

## **Animal welfare & Due Diligence**

As a part of the Green Deal the European Commission proposed the [directive on corporate sustainability due diligence](#) (CSDDD) in February 2022 to promote sustainable and responsible corporate conduct within companies' operations and throughout their global value chains. The directive introduced requirements for very big companies about identifying, preventing, addressing and mitigating negative human rights and/or environmental impacts resulting from their activities or from their supply chains.

**Scope:** European companies with 1,000 or more employees and an annual turnover of at least €450 million, as well as non-EU companies with turnover exceeding €450 million generated in the EU. This impacts approximately 5,400 companies (0,0169 % of EU companies)<sup>1</sup>.

**Timeline:** The directive entered into force on 25 July 2024 with a phased implementation giving companies time to adjust to the new rules. Member States are required to incorporate the Directive into their national legislation and submit the relevant legal texts to the Commission **by 26 July 2026**. The rules will begin to apply to the first group of companies one year later, using a phased approach, with full implementation set for 26 July 2029.

**Animal welfare & due diligence:** the directive does not explicitly include animal welfare in its provisions (except for regulated trade for certain sea species under CITES)<sup>2</sup>, nor as part of the environmental impacts that should be addressed. Nevertheless the directive has two explicit mentions to animals in the recitals:

- In recital 13 the text highlights that the directive should contribute to *“protecting the health and well-being of people, animals and ecosystems from environment-related risks and negative impacts”*.
- Recital 35 reads : the directive *“acknowledges the ‘One Health’ approach as recognised by the World Health Organization, an integrated and unifying approach that aims to sustainably balance and optimise the health of people, animals and ecosystems. It is therefore appropriate to provide that environmental due diligence should encompass avoiding environmental degradation that results in adverse health effects such as epidemics, and should respect the right to a clean, healthy and sustainable environment”*

Eurogroup for Animals recommends using the transposition into national law to include animal welfare in due diligence obligations by incorporating it within the environmental impacts. This could be done by using the narrative of the recitals on how animal welfare contributes to protecting the health and well-being of people, animals and ecosystems as well as being a driver to prevent environmental degradation. This paper does not take into account the announced reform of some pieces of legislation related to corporate sustainability through an omnibus regulation as any proposal is uncertain and should only be published by Q2 2025.

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<sup>1</sup> In 2022, the EU's business economy was made up of over 32 million active enterprises, Eurostat (2024), [Business demography statistics](#)

<sup>2</sup> The prohibition on the import, export, re-export or introduction from the sea of any specimen included in the Appendices I to III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of 3 March 1973 without a permit, interpreted in line with Articles III, IV and V of the Convention.

A coalition of CSOs have developed this very useful [guide](#) to transposition and implementation. We hope this guide will help you understand the horizontal issues of the directive. The concerns about animal welfare are detailed below.

### **Proposed definition of the environmental impact including animal welfare**

At the moment article 3 of the directive defines an ‘adverse environmental impact’ as an “*adverse impact on the environment resulting from the breach of the prohibitions and obligations listed in Part I, Section 1, points 15 and 16, and Part II of the Annex to this Directive, taking into account national legislation linked to the provisions of the instruments listed therein*”.

We propose to incorporate animal welfare (in red) in Annex, Part I, Section 1, point 15 as follows:

*“15. The prohibition of causing any measurable environmental degradation, such as harmful soil change, water or air pollution, harmful emissions, excessive water consumption, degradation of land or of wild animal habitats, or other impact on natural resources, such as deforestation, that:*

- (a) substantially impairs the natural and animal welfare bases for the preservation and production of food;*
- (b) denies a person access to safe and clean drinking water;*
- (c) makes it difficult for a person to access sanitary facilities or destroys them;*
- (d) harms a person’s health, safety, normal use of land or lawfully acquired possessions;*
- (e) substantially adversely affects ecosystem services through which an ecosystem contributes directly or indirectly to human wellbeing;“*

### **Why should animal welfare be incorporated into the due diligence legislation ?**

The concept of [due diligence should encompass animal welfare](#) for three main reasons :

- the inherent links between animal welfare and sustainable development (e.g. public health, climate, hunger, poverty, etc.) as acknowledged by the EU Farm to Fork Strategy;
- several international standards including OECD sector-specific guidance and the IFC Sustainability Framework;
- best practices adopted by companies active in the food and garment sectors as part of their mandatory or voluntary due diligence plans.

Furthermore, the transposition of the directive into national legislation is an opportunity for Member States to address animal welfare throughout international supply chains. By including animal welfare in the due diligence efforts imposed on companies, the EU and its Member States would better [contribute to the achievement of the objectives](#) of the legislation. Indeed, improving animal welfare throughout the value chain would benefit the right to health by reducing the risk of food-borne diseases and zoonoses and by allowing to lessen the use of antibiotics in livestock farming, one of the key triggers of the current surge in antimicrobial resistance. It would also provide leverage to fight human rights violations in the animal agriculture industry.