Annual Report



--,--• The European Institute for Animal Law & Policy ACHIEVING BETTER TREATMENT FOR ANIMALS



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Introduction

Since 2021, the European Institute for Animal Law & Policy has established itself as Brussels' leading nonprofit Think-and-Do-Tank dedicated to enhancing animal welfare through impactful legal and policy initiatives. Our founding came in response to the European Commission's announcement that they would be revising EU animal welfare legislation in the coming years.

Since then, the Institute has grown from its origins as a small consultancy firm, Animal Law Europe, also created in 2021, to the first and only consultancy in Brussels to deliver legal expertise for animal advocates, animal protection organizations, and public administrations. In addition to advising partners on animal law and policy issues, the Institute has been conducting its own public interest missions unilaterally, as well as collaboratively with other animal protection organizations.

By design, the Institute has created many avenues for collaboration. The projects led by the Institute in 2023 have connected academics, policymakers, and advocates seeking to influence the way EU laws are drafted – ultimately moving business activities away from cruel practices, towards a brighter, more humane future for animals and the planet.

This report presents the achievements of the European Institute for Animal Law & Policy during what has been our third year of operation, and we are also pleased to share the Institute's goals and prospects for the year ahead.

Letter from the Founder

March 18th, 2024

In 2023, the European Commission failed to deliver on its commitment to reform EU farm animal welfare legislation, making last year a highly disappointing one for animal advocates.

This legislative U-turn is all the more frustrating when considering that the European Commission, in their legal assessment of EU animal welfare laws, had reached many of the same conclusions that we did in our 2022 White Paper, "For a More Humane Union: A Legal Assessment of EU Farm Animal Welfare Laws." It was apparent to the Commission, as it was to us, that EU farm animal legislation has been woefully inadequate in large part due to poor and inconsistent legal drafting, in addition to the shockingly low animal welfare standards mandated by the legislation (when it is decipherable). However, despite such conditions, and our efforts to compel legislative action, the European Commission instead continued its preference of attending to the needs of private interests groups.

Following this defeat in 2023, we have approached 2024 as a rebuilding year. Animal advocates have already notched some modest victories in this young year, which will hopefully propel our momentum moving forward. First, of the four proposals for new regulations that the European Commission had committed to publish, one did survive: the new proposal for a regulation on the transport of live animals. While this legislation is currently laden with disappointing half measures, its upcoming revision presents an unprecedented opportunity to reshape the industrial farm animal production model of the EU, which is responsible for an enormous production surplus of live animals. Not only is such a production model defined by naked cruelty, but, on a broader development level, the dumping of live animals in poorer countries deprives such countries of their sovereign ability to build and develop their own food economy. Hopefully, the negotiations around this new proposal will shed light on the neo-colonialist

hypocrisy of the EU, which claims to respond to an economic demand for animal-based protein in low and middle-income countries, all the while manufacturing such a demand and subsequently ensuring its fulfillment by European producers.

Another positive development was the publication of a new proposal for a regulation for the welfare of cats and dogs, which aims to harmonize and reinforce traceability, registration, and identification rules, as well as regulate animal welfare standards in breeding facilities. Much of the proposed new measures would benefit from being more specific, and this proposed legislation makes insufficient use of the EU's competence in enacting criminal penalties. However, the proposal provides a basis for the enactment of strong protection measures for cats and dogs, animals which the EU institutions have neglected up to this point.

With the EU elections around the corner, and the nomination of a new President and a new College of Commissioners by the end of 2024, our work will enter a strategic phase. On the legislative advocacy side of the Institute's work, our priority will be to persuade newly-elected Members of the European Parliament, and newly-appointed policy-makers, to prohibit the use of cages in animal agriculture in response to the "End the Cage Age" European Citizens' Initiative. The Institute will also use this election year to advance legal research and further explore ways to compel the European Commission to fulfill its promises made in the EU Green Deal.

At the beginning of what is now our fourth year of operation, it is our privilege to work on behalf of animals with such dedicated colleagues and supporters. Thank you for all the work you do and for your contributions to create a more peaceful, just world for humans and non-human animals alike.

With my very best regards,

Alice Di Concetto,

Founder and Chief Legal Adviser, The European Institute for Animal Law & Policy, Brussels, Belgium

2023 in numbers



partners including two we helped pro bono



presentations at conferences



in-house event



publications



academic publications



hours of pro bono work

1. The European Institute for Animal Law & Policy

1.1. The Origin Story

The European Institute for Animal Law & Policy was launched in March of 2021, less than one year after the European Commission announced its plans to revise EU farm animal welfare legislation. The Institute thus became the first and only consultancy in Brussels to deliver legal expertise for animal advocates, animal protection organizations, and public administrations.

Right away, without paid advertising of any kind, it became clear that the Institute had tapped into a need that was great. A steady stream of animal protection NGOs and public administrations have reached out to request help with disparate types of projects, though all related to law and policy: drafting amendments, reports on specific legal issues, input on lobbying strategies, advice on which regulations to amend, determining national versus EU competence, etc.

The European Institute for Animal Law & Policy conducts its own strategic public interest missions unilaterally, as well as collaboratively with other animal protection organizations.

By design, the Institute creates many avenues for collaboration with academics, policymakers, and advocates who wish to influence the way EU laws are drafted, for a brighter, more humane future for animals and the planet.

1.2. Services & Areas of Expertise

Research Services

The European Institute for Animal Law & Policy provides expert legal research services in French and English, completed through hourly consultations or longer-term research projects.

Deliverables are tailored to partners' needs. Formats include memoranda, reports, white papers, and oral presentations.

\cdot Public Affairs

The European Institute for Animal Law & Policy provides strategic expertise to assist partners in implementing legal and regulatory reforms.

We identify upcoming reform opportunities and map out relevant actors whose actions can affect lawmaking ("stakeholders"). We then connect our partners to our vast network of professionals within the industry and the EU institutions. The Institute also advises partners on how to build the most effective advocacy pleas and how to pitch them to stakeholders.

\cdot Training

The European Institute for Animal Law & Policy's core mission is to empower its partners through training and education. Training solutions are bespoke, for all levels and group sizes.

Available courses include animal law and European law classes for all levels, as well as practical sessions on how professionals can navigate the EU institutions and understand the law-making process in the EU.

Our goal is to make our partners more performant in their daily work in the short term, and fully autonomous in the longer term.

Monitoring

We provide monitoring services to EU Public Affairs professionals.

Our targeted updates include ongoing and prospective public consultations, court rulings (European Court of Justice, European Court of Human Rights, and national courts when relevant to EU law), scientific publications, industry and NGO campaigns, and calls for contributions to publications or events.

2. Partners and Projects

1.3. Mission and Values

1.3.1. MISSION

The European Institute for Animal Law & Policy's mission is to improve the treatment of animals through law and policy, encouraging and participating in lawful methods of change. The European Institute for Animal Law & Policy firmly believes that knowledge is power, and so strives to empower different actors - nonprofits. public administrations, and academics - to improve conditions for animals through expertise and education.

1.3.2. VALUES

- Animal Protection: The European Institute for Animal Law & Policy assists on projects which carry the ultimate goal of improving the treatment of animals. Our consultancy does not collaborate on projects that contribute to further commodification of animals, nor do we contribute to humane-washing initiatives that stymie systemic change for animals.
- Diversity and plurilingualism: The European Union has 27 Member States and 24 official languages. It is common for professionals in EU public affairs to be multilingual, with a passive command of additional languages. Yet, English is frequently taken up as the most common working language in Brussels. This contributes to the exclusion of populations who have limited abilities in English. For this reason, The European Institute for Animal Law & Policy encourages its contacts to express themselves in their native language if they prefer, or by using additional languages other than English. To the best of its abilities, The European Institute for Animal Law & Policy offers services in Italian, Spanish, and Portuguese, in addition to English and French.

• Education and accessibility: The European Institute for Animal Law & Policy creates accessible educational experiences for learners at any stage of education. Our mission is to empower partners through world-class training in animal law and EU public affairs. The European Institute for Animal Law & Policy further strives to make their contents accessible to people with disabilities. Please get in touch if you have suggestions on how to make our work more accessible to all.

- · Anti-oppression and inclusiveness: As a femalefounded consultancy, we stand against oppressive behaviors. The European Institute for Animal Law & Policy does not work on projects that contribute to further marginalization of racial and ethnic minorities. low-income communities, members of the LGBTQIA+ community, or other historically oppressed groups. We also do not associate with organizations that fail to ensure a safe and healthy working environment for their staff. The European Institute for Animal Law & Policy further promotes the visibility of all institutional actors, regardless of their size or influence, in addition to individual professionals, regardless of career stage.
- · Cross-disciplinarity and solidarity:

The European Institute for Animal Law & Policy aims to contribute to the institutionalization of animal protection objectives by building bridges between and with nonprofit officials, academics, for-profit actors, and public administrations. We believe in the power of synergies and discourage unjustified competitive behavior.

2.1. Partners

Throughout 2023, the European Institute for Animal Law & Policy provided services to many organizations seeking to advance the treatment of animals in the law, including:

- Animal Society (Germany) and L214 (France): The Institute collaborated with L214 in forming a coalition of 18 EU-based animal advocacy organizations to obtain an EU ban on the systematic killing of chicks. This collaboration resulted in the publication of a white paper by the Institute and L214, and an additional report by Animal Society.
- The Coller Foundation (UK): The Institute continued working extensively with the Coller Foundation to build the Coller Animal Law Forum (CALF), an interactive database that collates and analyses various laws and policies that impact farmed animals.
- AAP Foundation (The Netherlands): The Institute currently provides legal expertise and project management services to achieve restrictions on the trade, sale, and private ownership of exotic animals.

2.2. Pro Bono

The Institute also provided *pro bono* services to organizations and individuals involved in animal protection. These services included:

- Reviewing the legal accuracy of an exposé conducted by Tras los Muros (Aitor Garmendia) on Spanish industrial egg factory farms.
- Legal research and a conference presentation for the coalition "Stop the Grind" to end the killing of dolphins and pilot whales in the Faroe Islands.
- The building of an online EU animal law code for and with the Fondation Droit Animal, Ethique & Sciences (Foundation for Animal Law, Ethics & Sciences).
- Professional mentoring for members of the Spanish organization Observatorio de Bienestar Animal (formally "Equalia").



La industria del huevo, Aitor Garmendia traslosmuros.com.

3. Collaborations

4. Publications

In 2023, the European Institute for Animal Law & Policy had the pleasure of working with:



Pauline Koczorowski

A lawyer trained in France, Pauline Koczorowski is our specialist in the legal protection of aquatic animals. Prior to joining the Institute, Pauline interned with the French Directorate-General for Maritime Affairs, Fisheries and Aquaculture in 2021 - 2022. She graduated from the Nice Côte d'Azur Law School in 2021 in law of the sea, and she graduated again in 2022 from the Sorbonne Law School, where she studied agricultural law.



Anatole Poinsot

Anatole Poinsot is the Institute's in-house editor for the publication of a book featuring contributions on farm animal law. Prior to joining the Institute, Anatole completed an internship at the French National Research Institute for Agriculture, Food and Environment (INRAE) on the challenges of agroecological transition. Anatole obtained a Master's degree in European Law with a specialisation in Agricultural and Agri-Food Law from the Sorbonne Law School (Paris, France) in 2021, in addition to completing a Master's degree in agroecology at the AgroParisTech school of agronomy (Paris, France) in 2022.

4.1. Newsletter

The European Institute for Animal Law & Policy publishes a quarterly email newsletter. Each newsletter is divided into different sections:

- Animal law news in the EU, which includes the most recent developments in EU law and EU Member States law (including new legislation and court rulings).
- A selection of **international animal law news**.
- Events, publications, and calls for contributions relevant to all animal law and policy communities and stakeholders (private sector, academia, and NGOs).

The audience for this newsletter is comprised of academics, animal advocates, think tank researchers, politicians, and students. With hundreds of current subscribers, the readership of our newsletter more than doubled from 2021 to the end of 2022.

In 2023, one of the Institute's projects will be to conduct an assessment of the newsletter's readership needs, and to transition the newsletter from quarterly to monthly frequency, featuring even more in-depth information by collaborating with other animal law organizations and specialists from around the EU.

4.2. Research Notes and White Papers

Each newsletter contains a Research Brief or a White Paper. Briefs are short research or practical notes of 20 pages max. They are informative and meant to demystify a particular aspect of EU law and policy as it relates to animals. White Papers can be longer and are intended to provide a deeper dive into a specific topic, including legal and policy reform proposals, and are disseminated beyond the newsletter's readership. In 2023, the topic of our Research Briefs and Special Reports was farm animals:

1. The first publication of the year was a White Paper on chick and duckling killing, co-authored with Olivier Morice (L214), Matthias Corion (Leuven University), and Simão Santos (Leuven University). This White Paper presents solutions to achieve a prohibition on the killing of chicks and ducklings in EU law.

2. The second publication was a Research Note on the topic of "The Treatment of Wild-Caught Fish Under EU Law." This research note was featured in a Legal Practice Note by the International Association of Lawyers (UIA) and in a piece published in the American Bar Association's International Law Newsletter. This Research Note also took the form of an online guest lecture in the Aquatic Animal Law course offered by the Lewis & Clark Law School's Animal Law LL.M Program.

Additionally, the Institute contributed a chapter on EU legislative advocacy to a <u>Legislative Advocacy</u> <u>Guide</u> published by the Coller Foundation in partnership with the European Institute for Animal Law & Policy, The Centre for Animal Law Studies (CALS) at Lewis and Clark Law School, and Animal Ask. The Guide was also featured on the Faunalytics blog.

Chick and Duckling Killing: Achieving an EU-Wide Prohibition

WHITE PAPER — JANUARY 2023 Alice Di Concetto, Olivier Morice, Matthias Corion, Simão Santos





 Alice Di Concetto, Olivier Morice, Matthias Corion and Simão Santos, Chick and Duckling Killing: Achieving an EU-Wide Prohibition, The European Institute for Animal Law & Policy (2023).



4.3. Academic Publications

The Institute also produced new animal law research with the publication of several law review articles and book chapters. Please reach out to us if you would like a copy of these publications.

4.3.1. LAW REVIEW ARTICLES

Le pouvoir des lobbies privés face au mouvement de protection animale : étude de cas au niveau européen, Revue Confluence des droits (in French) (2023).

EU Consumer Information as a Tool to Regulate the Treatment of Farm Animals: Potential and Limits, with Aude-Solveig Epstein, European Journal of Consumer Law (2023).

Farm Animal Welfare and Food Information for EU Consumers: Harmonizing the Regulatory Framework for More Policy Coherence, European Journal of Risk Regulation (1/2023).

Le bien-être animal dans la nouvelle Politique Agricole Commune, Revue de droit rural, nº1/2023 (in French).

4.3.2. BOOK CHAPTERS

"L'animal dans la ressource," in <u>La prise en compte</u> <u>par le droit des enjeux de l'alimentation durable</u> (Fanny Giansetto, ed.), Mare & Martin (in French).

"La protection de l'animal par le droit pénal: enjeux éthiques," in <u>Le droit pénal face à l'éthique</u> (Julie Gallois and Chloé Liévaux, eds.), Thèmes et Commentaires (Dalloz) (in French).

Additionally, the Institute's Chief Legal Adviser, Alice Di Concetto, was appointed Fellow at the <u>Oxford Centre for Animal Ethics</u> in July 2023. The Oxford Centre for Animal Ethics, directed by Professor Andrew Linzey and Professor Clair Linzey, has been pioneering the field of animal studies since 2006. The Centre brings together scholars from a vast array of academic disciplines and organizes an annual Summer School, which takes place this year from August 7th to the 10th at the University of Oxford.

Additionally, the Institute's Chief Legal Adviser, Alice Di Concetto, was appointed Fellow at the Oxford Centre for Animal Ethics in July 2023. The Oxford Centre for Animal Ethics, directed by Professor Andrew Linzey and Professor

Clair Linzey, has been pioneering the field of animal studies since 2006. The Centre brings together scholars from a vast array of academic disciplines and organizes an annual Summer School, which takes place this year from August 7th to the 10th at the University of Oxford.



3. CALF, Coller Animal Law Forum, Center For Animal Law Studies and European Institute for Animal Law & Policy, Advocating For Animals: A Guide To Legislative Advocacy (2023).

The Treatment of Wild-Caught Fish Under EU Law

RESEARCH NOTE #6 — July 2023 Alice Di Concetto & Pauline Koczorows





2. Alice Di Concetto and Pauline Koczorowski, *The Protection of Wild-Caught Fish in EU Law*, The European Institute for Animal Law & Policy (2023).



5. Events

5.1. The Institute's Inaugural In-House Event: Animals in Economic Law, March 24 - 25, 2023 in Paris, France

With many partners, including NYU Abu Dhabi, Sciences Po, and Nanterre University Law School, the Institute organized its first academic conference, which took place over two days at the Institut d'Études Avancées and at Sciences Po Law School. The event brought together legal scholars across the fields of business, investment, corporate, and labor law to discuss the extent to which reforms in these fields could improve the treatment of animals. The event gathered 100+ participants, including academics, practicing attorneys, elected officials, and nonprofit representatives.

The presentations will be expanded upon and published in a book due out later in 2024.



March 24th 2023, at the Institut d'Études Avancées (Paris, France)



March 25th 2023, at Sciences Po Law School (Paris, France)

5.2. Other Events

Throughout 2023, the Institute's Chief Legal Adviser, Alice Di Concetto, participated in many events to inform the animal advocacy and animal law communities of the many evolving changes in EU animal law and policy.



January 12th, 2023, Milano, Italy "Sostenibilità e Animal Welfare" (in Italian) • Organizers: Università Degli Studi di Milano Bicocca



February 22nd, 2023, Online

"Protecting Fish in Aquaculture: Synergies Between Animal Welfare and Nature-Based Solutions"

• Shamba Centre for Food & Climate

2023



May 26th, 2023, Wageningen, The Netherlands

"Animals in the Future of EU Food Law"

- Organizers: Wageningen University & Research -
- Law Group
- Learn more: wur.nl



June 7th, 2023, Online

- "La legislación del bienestar de los animales de cría
- en la Unión Europea" (in Spanish)
- Organizers: Instituto Distrital de Protección
- y Bienestar Animal de Bogotá
- Learn more: animalesbog.gov.co



April 11th, 2023, Online "Food Labeling: Information for a Sustainable Food System" (roundtable) • Organizers: Green Rev Institute



March 26th,2023, Paris, France

"Les normes de bien-être animal prises en considération par le droit économique" (in French) • Organizers: The European Institute for Animal Law & Policy, Sciences Po, Nanterre University, NYU Abu Dhabi (...)

ANNUAL REPORT 2023





June 14th, 2023 Helsinki, Finland

"Does 'Science-Based' Animal Welfare Legislation Benefit Animals?"

- Organizers: University of Helsinki, Animal Law Centre
- Learn more: helsinki.fi



fair 5th SUMMER SHOAL on fish welfare Pedras del rei, Algarve, Portugal 12-15 September 2023



July 2nd, 2023, Antwerp, Belgium

"Farmed Animals and EU Law" (Guest Lecture)

- Organizers: University of Antwerp, Animal Law Summer School
- Learn more: uantwerpen.be

November 30th, 2023 Abu Dhabi, UAE

Transport" (Guest Lectures)

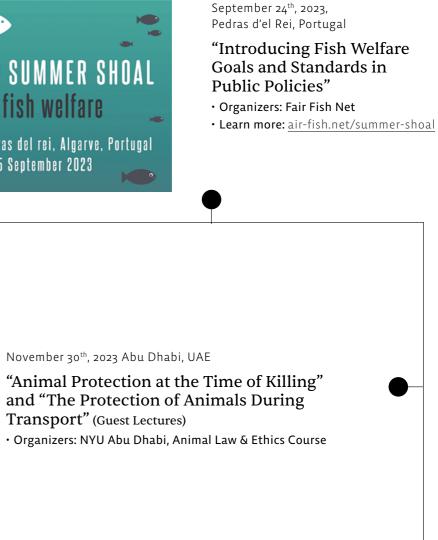
December 7th, 2023, Amsterdam, The Netherlands

"The Regulation of Greenhouse Gas Emissions in EU Animal Agriculture: Moving Away from a Sectoral Regulatory Approach"

• Organizers: University of Tilburg

• Learn more: tilburguniversity.edu







November 30th, 2023, Brussels, Belgium

"The Legality of the Grind Hunt"

- Organizers: Stop the Grind Coalition
- Learn more: stopthegrind.org/ european-parliament

6. Media

The European Institute for Animal Law & Policy was regularly featured in the media in 2023.

2023

The Brussels Times The unjustified mass killing of baby chicks and ducklings must end



January 9th, 2023, Op-Ed

"The Unjustified Mass Killing of Baby Chicks and Ducklings Must End"

• Source: Brussels Times

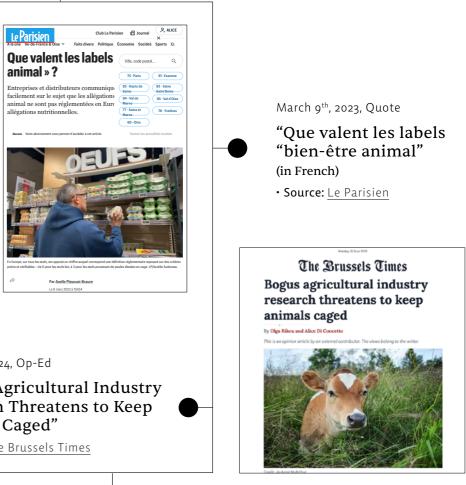
Vers des médicaments sans test sur les anima



ourir à l'ext

January 23rd, 2023, Quote

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• Source: Le Figaro
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June 12th, 2024, Op-Ed

"Bogus Agricultural Industry Research Threatens to Keep Animals Caged"

• Source: The Brussels Times



November 6th, 2023, Op-Ed

"EU-Mercosur Deal Killed Animal Welfare Law"

• Source: EuObserver



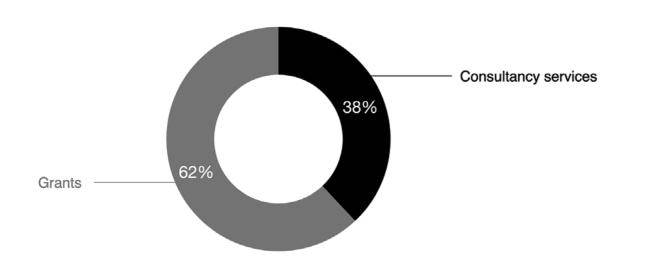
"Vers des médicaments sans test sur les animaux" (in French)

September 27th, 2023, Op-Ed

"Commerce d'ailerons de requins: L'Union européenne doit procéder à une interdiction sans plus attendre" (in French) • Source: Sud Ouest

7. Sources of Funding

The European Institute for Animal Law & Policy relies upon two main sources of funding. We sincerely thank our donors and partners for making our work possible.



8. The Year Ahead

8.1. Advocacy

· Expansion of the Institute's advocacy activities With 2024 being an EU election year, the Institute

will expand its advocacy efforts to build and reinforce its network in the EU institutions. We furthermore aim to secure commitments from newly-elected Members of the European Parliament. In particular, the Institute will seek to build support to achieve an EU-wide ban on the use of cages in animal agriculture, while attempting to improve the proposed regulations that pertain to the transport of animals; and the welfare of companion animals respectively.

· Research on litigation-based strategies

In 2024, the Institute plans to explore new ways of achieving positive change for animals. One potentially promising strategy would be the use of litigation to bypass roadblocks that animal advocates have historically faced when attempting to influence legislation.

8.2. Service to the Animal Advocacy Community in the European Union

· Expansion of the newsletter

• After three years of consistent newsletter publishing, one major project of ours in 2024 is to increase the frequency of our newsletter, moving from bi-monthly to monthly. By popular demand, the Institute will also furnish more animal law data and information, presented more frequently, so that our readers may count on a most timely resource to inform their policies and campaigns. The newsletter will be as exhaustive as possible in gathering information in the EU Member States related to new legislation and court rulings, and we will strive to ensure equal representation of all EU jurisdictions. The European Institute for Animal Law & Policy hopes to overcome language barriers by way of building a robust network of

animal lawyers across the Union, not only as a way to gather information but to present the work of these advocates to a more international audience.

• Publication of a French-language animal law anthology, featuring chapters by different authors

The European Institute for Animal Law & Policy will continue working towards the publication of an anthology, in French, of the most prominent farmed animal law issues. Departing from the field of animal rights theory, this book will be the first in French to feature a detailed legal analysis of the treatment of farmed animals under EU law.

EU ANIMAL LAW & POLICY UPDATES

Animal Law News

European Union

New Laws

Farmed Animals and Wild Animals: Regulation 2023/1115 on the Making Available on the Union Market and the Export from the Union of Certain Commodities and Products Associated with Deforestation and Forest Degradation and Repealing Regulation 995/2010 (Deforestation-Free Products Regulation) entered into force on June 21st 2023. This Regulation regulates imports to the EU to reduce the deleterious impacts of the expansion of agricultural land for the production of commodities such as cattle, soy, and palm oil.

Trade Agreements

EU/New Zealand: On July 9th, the EU and New Zealand signed a free trade agreement, the scope of which includes all animal-source products. However, all animal-source products from New Zealand will have to be produced under standards equivalent to EU production rules, including animal welfare rules. Furthermore, beef imports from New Zealand to the EU will be subject to a quota. Beef originating from cows raised on feedlots is also explicitly excluded from the scope of the trade agreement.

Infringement Procedures

Infringement decisions occur when the EU executive "pursues legal action against Member States for failing to comply with their obligations under EU law." More information on infringement procedures can be found on page 53 of our report, "For a More Humane Union."

Letter of Formal Notice

Austria - Wild Animals: The European Commission sent a letter of formal notice to Austria calling on Austria to correctly transpose the Directive 92/43/EEC (Habitats Directive) in the Law on the High Tauern National Park in Salzburg.

Reasoned Opinions

Belgium - Wild Animals: The European Commission sent a reasoned opinion to Belgium to bring its national legislation in line with Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (Environmental Impact Assessment Directive).



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