

XI. Animal Protection Lobby

This chapter stresses the importance of lobbying and examines key elements of effective lobbying. It also identifies weaknesses in the international animal protection lobby, against the current international political situation. It is clear that the animal protection lobby falls behind other NGO lobbies in many respects. A concerted effort is needed if the movement is not to lose the many current opportunities. Some successful strategies and examples are given and discussed.

Definition

The Concise Oxford Dictionary defines a lobby as: -

‘A body of persons seeking to influence legislators on behalf of a particular interest.’

‘An organised attempt by members of the public to influence legislators.’

Whereas Dictionary.com provides the following definition for the verb: -

‘To try to influence the thinking of legislators or other public officials for or against a specific cause.’

The purpose of lobbying is to influence government policy and its implementation, and to help set the political agenda, in favour of animal protection aims. Lobbying can also be used to influence commercial enterprises, international and regional organisations and other NGOs.

A Democratic Right

In a democracy, people have a right to be heard by those who govern. Decision-makers are obligated to listen to those who are affected by the decisions they take (or fail to take). Many animal protection societies who campaign skilfully are wary about lobbying, and so fail to maximise their campaign opportunities. They see lobbying as a high-level skill they are ill trained to undertake. This could not be further from the truth. It is time to demystify the lobbying process and press home with the wider animal protection lobby!

Each of us starts lobbying from a very early age. We decide what we want and campaign and influence to achieve this. We learn to assess our parents’ moods and personalities before we can walk. We learn which ‘buttons to press’, which arguments to employ, which ‘carrots and sticks’ to barter with, which allies to bring to our support and – most difficult – the art of timing. Dads can be particularly soft targets when they are just about to sit down and watch a major football game! Teenage sisters would do anything to avoid confrontation or embarrassment in front of the latest boyfriend. Politicians, civil servants and company employees are no different: they are human and they have weaknesses! It is simply a case of research and analysis to judge who to approach, which buttons to press, who we can enlist to support our case, and when to move for maximum effectiveness. Once the lobbying process has been

started, and the individuals are known, it will seem a lot less daunting. Indeed, in many cultures, building relationships is the key to achieving lobbying objectives.

The Importance of Lobbying

Animal protection organisations can use animal protection legislation as a powerful tool in their work to protect animals. There is much work to be done on both legislation and consumer awareness. At the time of writing, these are no international standards or regulations for animal protection/rights, hard-won gains at EU level are jeopardised, and only about 54 out of 192 countries have national animal protection laws (and many of these are not enforced effectively). Lobbying can be used to achieve a number of legislative aims, including: -

- Introduction of legislation
- Improvement of legislation
- Use of existing legislation
- Any combination of the above

It can also be used to influence consumers and animal use industries. Both strands are vital. To carry out educational work without lobbying is akin to laying foundations without ever building the house (although others may well do this later). To carry out service provision work without lobbying is akin to continuously patching up the symptoms of a disease without attempting a cure (although one is known/available).

Legislation can be introduced to meet a number of specific aims, for example: -

- Banning certain activities involving animals (e.g. by-laws to ban circuses on local council land)
- Prohibiting certain production methods (e.g. a ban on fur farming or an extensive farming system, such as battery cages)
- Protecting domestic animals/wildlife (e.g. laws against hunting in protected areas, or for endangered/threatened species)
- Promoting animal welfare (e.g. by minimum standards/legal requirements)
- Preventing animal cruelty or minimising animal suffering
- Protecting animal and public health (e.g. protection from 'dangerous wild animals' or prohibiting use of growth hormones)
- Encouraging responsibility amongst animal owners

Improvements for animals can be achieved through public education (for example, persuading consumers not to buy fur) and through legislation (for example, a law that bans fur farming). In most cases it will take a mixture of consumer campaigns and lobbying for legislation. Legislation is meant to reflect the moral consensus of the day. The law cannot be too far ahead of public consensus or it will not work (and regression will be experienced, together with future resistance to improved measures). But forward-looking animal protection laws can set the tone for practical measures, and raise standards and awareness.

Common Lobbying Errors

Charles Miller of Charles Miller Associates listed the three main errors in NGO lobbying as: -

- ‘Speak First, Think Later’
- Knowing ‘People in High Places’
- ‘Eating Your Way Out of Trouble’

These errors are also common in animal protection society lobbying. Sadly, the animal protection movement is often seen as being emotional and anthropomorphic. This is the stigma we need to rid ourselves of if we are to be taken seriously – so we should never commit the first error! We must research and investigate thoroughly, and provide well-targeted and documented facts.

‘Knowing people in high places’ is another common error. It is an error based on ego. How many times do we hear bragging about the meeting with the Minister or leading light of an international organisation? Mostly, such meetings are simply courtesy visits. The high-ranking person will know little or nothing of the issue, and usually have little or no inclination to act. High-level meetings are only really useful if an issue already has enormous political weight and interest. Otherwise, it is more worthwhile to meet a variety of people who are actually involved in the issue – hopefully finding at least one with a personal commitment to help.

‘Eating your way out of trouble’ is probably less common in animal protection organisations than in some other NGOs, but it does still happen. Believe me, it takes more than food and drink (unless you are in a position to offer a vineyard!) to persuade any politician, civil servant (international or national) or businessman to change his mind about an issue! The donors’ money is simply wasted, and you still need to convince them of your arguments.

In addition to these, I would add the following vitally important errors committed by animal protection societies: -

- Not focussing sufficiently (on both issue and key points)
Being involved with too many issues and demands at one time, and losing focus and strength
- Being argumentative, rather than persuasive
Strong animal advocates frequently show their passion, and can be argumentative and alienate
- Being too weak
This is common – possibly because animal protection organisations have for so long been ridiculed and ostracised. This makes them long to be accepted and viewed as ‘reasonable’, often to the detriment of the cause
- Giving in too early
Possibly for the same reason as above. But the biggest impact gains have been won through long-haul campaigns.
- Forgetting bigger issues (see below)

Bigger Issues

The animal protection movement has a tendency to concentrate on key welfare issues, and often overlooks the major problems of systems, structures and democracy that can hamper the entire process. If there are weaknesses in these areas, then they need to be tackled before the animal protection lobbying can be effective. Examples of these 'bigger issues' are: -

- Government structures
- Systems
- Democratic principles
- Human rights
- Openness & transparency – freedom of information
- Consultation
- International sensitivities
- Animal protection & constitution

International Lobbying

Also, the animal protection movement has been slow to organise a consistent and credible international lobby (e.g. lobbying UN agencies and other international bodies). This is probably partly due to the fact that the movement has, in the past, tended towards reactive work (following the political agenda, rather than setting it), and there were no official international political initiatives that were relevant and significant until relatively recently. This situation is changing rapidly (see section on 'International Political Scene' below). The changes started with the dawning realisation that the World Trade Organisation was threatening all existing hard-won animal protection gains (particularly those gained at EU level), and has now developed into the situation where a number of international organisations are beginning to take animal protection initiatives. A strategic – and concerted - international animal protection lobby is urgently needed and overdue.

The exceptions to this were the initiatives to establish a charter for animal rights and/or animal welfare (see below for further information) that were proactive and have taken place over many years (in total).

Effective Lobbying

The Lobbyist

There is a shortage of effective lobbyists in the animal protection movement. Recruitment into advocacy roles is always difficult, because of the variety of skills needed, and the difficulty of testing these in an interview situation. This difficulty is exacerbated when management does not understand the advocacy role and its demands. Common mistakes are: -

- To employ a lawyer in preference to other candidates – placing too much emphasis on legislative knowledge.

- To promote an internal candidate who is familiar with the issues, but who may not have either the legislative knowledge and/or the necessary strategic and interpersonal skills.
- To employ a candidate with appropriate advocacy skills/experience, but who is not highly committed to the cause.

In fact, a lobbyist must know the subject well and be committed to the cause (because if not, it will show in the lobbying, especially at difficult/contentious moments). Power of conviction is necessary to convince. A good lobbyist also needs excellent interpersonal skills and powers of persuasion, coupled with 'emotional intelligence'. He/she needs to be able to judge and assess people and uncover their weak points and personal predilections. He/she also needs a strategic approach, in order to be able to assess the situation and the 'players', and work out a pathway to success. Knowledge of legislative processes and provisions are necessary, but these can be learned, whereas 'softer' qualities such as emotional intelligence cannot.

Many committed animal protectionists make the mistake of being argumentative, rather than persuasive, in their approach. This simply alienates. Whilst an effective lobbyist is firm and persuasive, he/she has to work in diplomatic circles, with 'players' who are not accustomed to being 'brow-beaten'! Opponents' positions must be understood, and taken into account in the lobbying stance (either being countered or included in a 'win-win' solution. Compromise is a difficult concept for many committed animal rights proponents, and it is right to 'set your sights high', and to stand by your principles, but it helps nobody to 'throw your toys out of the pram' if you do not get your own way! This has been witnessed many times in NGO lobbying. As has the other side of the coin, whereby the NGO throws in the towel too early, without pressing persuasively over a period of time (sometimes with repeated meetings, presented different perspectives and evidence in a concerted campaign of attack). Here again, emotional intelligence and judgement is vital.

Lobbying Strategy

Effective lobbying also depends on a good strategy (see separate chapter). In the case of lobbying, the following need to be understood: -

- How lobby fits into overall campaign strategy – 'Strategy'
- How to achieve your strategy – 'Operations'
- The legislative process (power/influence) – 'Process'
- The people involved (and motivation) – 'Players'
- The law (and practice) relating to lobbying activities

Lobbying is, in effect, a combination of ***legal knowledge*** (legislative structures, systems and standards) and ***psychology*** (knowing the 'players' and the 'buttons to press').

Lobbying strategy is of major importance to the achievement of legislative goals. This should include:

- The overall aim of the lobby
- The targets of the lobby (President/Prime Minister, Ministers, Parliament, Political parties, Civil Servants (and if so, which departments/levels)

- Channels to be used (e.g. meetings, letters, petitions, Motions in Parliament, Questions in Parliament, initiation of Parliamentary enquiries etc.)
- Arguments/influences to be used (including accurate facts, use of opinion polls to show public support etc.)
- Allies - forming alliances/coalitions to give added weight to the lobby
- The strategy should be planned meticulously, including timings

It is totally counterproductive to embark upon a legislative project without carrying out the necessary research and analysis. You do not only need to know what you want/desire, but also what is feasible and the ways in which you could achieve your goals. If you rush blindly at a brick wall you will only be repelled with a big headache! But if you first seek out the cracks and weaknesses – and most importantly look to see whether there is a hole in the wall or an unlocked gate – you are far more likely to break through!

Research and Information

Reliable research is essential to lobbying success. It will also enhance your credibility (and that of your organisation), and ensure you are taken note of and treated as a useful negotiating partner. In particular: -

- Be sure of your facts
- Make sure these are accurate and well-presented
- Use personal stories as examples
- Do not be over-emotional or exaggerate
- Most animal issues are strong enough to make an impact without*
- Scientific evidence may already exist (or, if not, consider commissioning?)
- You might need/use European precedents (scientific reports – of which there are many – as well as legislative precedents)

First hand investigation, preferably video footage or photos will add enormous weight and impact.

‘Time spent in reconnaissance is never wasted’.
An old military adage attributed to Napoleon

Media

An effective media campaign can strengthen a lobby enormously. A well-known quote expresses this clearly: -

“Legislators note organisations that media quotes”.

Governments are increasingly aware of the impact of media on their reputation and level of support, and media criticism can have an enormous impact. Legislators and administrators have press clipping services and rank news items and editorials highly. See the separate chapter on this subject for more detail.

Gather Support & Neutralise Opposition

Effective lobbying also involves gathering support and neutralising the opposition. In order to neutralise the opposition, they will need to be studied and familiarised.

Reading trade journals, attending trade meetings, small-scale meetings can all be helpful.

Gathering support can take a variety of forms, including: -

- Organising coalitions or a lobby (coordination) committee
- Link with other animal protection societies
- Link with other NGOs for issue alliances
- Unusual allies can be useful (for adding weight to your issue)

It is important to understand the different factors that could provoke governments into action. Understanding of motivation is also important in planning and guarding against possible adverse impact. One practical example of this is that a government with the primary motivation of raising (tax) revenue may be prepared to agree to a scheme of dog registration and taxation - but may then seek to charge high dog taxes, introduce these too rapidly, and not put the taxes raised back into the stray control budget.

Enforcement

Effective lobbying should involve not just obtaining legislation, but also making it work effectively: -

- Enforcement is 90% education and advice
- Legislation must give clear duty to enforce
- Responsibilities should be clearly and sensibly allocated
- ***Considerations:*** Expertise, conflict of duties, accountability, level of coverage, control/co-ordination
- The role of NGOs should be established
- Practical arrangements should be carefully thought through to ensure feasibility and effectiveness
- A strong animal ethics committee should be established to advise government (with effective animal protection representation)

As regards the role of NGOs, the optimum is permitting representative NGOs to crosscheck legislation and official enforcement, in addition to effective official enforcement. This should not amount to an abdication of official governmental enforcement.

'Enforcement is of fundamental importance, because any measures to improve animal welfare can only be effective if they are properly implemented and enforced.'
Professor Sir Colin R W Spedding KBE, former Chairman, UK Farm Animal Welfare Council

Importance of Pressing for High Standards

Animal protection groups are advocates for voiceless animals. We have taken on the role of spokespersons, and owe it to the animals to press for the highest standards of animal protection. If we fail in this task, we are selling the animals short. Both the status and practical treatment of animals can be raised by the introduction and

improvement of legislation (and its enforcement). The opponents we are fighting in our mission often have significant vested interests in ensuring lower standards, and some of the larger companies involved in animal use/abuse have entire departments dedicated to lobbying/advocacy to protect their interests. We also have to make sure that we achieve the highest standards when the opportunity presents itself, because the legislative timetable is tight and animals are not seen as a priority – so if the opportunity is missed, another may not present itself for a long, long time.

Overcoming Prejudices

There are also some ingrained prejudices about animal protection issues that need to be overcome if the movement is to succeed. These include: -

- Animal welfare is seen as a marginal issue
- The view that animal welfare is a middle class, luxury consideration (and a 'white' or 'ex-pat' issue in some countries)
- A natural prejudice towards people issues

There are a number of possible ways to overcome/answer these prejudices, including:

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- Opinion surveys (in different communities) to demonstrate popular support
- Show that the situation can improve without substantial cost
- Show potential costs of inactivity
- Employing the suggested arguments below.

Some of the arguments that can be used in support of animal protection: -

- **Altruistic:** protection of animals for their own sakes, recognising the intrinsic value of animal life
- **Moral/ethical:** 'The greatness of a nation and its moral progress can be judged by the way its animals are treated' Gandhi
- **International acceptance:** As above, but playing on a country's desire for international acceptance and regard
- **Democracy:** The 'people want it'
- **Protecting country's fauna 'heritage':** domestic animals/wildlife
- **Humanistic/social:** Preventing animal cruelty because this can have adverse impact upon human values and actions
- **Public health:** protecting animal and public health
- **Ownership/responsibility:** Encouraging responsibility (liability)
- **Economic:** following changing consumer trends and competition

Constructive Cooperation or Cooption?

Kites rise highest against the wind -- not with it.
Sir Winston Churchill

Another problem that is common to all NGOs, but possibly more marked for animal protection organisations, is that they are too readily seduced by governments and international agencies (like the World Bank Group, The International Epizootics Organisation (OIE), the Food and Agricultural Organisation (FAO), the World Trade

Organisation (WTO), the Organisation for Economic Cooperation and Development (OECD) etc.) or by the corporate sector. Animal protection organisations, in particular, have a history of being ridiculed, ignored or marginalised by these bodies, so settle rather too readily for meaningless discussion and meetings, where they are represented but not able to provide meaningful input or to be consulted in any meaningful way. The question to be asked is: 'When does constructive engagement turn into co-option?' Furthermore, too much national, European/regional and international policy making is still carried out behind closed doors.

WSSD

One excellent example of this was the World Summit for Sustainable Development, where NGOs were given a separate meeting site about 25 minutes bus ride away from the main conference centre. If they chose to attend the main conference, NGOs were seated at the rear, in an area cordoned off from delegates – and having access to NO microphones...

One key problem is that the UN system recognises just nine major groups of civil society in distinct chapters: -

- Women
- Children/Youth
- Indigenous People
- NGOs
- Local Authorities
- Workers and Trades Unions
- Business and Industry
- Scientific and Technological Communities
- Farmers

Thus, NGOs were pushed into one category, despite having very different agendas (and even areas of interest). Animal protection is not represented at all – as the major development and environmental NGOs consider this a marginal issue (and distraction) at best, and a conflicting interest at worst. Furthermore, only one NGO representative was able to present briefly to the Plenary. This presentation could not, therefore, represent the whole range of NGO interests. Furthermore, there was no link between the presentation and the formal process. A (single) viewpoint was made, and passed over the heads of delegates.

Many NGOs seemed to welcome the meeting, whereas it was in reality a disgraceful whitewash, costing NGOs hard-earned donations to be present without being heard (apart from by other NGOs).

OIE

Another example of an international whitewash was the OIE animal welfare consultation. The OIE chose to group all animal protection groups under an umbrella 'the International Coalition for Farm Animal Welfare (ICFAW)' that was put together especially for this meeting and did not consult with animal protection groups across the world (or even with the few members it signed up to ICFAW).

Another area where animal protection organisations are in serious danger of cooption is in connection with membership of government animal welfare committees and/or ethical committees (especially those approving animal experiments). It is often a question of debate whether animal protectionists should join such committees. The main advantages are that they can learn the facts from the inside (although they may not be able to use them due to confidentiality agreements) and that they may be able to influence the proceedings positively. The main drawback, however, is a serious one: that their name on the committee confers credence and respectability, which could be a real case of cooption. The decision as to whether to take a place on such a committee is an individual one, and should be based on likely benefits/achievements. If there is no chance of making a positive impact, and then the animal protectionist should leave the committee – and make a clear statement and protest about the reasons.

Animal protection organisations need to be forceful in insisting in full and meaningful engagement and consultation and transparency and freedom of information. It is simply not satisfactory for the movement (or worse still the NGO movement) to be consulted as if it was an amorphous mass, instead of a number of different constituencies, with varied missions, goals and ethical bases.

They also need more thoroughly to evaluate their lobbying so that they may effectively demonstrate their advocacy achievements and, by so doing, confidently invest a greater proportion of resources into lobbying that contributes to their strategic goals.

International Political Scene

As far as animal protection is concerned, the political arenas – and the seats of power – are changing rapidly as globalisation takes hold in increasingly relevant practical ways.

In general terms, individual countries are likely to hold less power as these global changes take place. The world will take on a much more regional dimension as the world attempts to deal with globalisation in a manageable way. Regional groupings, such as the EU, will build in power and stature - but this influence will increasingly be directed towards action at an international level.

The USA has long dominated international institutions, but we are reaching an interesting period when many of these international institutions are coming of age and

breaking away from national influences. The EU is increasing in power and status, and developing countries are actively seeking a greater role.

The United Nations (UN)

<http://www.un.org/english/>

The UN plays an important role in the international political arena. The UN system has been criticised for being an international construct formed specifically to further the Western – and particularly US – worldview (the capitalist/materialist development paradigm). However, although developed and developing countries do not yet influence it equally, it is becoming more ‘pro-South’. This may help to explain why the US and some other governments have been unwilling to pay their assessed contributions to the organisation’s regular budget in time or in full?

Within the UN system there are specialised agencies and other autonomous organisations. Key ones of relevant to animal protection work include: -

- ◆ The Food and Agriculture Organisation of the United Nations (FAO)
<http://www.fao.org/>
- ◆ The World Health Organisation (WHO)
<http://www.who.int/en/>
- ◆ The United Nations Educational, Scientific and Cultural Organisation (UNESCO)
<http://www.unesco.org/>
- ◆ The International Fund for Agricultural Development (IFAD)
<http://www.ifad.org/>
- ◆ The World Bank Group
<http://www.worldbank.org/>
- ◆ The United Nations Environment Programme (UNEP)
<http://www.unep.org/>
- ◆ The United Nations Development Programme (UNDP)
<http://www.undp.org/>

Of these, the first five are specialised UN agencies and the last two are UN programmes. They report to the Economic and Social Council (ECOSOC), but the last two also report directly to General Assembly.

There has been some limited progress in the animal protection field in some of these UN organisations. For example: -

- The FAO amended its mission to include animal welfare and drafted an animal welfare policy.
- The World Bank agreed to establish an ‘animal welfare working group for development’ (not yet actioned at the time of writing).
- The WHO has worked jointly with WSPA on stray control materials and training.
- UNEP has taken up some conservation-linked animal protection issues. Most groundbreaking is the GRASP initiative (a project whereby UNEP campaigns together with partner NGOs on great ape issues).
- UNEP and UNESCO’s Xchange programme includes animal issues in sustainable development educational materials for youth.

UNEP was reinforced in 1997 by the Nairobi Declaration to be the leading global environmental authority advocating environmental concerns within the international system, and promoting environmentally sustainable development. However, despite promising individual initiatives like the above, it has failed to take animal welfare into its remit more generally (as FAO is starting to do).

International research institutes, such as the Consultative Group on International Agricultural Research (CGIAR), are also of key importance – The International Food Policy Research Institute (IFPRI) and the International Livestock Research Institute (ILRI). The research carried out at these institutes feeds into international political decision-making, so their scope and the direction of research are fundamental.

The United Nations has recognised a whole host of special days, but to date none covers animal protection. The days of remembrance most commonly used by animal protection organisations are: -

- ◆ World Animal Day – 4th October (the feast day of St. Francis of Assisi)
- ◆ World Farm Animal Day – 2nd October (commemorating Gandhi's birthday)
- ◆ World Day for Laboratory Animals – 24th April

It is a common misperception that these are officially recognised by the UN, but they are not to date. To be officially recognised, an international day has to be adopted by the UN's General Assembly. See: -

http://www.un.org/depts/dhl/un_conf.htm

<http://www.un.org/events/ref42.htm>

UN Consultative Status

There are three categories of status: General consultative status, Special consultative status and Roster status.

General consultative status is reserved for large international NGOs whose area of work covers most of the issues on the agenda of ECOSOC and its subsidiary bodies. These tend to be fairly large, established international NGOs with a broad geographical reach.

Special consultative status is granted to NGOs, which have a special competence in, and are concerned specifically with, only a few of the fields of activity covered by the ECOSOC. These NGOs tend to be smaller and more recently established.

Organizations that apply for consultative status but do not fit in any of the other categories are usually included in the Roster.

The following animal protection organisations have UN consultative status: -

General

Humane Society of the United States (1996)

Special

International Association Against Painful Experiments on Animals (1972)

International Fund for Animal Welfare (2002)

World Society for the Protection of Animals (1971)

Roster

World Animal Net (2001)

There is nothing to prevent other organisations from applying, providing they are representative and have broad geographical outreach.

OECD

<http://www.oecd.org/home/>

The OECD is another grouping of interest. It has 30 member countries sharing a commitment to democratic government and the market economy. It has a global reach with active relationships with some 70 other countries, NGOs and civil society. Its work covers economic and social issues from macroeconomics, to trade, education, development and science and innovation. Areas of interest to animal protection organisations include: -

- ◆ Chemical safety (animal experimentation)
- ◆ Development Cooperation Directorate/Development Assistance Committee (DAC) (sustainable development, environment etc.)

World Trade Organisation (WTO)

The WTO enforces a worldwide Treaty, the General Agreement on Tariffs and Trade (GATT), which insists that free trade must take precedence over other legitimate areas of public policy, such as animal and environmental protection. Thus, under this current paradigm, an economic precept - free trade - takes precedence over all other legitimate areas of public concern including the need for sustainable development, environmental and animal protection.

Many animal protection organisations believe that the WTO is the greatest threat facing animal protection today.

The essence of the WTO problem is that the WTO refuses to let countries distinguish between products on the basis of the way in which they are produced, making it impossible to distinguish on the basis of animal welfare criteria. This means that under WTO rules a country (or group of countries) cannot: -

- Ban imports on welfare grounds.
- Insist that imports comply with its laws to protect animals or the environment.

Taking the EU as an example: Where higher welfare standards exist or are introduced in the EU, if products produced outside the EU to lower welfare standards cannot be banned/prohibited, then such products will be imported and compete (unfairly) with EU production. There is currently no provision for products to be banned on welfare grounds (as production methods are not an allowable barrier). This provides an economic disincentive to the introduction of higher welfare standards. The only way animal welfare could be considered in this context would be either if the WTO were reformed, or if legally accepted international standards were formulated.

This situation is untenable for animal protection organisations, who feel that the reform of WTO is vital and continue to lobby on this issue. Also, the wider NGO

movement increasingly questions the predominance of the free-trade paradigm, with all its detrimental environmental and social impacts.

International Organisation for Animal Health (OIE)

<http://www.oie.int/>

The major international initiative in the field of animal welfare is being undertaken by the International Organisation for Animal Health (OIE), based in Paris. The OIE was chosen as the body capable of producing science-based guidelines/standards on animal welfare, because of its strong veterinary and scientific base. It is a broad-based organisation with more member countries than the WTO itself (it had 166 members at the time of writing, whereas the WTO had 147), and it has an existing WTO mandate and standard setting agenda for animal health issues.

The OIE established animal welfare as a priority in its 2001-5 strategic plan and organised an international conference on animal welfare in February 2004. It will give priority to the welfare of animals used in agriculture and aquaculture, and within that group: -

- Transport
- Humane slaughter
- Killing for disease control purposes

Followed by housing and management. Other topics, such as research animals and wildlife, will be addressed subsequently, as resources permit. Its aim is the development of policies and guiding principles to provide a sound foundation from which to elaborate draft recommendations and standards for the identified priorities.

If progress is as expected, it appears likely that the OIE will become the major international body with competence for animal welfare. In May 2004 the OIE passed a resolution on animal welfare at its annual meeting: -

Resolution XXVI

Adopted by the International Committee of the OIE on 25 May 2004

Includes the following (in brief): -

Considerations

- ◆ DG has established a permanent working group on animal welfare, with a significant programme.
- ◆ Feb 2004 conference confirmed OIE's international leadership role in animal welfare.
- ◆ Work on developing guidelines for priority topics is underway.
- ◆ Active involvement of all member states will be essential to the success of this initiative.

Committee Recommendations

- ◆ The Working Group to advise DG and Animal Health Commission of work on animal welfare.
- ◆ Working Groups 2004/5 programme to form basis of OIE's work on animal welfare, and appropriate resources provided for priority areas.

- ◆ Veterinary Services to be actively involved in the preparation, review and implementation of animal welfare regulations and legislation in their countries.
- ◆ All OIE countries to play an active role in their regions in respect of this initiative.

In addition, the OIE will work:

- ◆ To identify animal welfare research needs and encourage collaboration among research centres, to improve awareness of animal welfare in academia.
- ◆ To provide expertise on specific animal welfare issues to OIE stakeholder groups, other international organisations, animal production sectors, industry and consumer groups.

Conventions

There are also some multilateral conventions covering issues of interest to animal protection societies. These are noted briefly below.

CITES

Convention on International Trade in Endangered Species of Wild Flora and Fauna
<http://www.cites.org/>

An international treaty with 148 state parties, which came into force in July 1975. The overall aim of the convention is to ensure that international trade in specimens of wild flora and fauna does not threaten the survival of the species traded.

The convention classifies species into three categories: -

- ◆ Appendix I – species threatened with extinction
- ◆ Appendix II – species that could become threatened if trade in them is not strictly regulated
- ◆ Appendix III – Species protected by the state that nominates them, and seek cooperation of other parties.

Ramsar Convention

<http://www.ramsar.org/>

The Convention on Wetlands, signed in Ramsar, Iran, in 1971, is an intergovernmental treaty that provides the framework for national action and international co-operation for the conservation and wise use of wetlands and their resources. There are presently 138 Contracting Parties to the Convention, with 1368 wetland sites, totalling 120.5 million hectares, designated for inclusion in the Ramsar List of Wetlands of International Importance.

World Heritage Convention

<http://whc.unesco.org/nwhc/pages/doc/main.htm>

The convention concerning the Protection of the World Cultural and Natural Heritage was concluded in 1972. It aims to protect natural and cultural properties of

outstanding universal value against the threat of damage in a rapidly developing world.

Bonn Convention

<http://www.cms.int/>

The Convention on the Conservation of Migratory Species of Wild Animals 1979 (also known as CMS or the Bonn Convention) aims to conserve terrestrial, marine and avian migratory species throughout their range. Since the Convention came into force on 1 November 1983, its membership has grown steadily to include 86 Parties (as of 1 June 2004).

IWC (The International Whaling Commission)

<http://www.iwcoffice.org/>

The International Whaling Commission (IWC) is the international body responsible for the regulation of whaling. The IWC was set up under the International Convention for the Regulation of Whaling, which was signed in Washington DC on 2 December 1946. The purpose of the Convention was to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry. But the IWC's attitude toward whaling has changed over the years - towards protection of whales, rather than exploitation.

IATA (International Air Transport Association)

<http://www.iata.org/index.asp>

The International Air Transport Association (IATA) is an association of airlines founded in 1945 by airline operators seeking to promote "safe, regular, and economical air transport." IATA publishes Live Animal Regulations (in English, French, Spanish and Chinese). These regulations are the industry's minimum standards for the international transport of animals.

The Convention on International Trade in Endangered Species - CITES - now recommend that its parties adopt the Live Animal Regulations as their official guidelines for the transportation of endangered species.

International Animal Protection Standards

Whilst there is a multilateral convention covering endangered species (CITES: see above), there is currently no international agreement covering animal welfare per se. International institutions cite an international agreement as a potential solution to WTO problems. However, this would be, at best, only a partial solution – as any international agreement would be likely to result in extremely low standards (lowest common denominator), particularly if agreed on a consensus basis. Then, there is also the question of enforcement of any international standards, in the absence of any permanent international regulatory system for animal welfare.

Also, any international agreement on animal welfare is said to be likely to take a 10-year minimum timeframe for adoption. It is possible that the OIE initiative will form the basis of future international animal welfare standards, but it is vital that other international bodies continue to introduce their own initiatives in this field. It would

be only too easy for international bodies to rest on their laurels now the OIE has started this initiative. So, it is incumbent upon animal protection societies to ensure that animal welfare is developed and considered throughout ALL relevant international organisations and activities.

Other International Initiatives

Other international initiative of interest are summarised below.

The Universal Declaration of Animal Rights

<http://league-animal-rights.org/en-duda.html>

This declaration was proclaimed in Paris on 15 October 1978 at the UNESCO headquarters. It is a popular misconception that it was ratified by the United National General Assembly. It was not – it was just agreed (by animal rights groups) within the UN building.

Declaration on the Welfare of Animals

<http://www.wspa-international.org/site/index.php?page=625>

This initiative was developed by WSPA. An intergovernmental meeting was organised, which took the form of a conference hosted by the Government of the Republic of the Philippines in Manila (25-26 March 2003). This resulted in an international agreement recognising the importance of animal welfare. Twenty-two government delegations agreed to the proposal, which was significantly reduced from the original proposal.

The Manila Conference agreed to recognise that "animals are living, sentient beings and therefore deserve due consideration and respect", and that the "welfare of animals shall be a common objective for all nations". The agreed Principles state that, "All appropriate steps shall be taken by nations to prevent cruelty to animals and to reduce their suffering".

This initiative had a long history, being worked on within WSPA for many years before this stage. The first draft of the declaration was started as far back as 1980 by Bill Clark of Israel, and intended to be a convention. The concept came to Bill when he was working as the manager of the Hai-Bar Wildlife Reserve in Israel. During a check on the reserve, he came across several steeljaw leghold traps along the edge of the reserve, as well as several snares. These were cruel Woodstream traps - factory manufactured in the U.S. and totally forbidden in Israel. They disturbed Bill greatly, and caused him to reflect upon the fact that whilst there were laws that control international trafficking in weapons, explosives and other dangerous and/or contraband items, hardly any efforts were made to suppress commerce in cruel instruments used to capture and kill animals.

In a broader context, he started thinking there ought to be a 'Geneva Convention' and a 'Hague Convention for animals. The Geneva Convention legally protects prisoners of war from cruelty, and also provides for minimum standards of care for those prisoners. He reasoned: "If we can establish humane standards of care for our worst enemies when they are taken captive, why can't such concept be applied to innocent animals?"

The Hague Convention prohibits the use of certain cruel weapons that cause gratuitous suffering. Again, Bill reflected that our most desperate enemies are better protected by international laws than the most innocent of animals.

Bill is not a lawyer, but started producing a draft based on the precepts of the Geneva and Hague conventions. The first draft was circulated at the 1983 meeting of the CITES Conference of the Parties in Gaborone, Botswana, and attracted a few sympathetic persons on both government and NGO delegations. They formed a small group and started working on revised drafts.

They worked on it for more than a decade, but ultimately left the project when despite many individual expressions of support, no government would take a leading role in the project. Neither would any leading NGOs adopt the project at the time. It was some years later, when successive WTO threats to animal protection standards emerged, that WSPA realised the vital importance of international animal protection standards and started to rework the project.

IFAW had also worked on similar initiative, which appears to have been subsumed into this present declaration.

The European Union (EU)

<http://europa.eu.int/>

For animal protection organisations located in Europe, the European Union (EU) will gradually no longer be the 'centre of their universe'. It will always remain a powerful member of international decision-making, but more decisions will be taken in the global arena. Groups in Europe have already seen animal protection decision-making moving from national to EU level, as more animal protection activities come under EU competence and European countries increasingly avoid the adoption of higher standards than the EU (in order to avoid adverse impacts on their industry's competitiveness). If the EU finds itself unable to uphold its own animal protection standards (see WTO section below), then it will increasingly press for action at international level.

In political terms, the EU is increasing in international importance and stature (and not just due to its enlargement). It is a major negotiating partner in many international institutions. Even in forums where individual countries are still represented, the EU will hold co-ordination meetings.

The EU was established by the Treaty of Rome (EEC Treaty or TEC) signed in 1951, with the objective of safeguarding peace and promoting economic and social progress in Europe. The EU is essentially an area of economic activity and trade without internal frontiers. The Treaty identified animals as 'goods' or 'agricultural products'. There were no powers in the Treaty of Rome to introduce EU legislation for the specific purpose of protecting animals. However, after many years of CIWF campaigning, the European Union heads of state of government meeting in Amsterdam June 16 1997 agreed to include a special legally binding protocol on animal welfare in the new European Union Treaty (The Amsterdam Treaty). This required the European Institutions to take account of animal welfare when considering

legislation in the areas of research, transport, agriculture and the internal market. At the time of writing, a new EU constitution is being prepared, which will include the provisions of the Protocol.

Within the EU the major animal protection lobbies are: -

- The Eurogroup for Animal Welfare – based in Brussels, an organisation formed especially to lobbying the EU on all animal welfare issues and comprising member organisations and observers from throughout the EU.
<http://www.eurogroupanimalwelfare.org/>
- The European Coalition for Farm Animals – a pan-European coalition of animal protection societies campaigning and lobbying together on key farm animal issues. Coordinated by CIWF.
<http://www.ciwf.org.uk/ecfa/>
- The European Coalition to End Animal Experiments – a pan-European coalition of animal protection societies campaigning and lobbying together on key animal experimentation issues. Coordinated by the BUAV.
<http://www.eceae.org/>
- The International Fund for Animal Welfare (IFAW) – this international organisation has an office in Brussels for lobbying the EU on certain animal protection issues of interest to IFAW.
<http://www.ifaw.org/>
- The Humane Society International (HSI) has a European lobbyist, who lobbies the EU on certain animal protection issues of interest to HSUS/HSI.
<http://www.hsus.org/ace/20225>

Major Animal Protection Successes in Europe

There have been more animal welfare successes in the European Union than elsewhere. These include the following (summarised from Eurogroup for Animal Welfare sources): -

Animal Welfare Protocol (EU Constitution) - 1997

A Protocol on Animal welfare was agreed that recognised animals as sentient beings. It also obliged all Member States to pay full regard to the welfare of animals when formulating and implementing Community policies on agriculture, research, transport and the internal market.

World Trade Organisation – 1999

The EU is leading on pressing for animal welfare concerns to be included in the WTO. Its negotiating paper presented at Seattle included animal welfare as a non-trade concern. The EU also presented a discussion paper on animal welfare to a Special Session of the Committee on Agriculture (Geneva).

Pigs Directive – 1991

In 1991, tethering was banned and some minor improvements were brought to pig welfare.

Calves Directive – 1991 and 1997

Some improvements were brought to the veal calf rearing system in 1991. In January 1997 the Directive was amended and it was agreed to ban individual crates by 1st January 1998 for new farms, and by 31st December 2006 for all other farms.

Revised Slaughter Directive – 1993

This Directive included detailed rules for lairage, restraint of animals, pre-stunning and slaughter.

Transport - 1995

On 22nd June 1995, new standards on the transport of farm animals were agreed. Special vehicles need to be used for journeys of more than 8 hours. Feeding, watering and resting periods for different animals were introduced.

Battery Cages – 1999

In June 1999, a new directive on the welfare of laying hens banned the use of the conventional battery cage from 2012.

Antibiotics – 1999

At the beginning of 1999, four antibiotics used as additives in animal feed were banned.

Bovine Somatotropin - 1999

A ban on the marketing and use of the milk hormone BST was introduced by the EU in 1990 and has now been extended indefinitely.

Egg labelling – 2001

New standards for compulsory egg labelling were adopted: from 2004 all table eggs produced in the European Union will have to be labelled according to their method of production (free-range, barn or cages).

Revised Directive on Pigs – 2001

In June 2001, a new directive on the welfare of pigs was adopted, which will ban the use of individual sow stalls from 2012 and further limit the use of totally slatted floors in pig housing.

Ban on Seal Products – 1983

A ban on the importation into Member States of skins of white-coated seal pups and products derived from them was first introduced in 1983, was renewed in 1985, and then made permanent in 1989.

Leghold Traps - 1991

In 1991 the Council agreed to prohibit, from 1995, the use of leghold traps in the Community.

Driftnets - 1992 and 1998

The use of driftnets over 2.5 km long was banned in 1992 in Community waters or by Community vessels anywhere in the world. A ban of all driftnets by the end of 2001 was agreed in June 1998 by EU Fisheries Ministers.

Zoos – 1999

In March 1999, a Directive on the Keeping of Wild Animals in Zoos was adopted by the Council of Ministers. This obliges Member States to introduce a system of licensing and inspection for zoos by 2002, and to ensure that zoos provide space for animals' natural behaviour.

Laboratory Animals - 1986

A Directive on the Protection of animals used for research purposes based on the Council of Europe's Convention was agreed by Council in 1986.

Cosmetics Testing – 1993 and 2003

In 1993, it was agreed that a marketing ban on cosmetic products and ingredients tested on animals would be introduced on 1 January 1998 provided that scientifically validated alternative non-animal tests were available for an adequate safety evaluation. This ban was been postponed twice, up to June 2000, and then up to June 2002. Then, a new measure was agreed in 2003 (after 13 years of negotiations), which will phase in a near-total ban on the sale of animal-tested cosmetic products throughout the EU from 2009 and put a stop to all animal testing for cosmetics.

European Centre for the Validation of Alternative Methods ECVAM - 1993

In 1993 the Commission established the ECVAM at ISPRA in Italy to work on the development of alternatives to animals in testing.

There is a real opportunity for animal protection organisations to extend some of the major EU successes internationally. Many developed animal protection organisations are already using these EU successes in their work, but others could also benefit from this approach – preferably through a proactive lobbying programme.

This will not only spread such gains, but also consolidate the EU successes and guard against future dismantling (on competitive grounds).

The Council of Europe

<http://www.coe.int/>

<http://conventions.coe.int/Treaty/EN/cadreprincipal.htm>

The Council of Europe was founded in 1949. It is considered to be the bastion of human rights in Europe. Its aims are:

- To work for greater European unity.
- To uphold the principle of parliamentary democracy and human rights.
- To improve living conditions and promote human values.

The Council of Europe became concerned about animal welfare because it realised that 'the dignity of mankind could not be disassociated from the respect man owed to his environment and the animals which inhabited it'.

Eurogroup and WSPA both have consultative status with the Council of Europe.

The Council of Europe has the following conventions covering animal protection issues: -

No.	Title	Opening of Treaty	Entry into Force
065	European Convention for the Protection of Animals during International Transport	13/12/1968	20/2/1971
087	European Convention for the Protection of Animals kept for Farming Purposes	10/3/1976	10/9/1978
102	European Convention for the Protection of Animals for Slaughter	10/5/1979	11/6/1982
103	Additional Protocol to the European Convention for the Protection of Animals during International Transport	10/5/1979	7/11/1989
104	Convention on the Conservation of European Wildlife and Natural Habitats	19/9/1979	1/6/1982
123	European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes	18/3/1986	1/1/1991
125	European Convention for the Protection of Pet Animals	13/11/1987	1/5/1992
145	Protocol of Amendment to the European Convention for the Protection of Animals kept for Farming Purposes	6/2/1992	
170	Protocol of Amendment to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes	22/6/1998	
193	European Convention for the Protection of Animals during International Transport (Revised)	6/11/2003	

Council of Europe conventions and associated recommendations include some useful standards. The recommendations cover extremely useful details and advice. As with EU measures, these could be used by animal protection organisations to press for beneficial change in their own countries or internationally.

Constitutions

<http://worldanimal.net/constitution.htm>

It is important for both ethical and practical reasons to incorporate animal protection into constitutions. Not all countries have a written constitution. However, where there

is a written constitution, a useful animal protection aim is the inclusion of animal protection in the constitution. For example, in the Indian constitution, there is a provision (Article 51-A) that the people of India have a moral obligation to prevent animal suffering. In the absence of animal protection in the constitution, animal protection objectives can be over-ridden by other constitutional principles (such as freedom of science/research or freedom of artistic expression).

The key elements are the recognition of animals as sentient beings and the inclusion of animal protection/welfare provisions. The EU has included this in its Treaty-constitution.

NGO Power

There is no doubt that NGOs will play an increasing role in defining the global agenda. As the decisions of global agencies, such as the WTO, touch more directly upon the welfare, values or interests of peoples around the world, this has triggered a corresponding globalisation of political activity. Globalisation is not only for those wanting to make more profit – it is also for those who want to see responsible governance, reflecting the concerns of the civil society. International organisations may have embraced NGOs to give them credibility and flexibility (providing a semblance of consultation without the constraints of real democracy), but in terms of civil action, it has probably been shocked at the power now wielded!

Globalisation makes campaigning more powerful, and it is already easy to see that pressure from international civil action has a major effect on government and international institutions. The strong civil actions at the WTO negotiations in Seattle were the beginning of a new, strengthened form of public campaigning, assisted and fuelled by the power of the Internet.

NGOs are becoming increasingly powerful. They are also increasingly professional in their approach. They are beginning to act strategically, and focus their activities – often with great impact. Their networks are stretching and communications are becoming more effective, especially by the harnessing of Internet technology.

There are now more than 30,000 international NGOs. As trust in political parties and companies declines, as governments funnel more money through charities and as the Internet gets cheaper, the numbers will grow even faster. In poor countries they will multiply especially fast. Globally, the bigger NGOs such as Oxfam, Greenpeace and Amnesty etc. are already more influential than some smaller governments. They have large budgets and highly skilled staff. (Some even flit between jobs in government, in the UN and in NGOs.) They will also get a greater say in the UN: some already want to exert their influence to help pick new heads of UN agencies. International animal protection NGOs are clearly lagging behind their development and environmental counterparts, but this should be the way forward.

The Industry, Deregulation and ‘Market Forces’

The above is the legislative picture. The reality is somewhat different. In practice, a small proportion of the world is making legislation progress on animal protection issues – mainly in the ‘developed’ countries (with a few notable exceptions). Yet, in many areas the animal use industry is expanding and relocating outside this area. For example, there is an explosion of factory farming in ‘developing’ countries (mainly untouched by legislative protection), driven by demand and fuelled by large corporations. Also, the world’s population is expected to grow from 6 billion in 2000 to 7.5 billion in 2020. By the year 2025, 83% of the expected global population of 8.5 billion will be living in ‘developing’ countries.

WTO problems have caused countries and regions to become wary of providing increased animal protection measures for competitive reasons, and any international standards are likely to be very low. In many countries, deregulation is the trend in any event – following the neoliberal agenda spreading from the USA. This adds importance to business initiatives such as corporate social responsibility, animal welfare, labelling scheme and consumer awareness. Improved welfare products. E.g. organic, free-range, cruelty free etc. will become increasingly important.

It will also become increasingly important to campaign and lobby against business interests (including producers/manufacturers, supermarkets and retailers, fast food companies etc. Some good examples of successes in these areas are: -

- ◆ PETA’s campaign against the fast food giants (leading to the development of new welfare standards)
<http://www.kfccruelty.com/>
- ◆ CIWF’s supermarket survey
http://www.ciwf.org.uk/campaigns/other_campaigns/farm_assurance.html
<http://www.ciwf.org.uk/publications/reports/Supmart2003.pdf>
- ◆ SHAC’s commercial and financial pressure in its campaign to close down HLS
<http://www.shac.net/>

Political Moves

Many animal protection societies already undertake effective lobbies to influence the inclusion of animal protection aims into the manifestos of political parties. This includes questionnaires and publicity about each party’s animal protection policies (praise or shame in the full glare of publicity). If this is done before each election, it is predicted and can really influence party policy.

Other inventive political initiatives include the formation of a political party for animal welfare – an initiative that was started in the Netherlands. Now this idea is spreading, and at the time of writing there is already a political party for animal welfare in the following countries: Germany, Holland, Spain and France.

In Australia, a hard-hitting campaign against live exports has led to the organisation of candidates against live exports being run in marginal constituencies. This is a very

clever political ploy to try and persuade the opposition party to campaign on an anti-live exports agenda.

Where From Here?

It is clear that the international animal protection lobby falls behind those of other NGOs in a number of respects. But now is not the time for excuses or recriminations. Now is the time for action! The political scene is now international, and we are facing enormous threats and opportunities that will never come our way again. Leading international organisations should take this challenge and meet to collaborate in the same way as they did when faced with EU opportunities and threats. A proactive international lobbying strategy is needed, which includes: -

- ◆ A prioritised and targeted strategy for lobbying international organisations
- ◆ Long-term and sustained operational planning
- ◆ Focus and effort on OIE as a priority
- ◆ True collaboration with animal protection networks
- ◆ Mechanisms for consultation and involvement
- ◆ Capacity building and support for less developed societies (in legislation and lobbying)
- ◆ Focus and assistance in lobbying for the introduction of national animal protection laws in the 138 countries that do not yet have these

The world is moving so fast these days that the man who says it can't be done is generally interrupted by someone doing it.

Fosdick, Harry Emerson