be developed, to be accessible by competent authorities of all EU Member States, and accepted only upon verification by an official veterinarian. It should contain welfare-relevant information not collected in TRACES. For instance, every vehicle should be equipped with a device recording and transmitting its GPS position, data such as temperature and humidity rate inside and outside the vehicle, as well the data recorded by the digital tachograph in the case of a truck. The data collected could be used by authorities to organise risk-based controls, and to sanction breaches.

Data on animal transports collected through TRACES (Trade Control and Expert System) and through new digital journey logs should be compiled and made public, alongside data on controls, infringements and sanctions.



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