Module 5

Improving Animal Welfare through Legislation and Incentives

Lecture Notes

Slide 1:

This lecture was revised by World Animal Protection scientific advisors in 2012 using updates provided by Dr Caroline Hewson.

Slide 2:

Today we will focus primarily on legislation. Our goal is to understand the legal framework within which animal welfare operates in your country. Much of our discussion will be about farm animals, as they greatly outnumber other domestic or wild species under human care.

First we will review what law is and look at why the level of legal protection for animals varies between countries. We will then spend some time examining why legislation may not always be an effective way to protect animals' interests. We will also outline the features of a model animal protection law. We will also briefly touch on what you should do, as a vet, if you are involved in a court case concerning animal welfare.

We will see how (even with a model law in force) World Trade Organization (WTO) rules can create challenges for local standards of animal welfare. Finally, we will review other approaches that can also help to improve animal welfare, including incentives.

Slide 3:

The Cambridge Dictionary definition of *legislation* is "A law or set of laws suggested by a government and made official by a parliament". In countries that are governed by religious authorities, the law is also derived from religious texts and interpreted by religious leaders.

Animal welfare legislation reflects the ethical concerns of a society and tends to evolve with the growing findings of animal welfare science. In more and more countries, a significant proportion of the population wants to protect animals from cruelty or from treatment that is detrimental to their welfare.

We will learn in modules 4 and 12 that different people have different ethical viewpoints that lead them to desire legal protection for animals. As you can see on this slide, some people may want this because science has proved that animals are sentient, or they feel that animals

have the right to be protected; other people want animals to be protected by law because they believe this will promote positive human behaviour.

Such concerns within a society give rise to a collection of binding rules – in this case about animal use – that are established by authority or custom.

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Modern laws on animal protection are usually informed by scientific information about animal welfare and by ethics, i.e. what the public, the government, the animals' advocates (such as the veterinary profession), retailers and others believe is the right or wrong treatment of animals.

Depending on those values, experts (and in turn governments) may reach different conclusions about what animal protection legislation should allow. This point explains, in part, why different countries may have very different laws about the same animal protection issue.

In some countries, animals may only be seen to need protection insofar as doing so benefits people. Consequently, when formulating laws, those countries may not seek or value scientific information on animals' mental state or capacity to suffer under different types of husbandry. Similarly, those countries may not value philosophical reasoning about animals' requirement for moral consideration.

For example, European countries have traditionally been concerned about animals' mental state and opportunities to perform species-typical behaviour. Thus much of the scientific research on the effects of different farm practices on mental states and behaviour has been carried out in Europe, and has contributed to a ban on the use of gestation crates for pregnant sows in European Union (EU) member countries, from January 1 2013. The EU directive states: "The Member States shall ensure that sows and gilts are kept in groups during a period starting from four weeks after the service to one week before the expected time of farrowing" (EU, 2009). In contrast, many other countries still permit the use of gestation crates because this method produces higher outputs.

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Some definitions:

- A law is a specific rule made within a community, by those in authority.

- A statute is a specific rule or body of rules made within a community by those in authority.

- The word law is also used as the sum total of the individual rules and to legislate is to make rules.

- Legislation is the rule or group of rules relevant to a particular topic, such as 'legislation to protect farm animals'.

- An offence is any act which contravenes those rules.

- A defendant is a person accused of an offence in a court of law.

- The plaintiff is the person or body bringing an action in a court of law (this might be the State).

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In order to assess the effectiveness and scope of legislation it is necessary to find out its status. It may be primary or secondary legislation, a code of practice or a guidance document.

State laws apply only to the relevant state where they are passed. This can lead to problems with uniformity throughout the country if state laws differ, e.g. in the USA.

Federal laws are laws which apply across the country. These are good, as they set one standard but in diverse countries they can be hard to enact and change as all the individual states/local governments may need to reach agreement to change the law.

By-laws are local laws which are created and enforced locally. The precise size of the location they affect will depend on the structure of that country's administration. These have limited effect due to their geographical boundaries, but are usually much easier to enact due to the fact that agreement from fewer stakeholders is required.

Primary legislation means the initial document outlining the law. This tends to be developed following repeated debates in the national legislative body. It is used to create federal or state laws.

Secondary legislation gives more detailed provisions about the subject than those contained within the primary legislation. This is usually drawn up after the primary legislation is passed. It is more readily amended (as it does not have the same need for prolonged debate), so is seen as more flexible than primary legislation, which can take many years to pass. Infringement of this law usually constitutes an offence.

Regulations may be secondary legislation, but this will depend on the terminology used in that country.

Guidance documents and codes of practice are guidelines written specifically for those who need to comply with the legislation. May be used in the interpretation of statute, but failure to comply does not usually constitute an offence. Failure to comply with codes does not normally result in a prosecution, but meeting or failing to meet these standards could be used as evidence in court to support a prosecution's case under the primary legislation. Primary legislation may also include a provision for a member of government to oversee the production of codes of practice, or departments/ministries may produce guidelines for certain pieces of statute.

Supranational agreements may also be binding in national law. For example:

- EU member countries are legally bound to follow the requirements of some treaties and protocols

- the rules of the WTO often influence animal protection law nationally.

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Not every law relating to animal welfare is called an 'Animal Welfare Act' or an 'Animal Protection Law'. Provisions protecting some or all animals can be hidden away in laws which have been passed for a very different reason. It is fair to say that every country in the world has laws that impact upon animals, but that does not mean that all laws relating to animals are positive in terms of protecting those animals' welfare. Some laws can be harmful to the welfare of animals; the content will depend on the purpose of the legislation.

Protecting species: though protecting a species is good for that particular animal, the legislation may not specifically state anything relating to the animal's welfare. A 'do not kill' statement does not need to acknowledge the sentience of that animal. Without sentience being recognised, the penalty for committing the offence is likely to be minimal – similar to that of destruction of property – so does not provide a strong deterrent. These laws are often not very useful to campaigners for animal welfare.

Banning activities: traditionally, laws about animals have been prohibitive – they decree what you must *not* do. Banning specific actions involving animals such as fighting (e.g. dog-fighting, bull-fighting, etc.), fox hunting, using animals in circuses, etc. These are usually positive for animal welfare.

Prohibiting cruelty: prohibiting cruelty will prevent or punish the occurrence of certain acts (hitting, kicking, burning, etc.) and the action usually has to cause the animal 'unnecessary suffering' for it to be an offence. However, legislation of this kind limits prohibitive acts to what is defined as 'cruel', and there is a requirement to prove that suffering has been caused to the animal; this can cause confusion, as people's tolerance of cruelty differs and often an animal has to undergo extreme pain or distress before s/he is deemed to have 'suffered'.

Controlling methods of production: for example, setting standards while farming for meat or fur, etc. These are usually minimum standards that prohibit the very worst conditions which are deemed by many to permit cruelty – for example, battery cages for hens, stalls for sows, etc. The problem with these laws is that many people will only work to these low standards and not look to create higher welfare improvements.

Improving animal welfare: these laws tend to be prescriptive (i.e. state what a person *must do*) and so require positive action for the particular animal, usually specifying minimum standards of care. The best types of animal legislation place a duty of care on those who are responsible for an animal to ensure his/her welfare. Laws of this nature state positive actions that must be taken for those animals in order to improve or set standards for their general welfare. These laws tend to be the most effective in terms of improving animal welfare.

Improving public health: this is an example where the inclusion of animals in legislation can actually be detrimental to animal welfare. This kind of legislation is not designed to improve the situation for animals, so it might allow the use of poisons, traps, snares, etc. While it is legislation regarding animals, it is not passed with helping animals in mind. Animal welfare groups sometimes campaign for the repeal of this type of legislation, as it can allow for the inhumane death of certain species with very limited punishment for misuse.

Improving animal health: some laws are passed regarding animal health in order to prevent the spread of diseases. Even though the regulations that are put in place are related to animals, their purpose is normally always to benefit humans – it is to stop the spread of diseases which affect animals that are farmed or consumed by people. As the protection of people is key, the welfare of the animals relevant to the law may not be acknowledged or prevalent.

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A law might be limited by a restriction on the animals to which it can be applied. For example:

- the USA federal Animal Welfare Act 1966 does not apply to farmed animals, birds or rodents

- Botswana's Cruelty to Animals Act 1936 defines 'animal' as any horse, mare, gelding, bull, cow, ox, heifer, steer, calf, mule, ass, sheep, lamb, hog, pig, sow, goat, ostrich, dog, cat, or any other domestic animal, fowl or bird and includes any wild animal in a state of captivity

- India's Prevention of Cruelty to Animals Act 1960 applies to any living creature other than a human being

- Peru's Law No. 27265 covers "all species of domestic animals and wild animals maintained in captivity".

But even within a species, the legal protection may depend on the animal's status – as is shown on the next slide.

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Often the legal protection afforded to an animal is dependent on its status and circumstances. This means harmful activity can legally be carried out on a laboratory rabbit which it would be illegal if applied to a pet rabbit. Often exemptions exist for certain animals even within comprehensive laws; for example, in the UK a rabbit is protected by different legislation depending on whether s/he is a pet, a farmed animal, a zoo animal, an experimental animal or a pest. Even though it is reasonable to assume that the welfare requirements of a rabbit are consistent, rabbits in each situation are given a different level of protection from harm.

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Legislation may not be effective if animals are classed as property in the law. More progressive laws recognise animals as *sentient beings* and so the offences and penalties are written accordingly and better protect animals.

It is important to know what action the law makes illegal – i.e. what the offence is. Is it to 'cause unnecessary suffering' or maybe 'not to meet the animal's needs'? It might be written that an offence can only be proven if there is 'deliberate intent' to cause an animal to suffer. Proving deliberate intent can be very hard, and so restricts the protection given to animals. Contrary to this, some offences are called 'strict liability offences': here a person can be found guilty of an offence without the necessary 'guilty mind' (known as *mens rea*), so committing the act amounts to a crime, regardless of intention.

Sometimes exemptions are made in legislation which seriously restrict the effectiveness of the law in its protection of animals. For example, the Protocol on the protection and welfare of animals in the EU, while requiring that Member States "pay full regard to the welfare requirements of animals when formulating and implementing legislation", allows exceptions on the grounds of "legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage". This provides a wide scope for practices to remain lawful which many would consider cruel to animals, such as bull-fighting and the force-feeding of geese for the production of foie gras.

Farms in particular have accepted practices that include not using pain relief for routine surgical procedures such as castration, and using nose rings to control buffalo. It is unfortunate that these may be exempt from legal concern by virtue of their traditional status.

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Other weaknesses in legal protection include:

- compromises in wording of text due to single-interest lobbying during the consultation and drafting stage; small changes in text can make a big difference in meaning

- similarly, industry bodies may reinterpret the terms after the law has been passed to find a loophole so that they need not change practices. If no clear definitions are given, reinterpretation of legal requirements is easily carried out, which immediately reverses the intention of the legislators

- the subjective nature of the offences can cause different interpretations between courts. Ambiguous terms included in legislation may be interpreted differently by different courts in identical circumstances. For example, a court in which the jury is made up of people with a rural background may view issues of animal suffering differently from a court where the people are from an urban background

- inadequate laws are sometimes enacted in haste in response to political, public or industry pressure. Poorly worded legislation may cause unexpected welfare problems or be unenforceable.

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In some countries there is a considerable body of animal protection legislation which does not appear to be enforced.

If responsibility for the enforcement of welfare legislation is spread between different government departments, the result can be a lack of consistency in approach and confusion about roles. It also usually results in low priority being given to animal welfare law enforcement.

In order for the enforcement of animal protection legislation to be fully carried out there must be sufficient numbers of enforcement personnel provided with adequate training and equipment, and they need to have suitable facilities to house animals and funds to provide

adequate veterinary care. Lack of sufficient resources is the main barrier to adequate enforcement.

If the enforcement body for a law also has a mandate to assist those policed, the impetus to enforce the legislative requirements may be lost. For example, a department responsible for the success of a country's agricultural industry is unlikely to enforce welfare legislation which impedes productivity.

The limited powers of enforcement personnel, such as the authority to enter property, to stop and search suspects, or to seize and detain evidence, may impede the collection of sufficient evidence to ensure conviction.

Issues of commercial confidentiality, for businesses such as pharmaceutical companies or farms, often prevent members of the public from seeing and reporting animal suffering to authorities.

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Other difficulties with animal protection legislation may be that there are clashes with other legislation, including international agreements on trade.

The WTO rules are an example of where International agreements on trade can actually reduce animal welfare, despite strong domestic legislation. International agreements on trade are legally binding. The WTO was set up to encourage free trade. Tariffs and subsidies are forbidden. The particular rules relevant to animal welfare concerns are part of the General Agreement on Tariffs and Trade (GATT).

Article III of GATT obliges countries to treat imported goods and locally produced goods equally. This means that you cannot discriminate between goods on the grounds of production methods and you can substitute one egg for another, for example, regardless of how each egg was produced. This creates a problem for countries that have or want to have their own legislation to improve animal welfare. Consequently, imported lower-welfare food may be cheaper than local higher-welfare food. Where there is good domestic legislation for animals, Article III is seen to encourage a market for low-welfare imports, resulting in suffering for many animals in other parts of the world.

Article XX of GATT does allow for some exemptions to the general trading rules, but these exemptions are not obviously helpful in improving animal welfare.

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Further problems with animal welfare legislation can arise if it clashes with other domestic laws.

This slide outlines some potential clashes and, where possible, we will also outline how the wording and intent of a well-drafted animal protection law can easily overcome this.

First, implementing the law on cruelty or provision of care requires inspection of an animal, usually in private premises. There is a chance this could clash with domestic laws regarding

privacy. So the animal welfare law should ensure that there is a reasonable suspicion of an offence before an authorised person is allowed access to a property.

With farm animal welfare legislation, where pre-transport fasting is required to improve food safety, the duration of fasting period could be restricted by law and legally enforced reductions to slaughter line speeds introduced.

Another example is for animals used in experimentation – where restricting the use of animals for medical research may clash with the legal requirement to test drugs on animals, there can be obligations placed for non-animal replacements to be used wherever possible, and for welfare requirements to be put on experimentation establishments, including the training of personnel.

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Most countries are members of the World Organisation for Animal Health (OIE). As you know, this international body has codes for the health and welfare of terrestrial and aquatic animals. Member countries can (and some do) use this as a basis for updating and formulating their own animal welfare legislation. The OIE is keen for that to happen, arguing that veterinary legislation including protection of animal welfare is the key to efficient animal health with resulting benefits in food safety, environmental protection and public health.

However, a survey of the appropriate representatives of OIE member countries (Stafford & Mellor, 2009) indicated that although many countries had some laws to protect animals in various ways, e.g. slaughter and cruelty, not all countries had good enforcement. For example:

- 45 per cent of member countries participated in the survey. Of those, 44 per cent had a law requiring animals to be stunned before slaughter during a disease outbreak

- moreover, some countries' legislation fell short of the OIE's minimum standards, as laid out in the Codes, or it was lacking altogether

- even though they were members of the OIE, some countries were not aware of the OIE standards.

Although in the case of stunning and slaughter, for example, lack of legislation or enforcement are causes for real concern, note that countries with more traditional farming practices but which lack legislation on animals may have a generally high standard of farm animal welfare. For example, animals may be healthier because of being raised on the farm where they were born, at low stocking densities, both of which practices reduce infectious disease. Also, animals may be free to perform all the behaviours that are most important to them.

However, for the highest standards of animal welfare all round, you do need public awareness and effectively enforced legislation.

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Economic pressures which might limit animal welfare enforcement include:

- the insufficient availability of enforcement personnel

- the high cost of legal action

- the high cost of veterinary bills to treat sick or injured animal(s) who are part of the prosecution

- the high fees for boarding the animal(s) while the matter goes to court if they have not been re-homed.

From a business perspective, an animal who needs treatment may be considered to be of insufficient value to warrant veterinary intervention, which is usually expensive. It does happen that when animals have no or very low economic value, owners may object to spending money on caring for them or on killing them humanely in compliance with legislation This opinion raises ethical concerns, as sentient animals are not simply a commodity, like achinery, or stocks and shares. Many would also say animals have *inherent* worth and an animal's *economic* value is not a sufficient ethical basis for deciding to enforce (or not enforce) welfare legislation.

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Knowing the potential difficulties with animal welfare law which have been outlined in this module, here are some features of a model animal welfare law.

- All sentient animals should be protected by the law.

- The law should be clearly written – outlining the offences and how these are breached – so that it is easily understood by the public and those in industry alike.

- The law should be prescriptive, comprehensive and coherent, laying down what must be provided for each species (based on its physiological and behavioural needs) as identified by scientific research.

- The law should be easy to amend in line with scientific or other developments.

- The law should have the highest legal status, making it possible to convict anyone who contravenes it.

- Enforcement of the law should be the clear responsibility of a body which has been given sufficient powers and adequate funds to be able to carry out this role.

- Ideally there should be an education element for the public and industry in order for the understanding of animal sentience and needs to grow, leading to a decrease in the numbers of offences committed (much of the poor welfare provided for animals is due to a lack of education of the person responsible; once issues of welfare and animals' needs are explained, breaches are often easily corrected).

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Penalties for breaching the requirements of a model law must also be included in the text. These need to be set at an appropriate level for the offence committed, and are likely to include fines and/or imprisonment for the more serious offences.

It is important that the law also goes one step further in terms of preventing the person convicted from having responsibility for an animal in the future, for either a set or indefinite period of time. If not, a successful prosecution for causing an animal suffering may still be detrimental for the animal concerned, as well as any others the person might own.

It is important that the law allows for seizure of the affected animals once a possible offence has been detected. If the animal stays in the care of the defendant during possibly lengthy court proceedings and appeals, s/he may continue to suffer for all this time.

Similarly, if there is no power to prohibit the defendant from keeping or caring for the animal following conviction, then (a) the animal may continue to live in the same environment which caused him/her to suffer or did not meet his/her needs and (b) a deterrent to cruelty (the removal of the animal) will be lost.

It is important that a further step still is taken – that it is clearly stated in the law that a ban on owning animals extends to having care or control over them, otherwise a convicted person may simply transfer legal ownership of an animal or group of animals to a relative or other person and continue to look after them as before, or s/he might continue to work with animals despite having a conviction for mistreating or harming them.

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The loyalty of a veterinary surgeon towards his/her client can impact the way that a suspected infringement of animal law is dealt with. As a vet, you may be the person most likely to encounter contravention of animal welfare legislation. However, you may feel reluctant to report a client to the authorities because you feel responsible to your client and because you might be afraid of losing his/her business, and maybe other clients' business too (though other clients may be inclined to leave a veterinary practice if they considered appropriate action was not being taken by a vet against those mistreating an animal).

In this situation, you could proceed by discussing the issue with your employer and the relevant enforcement body to see which, if any, laws have been breached and what steps should be taken. If you are seriously concerned about an animal, then you should consider taking further steps – the animal is relying on people like you to take action to protect him/her. Unlike humans, animals are unable to leave a situation where they are being made to suffer or their needs are not being met. If you cannot educate the owner to take positive action for the animal, the best thing to do is to speak up for the animal to the relevant enforcement body.

As a vet you may be asked to be involved in court cases to give an expert opinion (for the prosecution or defence) where there is a suspected breach of animal protection law. The particulars of how you proceed may vary depending on the jurisdiction where you are based. However, the Concepts in Animal Welfare Toolbox contains a short PowerPoint presentation outlining the main points to remember (see www.animalmosaic.org/education).

If you specialise in a particular area of veterinary medicine, you may be called to give an opinion on technical matters as an *expert witness*. In some countries and in some types of cases, both prosecution and defence counsel employ their own expert. In other countries, such as Germany, a single expert is appointed to advise the court.

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Before we move on to wider issues, let us sum up what we have covered so far.

We have defined legislation and you now understand some reasons why the level of legal protection for animals varies between countries around the world.

You also know that there are many technical and other reasons why legislation may not always be effective in protecting animals' interests. Based on that, you now know the features of a model law to protect animals. In addition, you know where to find a basic resource to guide you if you are involved in a court case about animal welfare.

Finally, we will look at how incentives and voluntary measures can help improve animal welfare.

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There is a growing international understanding that we need to protect animal welfare. One important positive change is that consumers in many countries are demanding assurance about the welfare of animals, and this public awareness is creating local markets for high welfare products.

There is also mounting international pressure from animal welfare organisations and bodies such as the OIE for higher welfare standards at all stages of an animal's life. In addition, governments are – through trade agreements with other countries – encouraging welfare standards to be met when animals or their products are traded overseas.

However, other approaches may also be valuable, especially in the current climate when so many countries lack adequate, enforced legislation on farm animals. Financial incentives can help farmers to make changes. In different countries, different models have been applied. For example:

- farmers have received a direct payment for voluntarily adopting higher standards of welfare than the legal minimum

- grants have been provided to farmers to help them comply with new legal standards of welfare.

There can also be financial incentives for farmers in poorer countries that may not yet have clarified their own animal welfare standards. For example, the International Finance Corporation of the World Bank Group (which supplies loans to businesses in developing countries) includes the Five Freedoms as one of the set criteria for business proposals (World Bank, 2006).

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The national and international marketplaces also provide financial incentives.

Module 9 (on assessing welfare in practice) introduced you to farm assurance schemes that focus on welfare. Membership of the scheme requires adherence to certain standards which are assessed by independent monitors, increasingly using outcome-based measures. Failure to maintain standards means that a producer loses access to higher-priced niche markets.

In many countries, these schemes are driven by retailers on behalf of consumers, rather than being required by law. However, note that they are similar in that both need clear standards and proper enforcement.

Bilateral agreements between countries can also encourage local producers to raise their standards in order to gain access to overseas markets with higher welfare standards; examples of this include a beef quota for farm assured beef from Namibia to the EU, and EU markets for organically produced chicken from Thailand and Argentina. A similar type of bilateral arrangement between the EU and New Zealand helped to advance welfare standards in New Zealand.

Note, however, that not all such non-legal incentives are effective, and some may even be a waste of money. For example, in countries such as Sweden and Norway, farmers and consumers largely believe that the government should use legislation to ensure high welfare standards. Consequently, consumers are not willing to create niche markets. Thus, using labels to differentiate products in their supermarkets does not increase the sales of the products concerned, and there is little or no value in voluntary assurance schemes. However, if imported products are also available, a label to clarify the country of origin helps consumers to ensure that they are buying products from animals kept at the appropriate standard.

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Other non-regulatory methods that can help improve animal welfare include:

- public education – so that the public and some other specialist interest groups understand the issues and may be more willing to support future legislation or higher prices to ensure animals are protected. This includes educating schoolchildren and groups such as veterinarians, as well as citizens generally

- government-funded research is important in the long term, to address questions of science, willingness to pay, etc., so that policy reflects the local situations and animals' needs.

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A further approach has been termed "soft law". For example, World Animal Protection has been spearheading the development and acceptance of a Universal Declaration of Animal Welfare with the support of the OIE, governments, professional bodies and others. The Declaration has not been fully developed, but World Animal Protection has suggested four key principles as outlined on the slide.

The principles are:

- The welfare of animals shall be a common objective for all [states]

- The standards of animal welfare attained by each [state] shall be promoted, recognized and observed by improved measures, nationally and internationally. [Whilst there are significant social, economic and cultural differences between societies, each should care for and treat animals in a humane and sustainable manner][in accordance with the principles of the Declaration]

- All appropriate steps shall be taken by [states] to prevent cruelty to animals and to reduce their suffering

- Appropriate standards on the welfare of animals be further developed and elaborated such as, but not limited to, those governing the use and management of farm animals, companion animals, animals in scientific research, draught animals, wildlife animals and animals in recreation.

The Declaration would be a non-binding agreement under which governments would commit to making and enforcing laws to protect animals.

Many governments have signed up to indicate their agreement that a formal Declaration should be developed; these include the governments of Indonesia, Fiji, all 27 EU countries, and many Latin American countries. Private individuals and veterinary organisations are also very supportive; for example, in Mexico in 2001 five veterinary organisations and 13 veterinary schools gave formal support to the Declaration.

World Animal Protection calls the wider campaign for a Universal Declaration *Animals Matter* – you can read more about this on World Animal Protection's website.

Another non-regulatory avenue to improving animal welfare is the building of connections with present and future politicians. This is typically done by animal welfare organisations and animal protection lobby groups, which may employ or include veterinarians. In addition, some organisations for veterinary professionals may also lobby their country's government directly on issues of concern, or may develop connections with politicians of good faith who likewise want to see better protection for animals. Some vets may themselves become politicians and may take a particular interest in animal protection, as part of their political role.

A resource that can help inform lobbying work is the **Gateway to Farm Animal Welfare** (FAO, 2011), hosted by the Animal Welfare Portal of the Food and Agriculture Organisation (FAO). The gateway is home to international and national information related to farm animal welfare, providing a wide range of constantly updated information on welfare standards, policies and debates.

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To conclude, you now have a basis for comparing the legal protection of animals in this country with that of other countries. You also know some of the main reasons why animal-related laws (and their enforcement) may differ between nations.

You have seen a framework for drafting a model law, and you are aware of the many possible pitfalls, from unclear wording to clashes with other legislation on public safety, working hours, privacy, etc.

You know, too, how international trade rules interact with and often override high standards of animal welfare locally. Specifically, you are now aware of the problem with Article III of GATT and that the four potential areas of WTO exemptions do not help animal welfare advocates much (i.e. Article XX of GATT).

Finally, you know that, even with the best law in the world, animals can still benefit from non-legal methods of improving welfare such as public education and financial incentives. Those incentives may include bilateral trade agreements which help countries to avoid WTO penalties for protecting welfare.