Animal welfare: emerging trends in legislation

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Animal welfare and policy

The number of laws and standards regulating and protecting the welfare of animals is expanding around the world. The growing demand from policy-makers for expertise and advice on animal welfare in order to create these new regulations has been inspired by developments in both science and ethics, which are increasing our understanding of animals’ abilities and capacities.

Advances in knowledge of animal behaviour and biology support the belief that many animals are sentient and have complex social behaviours, a means of communication and some demonstration of self-awareness (Chandroo et al 2004; Goodall 2006; Dawkins 2008). This is leading to a better understanding of the needs of certain species. In addition, the links between good animal welfare and areas beneficial to humans, such as health and the environment, are starting to be revealed by science (WSPA 2008; CIWF 2009).

As a result of being able to prove competencies in animals which we, as human beings, value, we are forced to consider the moral implications of our interactions with animals. The notion of an ethical responsibility towards animals is growing, and so animal welfare has become an additional concern in our everyday lives which needs to be balanced with other policy areas, such as economics and international trade.

As understanding and knowledge expands, more people around the world are becoming motivated to show concern for animal welfare. The scientific, veterinary, ethical and political communities must collaborate closely given that our knowledge of animals’ capacities continues to grow. Policies and, as a result, legislation, needs to adapt accordingly when significant information is discovered which reveals inadequacies with the current legal protection for animals.

Animal welfare and legislation

Historically, animals were treated as property in legislation. This remains the case in many countries, especially those which have not updated older laws specifically relating to animals (Francione 1995). However, over the past 15 to 20 years there has been a striking increase in the number of laws which have been developed in countries incorporating animal sentience and welfare, especially for those laws passed specifically to protect animals.

For some months, in order to assess the level of legal protection afforded to animals and the standards of welfare which are set, the World Society for the Protection of Animals (WSPA) has been conducting an audit of animal-related legislation across the world (WSPA 2011). The research is ongoing and looks at both general provisions usually found in dedicated animal protection legislation and a range of specific issues of international concern.

The findings so far show that it is now quite a rarity for a country to have absolutely no coverage of animal welfare requirements within their laws. In addition, the previous assumption, which many held that European countries are much further ahead in terms of legislative protection for animals, is shown not always to be the case. There is now recognition of the need for good animal welfare in laws across all regions, including the Middle East, Africa and Asia.

And the number of regulations protecting animals continues to increase. Around the world, there are currently several new animal protection laws in various stages of development or implementation, for example: Thailand’s draft legislation is with their parliament awaiting approval; Nicaragua recently introduced a new animal welfare law which includes an animal’s right to respect and protection; a drafting committee is working on a proposal in China which has gained media coverage around the world; and New Zealand is currently undertaking a review of its animal welfare legislation in order to update standards and increase protection.