

# Why fur farming is being banned in the Member States – Case The Netherlands

Presentation by Inez Staarink, Policy maker Agriculture, Nature, Animals and Food, The Netherlands at the AW-Intergroup meeting of 26<sup>th</sup> November 2015

Every year almost six million minks are being killed in the Netherlands. There are only 160 mink farmers. But together their yearly turnover amounts to €190 million euro. This makes The Netherlands the third mink fur producing country with 10% of world production. China is first, Denmark is second. But all this changed in January, 2013 when a ban on fur farming came into effect.

Starting a new fur farm or expanding an existing mink farm is forbidden from that date onward. Fur farming will be completely forbidden on January 1, 2024.

Some people will say that's a long time from now, which it is. Unfortunately having the ban sooner was not doable within the context of the Dutch politics.

I would like to first give you an historic overview, then take a look at the road ahead and end with sharing some of the hurdles and helps we ran into.

In the year 1999 a resolution was adopted by the House of Representatives which requested government to prepare a ban on mink farming and prohibit new fur farming.

And probably they drank sparkly wine after the vote, not knowing it would take a quarter of a century for the ban to be in effect.

All these 25 years there has been very broad support from the public. In the year 2000 78 % was in favor of a ban on fur farming. The most recent Dutch poll from August 2015 shows 84 % of the population is against fur.

But all these 25 years mink farmers have expanded their business. In 2000 there were 580.000 minks mother animals, in 2014 there were over a million.

The government did follow up the 1999 mink resolution, but before a bill was sent to parliament, the government fell and new elections were held. The sector promised welfare-adjustments to avoid a ban. The new government dropped the bill. Our MP Krista van Velsen kept demanding a mink ban until she got so impatient she decided to draft a bill herself. October 4, 2006 the bill was sent to parliament.

The original plan was a ban with a 10 year transition period and compensation. Every year a percentage of mink farmers were to be bought out. However the Council of State (Raad van State) which advises on bills, advised negatively on this because this would create legal inequality (rechtsongelijkheid) and it was unclear whether it would fit within the EU state aid regulations (staatssteun staatssteunkaders).

MP Krista van Velsen redrafted the bill. And the Dutch labor Party joined the initiative. In the new proposal there no longer was a buyout. The fur farmers were given the opportunity to earn back the money they had invested over a 10 year transition period. Mink farming is

actually a very profitable business; the average profit was € 412.000 yearly. I don't know if any of you is thinking about a career switch, but I understood an MEP earns some 100.000 euro yearly excluding expenses.

This bill was adopted by the House of Representatives in 2009, supported by the Socialist – us-, Labor Party, Liberal Democrats, and Greens, Party for the Animals and on the far right the Party for Freedom from Geert Wilders.

However the Senate objected and we had to write an amending bill twice. By this time Jeroen Dijsselbloem-you may have heard of him- joined the initiative.

The most important things the addendum did was partly compensate the costs of demolishing old fur farming buildings and introduce discretionary powers for the minister to compensate older mink farmers in individual cases if they turn out to be disproportionately disadvantaged in building up pension.

An amendment to the annual budget arranged for a 28 million euro budget in 2024. The 160 mink farmers considered this less than a fee. But it wasn't compensation. Compensation was given with a 10 year transition period. December 2012 the bill was adopted. We drank sparkly wine, but the story wasn't over because the state was being challenged on the legitimacy of the law in a civil case based on the right of property in the *European Convention on Human Rights ECHR*. Unfortunately I haven't got time to get into it this.

The key legal question was; can government strongly regulate property and thus ban fur farming on moral grounds and is the 10 year transition period enough to create a fair balance between common moral standards and individual interest? Yes it is. We won.

To me our ban is not the end. It is the beginning of a European wide production ban, a beginning of an EU wide fur sales ban and a beginning of an EU wide import ban.

This is the direction we are heading.

### **So what can you do now?**

1. Make you own production ban! In your own country or EU wide. But wait for the EU to start in your own country.

It wasn't easy. If we can do it, you can do it!

2. Secondly prohibit selling fur. This can only be done on EU level because of the common market. There is an EU wide ban on Dogs and Cats fur, Polar Bear fur and on Seal Fur. So why not?
3. Thirdly you can tackle fur imports on EU level. In the Netherlands resolutions were adopted to plea for a European import ban on angora rabbit wool and raccoon dog fur (wasbeerhondenbont). This was after horrible movies were published from raccoon dogs being skinned alive in China.

### **Let's move on to the easy wins:**

1. Stop expansions. Prohibit starting a new fur farm or expanding existing mink farms as soon as possible. Legally this is relatively easy because ECHR the right of property does not apply to future property. This can be done in your country relatively quickly.

I'd suggest a two track project: 1) prohibit expansions right away and 2) go for a ban and. Do both at the same time but in a different bill.

2. Organize correct labelling in the European Union as soon as possible. Fur is not labelled as fur. The label says 'contains parts of animal origin'. But when you buy leather boots with a fur lining or a jacket with fur inside there is no way you can tell if it's fake or real. Fur should be labeled fur, leather labeled leather. Correct fur labelling should preferably mentions the country of origin and the kind of animal. Correct labelling is also needed when you want to tax fur with a sales tax (excise tax) to generate some extra income and discourage fur. Correct labeling is possible: the USA and Switzerland go much further in their labeling.

## Let me conclude with hurdles and helps.

First the hurdles

1. The mink farmers did not want a transition period and demanded a sum of almost one billion euro
2. great lobby power from mink farmers
3. We had to carefully work within the ECHR framework protecting property and the state aid rules
4. The Netherlands as an EU member state country can't ban fur import nor ban selling fur. And this led to the discussion: why forbid production if you can still buy fur? I personally think of all the farm animals in Europe, minks and other fur animals have the worst life. And even greater suffering abroad can't be an excuse to condone this. If you succumb to these arguments the worst country will become the standard.
5. The discussion on jobs was an issue, although not a very big issue in the debate. Some 900 jobs mostly seasonal labor were involved in the Netherlands. In the countryside mink farms are very notably present because it stinks a lot. For the quality of life in the countryside the ban is positive. There were no demonstrations other than some 40 mink farmers.

## Let's move on to the helps

1. There has been a very broad support from the public, animal welfare NGO's have been a great help and there has been quite broad support in parliament, not as broad as in society, but broad enough.
2. The number of fur farmers is small.
3. Furthermore it was good that we did not go along in the discussion on welfare solutions because there are no welfare solutions. Minks are predators and solitary water animals and should not be put in cages.
4. It was good we based our justification of the ban on ethical grounds rather than on welfare grounds. Our plea was: *Vanity, the goal is too light to justify the suffering and killing of animals.*
5. Last but most important: good examples. In the Netherlands fox farming and chinchilla farming had been forbidden in 1998. The EU ban on seal fur, on cats and dogs fur, on polar bear fur; the ban on fur farming in the UK and Austria; the ban on fox farming in Denmark and Sweden and many other good examples paved the way. And I hope our ban will help pave the way for other bans.