



mensch fair tier e.V.

Tierärzte für verantwortbare Landwirtschaft e. V.

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**Open Letter by E-Mail:**

**Ursula von der Leyen, President of the EU Commission**

**Stella Kyriakides, EU Commissioner for Health and Food Safety**

**Tilly Metz, Chairwoman of the EU Committee of Inquiry ANIT**

**cc:**

**Anja Hazekamp, Head of „Working Group on Animal Transport“**

**Ilze Juhansone, Secretary-General of the EU-Commission**

**Secretariat EU-Committee of Inquiry ANIT**

March 11, 2021

**Transports of Young Bulls and Cattle from Spain  
Complaint and Application of Infringement Proceedings against Spain**

Dear Madam President,  
Dear Commissioner Kyriakides,  
Dear Chairwoman of the Committee of Inquiry ANIT,

The process described in the following about the shipment of more than 2000 cattle from Spain clearly shows, that the EU is not a community of values, but a pure trading community. If the EU considered itself as a real community of values, animal transports would be unthinkable under such abominable circumstances. With this, the animal husbandry, and the transport of animals as part of this business has reached its ethical low!

After an odyssey of more than two months in the Mediterranean Sea (on cargo ship "Karim Allah") more than 800 young bulls landed in the Escombreras port of Cartagena/Spain (exact numbers are not known, as numerous animals have already died and were disposed of in the Mediterranean Sea), and they were killed there, because it was suspected, that the animals were infected with the highly contagious bluetongue virus. This however, is not certain, because the blood samples taken have not been examined for that infection. The fate of another 1,176 cattle on the transport ship "Elbeik" is still uncertain. Since these cattle should have been brought by freight ship from Spain to third countries for slaughter, the Spanish authorities are responsible for the welfare of these animals during their transport to their destination

according to EU Regulation (EC) No. 1/2005. The Spanish authorities do not adequately fulfil this obligation enshrined in EU law.

It is rather obvious, that the legal provisions of the judgments of the European Court of Justice (ECJ) in the cases C-424/13 and C-383/16 are not observed in the case of trans-Mediterranean movements of animals, because there are no similar provisions in the states of destination at all.

**We now feel compelled to lodge a complaint against Spain.**

**Due to continued massive violations of EU Regulations that have been going on for years, we call on the Commission to immediately initiate infringement proceedings against Spain.**

### **Justification:**

The revelations made known by the press and other media across Europe which were uncovered by NGOs of the unjustifiable cruel and torturous conditions used for transporting hundreds of sold animals from Europe to third countries are only the tip of the iceberg and the result of a completely wrong agricultural policy, that evaluates and treats animals exclusively as tradable commodities.

The Swiss newspaper "Neue Zürcher Zeitung" reports, that according information from the Spanish Ministry of Agriculture, in the year 2019 200 former cargo ships with a total of 150,000 cattle and 760,000 lambs on board were dispatched to non-European third countries from the Spanish Mediterranean ports of Tarragona and Cartagena.

Due to the recent countless frightening and verifiable reports about the unacceptable conditions for animals of all kinds on transport within Europe and on subsequent transports, the ANIT investigative committee was set up to clarify the practices and legal compliance in animal transports. This committee, which will work for a period of one year, is supposed to decide how the EU and its Member States in future will deal with live animal exports with the ANIMALS' WELLBEING in mind. Results are not to be expected before July 2021.

With the exposed location of its ports on the Mediterranean Sea, Spain has become Europe's largest exporter of animals for slaughter and of animals declared as breeding animals.

Because of a massive overproduction of calves, especially calves of the dairy breeds, these animals are "disposed of" via export. Due to their breeding focus on milk yield, they are genetically inadequate for fattening and, from an economic point of view, they are "rejects" that one wants to get rid of as early and as cheaply as possible by using the export disposal channels.

In addition to marginal economic viability, the export to Spain has also made a number of side effects visible that can be classified as cruel to animals. The mass transport of calves that are only a few weeks old and some of which have not been weaned (should still be drinking from their mothers) for reasons of animal welfare is to be rejected as soon as they are loaded for the first time. The repeated reloading and long transport routes without adequate supply are also not legally compliant.

These young calves are brought from various European countries to Catalonia and Aragon to be fattened up to their desired weight in fattening farms for a few months.

From there it goes via the ports of Cartagena and Tarragona by ship to the Maghreb states, to Turkey and to Arab countries; States of which we know that the slaughter methods there are unspeakable and do not meet European standards.

Probably there is no other more obvious example of the undesirable development of "modern animal husbandry".

The question arises as to how long politicians and authorities bound by instructions in this happening can justify complicity on the basis of freedom of trade.

So far, despite the evidence available, infringement proceedings against Spain have not been initiated by the EU. The investigations initiated in 2018 due to non-compliance with EU regulations - following a complaint by the "Animal Welfare Foundation" (AWF) - were also discontinued with no consequences for Spain.

At this point we have refrained from referring to the legal basis and implementation instructions for the transportation of calves in accordance with Regulation (EC) No. 1/2005 and the wording from the Animal Welfare Transport Ordinance.

As the European Union claims to have the best animal welfare standards in the world, that its regulations are complied with by all Member States and that the requirements of animal welfare as SENTIENT BEINGS are fully taken into account, we hereby ask you to: To follow up on this high standard with deeds and to insist with great emphasis on their implementation.

The cruel conditions that have become apparent on the transport ships originating in Spain, the refusal of the responsible authorities to take remedial action, the negation of jurisdiction and responsibility in general, are outrageous testimony to blatant violations of EU law and must be punished. They are a disgrace for Europe.

**We urgently ask you to act now because of the current violations of EU law by Spain in animal welfare matters, which are visible to the general public, and we await your response.**

Regards,

signed Helga Leydag

Bürgerbündnis „mensch fair tier“  
(Citizens' alliance „human fair animal“)  
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signed Dr. Claudia Preuß-Ueberschär

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### **Co-Signatories:**

Ärzte gegen Massentierhaltung  
Aktionsgemeinschaft Agrarwende Nordhessen e.V.  
Animal Equality  
Animals United  
Berliner Landesbeauftragte für den Tierschutz  
Bürgerinitiative LAHSTEDT-ILSEDE für TIER, MENSCH und UMWELT

Deutsche Juristische Gesellschaft für Tierschutzrecht e. V. (DJGT)  
 Deutsche Tier-Lobby e. V.  
 Deutscher Tierschutzbund Landestierschutzverband Niedersachsen e. V.  
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