



MODEL ANIMAL WELFARE ACT

– A Comprehensive Framework Law –

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World Animal Net



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For more about the Model Animal
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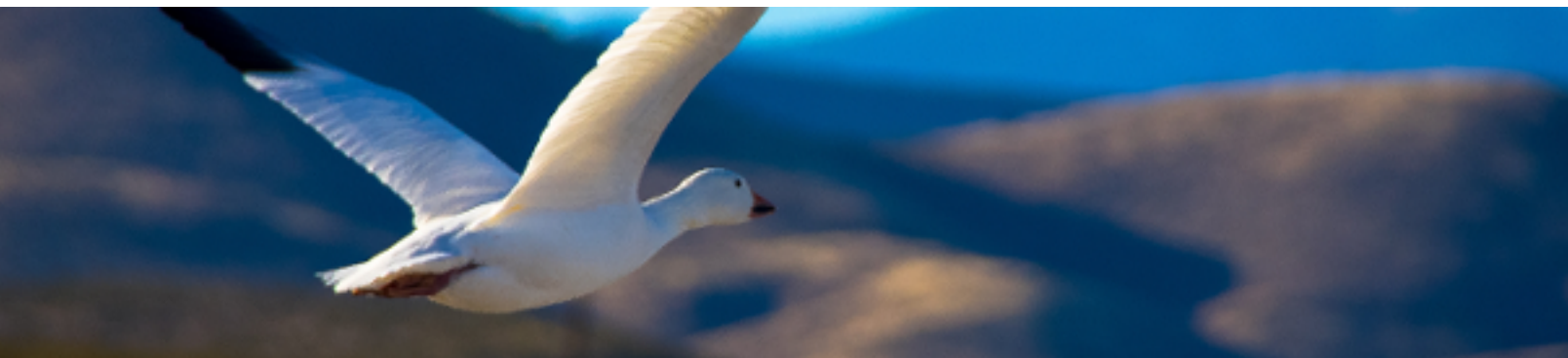
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MODEL ANIMAL WELFARE ACT

A Model Animal Welfare Act – Guiding Principles for Modern Animal Welfare Legislation, Proposal for the Wording of a New Animal Welfare Act, and Explanatory Notes

This Model Animal Welfare Act has been designed to serve as a basic template and guidance document for those interested in enacting new legislation or improving existing animal protection legislation. It has been drafted using an extensive comparative law exercise, taking into account 'best practice' in the field. Thus it is aspirational in nature; seeking to provide the best possible structures, systems and provisions to protect the welfare of animals. This may mean that countries which are just starting to establish animal welfare requirements might decide to introduce its provisions progressively. In such cases, a strategic approach (step-wise and prioritised) is recommended. This could also be considered in cases where countries already have structures, systems and provisions that have been introduced gradually over time, but remain less than optimal. The important principle is that each country works progressively towards the best possible protection for the welfare of its animal population, and indeed – as elaborated in the Three Rs approach – the eventual reduction and replacement of any uses of animals which compromise their welfare.

The purpose of this Model Animal Welfare Act is to function as an 'umbrella' or 'framework' law. Where a country has a federal system, it is recommended that it is introduced at national level (in preference to state, province or other regional levels). It represents an international unification and harmonisation of animal protection and welfare legislation, which can be adapted or modified – if the circumstances require – in Common Law as well as Civil Law systems. Elements of both legal orders have been considered and incorporated to achieve (as far as possible for the present day) a comprehensive, far-reaching and progressive approach to animal welfare legislation which takes account of the desired expedience when it comes to prevention of animal cruelty and abuse, establishing responsibility and the principle of care towards the animal, promoting the education and sensitisation of the population, as well as offering effective solutions for efficient law enforcement. This Model Act was created in order to govern people's behaviour, while other civil or religious legal systems may take a very different form (for example, be limited to 'codes' or 'edicts'). Nonetheless, elements of this Act can also be used for inspiration in creating, amending or interpreting these.

Disclaimer: The contents of this document do not constitute legal advice and are intended solely as general information and a reference. Use of this document in any manner does not at any time create an attorney-client relationship. As with any piece of model legislation, existing laws, regulations, or constitutional provisions may be impacted positively or negatively by the language in this Act, or may conflict with such provisions. Thus, to help ensure the greatest possible outcome for animals, if engaging in the actual drafting of legislation the language should be reviewed by local legal experts in consideration of the unique legal, political and social circumstances in each jurisdiction and adjusted accordingly.

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PART 1



GUIDING PRINCIPLES FOR MODERN ANIMAL WELFARE LEGISLATION – A BROAD OVERVIEW –

- I. Introduction
- II. Ethical Guiding Principles, Objectives and Targets
- III. Updating from a 'Prevention of Cruelty to Animals Act'
- IV. Proposed New Measures for Consideration

I. INTRODUCTION

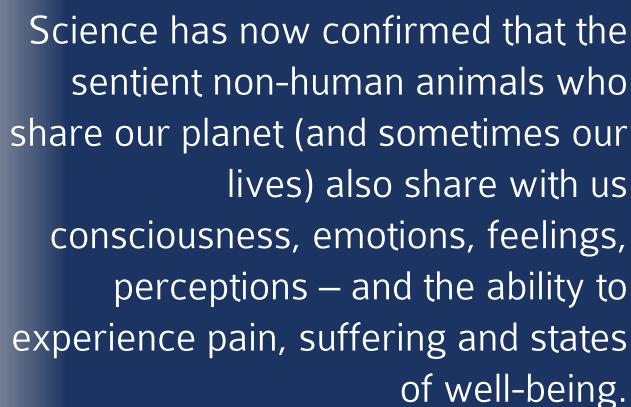
Developments in Animal Welfare and Science

Animal welfare is increasingly acknowledged as an issue of major ethical and practical importance. Science has now confirmed that the sentient non-human animals who share our planet (and sometimes our lives) also share with us consciousness, emotions, feelings, perceptions – and the ability to experience pain, suffering and states of well-being. They are not 'objects' or 'things', and have not been considered as such in this Model Animal Welfare Act (Model AWA). Just like us they have biologically-determined natures, instincts and needs which are important to them. This underlines the necessity to acknowledge each individual animal's intrinsic value, and the fact that every single animal is not only worthy of respect and care, but also deserves to live a life that is meaningful without unnecessary human exploitation or interference.

Greater scientific knowledge and awareness have increased understanding of the importance of animal welfare; and this in turn has moved it from a marginal local or national concern to become an important regional and international policy issue. Animal welfare is now not only debated in regional and international policy forums, but is also covered by a fast-growing body of internationally and regionally accepted science-based policies, standards, conventions, treaties, regulations, directives and agreements.

Developments in Animal Welfare and International Policy

Today the World Organisation for Animal Health (still keeping its historical acronym of OIE: 'Office International des Épizooties') is the global standard setting body for animal welfare. At the request of its Member Countries, the OIE has been mandated to take the lead internationally on animal welfare and, as the international reference organisation for animal health, to elaborate recommendations and guidelines covering animal welfare. Animal Welfare was first identified as a priority for the OIE in the OIE Strategic Plan 2001 – 2005. Since May 2005, the World Assembly of OIE Delegates (representing each OIE Member Country and Territory) has adopted a body of international animal welfare standards, which are published in its Terrestrial Code and Aquatic Animal Health Standards Code (Aquatic Code). These standards are regularly updated to take account of latest scientific findings. The OIE continues to develop standards and recommendations in new areas of importance to animal welfare. These standards have been agreed by, and should be implemented by, each OIE Member Country. The OIE is also spearheading the formulation of Regional Animal Welfare Strategies (RAWS) for the progressive development of animal welfare across the various geographical regions, and these can include the introduction/improvement of legislation.



Science has now confirmed that the sentient non-human animals who share our planet (and sometimes our lives) also share with us consciousness, emotions, feelings, perceptions – and the ability to experience pain, suffering and states of well-being.

The Food and Agricultural Organisation of the United Nations (FAO) is also active in the field of animal welfare, having established a portal called the 'Gateway to Animal Welfare' on its Web Site, which contains a wide range of information on animal welfare subjects. It also conducts thematic discussions and expert consultations, and has

worked on animal welfare legislation.

In terms of Regional Economic Communities (RECs), the European Union (EU) is the most progressive one in regard to including animal welfare in its sphere of policy work. Its activities in this area are based on the recognition that animals are sentient beings. An amendment to the constitutional basis of the EU, the Treaty of Lisbon, which came into effect on 1st December 2009, now includes this principle and made it a binding condition to 'pay full regard to the welfare requirements of animals' when 'formulating and implementing' policies in relevant areas (which are specified). This puts animal welfare on an equal footing with other key principles such as: gender equality, social protection, human health, combat of discrimination, sustainable development, consumer protection and data protection. The EU has developed an extensive body of animal welfare legislation which has improved animal welfare standards across the REC, and helped to harmonise standards within its 'internal market' (thus reducing competitive distortions). It is formulating a new EU Strategy for the 'Protection and Welfare of Animals', which will include the consolidation of its animal welfare framework, more action to support compliance (particularly in terms of enforcement; implementation systems; the development of best practice and expertise; and education and awareness) and international cooperation.

The EU has also contributed significantly to raising the profile and awareness of animal welfare at an international level – including through its collaboration with intergovernmental organisations such as the OIE and FAO; training and capacity building activities; and bilateral contacts (for example, including animal welfare in trade agreements with third countries).

Furthermore, these developments are not restricted to the 'Global North'. For instance, policy commitments to animal welfare are now also being developed across Africa – by important bodies such as the African Union (AU-IBAR) and some African Regional Economic Communities, as well as individual countries.

The Need for This Model Animal Welfare Act

These ethical, scientific and policy developments have led to many countries seeking to introduce or improve national animal welfare legislation. This Model Animal Welfare Act has been prepared to assist with this process. It has been formulated using a comparative analysis of the best available legislative models, precedents and advice; taking into account international standards and rules, and current knowledge based on animal welfare science and practical experience. It has also undergone an extensive consultation and evaluation procedure by international experts and institutions, which raised a multitude of helpful concerns and suggestions, all of which have contributed to the development of a deeply considered and more rounded proposal.

The most advanced modern animal welfare laws go beyond the traditional 'animal protection' or 'prevention of cruelty' statutes (which focus on protecting animals against human cruelty, i.e. deal with preventing acts of commission, as opposed to also including acts of omission). They are, in principal, now designed to meet the following three main requirements: to promote animal welfare, to prevent animal cruelty and to minimise the suffering of animals.

Furthermore, contemporary animal welfare legislation combines three core obligations. These are addressed to



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The population – The duty of care (thus fostering the keeper’s and handler’s sense of responsibility towards the animal and ensuring that hence not only commission but also omission is covered by the law);

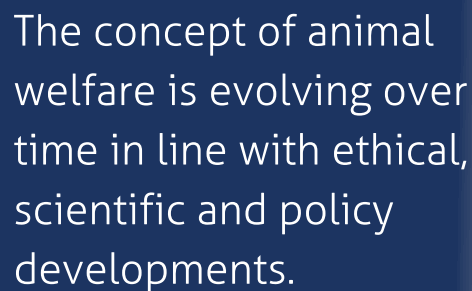
The state – The duty to create awareness, to inform, to educate and to support all issues of animal welfare; and

The authorities – The duty to effectively enforce the laws.

Defining Animal Welfare

The concept of animal welfare is evolving over time in line with ethical, scientific and policy developments. It is now more complex and developed than in early days when it was considered only in relation to absence of cruelty

or ‘unnecessary suffering’. Meanwhile it is generally defined using a number of concepts including: sentience; needs, interests and emotions; physical, mental and natural states (‘telos’); and the five freedoms. This Model Animal Welfare Act takes account of these contemporary concepts of animal welfare, and is predicated on the belief that animals should have a good quality of life (enjoying physical, mental and emotional well-being; including the ability to live meaningful and natural lives, where they are able to meet their species-specific and ethological needs and



The concept of animal welfare is evolving over time in line with ethical, scientific and policy developments.

behaviours) and a humane death.

The definition of animal welfare currently used by the OIE is:

“Animal welfare means how an animal is coping with the conditions in which it lives. An animal is in a good state of welfare if (as indicated by scientific evidence) it is healthy, comfortable, well nourished, safe, able to express innate behaviour, and if it is not suffering from unpleasant states such as pain, fear, and distress.”

“Good animal welfare requires disease prevention and appropriate veterinary treatment, shelter, management and nutrition, humane handling and humane slaughter or killing. Animal welfare refers to the state of the animal; the treatment that an animal receives is covered by other terms such as animal care, animal husbandry, and humane treatment.”

The OIE has ‘Guiding Principles for Animal Welfare’, which were included in its Terrestrial Animal Health Code from 2004. These categorically state that: ‘The use of animals carries with it an ethical responsibility to ensure the welfare of such animals to the greatest extent practicable.’

The Five Freedoms

Also included amongst the OIE’s Guiding Principles are the internationally recognised ‘Five Freedoms’ which were originally published by the UK’s Farm Animal Welfare Council (FAWC) in 1979 (although they originated in the ‘Brambell Report’, which dated back to 1965), and have been adapted slightly since their formulation. These are as follows:

1. **Freedom from Hunger and Thirst and Malnutrition** – by ready access to fresh water and a diet to maintain full health and vigour;
2. **Freedom from Fear and Distress** – by ensuring conditions and treatment which avoid mental suffering;
3. **Freedom from Physical and Thermal Discomfort** – by providing a suitable environment including shelter

and a comfortable resting area;

4. **Freedom from Pain, Injury and Disease** – by prevention or rapid diagnosis and treatment; and
5. **Freedom to Express Normal Patterns of Behaviour** – by providing sufficient space, proper facilities and company of the animal's own kind.

The 'Five Freedoms' provide valuable guidance on animal welfare needs; and they cover all three of the states identified above (physical, mental and natural states).

As a complement to the Five Freedoms, 12 criteria for the assessment of animal welfare have been identified by the Welfare Quality Project (WQP), a research partnership of scientists from Europe and Latin America funded by the European Commission. The WQP aims to develop a standardised system for assessing animal welfare – a system that would be implemented in Europe – and more generally to develop practical strategies and measures to improve animal welfare (Welfare Quality, 2009).

The 12 WQP criteria for the assessment of animal welfare are

1. Animals should not suffer from prolonged hunger, i.e. they should have a sufficient and appropriate diet.
2. Animals should not suffer from prolonged thirst, i.e. they should have a sufficient and accessible water supply.
3. Animals should have comfort around resting.
4. Animals should have thermal comfort, i.e. they should neither be too hot nor too cold.
5. Animals should have enough space to be able to move around freely.
6. Animals should be free of physical injuries.
7. Animals should be free of disease, i.e. farmers should maintain high standards of hygiene and care.
8. Animals should not suffer pain induced by inappropriate management, handling, slaughter or surgical procedures (e.g. castration, dehorning).
9. Animals should be able to express normal, non-harmful, social behaviours (e.g. grooming).
10. Animals should be able to express other normal behaviours, i.e. they should be able to express species-specific natural behaviours such as foraging.
11. Animals should be handled well in all situations, i.e. handlers should promote good human-animal relationships.
12. Negative emotions such as fear, distress, frustration or apathy should be avoided, whereas positive emotions such as security or contentment should be promoted.

The WQP criteria offer a useful framework for the development of legislation in line with international animal welfare principles. They have built on the Five Freedoms, developing more concrete and specific guidelines which may be more easily measured in practice (and particularly useful for legislative enforcement).

The 3Rs

The OIE's Guiding Principles for Animal Welfare also include the internationally recognised 'Three Rs' (3Rs) which provide valuable guidance for the use of animals in science. These are as follows:

1. **Replacement of animals with non-animal techniques,**
2. **Reduction in numbers of animals, and**
3. **Refinement of experimental methods.**

However, these should, in principle, additionally be applied to all commercial uses of animals where there is any doubt that all the welfare needs of the animals can be met, in which case the wording would need to be amended appropriately.

Together these important principles contain the fundamental precepts of animal welfare and protection, and currently form the foundations of various animal welfare policies, including those of the European Union.

One of the 'General Principles' of the 2008 Policy of the World Society for the Protection of Animals (WSPA), now World Animal Protection, was: "WSPA believes that where the welfare of an animal under human control is in question, then the animal must be given the benefit of any doubt. Furthermore, the different purposes for which animals are used must be regularly re-evaluated." This clearly promoted the 'precautionary principle' as regards any animal use. Furthermore, the Policy stated that "... where the needs of a species cannot be met, the species must not be kept by humans."

Creation and Modification of Animal Protection Legislation

As regards primary legislation, a national framework Act is needed which establishes the ethical basis and firm guiding principles which would underpin all subsequent secondary legislation, codes of conduct and guidance. In concrete terms, regulations should be used as the main means of placing these principles into practice for each specific area of animal use/concern. These could be supplemented, as necessary, by codes of conduct and guidance (in particular where extensive specialist input and/or further detailed guidance and interpretation for users are needed).

This approach will facilitate the inclusion of future international animal welfare standards (and subsequent improvements) as well as of additional areas where the welfare of animals needs to be re-codified.

It is important that these provisions do not remain static and fixed in time, but continue to be developed in response to the rapidly-occurring changes in our state of knowledge (including scientific progress) and evolving values on animal welfare.

The general principles reflected in the Animal Welfare Act should apply to national policy 'across the board', and so also be reverberated in other national policies which deal with issues affecting animals and their welfare.

There are also general requirements in relation to modern animal welfare legislation: This should be comprehensive and precise as well as clearly worded, progressive, powerful and forward-looking, efficacious and executable as well as adapted to the particular needs and challenges of the country in question. Dedication and commitment are certainly key factors which have to be firmly embedded in the new legislation as well, by manifesting an open-minded, ethically founded, compassionate and progressive approach to the subject along with the willingness of a government and a nation to accept their duties and responsibilities to their fellow beings.

Furthermore, the Animal Welfare Act should go beyond practical measures intended to improve the welfare of animals, and aim to develop a deeper and broader based humane ethic as well as a 'culture of caring' in society. This will be beneficial for society, people and animals.

II. ETHICAL GUIDING PRINCIPLES, OBJECTIVES AND TARGETS

Ethical Principles

This Model Animal Welfare Act will be based on the concept of a developing ethic of care and respect for animals throughout society; in terms of both practical care and protection of animals, and humane attitudes. This is considered an ethical imperative given present knowledge that the animals who share our world are living and sentient beings with an intrinsic value; and biologically determined natures, instincts and needs.

The main reasons for introducing animal welfare legislation should be grounded on this ethical approach. This means recognising and appreciating the need for reverence for life, and comprehensive practical care and protection. In cases where these ethical prerequisites are subjected to review – for example, in order to take account of the latest scientific evidence and/or important societal and economic needs – it is important that the authorities are clear about any potential impact on animal welfare (including relevant international and regional obligations), and are able to document any subsequent decision to override animal welfare considerations.

The lives of humans affect those of our fellow animals – both directly and indirectly – in many different ways. We know that animals experience pain and suffering, and that they have the potential to experience states of well-being. We also know that they have needs, interests and emotions which are important to them. Our actions can influence an animal's physical and psychological well-being; integrity and dignity as a creature; freedom; and even its life. Thus humans have a clear moral duty to provide for the welfare, and to protect the lives of other animals.

Animal welfare goes beyond the conservation of a species, as it includes care for the well-being of each individual animal in its own right. This is why the objective purpose and specific function of this Act is to protect all animals; meaning every animal as an individual without distinction. The single most important consideration in drafting any animal welfare law is its scope, and this Model AWA is no exception. As a forward-looking model, the authors have the responsibility to make this scope as far-reaching as possible. Yet we are hampered by the current state of science on the 'sentience' of individual animal species. We tend towards the view put forward in the 'The Cambridge Declaration on Consciousness' proclaimed on 7 July 2012, that many non-human animals share consciousness with humans. We also feel that as science progresses, far more animals will be shown to be sentient than has been imagined. In reality, all animals may well be sentient, but this will be difficult, if not impossible, to prove categorically. Thus, whilst it appears practical to restrict the scope of this Model AWA to sentient animals, we do not feel that this would do justice to the animals, as it will inevitably leave many sentient beings outside its scope and protection (whilst science plays 'catch-up' with actuality). Although the 'precautionary principle' can be applied theory, this is difficult to get right in practice (especially in enforcement and when needing proof in a court

of law). We have, therefore, decided to include all animals within the scope of this Model AWA, but to grant particular emphasis and special care on sentient animals by focussing the sanctions (see Chapter 6) on sentient animals. (See also Section 2 and Section 4 of the Model AWA, plus corresponding Explanatory Notes).

Objectives and Targets

The introduction of modern animal welfare legislation enables a country to align its laws to international levels, including the incorporation of international and regional standards and provisions, ensuring international acceptance and regard. This can even present the opportunity to establish a new benchmark by realising a distinct and far-reaching improvement and advancement in the field of animal welfare.

An animal welfare law also provides an opportunity to prevent acts of animal cruelty and abuse, which diminish humans and can contribute to a violent and aggressive society. Indeed, a commitment to move away from animal cruelty to protect animal welfare is a statement reflecting the moral, cultural and social integrity and maturity of a nation and its people.

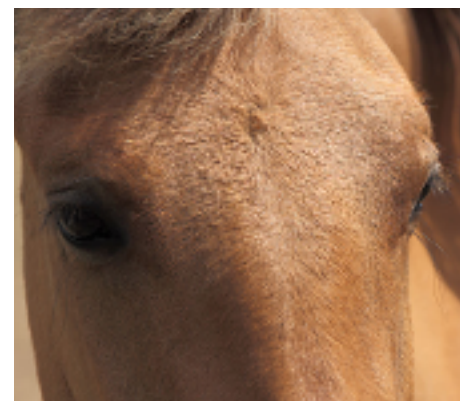
The proposal submitted here is designed as a precedent-setting framework law on a national level, giving the concrete outline of the statute which then will eventually find its substantive realisation on the tier of secondary (or so-called delegated or subordinate) legislation [and, as appropriate, codes of conduct and guidance]. In this manner, the law itself will contain general principles and 'core obligations'. This will ensure comprehensive legislation, with a coherent and consistent approach to animal welfare across all sectors. It will also ensure that animal welfare structures and general principles apply whilst detailed secondary legislation [and, as appropriate, codes of conduct and guidance] are being elaborated.

As stated above, in regard to secondary legislation it is recommended that regulations be used as the main means of placing these principles into practice for each specific area of animal use/concern. In addition to the power to introduce these detailed regulations, the individual sections will vest the Ministry or the competent Administration Authority (including Municipalities, where appropriate) with the warrant to issue codes of conduct and guidance to either regulate certain topics and areas of the relevant subject, set specific standards, or provide more detailed guidance for users and/or enforcement officers. Any secondary legislation, as well as codes and guidance, has to be drafted in consistency with the Act. This will avoid a proliferation of statutes, and provide a flexible approach whereby additional by-laws can be elaborated which complement and supplement the precepts. In this way the authorities can make amendments as opportune – for example, to take account of new scientific findings; changing societal attitudes and values; or the addition of international or regional standards or provisions which are of benefit to animals and need to be incorporated into national law. It will also make it possible to react swiftly to any new animal welfare challenges that might arise.

The moral values of a nation are supposed to be reflected in its legislation. However, it is recognised that in some countries the importance of animal welfare may not yet be ingrained in society. Moreover, improvement is needed even in countries where animal welfare is more highly prioritised. For these reasons, the ultimate ambition of this Act is to change this situation over time; through proactive measures to change the mind-set



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and ethic in the broad population to appreciate animals as sentient fellow-beings deserving of respect and care. Indeed, this change is needed to ensure the co-operation and support of the community for this new regulatory system providing for the welfare of animals.

Inclusion of animal welfare in the Criminal Code or Penal Code of a country might be considered a more impressive deterrent than a dedicated Animal Welfare Act. However, including all criminal offences against animals in one single body of law has a number of clear advantages. One dedicated Act will be comprehensive, compact and user-friendly. This is important as animal welfare legislation is not only addressed at the legal profession and government agencies, but also targets the general public as its main audience: They will have to conform to the law and thus will need to explicitly understand what is expected of them in this context.

This approach is in particular an option if no substantial animal welfare and protection provisions have already been introduced in a country, thus embedding new legal measures in this context might allow for a consolidated compendium of laws. If already a complex and detailed system of statutes including those with pertinent animal welfare relevance is in place, the Model AWA is aiming at complementing, supporting and strengthening the existing codes and regulations including any penalty schemes, especially in jurisdictions which permit the co-existence of penalties in various codes, i.e. for instance the animal welfare and penal codes. In this case usually a subsidiary clause would come into effect to warrant the *ne bis in idem* principle.

III. UPDATING FROM A 'PREVENTION OF CRUELTY TO ANIMALS' ACT

'Prevention of Cruelty to Animals' Acts Are Outdated and Inadequate

Some countries do not yet have any animal welfare legislation. Many others, particularly 'developing' countries, only have traditional 'Animal Protection' or basic 'Prevention of Cruelty to Animals' Acts. Some of these were introduced by former colonial powers, and often have not been revised since. These are now outdated and inadequate in terms of legal content, as well as ethical perspective. Although they provide basic protection against certain kinds of cruelty, mistreatment and (occasionally) neglect, they do not include an extensive legal set of principles or guidelines to safeguard animals from suffering and exploitation. They often do not include any prohibitions on the use of animals (for any purpose – no matter how harmful), no 'duty to care' for animals, nor any proactive provisions to develop an 'ethic of care'. In short, they are a narrow safety net designed to catch a limited range of specific acts of cruelty against animals (and often only a limited number of species of animals are covered). Furthermore, many sanctions can be deficient and penalties outdated, making even this safety net ineffective.

The Need for a More Comprehensive Approach to Animal Welfare Legislation

Over the years since these basic anti-cruelty laws were passed, a plethora of enhancements have changed the landscape of animal welfare legislation worldwide, sometimes in quite substantial ways. These have included not only a number of updated criteria concerning the ethical and moral foundations of animal welfare provisions and a very different perspective of the animal's position in society and in our lives; but also significant developments in animal welfare science and international policy. Within society, we have seen the progressive development of the sense of responsibility and willingness of populations to show compassion and care towards animals. These changes at various levels – individual, societal, ethical, scientific and political – have found expression in new laws providing a more considered, forward-looking, and comprehensive approach to animal welfare.

Even a summary comparison between these basic traditional 'Animal Protection' or 'Prevention of Cruelty to Animals' Acts, and some of the more modern and progressive animal welfare laws (for example, those of Austria, Germany, Croatia, New Zealand, Norway, Tanzania and the UK, to name just a few) illuminates the short-comings of the former. These inadequate and outdated laws simply fail to provide either a 'duty to care' governing human

conduct or justice for our fellow animals.

There are other sound reasons, beyond changing values and international obligations, why countries with outdated animal protection or anti-cruelty laws are now seeking to replace these with modern, comprehensive animal welfare legislation. These include: international reputation, economic interests (e.g. to meet changing consumer and trade requirements), health (meeting human and animal health requirements), and protecting the country's fauna heritage (from exploitation and damage).

IV. PROPOSED NEW MEASURES FOR CONSIDERATION

Implementation of the Model Animal Welfare Act

As a discipline, animal welfare law is a relatively young sector of the law which is currently experiencing significant and far-reaching changes. This provides great scope for the introduction of new considerations and perspectives in order to influence the future development and execution of this field of juridical expertise. This means undertaking thorough research and analysis of all the different requirements linked to the field, as well as integrating the latest legal, policy, scientific, ethical and practical advancements. This Model Animal Welfare Act has followed this approach, seeking to spare busy legislators from some of this lengthy background research.

In order to introduce major improvements in their animal welfare legislation, countries will need vision, commitment (to doing what is just and right), courage (to break fresh ground) and endeavour (the hard work needed to pass and implement legislation).

The absolutely perfect 'model' law is – admittedly – not achievable. This Model Animal Welfare Act can be used as a guide, but it will need to be adapted to take account of each country's national situation (including its legislative procedures and provisions, socio-cultural situation, and specific animal welfare issues). However, with this approach countries will have the opportunity to design modern, comprehensive animal welfare legislation on a very high level.

Ideally, the recognition of an animal as an individual sentient being and the obligation to respect and protect animals as fellow-creatures should be firmly embedded within the entirety of the juridical system of every country.

The Constitution

This task should preferably commence with the embodiment of key principles and responsibilities in the respective constitutions (as are increasingly being introduced in many countries across the world), thus establishing the foundations for comprehensive and effective care and protection of the animal by the state.

At the very minimum, a constitutional provision on animal welfare and protection should include

- Recognition that animals are sentient beings with an intrinsic value;
- An explicit commitment/pledge of the Country/State/Government to prioritise animal welfare (as for instance a state objective); and
- Where a country has a federal system of government, recognition in the constitution that animal welfare legislation is a matter of federal legislative power.

The following further provisions are also highly recommended to be manifested in the constitution directly or otherwise at least on statutory level that

- Require the government and the citizens at all times to consider animals with respect, and treat them with compassion; safeguarding their welfare and protecting their intrinsic value;
- Require the government to introduce laws and enforcement structures so as to afford animals the highest level of care and protection; and
- Require the government to develop and support humane education programmes to encourage respect and compassion for people, animals and the environment, and the recognition of the interdependence of all living beings.

Policy

Another identified need is the early introduction of a national policy/strategy on animal welfare. This will provide the government with greater detail on the ethical basis of its animal welfare work, and chart a course that it can follow for the proactive development of measures to improve animal welfare and educate and inform stakeholders and citizens. The advantage of formulating an animal welfare policy/strategy at an early stage is that this clarifies the work that has to be undertaken by the government, so the necessary structures, systems and expertise can be developed to deal with this task (indeed, these will be needed before legislation can be considered and drafted, let alone implemented). Simultaneously setting goals, as well as a time-frame for reaching individual objectives under these, is imperative. Governments often attempt to draft animal welfare legislation before they have the necessary policy structures and expertise available, leading to inadvertent mistakes and ineffective provisions which subsequently require amendment.

The following would need to be incorporated in any animal welfare policy/strategy, as a minimum:

- **The Ethical Basis for Animal Welfare Policies/Laws**

Philosophical beliefs: including those based on science, culture, religion and societal values. Whereby recognition of sentience must be featured as a basic precept.

- **Any Regional or International Requirements**

Including the OIE's international animal welfare standards and any other applicable international or regional standards; agreements or provisions.

- **Future Plans for Animal Welfare Legislation**

Including plans to develop a modern, comprehensive framework act, supported by secondary legislation, and – as applicable – codes of conduct and guidance, including a timeframe for regular reviews. [Likewise, schemes to progressively develop animal welfare in key areas, following the 3Rs principles (for all uses of animals, not just experimentation), including the eradication of factory farming systems such as battery cages, veal crates, sow stalls, farrowing crates etc.]

- **Government Structures and Enforcement Systems**

Including plans to develop government structures and enforcement systems which are able to deal effectively with animal welfare policy administration and enforcement. This will need to identify the lead government department and bodies to be involved in enforcement; formulate plans to develop an effective animal welfare committee; establish what more is needed to strengthen systems, procedures and staffing – including expertise/training; and funding provisions for animal welfare policy, programmes, education and enforcement.

- **Knowledge and Skills on Animal Welfare**

Including plans to improve knowledge and skills on animal welfare where most needed, e.g.: drivers of change (including OIE Delegates and AW Focal Points), policy officials, enforcement officers, veterinarians, animal owners and keepers, farmers/farmers groups, traders, transporters and handlers. This would include building national

animal welfare science programmes and capacity building/training and guidance for animal welfare; and could be carried out in conjunction with extension services, development partners and NGOs.

- **Research and Development**

Including the collection and dissemination of good practice: pilot projects, case studies and research (within and outside of the region) – thus facilitating the application of nationally appropriate best practice. This should include the collection and use of indigenous knowledge on animals and animal welfare. It would also include information on subjects such as the use of alternatives to animal experiments. Research conducted by independent scientists should be used, as opposed to research performed by scientists commissioned or funded by animal industries.

- **Education and Awareness**

Including the incorporation of humane education/animal welfare education into existing school programmes; the development of animal welfare in further and higher education (for example veterinary universities and agricultural colleges); and the development of clear consumer information, and communication and public awareness strategies for the broader public (including through mass media). This could incorporate the use of international days – such as World Animal Day, World Wildlife Day and World Rabies Day – for public awareness events and activities.

- **Mainstreaming Animal Welfare**

The integration of animal welfare into relevant sectoral and cross sectoral policies and programmes (including poverty reduction, livelihoods, agriculture and fisheries, transport, trade, science and research, health/safety, rabies control and environment).

- **Monitoring and Evaluation**

The establishment of systems for monitoring and evaluation of progress with the implementation of animal welfare legislation, including robust systems for monitoring compliance with animal welfare legislation (which would include OIE standards): Such systems to always be independent of animal industries, in order to avoid any conflict of interest. Also, mechanisms to monitor enforcement and collate feed-back on animal welfare problems (for corrective action on the root of problems). Plus systems and processes for the ongoing review of ethical, scientific and practical as well as also international developments in the field, and analysis of the policy and legislative enhancements needed to take account of these.

Competent Authority

One common fundamental problem is where to site the animal welfare remit, i.e. which government department should be given the lead responsibility for animal welfare? Traditionally, animal welfare is located within the Ministry of Agriculture. This arrangement can lead to a clash of interests, i.e. with animal welfare being pitted against competing interests being dealt with in the same department, such as: political, economic, production, land use, science/research etc. In such cases, there is a danger that animal welfare objectives would lose out to human-centred or economic considerations, regardless of any (more altruistic) moral imperative.

Therefore some animal welfare experts promote the idea of a separate ministry for animal welfare affairs. However, such a Ministry is probably more likely to have little power in government. Thus it may be preferable for a separate independent department to be created within a sympathetic ministry.

Another important consideration is where the necessary expertise resides. The OIE, which has now been accepted as the international lead organisation for animal welfare, has national Delegates from each of its member countries. These overwhelmingly come from the national Ministry of Agriculture/Veterinary Services. As animal health is an important component of animal welfare, veterinarians will have a strong professional interest in animal welfare.

So, a country may decide to site animal welfare in the Ministry of Agriculture. However, where this is done, it is essential that measures are taken to avoid any conflicts of interest or ethos.

Another question of competence which frequently arises is that of wildlife welfare. This is often sited under the Ministry of the Environment. In this case, there are (at least) two separate Ministries dealing with wildlife welfare and animal welfare more generally. This can create difficulties whereby different approaches to welfare are adopted by each Ministry, meaning that animals are treated differently depending on the category they fall under (wildlife and other, in this case – so, for example, game animals kept for farming may have much laxer welfare requirements than wild game/game kept in wildlife reserves). This is clearly not equitable, given the uniform ethical principles underlying animal welfare policy and law. It is preferable to have one department leading on animal welfare across the board, so it can establish sound and coherent welfare principles and policies for all animals, and build animal welfare expertise across the board. But if a country does decide to site wildlife welfare under a separate Ministry (e.g. Environment), then it needs to establish procedures to ensure a consistent humane ethos and practical approach in each Ministry.

Occasionally other aspects of animal welfare are sited under other Ministries – for example, live animal transport may be placed under a Ministry of Transport or animals used in science and research under a Ministry for Science and Technology. This raises similar concerns to those discussed above in relation to wildlife, and the same recommendations would apply.

Another option, which has been used by some countries, is to embed the animal welfare remit under a ministry that has no involvement with any animal issues (i.e. covers no issues involving the commercial exploitation of animals). For example, Denmark placed its animal welfare department under the Ministry of Justice at one stage, but this brought a problem with expertise (the practical result of which was that policy staff from the Ministry of Justice had to be supported by veterinary experts at relevant EU/Council of Europe animal welfare meetings). In this case, the remit has now been moved to the Danish Ministry of Food, Agriculture and Fisheries.

Each government will have to make its own choice from the above options, and this will depend largely on its existing government structures and seats of expertise. Situations, needs and practicalities will differ from country-to-country. However, it is paramount that the responsible government agency builds the political will, systems and procedures necessary to administer this important remit. This also means building the values, principles and expertise which will equip it to champion animal welfare throughout government.

The Ministry in charge of the remit will need to place substantial political importance and significance to this subject, and be prepared to allocate to it the necessary staff, resources and political support. It will need to ensure that it is viewed as a strong moral imperative, of value and relevance in its own right, and not a marginal issue to be disregarded when other (vested) interests are at stake. The officer in charge must be willing to dedicate considerable energy and commitment to the task, and to be a strong advocate for the cause, promoting this throughout government and society more broadly.

This is not so much a legal problem as a political and administrative one: Relatively easy to overcome if the political support and commitment is present.

Involved Parties

It should be noted that only legislation which is widely considered just and equitable can ultimately be enforceable and effective. Thus it would be advantageous to invite all stakeholders – who may be affected by the law in any way – to participate in consultations about this Act and any subsequent secondary legislation, [and codes of conduct and guidance]. The aim should be to provide all stakeholders with the opportunity to examine and discuss the legislation from the early stages of formulation, in order to eliminate any potential areas of conflict. Where feasible, consultations should include face-to-face meetings, as well as written representations, as this provides stakeholders with the opportunity to interact and gain an understanding of the (often competing)

needs and interests of other groups of stakeholders.

There will be various categories of stakeholders and concerned parties which will need to be consulted by the legislative body right from the start of the decision-making process. These will include (but not be restricted to) the following:

- **Official Bodies**

This would include all relevant Ministries (the Lead Ministry should invite all who cover issues where animal welfare would be a consideration and others with a broader interest, such as the Ministry of Education and the Ministry of Justice) and the State Veterinary Services; enforcement authorities (such as the Police); and regional and local government (including Municipalities, which are often responsible for stray management work). *(The Veterinary Services are likely to be the leading official professionals in this field. The Police can be particularly challenged by the task of enforcing the law, and need to be involved and informed to develop their understanding and commitment to the task. The Ministry for Education, on the other hand, is relevant as regards the need for education and awareness; including the incorporation of animal welfare as an integral part of the national curriculum and its inclusion in relevant further and higher education courses.)*

- **Animal Professionals**

This would include veterinarians and other professionals working with animals, such as animal behaviourists and animal welfare scientists/researchers. Such professionals should be independent of animal use industries, to prevent any conflict of interest.

- **Trade/Industry Representatives**

Bodies representing commercial interests such as: farmers; breeders; fisheries; fish and meat product producers; transporters of live animals; slaughterhouses; animal research and testing bodies; companies using animals for shows, exhibitions, competitions, entertainment or leisure; users of animals for work; boarders; and shops and marketers of animals and animal products. (The latter would include supermarkets.)

The incorporation of trade/industry representatives ensures that the resultant legislation is practical. However, their representations should be taken in the context of their known vested interests, and carefully weighed against moral imperatives.

Other branches of industry which might only be touched indirectly by the consequences of the law should also be invited to take part in consultations – such as the tourist trade (which could profit from efficient animal welfare statutes enhancing the international repute of the country in this particular respect).

- **Non-Governmental Organisations**

This would include both animal welfare organisations (NGOs dealing specifically with animal welfare issues) and other NGOs working on broader issues related to animals (such as the environment, farming or development). Other NGOs may need to develop their understanding of animal welfare, and the legislative provisions, in order to ensure that their work takes account of this new dimension.

- **Consumer Groups**

This would include any relevant consumer interest groups.

- **The Public**

The public should be involved in any legislative consultations, as the Act confers certain obligations upon them (including a 'duty of care').

- **Animal Welfare Committee**

An Animal Welfare (and Ethics) Committee/Council should be formed at the earliest possible stage to assist the government during the process of compiling the content and wording of the law. This Committee/Council should

consist of a proper balance of members from the fields of animal welfare, animal use, animal care, professionals (veterinarians and animal behaviourists) and scientific experts, as well as neutral representatives, including ethicists (it is vital that professional ethical expertise is utilised, and is recommended that ethical training is given to all members). Expertise from all animal welfare issues should also be called upon, and consideration given to constituting sub-groups for each major issue category.

Designation of the Law

Two alternative designations are suggested for a modern, comprehensive animal welfare law: either 'Animal Welfare Act' or 'Animal Protection Act'. In principle, both the terms 'animal protection' and 'animal welfare' signify that animals are afforded protection under the law. However, 'animal protection' puts the main emphasis on the element of protection, i.e. defence against endangerment, violence and assaults (including cruel treatment and acts that cause pain or suffering); whereas 'animal welfare' also incorporates the concept of care, consideration and circumspection with regard to the individual animal. 'Animal welfare' is about ensuring that an animal is in a state of overall well-being, which is a condition of physical, mental and emotional harmony and includes the ability to live naturally and to meet all species-specific and ethological needs. Thus, in our view, 'animal welfare' is the more comprehensive and attentive definition, with 'animal protection' regarded as an integral element of 'animal welfare'. Consequently, we feel the designation 'Animal Welfare Act' to be preferable as a more accurate, precise and suitable description (see Section 1 of the Model AWA). Alternatively, it would be considered absolutely acceptable to use the designation 'Animal Welfare and Protection Act'.

Another consideration is that accustomed terminology will differ from country-to-country. In countries where the concept is relatively new, the term 'animal welfare' is more common, deriving from the OIE and/or scientific work in this field. In other countries, either the term 'animal welfare' or the term 'animal protection' may have already evolved in popular use. However, another reason we have used the designation 'Animal Welfare Act' is because we feel it is more widely used and better reflects the current international policy and scientific environment.

Clearly the designation 'Prevention of Cruelty to Animals Act' would be unsatisfactory and misleading for a modern, comprehensive law.

Content of the Law

The legal target for a modern and progressive animal welfare law should be the regulation of all areas where humans have the potential to affect the lives or welfare of animals, ensuring their humane treatment and care. It should also cover the progressive development of a broader based humane ethic and 'culture of caring' in society.

To achieve this coverage, definitions are of utmost importance. Acts of commission, as well as omission, must be encompassed in the statutes. Also, a 'duty of care' has to be a prominent theme, reflecting the characteristics and requirements of individual animals.

Ideally, the Animal Welfare Act should, as a framework act, cover all aspects of animal welfare. In addition to general provisions covering all animals, this would include all major categories of animal issues:

- Companion animals (pets) – including stray dog and cat management;
- Animals kept for farming purposes – including fish farming – as well as animal transport and killing/slaughter;
- Animals used for experimentation – including science, research and testing;
- Wildlife – including 'pest' control, and animals in zoos/aquaria;
- Animals used for work; and
- Animals used for sports, leisure or entertainment.

It is important to include all aspects of animal welfare, even those which have been separately covered in the past

(as is often the case with wildlife or stray management). This is because there must be a coherent and consistent approach to animal welfare across all sectors. The Model Animal Welfare Act has, therefore, established general guiding principles and rules ('core obligations') covering all areas of animal welfare.

The Animal Welfare Act will also vest the Ministry or Competent Authority with the powers to issue secondary legislation. This is particularly important for areas where specific animal welfare problems have been identified, or where abuse and infringements have been found.

In addition the Act will also warrant the Ministry or Competent Authority with the powers to enact supplementary codes of conduct and guidance to enable them to provide detailed guidance and interpretation for users and/or enforcement bodies, as necessary. This will give the relevant authorities the flexibility to meet new and emerging needs (for example, in response to new technologies which may affect animal welfare), and to provide any additional specialist input and advice considered necessary.

The powers to issue delegated legislation as well as supplementary provisions will not only cover specific areas of animal welfare concern, but also major areas of work needed to develop a broader based humane ethic and 'culture of caring' in society.

These would include

- Development of knowledge and skills on animal welfare issues (including training/capacity building and guidance);
- Development of education (including programmes in schools, further and higher education) and public awareness;
- Research and development work for animal welfare (including animal welfare research; and the collection and dissemination of good practice); and
- Development, support, promotion and encouragement of non-profit animal welfare organisations.

Ideally, this Act should supersede or take precedence over all other legislation with which it may conflict. However, particular care should be taken to ensure that: it provides for the introduction of higher level provisions in the future (for example, to meet international standards, and/or to upgrade animal welfare standards following scientific or ethical advances); does not supersede any laws or provisions which provide greater protection for animal welfare; and will not conflict with any existing constitutional provisions.

It is recommended that a review is carried out of all other Acts and laws involving animal issues, to ensure that there is conformity and a solid platform for a progressive approach. This review should identify all laws that require amendment and/or where provisions should be repealed and integrated into the Animal Welfare Act. Acts which may need revision, rather than combination, would include measures covering areas such as animal health and disease control (which may impact on animal welfare, but be directed at other specific purposes).

Structure and Segmentation of the Law

The structure and composition of animal welfare laws worldwide vary greatly, with diverse priorities, perspectives and approaches. As already addressed briefly in Section II, this present suggestion is based on the concept of a framework law which establishes the ethical basis and firm guiding principles which would underpin all subsequent subordinate or secondary legislation. The framework law should provide overall 'guiding principles' for animal welfare, and also identify core animal welfare issues which need to be regulated, establishing guiding principles for each issue. Then, it should supply the powers for the authorities to enact these principles in secondary legislation [and, as appropriate, 'Welfare Codes', standards and guidance].

It is recommended that detailed substantive provisions are dealt with in regulations, supplemented by 'Welfare Codes', standards and guidance whenever necessary. For this purpose no additional legislative measures are needed, as all these aforementioned aspects would be covered by the power directly delegated to the Ministry or

Competent Authority respectively through the Animal Welfare Act itself.

It is essential that any 'Welfare Codes' and standards are developed in accordance with the Animal Welfare Act, and any breach of these is taken to be a breach of the subject Act. Thus it is imperative that any Welfare Codes and standards (or amendments to these) are disseminated and well publicised. It should be borne in mind that 'Welfare Codes' and standards may be developed and amended outside of parliamentary processes, and thus the use of these should be restricted to matters of clarification and detail, with regulations being used in preference. Guidance notes should be considered a more informal source of advice and interpretation, and not be used when any legally binding provisions are required or desired.

Within the law, the ethical values and guiding principles the Act is drawing upon should precede the general rules (or 'core obligations') concerning the welfare and protection of animals, i.e. the basic precepts of the human-animal relation. In turn, these general rules should precede the rules relating to the specific issues/areas of concern identified. Thus, there is a clear distinction between the establishment of underlying principles, fundamental provisions and specific statutory provisions.

In practice, the purpose of the Act, its ideology, scope, intent, objectives and definitions would be found in 'Chapter 1: Preliminary Provisions'. This chapter would first and foremost contain the 'Title', then the 'Objectives' as well as the State's/Government's 'Support for Animal Welfare', the 'Scope of Application' and the 'Definitions'. This affords the opportunity to not only outline the law's purpose and mission but to also highlight its relevance as well as its concrete significance within the legal system itself. The 'Preliminary Provisions' provide above all the foundation for the Act; and thus they also constitute the basis for all the ensuing provisions.

The second chapter, entitled: 'Chapter 2: General Provisions' would comprise the statutes which are linked to human conduct towards animals in general, and normally are with a few exceptions addressed to 'everybody' and not coupled with any further specific preconditions. These concern, in particular, certain completely unacceptable acts of cruelty which thus should be particularly emphasised/highlighted. They cover: 'Prohibition of Cruelty to Animals', 'Prohibited Interventions Performed on Animals', 'Prohibition of Killing Animals', 'Prohibition of Passing on, Selling, Offering for Sale, Purchasing or Possessing Certain Animals (Doomed Animals)' and 'Obligation to Grant First Aid'.

The third chapter entitled: 'Chapter 3: Keeping of Animals/Care of Animals' would codify specific requirements which have to be fulfilled (as opposed to the more basic aspects of the human-animal relationship mentioned above). The scope of these requirements covers the care and protection of animals kept within a person's sphere of influence, custody or control in order to meet the need to care for the welfare of the individual animal in this state of dependence. In this situation, the explicit 'duty of care' (for the owner, keeper or person in charge of the animal) and the 'Five Freedoms' are of utmost importance, given human ethical responsibilities (for details see Part 1, I. Introduction). Still, access into these statutes of Chapter 3 shall preferably be sought more with regard to the 'principles of proper animal keeping' and not so much via the virtue of 'ownership' or the feature of being a 'person in charge of an animal'. Indeed, as perceptions of animals evolve over time, with increased emphasis on their intrinsic value and autonomy, the concept of 'ownership' of an animal becomes less ethical and acceptable, and human responsibilities for understanding and meeting animal needs as an act of 'guardianship' gain prominence.

Chapter 3 would be split into two distinct groups, 'A. General Regulations' and 'B. Special Regulations': The first group would determine the general or overall regulations to be observed for animals in human custody and care; and the latter would stipulate further parameters in the context of people's conduct towards animals, i.e. keeping animals within the scope of business activities, transport of animals, killing/slaughter etc.

Chapter 4 would cover specific categories of animal use. This enables separate provisions to be delineated covering concrete areas of animal use, meaning these can be tailored to conditions prevailing in the particular sector.

Chapter 5 would be devoted to the 'Enforcement and Execution Provisions' of the Act. This would include aspects

such as: enforcement/implementation structures and systems; powers; and the allocation of responsibilities (including the Competent Authority, enforcement responsibilities, and also animal welfare organisations and the Animal Welfare (and Ethics) Committee).

Chapter 6 would be dedicated to the 'Penal and Final/Concluding Provisions'. This would include provisions covering both penal and administrative fines.

An ethically-based, comprehensive and future-orientated concept of animal welfare should be overarching, and cover all animals indiscriminately. However, as special consideration and care is afforded to the welfare of sentient non-human animals, and in the interests of effective and practical enforcement, the sanctions focus on sentient animals (which would, based on current scientific knowledge, encompass all vertebrates, birds, fish and many other creatures, including cephalopods and decapod crustaceans; and through the application of the precautionary principle, any other animal which appears to be sentient).

Some animal welfare laws incorporate aspects of punishment/sanctions directly into provisions detailing the requirements of the law (and any related offence), i.e. the consequences of the breach are explicitly specified directly following the provision outlining each potential breach of the law. At face value this might seem quite practical as regards the application of the law. However, this would be at the expense of the general clarity and accessibility of the Act in question. This is firstly because continuous repetitions would make the text lengthy and unwieldy; and secondly because it would prove difficult to make comparisons between the consequences of different infringements.

Thus, preference is given to an arrangement which gathers all the consequences of infringements in a separate section of the legislative text, which would cover a number of violations: This approach has the advantage of streamlining the law and facilitating assessment of the impacts of individual provisions.

A banding system has been suggested for the establishment of fines. This is preferred to the establishment of fines in given units of currency, which tends to result in the level of fines being eroded by inflation as they become outdated (often combined with the reluctance to review the Act to update these). The value of fine bandings can be established by regulation, making it possible to update fine levels across the board by a simple regulatory amendment to take account of inflationary pressures. This system has the advantage of keeping the same differential between the level of fines (between different Acts, as well as within the same Act); as well as being simple administratively.

Another aspect that was briefly mentioned under Part 1, II. Ethical Guiding Principles, Objectives and Targets, above, which should be addressed in more detail here:

To some extent relevant criminal offences will already exist in the country's Penal or Criminal Code (as appropriate). To harmonise the provisions and to secure an identical approach one might want to consider either amending the Penal/Criminal Code accordingly, i.e. remove the criminal offences from the Penal/Criminal Code and add them to the Animal Welfare Act, or to redraft the latter to only deal with acts categorised as administrative offences.

However, in these cases discretion is needed, as the provisions of a new Animal Welfare Act should always be in addition to and not in lieu of any other laws protecting animals and animal welfare. Therefore certain penalty schemes shall be allowed to coexist in order to guard against weakening the position of animals and animal welfare in an already sophisticated legal system.

Certainly in cases where the country's Penal/Criminal Code does not already cover relevant criminal offences against animals it is considered preferable to include criminal offences, along with administrative offences, in one dedicated Animal Welfare Act. This is because although inclusion in the Criminal Code/Penal Code might, at first sight, be considered a more effective deterrent, there are clear advantages in including all offences in one single body of law. Probably the most important of these is the clarity and accessibility of having one compact compendium of animal welfare law; which is readily accessible to a wide range of potential users. This would include government agencies, the legal profession and animal welfare organisations which will all have to apply the law, and animal users as well as owners, keepers and handlers who will have to conform to the law – and all of

these will need to understand exactly what is expected of them in this context. Indeed, providing all relevant provisions in one Act at the same time gives clarity around those bodies that have enforcement powers under the Act. Also, consistency of approach is easier when all offences are consolidated in one law – including the option of giving fines as well as prison sentences for both infringements and crimes, depending on the relative severity of the breach of the law.

Finally, it has to be highlighted that any law concerning the welfare and protection of animals should be a set of rules that are not primarily directed at the authorities alone, but also (and predominantly) aimed at the public and other interested parties including (but not limited to) animal businesses and industries; and animal welfare organisations (see Part 1, II. Ethical Guiding Principles, Objectives and Targets, above for a fuller list of potential stakeholders). Therefore it should be comprehensive, and also straightforward, accessible and easily manageable for every citizen. Thus the approach used here has ensured that the Model Animal Welfare Act is clearly drafted, tightly structured, logically ordered, and well elaborated – beginning with a table of contents for user-friendly navigation.

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WAN's Model Act is a major contribution to the advance of animal protection, not only by providing a practical template for new legislation in countries with relatively little experience in the field, but also by highlighting the fundamental weaknesses in countries that purport to have high standards."

Dr. Dan Lyons, Centre for Animals and Social Justice

In all the years I have been working for animal welfare, the Model Animal Welfare Act is the biggest, most positive step I have ever seen towards protecting animal rights. This law is much more important than building 100 shelters, because with a strong and comprehensive modern law we can save all the animals.

Amina Abaza, Egyptian Minister for Animal Welfare and Environment in the Women's Government of Egypt and S.P.A.R.E Founder and Chairperson

We commend the commitment to animal welfare demonstrated by the extensive time and effort that must have been associated with such an undertaking and the resulting product will no doubt serve as a useful tool for the consideration of some countries undertaking to introduce or revise legislation.

Dr. Bernard Vallat, former Director General of the World Organisation for Animal Health (OIE)

This document manages to be readable while delivering comprehensive and detailed content. While it is definitely "how to" regarding the development of animal welfare policy and legislation, I found many of the lessons transferable to other areas of policy-making as well. Really well put together and thoroughly thought out, the WAN Model Animal Welfare Act is a useful tool that I will keep referring back to.

Shakira Eicher, Assistant Director, Policy and Strategy Unit, Department of the Premier, Western Cape Government, South Africa

How refreshing to read the WAN Model Animal Welfare Act, an excellent, comprehensive document, written in an easy-to-understand style, without the use of unnecessary complex and seemingly ambiguous terminology. This 'Bible' will enable groups around the world to confidently approach decision makers, with informed proposals and recommendations for animal welfare legislation in their respective countries.

Joy Leney, former International Projects Director, WSPA (now World Animal Protection)

NOW we will move ahead!

Liz Komen, Namibia Animal Rehabilitation Research and Education Center



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