Animal welfare in the European Union: progress so far and future prospects

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Plan of presentation

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2. The influence of E.U. animal welfare policy and legislation in the world.

3. Opportunities for E.U. companies as a result of animal welfare policy and legislation.

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5. Accurate reference to animal sentience and welfare in trade-related laws as well as in animal-specific laws.

6. Numbers of the different animals kept by people.
   Animals kept in the EU but not covered by legislation.

7. Future action: a general animal welfare law and specific legislation on several species are needed. Education, research and enforcement programmes should continue.
1. The concept of Sustainability

A key question about any production system is whether it is sustainable?

A system or procedure is sustainable if it is acceptable now and if its expected future effects are acceptable, in particular in relation to resource availability, consequences of functioning and morality of action.

An animal usage system might be unsustainable because it involves:
- depletion of a resource,
- or a product of the system accumulates and prevents functioning,
- or the general public find the system unacceptable for any reason,

  e.g.
  - harms to the persons involved in production,
  - harms to other people,
  - harms to other animals in that their welfare is poor,
  - harms to the environment.
What makes a production system unsustainable? Roughly in order of current consumer priorities:

Adverse effects on human health, including increased antimicrobial resistance

Poor welfare of animals

Unacceptable genetic modification

Harmful environmental effects, for example climate change, biodiversity reduction or pollution

Inefficient usage of world food resources (increasing in importance)

Not “Fair trade” – producers in poor countries do not receive a fair reward

Not preserving rural communities

These factors, in addition to price, and taste for food products, also result in product quality being judged to be poor.
1. The concept of Animal Welfare

The term welfare is used for all animals, including humans, not for plants or inanimate objects. The welfare of an individual is its state as regards its attempts to cope with its environment.

Welfare varies over a range from very good to very poor. We now have a wide range of scientific measures of the needs and of the welfare of many animal species. The “five freedoms” concept has been a useful general guide but is now replaced by the more scientific concept of needs.
Animal Welfare Welfare refers to all coping mechanisms: physiological, behavioural, many feelings and responses to pathology.

The concept of Health Health is a key part of welfare, not something separate. Health is that part of the state of the individual which is to do with pathology and attempts to cope with it. Welfare is the wider term. The WHO definition of health is out of date. Welfare is a characteristic of an individual animal. Animal protection is something humans do. Animal protection laws are limited to certain animals.

The concept of Sentience Sentience means having the awareness and cognitive ability necessary to have feelings. (Broom 2014 book)

Which animals are sentient? Not all people are sentient (embryos, brain-damaged people). Not all kinds of animals are sentient. Mammals, birds, reptiles, amphibians, fish, octopus, squid, cuttlefish, crabs, lobsters, prawns.

Quality of life means welfare - so the same scientific measures can be used.
The terms welfare and health have the same meanings for humans as for other species.

Hence the current interest in ‘one health’ and ‘one welfare’.

When the welfare of individuals is poor, there is increased susceptibility to disease, so improving welfare generally reduces disease.

Preventing anti-microbial resistance is good for animal welfare. Improved welfare is associated with better immune system function so can reduce the need for use of anti-microbial products.

Euthanasia should be used in the same way for humans and non-humans to mean solely: killing an individual for the benefit of that individual and in a humane way. If the benefit is for someone else, it should be called killing or humane killing but not euthanasia.

Care for people and care for animals used by people is generally better if all are considered as individuals.
2. The influence of E.U. animal welfare policy and legislation in the world.

The welfare of hundreds of millions of animals has improved as a result of EU policies and legislation.

Animal welfare has improved in other parts of the world, not just in the EU. Legislation has often copied EU legislation or used EFSA reports, e.g. sows.

EU animal welfare policy and legislation has had much positive influence in the world. The image of the EU has been improved by this kind of legislation as it is viewed as an indicator of a civilised society.

**Why has this happened?**

(a). Recent increases in knowledge about animal functioning has led to a high level of public concern in many countries about the welfare of animals. EU research, enforcement and education programmes have furthered this.

EU surveys show that EU citizens are very concerned about animal welfare within and outside the EU. Such concern is also increasing in most other countries.
(b). EU legislation and policy is based on scientific information, e.g. EFSA reports, and on data from carefully constructed surveys, such as the Eurobarometer reports.

The EU ban on seal products was enacted because of scientific evidence that the methods of killing the young seals were inhumane. There was also evidence that this was the opinion of EU citizens. (Discussed later)

(c). Several world organisations now list animal welfare as a factor that must be considered when deciding on methodologies and policies.
FAO: “Animal welfare is considered to have potential to generate benefits for producers and their animals.”

OIE has recommendations on several welfare topics: 185 countries agreed.

OECD has policies on animal welfare.

3. Opportunities for E.U. companies as a result of animal welfare policy and legislation.

Trends in the world may provide opportunities for those first in the field.

EU slaughter legislation led to development of stunning and animal management methods, first in countries that wished to export to the EU and then in other countries that developed humane slaughter legislation.

EU companies have exploited this and sell stunning and slaughter systems and equipment in many countries.

Other examples are laying hen systems, calf housing systems, pig housing systems.

There are also opportunities for selling high welfare animal products.
4. Animal import and export and the W.T.O.

The World Trade Organisation did not specify animal welfare as a reason for restricting imports.

The EU ban on seal products was passed because the killing of the young seals was not considered to be humane.

Scientific evidence including an EFSA report. Eurobarometer survey results. Ban upheld by W.T.O on public morality grounds.

Other import restrictions on public morality grounds?
5. Accurate reference to animal sentience and welfare in trade-related laws as well as in animal-specific laws.

Since the Treaty of Amsterdam and the Treaty of Lisbon refer to the animals that we use as sentient beings, legislation and other policy should not refer to them solely as objects or property.

Some legislation directly concerning animals already does this, for example Article 12 of Directive 2010/63 “On the protection of animals used for scientific purposes” states: “Animals have an intrinsic value which must be respected. There are also the ethical concerns of the general public as regards the use of animals in procedures. Therefore, animals should always be treated as sentient creatures....”

Other legislation does not do this, e.g. CETA agreement with Canada.

Animal welfare varies from very good to very poor. Some EU legislation does not use the term welfare accurately, e.g 98/59/EC should not say "ensure the welfare of animals” but “ensure good welfare in animals”.

Needs are in the brain so are biological but not physiological or behavioural.
### 6. Numbers of the different animals kept by people.
#### Animals kept in the EU but not covered by legislation.

Numbers of animals kept and used by people in Europe, million

<table>
<thead>
<tr>
<th>Commonest animal</th>
<th>Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chicken (for meat production)</td>
<td>4000</td>
</tr>
<tr>
<td>Second</td>
<td>Trout</td>
</tr>
<tr>
<td>Third</td>
<td>Salmon</td>
</tr>
<tr>
<td>Laying hens</td>
<td>400 million, also broiler and hen breeding birds</td>
</tr>
<tr>
<td>Fourth</td>
<td>Rabbits</td>
</tr>
<tr>
<td>Fifth</td>
<td>Ducks</td>
</tr>
<tr>
<td>Sixth</td>
<td>Turkeys</td>
</tr>
<tr>
<td>Seventh</td>
<td>Pigs</td>
</tr>
<tr>
<td>Eighth</td>
<td>Cats</td>
</tr>
<tr>
<td>Ninth</td>
<td>Bovines</td>
</tr>
<tr>
<td>Tenth</td>
<td>Sheep</td>
</tr>
<tr>
<td>Eleventh</td>
<td>Dogs</td>
</tr>
</tbody>
</table>

All laboratory animals (commonest species - zebra fish) 18
Animals kept in the EU but not covered by legislation.

There is EU legislation covering animals used for scientific purposes, zoo animals, transport and slaughter.

The greatest animal welfare problems concern living conditions. Species covered by EU law: laying hens, calves, pigs, chickens kept for meat production.

The second, third, fourth, fifth, sixth, eighth, ninth (except calves), tenth and eleventh commonest species of animals kept by people are not covered. Directive 98/58/EC has had little effect.

There are reports of EFSA or its predecessors, but no legislation so far, on:
- Welfare aspects of the production of foie gras in ducks and geese.
- The welfare of animals kept for fur production.
- The effects of farming systems on dairy cow welfare and disease.
- The practice of harvesting feathers from live geese for down production.
- The welfare of cattle kept for beef production.
Animals kept in the EU but not covered by legislation.

The greatest animal welfare problem is leg disorders in broiler chickens.

Second in the EU (now that laying hens, pigs and calves are helped by legislation) is the welfare of dairy cows – lameness, mastitis, reproductive disorders.
7. Future action: a general animal welfare law and specific legislation on several species are needed.

A general animal health law was recently agreed.

Most EU citizens find it unacceptable that 300 million animals, e.g. farmed trout, salmon, rabbits, ducks, turkeys, dairy cows, beef cattle, sheep and pet fish, dogs and cats are not protected.

People can be cruel, legally, to these animals in some Member States but not in others. This situation makes the EU an object of derision for some people in third countries.

A general EU animal welfare law would protect these animals.

There could be sections of this law, or separate laws for the main species.

Reference to animal welfare and sentience should be incorporated in trade agreements and other laws not principally about animals.
7. Future action: education, research and enforcement programmes should continue.
Animal welfare education opportunities include provision of better information on the internet. For example by utilising the Animal Welfare Science Hub [http://animalwelfarehub.com/](http://animalwelfarehub.com/) set up by the EU 7th Framework funded AWIN (Animal Welfare Indicators) project. This is unbiased and scientifically-checked.

The current animal welfare policies of running courses in third countries are of clear value and should be continued.

More work on animal welfare science, developing new indicators is needed. Studies of welfare outcome indicators are also important. Research is needed on how to combine animal welfare and other factors in sustainable systems.

The policy of carrying out checks and information exchange on the enforcement of legislation in all of the Member States is valuable. However, enforcement of existing legislation is not a substitute for completing the legislation needed.
