Europe and animal welfare

In Europe there are several institutions involved in animal welfare. It is important to know which organizations there are, what their relation is and how laws and regulations are made. There are three groups of organizations:

1. Intergovernmental organizations

The most famous intergovernmental organizations are the Council of Europe and the European Union. These organizations have many agencies, Councils and Committees.

The World Organization for Animal Health, OIE (originated from Office International des Epizooties) has 178 Member States and is responsible for improving animal health and welfare worldwide. It has contacts with 45 other (inter-)national organizations.

In OIE's "Terrestrial Animal Health Code" there is a separate chapter (7.7) about stray animals.

The Food and Agricultural Organization (FAO) of the United Nations has published several reports on the problem of stray dogs.

On their website there is also a Dog Population Management Forum.

In 2011 there was an important expert meeting between many organizations,
2. Intergroups

Intergroups are informal, non-parliamentary organizations consisting of members of a political group or committee. The purpose of Inter Groups is to exchange views on certain subjects and to promote contact between members and the public.

An important Intergroup for Animal Welfare is the **European Parliament Intergroup on the Welfare and Conservation of Animals**.

There are monthly discussions in the plenary meeting of the European Parliament. The **Eurogroup for Animals** provides the secretariat:

- 25 member states and CIWF, HSI, IFAW and WSPA
- Represents animal welfare organizations in Europe
- Advises Council of Ministers, European Parliament and European Commission
- Director: Sonja van Tichelen

The Eurogroup for Animals has established the **Transatlantic Animal Welfare Council** (TAWC). This promotes the cooperation between animal welfare organizations in the EU and U.S.

3. NGO's

Non-Governmental Organizations have a political or social goal. They are independent of governments and non commercial (non-profit). Examples are activist groups, advocacies and movements.

Animal welfare organizations (and thus all AFP members) are NGO's.

Legislation in Europe

The relation between the two most important institutions involved in legislation in Europe is explained below. All information is derived from the official websites of these institutions.

For laws and regulations the main organizations are the Council of Europe and the European Union. Within these organizations there are again several institutions between which so-called Inter-Groups can be formed. These are informal bodies that can deal with various issues.

The institutions within these organizations and their characteristics are listed below:
<table>
<thead>
<tr>
<th><strong>Council of Europe</strong></th>
<th><strong>Europese Unie</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="http://www.coe.int/">Council of Europe logo</a></td>
<td><a href="http://europa.eu/index_en.htm">European Union logo</a></td>
</tr>
</tbody>
</table>
| *47 countries*  
*Strasbourg*  
*Secretary General: Thorbjørn Jagland (N)* | *27 member states*  
*Partly sovereignty delegated so common interests on European level can be decided.*  
*The Union’s goal is to promote its peace, its values and the wellbeing of its people.* |
| **Goal:** *Promote European Union, democracy, law, economy and human rights.* |  |

<table>
<thead>
<tr>
<th><strong>Council of Ministers</strong></th>
<th><strong>European Council</strong></th>
</tr>
</thead>
</table>
| *Ministers of foreign affairs of the member states* | *Half-yearly assembly of EU heads of state*  
*Planning of EU policy*  
*Chairman: Herman van Rompuy (B)* |

<table>
<thead>
<tr>
<th><strong>Congres of the Council of Europe</strong></th>
<th><strong>Council of the European Union (“Council” of Ministers)</strong></th>
</tr>
</thead>
</table>
| *Representation of local and regional governments*  
*European charter on local autonomy* | *Legislation and budget*  
*Some formulation of policy and coordination*  
*Representatives of member states on ministerial level* |

<table>
<thead>
<tr>
<th><strong>Parliamentary Assembly</strong></th>
<th><strong>European Parliament</strong></th>
</tr>
</thead>
</table>
| *Consultative body of the Council of Europe*  
*318 representatives nominated by the 47 member states*  
*Elects the Secretary General* | *Parliament of the EU*  
*736 Members of Parliament of the 27 member states*  
*Elected every 5 years directly by the people*  
*Together with the Council it is the legislative power of the EU*  
*Can adopt or amend European laws* |

<table>
<thead>
<tr>
<th><strong>European Committee of Human Rights</strong></th>
<th><strong>European Committee</strong></th>
</tr>
</thead>
</table>
| *Monitors violation of human rights* | *Executive body of the EU*  
*Brussels*  
*Monitors correct application of EU treaties & resolutions*  
*Chairman: José Manuel Barroso* |

<table>
<thead>
<tr>
<th><strong>European Court for Human Rights</strong></th>
<th><strong>International Court of Justice</strong></th>
</tr>
</thead>
</table>
| *Strasbourg* | *The Hague*  
*Judging institution of the United Nations* |

<table>
<thead>
<tr>
<th><strong>Court of Justice of the European Communities</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Monitors interpretation and application of EU treaties</em></td>
<td></td>
</tr>
</tbody>
</table>
European legislation is drawn up by three institutions within the European Union:

- European Commission
- Council of the European Union ("the Council")
- European Parliament

Origination of laws within the EU

Most European legislation must be implemented and followed by the individual countries themselves. There are sanctions for non-compliance, but these can only be imposed (by the Member States itself) if violations are found, so if there is sufficient supervision. However, complaints can be submitted to the European Commission.

The European Union Law has treaties, regulations and rulings of the European Court of Justice. European law takes precedence over national legislation. The responsibility to implement and comply with European legislation lies with the Member States themselves.

HEALTH AND CONSUMERS

The Food and Veterinary Office (FVO) is an executive agency of the European Commission responsible for monitoring implementation and ratification of European legislation.

In general it can be said that animal welfare is especially important for governments with regard to public health (Food Safety: "From the Farm to the Fork").

In this respect, many laws focus on:

- Farm animals (cattle / consumption / health)
- Laboratory Animals (in laboratories)
- Wild Animals (in circuses and in the wild, due to animal diseases)

So it's mainly for economic interests and not primarily respect for animals. Fortunately, in recent years, pets and stray animals are more involved in legislation.
History of European Union and animal welfare

1952: Establishment of the European Union

1958: Treaty of Rome establishing the European Community
In this treaty there were no agreements on animal welfare

1999: Treaty of Amsterdam:
Protocol on protection and welfare of animals:

For the first time in EU law, animals are regarded as beings who have feelings, can suffer and experience well-being. Unfortunately, the treaty is not a legal basis for introduction of specific legislation to improve animal welfare. The protocol does not force EU Member States to introduce national legislation regarding animal welfare in circuses, in horse and greyhound racing, hunting with dogs and bullfighting. Possible exemptions for religious rites, cultural traditions and regional heritage have reduced the effect of this protocol.

2009: Treaty of Lisbon

The protocol concerning protection and welfare of animals is slightly modified and incorporated as Article 13: "EU policy makers must observe animal welfare."
However, this provides only very general rules and legal basis for measures relating to animal welfare are missing.

Article 13:
"In formulating and implementing policies of the Union in the field of agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and Member States take full account of the requirements for the welfare of animals as sentient beings, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage."

Timeline showing the evolution of the structure of the European Union
In 2006 the EU established an action plan for the protection and welfare of animals. The Action Plan describes the measures that the Commission would take between 2006 and 2010 to ensure the protection and welfare of animals in the European Union (EU) and the rest of the world. It wants to clarify the EU law and propose improvements where possible.

The Commission has following objectives:

- Clarify EU actions to promote animal welfare
- Promote high standards for animal welfare
- Improve coordination of available resources
- Investigate and stimulate alternatives to testing on animals
- Ensure a coherent and coordinated EU policy to promote animal welfare

Following this plan, the Directorate General Health and Consumer Protection of the European Commission has asked for an independent evaluation in 2009 of the EU policy mbtdierenwelzijn: Evaluation of the EU Policy on Animal Welfare (EUPAW).

This report was completed in December 2010 (216 pages) and it produced a dozen recommendations for improvement. It serves as base for future strategy.

Meanwhile a new action plan published for 2011 to 2015.

**Influence on Politics**

There are several ways to approach politics:

- Send a letter or e-mail to political party
- Present a petition to the government
- Contact the European Commission
- Present a complaint to the European Commission
- Try to move EU members to set up a written declaration.

Of course one could use one of these options as an individual or foundation and try to get something done, but there is little chance on success. Politicians daily receive numerous letters and e-mails. The recipient may not even read them himself and have an assistant respond, if answered at all. It is impossible to reply personally to everyone and a small foundation will get little attention.

Much more chance on success is there when action is taken collectively. Politicians then have the opportunity to enter into dialogue with a big "party" instead of many small foundations.

**AFP represents more than 100 affiliated foundations in the Netherlands and can act as a collocutor for politics.**