

International Finance Institutions, Export Credit Agencies and Farm Animal Welfare



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1. Introduction

The treatment of animals in the food industry is a prominent social issue throughout the world, and is gaining attention from individual consumers, national and multinational food retailers, industry associations, and governments, as well as public and private financial institutions in both developed and developing/emerging economies. In June 2013, Humane Society International (HSI) released the original version of this [report](#)^{*} that exposed numerous investments in extreme farm animal confinement practices in non-European Union (EU) countries. Since then, there have been a number of promising developments with respect to farm animal welfare and international financing, including:

1. The International Finance Corporation (IFC) updating some of its animal welfare guidelines and recommendations.
2. The World Bank Group (World Bank) initiating a review of their environmental and social policies that may include animal welfare.
3. The European Investment Bank (EIB) committing to ensuring lending will reflect European Union animal welfare standards.
4. The European Bank for Reconstruction and Development (EBRD) including animal welfare in its updated Environmental and Social Policy.

Since the 2013 HSI report, there have also been meaningful discussions and calls for action within EU Member States:

Austria: Strategic Guidelines for International Financial Institutions included a call for “animal husbandry criteria that meet the European standards.”¹

Denmark, Germany and the Netherlands: Agriculture Ministers commonly declared their intention “to promote animal welfare in the framework of national and international financial institutions that engage in the farming sector, as well as in the international policy framework for national export credit agencies.”²

Germany: In an August 2013 resolution, the Conference of German State Ministers of Agriculture (Conference of Ministers) called on the Government to ensure export credit guarantees only go to farm animal operations that comply with or exceed national and EU standards.³ In April 2014, they asked the Government to work actively within the International Finance Institutions (IFIs) towards binding animal welfare criteria based on EU laws when granting investments. They also asked the Government to initiate a common position of EU Member States to meet this goal.⁴ Most recently, in October 2015, the Conference of Ministers acknowledged the efforts of the Government based on the issue being included in the Government’s comments to the First Draft of the World Bank Safeguard Policies.⁵

^{*} http://www.hsi.org/assets/pdfs/hsi_ifi_report_june_2013.pdf.

They did however note that the German government referred to recommendations by the World Organisation for Animal Health (OIE).⁶ Nevertheless, the OIE does not currently have specific welfare standards for a number of species, including laying hens and pigs. In fact, OIE standards allow for the rearing of broilers in cages.⁷ Continually confining broilers in cages on operations with more than 500 broilers is essentially banned in the EU because the EU requires broilers to have permanent access to litter.⁸ The Conference of Ministers also asked the Government to advocate that the Organisation for Economic Co-operation and Development's (OECD's) Common Approaches use the EBRD's Environmental and Social Policy alongside the World Bank standards for benchmarking export credit guarantee grants, and also to seek cooperation with the EU Commission to this end.⁹

The United Kingdom: The Government publication "5 year Progress Report on International Animal Welfare" stated that the animal welfare problems highlighted by the 2013 HSI report "[were] at odds with the Government's desire to promote better animal welfare standards worldwide, with those in the EU as the benchmark." The Government also called on multilateral banks to ensure that their lending "strongly supports the delivery of appropriate animal welfare standards"¹⁰



Sow Stalls / HSI

2. National Policies Protecting Farm Animals

As a significant geo-economic region, the EU has made noteworthy progress in the area of farm animal welfare. The EU passed the following Directives which protect farm animals:

Council Directive	Purpose
98/58/EC	set general rules for the protection of farm animals, including: movement “must not be restricted in such a way as to cause [a farm animal] unnecessary suffering or injury” ¹¹
1999/74/EC	set minimum standards for protection of laying hens, including that effective 1 January 2012 all caged laying hens must have access to a nest, perching space, litter and unrestricted access to feed ¹²
2001/88/EC	set minimum standards for protection of pigs, including banning the sow stall for most of the sow’s pregnancy ¹³
2007/43/EC	set minimum standards for protection of chickens kept for meat production on facilities with more than 500 chickens, including: requirement of permanent access to litter, setting minimum space requirements and requiring owner to maintain a record of stocking density in each house ¹⁴
2008/119/EC	set minimum standards for protection of calves, including: banning the use of narrow crates for young calves and banning individual pens for calves after eight weeks of age ¹⁵
2008/120/EC	set minimum standards for protection of pigs, including: pigs must be housed in a way to allow them to “rest and get up normally” and be provided “permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities” ¹⁶



Cage-Free Hen / HSI

EU producers of animal products, particularly eggs and meat, have responded to this new legislation by adopting housing and production methods that better reflect concern for animals’ well-being, resulting in the improved quality of animal products produced within the EU. The majority of countries still lag significantly behind the EU in terms of farm animal welfare standards. The EU is working to include animal welfare in trade agreements, organises events aimed at promoting its views on animal welfare, remains active with relevant multilateral institutions such as the OIE and the Food and Agriculture Organisation of the United Nations (FAO), and is exploring ways to integrate animal welfare into the EU Neighbourhood policy.¹⁷

A number of other governments and agricultural producers have either mandated protections to farm animals or are on record as considering such protections, including, but not limited to:

Australia	barren battery cages banned in one territory, ¹⁸ use of stalls for pregnant sows restricted in two territories and Australian pork producers voluntarily phasing out sow stalls by 2017, ^{19,20,21} and non-therapeutic removing or trimming of laying hens' beaks banned in one territory ²²
Bhutan	caged confinement of laying hens banned ²³
Canada	all newly built or rebuilt systems must house mated gilts and sows in groups, any sow housed in a stall must be able to stand or lay down without touching both sides of the stall, and, by 2024, any sow in a stall must be able to exercise periodically or turn around in their stall ²⁴
India	barren battery cages illegal in majority of states and Animal Welfare Board of India advising all states to phase out battery cages by 2017 ^{25,26}
Israel	in process of enacting reforms for laying hens, including setting minimum standards for raising hens and only increasing production quotas for cage-free eggs ²⁷
New Zealand	prohibits the use of sow stalls after mating and requires, among other things, individually-penned pigs to have room to stand up and turn around without touching walls; ²⁸ caged confinement of laying hens being phased out ²⁹
Norway	battery cage use for laying hens banned ³⁰
South Africa	Pork Producers Organisation committed to phasing out sow stalls by 2020 ³¹
Switzerland	battery cage use for laying hens banned ³²
United States	barren battery cage use restricted in five states ^{33,34,35,36,37} and use of sow stalls banned in nine states ³⁸



Battery Cages / HSI

3. Animal Welfare Standards of International Finance Institutions

IFIs have their own animal welfare guidelines and standards, which are described below. In some cases, such protections are based upon EU Council Directives. As will be discussed later in this report, often these recommendations and mandates are not followed.

3.1. *The World Bank Group*

The World Bank Group consists of five organisations that provide technical and financial support to developing countries, with the goal of stimulating income growth for the bottom 40% of every country and ending extreme poverty:^{39,40}

International Bank for Reconstruction and Development (IBRD)	lends to governments of middle-income and creditworthy low-income countries
International Development Association (IDA) [†]	provides interest-free loans and grants to governments of the poorest countries
International Finance Corporation (IFC)	finances private sector investment, mobilizes capital in global financial markets, and provides advisory services to businesses and governments
Multilateral Investment Guarantee Agency (MIGA)	promotes foreign direct investment into developing countries to support economic growth, reduce poverty, and improve people's lives by offering political risk insurance (guarantees) to investors and lenders
International Centre for Settlement of Investment Disputes (ICSID)	provides international facilities for conciliation and arbitration of investment disputes

3.1.1. *The World Bank's Safeguard Policies*

Over the past two decades, the World Bank has developed policies to help identify, avoid and minimise harms to people and the environment by requiring borrowing governments to address specific social and environmental risks before receiving funding.⁴¹ In 2012, the World Bank commenced a review of its social and environmental policies that is still in progress. The consultation phase will close on March 15, 2016.⁴² The policies, known as the Safeguard Policies, not only govern IBRD and IDA projects, but are also adopted by other development banks across the globe, including the Asian Development Bank and the African Development Bank. Together, these institutions are the largest sources of development finance in the world, and are key influencers in the dialogue on development.⁴³

Previous versions of these standards did not address animal welfare, though recently there has been some progress in this regard. For instance, the July 2015 Draft of the

[†] Together, IBRD and IDA are referred to as the World Bank.

Proposed Environmental and Social Framework contains the following paragraph that the World Bank stated a Guidance Note would be developed from:^{44,45}

Borrowers involved in the industrial production of crops and animal husbandry will follow GIIP [Good International Industry Practice] to avoid or minimize adverse risks and impacts and resource consumption. Borrowers involved in large-scale commercial farming of animals for meat or other animal products (such as milk, eggs, wool) will employ GIIP in animal husbandry techniques, with due consideration for religious and cultural principles.



Sow Stall / HSI

While it is encouraging that animal husbandry is mentioned, there is no explicit reference to animal welfare, whether with regard to breeding, rearing, housing, transporting or slaughtering. Further, it is questionable why the paragraph should only apply to large commercial operations, as opposed to all commercial operations, regardless of their size. Finally, as will be discussed below, the World Bank’s IFC has already developed animal welfare recommendations and guidelines in the form of a Good Practice Note. These guidelines should be incorporated into all relevant World Bank Group organizations and policies, including the Safeguards Policies. Otherwise, the validity and enforceability of World Bank standards are weakened.

3.1.2. The International Finance Corporation

The IFC is the largest global development organisation focusing on private sector lending in developing countries.⁴⁶ As discussed below, the IFC employs four different guidelines when assessing potential projects and ultimately dispersing loans to private entities.

3.1.2.1. The IFC’s Good Practice Note on Animal Welfare

In 2006, the IFC introduced the GPN on Animal Welfare in Livestock Operations, a set of guidelines and recommendations developed for the IFC’s agribusiness clients, including:⁴⁷

housing should “allow all animals space to stand, stretch, turn around, sit, and/or lie down comfortably at the same time”
animals should be able to “directly interact with herd or flock mates”
“[s]tocking densities should be low enough to prevent excessive temperatures and humidity; competition, stress, and aggression between animals, and abnormal behavior; and to enable good litter management”
surfaces and flooring should “provide for the animal to bear weight on the entire sole of the foot”

However, by 2010, HSI and other animal protection organisations had begun to express concern that IFC investments may not consistently conform to the GPN – particularly as these guidelines are not binding.

In December 2014, the IFC released its GPN on Improving Animal Welfare in Livestock Operations, which supersedes the 2006 GPN. This document reflects feedback given from a number of stakeholders, such as HSI and the OIE. Like the 2006 version, the GPN cites the Five Freedoms of Animal Welfare.‡ If implemented properly, the Five Freedoms prevent:⁴⁸

confinement of hens in battery cages
confinement of sows in stalls
confinement of dairy calves in veal crates



Battery Cages / HSI

It should be noted that the 2014 GPN appears to place particular emphasis on OIE guidance, referring to their standards as the “*de facto* international reference for animal welfare” and “envisag[ing] that they will be increasingly used as a basis for bilateral agreements between OIE member countries.” The 2014 GPN also notes that “OIE standards may be particularly useful in countries and contexts with poorly developed animal welfare standards.”⁴⁹

OIE standards, though, have not yet been developed for major species of concern, including egg laying hens and pigs, at least as of February 2016. Additionally, current OIE standards for broiler chickens allow for the caged confinement of birds,⁵⁰ a practice strongly criticised by consumers and animal welfare group for its cruelty.

The IFC’s emphasis on the animal welfare standards being developed by the OIE may overshadow the more progressive aspects of the 2014 GPN, and it is not clear whether the yet-to-be developed standards will prevent extreme confinement practices. Further, OIE standards are designed to serve as a baseline for food safety, biosecurity, and animal health and welfare. The IFC’s standards, on the other hand, should help agribusiness companies in developing and emerging economies access the growing global market for higher welfare eggs, meat and milk by adopting best international practices.

‡ Originally conceived by the United Kingdom Farm Animal Welfare Council, the Five Freedoms of Animal Welfare are: (1) Freedom from hunger and thirst; (2) Freedom from discomfort; (3) Freedom from pain, injury, and disease; (4) Freedom to express normal behavior; and (5) Freedom from fear and distress, citing: Farm Animal Welfare Council. 2012. Five freedoms. [webarchive.nationalarchives.gov.uk/20121007104210/http://www.fawc.org.uk/freedoms.htm](http://www.fawc.org.uk/freedoms.htm). Accessed 4 January 2016.

HSI is also aware that agribusiness companies planning major expansions seek capital investments from multiple sources. We are concerned some companies may circumvent animal welfare considerations by only seeking IFC financing for feed mills or other aspects of their vertically integrated operations that have no direct animal welfare impacts, while financing animal housing facilities through other private sources. However, regardless of how IFC financing may be applied, it will ultimately go towards supporting an increase in animal production. Therefore, the GPN must apply to all aspects of a client's operations and not just those specifically being financed by the IFC. Continuing with the example above, this would mean that a vertically integrated agribusiness company that receives an IFC loan for the construction of a feed storage unit would still be required to bring its animal welfare practices in compliance with the GPN on animal welfare.

There is also the issue of how and to what extent the GPN will be enforced: Responding to a parliamentary question, the Austrian Ministry of Finance stated that "Austria is, together with other EU Member States, calling for a binding character of the GPN."⁵¹ However, the GPN does not currently function as a binding set of standards, but rather as a set of suggested good practices.

3.1.2.2. The IFC's Performance Standards

The 2014 GPN is intended to complement the IFC's 2012 Performance Standards on Environmental and Social Sustainability.⁵² Last updated in 2012, these Performance Standards specify IFC clients' responsibilities for controlling their environmental and social risks.⁵³ Performance Standard 6 states that clients engaged in the primary production of living natural resources, including animal husbandry will manage those resources sustainably, by applying "industry-specific good management practices and available technologies."⁵⁴ The corresponding Guidance Note expands on this reference to industry-specific management practices. It points to its own EHS Guidelines and GPNs as useful initial sources for clients, noting that new materials are being published regularly.⁵⁵

The Equator Principles, which are based on the IFC's Performance Standards,⁵⁶ are followed by 83 major private institutions (including Citibank, Rabobank, Lloyds Bank and JP Morgan Chase). Together, they account for over 70 percent of international project financing in emerging markets.⁵⁷

3.1.2.3. The IFC's Environmental, Health and Safety Guidelines

The IFC's EHS Guidelines provide general and industry-specific examples of GIIP. IFC uses the EHS Guidelines as technical references when appraising project activities. The EHS Guidelines contain performance levels and measures that the IFC considers to be acceptable and generally achievable in new facilities. Application of EHS Guidelines to existing facilities may require site-specific targets and an appropriate timetable for completion.⁵⁸

Published in 2007, the EHS Guidelines on Mammalian Livestock Production,⁵⁹ Poultry Production⁶⁰ and Aquaculture⁶¹ deal specifically with animals kept for food production. The

EHS Guidelines for mammals and poultry state that the IFC GPN on Animal Welfare should be used for “guidance” on animal welfare. The Guidelines for aquaculture do not mention animal welfare. In 2013, the World Bank began a three-year process to review and update its 2007 EHS Guidelines. However, the process is behind schedule and the revision of the EHS Guidelines related to farm animals has not yet begun.⁶²

3.1.2.4. The IFC’s Environmental & Social Reviews

As part of the loan process, the IFC generates an Environmental and Social Review Summary, a publicly disclosed document describing the environmental and social risks and potential impacts of the project. The document also includes an Action Plan detailing how the client should mitigate such risks and impacts. As part of the review process, the IFC classifies the level of potential adverse harm created by the project as either A, B or C:⁶³

Category A Project: “significant” and “diverse, irreversible, or unprecedented” impacts
Category B Project: “limited” impacts “that are few in number, site-specific, largely reversible”
Category C Project: “minimal or no adverse” impacts



Sow Stalls / HSI

Farm animal projects are generally classified as Category B by the IFC,⁶⁴ indicating limited potential for adverse environmental or social impacts.⁶⁵ Industrial farm animal production facilities, though, have been known to have significant negative impacts on the environment and surrounding communities.⁶⁶ When a project is classified as Category A, the public is allowed additional time to review details of the project, as compared to Category B and C projects. Category A projects also receive additional and higher-level review by IFC staff.⁶⁷

3.2. The European Investment Bank

The EIB is the EU’s bank, owned by and representing the interests of the EU Member States. The EIB works closely with other EU institutions to implement EU policy.⁶⁸ In 2014, the EIB made over EUR 77,000,000,000 worth of investments, making it the largest multilateral lender in the world.⁶⁹ In July 2015, the EIB signed a Memorandum of Understanding with the FAO aimed at encouraging “investment operations in agriculture, private sector development and value chains that promote both EIB’s priorities and FAO’s strategic objectives.”⁷⁰

3.2.1. The EIB’s Environmental and Social Policy

The EIB’s Environmental and Social Policy, published in 2009, does not mention animal welfare. The document does incorporate legislation pertaining to biological diversity and conservation of wild animals.⁷¹ In instances when the EIB funds projects involving animal testing, animal welfare is sometimes included in the review.^{72,73}



Cage-Free Hens / HSI

Though there is no explicit animal welfare requirement for EIB lending, the EIB reportedly gives preference to companies “that go further than the statutory requirements with respect to sustainability, in areas such as ... animal welfare.”⁷⁴ Moreover, according to a 30 November 2015 communication from the EIB, animal welfare standards will be included in the next Environmental and Social Practices and Procedures Handbook. Highlights of the new EIB standards will reportedly be as follows:⁷⁵

all livestock operations will apply good international practice and international standards of the OIE, including the Five Freedoms
in EU, EU candidate, EU potential candidate and Eastern Neighbourhood countries, operations will comply with national regulations as well as EU legislation and associated standards
in other countries, operations will adopt good international practice, implement national legislation and standards from multi- and bi-lateral agreements, and align with EU legislation

3.3. The European Bank for Reconstruction and Development

The EBRD was established in 1991 to help Central and Eastern European countries transition to market-oriented economies.⁷⁶ Currently, the EBRD is active in additional regions, including the Southern and Eastern Mediterranean and Central Asia.⁷⁷ The EBRD is owned by the EU, the EIB and 64 countries.⁷⁸ From 1991 to 2014, the EBRD financed more than 4,000 projects amounting to a business volume of over EUR 90,000,000,000.⁷⁹ As of January 2015, the EBRD had a net cumulative investment in agribusiness of EUR 8,600,000,000.⁸⁰

3.3.1. The EBRD’s Environmental and Social Policy

In 2014, the EBRD updated its Environmental and Social Policy and included animal welfare. EBRD Performance Requirement 6 “Biodiversity Conservation and Sustainable Management of Living Natural Resources,” paragraph 28 reads: “Clients involved in the farming, transport and slaughtering of animals for meat or by-products (e.g. milk, eggs, wool) will adopt and implement national regulatory requirements, relevant EU animal welfare standards and [Good International Practice], whichever is most stringent, in animal husbandry techniques.” The standards apply to projects initiated after 7 November 2014.⁸¹ This is the first time that an IFI has adopted binding animal welfare criteria for investments. The revised standards followed the 2013 version of this

report that exposed numerous investments in extreme farm animal confinement practices in non-EU countries. As detailed in HSI's 2013 report, some of the facilities receiving EBRD support prior to 2013 employed battery cages and practices that had already been phased out in the EU.

4. International Finance Institutions and Farm Animal Projects

Investment project descriptions produced by IFIs are often lacking information that would allow an assessment of animal welfare. When animal welfare is mentioned, details of housing conditions or stocking density are rarely mentioned. This is true even when animal welfare is listed as a key environmental risk and issue. Frequently, animal welfare is listed as something that needs to be improved but specific details about what needs to be improved are absent. Where animal welfare is cited as being substandard, corrective actions are not always included amongst the tasks a company must complete.

Based on the above, there is rarely a way to judge whether IFIs are in fact adhering to their own guidelines for lending and whether the companies they finance are following the standards set out for them. Below are examples of companies and projects funded by IFIs that either fall considerably behind EU mandated requirements as well as internationally recognized standards, or whose project details are so lacking, assessment of animal welfare is impossible.

4.1. *Myronivsky Hliboproduct*

<u>Lender / Loan Approval Date:</u>	<u>IFC / 29 May 2014</u>
Project Location:	Ukraine
Amount:	USD 250,000,000 (100,000,000 loan, 75,000,000 Managed Co-Lending Portfolio Program, 75,000,000 B [§] loan)
Project Details:	Expand operations at Vinnytsia poultry complex
<u>Lender / Date Loan Signed:</u>	<u>EIB / 1 December 2014</u>
Project Location:	Ukraine
Amount:	EUR 85,000,000
Project Details:	Build chicken fodder production complex near Ladyzhyn in the Vinnytsia region
<u>Lender / Loan Approval Date:</u>	<u>EBRD /28 October 2015</u>
Project Location:	Ukraine
Amount:	USD 85,000,000
Project Details:	Fodder production

[§] B loans are part of the IFC's syndicated loan programme, in which the "IFC acts as a catalyst in raising capital from foreign and domestic sources, in both private and public markets, for projects in the private sector of its member countries, citing: International Finance Corporation. Syndicated loans & management. http://www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/IFC+Syndications/. Accessed 2 February 2016.

The Ukrainian company Myronivsky Hliboproduct (MHP) is one of the largest poultry producers in Europe.⁸² MHP is wholly owned by MHP S.A., a holding company in Luxembourg.⁸³ MHP Board member John Rich is an agribusiness consultant for the IFC and IFC invested clients.⁸⁴ Since 2003, MHP has received more than USD 500,000,000 in loans from the IFC alone.⁸⁵

From June 2014 to the end of December 2014, MHP exported more than 16,500,000 kilograms of poultry meat to the EU with zero import duty.⁸⁶ From 1 January 2015 to 1 October 2015, MHP's sales of chicken meat to the EU increased 80%.⁸⁷ According to a 2015 MHP business presentation, MHP is aiming to become the largest poultry producer in Europe, in part by expanding into the EU through the acquisition of a poultry producer or meat processor in the EU.⁸⁸

On their website, MHP makes a number of claims concerning animal welfare, including committing to “the most humane methods of poultry rearing,” utilizing “calming measures before slaughter,” and “ensuring instant and painless death.” MHP's Poultry Welfare Policy claims that MHP “follows the best international practices” and commits to “comply[ing] with the highest welfare standards.” MHP also states that “[IFC and EBRD] representatives visit [MHP] enterprises regularly, giving [MHP] recommendations concerning possible innovations and improvements, which [MHP] implement[s] successfully.”⁸⁹ MHP also claims to follow “the scientific standards of the [EU] for the protection of animals and the guidelines of the [OIE].”⁹⁰

Notably, MHP produces foie gras,⁹¹ the production of which involves force feeding ducks and geese enormous quantities of grain. Foie gras production is banned in many EU countries and widely-condemned by animal welfare organisations.⁹² MHP exports foie gras to Estonia, Hungary and France.⁹³

As described in HSI's 2013 report, MHP received hundreds of millions of USD in support from the IFC and the EBRD for the expansion and maintenance of its operations. Both the IFC and EBRD documents indicated that the facilities were in line with EU animal welfare standards and the IFC GPN. Nevertheless a 2010 EBRD assessment also stated that the consultants found “a number of improvements needed to comply with the Bank's [Performance Requirements], such as animal welfare.”⁹⁴

In 2013, the EBRD loaned MHP an additional USD 55,000,000 to finance operations in Russia and Ukraine. In a loan document, the EBRD states: “The [2010 audit] include[ed] an assessment of animal welfare issues and not[ed] that animals observed were in good condition and appropriate policies and procedures ha[d] been developed to manage animal welfare issues.”⁹⁵

In May 2014, the IFC approved another USD 100,000,000 loan to MHP to support further expansion in Vinnytsia and to refinance its Eurobond. In addition to the loan, MHP would be eligible for an additional USD 150,000,000 from other lenders, including USD 75,000,000 from the IFC through a Managed Co-Lending Portfolio Program.⁹⁶ The IFC's 2014 loan package, its fifth investment in MHP, constituted the IFC's biggest investment in Ukrainian agribusiness.⁹⁷ The 2014 Environmental & Social Review Summary states the following about animal welfare:

“Animal welfare policy consistent with the European Union Directives 98/58/EU [and] 2007/43/EU is being finalized and adopted [emphasis added].”⁹⁸

The aforementioned EU Directives set general standards for protection of farm animals⁹⁹ and minimum welfare requirements for chickens kept for meat production,¹⁰⁰ respectively. “Being finalized and adopted” indicates that changes are on-going. Nevertheless, IFC documents imply that no improvements are needed as animal welfare is not listed in any of the supervised tasks MHP is to complete as part of the 2014 Environmental & Social Action Plan.¹⁰¹

In December 2014, the EIB signed a EUR 85,000,000 loan to MHP for building a chicken fodder production complex near Ladyzhyn in the Vinnytsia region.¹⁰² In October 2015, the EBRD signed another USD 85,000,000 loan to MHP. The loan documents refer to two previous independent audits that found MHP facilities to be “generally operating to a level consistent with national and EU standards” of animal welfare.¹⁰³

On its website, MHP claims the Vinnytsia Poultry Farm is the largest poultry farm in Europe.¹⁰⁴ Neither loan documents nor MHP literature provides enough information to clearly ascertain whether the stocking density at Vinnytsia exceeds the maximum stocking density prescribed by Council Directive 2007/43/EC.

MHP has been the subject of a number of investigations, including by the National Ecological Centre of Ukraine, the Dutch Centre for Research on Multinational Corporations (SOMO), the Central and Eastern European Bankwatch Network, and Compassion in World Farming. The reports by these organisations detail the social and environmental consequences of MHP’s operations.^{105,106,107,108} In the village of Ulianivka, near the planned expansion of the Vinnytsia operation, resistance against MHP’s expansion plans is near unanimous. Ulianivka is affected by strong odours from the Vinnytsia facility. Residents also reported witnessing MHP putting manure in illegal dumping grounds.¹⁰⁹ Nonetheless, MHP is planning to start construction of an expansion project at the Vinnytsia complex in 2016.¹¹⁰

As will be discussed later in this report, Dutch suppliers who exported to MHP received over EUR 30,000,000 in export credit insurance from the Dutch ECA Atradius after the Netherlands passed a non-binding parliament resolution against supporting large animal agriculture projects in foreign countries.

4.2. *Muyuan Foodstuff Company*

<u>Lender / Loan Approval Date:</u>	<u>IFC / 16 December 2013</u>
Project Location:	China
Amount:	USD 20,510,000
Project Details:	Develop 400,000 annual capacity hog farm

Muyuan Foodstuff Company (Muyuan) is one of the largest hog breeders in China. As described in HSI’s 2013 report, IFC provided loans to Muyuan in 2010 and 2012. According to IFC documents from the 2012 loan, sow housing “is the one area that could be subject to a change in

practice to better align it with contemporary practices in the industry elsewhere in the world.” Muyuan, as stated in the loan documents, began a new programme aimed at providing sows with more room and better nutrition. The IFC pledged to continue to work with Muyuan to promote such measures, which are seen to be in line with the IFC’s “commitment to improving all matters of animal welfare as described in the IFC Good Practice Note on Animal Welfare.” Nevertheless, animal welfare is not listed in the IFC’s Environmental & Social Action Plan, which describes tasks for Muyuan to complete.¹¹¹

In December 2013, the IFC approved another USD 20,510,000 loan to Muyuan for a project in Hubei Province, China to develop a hog farm and feed mill. The IFC’s 2013 loan was expected to help Muyuan boost its annual production capacity to over 1,500,000 hogs. The loan documents state that Muyuan is the “first company in China to implement animal welfare practices” and Muyuan’s “high standards and best practices would also apply to the increased hog production under the Project.”¹¹² Nevertheless, like the supporting documents for the 2012 loan, the 2013 IFC review notes that sow housing “could be reviewed by the company to better align it with contemporary practices in the industry elsewhere in the world.” Additionally, the pilot programme referenced in the 2012 document to improve sow housing and nutrition is, according to the 2013 loan documents, reaching only 400 sows.¹¹³

It is noteworthy that, like the 2012 Muyuan loan, animal welfare standards are absent in the 2013 loan’s Environmental & Social Action Plan. In fact, the 2013 loan documents state that no Environmental & Social Action Plan is required because “[c]urrent client performance is aligned with applicable Performance Standards and EHS Guideline requirements.”¹¹⁴

4.3. Nyva Pereyaslavshchyny

<u>Lender / Loan Approval Date:</u>	<u>EBRD / 11 June 2014</u>
Project Location:	Ukraine
Amount:	USD 30,000,000
Project Details:	Expand pig breeding facilities

<u>Lender / Loan Approval Date:</u>	<u>IFC / 1 December 2014</u>
Project Location:	Ukraine
Amount:	USD 25,000,000
Project Details:	Construct pig farms and expand meat processing facilities

The EBRD loan supported construction of two pig farms with a combined annual capacity of 70,000 pigs.¹¹⁵ Though the IFC did not release information about the size of the two pig farms it funded,¹¹⁶ an IFC press release states that Nyva Pereyaslavshchyny (Nyva) is expected to double its pork production to 40,000,000 kilograms by 2019.¹¹⁷ In a section entitled “Transition Impact,” the EBRD loan document states that project will “set standards” for pig breeding including the “gradual adoption of the most recent EU standards on animal welfare.” As part of the process for the loan, Nyva was subjected to an initial Environmental and Social Examination by an EBRD staff member. The review found that Nyva fell short of EU animal welfare

standards with regard to housing of sows and young sows, stocking density of finishers' housing and amount of enrichment provided in cages.¹¹⁸

The last paragraph of the EBRD loan document states all issues raised during due diligence were “included within an Environmental and Social Action Plan (ESAP) which has been reviewed and agreed with [Nyva].” Animal welfare is listed as one of the actions covered by the plan. Nevertheless, such a plan is absent from EBRD’s document “Project Nyva,” which details the project.¹¹⁹

With regards to animal welfare, the IFC loan document states:

A recent review of the company’s operations also included matters of animal welfare. The assessment used European Union criteria (legislation and regulation) pertaining to matters of animal housing and other conditions. Whereas overall welfare was judged to be of a high standard with the animals being well cared for, some practices were noted as being non-compliant to EU legislation; for example, the review noted that the company does not provide group housing for sows in existing operations, that temporary housing arrangements (due to construction) had created space constraints for some finishers and there was the need for more consistent provision of environment enrichment. In response, the company has committed to meeting EU Animal Welfare Directive’s requirements for its new farms, i.e. farms 9 and 10 (as 7 is under construction and 8 has already been designed). The company will report in the AMR [Annual Monitoring Report] on the progress towards achieving compliance with EU animal welfare; in addition, the company will refer to the current version of IFC’s Good Practice Note on Animal Welfare as guidance on rearing operations.¹²⁰

During an interview in 2014, Nyva’s Livestock Executive Manager Vitaliy Shakel stated that “[e]very pig complex is typical” and “all our pig complexes are similar.” When asked about innovations, Mr. Shakel replied that “there is a nice saying: ‘The old well-tried thing is better than a new one.’”¹²¹ On the “Pigs in Ukraine and in the World” website, the profile of Nyva dated 2 December 2014 includes five pictures of sow stalls being used on Nyva farms.¹²²

4.4. Beijing Sinofarm Stud Livestock

<u>Lender / Loan Approval Date:</u>	<u>IFC / 14 April 2014</u> ^{**}
Project Location:	China
Amount:	USD 30,000,000 (20,000,000 loan and 10,000,000 equity)
Project Details:	Construct 20,000 cow dairy farm

Loan documents list animal welfare as a key environmental and social issue and risk.¹²³ Nevertheless, in the corresponding Environmental & Social Review Summary, there is no further

^{**} As of 19 February 2016, the loan status is “Pending Signing,” citing: International Finance Corporation. 2014. Sinofarm: summary of investment information. <http://ifcext.ifc.org/ifcext/spiwebsite1.nsf/ProjectDisplay/SII34001>. Accessed 19 February 2016.

explanation of why animal welfare is a key issue and risk, despite numerous other project details being expanded upon. Indeed, treatment of animals is not discussed at all.¹²⁴

4.5. *Shandong Hekangyuan Poultry Breeding*

<u>Lender / Loan Approval Date:</u>	<u>IFC / 15 July 2014</u>
Project Location:	China
Amount:	USD 10,000,000
Project Details:	Expand duck and broiler chicken breeding facilities

The IFC loan funded a project that is expected to help Shandong Hekangyuan Poultry Breeding (Hekangyuan) become China's second largest duck producer and one of the largest broiler producers. The annual breeding capacity is anticipated to rise to 189,000,000 day-old ducks and 90,000,000 day-old broilers by 2016.¹²⁵

Animal welfare is not mentioned in the Overview of the IFC's Scope of Review. However, the section "E & S Project Categorization and Applicable Standards" states that "IFC's Good Practice Note on Animal Welfare and its applications to [Hekangyuan's] operations and sub-contractors has also been assessed during the appraisal" without providing any details on compliance. While some information is provided on biosecurity, IFC project documents lack any mention of key animal welfare indicators such as housing or stocking density.¹²⁶

4.6. *New Hope Singapore (subsidiary of New Hope Group)*¹²⁷

<u>Lender / Loan Approval Date:</u>	<u>IFC / 13 February 2015</u>
Project Locations:	Indonesia, Philippines, Bangladesh, Myanmar, Laos, Vietnam, Sri Lanka and Cambodia
Amount:	USD 40,000,000
Project Details:	Expand poultry operations

New Hope Group is a Chinese enterprise that claims to be China's "leading agribusiness operator," processing 750,000,000 heads of poultry, 8,500,000 pigs and 500,000,000 kilograms of milk annually.¹²⁸ According to the Environmental & Social Review Summary, the IFC visited operational feed mills^{††} in Indonesia and China as part of the project appraisal. There is no mention that the IFC visited any poultry farms. Animal welfare is listed as a key issue and risk associated with the project. Indeed, according to the loan documents, a report based on an independent assessment of poultry facilities "identified areas for improvement related to food safety and animal welfare and accordingly came up with an action plan, which New Hope is now implementing." Nevertheless, the Environmental & Social Review Summary mentions nothing specific relating to animal welfare, such as housing standards or stocking density. There is also no mention of the types of improvement relating to animal welfare needed or a timeline for when such changes should take place.¹²⁹

^{††} Part of the expansion project includes building feed mills to support the poultry farms.

4.7. *Atopco Beef (subsidiary of New Hope Group)*

<u>Lender / Loan Approval Date:</u>	<u>IFC / 30 June 2015</u>
Project Locations:	China
Amount:	USD 30,000,000
Project Details:	Develop meat processing facilities

Atopco Beef produces processed beef products tailored to Chinese consumers. According to loan documents, Atopco Beef currently has a slaughtering house in Australia and is building a meat processing plant in China.¹³⁰ The IFC investments will be used to develop two more meat processing facilities in China. Through the IFC investment, Atopco plans to increase meat processing to 30,000,000 kilograms per year. There is no mention of animal welfare in the Environmental & Social Review Summary.¹³¹

5. Export Credit Guarantees and Animal Welfare: The Common Approaches

ECAs are public agencies and entities that provide government-backed loans, guarantees and insurance to companies from their home country that seek to do business overseas in developing countries and emerging markets.¹³² The OECD is a policy advisor whose “mission is to promote policies that will improve the economic and social well-being of people around the world.”¹³³ Of the 34 OECD Member States, 33 are also shareholders of the EBRD^{‡‡} (representing 85% of EBRD shares).^{134,135} Along with the World Trade Organization, the OECD provides the legal structure for ECAs and their operation.¹³⁶

In 2012, the OECD adopted the Recommendation of the Council on Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence (Common Approaches), which contains social and environmental recommendations for the provision of export credits. If an OECD member’s share is SDR^{§§} 10,000,000 or more in a new project or an existing undertaking “undergoing material change,” the Common Approaches applies. The Common Approaches also applies to any project in or near sensitive areas, regardless of the investment amount.¹³⁷

All projects falling under the Common Approaches must be classified into one of three social and environmental impact categories (A, B or C).^{***} Category A projects have the potential to have the most adverse impacts, while Category C projects are likely to have less adverse

^{‡‡} Chile is an OECD member, but not an EBRD shareholder.

^{§§} SDRs, or Special Drawing Rights, are the International Monetary Fund’s monetary units. One SDR unit is “defined as a weighted sum of contributions” of major currencies, citing: Bender S. 2010. Special drawing rights: a way out of global imbalances? Deutsche Bank, 10 March.
https://www.ecb.europa.eu/paym/groups/pdf/fxcg/special_drawing_rights.pdf?028d835f5be5e6ec6441e14a2aa6fa40. Accessed 20 January 2016.

^{***} If a project is not in or near a sensitive area and the member’s share is less than SDR 10,000,000, the project simply has to be screened and not classified

impacts. If a project is deemed to be a Category A project, the applicant is required to undertake an Environmental and Social Impact Assessment. Notably, Annex 1 lists “[i]nstallations for intensive rearing of poultry or pigs with more than: 40,000 places for poultry; 2,000 places for production pigs (over 30 kg); or 750 places for sows” as illustrative of a Category A project.¹³⁸

According to the Common Approaches, ECAs should use relevant aspects of the World Bank Safeguard Policies, IFC Performance Standards and EHS Guidelines when assessing projects receiving officially supported export credits. If the aforementioned sources are silent on an issue, internationally recognised standards should be used for guidance. ECAs may also “benchmark projects against the relevant aspects of any other internationally recognised standards, such as European Union standards, that are more stringent” than the aforementioned standards.¹³⁹

The Common Approaches states that the Export Credit Group shall “report to Council on the implementation of [the Common Approaches] and on the need to amend or undertake a review of elements of [the Common Approaches], not later than three years from the adoption of [the Common Approaches].” The report should include “an update on the international standards to be used for benchmarking purposes.” The document also states that a “progress report” should be prepared “on what amendments to [the Common Approaches] and/or its implementation might help to promote a global level playing field for officially supported export credits.”¹⁴⁰

Though there will be no public consultation on the draft for this progress report,¹⁴¹ there is an opportunity to remedy the absence of animal welfare from the Common Approaches. This should be done by incorporating the EBRD’s Environmental and Social Policy and the IFC’s GPN Improving Animal Welfare in Livestock Operations into the list of standards to be used for benchmarking. Significantly, as detailed in Section 2 of this report, at least 24 OECD Member States (21 EU Member States, Switzerland, Norway and New Zealand) have instituted a ban on conventional battery cages for laying hens.

In a 2015 paper prepared for the European Parliament, it is noted that “EU Member States constitute more than half of the OECD countries and the EU contributes substantially to the OECD budget on a voluntary basis, [but] the ambiguous and out-dated status of the OECD deprives the EU from voting rights and budgetary oversight.” Though representatives of the European Commission participate with OECD members in discussions of the OECD’s work programme, strategy and text preparation, they do not have the right to vote and do not officially take part in the adoption of legal instruments submitted to the Council for adoption. One of the key conclusions of the 2015 paper is that the EU must seek full membership, such as it has currently within the World Trade Organization, FAO and the EBRD.¹⁴²

6. Export Credit Agencies and Farm Animal Projects

European ECAs have granted export credit insurance for farm animal equipment and housing that clearly violates, or appears to violate, EU law and other good practices with regard to animal welfare. Like with the IFIs, information about how animals are treated is often not available in documentation about ECA transactions or otherwise not provided by those who administer the export credit insurance.

6.1. Germany

The German government insures German exporters and banks from the non-payment risks of exporting goods and services. A consortium consisting of Euler Hermes and PricewaterhouseCoopers manages the scheme.¹⁴³ Decisions about granting export credit guarantees are made by the Interministerial Committee, comprised of four ministries and led by the Federal Ministry of Economic Affairs and Energy. Notably, the Federal Ministry of Food and Agriculture is not part of the Interministerial Committee.¹⁴⁴

According to the Government's answers to written questions in the German parliament, the German government provided the following^{†††} export credit guarantees for farm animal production from 2012 to 2014:^{145,146}

Date	Exporter	Type of goods	Amount insured	Housing system
2012	not disclosed	equipment for APK Agroeko's Voronezh pig complex in Russia; reported capacity of up to 300,000 pigs and 15,735 sows (see Section 6.1.1 below)	RUB 814,000,000	not disclosed
2012	not disclosed, possibly SALMET, Big Dutchman and others	construction of poultry farms in Ukraine at Avangardco's Avis and Chornobaivske complexes, which have a combined total capacity of 11,179,000 hens (see Section 6.1.2 below)	EUR 26,390,000 ^{†††}	cages
2012	not disclosed	equipment for laying hen facility in Belarus	EUR 1,560,000	cages
2012	not disclosed	equipment for laying hen breeding in Belarus	EUR 1,920,000	cages
2012	not disclosed	poultry farming systems in Turkey	EUR 1,760,000	cages
2013	SALMET	pre-fabricated poultry buildings and laying hens equipment for Ovostar Union (see Section 6.1.3 below)	EUR 10,000,000	cages

^{†††} The list is not exhaustive

^{†††} Euler Hermes granted two separate export credit guarantees of EUR 21,740,000 and EUR 4,650,000 to Avangard. Information provided by the German government does not specify which amount covered which project.

2013 or 2014	EMF and possibly other German companies	supplies for breeding farm and slaughterhouse for Creative Group's Chernigiv duck farm in Ukraine, which can reportedly hold up to 1,700,000 ducks at once with a yearly capacity of up to 10,000,000 ducks (see Section 6.1.4 below)	not disclosed	grated flooring, no litter provided
2015	not disclosed	poultry housing equipment for Ovostar Union (see Section 6.1.3 below)	EUR 14,500,000	cages

The use of cages for broiler chickens is effectively banned in the EU because Council Directive 2007/43/EC requires all chickens to have permanent access to litter.¹⁴⁷ In 2010, a ban on the use of barren and enriched cage systems for laying hens came into effect in Germany.¹⁴⁸

The provision of such export guarantees by the German government seems to contradict the response by the Federal Ministry for Economics and Technology to written questions in the German parliament regarding environmental and social standards for export credits, in which the Federal Ministry for Economics and Technology stated that “equipment delivered from Germany complies with EU standards, when the Federal Government accepts an export credit guarantee.”¹⁴⁹

6.1.1. APK Agroeko

APK Agroeko (Agroeko) is one of Russia's largest pork producers.¹⁵⁰ In 2012, Germany's Deutsche Bank loaned Agroeko RUB 814,000,000 to purchase German machinery for a complex in the Voronezh region. Euler Hermes insured the loan. Deutsche Bank also provided EUR 70,000,000 to Russia's Bank for Development and Foreign Economic Affairs (VEB) that VEB used to further support the project. According to VEB, the pig-breeding complex would have a yearly capacity of 42,000,000 kilograms of live pigs.¹⁵¹

There are differing reports about the details of the Voronezh complex. One report stated the project involved seven pig complexes.¹⁵² The company that designed the complex published a picture that clearly shows a single, unified facility. That source states the complex could raise 100,000 pigs annually.¹⁵³ In response to a written question in Parliament, the German government stated the project^{§§§} involved three separate facilities, each with an annual capacity of 100,000 pigs and, additionally, housing for 6,525 sows. Since the Government maintained that each of the three locations was a separate project, the insurance sum for each fell below SDR

^{§§§} Though the German government did not explicitly refer to the project as the Voronezh complex, based on the date, the amount and the details of the complex, it is likely the same.

10,000,000,**** making them outside the scope of the Common Approaches.¹⁵⁴ Ironically, Euler Hermes referred to the project as pig “farms” but still classified the amount as greater than SDR 10,000,000.¹⁵⁵

As it were, a formal EIA should still have taken place and been made available to the public, since each one of the three facilities would classify as a Category A project based on the number of animals housed there.¹⁵⁶ However, an EIA could not be found. The German government stated that according to “information provided,” the facilities conformed to EU standards for pig welfare.¹⁵⁷ The Government also stated that animal farming projects are regularly examined and that the Voronezh project was assessed for aspects of animal welfare.¹⁵⁸ Based on the above, it is unclear whether the Government conducted its own assessment. In any case, the Government’s project assessment is not publicly available so its existence or content is not known.

6.1.2. Avangardco Investments

Avangardco Investments (Avangard) claims to be the largest producer of shell eggs and egg products in Europe, producing 6,300,000,000 eggs in 2014.¹⁵⁹ It produced 91% of dry egg products in Ukraine and accounted for 72% of exports of eggs and dry egg products from Ukraine in 2014.¹⁶⁰ UkrLandFarming Group, a Cyprus based company,¹⁶¹ owns the majority of Avangard’s shares.¹⁶² According to its website, UkrLandFarming Group is “the largest Ukrainian vertically integrated agricultural holding company.”¹⁶³

A 2010 Avangard press release stated that the company had “been approached by a number of large consumers of shell eggs and egg products in leading European Union countries and [was] confident that this present[ed] a significant and obtainable market opportunity.”¹⁶⁴ According to a 2013 article in World Poultry, a number of Avangard production facilities had “already been certified and passed all the necessary quality and veterinary checks to start export of eggs into the EU” and Avangard “expect[ed] that it will start the supply of shell eggs and egg products into the European market in 2013.”¹⁶⁵ In September 2014, Avangard’s Imperovo Foods received authorization to export dry egg products to the EU.¹⁶⁶

In June 2015, Avangard announced that it may seek to lengthen maturities on USD 200,000,000 of Eurobonds because of plunging sales of its eggs.¹⁶⁷ On 17 September 2015, Avangard applied to the High Court of Justice in England and Wales to request the court to sanction the UK scheme of arrangement on the restructuring of its outstanding debt. The scheme was approved by vote of the holders of the notes. The court sanctioned the scheme on 26 October 2015, extending the maturity of the Eurobonds until 29 October 2018.¹⁶⁸

**** On 3 January 2012, SDR 10,000,000 was equal to EUR 8,434,620, citing: International Monetary Fund. SDRs per currency unit for January 2012. https://www.imf.org/external/np/fin/data/rms_mth.aspx?SelectDate=2012-01-31&reportType=SDRCV. Accessed 20 January 2016.

The Avis and Chornobaivske Complexes

In March 2012, Euler Hermes granted two export credit insurances totalling EUR 26,390,000 related to Avangard's Avis and Chornobaivske complexes. Written responses by the German government to questions in parliament did not provide information about the exporter(s).¹⁶⁹

The Avis complex is an egg production facility completed in 2013.¹⁷⁰ According to Avangard's website, Avis can hold 5,202,000 hens.¹⁷¹ The hens are housed in battery cages supplied by Germany's Big Dutchman.^{172,173} The Italian company FACCO^{††††} provided poultry equipment for Avis.¹⁷⁴ A video entitled "Avis" on Avangard's website shows hens in battery cages.¹⁷⁵ Like the Avis complex, Chornobaivske was completed in 2013. The complex has a capacity of 5,977,000 hens.¹⁷⁶ Chornobaivske uses SALMET battery cages.¹⁷⁷

Avangard's Chief Executive Officer is quoted as saying that the "[Avis and Chornobaivske] projects comply with the highest international standards and with the EU regulations on poultry keeping." A 2012 press release stated that the "cages used at [Avis and Chornobaivske] meet the European Council Directive 1999/74/EC on the protection of laying hens."¹⁷⁸ However, asked if the planned housing systems comply with German or EU laws, the German government responded: "No. Here the international requirements set by the OECD environment guidelines are the relevant examination criteria for granting export credit guarantees." The Government stated that "in both [complexes] a battery cage system will be used. Cage size complies with Ukrainian standards. According to the Government's knowledge, these provide 400 to 450 cm² (+/- 10%) for white laying hens and 500 to 550 cm² (+/- 10%) for brown laying hens."¹⁷⁹ EU standards, though, mandate 750 cm².¹⁸⁰

As described in Sections 6.2 and 6.5 below, the Dutch ECA Atradius and Italian ECA SACE also insured exports for poultry equipment used at Avangard's facilities.

6.1.3. Ovostar Union

Ovostar Union (Ovostar) is a Dutch company with production assets located in Ukraine.¹⁸¹ Ovostar claims to be one of the leading agro-industrial companies and among the three leading producers of eggs and egg products in Ukraine.¹⁸² Ovostar commenced shipments to the EU in June 2015. In the six months ending 30 June 2015, Ovostar produced 580,000,000 eggs, a 24% increase over the same period in 2014.¹⁸³

In 2013, Ovostar secured a EUR 10,000,000 loan from Germany's Landesbank Berlin to finance the purchase of SALMET pre-fabricated poultry buildings and laying hens equipment. Euler Hermes was the insuring export credit agency.¹⁸⁴ The German government declined to answer questions about the type of housing system purchased and about the number of animals, claiming disclosure would infringe upon trade secrets.¹⁸⁵ An Ovostar presentation given in June 2013 at the Warsaw Stock Exchange Fourth International Companies' Forum shows a picture of laying

^{††††} FACCO's website claims the company is the world's largest supplier of poultry equipment and can produce a single poultry shed capable of housing 1,000,000 laying hens, citing: Facco. <http://www.facco.net/en>. Accessed 19 January 2016.

hens in battery cages. From the picture, there are no indications there are any enrichment materials in the cages.¹⁸⁶

In 2014, Ovostar signed an agreement to purchase cage equipment and buildings for laying hens with a capacity for 2,100,000 hens from SALMET. According to Ovostar, SALMET's "equipment can be compliant with enriched cage format."¹⁸⁷ By 2015, Ovostar planned to construct eight more hen houses, each holding 320,000 animals. According to Ovostar, the "[n]ew laying hens cages are compliant with EU enriched cage format."¹⁸⁸

In 2015, Ovostar received EUR 14,500,000 in financing from Germany's AKA Ausfuhrkredit-GmbH and Landesbank Berlin to purchase poultry housing equipment. Euler Hermes provided the export credit cover.^{189,190} The recipient(s) of the export cover are unclear. Nevertheless, given that SALMET was the exporter in 2013 and continued to supply Ovostar in 2014, there is a good possibility SALMET was a recipient.

It is not clear, then, whether Ovostar purchased and is using equipment that is compliant, or equipment that, in theory, can be compliant with EU standards. SALMET, for instance, offers the AGK 2000/15 enriched cage system that allows for an "easy upgrade upon demand."¹⁹¹ According to SALMET's website, the AGK 2000/15 system is designed for 615 cm² per hen, but can be enriched to adhere to EU Directive 1999/74/EC while at the same time reducing stocking density to 768 cm² per hen.¹⁹² "Upon demand" might, in the case of Ovostar, mean the time when Ukraine has approximated its animal welfare legislation to that of the EU.

6.1.4. Creative Group

The Chernigiv duck farm complex in Ukraine is a Category A project.¹⁹³ The complex, according to the 2013 Environmental Impact Assessment, was expected to have a total capacity of 864,000 ducks^{****} with each house holding 21,600 ducks. The EIA details a number of aspects of how the ducks are raised. Upon birth, 1000 ducklings are put in an oval area 7 metres long and 4 metres wide. At the end of the fattening cycle, the stocking density is 9.5 ducks per square metre. During the fattening period, ducks are housed on grated flooring. One advantage of grated flooring, according to the report, is there is no need to purchase nest material.¹⁹⁴ There is no discussion of the provision of adequate water enrichment – key to the welfare and behavioural needs of water birds.

Hatchery equipment is provided by Pas Reform, a Dutch company.¹⁹⁵ A number of German companies are involved with the construction of the complex. Big Dutchman provided equipment.¹⁹⁶ BDW Feedmill Systems supplied the feed mill equipment. EMF Lebensmitteltechnik-Anlagenbau provided the slaughterhouse and slaughterhouse equipment. UTS Biogastechnik provided equipment and technological support for the biogas plant.¹⁹⁷

**** According to another source, the complex could hold 1,700,000 ducks at once, citing: Anyfoodanyfeed. 2014. "Регион-продукт Украина" планирует построить утиную ферму на 1,7 млн голов единовременного содержания в Черниговской области до 2016. 24 July. <http://www.anyfoodanyfeed.com/ru/news/id/56942/>. Accessed 20 January 2016.

Part of the impetus for the project was expected demand from foreign markets, especially in Europe.¹⁹⁸ According to a 2013 newspaper article, the German government made an offer to cover EUR 35,000,000 in export credits for the project.¹⁹⁹ Nevertheless, the amount is questionable, as the German government stated that it granted export credit guarantees amounting to EUR 36,000,000 to four animal farming operations, including the duck farm, during the period from September 2013 to November 2014.²⁰⁰ Arzinger, the Ukrainian law firm handling the transaction for Big Dutchman, reported that the credit for purchasing Big Dutchman equipment for the duck farm amounted to EUR 3,500,000.²⁰¹ A 2013 news report quotes both the German Federal Minister of Agriculture and the German Green Party as saying they are against the German government giving export credit guarantees for the project, based on animal welfare concerns.²⁰²

KUKE, Poland's export credit insurance corporation, received an application for the project. According to KUKE, after the first stage of construction the complex would house 864,000 ducks and have an annual production capacity of 5,400,000 ducks.²⁰³ A 2014 news report stated that the Chernigiv project's capacity would be 10,000,000 ducks.²⁰⁴ Another article reported that complex would have eight sites of ten duck houses and hold 1,700,000 ducks at once.²⁰⁵

A news article described how residents near the project location have protested and called on Ukrainian leaders to explain why the building permit was issued when the complex is in an area with a dense population of people. Similar protests were voiced when plans were made to build a duck farm in Kirovograd Province.²⁰⁶ According to other news reports, Creative Group planned a 10,000,000 capacity duck farm in the Kirovograd Province.²⁰⁷ Specifically, it was reported that a "similar project in Kirovograd Province [Ukraine] was shelved [in 2013] due to protests from local residents."²⁰⁸ In 2014, it was reported that Creative Group was unable to pay debts incurred through financing. According to the article, the family of a deputy in the Verkhovna Rada, Ukraine's parliament, are part owners of the company.²⁰⁹

6.1.5. German Export Credit Guarantees between 2000 and 2011

From 2000 to 2011, the German government made export credit guarantees of over EUR 40 million to farm animal complexes holding poultry or pigs in Belarus, Croatia, Cyprus, Kazakhstan, Russia, Serbia, Turkey, Ukraine and Uzbekistan. Though the Government did not provide details about all the transactions, the information they did provide indicated a number of transactions involved cages being supplied by the exporter. The exporting companies were not disclosed for any of the transactions.^{210,211}

6.2. The Netherlands

Atradius Dutch State Business (Atradius), the Dutch ECA, insured exports for 67 projects related to farm animal production between 2003 and 2011 totalling EUR 294,500,000. Most of the projects Atradius insured were in Ukraine (25 projects, EUR 154,000,000) and Russia (23 projects, EUR 74,000,000). In March 2012, the Second Chamber of the Dutch Parliament passed a resolution calling on the Government not to contribute to the financing of mega-sized^{§§§§} livestock operations abroad in any way. Despite this resolution, Atradius kept granting export credit insurances for factory farming operations, including to Ukraine's Avangard and MHP. Some of the operations exceed the maximum limit prescribed by the Dutch Parliament by more than 8000%.²¹²

Atradius granted export credit insurance to the following animal production projects between 2011 and 2014:^{213,214,215,216}

Date	Exporter	Type of goods	Amount insured (EUR)	Environmental category
2011	Venco Projects	housing complexes for Miratorg's operations in Russia, which have 7 broiler farms holding 1,200,000 birds each	7,400,000	not categorized
2011	Van Hoof Bladel (Van Hoof)	poultry equipment for MHP	2,032,300	not categorized
2011	Mavitec	machinery for MHP	6,155,300	A
2011	Viscon	poultry equipment for MHP	4,871,500	A
2011	Nijhuis Water	wastewater treatment plant for MHP	3,704,500	A
2011	Marel Stork	slaughter machinery for MHP	15,954,500	A
2011	Hatch Tech	hatchery for MHP	8,237,500	A
2011	CFS Bakel	machinery for MHP	13,617,600	A
2011	VDL Agrotech	poultry equipment for MHP	2,558,998	A
2011	Van Hoof	poultry equipment for MHP	5,108,340	A
2012	Nijhuis Water	biogas plant for MHP	7,403,545	C
2012	Marel Stork	transport system for MHP	1,296,888	A
2012	Van Hoof	poultry equipment for MHP	3,360,610	M ^{*****}
2012	Van Hoof	poultry equipment for MHP	5,002,876	A
2012	VDL Agrotech	poultry equipment for MHP	2,427,723	A
2012	Van Hoof	poultry equipment for MHP	2,415,448	A

^{§§§§} Defined as bigger than 300 Dutch Size Units, equating to 7,500 rearing pigs, 1,200 sows, 220,000 broilers, 120,000 laying hens, 2,500 veal calves or 250 dairy cows in one operation.

^{*****} M stands for Marginal.

2013	Van Hoof	poultry equipment for MHP	1,251,282	A
2013	Van Hoof	poultry equipment for MHP	10,340,117	A
2014	Moba B.V.	egg processing equipment for Avangard (see Section 6.1.2 above)	9,605,406	A
2014	Meyn Food Processing	poultry equipment for Avangard (see Section 6.1.2 above)	4,718,782	not categorized

6.3. Austria

From 2003 to 2012, the Austrian ECA Oesterreichische Kontrollbank Aktiengesellschaft (OeKB) granted 15 export credit guarantees for pig and cattle housing equipment and construction. The majority of the credit guarantees, EUR 1,310,000, were directed towards projects in Ukraine between 2009 and 2012, while an additional EUR 640,000 supported projects in Croatia, Slovakia, Romania and the Czech Republic.²¹⁷ In 2013 or 2014, OeKB also provided an export credit guarantee to Nyva amounting to “less than EUR 1 million” for “general agricultural or environmental technology products without direct relation to animal husbandry in a narrower sense.”²¹⁸ As described in Section 4.3, Nyva facilities violated EU animal welfare standards.

6.4. The Czech Republic

As detailed below, the Czech Republic’s ECA Export Guarantee and Insurance Corporation (EGAP) provided the following export credits to the following animal agribusiness projects:^{219,220,221,222,223}

Date	Exporter	Project details	Amount insured (EUR)	Environmental category
2011	Bauer Technics	reconstruction of pig farm for Borisov Meat Processing in Belarus, increasing annual production capacity by up to 28,000 pigs and 1200 sows	15,749,784	A
2014	Bauer Technics	reconstruction of second phase of pig farm for Borisov Meat Processing in Belarus, doubling annual production to up to 56,000 pigs and adding 1200 sows	20,000,000	A

not disclosed	Bauer Technics	construction of two pig fattening farms including slaughterhouses, feed mixers, biogas plants, and meat processing plant in Russia; expected annual processing capacity of 300,000 pigs and 180,000 cattle	7,500,000	not disclosed
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6.5. Italy

The Italian ECA SACE insured the following export credits to large-scale animal agribusiness projects:^{224,225,226,227,228,229,230}

Date	Exporter	Project details	Amount insured	Environmental category
2011	not disclosed	construction of pig farm for Slutsk Meat Processing in Slutsk District, Belarus (the Italian exporter's involvement reportedly ended before the project was completed)	less than SDR 20,000,000	A
2013	AgriGo Italia	construction of pig breeding complex for 1,200 sows with a 24,000 pig per year capacity in Bolshevik-Agro in Krivichi Village, Soligorsk District, Minsk Region, Belarus	less than SDR 20,000,000	A
2013	not disclosed, possibly FACCO	construction of Avangard's Avis ^{††††} poultry complex, which can house up to 3,000,000 birds at once (see Section 6.1.2)	SDR 21,990,000	A
2015	not disclosed	construction of two 100,000 capacity pig farms for Veles-Mit in Molodechno District, Belarus (See Section 6.5.1 below)	not disclosed	A

^{††††} Though the Avis complex is not explicitly mentioned, SACE received an application for insurance coverage in November 2012 for poultry breeding plant construction in the same Ukrainian town as the Avis complex.

Note that for the 2015 export credit guarantee above, the date listed is when the application was received.

6.5.1. Veles-Mit

The Environmental Impact Assessment of the Veles-Mit project in Molodechno District sparked controversy among local residents and non-governmental organisations and was the subject of a lawsuit. Despite having a year’s notice and receiving formal complaints about non-disclosure, Veles-Mit failed to provide sufficient information for the assessment to be completed before construction actually started.^{231,232} Eventually, Ekodom, a Belarusian non-governmental organisation, attempted to halt construction of the project through a lawsuit.²³³ When a group of environmental experts and organizations assessed the project details, they concluded it failed to meet Belarusian environmental standards.²³⁴ Nevertheless, the project eventually moved forward after a Presidential Decree.²³⁵

7. The European Union and Ukraine Association Agreement

The EU is among Ukraine’s most important commercial partners and accounts for more than one-third of its external trade. It is also its main source of Foreign Direct Investment.²³⁶ On 4 December 2012, the European Commission formally allowed imports of Ukrainian poultry, eggs and other products to the EU, opening the market for Ukraine’s top agricultural holdings.²³⁷ The import of class B eggs (used for processing, not as table eggs) and egg products from Ukraine has been permitted since 21 February 2013.²³⁸

On 27 June 2014, the EU and Ukraine signed the Deep and Comprehensive Free Trade Area (DCFTA) as part of a broader Association Agreement (negotiations began in 2008), but its implementation was deferred until 1 January 2016.²³⁹ As of 2 February 2016, all EU Member States had completed their ratification process except the Netherlands, which will hold a non-binding referendum on the Association Agreement in April 2016.^{240,241} There are a number of animal welfare components of the Association Agreement, including:²⁴²

Article 64	Ukraine shall “approximate” its animal welfare legislation to that of the EU and submit a comprehensive strategy of implementation within three months after the Association Agreement becomes enforceable
Article 404	Ukraine shall cooperate with the EU to “promot[e] modern and sustainable agricultural production, respectful of the environment and of animal welfare, including extension of the use of organic production methods ..., <i>inter alia</i> through the implementation of best practice in those fields”
Annex IV-B	animal welfare standards shall apply to “stunning and slaughter of animals,” “transport of animals and related operations,” and “farming animals”

Despite the language of the Association Agreement, recent instances indicate that there is not an organized effort to bring Ukraine's animal welfare standards in line with the EU's. Thus, while it is encouraging that the Association Agreement takes animal welfare into account, the current practices of IFIs with respect to Ukraine do not appear to support the intention of the Association Agreement. Ukraine's process of approximating its animal welfare standards to that of the EU is also hampered when farm animal housing equipment which does not comply with EU standards is exported to Ukraine from the EU and supported by ECAs of EU Member States, the instances of which are detailed in Section 6 above.

Further, while EuropeAid announced a EUR 1,000,000 grant to assist Ukraine in the implementation of EU sanitary and phytosanitary measures under the agreement, the focus was on transport and slaughter of farm animals, leaving aside their housing or rearing.²⁴³ In general, while compliance with EU slaughter and stunning regulations is a prerequisite for meat products to be exported into the EU, housing and rearing practices are not.²⁴⁴



Battery Cages / HSI

8. Conclusions and Recommendations

Despite growing opposition, international banks and export credit agencies of EU Member States continue to support agribusiness companies that fail to meet acceptable standards for the humane treatment of animals. HSI first brought these investments and credit practices to light in a 2013 report. While Agriculture Ministers and other policy makers within EU Member States have subsequently called for government supported investments to comply with the EU Farm Animal Welfare Directives, progress is still lagging.

International finance institutions, such as the World Bank Group's International Finance Corporation (IFC), have continued to fund large-scale animal agribusiness projects in countries like China, Russia and Ukraine, which fail to adequately safeguard or even report on animal welfare. Export credit agencies of EU Member States have supported the construction of farm animal production facilities and practices that would be illegal in the EU, including barren battery cages. Some of these agribusiness facilities export eggs and meat products into the EU, despite EU citizens' concern for animal welfare.

The EU and its Member States are in a unique position to change the landscape for farm animals across the globe by helping farmers and agribusiness companies in developing and emerging economies improve their animal welfare practices. Collectively, EU Member States constitute the largest shareholder in the World Bank Group, wielding significant influence over Bank policies, including the Safeguard Policies, the Environmental, Health, and Safety Guidelines, and the Performance Standards. These policies set the standard for public and private sector lending across the globe and impact tens of billions of animals. EU Member States also constitute the majority within the OECD, which sets the standards for export credit agencies through the Common Approaches.

In addition to meeting the ethical imperative to reduce animal suffering, the adoption of animal welfare standards by international lenders makes financial sense – for the recipient and the investor. As discussed in the IFC's Good Practice Note, “animals that are healthy, well-rested, and handled in a way as to prevent stress yield products of greater quality; using practices that prevent and control disease helps animal welfare and is economically beneficial.”²⁴⁵

Further, both global and domestic markets are poised to close for products produced without basic animal welfare standards. An expanding number of multinational food companies are phasing out the use of battery cages, sow stalls and other abusive practices from their supply chains for eggs, meat and milk. Throughout the world, governments – including in Asia, Latin America and Africa – have already adopted, or are considering adopting, farm animal welfare legislation in response to public concerns.

Many small farmers already practice extensive farm animal production and exceed good international industry practice. With proper support, the promotion of animal welfare standards could give these farmers a market advantage. Ultimately, all producers of animal products, from the smallholder farmer to the large agribusiness conglomerate, will benefit from a transition to more humane methods of farming.

Recommendations:

1. The World Bank Group should adopt binding animal welfare standards within the Safeguard Policies, Environmental, Health, and Safety Guidelines, and Performance Standards. These standards should be based upon and employ the IFC's Good Practice Note or Good International Industry Practice (specifically EU animal welfare standards), whichever is most stringent.
2. The OECD should adopt binding animal welfare standards within the OECD Common Approaches. These standards should be based upon and employ the EBRD's Environmental and Social Policy, the IFC's Good Practice Note or Good International Industry Practice (specifically EU animal welfare standards), whichever is most stringent.
3. EU countries should not grant nor support granting any investment capital towards agribusiness operations outside the European Union, unless they meet EU standards for animal welfare.

Humane Society International is one of the only international animal protection organisations working to protect all animals, including animals in laboratories, farm animals, companion animals and wildlife. Chetana Mirle, Ph.D., the Director of Humane Society International's Farm Animal department, can be contacted at cmirle@hsi.org.

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