

Ban on the transport of live animals to high-risk countries

Dear MEP Tilly Metz,
dear Members of the ANIT committee,
dear Members of the European Parliament,

we, the undersigned from the German *Animal Welfare Network Bundling Forces*, with emphasis would like to express our position on the recommendations of the Committee of Inquiry on the Protection of Animals during Transport (ANIT) to the European Parliament. It is useless to send another letter with factual information, explanations and sources on the subject of animal transports, because this has already been done repeatedly and in detail.¹ Moreover it is important for us to evaluate the existing results from the ANIT committee from our point of view.

For us and for many citizens it is incomprehensible and highly irritating that both the report of the committee of inquiry and the proposals for the recommendations of the EU Parliament are fundamentally in favour of continuing Long distance animal transports to third countries outside the EU. For many years, numerous documentaries have attested the unimaginable suffering of animals through horrific conditions on the travel routes as well as through brutal handling of the animals during the transports that last for days, often weeks and not infrequently over 7,000 kilometers by land and water.

Although recognized experts reported to the ANIT committee objectively and professionally, the horror of these transports is not adequately reflected in the report and the suggestions for the recommendations.

The report unequivocally recognizes conditions that are contrary to animal welfare, regardless of this, however, live animal transports to third countries should continue to be permitted if they take place on tried and tested "animal welfare-friendly routes". What was formulated here as a recommendation, however, is the current legal situation and was stipulated in Regulation (EC) 1/2005.

The reality, which has been practiced for many years and has been tolerated by the member states and their authorities, represents a constant violation of EU law. In the numerous ANIT hearings, NGOs, scientists and eyewitnesses have clearly and professionally declared that long distance third-country transports are not plausible to be planned and carried out in accordance with animal welfare! For us it is incomprehensible and technically simply wrong if the notion of animal welfare-compliant care on these routes and in the target countries, which exists only in theory, is maintained and used as an argument. In fact, these transports are neither feasible nor controllable according to European standards.

In this context, it must also be pointed out that every transport, including those that allegedly meet animal welfare standards (including the usual loading and unloading practices), represents a considerable hardship for the animals, which causes unimaginable suffering as the transport time increases. In addition, there are other factors such as the quality of the routes (e.g. traffic jams, border crossings, poor road conditions), the

¹ See, among other things, the appeals and open letters of the associations as well as the detailed position paper of the Animal Welfare Network; <https://www.tierschutznetzwerk-kräfte-buendeln.de/tierschutzrecht>

actual catering of the needs of the animals, the composition of the groups in the trucks, the cramped space conditions and extreme temperatures, which play a major role. Last but not least, the environmental, husbandry, handling and, almost without exception, non-stunning slaughter conditions to which the animals are exposed at the destination are not ethically justifiable and must lead to these transports being discontinued.

As early as April 2015, the European Court of Justice (ECJ) ruled that animal welfare during transport does not end at the border of the Union (judgment of April 23, 2015, Ref. C-424/13). On the routes outside the EU, too, the Union and its member states bear full responsibility for the requirements to be met for the welfare of animals as sentient beings in accordance with the Union treaties. This implies, on the one hand, that animals may not be transported if the animals could be injured or suffered unnecessarily as a result, and, on the other hand, animal welfare demands that long transport routes are kept to a minimum.

However, a clear recommendation in the ANIT committee's report to end animal transports in high-risk animal welfare states is completely missing. A "beautification", i.e. only a slight step-by-step improvement of cruel animal transports, is not a solution. In this way, an agricultural system is maintained that is in a constant cheap and growth spiral and thus constantly produces too many animals that are "disposed of" via these transport routes to third countries.

We all know that factory farming with its mass production of animals is subsidized with billions of euros and thus artificially kept alive. Moving the animals to third countries would be superfluous and would not be necessary to secure the farmers' income if they were reimbursed for production costs in line with their actual expenditure. So we are dealing with a system error here!

Basic ethical knowledge and the responsibility of humans for animals as fellow creatures, which are especially formulated in the German Animal Welfare Act and the Constitution as well, are consistently and knowingly ignored and have not been implemented for years. EU law also reflects the aforementioned responsibility. For example, Article 3 of the EU Treaty defines the European Union's objectives of promoting peace, its values and the well-being of its peoples. One of these European values is undoubtedly animal welfare, which is expressly listed in Article 13 of the Treaty on the Functioning of the European Union (TFEU).

As a cross-sectional clause, this article is a binding legal norm and is therefore to be understood as an instruction to the European Union and its member states to implement animal welfare requirements accordingly. The "well-being" of animals is closely linked to protection against avoidable pain, suffering, distress or harm, and this protection must of course also be granted to animals used for agriculture and slaughter. Animal welfare is not divisible!

Due to the complexity of these transports and the various responsibilities, the considerable grievances must be countered by a ban on the transport of live animals to third countries. Germany, Luxembourg and the Netherlands had already called for this in a joint statement on the occasion of the summit meeting in June 2021.²

It is always emphasized that the EU is a community of values. This also means protecting the weakest and not exploiting them for particular interests in order to achieve the highest possible profit. Given what animals suffer on these transports and what fate the animals are to expect in countries like Algeria, Armenia, Azerbaijan, Egypt, Iran, Iraq, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Libya, Mongolia, Morocco,

² <https://data.consilium.europa.eu/doc/document/ST-10086-2021-ADD-1/en/pdf>

Russia, Syria, Tajikistan, Tunisia, Turkey, Turkmenistan, Uzbekistan, and Yemen, the term “community of values” is just an empty phrase.

In order to do justice to this concept, we have to grant the animals dignity as fellow creatures and treat them with respect. Animals may no longer be viewed and treated as any commodity, often even mistreated. The German Ethics Council formulates in its opinion: *“The described animal ethics criticism corresponds to the observation that, irrespective of the legal admissibility, the industrial breeding, keeping, slaughtering and exploitation of livestock practiced today does not correspond to the predominant social sense of morality and justice.”*³

With regard to a further vote in the EU Parliament in January 2022, we urge every single Member of the EU Parliament seriously to take responsibility for a different approach to animals. The facts are all on the table, for 18 months competent and highly qualified experts have reported to the ANIT committee – there is no lack of knowledge, and there are no reasonable reasons to continue transporting live animals to third countries. The only logical and ethically justifiable conclusion is a general ban, both with regard to animals for slaughter and animals that have been rededicated as breeding animals. It is easy to replace these by meat transports or the use of frozen semen.

Until then, we will continue to push for a full moratorium at Member State level.

With resolute greetings

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and co-signers

Ärzte gegen Massentierhaltung n. e. V.

Aktion Kirche und Tiere e. V. (AKUT)

Aktionsgemeinschaft Agrarwende
Nordhessen e. V.

Arbeitsgemeinschaft für artgerechte Nutztier-
haltung e. V.

Arbeitsgruppe Tier & Mensch

Deutsche Juristische Gesellschaft für Tier-
schutzrecht e. V.

Deutsche Tierlobby e. V.

Deutscher Tierschutzbund
Landestierschutzverband Niedersachsen e. V.

Dr. Kathrin Herrmann,
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Menschen für Tierrechte Bundesverband der
Tierversuchsgegner e. V.

PETA Deutschland e. V.
(People for the Ethical Treatment of Animals)

Politischer Arbeitskreis für Tierrechte in
Europa (PAKT) e. V.

³ <https://www.ethikrat.org/fileadmin/Publikationen/Stellungnahmen/deutsch/stellungnahme-tierwohllachtung.pdf>; Page 36

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Vier Pfoten – Stiftung für Tierschutz

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