

November 2003

## NOTES FOR ACCESSION COUNTRIES ON LOBBYING IN THE EUROPEAN UNION

### LOBBYING OF PARLIAMENTARIANS, MINISTERS AND OFFICIALS

1. Animal welfare organisations should campaign for **openness** and **consultation**. They should insist that it becomes the norm, when the government wants to introduce a new law or policy, or when it is discussing new laws with the other EU countries, that it consults with animal welfare organisations. This should take the form of a Consultation Document, issued by the government which gives animal welfare organisations a certain amount of time in which to make comments.
2. When lobbying Ministers, government officials or Parliamentarians, it is important to **base your arguments on the science**. Most officials or politicians will not be impressed if you just tell them how cruel you think factory farming and long distance transport is. You must explain to them that your concerns are supported by scientific research. They will be much more impressed if you can tell them that the EU's Scientific Committee on Animal Health and Animal Welfare has concluded that the main problem facing modern broilers are leg disorders arising from rapid growth rates than if you tell them that you think this is a problem.

CIWF has published a range of reports summarising the scientific literature. If you want to know what the science says about a particular subject, please ask us and we will try to help.

3. **Write to Ministers, officials and Parliamentarians** to let them know of your concerns. Do not just tell them what you think; tell them what you would like them to do. For example, you may ask a Minister to persuade the other EU

countries to prohibit a particular practice. Or you may ask a Minister or an official to ensure that there is better enforcement of an existing law. When writing to Parliamentarians you may, for example, ask them to raise your concern with the Minister. A Minister is much more likely to read carefully a letter from a Parliamentarian than from an animal welfare organisation.

Make your letters **short** and **clear**. Usually only deal with one topic in a letter; for example, if you are writing about animal transport, do not also include your concerns about the battery cage in the same letter.

4. As well as writing to Parliamentarians, officials and Ministers, **you should try and get meetings with them**. Whereas in general letters should only deal with one subject, at a meeting it is reasonable to suggest an agenda covering a number of issues.
5. **If you make a film or produce a report** summarising the scientific literature, send copies to Ministers, officials and Parliamentarians.
6. One way of putting pressure on Ministers and Parliamentarians is through a **petition**. Alternatively, you can ask your supporters to **send a letter or postcard** to Ministers or Parliamentarians. A letter should usually be in their own words (although you should suggest to your supporters the main points to be made); a postcard would usually be pre-printed. Please contact CIWF if you need any help with the wording of a petition or postcard.

### **Things you can ask Parliamentarians to do**

#### **Parliamentary Questions**

You can ask a Parliamentarian to table a Parliamentary Question (PQ). At both the European Parliament and the UK Parliament, Parliamentarians can table both Written and Oral Questions.

Some Questions are aimed at getting information. For example, a Parliamentarian may ask how many chickens were dead on arrival at slaughterhouses during (i) 2001 and (ii) 2002. Or a Member of the European Parliament (MEP) may ask the European Commission how many live cattle were exported from the European Union (EU) to non-EU countries in (i) 2001 and (ii) 2002. The MEP may also ask the Commission how much was paid out in export subsidies in respect of those live cattle exports.

Other PQs are aimed at finding out what the government's policy is or in making sure that the government knows that Parliamentarians are concerned about a particular subject. For example, a PQ may ask what steps the government plans to take to reduce the high incidence of leg problems in broiler chickens. Or a PQ may ask what steps the

government plans to take to persuade all exporters to stop exporting live animals and instead to move over to a trade in meat and carcasses.

### **Motions and Resolutions**

Parliamentarians at both the European Parliament and the UK Parliament are able to table Motions or Resolutions. These briefly set out the background to a particular issue and then either express the Parliament's view and (in the case of the EU) call on the European Commission or the Council of Ministers to do something or (in the case of the UK Parliament) call on the government to do something. For example, a Motion may call on the European Commission to propose a ban on 'enriched' cages for egg-laying hens. Like PQs, such Motions or Resolutions are part of the way in which Parliamentarians can create pressure about a particular issue.

### **Private Members' Bills**

Most proposed laws (referred to as Bills) introduced in the UK Parliament are Bills proposed by the government. However, each year a certain number of Bills (known as "Private Members' Bills") are introduced by ordinary MPs who are not members of the government. It is not easy for a Private Member's Bill to become law, but some have succeeded in so doing. For example, the UK ban on sow stalls and tethers which came into force on 1st January 1999 started life as a Private Member's Bill. Similarly, a Private Member's Bill introduced in 1991 led to improvements in slaughter law regarding training and enforcement. CIWF Ireland is now trying to persuade a member of the Irish Parliament to introduce a Bill to ban fur farming.

Even where a Private Member's Bill does not become law, it is a very useful way of making more Parliamentarians aware of a particular subject. The media often takes an interest in Private Members' Bills and thus they can be an effective way of getting a particular issue before a wider public. Please contact CIWF if you want more information about how to persuade a Parliamentarian to introduce a Private Member's Bill.

### **Manifesto for Animals**

At election times, CIWF publishes a Manifesto for Farm Animals (please ask for a copy). This sets out our main policies. We then send a copy to all the main political parties and all the election candidates asking them to endorse our Manifesto. This is an effective way of letting politicians know about our concerns and of persuading them to include animal welfare in their policies and manifestos.

## **HOW LAWS ON FARM ANIMAL WELFARE ARE MADE IN THE EUROPEAN UNION**

There are three key EU institutions:

1. The European Commission.
2. The European Parliament.
3. The Council of Ministers. There is not just one Council of Ministers, but a separate Council for each subject area. We are usually concerned with the Council of Agriculture Ministers, which consists of the Agriculture Ministers from each of the Member States.

The following pages describe how laws on farm animal welfare are made under the present EU Treaty. A new EU Constitutional Treaty will be agreed soon. Under the new Treaty there will be changes:

- i) to the names of EU laws; they may no longer be called Directives and Regulations; and
- ii) to the way in which the 3 EU institutions interact to make laws.

This should not be a major problem as even if the details of law-making change, the principles described below and the opportunities for lobbying will remain similar under the new Treaty. We will all have to learn together how things will work in practice under the new Treaty.

Most existing EU laws affecting animals are Directives rather than Regulations.

When a Regulation is made, it becomes, word for word, part of the law of each Member State. When a Directive is made, each Member State must transpose it into its own national law, i.e. it does not automatically become a part of each Member State's law, but instead each Member State must, by a specified date, incorporate it into its own law. This means that Member States have some scope (but relatively little) as to exactly how they will interpret the Directive when incorporating it into their own law.

Generally, under EU law, when a Member State transposes a Directive into its own law, not only must its own law not be weaker than the Directive, but also it cannot be stronger. The idea is that there must be a 'level playing field' between the traders of all the Member States. For example, if the Transport Directive says that sheep can be transported for 28 hours before being given food, water and rest, then a Member State cannot in its own law say that sheep are only permitted to travel for 20 hours. Luckily, however, all the Directives affecting the welfare of farm animals on farm and at

slaughter are “minimum standards” Directives, i.e. unusually for EU law, they allow a Member State to have stronger provisions than those contained in the Directive.

### How Directives are made

1. The start of the process is for the European Commission to publish a proposed Directive or Regulation (all the following comments apply to Regulations as well as to Directives):

<b>Lobbying opportunities:</b>	If one knows that the Commission is planning to publish a proposed Directive on a particular subject, one should lobby the Commission – <b>before they publish their proposal</b> – to make sure that it is as good as possible. You are in a much stronger position if the Commission’s proposal is a good one, rather than being faced with the task of persuading the European Parliament and the Council of Ministers to strengthen a poor Commission proposal.
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2. Once the Commission’s proposal has been published, it is sent to the European Parliament. Before it is considered by the full Parliament, the proposed Directive will be examined by one of the Parliament’s Committees. These consist of MEPs. Proposed Directives concerning farm animals are nearly always considered by the Parliament’s Agriculture Committee.

- a) The first thing that the Committee does is appoint one of its MEPs to be the Rapporteur. His or her job is to produce a detailed report about the proposed Directive and to suggest specific amendments to the Commission’s proposed text.

<b>Lobbying opportunities:</b>	You should try and persuade the Rapporteur to include some good animal welfare amendments in his/her report. It is much better to get a good report, rather than being faced with the task of persuading other MEPs to reject what the Rapporteur says and try to get his/her report strengthened.
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- b) Once the Rapporteur publishes his/her draft report, it is considered by the Committee during a number of meetings. The Rapporteur’s report will, as indicated above, suggest certain amendments to the Commission’s proposed text. Once the Rapporteur’s draft report is published, other MEPs (if they are not happy with the Rapporteur’s report) can also table amendments to the Commission’s proposed text.

<b>Lobbying opportunities:</b>	If you are not happy with the Rapporteur’s report, then it is essential to try and persuade other MEPs on the Agriculture Committee to table good animal welfare amendments.
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- c) Eventually, the Committee will vote on all the proposed amendments, both those of the Rapporteur and those tabled by other MEPs.

<b>Lobbying opportunities:</b>	It is essential to lobby all the Committee's members to support good proposed amendments and reject the ones that are damaging to animal welfare.
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- d) Once the Committee has voted on all the proposed amendments, its report will be placed before the full Parliament (at a Plenary Session). Before the full Parliament votes, MEPs have an opportunity to table amendments (provided that they can persuade one of the political groups to support their amendment or can get the support of around 29 other MEPs).

<b>Lobbying opportunities:</b>	If the Committee's report (which consists of a series of proposed amendments to the Commission's text) is not good, then it is vital to persuade MEPs to table good amendments for consideration by the full Parliament.
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- e) Eventually the full Parliament will vote on all the proposed amendments, both those proposed by the Committee and those proposed by other MEPs.

<b>Lobbying opportunities:</b>	It is vital to lobby all MEPs to try and persuade them to support the good amendments and oppose the damaging ones.
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Note: When you try and persuade a Parliamentarian to introduce an amendment, it is important to offer to draft the wording of the amendment for him/her. Often Parliamentarians are too busy to do this themselves. What the lobbyist must do, is try and persuade the Parliamentarian about the validity of the principle of the amendment you are suggesting, but say to the Parliamentarian that if s/he agrees with the principle you are happy to draft some suggested wording.

3. Once the Parliament has voted, its report is sent back to the Commission. Under the procedure which governs Directives on farm animal welfare, the Commission is free to accept or reject the Parliament's amendments. Usually, however, it will include some of the Parliament's amendments in a revised text of the proposed Directive.

<b>Lobbying opportunities:</b>	Try and persuade the Commission to accept the good Parliamentary amendments and reject the bad ones.
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4. While the Parliament has been considering the proposed Directive, the Council of Ministers has also at the same time been examining it. While lobbying the Parliament, animal welfare organisations must at the same time also be lobbying the Council as it is the Council who will make the final decision. Under the procedure which governs Directives on farm animals, the Council can ignore the Commission and the Parliament. This does not mean that it is a waste of time to lobby the Commission and the Parliament. Their views have a strong influence on the Council. One of the best ways of lobbying and putting pressure on the Council is to make sure that one gets a good report from the Parliament.

Consideration of a proposed Directive by the Council does not just involve the Agriculture Ministers themselves. Long before they consider it, the proposed Directive will be examined at many meetings of the Member States' officials, veterinary officers, chief veterinary officers and COREPER representatives (COREPER stands for Commission de Representatives Permanents. Each EU Member State has a body of permanent representatives in Brussels).

<b>Lobbying opportunities:</b>	Because there is this range of meetings before the Ministers reach their decision, it is essential to lobby officials, veterinary officials and Ministers throughout the time when the proposed Directive is being considered by the Council; this consideration may take place over many months, or even a year or more. The UK government is helpful in the sense that each time there is a revision of the proposed text, they send it to organisations like CIWF asking for their comments.
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Eventually the Council reaches a decision on the text of the Directive.

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