

**PUBLIC CONSULTATION
FOR THE DRAFTING OF A**

**NATIONAL
ANIMAL WELFARE
STRATEGY**



**GOVERNMENT
OF MALTA**

MINISTRY FOR AGRICULTURE,
FISHERIES AND ANIMAL RIGHTS

PARLIAMENTARY SECRETARY
FOR FISHERIES, AQUACULTURE
AND ANIMAL RIGHTS

**PUBLIC CONSULTATION
FOR THE DRAFTING OF A**

**NATIONAL
ANIMAL WELFARE
STRATEGY**

MAY 2022

agrikoltura

sajd

Index

01	Introduction	4
02	Background and Scope	6
03	Interest in Animal Welfare	10
04	Animal Welfare in the EU	12
05	Animal Welfare Measures Implemented in Malta in Recent Years	16
06	The National Animal Welfare Strategy and other related national policies	20
07	General guiding principles for stakeholder feedback	22
08	Conclusion and Way Forward	26
09	Guiding Consultation questions	30
10	Submission of Feedback	32

01

Introduction

Animal welfare is a complex and multi-faceted subject with scientific, ethical, economic, cultural, social, and political dimensions. It attracts growing interest from civil society and has generated significant public interest¹.

¹ For more information on the body's endocannabinoid system:
<http://norml.org/library/item/introduction-to-the-endocannabinoid-system>

Thus, it has become **a priority on the international, European and national policy agenda**. This is reflected through the OIE's Global Animal Welfare Strategy adopted in 2017, the EU's **Farm to Fork** Strategy published in May 2020 and the Government's intention to embark on this public consultation in preparation for the National Animal Welfare Strategy.

According to the OIE's Terrestrial Code, **animal welfare** can be defined as *'the physical and mental state of an animal in relation to the conditions in which it lives and dies.'* This is a **broad term** encompassing many species, including wildlife; and which nevertheless has **wide connotations** which make it **quite complex to measure, quantify or assess**. Therefore, animal welfare in itself is **a colossal challenge** which brings massive tasks for which there is a no **'one-size-fits-all' solution**. For this reason, as a nation, we need to **move in phases**, addressing both vertical and horizontal issues with care.

The Government is proposing a National Animal Welfare Strategy to **provide a strategic framework** which not only **analyses the commendable hard work that has been done** by authorities, NGOs, volunteers and activists, but also to **help build partnerships with interested stakeholders, improve coordination, reduce duplication of effort and deliver a more effective and consistent national approach** to improving the welfare of animals.

02

Background and Scope

As a European Member State, Malta has implemented national legislation which offers a high-level protection for animals based on EU legislation which aims to ensure protection of animals kept for farming purposes by providing general rules for the protection of animals of all species kept for food, wool, skin, fur or for other farming purposes, including fish, reptiles, or amphibians and sports.

Malta also adheres to the Lisbon Treaty which recognises that animals are sentient beings who must be free from hunger and thirst, discomfort, pain, injury, disease whilst having the freedom to express normal behaviour and be free from fear and distress. A National Animal Welfare Strategy needs to be based on ensuring these fundamental freedoms are guaranteed.

Animals play a key role in agriculture but are also prevalent in other sectors.

Both large and small animals play a key role in civil society in a variety of ways such as the tourism industry; health services aimed at mental and physical wellbeing; enforcement, companionship and sports.

Legislation is necessary not only to oversee and guide breeders and pet shops but may also be necessary for ancillary service providers such as boarding, training, groomers, carers, veterinary, auxiliary and para-veterinary carers, farriers, and trainers. Apart from this, a diverse range of species are housed in private collections and zoos.

These sectors could necessitate the need for further legislation within the sector.

The needs of animals are complex and when looking at the freedoms, the protection from hunger and thirst this may be initially seen as a basic need, however education is necessary to ensure **specific dietary requirements of animals** based on their species, breed, level of activity and age. Overfeeding is as detrimental to animal welfare as underfeeding. Many **overweight and obese animals** suffer from secondary and primary preventable health conditions. In some cases, such as equines, overfeeding can cause debilitating conditions such as laminitis while other species such as canines may be intolerant or allergic to certain types of food. In both cases, poor dietary choices could cause life threatening illness.

Discomfort, pain, and injury may be caused by overt and intentional abuse but may also be caused unintentionally. Handling and training methods in both large and small animals can be applied incorrectly, **animals could be pushed or overexerted or be exposed to unintentional risks when carrying out activities** such as swimming, play and while interacting with other species/breeds.

In the case of farm animals, there exists a correlation between **high welfare standards and increased animal health, a decrease in disease results in a decrease in the use of antimicrobials**. An increase in animal health and welfare not only benefits the agricultural sector through decreased incidence of disease and veterinary intervention, but also translates well to working animals and pets/owners.

Animal health and disease prevention also depends heavily on **adherence to existing traceability rules as well as an awareness to detect certain conditions** and illnesses in the early stages to prevent their spread. The feedback gathered through this Public Consultation could help the government and competent authorities to identify deficiencies in current systems and **address a lack of knowledge through the dissemination of information** to farmers and consumers.

One of the most challenging aspects of animal welfare is allowing for the **freedom to express natural behaviour**. In the agricultural sector we must look at achievable and viable measures.

Within the working animals' sector, we could work to ensure handlers possess the necessary skills to handle and care for working animals. These skills need to be specie specific and look further than the minimal requirements set out for certain commercial activities. Any business venture that keeps animals needs to have staff who **possess the necessary education, and work in accordance to evidence** with the necessary skills to ensure the safety of both animals and humans. We must accept the fact that Malta does not have the space or resources to allow certain species of animal to exhibit natural behaviours. In this regard, work must be done **to maximise the welfare of those animals** which currently reside in Malta

Malta, like many other Member States, has issues related to **animal abandonment, strays and facilitating the rehoming and/or rehabilitation of animals**. These issues affect both small animal populations such as cats and dogs but also affect larger animals such as equines. A vast array of animals is saved from malnutrition and have their welfare needs cared for by many volunteers, NGOs, and shelters.

The work being done should recognise and support those currently working in favour of animal welfare. The strategy could investigate the control of current populations of animals through neutering campaigns, more solid legislation of breeders and increased public awareness. Tackling abandonment also needs to take a preventative approach through education.

Potential pet owners need to be made aware of the species/breed specific requirements before owning or adopting animals to prevent abandonment. Increased surveillance **through the legally required microchipping and identity tag may also disincentivise abandonment** if owners are traced and made accountable for the care and needs of their animals.

The Government is in the process of launching a Pilot Project whereby **Animal Welfare Stewards in selected Local Councils** will have the remit to educate animal owners on the legal requirements and report to Animal Welfare authorities in cases where animal abuse is suspected.

Potential owners should be aware of the **potential costs associated with owning certain breeds** to avoid unsustainable financial burdens which would be detrimental to animal health. **Breed specific ailments** range from hip dysplasia, spinal abnormalities, with brachiocephalic breeds having predispositions to cardiac and respiratory illness. Education campaigns on the importance of **rehoming** could be another area of interest.

03

Interest in Animal Welfare

A Eurobarometer survey carried out in 2015 revealed that most of the respondents considered that improvements were needed in animal welfare.

A total of 27,672 EU citizens were interviewed and upon review the data suggested that consumers believe that government, producers, and retailers have responsibility to prevent poor welfare of animals used for food or other purposes. However, it has been pointed out that the **burden cannot be placed solely on food producers** and farmers as increased welfare measures increase costs of production and can hamper economic viability. **To move forward, all citizens must take on the responsibility to ensure that as consumers they are willing to contribute to alleviating these burdens.** Within this context a 2018 survey emphasised that both public opinion and public policy have shifted to focus more on animal welfare as well as food quality and environmental standards.

Over the years, **animal welfare interest has moved up Malta's national agenda** and several **Government structures such as the Animal Health and Welfare Department, the Animal Welfare Council and the Office of the Commissioner for Animal Welfare** have been set up to reflect our society's increased awareness, interest, and expectations. While recurring stories of animal cruelty on the Maltese Islands are prevalent and sometimes coverage on local media unfortunately dampens the Maltese population's general affection towards animals, this document recognises the role played by these government structures together with the **consistent efforts, commitment and dedication of activists, volunteers and feeders** who work tirelessly in various animal sanctuaries, NGOs and localities all over our islands. For this reason, a National Animal Welfare Strategy could aim to place these **government entities, sanctuaries, NGOs and volunteers at the heart of such Strategy** and strive to build on the commendable work already being done while also exploring a wider array of measures how Sanctuaries, NGOs and volunteers can be further sustained and encouraged to continue with their mission.

Local councils are another important source of power and policy decentralisation through which national government policy can be implemented and reflected at a local level closer to the citizen. Local councils are also a major source of service provider to its citizens which sometimes also necessitate the assistance of government Animal Welfare services. Therefore, this document deems local councils as very important players in the implementation and in reaching the ambitions to be established in this National Animal Welfare Strategy. This is also in view that recently amended local council legislation identifies Animal Welfare as one of the legally binding portfolios to be assigned to one of its local councillors. Therefore, this public consultation document also aims to generate ideas on how the local council can take ownership for animal welfare initiatives in their respective communities.

04

Animal Welfare in the EU

With the support and close co-operation of the EU countries, the European Commission has been promoting animal welfare for over 40 years gradually improving the lives of farm animals.

An important step in 1998 was Council Directive 98/58/EC on the protection of animals kept for farming purposes which gave general rules for the protection of animals of all species kept for the production of food, wool, skin or fur or for other farming purposes, including fish, reptiles or amphibians.

These rules are based on the European Convention for the Protection of Animals kept for Farming Purposes and they reflect the so-called '**Five Freedoms**':

- Freedom from hunger and thirst
- Freedom from discomfort
- Freedom from pain, injury and disease
- Freedom to express normal behaviour
- Freedom from fear and distress

When the **Lisbon Treaty** came into force in 2009 it amended the 'Treaty on the Functioning of the European Union' (TFEU) and **introduced the recognition that animals are sentient beings**. Article 13 of Title II states that:

"In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the EU countries relating in particular to religious rites, cultural traditions and regional heritage."

Animal Welfare has been discussed even more regularly within the EU in more recent years. On 16th November 2019 Ministers adopted the **Council Conclusions on Animal Welfare** - an integral part of sustainable animal production which recognised that welfare of animals is an issue of high importance to European citizens. As part of the Conclusions, it was noted that legislation "*may not always be comprehensive and might not include specific minimum standards for the protection of many animals.*" It was also noted that both welfare legislation and voluntary incentives have led to improvements in animal welfare and may do so in the future.

Animal Welfare Label - A major development took place on 20th May 2020 upon the publication of the **Farm to Fork** Strategy for a fair, healthy and environmentally friendly food system. Soon after, the Commission announced that it would consider options for an **Animal Welfare Label to better transmit value through the food chain**. In December 2020, Agriculture Ministers approved conclusions for an EU-wide animal welfare label highlighting the overarching objective of improving animal welfare and called on the Commission to submit a proposal on an EU-wide animal welfare label for food produced under animal welfare standards. The 2015 survey revealed that **52% of participants looked for animal welfare labels when buying products**.

When reflecting on this discussion held on animal welfare labels it was stressed that **there is a need for market recognition and better remuneration of the additional efforts made by producers, in particular farmers as well as the importance of consumer information and education campaigns**. In this regard we must also consider geographical and climatic specificities of Malta and include achievable welfare criteria.

This raises the question on how **the National Animal Welfare Strategy can help facilitate increased voluntary measures while identifying and addressing potential shortcomings in legislation**. This consultation will attempt to gauge consumers' level of concern, awareness, and willingness to contribute to a comprehensive National Animal Welfare Strategy, as well as provide for an exchange of ideas on what specific challenges may be faced in Malta, and how, if possible, they could be overcome. This may identify opportunities to adapt traditional and long-standing market or production practices while also identifying new areas which could be open to improved animal welfare standards.

Animal Transport - The EU has a **large population of animals which are transported** at some point in their lifetime. Transportation varies in its purpose from domestic to slaughter, from farm to farm and involves the import and export of various species **who each have their own specific welfare needs**.

Council Regulation EC 1/200 defines the responsibilities of all the actors involved in the transport chain of live animals entering or leaving the EU laying down efficient monitoring tools and stricter rules for the transport and for the specific checks to be carried out by officials. However, discussions are ongoing on a revision of the legislation to better guard against welfare issues during transport.

While Malta is not a major transporter of animals for slaughter over long distances, our **consumers still have access to products which may include animals which have been transported long distances**.

The strategy could aim to achieve improvement in transportation means from livestock farms to slaughterhouses in terms of minimum requirements related to maximum capacity in transport vans/trucks, ventilation, maximum heat temperature especially during the summer months, loading and unloading practices, and the animals' level of hygiene upon arrival at slaughterhouses. This public consultation document is also interested to gain an insight into whether Maltese consumers would consider purchasing products based on the animals point of origin (**such as an origin label**) and on the amount of distance the animal had to endure to the point of slaughter (**a criteria on a voluntary animal welfare label**).

05

Animal Welfare Measures Implemented in Malta in Recent Years

In recent years, the government has taken various steps to address and improve animal welfare.

Some of the most important measures are being listed hereunder.

- **The Office of the Commissioner for Animal Welfare** was set up by Chapter 439, the Animal Welfare Act, with the task towards projecting a higher deserved status to Animal Welfare issues and matters related thereto. The ultimate mission of the Commissioner's Office is to promote and advocate for the animal welfare and the highest standards of health, keeping and treatment of animals.
- **The Animal Welfare Council's** mission is to promote and safeguard the welfare of all animals by dedicating resources towards improving their lives through the provision of appropriate housing, nutrition, medical care, humane treatment and handling. Its vision is to end the suffering, abuse and exploitation of animals through information and educational sessions in line with Maltese legislation and EU Regulations.
- The Ministry for Animal Rights received **seven Proposals from the Council for Animal Welfare** namely focusing on a national mass neutering programme for cats, responsible ownership and compulsory microchipping/registration of dogs and cats, farm animals' welfare, regulation of wild animals in captivity, the immediate removal of dangerous poisons widely available which are being abused, as well as a new rehoming centre.
- In 2021, over €50,000 has been spent on the **neutering of stray cats**. The budget for 2022 allocates €125,000 for a mass neutering campaign of stray cats.
- **Education campaigns** have been launched on the importance of **neutering and microchipping of cats and dogs** as well as the proper care of animals.
- The Ministry for Animal Rights issued a public consultation on a **revised Zoo legislation** followed by an impact assessment.
- A **National Digital Conference on the Importance of Animals within our Community** was held in 2020. This conference was addressed at NGOs and Local Councils. The aim was to encourage NGOs and Local Councils to work together on projects which combine the welfare of stray and pet animals while engaging communities for the wellbeing of their residents.
- The latest call for the **Local Council Care Fund** has allocated funds to 50 Local

Councils which applied to set up projects that address the needs of animals in their communities. Projects ranged from the setting up of cat cafés, dog parks, management of veterinary care for stray animals, and the setting up of post-surgery care rooms. This measure aims to care for domestic animals while offering the opportunity to residents to engage with animals in their community.

- The **Animal Welfare Fund, the Adoption Policy and Free Vet Services to NGOs** help to curtail the proliferation of stray dogs and cats and thus protect biodiversity loss while ensuring the welfare of these domestic animals.
- The Animal Welfare Directorate continues to offer **on-call Animal Ambulance Service** while making efforts to educate and raise awareness about animal welfare among the public. The ultimate ambition that the greatness of a nation and its moral progress can be judged by the way its animals are treated.
- On Antibiotic Resistance - in 2020, the Ministry for Health in collaboration with the Ministry for Agriculture, Fisheries and Animal Rights have **launched the AntiMicrobial Resistance Strategy and Action Plan 2020-2028**.
- **Changes in legislation** containing new provisions directly related with the **prudent use of antimicrobials** and also effective ways for enforcement have been proposed through **a draft bill that amends the current Veterinary Services Act (Chapter 437)**. This bill is planned to be published in 2022. A Legal Notice amending the current **Veterinary Medicinal Products Regulations** was published in 2021.
- Budget Measure 248 of 2020 proposed the **restructuring and upgrading of the National Veterinary Laboratory (NVL)** in order to extend its scope as per Agricultural Policy 2018-2028. In 2020 laboratory equipment was purchased. As part of the same Budget Measure, a feasibility study was contracted out to a French company - Lab Science - to evaluate the feasibility of expanding the NVL's testing capacities.

- Publication of an **amendment in the Animal Welfare Act** essentially **banning offenders found guilty of animal cruelty from owning or living with animals**, and an **amendment to address bestiality**.
- The enactment of a **Subsidiary Legislation introducing Administrative Penalties Regulations** published on 3rd September 2021 as LN342/2021 aims to ensure that the amount of the administrative penalties imposed by the respective Director on individuals are based on a more specific range of penalties or a fixed amount for each respective offence which will contribute to consistency and transparency in the issuing of penalties for offences of the same nature.
- **Educational Public awareness campaign** to decrease cases of animal abuse launched by the Office of the Commissioner of Animal Welfare.
- Malta's **first ever Animal Honours Awards** organized by the Ministry for Agriculture, Fisheries and Animal Rights. These awards served as an opportunity to celebrate animals and acknowledge the people involved in all aspects of animal welfare.
- **Publication of two schoolbooks on animal welfare** distributed in schools.
- Progress towards the realization of **Malta's first pet cemetery**.
- The Study on the possibility of setting up a **large-scale Rehoming Centre** is currently underway and is a Budget Measure for 2022.

06

The National Animal Welfare Strategy and other related national policies

The proposed National Strategy for Animal Welfare shall respect, fuse, and intertwine with other national policies and strategies currently under implementation including, but not limited to, those related to agriculture, anti-microbial resistance, sustainable development, environment, climate-change, biodiversity, energy and resources efficiency, economic policy, and research and innovation.

Moreover, this strategy **must fit in and look beyond the ambitions targeted by other recently published strategies at European level**, namely the **Farm to Fork** Strategy, the Organic Production Action Plan, the Vision for the Rural Areas 2040, the Contingency plan for ensuring food supply and food security in times of crisis, the EU Soil Strategy and the Communication on Carbon Farming.

In this regard, some of the measures to be identified in the Animal Welfare Strategy can be realised through both **national and EU funding** and shall involve the **coordination of different authorities working hand in hand with local communities, businesses, and the public.**

07

General guiding principles for stakeholder feedback

Given all information above, the following points are linked to the consultation objectives which may be considered when looking into how Malta is to move forward within the animal welfare sector.

- Malta like other EU Member States has a high level of protection for many animal species, notably those which form part of the food chain. **Legislation** may require both awareness and enforcement, and in that regard the insights and experiences of stakeholders can help shape the strategy.
- Many animal species do not have the same level of legal protection when compared to livestock. Considering this, measures could safeguard the welfare of animals when being handled by any **service provider** such as, but not limited to, **groomers, boarding kennels, trainers, and other related professions**.
- **Sanctuaries and shelters** continue to fill up with little room for new additions. **Feeders** cannot keep up as feral cat populations continue to increase beyond the control and budgets of small-time local feeders. Thus, the strategy could aim to **bring the pet populations under control**. Pet **owners must be educated to neuter their pets**, while steps could be taken towards an increase in responsible **pet ownership**.
- In recent years, Malta has seen an increase in **infrastructural projects** which cater for animal recreation purposes mainly in the form of dog parks and cat cafés. Pet-friendly facilities and projects could be adapted and/or increased to further incentivise pet ownership/adoption.
- An increase in **veterinary care and accessibility** for farmers who find it difficult to find veterinarians to care for their herd could increase the effectiveness of veterinary intervention, work to prevent the incidence and spread of disease and result in a general increase in animal health.
- The recently agreed **Common Agriculture Policy (CAP) Reform** for the period 2021-2027 strives to shift agriculture to more sustainable practices and aims to achieve better animal welfare conditions in line with the **Farm to Fork** Strategy ambitions which considers animal welfare as a key component of a sustainable food chain. However, most of these welfare measures in the livestock sector such as improving the level of enrichment methods and increasing the area for each livestock head on farm will involve more costs related to production, require significant initial investments or lead to lower economic return to farmers.

- Animals also participate in various **sporting disciplines** such as horse races, equestrian sports, polo and pigeon races, and in various activities such as pet days in schools, local activities organised by local councils, parish and/or local NGOs, pet shows, traditional feasts such as I-Imnarja among others. Welfare conditions during such activities could be improved.
- **Consumers** have become more aware and selective both in terms of health **consciousness** and animal welfare when purchasing food. Voluntary harmonised labelling scheme could include achievable welfare measures.
- **Education campaigns** could prevent abandonment, illness, unintentional abuse and increase animal health.
- The **work of activists and volunteers** needs to be supported within the National Animal Welfare Strategy.
- **Local councils and education institutions** can play an important role in the implementation of this Strategy and the different kind of initiatives already being taken or can be taken to promote animal welfare initiatives in our local communities.
- **Public active participation** is an important pillar of European democracy. The European Citizens' Initiative (ECI) '**End the Cage Age**' called on the Commission to propose legislation to prohibit the use of cages garnering over 1.4 million signatures from supporters in 27 Member States.

08

Conclusion and Way Forward

This document has been prepared with the scope of analysing both European and national animal welfare strategic policy direction while also identifying a wide spectrum of areas and challenges that could be covered by the National Animal Welfare Strategy.

This document's subsequent intent is to **elicit a healthy debate amongst all stakeholders and consumers**; in turn providing the **opportunity for all to actively participate** in this public consultation process by **submitting one's experiences and proposals** that one might consider important to be included as part of the National Animal Welfare Strategy.

This, within the context of the eight objectives which have been drafted to provide context, points for reflection and an insight into current measures, EU policies and potential future areas to consider.

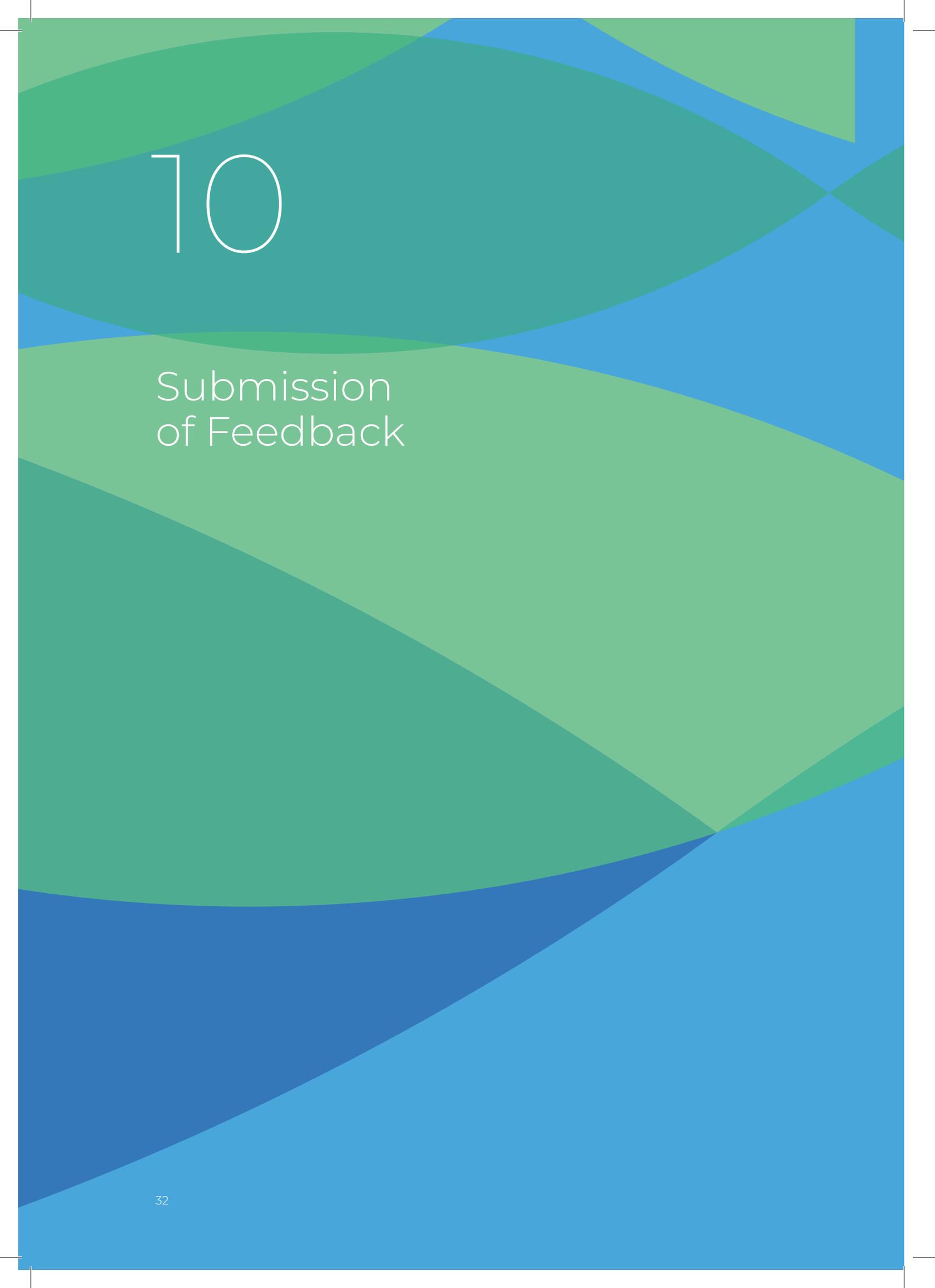
- i. **To review current animal welfare measures** with an aim of identifying strengths which can be built upon and weaknesses which can be addressed.
- ii. **To consult activists, NGOs, local councils, sanctuaries, shelters and citizens** with the aim of exploring how these entities can be supported and work in tandem with public authorities to improve animal welfare.
- iii. **To explore the potential benefits of increased public awareness and education campaigns** with the aim of developing relevant targeted campaigns to address identified shortcomings within various sectors.
- iv. **To consider an increase in scope for animal welfare measures** in Malta looking into groomers, boarding kennels, trainers, and other related professions, sporting activities and public projects to assess whether more needs to be done to increase the level of legal protection for certain species of animals.
- v. **To prepare a strategic framework** to help build partnerships with interested stakeholders, improve coordination, reduce duplication of effort, and deliver a more effective and consistent national approach to improving the welfare of animals.

- vi. **To gauge the willingness** of citizens as consumers to look out for products produced by means of better welfare measures and potentially pay more for those products.
- vii. **To acknowledge the role of primary producers** and work to prevent disproportionate burdens being placed upon them whilst considering geographical and climatic specificities.
- viii. **To align the strategy with the work being done at a European Level** within the context of the European Green Deal, **Farm to Fork** and Biodiversity Strategy.

09

Guiding Consultation questions

1. Do you consider that current legislative provisions offer sufficient safeguards to ensure animal protection and welfare? What institutional and legislative changes do you foresee and anticipate?
2. What key developments and codes of practice that are crucial to improving animal welfare would you like to see in place in the new set-up and/or introduced in the current operations?
3. What specific educational initiatives in the area of animal welfare would need to be introduced and which measures would need to be enhanced and sustained to guarantee a higher level of awareness?
4. What should be the role of non-Government organisations (NGOs) and research or educational institutions in the field of animal protection and welfare in the Maltese Islands?
5. How can primary producers be supported in any efforts made to increase animal welfare?

The background consists of several overlapping, semi-transparent shapes in various shades of green and blue. The shapes are layered, creating a sense of depth and movement. The colors range from light, airy greens and blues to darker, more saturated tones. The overall effect is a modern, abstract landscape or a series of flowing, organic forms.

10

Submission
of Feedback

Individuals and organisations are being invited to send their submissions on this proposed objective in writing through e-mail: ahwdconsultations.mafa@gov.mt

Submissions are to be received by the Ministry for Agriculture, Fisheries and Animal Rights by not later than 17th June, 2022.

Contact Person and email address:

Mr. Noel Demicoli
Principal Veterinary Support Officer
Technical Policy and Coordination Unit - Office of the Director General
Animal Health and Welfare Department
Telephone number 00356 2095 3789
ahwdconsultations.mafa@gov.mt



agrikoltura

sajd