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The EU-Chile association agreement: A booster for animal welfare

Introduction

The Association Agreement between the European Community and its Member States and the Republic of Chile was signed on 18 November 2002. This Agreement includes a remarkable Free Trade Agreement (FTA) entered partially into force on 1 February 2003.

In 2003, the EU -with the aim of developing new standards- requested the introduction of a reference to animal welfare in the trade agreement. Animal welfare is defined as “*standards for the protection of animals as developed and applied by the Parties and, as appropriate, in compliance with the World Organisation for Animal Health (OIE) standards (...)*”. The objective was to establish a mechanism of transparency and recognition of equivalence.

The EU-Chile Association Agreement is the first bilateral trade agreement to mention animal welfare. This is remarkable since WTO don't recognize formally the concept of animal welfare (cf. SPS agreement).

How does it work?

Set-up in the SPS Agreement of the EU-Chile FTA, a Joint Management Committee seeks to harmonise measures applicable to trade in animals, plants and other goods, and animal welfare. The Joint Management Committee monitors the implementation of the agreement and examines all matters arising, and provides recommendations for modifications of the agreement. Furthermore, the parties agreed to establish technical working groups consisting of scientific experts. When further expertise is needed, additional *ad hoc* groups (e.g. animal welfare) can be established.

Equivalence for trade purposes is a key notion in the work of the Joint Management Committee in charge of monitoring this provision. In legal terms, it means “*the state where in measures applied in the exporting Party, whether or not different from the measures applied in the importing Party, objectively achieve the importing Party's appropriate level of protection or acceptable level of risks.*”

When the parties signed the agreement, the standards concerned were the stunning and slaughtering of animals. However, a year after the entry into force of the association agreement, the Committee was due to adopt a working plan on “*other animal welfare standards which are important for the parties.*” In 2006, the Joint Management Committee adopted a recommendation to extend the scope of the agreement to animal welfare standards concerning the transport of animals by land and sea.

Institutionalisation of animal welfare in Chile

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The provision on animal welfare in the Chile-EU agreement triggered the institutionalisation of animal welfare in Chile. Through its Agriculture and Livestock Service (SAG), Chile has developed rules for the welfare of animals, mainly during transport and slaughter, based on a voluntary or binding approach on a scientific basis.

Chile did not have one single regulation on animal welfare. Specific laws were adopted in order to approximate European regulations and processes on slaughter (e.g. *Decreto Supremo* n° 94 integrating animal welfare aspects before and during slaughter (entrance, reception, management, stunning of animals)). Specific rules were also adopted on transport of animals (e.g. law n°. 19.162).

Today, Chile and the EU are in a position to evaluate the mutual benefit of their harmonisation in the area of animal welfare. “The cooperation we have received from the European Union, in the framework of the Chile - EU bilateral agreement has been an ‘adjuvant’ for the development of an animal welfare policy in the area of competency of the Agriculture and Livestock Service (SAG) in particular and in Chile in general,” said the animal welfare unit coordinator for the Agriculture and Livestock Service at the Chilean Ministry of Agriculture [1]. “The inclusion of animal welfare in the bilateral agreement between the EU and Chile represented an international milestone to achieve a shared understanding on international animal welfare standards as well as to clarify the aims of the European Commission in this field,” told the Head of Unit in charge of Animal Welfare at DG Sanco (European Commission) to the author in an interview.

Conclusion

The Association Agreement has played a positive role in the institutionalisation of animal welfare in Chile, in particular for livestock production. Following the signature of the agreement, Chilean stakeholders from the production sector were involved in the harmonisation of national rules with EU standards. The trade opportunities provided by the Association Agreement were the main motivation, as the EU is the second largest destination for Chilean exports after China.

Chile provides a good example for Latin American producers with interests in the competitive advantage provided by adherence to animal welfare standards.

The full article can be download on the link :
<http://eurogroupforanimals.org/files/publications/downloads/EU - Chile agreement.pdf>

[1] Interview with the *Coordinador de Bienestar Animal, División de Protección Pecuaria, Servicio Agrícola y Ganadero del Ministerio de Agricultura de Chile*, 29/02/2012.