

The initiative of the Slovenian government comes in response to the action plan for short-term improvements concerning the protection of animals during long-distance transport presented by the Member of the Commission responsible for Health and Consumer Protection in May 2000 to all candidate countries.

The action plan for short-term improvements for the protection of animals during long distance transport was discussed at the TAIEX (Technical Assistance Information Exchange Office) meeting of Chief Veterinary Officers of the candidate countries in Lisbon in April 2000. It foresees enforcement in the short term of key requirements of Community legislation on animal transport, notably for the transport of horses.

The quick follow-up to the action plan was first announced by the Slovenian veterinary authorities at the TAIEX seminar on the protection of animals during transport held in Bratislava in September 2000. The TAIEX Office has developed programmes, i.e. training to raise awareness on animal health and welfare issues, including the transport of animals, for the general public and in particular for veterinarians in the candidate countries. TAIEX has also established a Working group of officials from all candidate countries to assist the process of adoption and implementation of Community rules on animal welfare. The next meeting of this group, scheduled for February 2001, will specifically deal with the implementation of rules on the protection of animals during transport.

Furthermore, the Commission has also recently adopted a report <sup>(3)</sup> on the experience acquired by Member States since the implementation of the Directive on the protection of animals during transport. The document has been submitted to the Council and to the Parliament. Following the outcome of the report the Commission will start to review the current legislation in order to continue to improve the situation.

(<sup>1</sup>) OJ L 340, 11.12.1991.

(<sup>2</sup>) OJ L 148, 30.6.1995.

(<sup>3</sup>) Report from the Commission to the Council and the Parliament on the experience acquired by Member States since the implementation of Council Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals during transport, COM(2000) 809 final.

(2001/C 174 E/160)

**WRITTEN QUESTION E-3817/00**

**by Jeffrey Titford (EDD) to the Commission**

(7 December 2000)

*Subject:* Transport of live animals

How are the relevant Transport Directives being enforced with regard to the long distance transport of live animals?

What is the European Commission doing to address the many representations it is receiving about the cruelty and suffering involved in the transport of live animals?

What reports has the European Commission published on this subject since 1 January 1995?

**Answer given by Mr Byrne on behalf of the Commission**

(31 January 2001)

The Commission refers the Honourable Member to the reply to the Written Question E-3809/00 by Mr MacCormick <sup>(1)</sup>.

It should be noted that the Commission has fulfilled its obligation in relation to Article 13(3) of Council Directive 95/29/EC of 29 June 1995 amending Directive 90/628/EEC concerning the protection of animals during transport <sup>(2)</sup> which provides the Commission to submit a report on the experience acquired by Member States since the implementation of the Directive.

Following the outcome of the report the process of amendment of Council Directive 91/628/EC of 19 November 1991 as amended <sup>(3)</sup>, on the protection of animals during transport will be initiated with a particular consideration to improve the level of enforcement of Community legislation in this field.

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<sup>(1)</sup> See page 150.

<sup>(2)</sup> OJ L 148, 30.6.1995.

<sup>(3)</sup> OJ L 340, 11.12.1991.

(2001/C 174 E/161)

**WRITTEN QUESTION E-3823/00**

**by Jens-Peter Bonde (EDD) to the Commission**

*(7 December 2000)*

*Subject:* The Nordic Passport Union and Article 45 of the Schengen Convention

Will the Nordic Passport Union be undermined by Article 45 of the Schengen Convention which requires all participating countries to ensure that all hotels, campsites, hostels and other overnight accommodation register all foreign guests and require them to show valid papers?

In other words: will the Schengen Convention mean that Danish citizens, for example, will have to take their passports to Sweden if they wished to stay overnight, thus changing the rules currently applying under the Nordic Passport Union?

**Answer given by Mr Vitorino on behalf of the Commission**

*(22 January 2001)*

According to Article 13 paragraph 3 of the Agreement concluded between the Council and Norway and Iceland, that agreement does not affect co-operation in the framework of the Nordic Passport Union to the extent that such co-operation is not contrary to and does not hinder this agreement.

Article 45 paragraph 1(a) of the Schengen Convention foresees that 'the Contracting Parties undertake to adopt the necessary measures in order to ensure that the managers of establishments providing accommodation or their agents see to it that aliens accommodated therein, including nationals of the other Contracting parties and those of other Member States of the European Union ... personally complete and sign registration forms and confirm their identity by producing a valid identity document'.

This article has been integrated into the framework of the Union as part of the provisions on police and judicial cooperation (third pillar of the Union), by attributing Articles 34 and 30 paragraph 1 of the Treaty on European Union as the legal basis (Council Decision 1999/436/CE of 20 May 1999 determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the Schengen acquis <sup>(1)</sup>).

The provision cited only stipulates that the identity of persons shall be confirmed by producing a valid identity document. It does not explain which identity document is intended. But in any case, it is not explicitly stated that an identity card or passport is necessary.

Taking into account that Article 13 of the Agreement concluded between the Council and Norway and Iceland, which stipulates that the co-operation in the framework of the Nordic Passport Union is not affected to the extent that such co-operation is not contrary and does not hinder the agreement, the term 'valid identity document' of Article 45 can thus be interpreted in the way that documents until now accepted by the Nordic countries to prove identity are sufficient for the purposes of Article 45 of the Schengen Convention.

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<sup>(1)</sup> OJ L 176, 10.7.1999.