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Im Einsatz für Tiere

Animal-welfare overboard: the lack of animal-protection during sea transport

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CDG Animal Products – beef & veal sector – Brussels 6th of April 2017

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## Provisions for the transport of EU animals by sea

Council Regulation (EC) No 1/2005 covers all commercial transports of EU animals, including transport by sea.

- The core demand of the Regulation is Article 3 that stipulates that **“No person shall transport animals or cause animals to be transported in a way likely to cause injury or undue suffering to them”**



## Provisions for the transport of EU animals by sea

Specific to transport by sea are only Article 19 and 20 in connection with some detailed requirements in the Annex.

- Article 19 deals with the approval of the livestock vessels.
- Article 20 regulates the inspection of livestock vessel, fitness for transport of the animals, handling of the animals and feeding / watering arrangements on the vessel.





- During the last two years, our teams investigated the sea transport of animals from EU ports to Third Countries and have been on board 9 different walk-on-walk-off vessels that have approvals according to Regulation 1/2005 for the transport of animals.
- All the inspected vessels were converted from car ferries and cargo ships to livestock carrier vessels and are in average 40 years old .
- They are poorly designed and maintained and with constructions posing many risks for the safety of the animals, nevertheless approved under article 19 of Regulation 1/2005.

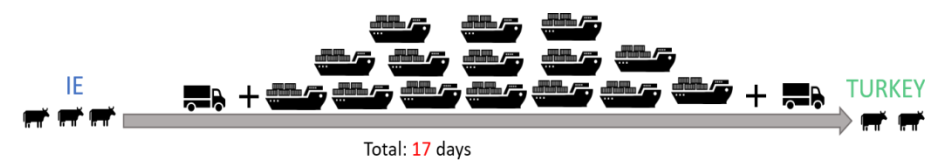
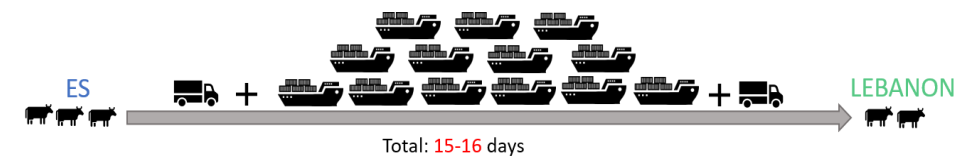
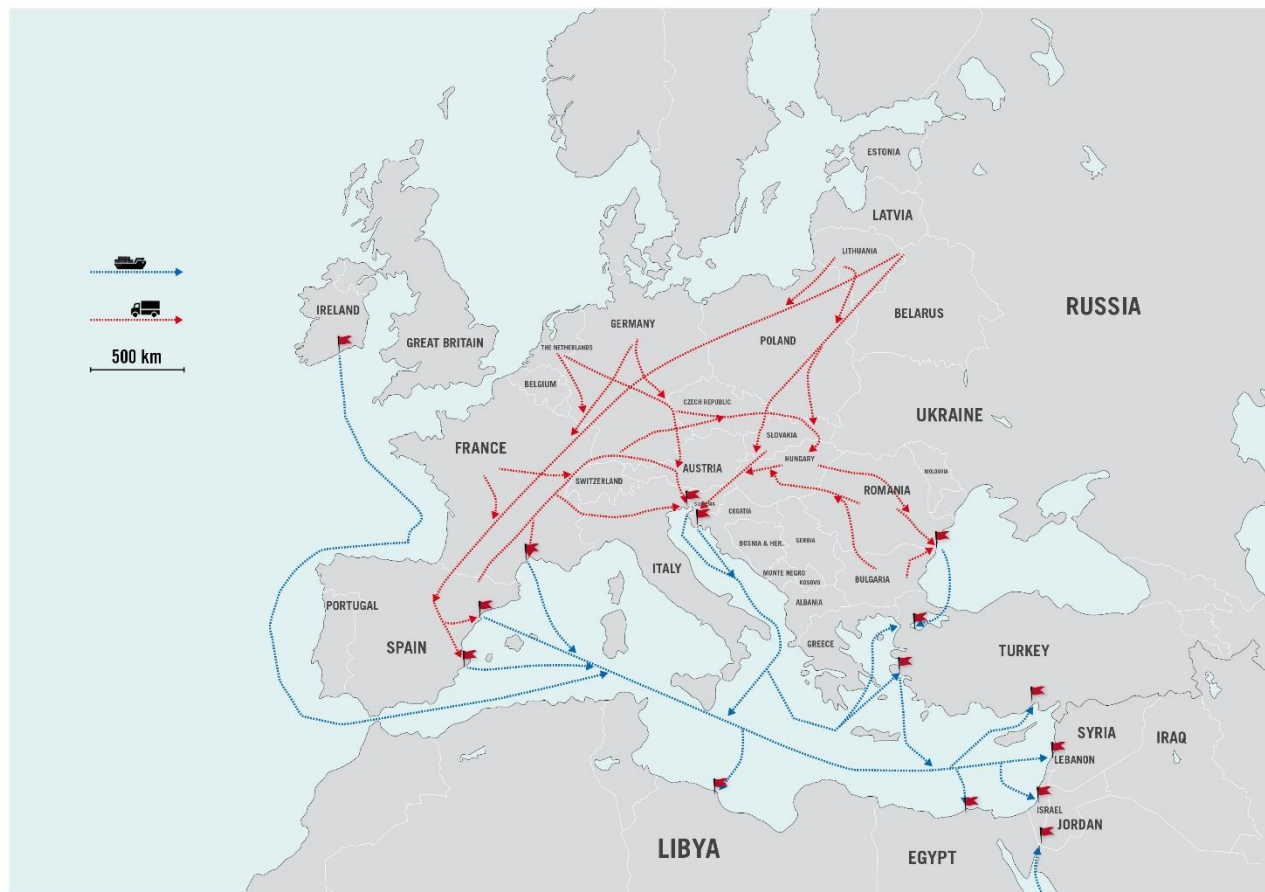


- Only 24% of the vessels approved for the transport of live animals are flagged under the “white list”, representing so called “quality” flags. **54%** are licensed in flag states ranked on the “**black list**”, for flag states with poor legislative requirements and enforcement.
- The Guideline called “Network document on livestock vessels” should be the minimum requirement for the approval of vessels that are loading animals in the European Union, but it is not yet used in all the Member States and is not legally binding.



## Transport of animals by sea

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## **Our findings in breach of Regulation (EC) 1/2005 are:**

- Lack of vessel re-inspections in the Ports,
- Risk of injuries during loading due to poor facilities,
- Risk of injuries due to the poor maintenance and construction of the pens,
- Poor maintenance of the water systems,
- Not enough height for adequate ventilation,
- No automatic smoke detector system,
- Delayed loading of the animals,
- Inadequate handling of the animals,
- Overcrowded pens,
- Sick animals on board without veterinary care.



## MEANS OF TRANSPORT

### 1. Provisions for all means of transport

1.1. Means of transport, containers and their fittings shall be designed, constructed, maintained and operated so as to:

- (a) avoid injury and suffering and to ensure the safety of the animals;
- (b) protect the animals from inclement weather, extreme temperatures and adverse changes in climatic conditions;
- (c) be cleaned and disinfected;
- (d) prevent the animals escaping or falling out and be able to withstand the stresses of movements;





## MEANS OF TRANSPORT

- (e) ensure that air quality and quantity appropriate to the species transported can be maintained;
- (f) provide access to the animals to allow them to be inspected and cared for;
- (g) present a flooring surface that is anti-slip;
- (h) present a flooring surface that minimises the leakage of urine or faeces;
- (i) provide a means of lighting sufficient for inspection and care of the animals during transport.



## Vessel approval

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The design of the facilities should be adequate to the specie and the age and size of the animals.



## Facilities at the ports

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The facilities in the Ports, such as holding and loading facilities, differ greatly. Some Ports have solid loading facilities, others have moveable equipment





Poorly designed and maintained vessels

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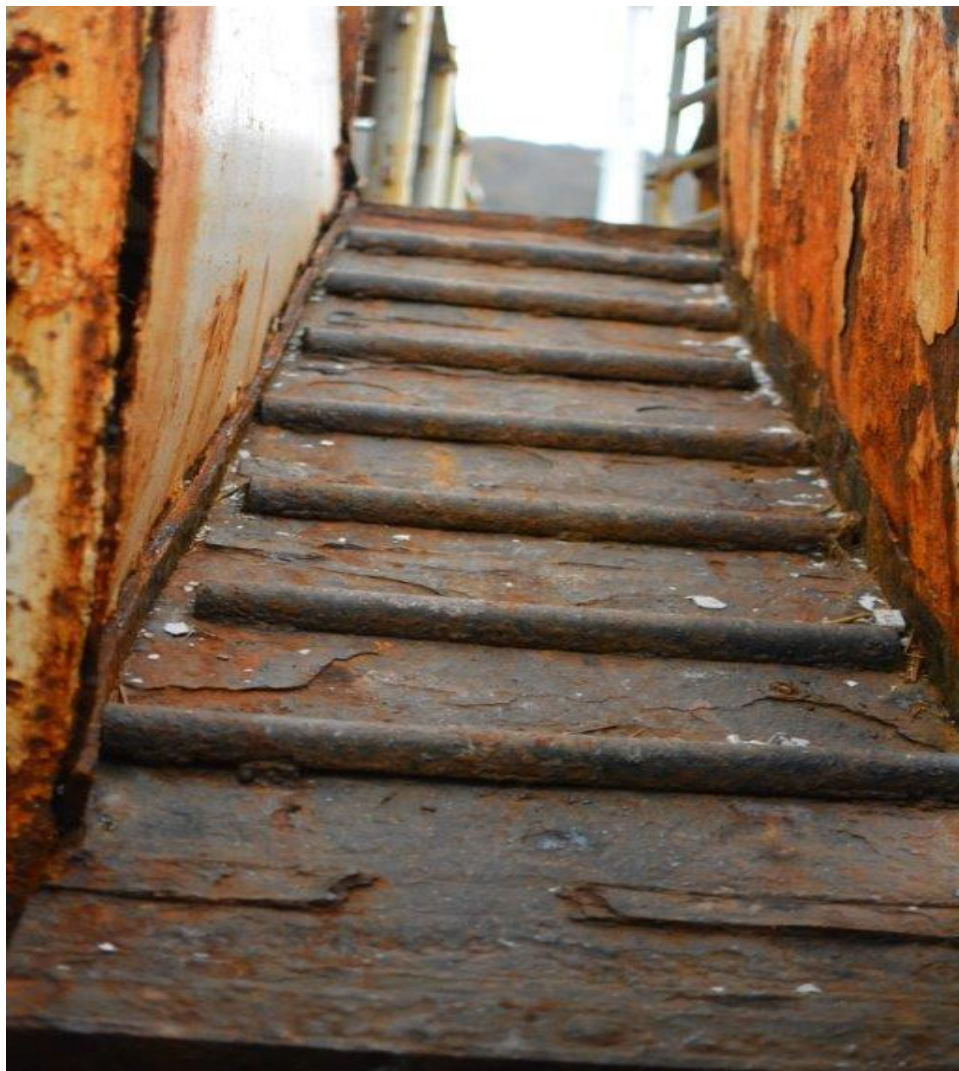
**We found vessels, approved under article 19 of 1/2005, to be poorly designed and maintained, posing risks for injuries to the animals.**





Poorly designed and maintained vessels

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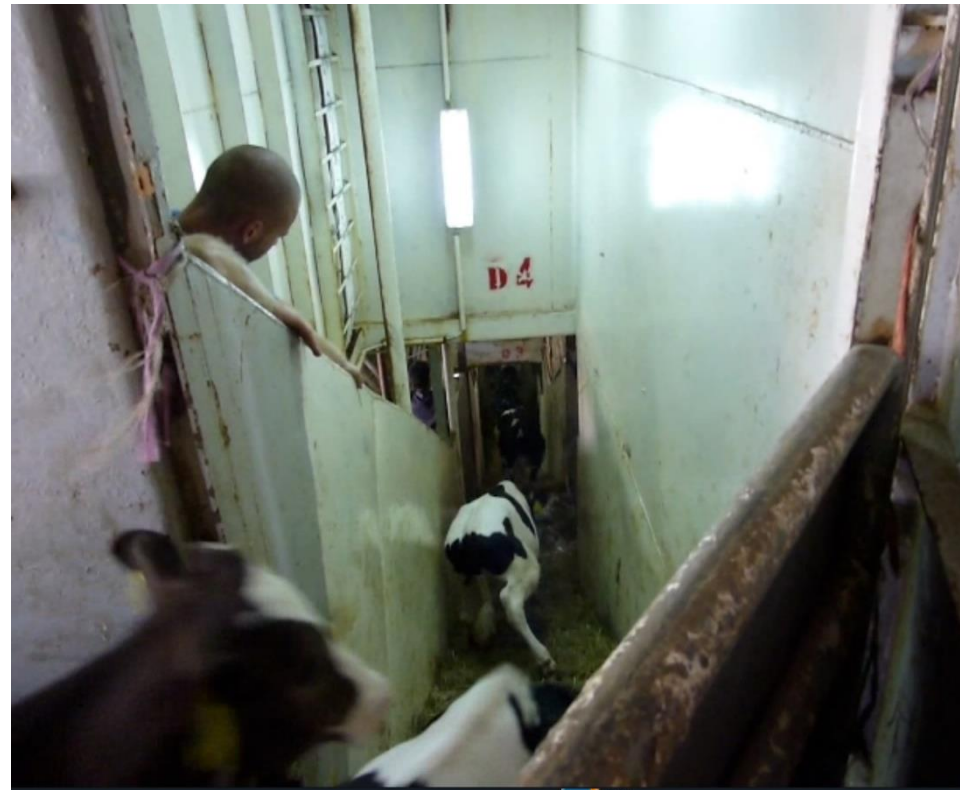




Poorly designed and maintained vessels

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Approved by officials: Loading ramps and internal ramps that are too steep, exceeding 26 degrees, posing risks for injuries



Poorly designed and maintained vessels

Im Einsatz für Tiere



Approved by officials:

Lack of headspace (for animals and humans)

On this deck proper watering, feeding and inspection of the animals is impossible

1.2. Sufficient space shall be provided inside the animals' compartment and at each of its levels to ensure that there is adequate ventilation above the animals when they are in a naturally standing position, without on any account hindering their natural movement (Regulation 1/2005, Annex I Chapter II)





Poorly designed and maintained vessels

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## Risk of injuries



Uncovered bulkhead frames protruding in pen area.



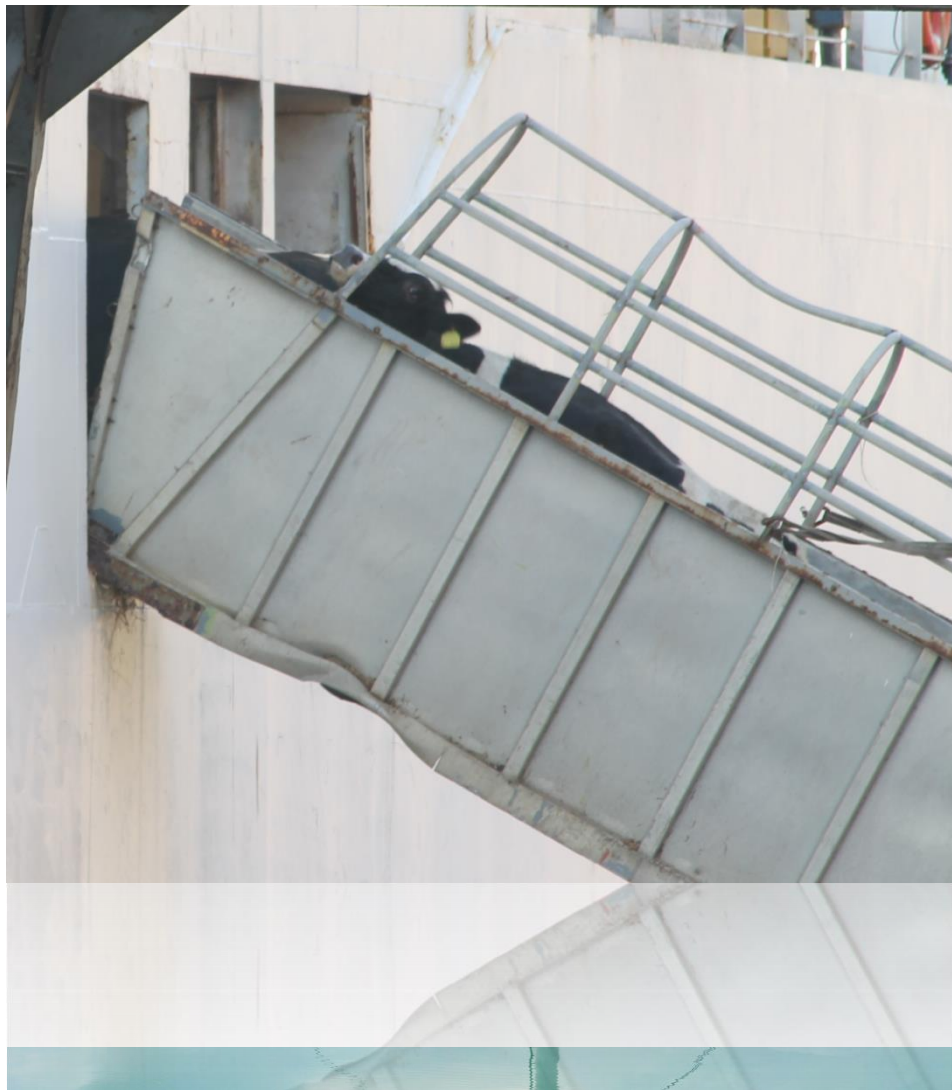
Gaps in ship's wall covered with railings





Regulation 1/2005 is not enforced during transport of animals by sea

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**During sea transport Regulation 1/2005 is unenforceable from the moment the animal enters the vessel.**



Regulation 1/2005 is not enforced during transport of animals by sea

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Our investigator witnessed a sea journey from EU to Alexandria/ Egypt:



Temperature changed from 15°C to 32°C  
and a relative humidity of 80 %.  
Extreme conditions for the animals.

After the seventh day animals were  
lying in deep layer of manure, their  
coats covered in faeces.





Regulation 1/2005 is not enforced during transport of animals by sea

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Some animals could not cope with these conditions, like this cow. She developed severe respiratory problems and died among eight others.



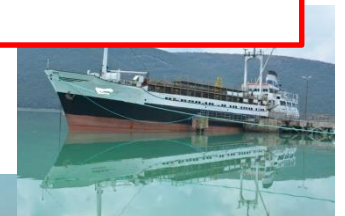
Regulation 1/2005 is not enforced during transport of animals by sea

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There is no vet on-board to treat sick/ injured animals. These animals die and are discharged into the sea (a violation of Marpol Convention).

**Even though the ECJ decision ruled that 1/2005 should apply to the place of destination in the Third Country, neither the Member States nor the Commission do request any information about the condition of the animals while arriving at the place of destination!**





Exported EU animals are not protected by legislation

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**Enforcement of Regulation 1/2005 is poor within the European Union, but once the animals leave the EU they are not protected by EU laws, simply because there is no one enforcing Regulation 1/2005.**

The breaches of the Regulation are due to:

- Failure of organisers and transport companies to comply with the Regulation.
- Failure of approving vessels which do not satisfy the standards set in the Regulation.



Exported EU animals are not protected by legislation

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- Failure of Member States of departure to ensure compliance with the Regulation up until the place of destination in the Third Country.
- Failure of Competent Authorities at Border inspection posts to enforce the Regulation.
- Failure of Third Countries to comply with the European Convention for the protection of animals during international transport and the OIE standards on the welfare of animals during transport.



EU Commission should encourage harmonized approach

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**The preconditions for inspections and approvals of vessels have to be harmonized within the European Union, in order to avoid poor welfare during transport, unfair competition and an increasing shift of the trade to Member States with poor controls.**

- The application of the “Network document on livestock vessels” should be legally binding and therefore being included in the Annex of the Regulation 1/2005.
- The enforcement of article 26 (6) by Competent Authorities, in case of vessel approvals that are in breach of Regulation 1/2005.
- There is a need for a qualified and independent expert team for the EU approval of vessels (marine surveyor, marine technician, veterinarian).



EU Commission should encourage harmonized approach

Im Einsatz für Tiere

- The implementation of procedures to check if Reg. 1/2005 has been complied with after animals leave the EU territory, as set out in Art 3 of Council Reg. 817/2010.
- Mandatory reporting of illnesses/injuries and deaths on vessels, during unloading and onward transportation to the destination.
- A qualified, independent Veterinarian who accompanies the animals during sea transport.
- Training for personal handling the animals on the vessels, as it is already legislated for the Certificate of approval for drivers and attendants /art. 17 (2)
- The requirement of contingency plans for different emergencies.





EU Commission should encourage harmonized approach

## We also urge the Commission to

- Start official research on the level of implementation of the Regulation 1/2005 during sea journey.
- Introduce a regulatory system (as is in operation in the Australian live export industry) that makes European exporters legally accountable for ensuring compliance with EU Regulation 1/2004 and OIE standards.
- Implement strict Guidelines for the construction and maintenance of vessels and with minimum requirements based on Marine Order 43 of the Australian Maritime Safety Authority.



# Thank you and please take action !



Photo: Animals International