

## **THE AMSTERDAM TREATY**

The Treaty of Rome, signed by France, West Germany, Italy, Belgium, the Netherlands and Luxembourg, established the European Economic Community. The Treaty is the legal base which is periodically revised to take account of institutional and policy changes within the European Union. The Treaty of Rome did not include a reference to animal welfare. A revision resulted in the Treaty of Amsterdam which included a legally binding protocol on animal welfare. The Treaty of Amsterdam and the protocol became effective on 1 May 1999. The animal welfare protocol is highly significant. For the first time in European law, animals are referred to as sentient beings - able to feel pain and suffering, and experience well-being. It creates clear legal obligations to pay full regard to the welfare requirements of animals.

### **The Protocol on Animal Welfare**

*"The High Contracting Parties,*

*Desiring to ensure improved protection and respect for the welfare of animals as sentient beings, have agreed upon the following provision, which shall be annexed to the Treaty establishing the European Community, in formulating and implementing the Community's agricultural, transport, internal market and research policies, the Community and the Member States shall pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage".*

Unfortunately, the Treaty still provides no legal basis for the introduction of legislation specifically intended to improve the welfare of animals and, therefore animal welfare-related legislation at EU level has to be based on other specific objectives of EU policy, such as the common agricultural policy, the internal market and the environment. Therefore, the Protocol does not place animal welfare on the same footing as issues such as the environment or consumer affairs, for example. The protocol also leaves Member States free to introduce national legislation (the principle of subsidiarity applies) on issues such as animal welfare in circuses, equine competitions, greyhound racing, hunting with hounds and bullfighting.