



# Animal Protection Index (API) 2020

## Republic of Colombia: ranking D

### Executive summary

Law 84 is the main animal welfare law in Colombia. It provides a detailed definition of cruelty acts towards animals and establishes a duty of care onto animal owners. It is positive that the legislation surrounding the use of animals for research purposes mandates the approval of experiments using live animals by an ethics committee. Since the API was first published in 2014, Colombia has showed progress in various areas related to animal welfare. For instance, Law 1638 of 2013 has banned the use of wild animals in circuses. Furthermore, Law 1774 of 2016 amended Law 84 and added a paragraph to the Civil Code, recognising animals as sentient beings. More recently, in April 2019, the House of Representatives unanimously approved Bill 120/2019, which bans all animal testing for cosmetic products and their ingredients. If enacted, the ban would be applicable to all cosmetics manufactured within Colombia and imported into the country. At the time of writing, this Bill has been presented to the Senate. If the Senate approves the Bill, the law will come into force 12 months later.

However, there remains room for improvement in many areas related to animal welfare. Notably, Law 84 exempts bullfighting and cockfighting from cruelty considerations. Furthermore, there is a lack of species-specific regulations surrounding the rearing of farm animals, and the treatment of stray animals. Humane slaughter is also not mandated in legislation. The exploitation of animals for the fur industry is also allowed. Other forms of entertainment using animals are allowed.

Responsibility for animal welfare is divided across multiple Ministries and government bodies. The Ministry of Environment and Sustainable Development has responsibility for wild animals, while the Ministry of Public Health is in charge of scrutinising experiments that intend to use live animals. The Colombian Institute of Agriculture, part of the Ministry of Agriculture, promotes the work of the OIE. However, there is no Ministry dedicated to animal welfare, and there is a lack of a central authority dedicated to developing policy on animal protection in Colombia.

The Government of Colombia is urged to ban the worst forms of confinement for animals reared in farming and to mandate humane slaughter for all livestock animal species. In addition, the Government of Colombia is strongly encouraged to fully ban fur farming, which is inherently cruel and causes pain, distress and suffering to animals. The Government of Colombia is urged to outlaw the culling of stray animal populations, and to implement spay-and-neuter campaigns as a tool to control stray animal populations. Building upon the 2013 ban on the use of wild animals in circuses, the Government of Colombia is strongly encouraged to ban the use of all animals for entertainment which cause animal suffering. As culture should not be an excuse for animal cruelty, the Government of Colombia is strongly encouraged to remove the exemptions in Law 84 allowing bullfighting and cockfighting. Such practices are inherently cruel and should be outlawed. Overall, the Government of Colombia is strongly encouraged to align its current legislation with OIE standards. Responsibility for animal welfare should be allocated to a Ministry, and a specific government body should enact and assess the implementation of animal protection legislation. Such a government body should include



representatives from animal welfare organisations. Further legal and policy recommendations are associated with each Animal Protection Index (API) indicator and contained in the relevant sections of this report.



## Animal Protection Index Indicators

### Goal 1: Recognition of animal sentience and prohibition of animal suffering

#### 1. Animal sentience is formally recognised in legislation

Analysis of the legislation	
Ranking	A
<p>Law 84<sup>1</sup> of 1989, the National Statute of Animal Protection (NSAP), acknowledges that animals can feel pain and establishes in Article 2 that the objective of the law is to prevent the 'pain and suffering' of animals. These provisions apply to wild, feral, tamed and domestic animals, regardless of the condition in which they are kept.</p> <p>Since the API was first published, Law 1774<sup>2</sup> of 2016 amended Law 84, the Civil Code and the Criminal Code. Article 1 of Law 1774 establishes that 'animals as sentient beings are not things' and that they will receive 'special protection against suffering and pain'. Article 3 protects the Five Freedoms of animals. Citizens have the duty to report when an animal is being subject to cruelty. The authorities have the duty to take action within 24 hours of receiving a report on animal cruelty (Article 8).</p> <p><b>Analysis</b></p> <p><i>Since the API was first published, it is positive that animals have been recognised as sentient both in Law 1774 and in the Civil Code. There is no specific definition of animals, which implies that all animals are covered by this legislation. However, Law 1774 could be strengthened by adding an explicit recognition of animal sentience for at least all vertebrates, cephalopods and decapod crustaceans. Such a recognition of animal sentience is likely to underpin further animal protection measures.</i></p>	
Enforcement mechanisms	
<p>Law 84 has two chapters on procedures for enforcement and has an enforcement mechanism that is similar to criminal procedures. The relevant authority is not a criminal judge, but rather police inspectors and majors in other municipalities. As the country's judicial system was reformed under constitutional reform in 1991, there is no clarity on the current authorities capable of prosecuting under this law. Constitutional changes in the country have rendered this process currently invalid; as such, there is no operational enforcement mechanism as the changes introduced by the subsequent Constitution in 1991 did not result in changes to the law.</p> <p>Article 5 of Law 1774 modifies the Criminal Code and introduces further enforcement mechanisms to punish crimes against animals. Namely, Article 339A of the Criminal Code lays out that any person who mistreats a domestic, tamed, wild vertebrate or exotic vertebrate animal, causing death or injury</p>	

<sup>1</sup> <https://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=8242>

<sup>2</sup> <http://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Leyes/30019637>

that seriously undermines his/her health or physical integrity, will incur a prison sentence of 12 to 36 months. The person will be banned from exercising any profession, trade, or possessing animals from one to three years, and will receive a fine of five to 60 of current monthly minimum wages. Such penalties will be increased if the conduct is committed: with vice; when one or more of the aforementioned behaviours are perpetuated in public roads or places; using imputable or minors or in the presence of those; when sexual acts are committed with animals; when any of the crimes provided for in the preceding articles is committed by a public servant or who exercises public functions.

The following paragraph of the Criminal Code provides some exemptions to the penalties listed for animal cruelty for practices 'of good management of animals that have as their objective the care, reproduction, breeding, training, maintenance; those of benefit and processing related to food production; and training activities for legally accepted skills'. In essence, all activities related to farming are exempted from cruelty considerations. Anyone carrying activities for public health purposes aimed at controlling epidemic outbreaks or the transmission of zoonotic diseases are also exempted from the penalties provided in this law.

### Key recommendations

- It is significant that Law 1774 and the Colombian Civil Code explicitly recognise animals as sentient. Colombia thus sets an example for other countries to follow. The Government of Colombia is encouraged to clarify that this recognition of sentience extends to invertebrates, such as cephalopods and decapod crustaceans, for whom there is scientific evidence that they are sentient. The law recognising animal sentience should also provide a mechanism so that the recognition of sentience can be expanded in the future to other species, based on the latest available science.

## 2. There are animal protection laws that prohibit causing animal suffering either by a deliberate act of cruelty or by a failure to act

### Analysis of the legislation

Ranking	B
<p>There are two main laws that address basic animal protection. Law 5<sup>3</sup> of 1972 (and complementary regulation Decree 497<sup>4</sup> of 1973) and Law 84 of 1989, known as the National Statute of Animal Protection (NSAP).</p>	

<sup>3</sup> [https://www.dnp.gov.co/programas/justicia-seguridad-y-gobierno/Documents/ANEXO%201\\_LEY%205%20DE%201972.pdf](https://www.dnp.gov.co/programas/justicia-seguridad-y-gobierno/Documents/ANEXO%201_LEY%205%20DE%201972.pdf)

<sup>4</sup> [http://www.proteccionanimalbogota.gov.co/sites/default/files/marco-legal/decreto\\_497\\_de\\_1973.pdf](http://www.proteccionanimalbogota.gov.co/sites/default/files/marco-legal/decreto_497_de_1973.pdf)



Law 5 of 1972 establishes the structure for Animal Protection Boards and gives a mandate for one of these entities to be formed in each municipality (Article 1). Each Board comprises the Mayor, the pastor, a representative of the Secretary of Agriculture and Livestock, and a delegate chosen by the local educational centres. In municipalities where there are animal advocacy societies, these will choose two additional members to be included on the Board. The Board's aims are to 'promote educational and cultural campaigns aimed at awakening the spirit of love towards animals useful to man, and avoid acts of cruelty, mistreatment and the unjustified abandonment of such animals' (Article 3).

Secondary regulation Decree 497 of 1973 provides further details relating to the establishment of the Animal Protection Boards and specifies a series of conducts that are considered forms of mistreatment to animals (Article 3). The prohibited conducts provide the most basic forms of protection, such as deliberately hitting or killing animals. There are also some rules about issues such as keeping too many animals together, terrorising them and abandoning them. It is also prohibited to pluck live animals or to deliver them alive to feed other animals.

Provisions of Law 18 of 1989 apply to wild, feral, tamed and domestic animals, regardless of the condition in which they are kept. Law 84 of 1989 establishes a comprehensive catalogue of conducts in Article 6 that refer to deliberate acts of cruelty and negligence, or failures to act that could cause suffering. Similarly to the conducts described in Decree 497 of 1973, there are conducts describing actions carried out directly to animals (such as removing feathers from a live animal) and others that relate to the conditions or environment in which an animal is kept (such as depriving a captive animal of light or space). In addition, Chapter II (Articles 4 and 5), entitled 'Duties towards animals', has a clearly established duty of care addressing, in particular, animals kept in captivity and domestic animals.

However, Article 7 exempts activities such as rejoneos [a form of bullfighting], coleos [similar to rodeos], bullfights, cockfights and corralejas [another form of bullfighting] from anticruelty provisions. Law 1774 does not repeal this exemption.

### Analysis

*The existing legislation covers a variety of conducts relevant to the needs of animals in line with international standards such as the Five Freedoms, the establishment of a duty of care that covers acts of negligence, for example, requiring provision of assistance to an animal that could be potentially harmed. It is positive that Decree 497 prohibits conducts that cause physical as well as psychological harm to animals, such as the prohibition on terrorising animals.*

*Article 3 of Law 5 of 1972 is intended to mainstream animal welfare, since Animal Protection Boards have the responsibility of promoting cultural and educational campaigns 'in order to awaken a spirit of love towards animals that are useful to mankind, avoid cruelty acts, abuse or abandonment'. This law was the first of its kind in the country and made great advances in producing a catalogue of prohibited conducts that was easy to understand, so that the newly created animal protection bodies would have clarity on their objectives and on the expectations of citizens in the country.*



Law 84 of 1989 acknowledged that Law 5 of 1972 introduced a different system and a wider catalogue of punishable conducts to protect animal welfare. Article 6 of Law 84 is more detailed and addresses a wider array of issues. In addition, and following international standards, the law established a duty of care towards animals thus enhancing forms of protection derived from protection against negligence. However, Article 7 of Law 84 exempts bullfighting and cockfighting from cruelty considerations. It is clear from the wording of legislation that cultural traditions are an excuse for cruelty inflicted to animals. It is regrettable that recent Law 1774 of 2016 did not remove this exemption from Law 84.

Law 84 of 1989 did not create a particular framework by which allocation of responsibilities and financial resources could implement this legislation. However, the framework set out in Law 5 of 1972 provides evidence at least of human resources allocated to animal protection, through the Animal Protection Boards. Financial resources are referenced in the Law 5 of 1972 in the form of a committee in charge of the administration of sums raised through fines, as well as donations and subsidies received. However, Law 5 of 1972 provides for the existence of an Animal Protection Board for each municipality, which would total more than one thousand boards, and it therefore appears that this may not be practicable and not capable of full application.

### Enforcement mechanisms

Law 5 of 1972 and Decree 497 of 1973 were established more in the form of a policy statement as they contain no indication of enforcement mechanisms. The Animal Protection Boards' mandate is merely educational. Article 4 of Law 5 of 1972 provides that the Mayor of any municipality, at the request of the Animal Protection Board, may fine five to 100 pesos, convertible into arrest if the fine is not covered within 10 days, to those who are responsible for acts of cruelty, mistreatment or abandonment to animals. This fine appears very low and might not work as an efficient deterrent to prevent animal cruelty.

Article 3 of Decree 497 of 1973 establishes that these organisations 'will have an educational character that will endeavour, through their members' work, to create feelings of protection towards animals in general and avoid mistreatment that they could be subjected to'. Article 10 does state that transgression of the conducts described in the Decree will be sanctioned by fine, but there is no procedure for this fine to be imposed. This mechanism is imprecise. Article 8 mandates that the Animal Protection Boards will inspect compliance with health standards at public and private slaughterhouses.

Law 84 of 1989 has two chapters on procedures for enforcement. While this law does not make reference to criminal procedures (other than some specific exceptions), it presents a very similar structure to those. The relevant authority is not a criminal judge, but rather police inspectors and majors in other municipalities. As the country's judicial system was reformed under constitutional reform in 1991, there is no clarity on the current authorities capable of prosecution under this law. As such, there is no operational enforcement mechanism in Law 84 of 1989 as the changes introduced by the subsequent Constitution in 1991 did not result in changes to the law.

Article 5 of Law 1774 of 2016 modifies the Criminal Code and introduces further enforcement mechanisms to punish crimes against animals. Namely, Article 339A of the Criminal Code lays out

that any person who mistreats a domestic, tamed, wild vertebrate or exotic vertebrate animal, causing death or injury that seriously undermines his/her health or physical integrity, will incur a prison sentence of 12 to 36 months. The person will be banned from exercising any profession, trade, or possessing animals from one to three years, and will receive a fine of five to 60 of current monthly minimum wages. Such penalties will be increased if the conduct is committed: with vice; when one or more of the aforementioned behaviours are perpetuated in public roads or places; using imputable or minors or in the presence of those; when sexual acts are committed with animals; when any of the crimes provided for in the preceding articles is committed by a public servant or who exercises public functions.

The following paragraph of the Criminal Code provides some exemptions to the penalties listed for animal cruelty for practices ‘of good management of animals that have as their objective the care, reproduction, breeding, training, maintenance; those of benefit and processing related to food production; and training activities for legally accepted skills’. In essence, all activities related to farming are exempted from cruelty considerations. Anyone carrying activities for public health purposes aimed at controlling epidemic outbreaks or the transmission of zoonotic diseases are also exempted from the penalties provided in this law.

#### Key recommendations

- The Government of Colombia is strongly encouraged to remove provisions contained in the Criminal Code which exempt management and farming practices from being considered cruel in the law. Similarly, the Government of Colombia is urged to repeal Article 7 of Law 84 of 1989, which currently exempts bullfighting and cockfighting from anti-cruelty considerations. Bullfighting and cockfighting are inherently cruel practices and should be outlawed.
- The Government of Colombia is encouraged to clarify the scope of application to Law 1774 of 2016. This legislation should include a precise definition of the term ‘animal’ and should protect all vertebrates, cephalopods and decapod crustaceans, from cruelty.

## Goal 2: Presence of animal welfare legislations

### 3. There are laws that apply to animals used in farming including rearing, transport and slaughter

#### Analysis of legislation

Ranking	E
<p><u>Rearing</u></p> <p>Article 3 of Law 5 of 1972 and Decree 497 of 1973 describe a list of conducts that are deemed abusive towards animals. Several of these provisions are particularly relevant to animals used in</p>	



farming. These include allowing animals to access food and water as well as provisions on rearing (avoiding overcrowding and mixing with other species), conditions of transport and basic conditions of slaughter.

#### Rearing – pigs

No legislation has been found specifically relating to the rearing of pigs.

#### Rearing – broiler chickens

No legislation has been found specifically relating to the rearing of broiler chickens.

#### Rearing – egg-laying hens

No legislation has been found specifically relating to the rearing of egg-laying hens.

#### Rearing – dairy cattle and calves

No legislation has been found specifically relating to the rearing of dairy cattle and calves.

#### Transport

Chapter VII of Law 84 of 1989 establishes some provisions for the transport of animals – which are applicable to other animals rather than only farm animals. Article 27 establishes that transport procedures must not involve cruelty, ill-treatment, extreme fatigue or lack of rest, food or drink. Article 28 mandates that animals must be protected from the sun during transport and have sufficient ventilation.

#### Slaughter

Article 17 of Law 84 mandates that the slaughter of animals intended for human consumption may be carried out through procedures that do not cause cruelty, suffering or a prolongation of agony. Article 21 specifies that the slaughter of animals must be carried out in accordance with the relevant sanitary norms and the conditions established by each municipality.

#### Analysis

*It is positive that farm animals benefit from the general anti-cruelty provisions of Law 84; however, no detailed legislation has been found relating to species-specific conditions of rearing for various species of farm animals. Furthermore, Colombia has not banned the confinement of farm animals in cages, such as sow stalls or farrowing crates for sows, cages for birds and crates for calves.*

*With regards to the transport of animals, Chapter VII of Law 84 mandates various anti-cruelty provisions. However, the requirements of Articles 27 and 28 do not fulfil all the Five Freedoms. For instance, there is no provision on the required space available to each animal, which would improve their comfort and enable them to express normal patterns of behaviours.*



*With regards to the slaughter of animals, Law 84 emphasises to respect sanitary requirements, rather than focusing on the welfare of farm animals. There is no mandate that animals shall be stunned prior to slaughter.*

### Enforcement mechanisms

The relevant provisions appear to have several different mechanisms available for enforcement. In some cases, there are specific mechanisms for enforcement of provisions, as in Chapter VII of Law 84 of 1989 where special fines are in place for transgressions of the animal transport provisions. A carrier violating the provisions on animal transport will be fined between 10,000 to 100,000 pesos (US\$3 to US\$30). Violations of the provisions on slaughter are sanctioned with a fine of 2,000 to 30,000 pesos (US\$0.6 to US\$9).

### Key recommendations

- The Government of Colombia is urged to enact legislation detailing specific welfare requirements for farm animals during the phases of rearing, transport and slaughter. Such requirements should be legally binding and species-specific. Regular inspections onto farms and slaughter establishments should be carried out with a special focus on animal welfare.
- In addition, the Government of Colombia is urged to ban the worst forms of confinement for farm animals. In particular, the use of farrowing crates, sow stalls, and cages should be banned. The stocking density of broiler chickens should also be reduced to a maximum of 30 kg/m<sup>2</sup> or lower. Surgical operations, such as piglet mutilations and beak trimming for egg-laying hens, shall not be performed except under anaesthesia and with analgesics.
- The Government of Columbia is urged to mandate the humane slaughter of all farm animals. Animals should be instantaneously rendered unconscious and insensible to pain and distress prior to slaughter. Today, there is growing consensus amongst religious authorities worldwide that pre-slaughter stunning is compatible with religious principles.<sup>5</sup> Humane halal slaughter allows for the animal to be temporarily rendered unconscious via stunning prior to slaughter, as long as the animal's skull remains intact and the animal would regain consciousness in time should slaughter not occur. Therefore, animals should be unconscious before being bled, and no further processing should occur until irreversible loss of consciousness is confirmed. No animal should be forced to witness other animals being slaughtered as this is inherently distressing.
- Legislation regarding the transport of animals should protect their Five Freedoms. Due to the significant animal welfare concerns associated with long distance transport, the Government of Colombia is strongly urged to ban the export of live animals for long distances (i.e. over than eight hours) and replace it with a meat only trade. Long distance transport is inherently cruel as

<sup>5</sup> [http://www.fao.org/3/x6909e/x6909e09.htm#b5-Religious%20or%20ritual%20slaughter%20\(Halal%20and%20Kosher\)](http://www.fao.org/3/x6909e/x6909e09.htm#b5-Religious%20or%20ritual%20slaughter%20(Halal%20and%20Kosher))

it involves chronic stress for all animals and for some species and modes of transport it may involve overpopulation, exhaustion, excess heat or cold, inadequate ventilation and/or access to food and water, leading to disease, pain, injury or death.

- Current enforcement mechanisms in case of breach of the legislation on animal transport and slaughter are minor fines. The Government of Colombia is strongly encouraged to enact stronger enforcement mechanisms (e.g. significant fines, revocation of licence to operate) so that Law 84 acts as a more efficient deterrent to prevent animal cruelty.

#### 4. There are laws that apply to animals in captivity

Analysis of the legislation	
Ranking	F
<p><u>Zoos</u></p> <p>There are regulations in Law 5 of 1972 and Decree 497 of 1973 that are quite general and specify that animals should not be kept captive in certain conditions such as without access to food and water or ventilation. Law 84 of 1989 does not include specific regulations on the conditions of captivity, but the definition of ‘animal’ presented in Article 1 includes captive animals, therefore the general anti-cruelty provisions are applicable to this category of animals.</p> <p>In addition, there are some administrative provisions relating to the display of zoological collections in zoos, which are contained within general regulations for parks and other entertainment venues (Law 1225<sup>6</sup> of 2008). Law 1225 defines ‘zoos or farms’ with the same main feature being ‘the exposure of animals or beings that live in a terrestrial environment. These parks have within their offer of entertainment, enclosures or controlled environments where wild or domestic animals are reproduced for educational, recreational or scientific exhibition purposes’. Resolution 958<sup>7</sup> of 2010 complements Law 1225 and requires that all amusement parks, which includes zoos, must be registered before the municipal government (Article 3).</p> <p>Wild animal farms are allowed in Colombia through Law 611<sup>8</sup> of 2000 and Resolution 1772<sup>9</sup> of 2010. Law 611 aims to manage and use terrestrial and aquatic fauna, as well as their by-products, in a sustainable manner. To do so, the law allows the direct harvest of species in their natural environment, or the breeding of species in zoos. Zoo breeders (‘zoo criaderos’) are defined as the ‘maintenance, breeding, promotion and / or exploitation of wildlife and aquatic wildlife species in a clearly determined area, for purposes scientific, commercial, industrial, restocking or subsistence’. These systems allow for the capture of animals from the wild, to be then used for breeding in a zoo.</p>	

<sup>6</sup> [http://www.secretariasenado.gov.co/senado/basedoc/ley\\_1225\\_2008.html](http://www.secretariasenado.gov.co/senado/basedoc/ley_1225_2008.html)

<sup>7</sup> <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC094194>

<sup>8</sup> [https://www.animallaw.info/sites/default/files/ley\\_0611\\_2000.pdf](https://www.animallaw.info/sites/default/files/ley_0611_2000.pdf)

<sup>9</sup> <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC097501>



Article 22 of Law 611 states that the environmental authority will reserve a percentage of the production of each zoo breeder. Such a percentage will be assigned based on the status of conservation of the species. This percentage may be received in economic resources, environmental services and/or specimens to be used in the sustainable management of the species. Article 15 establishes that the collection of wildlife will require a hunting licence, issued by the environmental authority, to allow authorised breeders to obtain specimens to attempt breeding.

Resolution 242<sup>10</sup> of 1990 authorises the sale of the American Crocodile, locally known as Caiman de aguja or Caiman del Magdalena, (*Crocodylus acutus*) for the development of animal farms.

#### Private keeping of wild animals

No legislation has been found specifically relating to the private keeping of wild animals.

#### Fur farming

No legislation has been found specifically relating to fur farming.

#### Analysis

*The legislation recognises the fact that captivity can create certain welfare problems and as such establishes provisions to prevent animals being kept in conditions that can deteriorate or undermine their welfare. The relevant provisions are simple, yet cover basic standards and principles on captive animal welfare. Law 1225 of 2008 does not contain any provision related to animal welfare. Resolution 958 demands that zoos register within their municipality; however, there is no animal welfare requirements that must be met for zoos to obtain a licence to operate.*

*Furthermore, it is worrying that wild capture of animals is still allowed, in order to be used for breeding in captivity. Wild animal farms do not appear to be regulated with any welfare requirements for the animals.*

*There is no evidence of human and financial resource dedicated to the development of policy and legislation for the protection of these animals in the country; this does not appear to be a government priority at present, but the scope of existing legislation provides hope that some improvement could be possible.*

### **Enforcement mechanisms**

The general enforcement mechanisms that exist in Law 5 of 1972, Decree 497 of 1973 and Law 84 of 1989 are applicable to this indicator. However, as expressed before, these mechanisms are imprecise and do not provide a good framework for the implementation of protection measures in the existing legislation.

<sup>10</sup> <http://www.fao.org/faolex/results/details/en/c/LEXFAOC028953>

Furthermore, since no legislation has been found detailing welfare provisions for animals used for fur or the private keeping of wild animals, there are no enforcement mechanisms associated to this categories of animals.

### Key recommendations

- Law 5 of 1972 and Decree 497 of 1973 cover the basic animal welfare needs of animals kept in captivity, however, the legislation could be improved by addressing the species-specific welfare needs of animals kept in captive settings, such as zoos. As a result, the Government of Colombia is urged to produce detailed legislation specifying the conditions under which wild animals may be kept in captivity. Such regulations shall include requirements with regards to housing, feeding, handling and husbandry and should promote the Five Freedoms of all individual animals. In particular, the Freedom to express normal patterns of behaviours should be respected.
- Furthermore, the Government of Colombia is strongly encouraged to allocate human and financial resources to create an inspection unit in charge of verifying that welfare standards are respected where animals live in captive settings. Facilities where animals are captive should be regularly inspected, and the results of such inspections should be made public.
- The Government of Colombia is urged to ban the capture of wild animals to be used in zoos for captive breeding.
- The Government of Colombia is encouraged to develop a Positive List of species, specifying which animals can be kept as companion animals, based on clear criteria including animal welfare and other relevant concerns.
- The Government of Colombia is urged to fully ban fur farming. Fur farming is inherently cruel and causes pain, distress and suffering to animals.

## 5. There are laws that apply to companion animals

Analysis of the legislation	
Ranking	D
<p><u><a href="#">Care of companion animals</a></u></p> <p>The general provisions of Law 5 of 1972, Decree 497 of 1973 and Law 84 of 1989 are applicable to companion animals. Chapter II of Law 84 on the duties to animals are applicable to companion animals: animal owners must maintain their animals in appropriate conditions, with sufficient food and drink and protection from the weather (Article 5). Article 6(v) specifically addresses the care of</p>	



domestic animals, by prohibiting to abandon ad domestic animal 'in a state of old age, illness, disability or inability to seek subsistence'.

Article 6 of Decree 497 provides that the Department of Agriculture will allocate one or more veterinarians to periodically visit neighbourhoods and municipalities 'in order to answer questions in relation to diseases of domestic animals'.

In addition, Law 746<sup>11</sup> of 2002 inserts some provisions into the Colombian Police Code on responsible ownership of dogs, including ownership and care of dangerous dogs and specific bans on dog fighting.

### Stray animals

No legislation has been found specifically relating to stray animals.

### Analysis

*It is positive that companion animals are protected under the general anti-cruelty provisions of Law 84 of 1989, as well as through the duty of care established onto animal owners towards their animals. Furthermore, Law 746 of 2002 includes elements of responsible care and ownership of dogs and regulates some aspects of social interaction of these animals in both public and private space. Law 746 of 2002 introduced provisions that go beyond the scope of the main animal protection legislation in Colombia and included these provisions under the National Police Code.*

*Furthermore, legislation regarding companion animals does not contain any provision regarding the monitoring of breeding establishments. No registration is required in Law 84 for any breeders, and third-parties selling animals also appear unregulated.*

*However, no legislation has been found regarding the treatment of stray animals; humane stray animal population management should be mandated in law. It has been reported that the killing of stray dogs occurs in certain cities, such as Mosquera.<sup>12</sup> There is no indication in legislation that there is a body or organ within the government in charge of developing policy or further legislation for the protection of companion or stray animals in the country.*

## Enforcement mechanisms

In addition to the enforcement mechanisms for the general provisions, Law 746 of 2002 contains specific police powers including imposition of fines and seizure of animals. In addition, there are criminal procedures and administrative sanctions to be applied jointly with provisions of Law 84 of 1989. However, these provisions are currently outside valid procedure in the country.

Since no legislation has been found on stray animals, there are no enforcement mechanisms associated to this category of animals.

<sup>11</sup> <https://diario-oficial.vlex.com.co/vid/ley-746-43178275>

<sup>12</sup> <https://www.latimes.com/archives/la-xpm-2010-feb-19-la-fg-stray-dogs19-2010feb19-story.html>

### Key recommendations

- The Government of Colombia is strongly encouraged to include in Law 84 a mandatory registration of establishments that are breeding, exhibiting and selling animals. Animals under eight weeks of age should not be sold. The Government of Colombia should also promote responsible pet ownership, with encouraging the adoption over the purchase of pets.
- The Government of Colombia is strongly encouraged to promote humane dog population management, which relies on promoting responsible ownership, mass dog vaccinations and reproduction control programmes. Culling is unnecessary, cruel and has been scientifically proven to be ineffective.
- The Government of Colombia is encouraged to engage with the International Companion Animal Management (ICAM) coalition to both inform and implement their dog population management methodology. This methodology consists of a full cycle of action, addressing the root causes of conflict between roaming dog and communities. The document is helpful to governments to manage dogs humanely as well as to help communities to live in harmony with dogs.

## 6. There are laws that apply to animals used for draught or recreational purposes

### Analysis of the legislation

Ranking	F
<p><u>Animals used for entertainment</u></p> <p>General provisions of Law 5 of 1972, Decree 497 of 1973 and Law 84 of 1989 are applicable to this category of animals. Particularly relevant conducts included in Article 6 of Law 84 include not using animals in movies or television to depict cruel acts, not using animals for public events relating to harming those animals and a general ban on animal fighting.</p> <p>However, Article 7 exempts several activities, including bull and cockfighting, from anti-cruelty provisions: the activities exempted are include rejoneos [a form of bullfighting], coleos [events similar to rodeos], bullfights, cockfights and corralejas [another form of bullfighting]. An explanatory note follows Article 7 and details condition under which this Article may be used. Namely, the activities can be exempted from cruelty considerations if:</p> <p>1/ The animal receive special protection against suffering and pain during the course of these activities</p> <p>2/ The activities are periodical</p>	

- 3/ The activities can only carry on in the municipalities where they have been traditionally authorised
- 4/ These activities are the only one able to be exempted from the anti-cruelty requirement
- 5/ That the municipal authorities may in no case allocate public money to the construction of facilities for the exclusive realisation of these activities.

In 2015, the municipality of Buenavista banned the corralejas events (a form of bullfighting) following public outrage after a live horse was dismembered during one of the events.<sup>13</sup>

In 2013, the Government approved Law 1638<sup>14</sup> which banned the use wild animals, whether native or exotic, in circuses, whether fixed or itinerant (Article 1).

### Draught animals

Law 84 of 1989 includes specific provisions by which animals should not be overloaded and in general prohibits animals not fit for purpose (such as blind or wounded animals) being used for work. In the various cruelty acts listed in Article 6, several relate to the living conditions of animals used for draught. Notably, it is forbidden to:

- 1/ Cause unnecessary death or serious damage to an animal working for object or futile reasons
- 2/ Use for the service of loading, traction, riding or show, blind animals, injured, deformed, or seriously ill or discarded on paved, paved or paved roads or use them for work when for any other reason they are not in physical condition suitable;
- 3/ Reload an animal with work to such an extent that it results in an effort exceeding its capacity or resistance, exhaustion, overt exhaustion or death.

The conditions of working animals, in particular horses pulling carts in urban areas of the country, have been a recurrent problem that has been addressed by different norms since 1972 and by Law 769<sup>15</sup> of 2002. Although the Government has prorogued the deadline for working horses to be out of urban centres twice (thus acknowledging that implementation of the original provisions has not been achieved), there are only a few cities complying with this mandate. Notably, the city of Medellin has replaced every working horse with either a motorbike with a roof and a trailer that carries up to 700 kg, or gave money for those who wished to change profession.<sup>16</sup>

### Analysis

Law 84 lists numerous scenarios which constitute cruelty acts towards animals: it is positive that there is a general ban on the use of animals for private or public fights. However, Article 6 is undermined by Article 7, which exempts bullfighting and cockfighting from anti-cruelty considerations. This Article 7 demonstrates that cultural traditions override any consideration for animal cruelty, which is regrettable. The protection of other animals and other situations within this category, as formulated in Law 84 of 1989, needs the allocation of specific responsible authorities, a goal that could be achieved by

<sup>13</sup> <https://www.efe.com/efe/english/life/colombian-town-bans-festival-in-which-live-horse-was-cut-to-pieces/50000263-2514853>

<sup>14</sup> <http://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Leyes/1685780>

<sup>15</sup> [https://www.movilidadbogota.gov.co/web/sites/default/files/ley-769-de-2002-codigo-nacional-de-transito\\_3704\\_0.pdf](https://www.movilidadbogota.gov.co/web/sites/default/files/ley-769-de-2002-codigo-nacional-de-transito_3704_0.pdf)

<sup>16</sup> [https://www.hsi.org/news-media/animal\\_traction\\_vehicles\\_102511/](https://www.hsi.org/news-media/animal_traction_vehicles_102511/)





producing further policy and legislation on the subject matter.

*It is positive that Law 1638 of 2013 bans the use of wild animals in circuses. This legislation acknowledges that the training, performance, confinement and transport of animals in circuses affect their welfare. This ban on the use of wild animals in circuses will hopefully pave the way for a more encompassing ban on the use of all animals in circuses.*

*With regards to draught animals, it is positive that these animals are protected with several dedicated anti-cruelty provisions of Law 84. Furthermore, there appears to be a growing recognition of the health and welfare conditions of working horses,<sup>17</sup> with some cities such as Medellin substituting carts pulled by horses with other vehicles. However, there is no legislation outlining specific welfare requirements depending on the species of animals used for draught. There is also no nation-wide ban on the use of working horses within urban centres. The fact that the legislation for working horses has prorogued deadlines for the legislation to be implemented presents strong evidence of the difficulty of implementing legislation protecting these animals in the country.*

### Enforcement mechanisms

The enforcement mechanisms of Law 84 of 1989 are applicable to animals used for draught and entertainment purposes.

Furthermore, the Ministry of Environment and Sustainable Development, the National Police, and the district and municipal governments are responsible for verifying compliance with Law 1638 (Article 5). These government bodies have the authority to relocate an animal who has been delivered to these bodies or confiscated by them. Apart from Article 5, there is no indication of penalties or other enforcement mechanisms used to ensure compliance with this law.

### Key recommendations

- **The Government of Colombia is urged to forbid the organisation of and attendance to entertainment events causing animal suffering. Such a prohibition should cover circuses, rodeos, animal fights, animal races, rides on wild animals and all other forms of entertainment. Building upon the 2013 ban on the use of wild animals in circuses, the Government of Colombia is strongly encouraged to extend this ban to the use of all animals in circuses.**
- **The Government of Colombia is urged to repeal Article 7 of Law 84 of 1989, which currently exempts bullfighting and cockfighting from anti-cruelty considerations. As bullfighting and cockfighting are inherently cruel practices, the Government of Colombia is strongly encouraged to outlaw such practices.**
- **The Government of Colombia is strongly encouraged to adopt species-specific legislation to address the welfare of working animals, including working equines, following the requirements of the OIE's animal welfare standards (Chapter 7.12). Working animals must be treated with**

<sup>17</sup> <https://www.ncbi.nlm.nih.gov/pubmed/31303234>

consideration and must be given adequate shelter, exercise, care, food and water appropriate to their physiological and behavioural needs. Any condition which may impair their welfare must be treated promptly, and any affected animals must not be worked again until they are fit. They must not be overworked or overloaded, nor must they be forced to work through ill-treatment. The Government is encouraged to continue with efforts to implement legislation to protect working horses.

## 7. There are laws that apply to animals used for scientific research

Analysis of the legislation	
Ranking	C
<p>The main catalogue of prohibited cruelty conducts, set out in Article 6 of Law 84 of 1989, includes provisions relevant to animals used in scientific research. Notably, it is forbidden to harm animals with needles or blades and to provide drugs or medicines where not needed or without a therapeutic or scientific reason. It is also forbidden to use animals for purposes that are not scientifically demonstrable, or in places or by people who are not duly authorised to do so. It is also prohibited to abandon animals used in experiments.</p> <p>Chapter VI of Law 84 of 1989 also contains specific mandates on the use of animals in education and scientific research. Article 23 mandates that any experiment with animal can only be carried out after receiving the approval of the Ministry of Public Health. Article 23 also enshrines the principle of Replacement in legislation, stating that the animal experiment should not occur provided that the results can be obtained with other methods not involving animals, such as tissue culture, computerised methods, drawings, films, photographs, video or other similar procedures. Article 24 mandates that all animals used in experiments should be given anaesthesia to prevent pain. If the experiments involve serious mutilations, animals will be humanely killed at the end of the experiments. Article 25 prohibits the use of live animals for experiments for all educational purposes, including in ‘medical, veterinary, zootechnical, hospital or laboratory facilities’.</p> <p>Article 26 requires that an ethics committee must be created for any experiment involving the use of live animal. All ethics committees must include at least three members: one veterinarian from the Colombian Agricultural Institute, one representative from the managing authority of natural resources, and one representative from an animal protection society. It is specified that representation of animal protection societies in ethics committees will be ad honorem. The director of an experiment in which live animals are to be used, is obliged to communicate to the ethics committee, the nature of the procedures to be used with the animals, the number and type of them, the alternatives to the use of animals and sources and nature of research funds.</p> <p>More recent legislation regulating the veterinary profession (Law 576<sup>18</sup> of 2000) and the bioethics</p>	

<sup>18</sup> [https://www.mineducacion.gov.co/1621/articles-105017\\_archivo\\_pdf.pdf](https://www.mineducacion.gov.co/1621/articles-105017_archivo_pdf.pdf)



code (Law 841<sup>19</sup> of 2003) also include mandates for the protection of animals in scientific research.

On 5 April 2019, the House of Representatives unanimously approved Bill 120/2018, which would ban all animal testing for cosmetic products and their ingredients, applicable to all cosmetics manufactured within Colombia and imported into the country.<sup>20</sup> At the time of writing, this Bill has been presented to the Senate. If the Senate approves the Bill, the law will come into force 12 months later.

### **Analysis**

*It is positive that existing legislation partly integrates the Three Rs principles – Replacement, Reduction, Refinement – since Article 23 of Law 84 enshrines the Replacement principle into law and prohibits vivisection for educational purposes. Furthermore, the use of anaesthesia is mandated in legislation. Moreover, Article 26 of Law 84 contains provisions for the creation of ethics committees, in charge of reviewing the pertinence and compliance with legal obligations relating to animal experimentation in the country. It should be commended that these ethics committees comprise representatives from animal protection societies.*

*Furthermore, it is promising that Bill 120/2018 proposing to ban the testing of cosmetic products and their ingredients.*

*However, there remain gaps in the legislation protecting animals used in scientific experiments. Notably, there is no evidence of financial resource allocated to the ethics committees created by law. While the participation of representatives from animal protection societies within these committees will be ad honorem, it is not clear whether other members (representatives from the Colombian Agricultural Institute and the managing authority of natural resources) on the committee will be paid for their work.*

### **Enforcement mechanisms**

Chapter VI of Law 84 mandates that when an ethics committee notices that a law has been or is being violated, it can order the suspension of the experiment or the humane killing of the animal when it has caused illness or incurable injury. The ethics committees also have the responsibility to carry out inspections at least four times a year to the facilities using animals for experimentation. A violation of the provisions of Chapter VI will lead to a fine ranging from 50,000 to 500,000 pesos.

While mechanisms in Law 84 of 1989 have constitutional restrictions preventing them from being applied properly in the country, the mechanisms created by more recent legislation (Law 576 and 841) are useful with regards to this indicator. The mechanisms are mostly administrative measures with regards to the conduct of some health professionals, which while apparently restrictive, in fact do cover situations in which animals may be used for research.

Furthermore, Law 1774 of 2016 adds enforcement mechanisms for cruelty acts against animals. Article 5 of Law 1774 of 2016 modifies the Criminal Code and introduces further enforcement mechanisms to punish crimes against animals. Namely, Article 339A of the Criminal Code lays out that any person who mistreats a domestic, tamed, wild vertebrate or exotic vertebrate animal, causing

<sup>19</sup> [https://www.mineducacion.gov.co/1759/articles-105030\\_archivo\\_pdf.pdf](https://www.mineducacion.gov.co/1759/articles-105030_archivo_pdf.pdf)

<sup>20</sup> <https://chemicalwatch.com/76005/colombias-lower-chamber-agrees-ban-on-cosmetics-animal-testing>

death or injury that seriously undermines his/her health or physical integrity, will incur a prison sentence of 12 to 36 months. The person will be banned from exercising any profession, trade, or possessing animals from one to three years, and will receive a fine of 5 to 60 times the current monthly minimum wages. Such penalties will be increased if the conduct is committed: with vice; when one or more of the aforementioned behaviours are perpetuated in public roads or places; using imputable or minors or in the presence of those; when sexual acts are committed with animals; when any of the crimes provided for in the preceding articles is committed by a public servant or who exercises public functions.

### Key recommendations

- **At present, the principle of Replacement is enshrined within Colombian legislation. The Government of Colombia is strongly encouraged to enshrine the other two principles of Reduction and Refinement into legislation.**
- **It is positive that ethics committees must be created for any experiment using live animals. The Government of Colombia is strongly encouraged to allocate financial resources to the functioning of such ethics committees, so that all relevant stakeholders, including representatives from animal protection organisations, can permanently join such committees.**
- **The Government of Colombia is urged to adopt Bill 120/2018 and implement it as soon as possible, as this Bill will ban the testing of cosmetic products and their ingredients on animals, for cosmetics manufactured in Colombia as well as products imported within the country.**

## 8. There are laws that apply to wild animals

### Analysis of the legislation

Ranking	E
<p>Law 84 of 1989 includes wild animals in the definition of 'animal', therefore all conducts described in this law are applicable to this category of animals (regardless of whether they are captive or not). However, Article 8 exempts hunting and fishing from some of the anti-cruelty provisions of Article 6. Namely, the following prohibition do not apply to anyone hunting or fishing: to hunt or injure an animal with a stab or a firearm; to remove, destroy or mutilate an animal; to kill an animal or to drown an animal.</p> <p>In addition, there is a series of Decrees made by the Government that form the National Code of Natural Resources, also referenced in Law 84 of 1989, which includes legislation to protect wild animals from a conservation perspective.</p> <p>Article 30 of Law 84 contains a general ban on hunting, which contains two exceptions. The first exception is for subsistence purposes: no hunting permit is required when hunting for subsistence,</p>	

except where the species hunted is endangered. The list of species for which hunting shall be restricted will be published quarterly in five daily newspapers of 'wide national circulation'. The second exception to the general ban on hunting concerns hunting 'for scientific or research, control, sports, education', with a written permit determining the quantity of the specimens who can be hunted, as well as a time limit to the permit and specifying which means of capture may be used. The permit shall not last for a period of more than two months in the year and shall not concern more than 1% of the estimated number of specimens remaining in a species.

Article 31 of Law 84 prohibited the hunting of wild animals for commercial purposes, as well as the trade in their 'skins, hearts, feathers and other part or product' derived from animals. However, this Article was repealed by Article 28 of Law 611 of 2000.

Law 599<sup>21</sup> of 2000 provides that the illicit use of renewable natural resources is forbidden: since 'natural resources' encompass 'parts of the fauna', this article punishes the illegal wildlife trade (Article 328). This includes to 'introduce, exploit, transfer, traffic, trade, take advantage or benefit from specimens'.

### **Analysis**

*Article 8 of Law 84 exempts the activities of hunting and fishing (either for recreational, commercial or subsistence purposes) from certain cruelty considerations which means that some of the cruellest forms of killing are allowed, such as killing an animal by drowning. Furthermore, Article 30 provides wide exemptions to the general ban on hunting, effectively allowing all forms of hunting for recreational purposes. If a commercial or sports hunter is required to have a permit to hunt, it is not specified in Law 84 under which conditions would such a permit be delivered. In particular, there is no indication that the applicant would have to be familiar with animal welfare or conservation concerns. There is also no restriction in Law 84 as to which species can be hunted for sports or commercial purposes. It is also regrettable that the commercial hunting of wild animals and the trade in products derived from wild animals is allowed by Law 611.*

### **Enforcement mechanisms**

One of the main problems with Law 84 of 1989 is the lack of clarity and constitutional difficulties over enforcing the provisions. The Government is encouraged to update the legislation or produce regulations to create an adequate framework for animal protection.

Law 599 of 2000 punishes anyone involved in illegal wildlife trade by two to five years of imprisonment, and a fine up to 10,000 currently legal minimum for monthly salaries (Article 328). Law 1453<sup>22</sup> of 2011 modified Article 328 by introducing stronger penalties, which imprisonment between 48 to 108 months and a fine up to 35,000 currently legal minimum for monthly salaries.

### **Key recommendations**

<sup>21</sup> [https://www.unodc.org/res/cld/legislation/can/codigo-penal.html/Codigo\\_Penal.pdf](https://www.unodc.org/res/cld/legislation/can/codigo-penal.html/Codigo_Penal.pdf)

<sup>22</sup> <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43202>

• The Government of Colombia is encouraged to ban any form of hunting that does not directly support subsistence i.e. for feeding oneself and one’s family and not for commercial gain. Subsistence hunting operations must employ the least cruel methods of hunting and slaughter, and that all possible efforts should be made to reduce the time to death of animals killed in these hunts. At the very least, the Government is strongly encouraged to forbid the use of the cruellest hunting methods.

### Goal 3: Establishment of supportive government bodies

#### 9. The Government has assigned responsibility and accountability for improving animal protection at a high government level and has provided resources

Analysis of the legislation	
Ranking	E
<p>The animal protection system in Colombia originally referred to mechanisms of prosecution very similar to those in criminal law, which meant that there is no central authority responsible for animal welfare in the country. With the production of further specialised legislation in some areas, the Ministry of Environment and Sustainable Development has been established more formally as an authority for the development of policies with regards to animal protection, but this responsibility is more within the framework of biodiversity and conservation. Law 1774 of 2016 establishes that the Ministry of Environment and Sustainable Development may develop ‘pedagogical campaigns to change animal management practices and seek to establish those best suited to animal welfare’ (Article 10).</p> <p>In addition to this, some other responsibilities have been undertaken by the Colombian Institute of Agriculture, which is part of the Ministry of Agriculture and promotes OIE work in the country, particularly in relation to animals used for farming.</p> <p>With regards to animals used for experiments, the Ministry of Public Health have to authorise the experiment to be carried out (Article 23 of Law 84) The Ministry of Public Health also has the power to veto experiments using live animals if an ethics committee has not been constituted prior to the experiment being carried out (Article 26 of Law 84).</p> <p><b>Analysis</b>  <i>By remission of environmental laws, in particular the National Code of Natural Resources, the Ministry of Environment and Sustainable Development does have some particular policing tasks and powers to improve animal welfare for this category. Similarly, Law 84 grants some responsibility to the Ministry of Public Health to monitor the use of animals in experiments.</i></p>	



The animal protection system in Colombia is based on different regulations with different systems, which means that various authorities may be able to intervene to regulate issues with regards to animal welfare and animal protection. However, a responsible central authority has not been established, and some issues that could have an impact on animal welfare are not covered by any authority. Although the existing legislation has recognised animal welfare as an independent issue this has not translated into a legal development that gives single responsibility to any organ or department officially part of the Government. Furthermore, there is no evidence of allocation of specific human or financial resource to develop policy on animal welfare or enact existing legislation in the country.

**Enforcement mechanisms**

The responsibilities of relevant government bodies are set out in legislation. However, no Ministry has direct responsibility for animal welfare.

**Key recommendations**

- There is no evidence of an existing central authority in charge of developing overall policy for animal protection in Colombia. The Government of Colombia is therefore urged to assign responsibility for animal welfare to a Ministry. This Ministry should be responsible for enacting animal welfare legislation and for monitoring the implementation of animal welfare standards.
- In addition, the Government of Colombia is strongly encouraged to create a multi-stakeholder committee in order to effectively engage all actors involved in maintaining animals’ well-being to find solutions for welfare concerns. This committee would guide the country’s policies and strategies on animal welfare, in line with international standards. This committee should include representatives of animal welfare organisations.

**Goal 4: Support for international animal welfare standards**

**10. The Government has incorporated the OIE’s guiding principles for animal welfare and its animal welfare standards into policy and legislation**

Analysis of the legislation	
Ranking	D
The OIE Animal Welfare Standards focus on transport, slaughter, production systems (beef cattle, broiler chickens, dairy cattle, pigs), stray dog population control, the use of animals in research and education, and working equids. <sup>23</sup>	

<sup>23</sup> <http://www.oie.int/infographic/StandardsAW/index.html>





Where legislation exists to address a particular issue, it does cover most of the OIE's guiding principles and standards on animal welfare, albeit without specific reference to the OIE. However, not all topics covered by OIE standards on animal welfare have been addressed in Colombian legislation. For instance, Chapter 7.7 of the OIE standards concerns stray dog population control. Evidence of legislation regulating the treatment of stray dogs has not been found in Colombian legislation.

### **Analysis**

*The OIE's standards on animal welfare not only represent a consensual position achieved internationally by countries represented in the organisation, but also provide the necessary scientific background to produce sound policy and legislation on animal welfare. Colombia has participated in the OIE discussions of the standards, and therefore, the Government should be familiar with them. The Government has participated in the OIE's veterinary missions<sup>24</sup> and currently appears as one of the participants in the development of regional work in the collaborating centre in Uruguay.<sup>25</sup> In June 2019, the Colombian Agriculture Livestock Institute (ICA) has signed a cooperation agreement in technical assistance matters with the OIE.<sup>26</sup> This agreement focuses on ensuring animal health, rather than promoting their welfare. By developing policy and legislation focusing on the standards, the country could improve its overall system of animal protection.*

### **Enforcement mechanisms**

For most of the issues covered by the OIE's standards, the legislation has enforcement mechanisms albeit with some issues of applicability (such as constitutional obstacles).

### **Key recommendations**

- **The Government of Colombia is strongly encouraged to comprehensively implement the OIE's animal welfare standards and principles within policy and legislation.**
- **The Government of Colombia is encouraged to develop further mechanisms for enforcement of the existing legislation.**

## **11. The Government has pledged in principle support for the Universal Declaration on Animal Welfare (UDAW)**

### **Analysis of the legislation**

<sup>24</sup> <https://www.oie.int/solidarity/pvsevaluations/status-of-missions/>

<sup>25</sup> [https://www.oie.int/fileadmin/Home/eng/Our\\_scientific\\_expertise/colcenterreports/2018/report\\_121\\_2018\\_Da y\\_One\\_Veterinary\\_Competencies\\_and\\_Cont UNITED STATES OF AMERICA.pdf](https://www.oie.int/fileadmin/Home/eng/Our_scientific_expertise/colcenterreports/2018/report_121_2018_Da y_One_Veterinary_Competencies_and_Cont UNITED STATES OF AMERICA.pdf)

<sup>26</sup> [https://www.pig333.com/latest\\_swine\\_news/colombia-the-agreement-with-the-oie-will-strengthen-animal-health\\_15036/](https://www.pig333.com/latest_swine_news/colombia-the-agreement-with-the-oie-will-strengthen-animal-health_15036/)



Both the Ministry of Agriculture and the Ministry of the Environment have stated their support to the Universal Declaration for Animal Welfare.

Note: The UDAW is a proposed formal international acknowledgement of a set of principles giving animal welfare due recognition among governments and the international community. An expression of support for the UDAW demonstrates a government's commitment to working with the international community to improve animal welfare.

#### Analysis

*The Ministries of Agriculture and of the Environment have expressed support for the UDAW, taking an important step towards introducing animal welfare as a topic of discussion in Colombia. The Government is encouraged to use the principles contained in the UDAW to update the existing legislation on animal protection.*

#### Enforcement mechanisms

There are no enforcement mechanisms relevant to this indicator.

#### Key recommendations

- **Colombia has provided government support to UDAW, through a statement of support from the Ministry of Agriculture and the Ministry of the Environment. Colombia should act as an example for other countries to pledge support in principle to UDAW.**

Last edited: 3 December 2019

Publication: March 2020