



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Crisis preparedness in food, animals and plants
The Director

Brussels,
SANTE G3/MK/iv(2023) 4376563

Subject: Animal rights in Portugal

Dear Petitioners,

President von der Leyen has asked me to thank you for your letter of 28 February 2023 presenting a petition¹ calling to urge Portugal to ensure the legal protection of animal rights in accordance with the European Convention for the Protection of Pet Animals ratified by Portugal.

I would like to point out that animal welfare is one of the fields in which Member States largely retain their own legislative and administrative competences. Legislative action at EU level regarding animal welfare focuses on specific fields such as farming, transport and slaughter but does not cover in general the welfare and management of pets. For example, at present, current EU animal welfare rules cover dogs but only for what concerns transport for commercial purposes. Other aspects of dog welfare are currently regulated at national level.

Finally, as regards the European Convention on the Protection of Pet Animals, which has been concluded within the context of the Council of Europe, I would like to inform you that the European Union has not signed or ratified it and therefore is not a party to it. Therefore, the provisions of that Convention do not form part of Union law and the Commission does not have the competence to monitor compliance with the Convention by the Member States.

The European Union institutions must stay within the competences conferred on them by the Treaties. Therefore, the conditions under which wild animals in circuses are kept remain solely under the competencies of the Member States.

I would like to thank you for your commitment for protecting animals.

Yours sincerely,

[e-signed]

Bernard Van Goethem

¹ Your e-mail refers to a "petition", which in the framework of EU Law is used for petitions addressed to the European Parliament pursuant to Article 227 TFEU. Your letter is dealt with by the Commission according to the rules for correspondence with citizens.