

REGIONAL STEPS TOWARDS A COMMON ANIMAL WELFARE APPROACH IN EUROPE

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Summary: *Animal welfare has long been an important subject for the countries of Europe. Europe was the first region in the world to recognise its significance and has been responsible for the majority of initiatives in this field. It is not a new topic for the OIE either, since it has considered animal welfare a priority for over ten years and has adopted more than a dozen international standards for aquatic as well as terrestrial animals.*

Nevertheless, many OIE Member Countries, in Eastern Europe in particular, face considerable challenges in implementing these standards. To help these countries to better fulfil their obligations, it is proposed to establish, under the auspices of the OIE Regional Commission for Europe, a regional platform that will give them access to expertise and provide a forum for exchange of best practices, supported in particular by the PVS Pathway and the national Focal Points for Animal Welfare.

Keywords: animal welfare – capacity building – Europe – regional animal welfare strategy

Introduction

Animal welfare has long been an important subject for the countries of Europe, which was the first region in the world to recognise its significance. The region has been responsible for the majority of initiatives to try and translate ideas and concepts into reality and concrete rules. Regional animal welfare was first handled by the Council of Europe (CoE), followed most successfully by the European Union (EU). The issue inevitably came onto the global agenda of the World Organisation for Animal Health (OIE). Global animal welfare is no longer a new topic for the OIE, since it has been working in the field for nearly ten years. The OIE is now one of the major players, primarily through the adoption of international standards. This work will continue as long as necessary, given that various aspects have yet to be covered. The participation of OIE Members representing all parts of the world brings global field experience and best practice into the discussion and drafting of standards. In parallel with standard setting, the OIE has put in place practical tools to help its Members implement these standards effectively through nomination, in each Member Country, and capacity building programmes for National Focal Points on the latest developments in OIE standards. The EU supports these activities, and OIE Members in the Europe region have had the opportunity to send their Focal Points on Animal Welfare on regional workshops. However, the Europe region shows contrasting levels of implementation of animal welfare policies in national legislation. Though the region was the first in the world to tackle the issue of animal welfare at governmental level, recent decades have seen a growing disparity between countries with a high level of implementation of animal welfare policies and others that have not yet taken the issue into account.

Through the implementation of the PVS Pathway and other activities, the OIE is aware that many countries of Eastern Europe face major challenges to implement effectively all the missions pertaining to good quality Veterinary Services. Moreover, the lack of organisation of stakeholders and representative associations limits the opportunities for the Veterinary Services to form the 'public-private partnerships' essential to achieving sustainable compliance with OIE standards on animal health and welfare. OIE Member Countries in the eastern part of the region have expressed the wish to achieve more in this respect. Considering the global leadership of the OIE in regard to animal health

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and welfare, participants at the EU-supported seminar for national Focal Points on Animal Welfare (Kiev, March 2012) called on the OIE to develop a mechanism in the sub-region to facilitate better application of OIE animal welfare standards. There is indeed a need today for a concerted approach in order to build a bridge across the whole region as regards rules on animal welfare. Through the OIE PVS Pathway and other capacity-building tools, the OIE is already playing an important role in raising awareness of governments and donors, and supporting the Veterinary Services in Eastern European countries to meet international standards. The OIE and OIE standards have the necessary trans-regional legitimacy to be the foundation on which this bridge could be built, with the help of the natural partners, namely the EU, the Collaborating Centres located in the region and relevant nongovernmental organisations (NGOs).

1. History – Achievements

1.1. The nongovernmental organisations and European countries

The first actions to protect animal welfare in European countries date back to the late 19th century and include the first legal measures against acts of cruelty. It has to be said that the original stimulus came from civil society: the awareness of citizens and eventually of governments was raised by animal protection associations. These NGOs, working as links between citizens and governments, have constantly pushed for animal welfare to be taken into account in national regulations. From being generalist organisations they progressively specialised. Some have focused on farm animals and breeding stock and became natural interlocutors of national Veterinary Services. The role of the veterinary profession in this respect has been of paramount importance. From being local or national organisations, they have become federated regionally or even globally. Today, even if the ultimate responsibility lays within the competent authorities, animal welfare NGOs at national, regional and global level remain essential partners, especially when it comes to sharing practical experience and conveying messages to all stakeholders.

1.2. The Council of Europe

After many European countries introduced animal protection rules into their legislation, the first continent-wide initiatives were launched by the Council of Europe (CoE), which today includes 47 countries out of the 53 of the OIE Regional Commission for Europe.

The CoE did not work alone on animal welfare issues. It also worked in close collaboration with governments as well as with NGOs representing the different sectors concerned, such as veterinarians, animal protection associations, animal behaviour specialists, farmers and scientists.

The result was the development of five Conventions, the first in 1968 on international transport, then in 1976 for farm animals, one more in 1979 for slaughter and the last two in 1986 and 1987 respectively for laboratory animals and pets. These Conventions have had significant influence on CoE Member States. Indeed, there is a strong link between the Conventions at continental level and the national measures that need to be taken.

1.3. The European Union

In parallel, though with some delay, common rules were adopted by the Member States of the European Community, subsequently the European Union. These rules were developed by the European Commission (EC) between the seventies and the nineties and were based on the Conventions of the Council of Europe: Directives on slaughter, transport, welfare of calves and pigs, welfare of breeding animals, and laying hens. The years since 2000 have seen various revisions of the texts as well as their stabilisation and progressive implementation in the field and a new Directive on broilers. In 2012, new texts have been adopted on laboratory animals (based on the 1989 Convention). A new General Law on Animal Welfare is scheduled for 2014.

It is to be noted that the EU's activities in this area stem from the core recognition in the Treaty on the Functioning of the EU (EU Treaty) that animals are sentient beings. The overarching aim is to ensure that animals do not endure avoidable pain or suffering, and owners or keepers of animals are obliged to respect minimum welfare requirements. Title II of the EU Treaty lists some key principles the EU should respect. Article 13 states that: "In

formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage."

1.4. The OIE

In the early 2000s, matters evolved at a global level. OIE first identified animal welfare as a priority within the OIE mandate in the OIE Third Strategic Plan 2001–2005. OIE Member Countries mandated the organisation to take the lead internationally on animal welfare and, as the international reference organisation for animal health, to elaborate recommendations and guidelines covering animal welfare practices, reaffirming that animal health is a key component of animal welfare.

General background on OIE standard-setting procedures

The OIE develops standards through the work of expert Ad Hoc Groups that are convened to develop draft texts for the OIE *Terrestrial Animal Health Code (Terrestrial Code)*. The draft animal welfare texts are normally reviewed by the OIE Animal Welfare Working Group, which provides recommendations to the OIE Terrestrial Animal Health Standards Commission (Code Commission). Following review by the Code Commission, draft texts are sent to OIE Members for comment. After two rounds of comment, a draft text may be proposed for adoption in the *Terrestrial Code*, in accordance with the democratic and transparent standard-setting procedures of the OIE. Reports of Ad Hoc Groups on Animal Welfare are normally released to the public as annexes to reports of the Code Commission. The Code Commission meets twice a year, in February and September, and its reports (in English, French and Spanish) are placed on the OIE website after their meetings (normally in October and March).

Development of animal welfare standards by the OIE

The OIE Animal Welfare Working Group was inaugurated at the 70th General Session of the OIE in May 2002 and the first recommendations of the Working Group were endorsed one year later. The OIE Guiding Principles on Animal Welfare were included in the *Terrestrial Code* in 2004.

Since May 2005, the World Assembly of OIE Delegates (representing currently the 178 Member Countries and Territories) has adopted eight animal welfare standards for the *Terrestrial Code* and two animal welfare standards for the OIE *Aquatic Animal Health Standards Code (Aquatic Code)*. These standards cover: the transport of animals by land, the transport of animals by sea, the transport of animals by air, the slaughter of animals for human consumption, the killing of animals for disease control purposes, the control of stray dog populations, the use of animals in research and education, the welfare of farmed fish during transport and the welfare aspects of stunning and killing of farmed fish for human consumption. The *Terrestrial Code* Chapter on the Control of Stray Dog Populations falls within the OIE mandates for animal health, public health and animal welfare, as it addresses humane methods for the control of dog populations and the prevention of important zoonotic diseases, such as rabies and hydatidosis.

These standards are regularly updated to take account of the latest scientific findings. Many experts from the region of Europe have provided their knowledge and experience to help build this new body of international standards, which now serve as a guide for OIE Members to develop the national legislation necessary for their practical implementation.

The OIE and global awareness on animal welfare

The first OIE Global Conference on Animal Welfare was convened in February 2004. As well as the Veterinary Services in OIE Member Countries, the Conference targeted livestock producers and interested parties in the meat sector, veterinary practitioners and international NGOs involved in animal welfare. The main objective of the Conference was to raise awareness of, and explain, the OIE's animal welfare initiative.

The Second OIE Global Conference on Animal Welfare, entitled “Putting the OIE Standards to Work”, was held in October 2008 in Cairo (Egypt) and was organised with the support of donors, the principal one of which was the EU. More than 400 participants, from all OIE regions and from all relevant sectors, including government, industry, academia, research and NGOs, strongly endorsed the fundamental importance of the active involvement of Veterinary Services and veterinarians for improving animal welfare. The most important outcome of the Conference was the identification of key needs and tools to help OIE Members strengthen their capacities, including good governance and relevant infrastructure, to implement OIE standards.

The OIE is organising a Third OIE Global Conference on Animal Welfare in Kuala Lumpur, Malaysia, from 6 to 8 November 2012, with the help of various donors and, once again, strong support from the EU. The main objective of the Conference is to support the implementation by Members of the OIE’s animal welfare standards, with a special focus on addressing regional specificities and expectations¹.

The OIE and regional awareness on animal welfare in Europe

The first OIE Regional Seminar for Europe on animal welfare in Istanbul, Turkey, in July 2009 was a resounding success. The participants recommended that the OIE and its Members contribute to animal welfare by improving animal health, take steps towards a common regional approach and promote research, capacity building, education, awareness and communication on animal welfare.

A second Regional Seminar, for animal welfare Focal Points mainly from East European countries, was held in Kiev, Ukraine, in November 2011, and was also a success. Participants discussed ways of putting into practice previous recommendations on implementing animal welfare standards in the region. Both seminars were supported by the EU.

1.5. The Council of Europe, the European Union and the OIE work together

The region of Europe thus provides an example of multiple initiatives at private, national and international level. However, these initiatives have not been undertaken in isolation: good relations between the various parties involved have ensured coordination and collaboration.

In Strasbourg, France, in November 2006, the CoE, the EU and the OIE adopted a joint declaration entitled “Animal welfare in Europe: achievements and future prospects”. The Declaration, which included a commitment for greater cooperation on all aspects of animal welfare, was adopted at the close of a one-and-a-half day international workshop aimed at bridging the gap between animal welfare legislation and its practical application. Senior government and veterinary representatives from 50 countries in the European region had the opportunity to exchange best practice solutions and discuss ways to overcome social, legal, and economic obstacles that hinder the effective implementation of animal welfare guidelines throughout Europe.

The workshop allowed the CoE, the EU and the OIE to consider how their existing activities could complement each other, with a view to maximising the efforts being made to improve animal welfare in Europe. They gave a commitment to provide mutual support and cooperate on all aspects of animal welfare, from the elaboration of legislation, to the training of veterinary professionals and para-professionals, and raising public awareness of the societal value of animal welfare. The important link between animal welfare and the need for adequate scientific and veterinary expertise was stressed. Furthermore, they gave a commitment to effectively assist countries to comply with, develop or enforce animal welfare laws, standards and guidelines at a national level.

¹ The OIE website (www.oie.int) provides details of the membership of the Animal Welfare Working Group, as well as relevant presentations, meeting reports, reports of Collaborating Centres and a link to the *Terrestrial Code* online.

1.6. Other historical and social aspects

A historical aspect that also needs to be taken into account is the way animal welfare protection has been considered by the public. There has recently been a paradigm shift in Europe and also in the rest of the world. Whereas, before the year 2000, discussions were a confrontation between ‘animal protectors’ and ‘animal breeders’, with pressure being exerted by the ‘protectors’, arguments being put forward by the “breeders” and legal arbitrage being provided by governments, there has since been a gradual shift towards greater responsibility on the part of the operators, with more outcome based rules, while governments have become facilitators rather than just regulators. This is clearly the trend seen in the latest animal welfare standards issued by the OIE and in the recent Communication from the European Commission on its animal welfare strategy¹. Moreover, instead of being seen in a negative, repressive way (“to forbid or minimize bad treatments inherent to breeding practices”), animal welfare is now seen in the global market as a competitive benefit argument (“good welfare inherent to our breeding practices contributes to more sales”). Finally, the rapid urbanisation of societies throughout the world, including in the developing world, is inducing a change in society’s view of animals: the vision of the reality of breeding animals for food and work (and breeding them in an increasingly industrialised way or at least with progressively less individual contact) is gradually being replaced by an emotive vision of animals as either pets or living an idealised life in the wild. Without changing the day to day behavioural issues of humans taking care of the welfare of animals, these two visions will have to be reconciled by veterinarians and the Veterinary Services, which will need to create new links with citizens, and between professionals and consumers.

2. Current situation and gaps

2.1. In the European Union

The farming sector is the largest, as far as use of animals is concerned. In farms across the EU, there are about 2 billion birds (chickens for meat production, laying hens, turkeys, ducks and geese) and 300 million mammals (cows, pigs, sheep, etc.). The pet population is also quite large in the EU. It is estimated that there are about 100 million dogs and cats in the Union. The annual value of livestock farming in the EU is estimated at approximately 150 billion Euros. The Union's average contribution to support animal welfare is estimated at 70 million Euros a year, either directed to farmers as animal welfare payments under rural development programmes or dedicated to other activities related to animal welfare, such as research, economic studies, communication, training and education, etc.

Based on the lessons learnt from the first animal welfare strategy, the European Commission has adopted a new four-year strategy (2012–2015) that aims to further improve the welfare of animals in the European Union. Indeed, the recent coming into force of the ‘laying hens’ legislation has shown that problems persist in animal welfare in several EU Member States. Some efforts are being made, but many issues need to be tackled in a different way in order to achieve more sustainable results. The new strategy will permit appropriate flexibility, thereby allowing operators to attain the necessary welfare standards by different routes. Optimising policy coherence and market transparency in a comprehensive animal welfare legislative framework will minimise both real and perceived tensions between welfare and economics. Animal welfare measures need to be cost-effective. The proposed dedication of resources to education and training is expected to be highly cost-effective in terms of both economic and welfare returns.

The lack of enforcement of EU legislation by Member States in a number of areas is one of the major barriers to improving animal welfare in the EU. Another brake on full and even implementation is the fact that the market returns provide insufficient economic incentive to drive full compliance. Many of the parties involved lack sufficient knowledge about animal welfare, and gaps in EU legislation make it hard to ensure adequate welfare conditions for some categories of animals.

To address these issues and concerns, the Strategy provides for a two-pronged approach: a proposal for a new comprehensive animal welfare law, and strengthening of current animal

1 http://ec.europa.eu/food/animal/welfare/actionplan/docs/aw_strategy_19012012_en.pdf

welfare programmes. The legislation to be proposed is expected to promote an innovative approach focusing on actual welfare outcomes instead of mechanistic inputs, and to increase the focus on education and establishment of professional standards for all parties concerned. The second element proposes to strengthen Member State compliance with legal requirements; to boost existing international co-operation on animal welfare issues; to provide consumers with better information; and to perform studies to develop alternative approaches where desired animal welfare outcomes are not achieved.

2.2. In other European countries

Though a number of other European countries have ratified the CoE Conventions on animal protection, the level of implementation of these Conventions and of OIE standards on animal welfare, including the key component, animal health, is low in many of the countries of Eastern Europe. Typically, these countries face many challenges, including lack of political support, absence of basic legislation, poor awareness on the part of producers and the veterinary profession, inadequate veterinary education, and shortfalls in financial and human resources available to the Veterinary Services. Moreover, stakeholders in the livestock and meat production sector are often not well organised, representative associations may be absent, and there is little basis for the Veterinary Services to form the 'public-private partnerships' essential to achieving sustainable compliance with OIE standards on animal health and welfare.

2.3. Closing the gap between law and reality

It is very important to note that all the EU texts contain transitional periods for stakeholders to adapt to and implement the rules. These rules are far from easy to implement: they imply changes that are not just technical but also affect methods and habits that are deeply rooted in the way professionals are used to handling animals. This process takes time. The transitional period for implementing the 'laying hens' Directive of 1999 is until 31 December 2012. The transitional period for the Directive on sows (2001) expires on 1 January 2013.

The EU's tendency to regularly create new rules on animal welfare and adapt and implement them eventually led the CoE to suspend its activities in this field, so as not to risk creating contradictory provisions or duplicating work. The CoE Conventions are still in force for those countries that ratified them. However, the texts adopted by the EU could increasingly serve as examples to be used by non-EU countries of the CoE and elsewhere. In this respect, the European continent is well ahead of the rest of the world and is rightly considered as a leader on animal welfare.

While the EU is indeed constantly working to develop and implement best practice animal welfare, it is also committed to promoting animal welfare standards internationally, as emphasised in the EU Action Plan on Animal Welfare. Countries of the entire European region should work together to identify potential solutions to current obstacles and share best practice experiences.

3. Steps forward and solutions for implementing them

Historical data show that national, regional and global solutions are compatible and should be considered in our future steps towards a common regional approach.

In order to achieve the goal of progressive and harmonious implementation of animal welfare standards and rules throughout the region of Europe, concrete activities should be launched, with the voluntary participation of Member Countries and partners.

The OIE has recognised, through formal Resolutions passed at the 74th and 75th General Sessions in 2006 and 2007 that regional strategies could help strengthen the implementation of animal welfare standards. The OIE European region has not, however, developed any such strategy though the subject has been discussed a few times, notably at the regional seminar in Istanbul.

In Kiev in March 2012, OIE Focal Points on Animal Welfare, mainly from Eastern European countries, discussed whether it would be preferable, as a first phase, to limit the work to one or a few specific topics or areas rather than develop a holistic European strategy. On this basis, it was proposed to explore the possibility of establishing project groups that could work together to help

improve animal welfare in one selected area. For this first phase, it would be necessary to identify areas where such cooperation would benefit all OIE Member Countries. One such area might be the slaughter of animals, an area that also contains export/import aspects with regard to trade in meat and meat products. However, this and any other options would have to be further appraised to determine which would be most suitable for this purpose. It should also be borne in mind that these projects would have to be considered within the global framework of work being undertaken to improve the quality of Veterinary Services.

A transfer of knowledge from countries that have already implemented the OIE standards would clearly help other countries in their efforts to implement these standards. Dissemination of knowledge could be facilitated by the involvement of all stakeholders, relevant international organisations and national competent authorities. The experience gained through work on the first phase project(s) could prove invaluable. The approach chosen to achieve better implementation of the standards in one area could then, if deemed appropriate, be used at a later stage to develop a general European strategy.

Based on this, the OIE and its Representations in Europe have developed a 'concept note' to propose actions to support OIE Member Countries in Eastern Europe in the implementation of OIE standards on animal health and welfare.

The first step is the drafting and adoption of legislation in participating Member Countries to enable effective implementation of OIE standards on animal welfare and, as appropriate, animal health. This implies the development of participating Member Countries' Veterinary Services, using the OIE PVS Pathway (including activities related to the performance of veterinary education and veterinary statutory body), as well as focused capacity-building programmes in participating Member Countries through seminars and training seminars for OIE Focal Points, covering topics such as animal slaughter and transport. Secondly, and in parallel, programmes should be developed to improve awareness of the value of implementing OIE standards. This should be best achieved through engagement and partnership with stakeholders, including NGOs and industry associations (for example, by invitations to seminars for Focal Points and by publishing documents translated into Russian or other national languages). It is suggested this be facilitated by the development of a dedicated website and an electronic platform for dialogue and exchange on best practices in animal welfare and, where appropriate, on information and knowledge about animal health and veterinary public health, in order to enhance scientific cooperation in the area of animal welfare.

In order to organise all these activities, it is proposed to establish a Steering Group tasked with assessing the current needs and developing a detailed action plan for consideration by the OIE Regional Commission for Europe. The Steering Group could comprise the following: a representative of the OIE Headquarters to act as chair; representatives of three East European countries (either the OIE National Delegate or the nominated national Focal Point for Animal Welfare); a representative of an OIE Animal Welfare Collaborating Centre in the region; a representative of the European Commission; a representative of the OIE Regional Representation for Eastern Europe and the Representative of the OIE Sub-Regional Representation in Brussels; and a representative of a donor organisation active in Eastern Europe. The Steering Group would collect information and develop recommendations on the activities to be carried out. The Steering Group would meet at least twice a year and possibly more often. Meetings would be convened by the OIE Regional Representation. The Secretariat for the Steering Group would be provided by the OIE Sub Regional Representation in Brussels. The OIE would seek resources for development and implementation of the proposed programme, and the OIE World Animal Health and Welfare Fund would manage the resources thus obtained.

References

1. Non-Governmental Organisations

NGO with which the OIE has an official cooperation agreement: World Society for the Protection of Animals:
www.wspa-international.org

Other NGOs particularly active in Europe:

Compassion in World Farming: www.ciwf.org.uk

Eurogroup for animals: <http://eurogroupforanimals.org>

2. Council of Europe

Conventions included in the EU legislation:

[European Convention for the Protection of Animals during International Transport](#) CETS No.: 065 – 13/12/1968, revised CETS No.: 103 – 10/05/1979, revised CETS No.: 193 – 06/11/2003 – EU Official Journal L 241, 13/07/2004 p. 22-43

[European Convention for the protection of animals kept for farming purposes](#) CETS No.: 087 – 10/03/1976, revised CETS No.: 145 – 06/02/1992 – EU Official Journal L 323, 17/11/1978 p. 14-22

[European Convention for the protection of animals for slaughter](#) CETS No.: 102 – 10/05/1979 – EU Official Journal L 137, 02/06/1988 p. 27-38

Other Conventions:

[European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes](#) CETS No.: 123 – 18/03/1986, revised CETS No.: 170 – 22/06/1998

[European Convention for the Protection of Pet Animals](#) CETS No.: 125 – 13/11/1987

3. European Union

Legislation:

[Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union](#) - Official Journal C 115, 09/05/2008 pp. 0001-0388

[Council Directive 98/58/EC](#) of 20 July 1998 concerning the protection of animals kept for farming purposes *OJ L 221, 8.8.1998*

[Council Directive 1999/74/EC](#) of 19 July 1999 laying down minimum standards for the protection of laying hens *OJ L 203, 3.8.1999, pp. 53-57*

[Council Regulation \(EC\) No 1/2005](#) of 22 December 2004, on the protection of animals during transport and related operations *OJ L 3, 5.1.2005, pp. 1-44*

[Council Directive 2007/43](#) of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production *OJ L 182, 12.7.2007 pp. 19-28*

[Council Directive 2008/119/EC](#) of 18 December 2008 laying down minimum standards for the protection of calves *OJ L 10, 15.1.2009, pp. 7-13*

[Council Directive 2008/120/EC](#) of 18 December 2008 laying down minimum standards for the protection of pigs *OJ L 47, 18.2.2009 pp. 5-13*

[Council Regulation \(EC\) No 1099/2009](#) of 24 September 2009 on the protection of animals at the time of killing *OJ L 303, 18.11.2009 pp. 1-30*

[Directive 2010/63/EU of the European Parliament and of the Council](#) of 22 September 2010 on the protection of animals used for scientific purposes *OJ L 276, 20.10.2010 pp. 33-79*

Strategy:

[EU Action Plan](#), Evaluation and Second Strategy on Animal Welfare

4. OIE

[Agreement](#) between the World Organisation for Animal Health (OIE) and the World Society for the Protection of Animals (WSPA)

[Procedures](#) used by the OIE to set standards and recommendations for international trade, with a focus on the *terrestrial* and *aquatic animal health codes*

5th [Strategic plan](#)

[The OIE's achievements](#) in animal welfare