

NZVA Submission

Animal Welfare Amendment Bill | Ban the export of livestock¹

This submission from the New Zealand Veterinary Association (NZVA) is being made in response to the following call for public submissions:

Public submissions are now being called for Animal Welfare Amendment Bill. The closing date for submissions is 11.59pm Thursday, 02 December 2021.

The Animal Welfare Amendment Bill proposes to amend the Animal Welfare Act 1999 to ban the export of livestock (cattle, deer, sheep, and goats) by sea. On 14 April 2021, Cabinet announced its decision to ban the export of livestock by sea, with a transition period of up to 24 months.

Currently, it is an offence to export an animal from New Zealand to another country without an animal welfare export certificate under the Animal Welfare Act. The bill would prohibit applications for, and the issue of, animal welfare export certificates for the export of cattle, deer, sheep, and goats by ship if the animals would leave New Zealand on or after 30 April 2023. This change would ban the live export of those animals from 30 April 2023, which is approximately 24 months from the date that Cabinet announced its initial decision.

Taken from [website](#) (Nov 2021)

NZVA Position on Animal Welfare Amendment Bill | Ban the export of livestock

In line with the NZVA's Policy | Export of Live Animals (2019), if it can be demonstrated that the welfare of exported animals is consistent with standards set out in the New Zealand Animal Welfare Act 1999 and in accordance with the five domains of animal welfare, then live export is accepted but should eventually be superseded by viable alternatives for improved genetics for production in importing countries.

This position is supported by the additional evidence presented below that has provided the NZVA with more information and therefore an improved understanding on the process of livestock export.

Introduction

The [New Zealand Veterinary Association \(NZVA\)](#) is the only membership organisation representing veterinarians in New Zealand. It supports members through leadership, education, standard setting, and supporting wellbeing.

¹ Export of Livestock - cattle, deer, sheep and goats; by sea

Background

The NZVA's member-consulted and approved policy statement Export of Live Animals² states:

“The New Zealand Veterinary Association opposes the export of any live animal unless, throughout the lifetime of the animal, its welfare is adequately managed according to the requirements of the Animal Welfare Act 1999.”

NZVA (2019)

Following MPI's request for feedback during the [2019/2020 Livestock Export Review \(MPI Discussion Paper: 2019/10\)](#)³, the NZVA consulted its members on the livestock export options presented in the discussion document. On balance of members' feedback, the NZVA opted for option two: a conditional ban. At the time, this position was in line with the NZVA's policy, that for the life of the animals, we have a duty of care regarding their welfare. Without full visibility and transparency of the conditions on livestock export ships, there can be no assurance that acceptable welfare is being achieved.

At the time of submitting feedback (2020), providing a definitive NZVA position on the practice of livestock exports required that knowledge gap to be filled. To a large extent it now has been (see below).

Additional Information and Reviews

The Heron Review⁴

The tragic sinking of Gulf Livestock 1, and the massive loss of both human and animal life, triggered the Heron Review. Many of the outcomes of this review further supported the NZVA's concerns, from both a maritime safety, and a direct animal welfare perspective. We note that without robust maritime safety processes (i.e. sea-worthy livestock export vessels), animal and human welfare will continue to be at risk. We refer you to the concerns raised by QC Heron in his report, and defer to his, and Rear Admiral (ret) Tony Parr's maritime expertise on matters of a maritime nature.

However, we note the following comments from the report, as these and others raise significant concerns as to the quality of the vessels used for livestock export:

“Focused maritime inspection

33. At this stage it appears the sinking of the Gulf Livestock 1 was a maritime disaster likely caused by a combination of factors. Without suggesting that increased maritime regulation would have prevented it, it seems to us that MPI and the AWEC process could and should take advantage of MNZ's expertise to require increased maritime supervision and receive further assurances as to the maritime fitness and compliance of these ships and their safety management systems.

34. Sections 54 and 55 of the Maritime Transport Act 1994 (MTA) give New Zealand the power to inspect and detain vessels in our ports.⁷ We suggest that, in light of the tragedy, MPI might consider working with MNZ to ensure that intended livestock carriers are subject to increased maritime scrutiny in New Zealand.”

Heron Review (2020)

² NZVA Policy | Export of live animals (2019)

³ Livestock Export Review: MPI Discussion Paper 2019/10, Ministry for Primary Industries, November 2019

⁴ Review into the Maritime Safety Information Requirements for the Export of Livestock by Sea (October 2020)

Vessel quality underpins any confidence one can have regarding the level of protection of animal and human welfare during voyages.

The magnitude of the importance of this aspect of livestock exports becomes clear when we understand that sinking of Gulf Livestock 1 was not an isolated incidence. In each instance, where animals perish during sinkings, animal suffering is inevitable. Since 2009, seven livestock export ships have sunk⁵ (see appendix for more details).

VESSEL	DATE	ANIMALS	HUMANS	VESSEL AGE (yrs)
Gulf Livestock 1 (IMO 9262883)	2 September 2020	~5,800 cattle	40+	18
Queen Hind (IMO 7920675)	24 November 2019	~14000 sheep	None reported	39
Albaraka II (IMO 7111107)	8 July 2019	~ 3,000 animals missing	2	44
Haidar (IMO 9083067)	6 October 2015	~ 5,000 cattle lost; (~100 survivors)	None reported	21
Amadeo I (IMO 7427752)	18 August 2014	~200 (unknown)	None reported	38
Gamma Livestock 12 (IMO 5115020)	29 October 2010	Unknown	None reported	49
Danny F II (IMO 7359462)	17 December 2009	~18 000 cattle; ~10 000 sheep	18 25 missing	33

From a specific animal welfare perspective, we also refer you to the full Heron report. However, we draw your attention to the following sections that provide further evidence of the validity of the NZVA's concerns regarding the lack of transparency, and therefore certainty of acceptable welfare outcomes during livestock export.

“29. Some we spoke to advised that the animals exported from New Zealand had good welfare experiences at sea; others thought the animals’ experiences on board were unacceptable. During the course of a voyage animals may face a range of welfare outcomes; from death, disease and injury, to successful and healthy results.⁶ Much depends on the experience and practice of the stock people, veterinarian and crew on board, and the circumstances of the voyage, including weather conditions and the reliability of ship systems, including those systems associated with the provision of services for livestock.

46. We reviewed 25 post voyage reports received by MPI from 2018-2020. Many of those reports were only two pages long, some were one page. They covered topics including basic details of the voyage (exporter, date of departure, destination, date of arrival, the number and type of animals loaded, etc), as well as details regarding the conditions of the voyage (e.g., weather and the conditions at sea), animal mortality and, in some cases, the cause of death, and records on animal health. Some listed the names of the stock people that travelled on board the vessel. Voyage reports may be signed by a stockperson or vet, or an agent of the exporter; the practice appears to vary. Information regarding food and water supply, conditions (ventilation, temperature, bedding, etc) was provided by some but not many.

47. The voyage reports are notably inconsistent in their breadth and quality. Some are fulsome and provide useful, explanatory prose sufficient to give MPI a thorough understanding of the voyage. Others provide a bare minimum of information and the mortality rate – i.e. minimal descriptors (e.g., “good” conditions) and bald numbers (e.g., 2 deaths). Clearly this is insufficient to judge the welfare of the animals during and after the voyage.

⁵ [The Guardian](https://www.theguardian.com/environment/2020/oct/28/exclusive-livestock-ships-twice-as-likely-to-be-lost-as-cargo-vessels), <https://www.theguardian.com/environment/2020/oct/28/exclusive-livestock-ships-twice-as-likely-to-be-lost-as-cargo-vessels>

48. Along with post-voyage reports, MPI also commonly requires exporters to provide a report on the welfare of the animals during the 30 days after their arrival in the importing country.¹⁰ We understand that these reports are limited in their scope due to the limitations on MPI's jurisdiction and its inability to require extensive reporting for periods longer than 30 days (noting that most livestock exported from New Zealand are sent to China, where they will be required to spend 45 days in quarantine post-arrival).

49. We reviewed 17 30-day reports. The content and quality of those reports varied. All were completed while the animals were still in quarantine in the destination country, so could not reflect the conditions in which they would live going forward. Some gave descriptions of the medical treatments administered post-arrival, along with explanations of any mortalities (e.g. cause of death, date, animal number). Some reports covered injuries and illnesses as well as mortalities, others only record mortalities, and one simply stated "all cattle are fine". Again, that would hardly seem to be a sufficient report to satisfy MPI (although we note there are limits to the ability for MPI to get further detail from within the quarantine process of the destination country).

50. Where animals have died, the reports do not show whether the animals died naturally or were euthanised. Even where the reports recorded injuries, illnesses and mortalities, the reporting is generally binary: dead or alive, well or unwell. Only one report gave a full veterinary report indicating the level of suffering and the prognoses for those who were sick or injured. In our view, the vast majority of the reports were insufficient to allow MPI to gather any real information other than mortality rates."

Heron Review (2020)

MPI Livestock Export Review³ (2019/2020) & Regulatory Impact Statement⁶

In reviewing the Ministry for Primary Industries' full [Regulatory Impact Statement](#) on the [Livestock Export Review](#), we note that the NZVA's position is poorly represented and accordingly, we refer you to our submission⁷ so that the NZVA's accurate position is understood. In short, the NZVA submitted that livestock exports should only proceed if they provide for acceptable animal welfare outcomes. At the time of writing the submission, the NZVA noted that there was insufficient information and transparency to be able to make a definitive statement.

The NZVA therefore sought a conditional ban, pending further information regarding the animals' experiences, and welfare outcomes during voyages (some of which is now available, per this paper).

⁶ Livestock Export Review: Regulatory Impact Assessment, Ministry for Primary Industries, 10 March 2021

⁷ Submission on behalf of the NZVA; Livestock Export Review - MPI Discussion Paper No: 2019/10

NAWAC, Ministerial and Government Positioning

We note that the [National Animal Welfare Advisory Committee's feedback](#)⁸ was supportive of a total ban.

The NZVA assumes that in making the decision to ban livestock exports, both the Minister and Cabinet had access to a vast array of privileged information regarding all aspects of the practice, both from a maritime and an animal welfare perspective.

It is once again notable that the concern for animal welfare was identified as being “at the heart of our decision” and contributed significantly to the decision to ban the practice outright.

*“At the heart of our decision is upholding New Zealand’s reputation for high standards of animal welfare. We must stay ahead of the curve in a world where animal welfare is under increasing scrutiny,” Damien O’Connor said.*⁹

Taken from [website](#) (Nov 2021)

This aspect of the Minister’s press release is supported by the NZVA’s Policy | Export of Live Animals², that states:

“New Zealand has an international reputation for having high standards of animal welfare. Allowing animals to be exported to countries where their welfare will not be protected to a similarly high standard undermines this reputation and is unacceptable.

Any animal exported from New Zealand should, throughout its lifetime, experience standards of welfare consistent with those expected if that animal had remained in New Zealand.”

NZVA (2019)

Published Research

In 2021, Hing et al. published “Animal Welfare Risks in Live Cattle Export from Australia to China by Sea.”¹⁰ Although this paper relates to data from voyages made from Australia, many of the ships are the same as those sailing from Aotearoa New Zealand.

In his report⁴, Heron notes:

“31. Our impression is that the Australian system for exporting livestock is comprehensive; New Zealand has adopted certain aspects of the Australian system (such as ACCL requirements) but not others (such as daily reporting). {

Given the overlap of exporters, export markets, ships, and trade rules, the New Zealand requirements should align with Australian ones and equal or better the Australian Standards for the Export of Livestock (ASEL), absent good reasons for specific difference.”

⁸ Livestock Export Review: Summary of submissions, Ministry for Primary Industries, March 2020.

⁹ <https://www.beehive.govt.nz/release/government-phase-out-live-exports-sea>

¹⁰ Hing S, Foster S, Evans D. Animal Welfare Risks in Live Cattle Export from Australia to China by Sea. *Animals*. 2021; 11(10):2862. <https://doi.org/10.3390/ani11102862>

It is concerning therefore, that even with what QC Heron considered to be better systems in place per the Australian Standards for Export of Livestock (ASEL), including an Independent Observer sailing with every consignment and mandatory reporting requirements, the Hing paper states:

“Simple Summary

There are ongoing concerns about the welfare of animals in the Australian live export trade by sea. However, information about the welfare of animals during voyages is difficult to obtain. In early 2018, the Australian government installed Independent Observers on some live export voyages. Summaries of Independent Observer (IO) reports provide a new source of information about management of animals in the live export trade. Cattle voyages from Australia to China have concerned animal welfare advocates due to their duration and lack of consistent veterinary oversight. We reviewed IO summaries on live cattle export voyages to China for the period July 2018 to December 2019 (n = 37).

Key animal welfare risk factors identified in the IO summaries included: hunger, thirst, exposure to extreme temperatures, poor pen conditions, health issues, absence of veterinarians, rough seas, poor ship infrastructure, mechanical breakdown and mismanagement at discharge.”

SUMMARY

Based on the evidence presented above, the NZVA **acknowledges** the amendment of the primary legislation, to ban livestock exports of cattle, sheep, deer and goats. Having said this NZVA believes that if it can be demonstrated that the welfare of animals throughout the journey, and indeed for their life, can be protected, in accordance with the standards set out in the New Zealand Animal Welfare Act 1999 and with the five domains of animal welfare, then there is still a place for live exports. Under these conditions live export is accepted but should eventually be superseded by viable alternatives for improved genetics for production in importing countries.

The weight of evidence shows that the animals' welfare is unlikely to be acceptable during the voyage, and there is no ability to manage animal welfare post-quarantine. The NZVA policy states that adequate safeguards should be in place to ensure our animals' welfare is protected throughout their lifetime, including transport and slaughter. This may not currently be possible for all livestock exported from Aotearoa New Zealand.

The NZVA recognises that the livestock export trade is currently a part of New Zealand's export sector and has played a role in some international trade relationships. The risks and evidence of compromised animal welfare during livestock exports need to be carefully considered versus the benefits to the export sector.

We note that Aotearoa New Zealand's announcement about banning livestock exports may have influenced the recently signed [Agreement in Principle UK Trade Agreement](#) (i.e. by exemplifying our commitment to [animal welfare](#) (section 5)). Additionally, we note that the AIP provides other revenue opportunities for farmers and their livestock, thus mitigating the financial losses to the animal agriculture sector from banning livestock export.

The evidence, and reviews mentioned above, further consolidate the NZVA's position, that unless the welfare of animals throughout the journey, and indeed for their life, can be protected, a ban on livestock exports is likely.

Appendix

Livestock Export Vessel Sinkings

The seven livestock vessels lost since 2009

1. Gulf Livestock 1 (IMO 9262883) - 2 September 2020

[Gulf Livestock 1](#) sinks off the Japanese coast in a typhoon. Forty crew members and more than 5,800 dairy cows missing, presumed dead. Completed in 2002 to carry containers, converted to carry livestock in 2015, the ship was 18 years old. The New Zealand government's Ministry for Primary Industries has [released a review](#) putting forward four future options, one of which is a total ban on live exports.

2. Queen Hind (IMO 7920675) - 24 November 2019

[Queen Hind](#) capsizes in the Romanian port of Midia, drowning more than 14,000 sheep. No crew reported lost. Completed in 1980 as a car carrier, converted to carry livestock in 2017, the ship was 39 years old. An inquiry into the incident is under way, led by Romania's National Sanitary Veterinary and Food Safety Authority.

3. Albaraka II (IMO 7111107) - 8 July 2019

Albaraka II goes down in heavy weather in the Gulf of Aden. Two crew and about 3,000 animals missing. Completed in 1971 as a cargo ship, converted to carry livestock in 2010, the ship was 44 years old.

4. Haidar (IMO 9083067) - 6 October 2015

Haidar capsizes while loading in Vila do Conde, Brazil. Nearly 5,000 cattle lost with about 100 survivors. No crew reported missing. Completed in 1994 to carry containers, converted to carry livestock in 2012, the ship was 21 years old. A judicial agreement was established by Brazil's Federal Prosecution Service to compensate local families for the oil and carcass pollution. The agreement [set aside](#) almost R\$11m (about £1.53m) and [contributors](#) included the cattle owners, Minerva Foods, the ship's owner-operators and dock and port authorities. A further R\$3m (about £406,000) was agreed to fund community, social and educational projects. In a statement to the Guardian, Minerva Foods said although "the total responsibility for the cargo" belonged to the "contracted shipping company", it paid R\$5m (about £676,000) in February 2018 as part of the settlement because "civil liability also applies to those directly or indirectly responsible for activities that may cause environmental degradation".

5. Amadeo I (IMO 7427752) - 18 August 2014

Amadeo I grounds 30 miles from Chile's Puerto Natales to avoid sinking with more than 200 cattle on board. It is not known whether the cattle survived. No crew reported lost. The ship is later towed out to sea and scuttled. Completed in 1976 as a ro-ro cargo ship, never converted, carried livestock and other cargo, the ship was 38 years old.

6. Gamma Livestock 12 (IMO 5115020) - 29 October 2010

Gamma Livestock 12 catches fire, drifts and grounds near Al Butayah in Yemen. The wreck was abandoned. Animal cargo details are unavailable. No crew reported lost. Completed in 1961 as a cargo ship, converted to carry livestock in 1978, the ship was 49 years old.

7. Danny F II (IMO 7359462) - 17 December 2009

Danny F II sinks off Lebanon, 11 miles west of Tripoli. Eighteen people were recorded dead and 25 missing, along with almost 18,000 cattle and more than 10,000 sheep. Completed in 1976 to carry vehicles, converted to carry livestock in 1994, the ship was 33 years old.