



Animal Protection Index (API) 2020

Japan: ranking E

Executive summary

The Act on Welfare and Management of Animals (1973) forms the basis of animal welfare protections in Japan. The Act includes enforcement mechanisms and recognises that animals feel pain and distress. The Act on Welfare and Management of Animals (1973) is also very clear in its expectations of animal owners and organisations to care for animals their entire lives. The Act is reviewed every five years allowing for regular amendments to improve animal welfare across the country.

While animal welfare legislation exists, it is vague and limited in the protections it provides animals. Similarly, supplementary standards are not mandatory and not aligned with current OIE animal welfare standards. There are no animal welfare protections provided for wild animals in any of the applicable laws. It is also concerning that there is no further guidance, beyond the Act on Welfare and Management of Animals applicable to animals in captive environments such as zoos. Inherently cruel activities also continue to take place in Japan, for example dog fighting and the internationally condemned Taiji Cove dolphin hunt.¹² Similarly, the keeping of exotic pets is also popular in Japan, and there are currently few restrictions on their keeping.³

Animal welfare in Japan is generally governed by the Ministry of Environment, with some policies regarding animal health being produced by the Ministry of Agriculture, Forestry and Fisheries.

Since the 2014 iteration of the Animal Protection Index, Japan has not introduced new animal welfare protections. There is at least one new bill; aimed at reducing stray dog and cat populations; passed by the Japanese Parliament in 2019. However, as the Act on Welfare and Management of Animals (1973) is currently under review, new bills increasing animal welfare provisions, will not come into force until after the passing of any amendments to the Act on welfare and management.

The Government of Japan is strongly urged to align all animal welfare under one ministry and to create an animal welfare committee whose purpose is to produce guidelines, enforce legislation and educate the public on animal welfare. The committee should include representatives from multiple government ministries, animal welfare organisations and experts and the national zoos and aquariums associations. The Government is encouraged to introduce mandatory guidelines, aligned with OIE animal welfare standards, to govern the rearing, transport and slaughter of farm animals, working conditions for draught animals, animals in captivity and dog and cat population management. Further legal and policy recommendations are associated with each Animal Protection Index (API) indicator and contained in the relevant sections of this report.

¹ <https://www.bbc.co.uk/news/world-asia-49547400>

² <http://factsanddetails.com/japan/cat21/sub145/item796.html>

³ <https://www.nytimes.com/2019/04/22/science/asia-otters-pets-japan.html>



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	F
<p>The Act on Welfare and Management of Animals (1973)⁴ was most recently amended in 2014.⁵ It states in the fundamental principle of the Act that 'no person shall destroy, injure or inflict cruelty on animals' as they are living beings. The Act refers in Chapter V Articles 40(1), 41(2) and 41(3) to 'pain and distress' of an animal.</p> <p><i>Analysis</i> The Government has recognised some important elements of animal sentience in the Act on Welfare and Management of Animals 1973, and thus animal protection is derived from understanding that animals have the capacity to feel pain and distress.</p>	
Enforcement mechanisms	
<p>There are enforcement mechanisms, consisting of fines or imprisonment with work, for specific conducts that are related to the recognition that animals feel pain and distress. However, these apply only to a list of specified species of animals, all of which are domestic animals (companion and farm animals) (Article 44, Act on Welfare and Management of Animals 1973).</p>	
Key recommendations	
<ul style="list-style-type: none">• Given the extensive body of scientific evidence proving that animals are sentient, the Government of Japan is urged to recognise that all animals for whom there is scientific evidence – at a minimum, all vertebrates, cephalopods and decapods crustaceans – are sentient beings and to enshrine this principle into legislation. Recognising animals as sentient will underpin further animal welfare considerations.	

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

⁴ https://www.env.go.jp/nature/dobutsu/aigo/1_law/files/aigo_kanri_1973_105_en.pdf

⁵ <http://www.japantoday.com/category/lifestyle/view/animal-welfare-in-japan-improving>



Ranking	D
<p>The purpose of the Act on Welfare and Management of Animals 1973 is stated as 'to engender a spirit for animal welfare among citizens and contribute to the development of a respect for life and sentiments of amity and peace by providing for the prevention of cruelty to animals, the proper handling of animals and other matters concerning animal welfare, as well as to prevent animals from causing an infringement on the life, body or property of humans by providing for matters concerning the management of animals' (Article 1).</p> <p>Article 2 of the Act requires that, in light of the fact that animals are living beings, no person shall kill, injure, or inflict cruelty on animals without due cause, and every person shall treat animals properly by taking into account their natural habits and giving consideration to the symbiosis between humans and animals.</p> <p>Article 5(1) of the Act provides that the Minister shall formulate basic guidelines for comprehensively promoting measures on the welfare and management of animals.</p> <p>Article 7(1) creates a duty of care in requiring that owners and keepers shall endeavour to maintain the health and safety of the animal by caring for and keeping the animal in a proper manner according to its species and behaviour. This includes a further duty of care to maintain the environment and health of animals and feed and water them properly.</p> <p>Article 7(4) of the Act provides that the Minister may, after consultation with the heads of the relevant administrative organs, formulate standards to be complied with regarding the care and keeping of animals. Article 9 provides that a local government may, pursuant to the provisions of an ordinance, provide guidance to owners and possessors of animals and take any other necessary measures concerning the care and keeping of animals, so as to maintain the health and safety of animals and ensure that animals do not cause trouble to humans.</p> <p>Animal protection legislation in Japan is reviewed every five years meaning any new amendments will be published in 2019/20.</p> <p>Analysis</p> <p><i>The Act on Welfare and Management of Animals 1973 sets out methods for government to engage with the public on the matters set out in the legislation, which should assist with bringing animal welfare to public attention in the country.</i></p> <p><i>Although the existing legislation is positive in prohibiting the infliction of cruelty and creating a duty of care, these provisions are not detailed. In addition, the related enforcement mechanisms apply only to a specific list of species consisting of domestic farm and companion animals and owned mammals, birds and reptiles, thus leaving no enforcement mechanisms for the infliction of cruelty to free-living wild animals.</i></p> <p><i>The scope of the existing legislation demonstrates a desire by the government to promote animal welfare and educate the public in treating animals humanely. The structure of the existing legislation</i></p>	



also presents a potential barrier to improvement as it restricts enforcement mechanisms to a limited list of domestic species of animals.

Enforcement mechanisms

There are enforcement mechanisms relating only to a defined list of “protected animals”, which are cattle, horses, pigs, sheep, goats, dogs, cats, domestic rabbits, chickens, domestic pigeons and domestic ducks, or other animals which have an owner and are mammals, birds or reptiles (Article 44, Act on Welfare and Management of Animals).

In relation to these animals, killing or injuring an animal is punishable with fines or imprisonment of up to two years. In relation to these animals, cruelty of causing debilitation by discontinuing feeding or watering without due reason, or abandonment, is punishable by fines.

Article 33 provides that a prefectural governor may request a specified animal caretaker to make reports on the status of specified animal facilities, the method for the management of the specified animals handled and other necessary matters, or have prefectural officials enter the places where the specified animal facilities of said specified animal caretaker are established or other relevant places and inspect the specified animal facilities or other properties. Article 34 states that a local government may, pursuant to the provisions of an ordinance, establish “officials in charge of animal welfare” to perform entry and inspection and other work related to the welfare and management of animals. This person should be an official of the local government who has expert knowledge on the proper care and keeping of animals, such as a vet.

Standards and guidance produced under Articles 5, 7 and 9 of the Act would also assist in encouraging compliance with the provisions of the Act.

Key recommendations

- **The Government of Japan is encouraged to amend the Act on Welfare and Management of Animals (1973) to include a clear definition of animal welfare, in line with the OIE definition and explicitly promote the Five Freedoms for all animals.**
- **The Government is also encouraged to provide more clarity and detail as to activities and acts that constitute animal cruelty.**

Goal 2: Presence of animal welfare legislation

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

Analysis of legislation



Ranking	G
<p data-bbox="204 344 300 378"><u>Rearing</u></p> <p data-bbox="204 416 1414 495">The anti-cruelty and duty of care provisions in Articles 2 and 7(1) of the Act on Welfare and Management of Animals (1973) apply to this category of animals.</p> <p data-bbox="204 528 1414 685">Other than being listed in the category of “protected animals” giving rise to criminal offences for cruel treatment under Article 44 of the Act, there is no content in the Act to specifically address the welfare needs of animals used in farming. Indeed, animals used in livestock farming are excluded from the provisions of Chapter 3 Section 2, Regulations on Animal Handling Businesses.</p> <p data-bbox="204 719 1414 831">Article 7(4) of the Act provides that the Minister may, after consultation with the heads of the relevant administrative organs, formulate standards to be complied with regarding the care and keeping of animals.</p> <p data-bbox="204 864 1414 1099">Guidance produced under the Act includes the Standards relating to the Care and Keeping of Industrial Animals (Notification No. 22 of 1987⁶, produced by the Prime Minister’s Office in collaboration with the Japan Livestock Technology Association and supported by the Ministry of Agriculture, Fisheries and Forestry),⁷ which is a guide on how to treat farm animals and includes recommendations on topics including hygiene at farms, avoiding animal abuse and transporting animals.⁸ However, a translation of these standards could not be found at time of writing.</p> <p data-bbox="204 1133 384 1167"><u>Rearing – pigs</u></p> <p data-bbox="204 1200 1078 1234">There is no policy or legislation related specifically to the rearing of pigs.</p> <p data-bbox="204 1267 520 1301"><u>Rearing – broiler chickens</u></p> <p data-bbox="204 1335 1214 1368">There is no policy or legislation related specifically to the rearing of broiler chickens.</p> <p data-bbox="204 1402 520 1435"><u>Rearing – egg-laying hens</u></p> <p data-bbox="204 1469 1214 1503">There is no policy or legislation related specifically to the rearing of egg-laying hens.</p> <p data-bbox="204 1536 608 1570"><u>Rearing – dairy cattle and calves</u></p> <p data-bbox="204 1603 1302 1637">There is no policy or legislation related specifically to the rearing of dairy cattle and calves.</p> <p data-bbox="204 1671 320 1704"><u>Transport</u></p> <p data-bbox="204 1738 1198 1771">There is no policy or legislation related specifically to the transport of farm animals.</p>	

⁶ <https://www.eubios.info/ABC4/abc4335.htm>

⁷ <http://jlta.lin.gr.jp/report/animalwelfare/>

⁸ <http://www.env.go.jp/hourei/syousai.php?id=18000113>

Slaughter

In relation to slaughter, Article 40 of the Act on Welfare and Management of Animals (1973) provides that in the case where an animal must be destroyed, a method that minimises as much as possible the pain and distress to the animal shall be used and that the Minister of the Environment may provide guidance with regard to the method.

Standards relating to the Methods of Destruction of Animals (Notification No. 40 of 1995 by the Prime Minister's Office⁹), provides further details on animal slaughter. The Standards require that all methods of slaughter minimise the pain or distress to animals and must be in line with other standards such as Standards relating to the Care and Keeping of Industrial Animals.

Analysis

The general anti-cruelty provisions of the Act on Welfare and Management of Animals (1973), including enforcement mechanisms, apply to farm animals (except fish) and, in addition, some guidelines on farm animals have been produced.

Article 39 of the Act on Welfare and Management of Animals (1973) discusses the presence of regional councils made up of representatives from animal welfare non-profit corporations, veterinarian organisations and any other organisations working to disseminate and raise awareness regarding the welfare and proper care of animals. These councils would aid the appointment of animal welfare promoters regionally and support their activities.

The Standards relating to the Care and Keeping of Industrial Animals (1987) does not give any concrete instruction and there is no formal inspection or enforcement system to check whether farmers follow the guideline. The Standards relating to the Methods of Destruction of Animals (1995) also vague in their prevention of unnecessary pain and suffering before and during animal slaughter.

Enforcement mechanisms

Killing or injuring a farm animal is punishable with fines or imprisonment of up to two years. Cruelty of causing debilitation by discontinuing feeding or watering without due reason, or abandonment, is punishable by fines.

However, in relation to the more specific detailed provisions contained in the Minister's Guidelines, there appear to be no enforcement mechanisms.

Key recommendations

- **The Government of Japan is urged to enact legislation detailing specific welfare requirements for the rearing of farm animals during the phases of rearing, transport and slaughter. Such requirements should be legally binding and species-specific. Regular inspections of farms and slaughter establishments should be carried out with a special focus on animal welfare. This**

⁹ http://www.env.go.jp/nature/dobutsu/aigo/2_data/laws/shobun.pdf



legislation should be aligned to OIE animal welfare standards and should protect animal's Five Freedoms throughout rearing, transport and slaughter.

- In addition, the Government of Japan 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 maximum 30 kg/m² 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 Japan 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.¹⁰ 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.
- Due to the significant animal welfare concerns associated with long distance transport, the Government of Japan is strongly urged to ban the export of live animals for long distances (i.e. over eight hours) and replace it with a meat only trade. Long distance transport is inherently cruel as 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.

4. There are laws that apply to animals in captivity

Analysis of the legislation	
Ranking	D
<p>The anti-cruelty and duty of care provisions in Articles 2 and 7(1) of the Act on Welfare and Management of Animals 1973 apply to this category of animals, except fish.</p> <p>Other than being listed in the category of "protected animals" giving rise to criminal offences for cruel treatment under Article 44 of the Act, there is no content in the Act specifically addressing the welfare needs of wild animals that are kept in captivity.</p>	

¹⁰ [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))



Chapter 3 Section 2 of the Act describes Regulations on Animal Handling Businesses, which includes businesses that train or exhibit animals, and requires that these are registered with the Regional Governor. Registration may be rejected if facilities cannot provide for the health and safety of animals.

The Standards Relating to the Keeping and Custody of Animals for Exhibition (1976),¹¹ were unable to be found at time of writing.

Zoos

There is no policy or legislation related specifically to zoos.

151 institutions belong to the Japan Association of Zoos and Aquariums. While members agree to meet certain conditions, there is no national system for accreditation or inspection. It has been reported that the Japan Association of Zoos and Aquariums has been working with the Environment Ministry to bring zoos under the Law for the Conservation of Endangered Species of Wild Fauna and Flora, however no draft legislation had been published at time of writing.¹²

Private keeping of wild animals

Under the Law for the Conservation of Endangered Species of Wild Fauna and Flora, endangered species are allowed to be taken from the wild for the purposes of academic research, breeding and propagation after gaining permission from the Minister of the Environment.

Under Article 19, licenced/permited individuals and organisations are required to report on the treatment on individual animals and submit to an inspection of facilities from ministry officials. Endangered species are required to be registered with the Ministry of Environment even if an individual is licenced to hold/breed them.

There are no animal welfare provisions under the Law for the Conservation of Endangered Species of Wild Fauna and Flora.

There is no policy or legislation related specifically to the private keeping of wild animals.

Fur farming

The Invasive Alien Species Act (2004)¹³ essentially outlawed fur farms and the last, unlicensed fur farm closed in 2016.¹⁴ However, there is no explicit ban on fur farming more generally.

Analysis

There is no significant evidence of Japanese legislation or policy acknowledging the welfare challenges that can result from keeping animals in captivity. The general animal protection legislation includes no specific provisions for this category of animals, and while the standards do go beyond this

¹¹ <http://www.oie.int/doc/ged/D8882.PDF>

¹² <https://www.japantimes.co.jp/community/2017/10/18/issues/ushering-new-kinder-era-japans-zoos/#.XcPuEEEx2uUk>

¹³ <http://extwprlegs1.fao.org/docs/pdf/jap65793.pdf>

¹⁴ <https://www.peta.org/blog/end-cruel-era-japan-officially-no-fur-farms-operation/>



and establish general requirements for adequate food, water, shelter, exercise and disease control, there is no evidence that these standards are mandatory or that any enforcement mechanism exists to encourage compliance.

There has been international concern about the welfare of animals in zoos in the country, particularly with respect to bear parks, in which animals are confined in poor, quality environments and are used for circus-like shows.¹⁵ The keeping of cetaceans in captivity is permitted and there is international concern about the taking of bottle-nose dolphins from the wild for use in national and international aquaria.¹⁶ However, it is positive that the Ministry for the Environment is working with the Japan Association of Zoos and Aquariums to introduce standards and mandatory regulations.

Enforcement mechanisms

Killing or injuring an owned animal is punishable with fines or imprisonment of up to one year. Cruelty of causing debilitation by discontinuing feeding or watering without due reason, or abandonment, is punishable by fines.

Under the Law for the Conservation of Endangered Species of Wild Fauna and Flora, illegally imported animals will be subject to forfeit. Under Article 19, licensed/permitted individuals are required to report on the treatment on individual animals and submit to an inspection of facilities from ministry officials.

However, in relation to the more specific detailed provisions contained in the Standards, there appear to be no enforcement mechanisms.

Key recommendations

- **The Government of Japan 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.**
- **The Government 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 kept captive should be regularly inspected, and the results of such inspections should be made public.**
- **The Government of Japan is urged to fully ban fur farming. Fur farming is inherently cruel and causes pain, distress and suffering to animals.**

¹⁵ <https://wildwelfare.org/?s=japan+bear>

¹⁶ <http://uk.whales.org/blog/courtneyvail/2014/08/waza-and-jaza-to-meet-in-japan-ahead-of-upcoming-drive-hunt-season>

- The Government 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.

5. There are laws that apply to companion animals

Analysis of the legislation	
Ranking	D
<p><u>Care of companion animals</u></p> <p>The anti-cruelty and duty of care provisions in Articles 2 and 7(1) of the Act on Welfare and Management of Animals (1973) apply to this category of animals, except fish. The Act also contains some provisions on responsible pet ownership. Article 38 provides that prefectural governors may appoint animal welfare promoters who have enthusiasm and knowledge regarding the promotion of the welfare of such animals as dogs and cats in their region. The role of the animal welfare promoter is to deepen the understanding of residents regarding the importance of the welfare and proper care of such animals as dogs and cats, to give advice on spaying and neutering dogs and cats, to provide adoption services or any other necessary assistance on request, and to cooperate with the national and regional government in promoting the welfare and proper care of animals such as dogs and cats. There is a requirement under Article 36 for anyone who finds a diseased, injured or dead dog or cat in a public place to endeavour to notify promptly the owner or the prefectural governor. Article 37 requires owners to have their dogs and cats neutered if there is a risk that they would breed freely and that it would be difficult to give the offspring and opportunity to receive proper care.</p> <p>Article 35 required prefectures to take custody of cats and dogs if requested by their owners or in those cases in which the owner is not known. Government shelters are permitted to turn away surrenders and to oblige animal owners to take full responsibility for taking care of their animals until the end of the animals' lives.¹⁷</p> <p>The legislation does not appear to prohibit or restrict culling or destruction of animals for the purpose of stray population control; however, Article 40 should apply in such circumstances, requiring that a method that minimises pain and distress as much as possible is used.</p> <p>It is understood that the Government has produced Standards for the Keeping and Custody of Dogs and Cats (1975); however, these standards could not be found at time of writing.</p> <p>There are media reports that since 2012, animals can only be displayed in pet shops from 8am to 8pm.¹⁸ The Act on Welfare and Management of Animals includes detailed provisions regulating pet</p>	

¹⁷ <http://www.alive-net.net/english/en-law/201208awactpoint.html>

¹⁸ <http://www.letsjapan.markmode.com/index.php/2012/06/19/pet-shops-cant-display-dogs-cats-after-8-pm-cat-cafes-ok-until-1000/>

shops, including requiring that sellers establish a means of taking care of animals that are not sold until the natural end of their lives.

In 2019, the Japanese parliament passed a new bill requiring dog and cat breeders to microchip animals and to encourage owners to voluntarily do the same. However, as the law will not be implemented for several years due to the review cycle of animal protection legislation, it has been unable to be assessed at time of writing.¹⁹

Stray animals

There is no policy or legislation specifically relating to stray animals.

Under Article 1 of the Act on the Welfare and Management of Animals (1973), it is stated that the purpose of the Act to engender a spirit of animal welfare 'by providing for the prevention of animal cruelty and abandonment of animals.' Throughout the Act, there is an emphasis on the care of animals until the end of their lives.

However, it is reported that Japan has a low re-homing rate of abandoned and surrendered animals, with 82% euthanised.²⁰ In 2014, the Environment Ministry announced an action plan to reduce the number of stray cats and dogs killed in the country, however details of this plan could not be found at time of writing.²¹

Analysis

The positive content of some of the provisions of the Act on Welfare and Management of Animals (1973) relating in particular to dogs and cats reflect the growth in pet-keeping in the country, which has sparked a considerable pet industry.²² However, small and young dogs are preferred²³, which has led to problems associated with surrender and abandonment of unwanted pets and of unsold animals by breeders.²⁴ There are reports of the widespread use of inhumane methods of killing abandoned and stray dogs and cats, despite the prohibition on this under Article 44 of the Act.²⁵ Despite the positive intention of the reported amendment to require owners to take responsibility for care of their animals until the end of the animals' lives,²⁶ there may be welfare problems associated

¹⁹ <https://english.kyodonews.net/news/2019/06/ca131df69bd5-japan-passes-bill-requiring-microchipping-of-pets-to-reduce-strays.html>

²⁰ <https://www.japantimes.co.jp/community/2013/02/19/issues/millions-of-dogs-cats-coddled-200000-gassed-each-year-in-pet-mad-japan/#.XcP91Ex2uUk>

²¹ <https://japantoday.com/category/national/govt-announces-zero-stray-dogs-and-cats-action-plan>

²² http://www.japantimes.co.jp/news/2012/04/17/reference/pampered-pets/#.VAWUrcb8E_s

²³ <http://www.euromonitor.com/pet-care-in-japan/report>

²⁴ <http://www.japantoday.com/category/lifestyle/view/animal-welfare-in-japan-improving>

²⁵ <http://www.theguardian.com/world/2010/feb/25/japan-stray-animal-death-trucks>

<http://www.japantimes.co.jp/community/2013/02/19/issues/millions-of-dogs-cats-coddled-200000-gassed-each-year-in-pet-mad-japan/#.U9keQo10xD8>

²⁶ <http://www.alive-net.net/english/en-law/201208awactpoint.html>



with shelters turning away those who no longer wish to keep their pets, as this could potentially result in issues such as abandonment.

Enforcement mechanisms

Killing or injuring a companion animal is punishable with fines or imprisonment of up to one year. Cruelty of causing debilitation by discontinuing feeding or watering without due reason, or abandonment, is punishable by fines.

There are no apparent enforcement mechanisms for breach of the other provisions of the Act on Welfare and Management of Animals 1973, nor for breach of the Standards for the Keeping and Custody of Dogs and Cats.

Key recommendations

- The Government of Japan is encouraged to promote responsible pet ownership, by encouraging adoption over the purchase of pets. Japan allows almost unfettered breeding of companion animals for profit, even though animal shelters and rehoming organisations have thousands of unwanted animals seeking permanent homes. The Government should legislate to require that all companion animals being bought or adopted should first be neutered. There should be extremely stringent controls on breeding companion animals, and pet shops should be allowed to sell only rescued animals.
- The Government of Japan is strongly encouraged to promote humane stray animal population management that relies on promoting responsible ownership, mass vaccinations and reproduction control programmes. Culling has been proven to be ineffective and should therefore be banned. The Government is urged to engage with the International Companion Animal Management (ICAM) Coalition to learn about and implement their dog population management methodology.

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

Analysis of the legislation

Ranking

G

The anti-cruelty and duty of care provisions in Articles 2 and 7(1) of the Act on Welfare and Management of Animals 1973 apply to this category of animals, except fish.



Other than being listed in the category of “protected animals” giving rise to criminal offences for cruel treatment under Article 44 of the Act, there is no content in the Act specifically addressing the welfare needs of animals used for draught or recreational purposes.

Animals used for entertainment

Chapter 3 Section 2 of the Act describes Regulations on Animal Handling Businesses, which includes businesses that train or exhibit animals, and requires that these are registered with the Regional Governor. Registration may be rejected if facilities cannot provide for the health and safety of animals.

It is reported that there are also guidelines dating from 1976: The Standards Relating to the Keeping and Custody of Animals for Exhibition.²⁷ However, these standards could not be found at time of writing.

Dog and bird fighting are reported to take place in Japan.²⁸

Draught animals

There is no policy or legislation specifically relating to draught animals.

Analysis

Current legislation and official guidance does not acknowledge the ways in which the use of animals in the entertainment industry or for draught purposes has the potential to compromise animal welfare. Wild animals continue to be used in circuses in the country causing welfare concerns.²⁹ The breeding of bears in bear parks so that the public may interact with and feed young bears, and the use of bears in circus-like shows causes national and international welfare concerns.³⁰ The widespread keeping of cetaceans in captivity and their use in shows also raises welfare concerns.³¹

The operation of the registration system in Chapter 3 Section 2 is devolved to regional prefectures, without specific detail on how this is to operate and whether there are to be oversight mechanisms. This creates a structural barrier to improvement.

Enforcement mechanisms

²⁷ <http://www.oie.int/doc/ged/D8882.PDF>

²⁸ <http://factsanddetails.com/japan/cat21/sub145/item796.html>

²⁹ <http://www.dailymail.co.uk/news/article-2239043/Fury-rare-white-lion-cubs-born-UK-safari-park-sent-japanese-circus.html>

³⁰ https://www.huffingtonpost.co.uk/georgina-allen/japans-notorious-bear-par_b_7865226.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2x1LnNvbS8&guce_referrer_sig=AQAAAMpUJGQGHlgvj0aPbZ7d-bSybsbUL6_sXOCBdvNYowVUvNrm65_1kqQW1B15d_i_-HSSWpKueX_aA4zqD-ZB202bSFgSp4Wpc2oBcBCZclcKLCoJeYu6XGN9hJBAVUbtYnnPXfrl24pk0NQWbUl8jgF4yj0xCuyqgh9REZAP8Zj

³¹ <http://www.dailymail.co.uk/news/article-1293379/Shocking-moment-dolphin-leaps-tank-marine-show.html>



Killing or injuring an owned animal is punishable with fines or imprisonment of up to one year. Cruelty or causing debilitation by discontinuing feeding or watering without due reason, or abandonment, is punishable by fines.

However, in relation to the more specific detailed provisions contained in the Standards, there appear to be no enforcement mechanisms.

Key recommendations

- **The Government of Japan 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. Notably, the Government is strongly encouraged to ban the use of all animals in circuses. Phasing out of animals for entertainment purposes could start with a ban on the use of wild animals for such performances.**

- **Given that the physiological and behavioural needs of marine mammals cannot be met in captivity, the Government of Japan is strongly encouraged to ban the breeding, keeping and training of all marine mammals in captivity, so that these animals constitute the last generation in captivity in the country. These animals should be retired to large seaside sanctuaries, which allow for an increased range of natural behaviours.**

- **Furthermore, the Government of Japan is strongly encouraged to adopt specific legislation to address the welfare of working animals, including working equids, following the requirements of the OIE’s animal welfare standards. Working animals must be treated with 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, if necessary, they 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.**

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

Analysis of the legislation

Ranking	E
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The anti-cruelty and duty of care provisions in Articles 2 and 7(1) of the Act on Welfare and Management of Animals 1973 appear to apply to this category of animals, except fish.

The Act also contains some measures specifically addressing welfare issues associated with the use of animals in research. Article 41 provides that for animals used in education, testing and research or the manufacture of biological preparations, or for any other scientific use, consideration shall be given to whether there is an alternative method that can be used instead of animals and reducing the number

of animals provided for such use as much as possible, within the extent that the purpose of the scientific use can be attained. Methods that minimise pain and distress as much as possible must be used, within the limit necessary for such use. These requirements therefore incorporate some of the principles of the Three Rs principles.

If it is unlikely that an animal will recover after being used in an experiment, the animal is required to be killed by a method that minimises pain and distress as much as possible.

The Minister of the Environment has power to prescribe standards to be complied with regarding methods to minimise pain and distress and use of alternatives to animals in experiments.

The Government has produced many guidance documents relating to the use of animals in scientific research. The Guidelines for Proper Conduct of Animal Experiments (2006)³², serve as reference material for when research institutions compile their own specifications for animal experimentation, and which includes some animal welfare related considerations such as the aim of minimising stress as much as possible and the establishment of internal review committees. These guidelines cover mammals, birds and reptiles and refer to the Three Rs principles of refinement, replacement and reduction, but are not detailed.

There are some further guidelines regarding animals in experiments including the following: Notification No. 88 of 2006 by the Ministry of the Environment relating to the Care and Management of Laboratory Animals and Relief of Pain; Basic Guidelines on Humane Treatment and Management of Animals (Notification No. 140 of 2006), Guidelines on Methods of Sacrificing Animals (Notification No. 40 of 1995 by the Prime Minister's Office), The Proposed Basic Guidelines on Animal Experimentation in Research Laboratories (Notification of 2006 by MEXT), and Standards Relating to the Care and Management of Laboratory Animals and Relief of Pain (Notice No. 88 of 2006.04.28 by the Ministry of the Environment). These guidelines and standards appear to have non-binding guidance status. However, these guidelines could not be found at time of writing.

Testing of cosmetic products and their ingredients on animals is not banned in Japan.

Analysis

It is positive that the Government has produced many guidelines and standards relating specifically to the care and welfare of animals used in scientific research, and that the principles of the Three Rs are included. However, the legally binding provisions under the Act on Welfare and Management of Animals are not detailed, and the requirements of Article 41 of that Act appear not to have enforcement mechanisms.

It appears that a system of voluntary self-regulation exists for animal experimentation, which could mean that animal welfare is satisfactory in some institutions but not in others. A system that standardises the procedures for animal experimentation, taking animal welfare into account, would better protect welfare.

³² <http://www.scj.go.jp/ja/info/kohyo/pdf/kohyo-20-k16-2e.pdf>

The country has not yet followed international trends by banning the testing of cosmetics on animals but there is some evidence of growing corporate and public awareness on the issue.³³

Enforcement mechanisms

Killing or injuring an owned animal is punishable with fines or imprisonment of up to one year. Cruelty or causing debilitation by discontinuing feeding or watering without due reason, or abandonment, is punishable by fines. These provisions would be subject to the authorised use of animals for experiments under Article 41 of the Act on Welfare and Management of Animals 1973.

However, in relation to the more specific detailed provisions contained in the Standards, and in relation to the provisions of Article 41 of the Act specifically relating to this use of animals, there appear to be no enforcement mechanisms.

There appears to be no system of inspection for laboratories or any formal mechanism to achieve compliance with the relevant legislation and guidance.

Key recommendations

- **The Government of Japan is urged to enact legislation which would protect all animals used in scientific research from unnecessary pain and suffering. The Three Rs Principles – Replacement, Reduction and Refinement – should be enshrined in law.**
- **The Government of Japan is encouraged to create ethics committees, in charge of scrutinising applications for animal research. Such ethics committees should be able to suspend the activities or revoke the registration of establishments which do not respect animal welfare criteria. Animals used for research should be provided with shelter, care, food and water in a manner appropriate to their physiological and behavioural needs. A nominated member of the laboratory staff, preferably a veterinarian, must have full responsibility for animal welfare at all times.**
- **The Government of Japan is strongly urged to ban the testing of cosmetic products and their ingredients on animals.**

8. There are laws that apply to wild animals

Analysis of the legislation	
Ranking	E

³³ <https://japantoday.com/category/features/lifestyle/cosmetics-testing-will-japan-go-cruelty-free>



There is no specific mention of wild animals in the Act on Welfare and Management of Animals 1973 and, except when captive, they also fall outside the scope of the anti-cruelty provisions of Article 44 of the Act.

The purpose of Act No. 32 of 1918, the Wildlife Protection and Proper Hunting Act,³⁴ is to protect birds and mammals, to increase populations of birds and mammals, and to control pests through the implementation of wildlife protection projects and hunting controls. The Director-General of the Environment Agency shall specify "game species", which are the only species that may be hunted lawfully. Hunting is prohibited in areas designated by the Director-General of the Agency, Prefectural Governors or other bodies, which includes permanent or temporary wildlife protection areas, public roads and parks. Some restrictions exist on the hunting period and hunting with the use of firearms, nets, traps or other hunting tackles are prohibited. The Act was last amended in 1972.

Act No. 75 of 1992 on the Conservation of Endangered Species of Wild Fauna and Flora states that its purpose is to ensure the conservation of endangered species of wild fauna and flora and contribute to the conservation of natural surroundings for present and future generations.

Act No. 97 of 2003 on the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms³⁵ states in Article 4 (5) that it aims to preserve species or populations of wild fauna.

There are no animal welfare protections under any of the above-mentioned Acts.

Analysis

The anti-cruelty provisions of the Act on Welfare and Management of Animals 1973 cover wild animals only when they are in captivity. Other relevant legislation appears to focus on the conservation of specific species of wild animals and, for those species that are covered, the emphasis is on protection of the group rather than on the welfare of individual animals.

There are concerns about practices involving wild animals in Japan that are inhumane and often not supported by other countries. For example, the government has been supportive of the global moratorium on commercial whaling being lifted since its conception in 1986³⁶ and as at 2013 was still permitting whaling annually under the auspices of science.³⁷ In March 2014, the United Nations International Court of Justice ruled that the whaling taking place in the Antarctic was not for scientific research and that the Japanese Government should withdraw existing licences for whaling in the Antarctic and refrain from issuing new ones.³⁸ The Government has accepted the decision, but retains

³⁴ <https://www.ecolex.org/details/legislation/wildlife-protection-and-hunting-law-lex-faac039964/>

³⁵ <http://extwprlegs1.fao.org/docs/pdf/jap52588.pdf>

³⁶ Harris, A.W. (2005). The Best Scientific Evidence Available: The Whaling Moratorium and Divergent Interpretations of Science. William & Mary Environmental Law and Policy Review 29 (2) 4. 375-450.

<http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1128&context=wmelpr>

³⁷ <http://www.theguardian.com/environment/2013/oct/31/japan-hunts-dolphins-whales-extinction>

³⁸ <https://www.nytimes.com/2014/04/01/world/europe/united-nations-court-rules-against-japan-in-whaling-dispute.html>

its whaling programme in the North Pacific. Japan has a history of trade in ivory and still has consumer demand for it today.³⁹

Bear farming continues to be very common in Japan and the keeping of bears in bear parks for public entertainment causes national and international welfare concerns.⁴⁰

Japan's annual hunt of dolphins in the coastal town of Taiji is now a well-documented event,⁴¹ which is a barrier to improving animal welfare. Reports have also suggested that the town of Taiji may be planning to open a marine park, offering swimming with dolphins and selling dolphin meat, raising further barriers to improving animal welfare in the country.⁴²

Enforcement mechanisms

There are no enforcement mechanisms related to this indicator

Key recommendations

- **The Government of Japan 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 all efforts should be made to reduce the time to death of animals killed in these hunts. This includes the hunting of marine species. At a minimum, the Government is strongly encouraged to forbid the cruellest hunting methods.**
- **The Government is encouraged to amend current legislation to ensure animal welfare provisions are included for wild animals.**

³⁹ Nishihara, T. (2012). Demand for forest elephant ivory in Japan. *Pachyderm*, No. 52: 55-65.

<http://www.pachydermjournal.org/index.php/pachy/article/viewFile/267/201>

⁴⁰ https://www.huffingtonpost.co.uk/georgina-allen/japans-notorious-bear-par_b_7865226.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xllmNvbS8&guce_referrer_sig=AQAAAMpUJGQGhLgvj0aPbZ7d-bSybsbUL6_sXOCBdvNYowVUvNrm65_1kqQW1B15d_i_-HSSWpKueX_aA4zqD-ZB202bSFgSp4Wpc2oBcBCZclcKLCoJeYu6XGN9hJBAVUbtYnnPXfrl24pk0NQWbUl8jgF4yj0xCuyqqh9REZAP8Zj

⁴¹ <https://abcnews.go.com/International/dolphin-hunting-season-begins-japanese-cove-made-famous/story?id=65341312>

⁴² http://www.huffingtonpost.co.uk/2013/10/08/japanese-dolphin-slaughter-town-taiji-marine-park-eat-swim-mammals_n_4062193.html



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	F
<p>Article 3 of the Act on Welfare and Management of Animals provides that the national and local governments shall endeavour to achieve dissemination and awareness-raising with regard to the welfare and proper care of animals in coordination with each other through educational activities, publicity activities and other similar activities at schools, communities and homes. Article 4 of the Act provides for a "Be Kind to Animals Week", which is established in order to enhance the interest and understanding of citizens in general concerning the welfare and proper care of animals, which are living beings. During this week, the national and local governments shall endeavour to implement events appropriate for the purpose of the campaign. Activity during this week is reported on the Ministry's website.⁴³</p> <p>There are several mentions of the role of the Minister of the Environment, such as formulating basic guidelines for comprehensively promoting measures on the welfare and management of animals (Article 5) and consulting with the heads of the relevant administrative organs if they are changed. The Minister of the Environment may, after consultation with the heads of the relevant administrative organs, formulate standards to be complied with regarding the care and keeping of animals.</p> <p>Responsibility is also devolved to local governments, who are responsible for formulating a plan to promote measures for the welfare and management of animals in their area, registering animal handling businesses in their area, appointing animal welfare promoters and dealing with animal welfare issues in their prefecture.</p> <p>Article 6 defines an animal welfare and management promotion plan, which is to be formulated by each region and which should contain basic policy on measures to be implemented with regard to the welfare and management of animals, matters concerning measures for achieving the proper care and keeping of animals, matters concerning dissemination and awareness raising with regard to the welfare and management of animals, matters concerning the establishment of a necessary framework for implementing measures for the welfare and management of animals (including securing the cooperation of such entities as the national government, relevant local governments and private bodies) and any other necessary matters concerning the promotion of measures for the welfare and management of animals.</p>	

⁴³ <http://www.env.go.jp/press/press.php?serial=17103>



The Act therefore establishes responsibility for animal welfare in the Ministry of the Environment and in effect puts animal welfare responsibilities on a directorate of animal welfare. Articles 5 and 6 define plans by the Environment Minister to be implemented by local government.⁴⁴

However, because of the single annual budget principle, it is difficult to see where the funds come from for the local animal welfare promotion plans. Despite this, the local government can use "tax allocations to local government" in relation to animal welfare.

The Ministry of the Environment provides a public list of the local government sections which are responsible for animal welfare.⁴⁵

It is unclear whether these activities are mandatory requirements for local governments, as they are to endeavour to carry out dissemination and awareness-raising of animal welfare, but no targets or activities are specified.

The Ministry of the Environment publishes an annual activity report,⁴⁶ with a small section covering animal welfare. The Ministry also publishes statistics and material specifically addressing animal welfare on its website. In addition, the government reports to the OIE on avian influenza and other animal diseases and discloses information of the councils held by the Ministry of the Environment.⁴⁷

The Basic Law of Education states that one objective of education is to "foster an attitude to respect life, care for nature, and contribute to the protection of the environment".⁴⁸

The 1958 Report of the Curriculum Council: Establishment of Special Time of Moral Education, suggested that a period for moral education should be established formally. The principle was that moral education should be closely aligned with other subject lessons that will supplement, enrich and integrate its own instruction. This became the prototype for the present formal moral education in Japan. Here there were four pillars of moral education practice and content in formal school education: 1) basic lifestyle and behaviour; 2) moral mentality and judgement; 3) expansion of personality and creative lifestyle; and 4) ethical attitude and practical motivation as a member of the nation and society. The Central Council for Education illustrated "the Ideal Japanese" with four special expectations of the Japanese person: as an individual, as a family member, as a member of society, and as a citizen/national. This course of study emphasised commitment and respect for living things, as recommended by the National Council on Education Reform in 1986.⁴⁹ Moral education is summarised into four pillars, with the third being "About relationships with nature and sublime things: People are moved by the magnificence and wonder of nature, and feel the importance of nature and living things". However, moral education is not an obligatory part of the curriculum and, for elementary

⁴⁴ https://www.env.go.jp/nature/dobutsu/aigo/2_data/laws/guideline_h25.pdf

⁴⁵ https://www.env.go.jp/nature/dobutsu/aigo/3_contact/index.html

⁴⁶ <http://www.env.go.jp/policy/hakusyo/h25/index.html>

⁴⁷ https://www.env.go.jp/nature/dobutsu/aigo/2_data/pamph.html

⁴⁸ <http://www.mext.go.jp/english/lawandplan/1303462.htm>

⁴⁹ http://www.nier.go.jp/English/EducationInJapan/Education_in_Japan/Education_in_Japan_files/201303MED.pdf



and lower secondary school grade 1, only 34 hours are set aside; and, for grades 2 to 9, 35 hours annually.⁵⁰

The White Paper, Educational Standards in Japan 1965, Chapter 4 (1) moral education in Japan, contains a section outlining the contents of moral instruction in elementary schools. Part 2 contains contents mainly related to "moral sentiment and moral judgement: '... to take good care of animals and plants; to have a pure mind.'⁵¹

The Act on Welfare and Management of Animals (1973), Article 3 (Dissemination and Awareness Raising) states that both the national and local governments shall, in accordance with the purpose of the Act, endeavour to achieve dissemination and awareness raising with regard to the welfare and proper care of animals in coordination with each other through educational activities, publicity activities and other similar activities at schools, communities and homes.

Article 38 of the Act describes "animal welfare promoters" as people with enthusiasm and knowledge regarding the promotion of the welfare of such animals as dogs and cats in the region, who are made responsible for deepening the understanding of residents regarding the importance of welfare and proper care of such animals as dogs and cats, for giving advice on spaying/neutering pets, for providing adoption services and other care assistance, and for assisting the national or regional government in promoting the welfare and proper care of such animals as dogs and cats.

Analysis

Animal welfare is an independent issue, recognised by legislation as such for government management and regulation. This recognition allows animal welfare issues to be discussed at Ministerial level. However, there is no full-time dedicated board involving officials from other areas of government to implement the Act on Welfare and Management of Animals; although the Minister of the Environment is responsible at a central government level for several aspects of the Act, there are no other officials mentioned as having involvement from other ministries, so although there may be informal communication between ministries there is no formal structure to ensure that this takes place.

Although the legislation would appear to indicate that funds come from local government budgets, it is unclear whether the relevant people employed to do so have any working knowledge of animal welfare or receive any training to help them carry out their role. There is no evidence found of specific resources for improving animal protection. Dissemination of some responsibilities to local government level may also provide a barrier to the uniform application of policy and legislation.

The Government states its intention to try and disseminate awareness of animal welfare via educational activities, including at schools, in the Act on Welfare and Management of Animals.

Enforcement mechanisms

⁵⁰ http://www.nier.go.jp/English/EducationInJapan/Education_in_Japan/Education_in_Japan_files/201303MED.pdf

⁵¹ http://www.mext.go.jp/b_menu/hakusho/html/hpae196501/hpae196501_2_031.html



Local government is required by law to implement the provisions of the Act including raising awareness of animal welfare issues, thus allowing for public challenge if the relevant local government divisions do not comply with these requirements.

Key recommendations

- **The Government of Japan is encouraged to create a multi-stakeholder committee 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, local authorities and the national zoo and aquariums association.**
- **The Government of Japan is encouraged to ensure the committee and responsible ministry has appropriate resources for research, implementation and enforcement (including regular inspections) of animal welfare laws.**

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	F
<p>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.⁵²</p> <p>The Government has incorporated some of the OIE’s animal welfare standards and principles into legislation, in particular into the provisions of the Act on Welfare and Management of Animals 1973. However, relevant legislation does not contain provisions on transporting animals by air, land or sea, on killing of animals for disease control, or on stray population control. Some of these are dealt with in guidance documents, as is the use of animals in experiments and education; however, this is a voluntary, self-regulated area of policy. Article 40 requires that, where an animal must be destroyed, a method that minimises as much as possible the pain and distress to the animal shall be used and that the Minister of the Environment may provide guidance regarding the method.</p> <p>Notification No. 22 of 1987 by the Prime Minister’s Office, Guideline for Rearing Industrial Animals, is secondary legislation produced under the Act on Welfare and Management of Animals. This is a</p>	

⁵² <http://www.oie.int/infographic/StandardsAW/index.html>



guide on how to treat farm animals and has recommendations covering topics including farm hygiene, avoiding animal abuse and transporting animals, which are consistent with OIE decisions.⁵³

There are several OIE reference laboratories in Japan that conduct research and engage with the OIE on various areas of animal health and disease at ad hoc groups.⁵⁴ Japan also reports to the OIE on animal diseases. The Japan Livestock Technology Association drafted the guidelines for care and handling of livestock animals with consideration for the concept of animal welfare, supported by the Ministry of Agriculture, Fisheries and Forestry, and these guidelines are consistent with the OIE decisions. However, beyond this consideration there does not appear to be much engagement with the OIE specifically on the subject of animal welfare.

Analysis

The Minister of the Environment is responsible for implementation of the Act on Welfare and Management of Animals 1973, together with local government. However, there are no formal boards to implement animal welfare policy and transpose the OIE's standards and principles, and seemingly animal welfare is not formally considered by other government ministries when developing policy. Full transposition of the OIE's standards and guiding principles into legislation has not been done and is not currently taking place in Japan, including in recent amendments to the Act on Welfare and Management of Animals 1973.⁵⁵

It does not appear that implementation of the OIE animal welfare standards is an issue of priority for the government, possibly because of a prioritisation of animal health issues. However, the recent attempt by the government to make improvements to the animal welfare legislation suggests that progress could be possible in the future.

Improving animal health contributes to improving animal welfare, therefore the current engagement on animal health issues is positive. However, further efforts to engage with the OIE on the topic of animal welfare would display desire to achieve animal welfare standards in line with good international standards and would show a commitment to improving animal welfare generally in Japan. The Government is encouraged to build on the existing engagement with the OIE to address animal welfare concerns in the country.

Engagement with the OIE on the subject of animal welfare does not appear to be a priority at present. However, the existing relationship in the area of animal health presents an opportunity for improvement.

Enforcement mechanisms

There are enforcement mechanisms for those of the OIE's standards and principles that are covered by the content of existing legislation (in particular the Act on Welfare and Management of Animals 1973).

⁵³ <http://www.env.go.jp/hourei/syousai.php?id=18000113>

⁵⁴ <http://www.oie.int/en/for-the-media/press-releases/detail/article/oie-expert-ad-hoc-group-reviews-atypical-bse-cases-reported-by-japan-and-italy/>

⁵⁵ <http://www.alive-net.net/english/en-law/201208awactpoint.html>



Key recommendations

- The Government of Japan is encouraged to implement legislation in line with the OIE animal welfare standards, including enforcement mechanisms for all species to ensure a good level of animal welfare. This includes alignment on rearing, transport and slaughter and working conditions for draught animals.

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

Analysis of the legislation

The Government of Japan has not yet pledged in principle support for the Universal Declaration on Animal Welfare (UDAW).

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

Support for the UDAW would be a first step into integrating animal protection considerations into different discussion tables, becoming a soft law source for decision makers interested in improving animal protection in the country.

Enforcement mechanisms

There are no enforcement mechanisms relevant to this indicator.

Key recommendations

- The Government of Japan is encouraged to pledge in principle support for the UDAW. Support for the UDAW will likely underpin further animal protection measures.

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