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Australia-European Union Free Trade Agreement  
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### **Recognising animal welfare under an Australian-European Union Free Trade Agreement**

Thank you for the opportunity to provide a submission to the Australian-European Union Free Trade Agreement (the EU FTA) negotiations. The EU FTA negotiations present a significant opportunity for the Australian Government to demonstrate its commitment to high animal welfare standards and sustainable development practices.

Animal welfare is a critical component of sustainable development having implications for all three pillars of sustainability - economic, social, and environmental. This should be recognised in any trade agreement that Australia is party to. Australia is well placed to be an international leader in animal welfare practices and should seek to capitalise on this comparative advantage and market opportunity.

We provide the attached comments on the EU's proposed text for Article [X].17 on Animal Welfare in its proposed chapter on Sanitary and Phytosanitary Standards. We believe this is a promising start and hope to see the Australian Government support these proposals and build on them. In light of the subject matter of the proposed text and the strong relationship with principles of sustainable development we would ask the Australian Government to consider whether such provisions would be better suited within the proposed chapter on Trade and Sustainable Development.

We look forward to participating in future consultations.

Yours sincerely,



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Proposed SPS Chapter, Article X.17	RSPCA comments
<p>1. The Parties recognise that animals are sentient beings. They also recognize the connection between improved welfare of animals and sustainable food production systems.</p>	<p>RSPCA strongly supports the recognition of animal sentience. This is consistent with scientific evidence, Australian Government policy set out in the <i>Australian Animal Welfare Strategy</i>, and Article 13 of the <i>Treaty on the Functioning of the European Union</i>.</p> <p>We also support the recognition of animal welfare as a critical component of sustainable food production systems. Community attitudes to animals and their welfare are evolving throughout the developed world. See for example, the report <i>Australia's Shifting Mindset on Farm Animal Welfare</i> commissioned by the Department of Agriculture in 2018. The trends identified therein are happening throughout the developed world. Industry practices that result in poor animal welfare - both physical and mental - are facing increasing scrutiny. Extreme confinement systems, invasive husbandry procedures, and practices that expose animals to significant risk are not sustainable in this climate of social change.</p>
<p>2. The Parties undertake to cooperate in international fora to promote the development of the best possible animal welfare practices and their implementation. In particular, the Parties will cooperate to reinforce and broaden the scope of the OIE animal welfare standards, as well as the implementation, with a focus on farmed animals.</p>	<p>RSPCA supports the undertaking of cooperation to promote the best possible animal welfare practices in international fora including the OIE.</p>
<p>3. The Parties shall exchange information, expertise and experiences in the field of animal welfare with the aim to align regulatory standards related to breeding, holding, handling, transportation and slaughter of food-producing animals.</p>	<p>RSPCA supports the commitment to exchange information, expertise, and experience on animal welfare with the aim of aligning regulatory standards. However, this paragraph should explicitly state that the alignment process be undertaken with a view to using the stronger of the two standards, assessed on animal welfare criteria, as the baseline.</p> <p>We also question the consistency of wording used in this paragraph with that used in paragraph 4 below. This paragraph uses the words “breeding, holding, handling, transportation and slaughter” while paragraph 4, relating to research cooperation, uses the words “breeding and the treatment of animals on the farm, during transport and at slaughter.” In the absence of a practical reason for this difference, we recommend the drafting be amended for consistency. To ensure appropriate scope and application, we</p>

	recommend “treatment of animals on the farm” in place of “holding, handling”, which could be interpreted very narrowly.
<b>4. The Parties shall strengthen their cooperation on research in the area of animal welfare to develop adequate and science-based animal welfare standards related to animal breeding and the treatment of animals on the farm, during transport and at slaughter.</b>	RSPCA supports the commitment to strengthening cooperation on research to develop adequate science-based animal welfare standards.
<b>5. The Parties hereby establish a Technical Working Group on animal welfare. The working group shall agree on a work plan and report to the [Joint Management Committee] on its activities on an annual basis.</b>	RSPCA supports the establishment of a Technical Working Group on animal welfare to develop a work plan and to report on its activities. However, we believe this paragraph should be extended to explicitly include “and progress in fulfilling each Party’s obligations under this Article” after “activities”.