



# Animal Protection Index (API) 2020

## Mexico: ranking C

### Executive summary

Animal welfare legislation in Mexico includes the Federal Animal Health Act (2007), General Wildlife Law (2000), and the Official Mexican Standards at Federal level and general animal welfare legislation at State level. The Federal Animal Health Act (2007) provides a good basis for all other animal welfare legislation by mandating the Five Freedoms be respected for all animals. Similarly, the General Wildlife Law (2000) is clear in providing welfare provisions for wild animals. Nearly all Mexican states have separate animal welfare legislation, meaning that almost all animals in Mexico are provided some level of protection. State animal welfare legislation, particularly in relation to responsible pet ownership should be praised, as should the general anti-cruelty provisions that prohibit such acts as cosmetic mutilation and bestiality.

Animal welfare legislation in Mexico has some limitations. Federal standards, while including some welfare provisions, are aimed at ensuring animal health rather than animal welfare. One example is that standards for space requirements on a species-specific basis are not mandated at the Federal level. State animal welfare legislation is inconsistent, with some states providing more protections for some categories of animals than others. Similarly, while all states prohibit animal fights; there are some exemptions; only two states (Jalisco and Coahuila) prohibit bullfighting, and cockfighting is permitted in all states.

While the Ministry of Health; in conjunction with the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food; is responsible for implementation of the Federal Animal Health Act (2007), and the Ministry of Environment and Natural Resources is responsible for the implementation of the General Wildlife Law (2000), there is no Government Ministry assigned overall responsibility for animal welfare. At a state level, responsibility for different aspects of animal welfare are assigned to the appropriate department; for example, the Department of Health may be responsible for provisions regarding rabies, while the Department for Education may be responsible for promoting and disseminating humane education.

Given the extensive body of scientific evidence proving that animals are sentient, the Federal Government of Mexico is urged to follow the example of the Federal District and of Michoacán de Ocampo and 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 at a Federal level. Recognising animals as sentient will underpin further animal welfare considerations. The Federal Government of Mexico is strongly encouraged to extend current prohibitions on the use of animals for entertainment purposes. Such a prohibition should cover rodeos, animal races, all animal fights including bullfighting and cockfighting, rides on wild animals and all other forms of entertainment. The Federal Government of Mexico is encouraged to create a national 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. 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	C
<p>The United Mexican States (Estados Unidos Mexicanos) is a federal republic composed of 31 states and a federal district (Mexico City). Each state and the Federal District has its own constitution, laws and regulations. Animal welfare laws vary widely between states in terms of scope of animal protection. There is consistency in the animal welfare legislation across the federal states and the Federal Criminal Code of Mexico (Código Penal Federal), which applies to all states and the Federal District, does not contain any animal welfare provisions.</p> <p>Animal sentience is not formally recognised at the Federal level, but most states have legislation containing some partial or implied recognition of sentience.</p> <p>The Animal Protection Act (2001 – last reformed 2019)<sup>1</sup> of Aguascalientes recognises that animals as living beings can feel and therefore suffer both physically and psychologically.</p> <p>The Animal Protection Act (1997 – last reform 2015)<sup>2</sup> of Baja California acknowledges that animals can feel pain and suffer but does not explicitly define animals as sentient beings.</p> <p>The Domestic Animal Protection Act (2016)<sup>3</sup> of Baja California Sur does not include language recognising elements of sentience but does include anti-cruelty measures and a statement that every animal should receive attention, care and protection from human beings. The Act while defining a 'domestic animal' is one that depends on a human being to survive, also states that the Act aims to contribute to the conservation of sustainable use of wildlife. This suggests no animals are excluded from the protections given to them under the state law.</p> <p>The Animal Protection Act (1997)<sup>4</sup> of Campeche includes protections and prohibitions that suggest an understanding that animals feel pain and can suffer. However, these protections are only given to vertebrates.</p>	

<sup>1</sup> <http://eservicios2.aguascalientes.gob.mx/NormatecaAdministrador/archivos/EDO-18-49.pdf>

<sup>2</sup> <http://www.ordenjuridico.gob.mx/Documentos/Estatal/Baja%20California/wo19558.pdf>

<sup>3</sup> <https://www.cbcs.gob.mx/index.php/trabajoslegislativos/leyes>

<sup>4</sup> <http://extwprlegs1.fao.org/docs/pdf/mex138293.pdf>



The Law for the Protection of Fauna (1995 – last reformed 2014)<sup>5</sup> of Chiapas states the law has the object to protect and guarantee the welfare of all animals. Provisions and protections in the Act suggest that animals feel pain and can suffer. Some elements of the Five Freedoms are also recognised in the Act.

The Animal Welfare Law (2010 – last reform 2017)<sup>6</sup> of Chihuahua defines an ‘animal’ as an organic being that lives, feels and moves on its own impulse.’ While the Act does not include explicit reference to sentience, the prohibitions and provisions in the Act suggest an understanding that animals feel pain and can suffer physically and psychologically.

The Law of Protection and Treatment of Animals (2013 – last reformed 2017)<sup>7</sup> of Coahuila explicitly acknowledges that animals feel pain. However, there are no provisions suggesting an acknowledgement of the ability of animals to suffer psychologically.

The Law for the Protection of State Animals (2010- last reform 2016)<sup>8</sup> of Colima is applicable to all animals except those considered ‘pests.’ While the Act does not explicitly use sentience, it does recognise animal welfare as the satisfaction of animal health, behavioural and physiological needs. The Law is applicable to all animals except wild animals in the wild.

The Animal Protection and Welfare Law (2013 - last reform 2019)<sup>9</sup> of Durango is applicable to all animals. While the Law does not explicitly recognise sentience, protection and language used suggests an understanding that animals feel pain and can suffer both physically and psychologically. Under the duty of care for all animal owners, they must provide animals with emotional attention further suggesting an understanding of sentience.

Federal District (Mexico City) The Constitution of Mexico City<sup>10</sup> was updated in 2017 and now recognises all animals as sentient beings.

The Law for the Protection of Animals (2015 -last reform 2018)<sup>11</sup> of Guanajuato does not explicitly state which animals are protected under the law. Provisions in the Law suggest that only physical pain and suffering is recognised.

Law No. 491 of Animal Welfare (2014 – last reform 2016)<sup>12</sup> of Guerrero is applicable to all animals except those considered pests. The definition of ‘animal’ under Law No. 491 of Animal

<sup>5</sup> <https://www.congresochiapas.gob.mx/new/Info-Parlamentaria/ley%20de%20proteccion%20para%20la%20fauna%20en%20el%20estado%20de%20chiapas.pdf?v=Mw==>

<sup>6</sup> <http://www.congresochihuahua2.gob.mx/biblioteca/leyes/archivosLeyes/1260.pdf>

<sup>7</sup> [http://congresocoahuila.gob.mx/transparencia/03/Leyes\\_Coahuila/coa197.pdf](http://congresocoahuila.gob.mx/transparencia/03/Leyes_Coahuila/coa197.pdf)

<sup>8</sup> [http://congresocol.gob.mx/web/Sistema/uploads/LegislacionEstatal/LeyesEstatales/proteccion\\_animales\\_22NOV2016.pdf](http://congresocol.gob.mx/web/Sistema/uploads/LegislacionEstatal/LeyesEstatales/proteccion_animales_22NOV2016.pdf)

<sup>9</sup> <http://congresodurango.gob.mx/Archivos/legislacion/LEY%20DE%20PROTECCION%20Y%20BIENESTAR%20ANIMAL.pdf>

<sup>10</sup> [https://urbanlex.unhabitat.org/sites/default/files/urbanlex//mexico\\_city\\_constitution\\_spanish.pdf](https://urbanlex.unhabitat.org/sites/default/files/urbanlex//mexico_city_constitution_spanish.pdf)

<sup>11</sup> [http://legismex.mty.itesm.mx/estados/ley-gto/GTO-L-ProtAnim2018\\_10.pdf](http://legismex.mty.itesm.mx/estados/ley-gto/GTO-L-ProtAnim2018_10.pdf)

<sup>12</sup> [http://legismex.mty.itesm.mx/estados/ley-gro/GRO-L-BienAnimal2016\\_08.pdf](http://legismex.mty.itesm.mx/estados/ley-gro/GRO-L-BienAnimal2016_08.pdf)



Welfare acknowledges that animals feel and are responsive to stimuli and defines suffering as 'pain caused by physical or psychological damage suggesting an acceptance of the concept of sentience.

The Law for the Protection and Decent Treatment of Animals (2005 – last reform 2018)<sup>13</sup> of Hidalgo protects all animals. The Law distinguishes between the ability of animals to feel and to react to pain suggesting an understanding and acceptance of sentience.

The Animal Protection and Care Act (2012)<sup>14</sup> of Jalisco explicitly states that all species of animal are protected under the law. There is no explicit recognition of animals as sentient; however, provisions included in the Act suggest an understanding that animals can feel pain and suffer.

The Law of Rights and Protection for Animals (2018)<sup>15</sup> of Michoacán de Ocampo explicitly acknowledges all non-human animals as sentient beings and enshrines the Five Freedoms in law.

The Fauna State Law (1997 – last reform 2017)<sup>16</sup> of Morelos provides protections for animals which suggests acceptance of some elements of sentience.

The Fauna Protection Act (2006 – last reform 2014)<sup>17</sup> of Nayarit provides protections for animals which suggest acceptance of some elements of sentience.

The Animal Protection and Welfare Law (2016 – last reform 2018)<sup>18</sup> of Nuevo Leon does not explicitly define animals as sentient but does define animal abuse as including any conduct that causes injuries, illness, deterioration of health, effects them psychologically or is life-threatening. This suggest an acceptance of the elements of sentience.

The Animal Welfare Law (2018)<sup>19</sup> of Puebla includes protections which protect animals from physical harm and acknowledges their ability to feel fear suggesting an acceptance of some elements of animal sentience.

The Animal Protection Act (2014)<sup>20</sup> of Querétaro does not include an explicit acknowledgement of animal sentience. The provisions included in the Act acknowledge that animals can feel pain.

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<sup>13</sup> [http://www.congreso-hidalgo.gob.mx/biblioteca\\_legislativa/Leyes/76Ley%20de%20Proteccion%20y%20Trato%20Digno%20para%20los%20Animales.pdf](http://www.congreso-hidalgo.gob.mx/biblioteca_legislativa/Leyes/76Ley%20de%20Proteccion%20y%20Trato%20Digno%20para%20los%20Animales.pdf)

<sup>14</sup> [https://info.jalisco.gob.mx/sites/default/files/leyes/ley\\_de\\_proteccion\\_y\\_cuidado\\_de\\_los\\_animales\\_del\\_estado\\_de\\_jalisco.pdf](https://info.jalisco.gob.mx/sites/default/files/leyes/ley_de_proteccion_y_cuidado_de_los_animales_del_estado_de_jalisco.pdf)

<sup>15</sup> <http://congresomich.gob.mx/file/NUEVA-LEY-DE-DERECHOS-Y-PROTECCIÓN-PARA-LOS-ANIMALES-2-DE-ABRIL-DE-2018.pdf>

<sup>16</sup> <http://marcojuridico.morelos.gob.mx/archivos/leyes/pdf/LFAUNAEM.pdf>

<sup>17</sup> <https://www.sederma.gob.mx/docs/ma/ReglamentodelaLeyProteccionfaunanay.pdf>

<sup>18</sup> <http://www.nl.gob.mx/publicaciones/ley-de-proteccion-y-bienestar-animal>

<sup>19</sup> <http://ojp.puebla.gob.mx/index.php/leyes/item/ley-de-bienestar-animal-del-estado-de-puebla>

<sup>20</sup> <https://www.ecolex.org/details/legislation/ley-de-proteccion-animal-del-estado-de-queretaro-lex-faoc143218/>

The Animal Welfare Law (2014)<sup>21</sup> of Quintana Roo is applicable to all animals except those considered 'pests.' The Law does not explicitly define animals as sentient beings, however the provisions and protections provided for them suggest an understanding that animals feel pain and can suffer both physically and psychologically.

The Animal Protection Law (1995 – last reform 2014)<sup>22</sup> of San Luis Potosi defines 'protection of animals' as acts aimed at providing animals with an acceptable level of physical and psychological health. This suggests that while, sentience is not explicitly recognised, its elements are.

The Animal Protection Law (2013)<sup>23</sup> of Sinaloa is applicable to all animals except those which are considered 'pests.' There is no explicit recognition of sentience in the Law, however the provisions aimed at protecting animals suggest an understanding that animals can suffer both physically and psychologically.

The Law of Protection for Animals (2002 – last reform 2015)<sup>24</sup> of Sonora does not include an explicit statement recognising animal sentience. However, the provisions and protections included in the Law suggest an acceptance of the elements of sentience.

The Law for the Protection and Care of Animals (last reform 2017)<sup>25</sup> of Tabasco does not recognise sentience, however the Law does acknowledge that animals are able to feel and suffer both physically and psychologically.

The Animal Protection Act (2010 – last reform 2016)<sup>26</sup> of Tamaulipas is applicable to all domestic animals and all wild animals in captivity. The provisions provided in the Act suggest an understanding of the elements of sentience, even if animals are not explicitly recognised as sentient beings.

The Animal Protection Act (2003 – last reform 2017)<sup>27</sup> of Tlaxcala recognises the ability of animals to feel pain, however it is unclear if there is an understanding or acceptance that animals can suffer psychologically.

The Animal Protection Act (2010 – last reform 2016)<sup>28</sup> of Veracruz does not explicitly use sentience, however the Act defines animals as 'being alive with the ability to move on its own, experience sensitivity and emotions and conduct behaviours aimed at their survival and those of their species.' This suggests an acceptance of the elements of sentience.

<sup>21</sup> <http://documentos.congresoqroo.gob.mx/leyes/social/ley101/L1420141209163.pdf>

<sup>22</sup> <http://www.ordenjuridico.gob.mx/Documentos/Estatal/San%20Luis%20Potosi/wo95974.pdf>

<sup>23</sup> <http://www.ordenjuridico.gob.mx/Documentos/Estatal/Sinaloa/wo87424.pdf>

<sup>24</sup> [http://legismex.mty.itesm.mx/estados/ley-son/SONL-ProtAnim2015\\_12.pdf](http://legismex.mty.itesm.mx/estados/ley-son/SONL-ProtAnim2015_12.pdf)

<sup>25</sup> <https://congresotabasco.gob.mx/wp/wp-content/uploads/2019/02/Ley-para-la-Proteccion-y-Cuidados-de-los-Animales-en-el-Estado-de-Tabasco.pdf>

<sup>26</sup> [http://po.tamaulipas.gob.mx/wp-content/uploads/2016/04/Ley\\_Proteccion\\_Animales.pdf](http://po.tamaulipas.gob.mx/wp-content/uploads/2016/04/Ley_Proteccion_Animales.pdf)

<sup>27</sup>

<https://www.ofstlaxcala.gob.mx/doc/Legislacion/locales/leyes/LEY%20DE%20PROTECCION%20A%20LOS%20ANIMALES%20PARA%20EL%20ESTADO%20DE%20TLAXCALA.pdf>

<sup>28</sup> <https://www.legisver.gob.mx/leyes/LeyesPDF/ANIMALES101116.pdf>



The Law for the Protection of Fauna (1999)<sup>29</sup> of Yucatán provides provisions suggesting an acknowledgement that animals feel pain.

The Welfare and Protection of Animals Law (2017)<sup>30</sup> of Zacatecas is applicable to all animals not considered 'pests.' The Law does not acknowledge animals as sentient beings but does recognise that they are able to feel pain and suffer.

Oaxaca is the only state in Mexico without an animal protection law; however, an initiative was put forward in 2019 to introduce one.<sup>31</sup>

### Analysis

*Most states in Mexico offer protection to animals through independent animal welfare legislation. Of these, most recognise the elements of sentience and several including the Federal District and Michoacán explicitly recognise sentience for all animals. While some states such as Colima exclude animals such as those defined as 'pests' from the protections of their animal welfare legislation, the recognition of that animals feel pain and are able to suffer physically and psychologically across the majority of states represents a good basis on which to protect animals.*

*Most states have reformed their animal welfare legislation in recent years to adhere to Federal standards and to align with current animal welfare science.*

*However, the variance in animal welfare protection from state to state means that across Mexico there is a lack consistency in the level of protection offered to animals.*

### Enforcement mechanisms

The existing animal protection legislation at state level contains enforcement mechanisms including fines and administrative arrest. Fines are the most commonly used method of enforcement, ranging from 1 to 500 times the daily minimum wage in the state or federal district, with large variation between states.

### Key recommendations

• **Given the extensive body of scientific evidence proving that animals are sentient, the Federal Government of Mexico is urged to follow the example of the Federal District and of Michoacán de Ocampo and 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 at a Federal level. Recognising animals as sentient will underpin further animal welfare considerations.**

<sup>29</sup> <http://www.venfido.com.mx/ley-de-proteccion-animal.php?estado=yucatan>

<sup>30</sup> [http://legismex.mty.itesm.mx/estados/ley-zac/ZAC-L-ProtBienestAnim2017\\_04.pdf](http://legismex.mty.itesm.mx/estados/ley-zac/ZAC-L-ProtBienestAnim2017_04.pdf)

<sup>31</sup> <https://oaxaca.eluniversal.com.mx/estatal/06-08-2019/presentan-iniciativa-para-crear-la-ley-de-proteccion-los-animales-para-oaxaca>

## 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>Most of the states and the Federal District have animal welfare legislation preventing cruelty to animals, but there are differences between the systems. In many states, infliction of cruelty by negligence is included, including in Michoacán de Ocampo (Article 16, Law on the Protection of Animals, 156 of 1988), Quintana Roo (Article 5, Law on the Protection and Welfare of Animals, 2010) and the Federal District (Article 4, Law on the Protection of Animals, 2002), although this is not always the case, for example in Tlaxcala (Law on the Protection of Animals, 84 of 2003), and some only include certain categories of animal in the protection (such as Baja California).</p> <p><u>State of Aguascalientes</u></p> <p>The Animal Protection Act (2019) places a duty of care on all citizens and makes it the responsibility of all animal owners to ensure the animals in their care are provided for and kept from harm throughout their lives. Under the Act ‘cruelty’ is defined as acts of brutality, sadism or zoophilia against any animals, while ‘abuse’ is defined as any act or failure to act that may cause pain and suffering, endanger the life of an animal or affect their health or welfare including overwork. Similarly, the Act also defines ‘decent and respectful treatment,’ which is detailed in supplementary regulations and are aimed at reducing unnecessary pain and suffering during ‘upbringing, capture, transfer, exhibition, quarantine, selling, exploitation, training and sacrifice.’ Acts of cruelty such as: immobilisation causing pain, suffering or damage; exploitation that ignores suffering; administration of drugs or alcohol without a medicinal purpose; aesthetic mutilations or endangering the life of an animal, are prohibited.</p> <p><u>Baja California</u></p> <p>The Animal Protection Act (2015) considers acts such as death that prolongs the agony of the animal, torture and any mutilation not carried out by a veterinarian as cruelty.</p> <p><u>Baja California Sur</u></p> <p>The Domestic Animal Protection Act (2016) is applicable to all animals that depend on humans for survival. Under the Act, any activity that involves the unnecessary death of an animal is considered a crime. The Act also prohibits the death of any animal by cruel means that include strangulation and rodenticides. Any owner or person legally responsible for domestic animals is required to provide them with suitable space and shelter from inclement weather, adequate food and water, medical attention as required and regular vaccinations/deworming. The Act includes anti-cruelty measures including prohibitions on deliberate injury or mutilation, overexploitation, abandonment, beatings, sexual abuse, exposure to inclement weather and keeping animals tied up. It is also prohibited to deliberately run over animals or administer drugs or alcohol for non-therapeutic reasons.</p>	



### Campeche

The Animal Protection Act (1997) is applicable to domestic and breeding animals only. Domestic animals are defined as animals that 'live in the company or dependency of man' suggesting that wild animals in captivity are also protected under the Act. Breeding animals include any animal raised on farms or ranches including draught animals. Under the Act, it is prohibited to cause death to an animal through means that cause unnecessary suffering, mutilate an animal unless the procedure is carried out by a veterinarian or to deprive an animal of air, light, food, water, sufficient space or shelter from the elements. Anti-cruelty provisions include prohibitions on acts or omissions that result in considerable pain or suffering, torture or mistreatment including negligence or lack of appropriate environment that results in thirst, heatstroke or pain. Any person who breeds animals is required to ensure that they receive humane treatment in accordance with the latest animal welfare science and that satisfies the natural behaviour of the species. Owners are also responsible for ensuring any animal in their care is vaccinated against communicable diseases. It is prohibited to kill any animal by cruel means including poisoning, hanging or blunt force trauma.

### Chiapas

The Law for the Protection of Fauna (2014) applies to domesticated animals including strays and animals in captivity. Under the Law, it is prohibited to use any instrument including air rifles to cause injury or kill an animal. Cruelty towards animals includes causing pain or suffering, torture and providing inappropriate care or living conditions such as lack of food or isolation. It is prohibited to use live animals as a prize or for the purposes of propaganda.

### Chihuahua

Under the Animal Welfare Law (2017) animal owners or those responsible for their care must ensure the animal's Five Freedoms are respected and prohibits the abandonment of any animal. The protection of the Five Freedoms extends to those responsible for selling animals such as pet shops. It is also prohibited to sell animals that are still weaning and to use pets as part of commercial promotions or as prizes. Other prohibitions include cosmetic mutilation; giving of drugs or alcohol for non-therapeutic purposes; use live animals as bait for other animals in sports and entertainment, mistreating working animals, force-feeding, the use of shock collars and dog fighting.

### Coahuila

The Law of Protection and Treatment of Animals (2017), states that all animals; domestic and wild both in captivity and in the wild are protected by the Law. The Law prohibits cruel practices including the training of animals for illegal purposes or to increase their aggression, the use of live animals for shooting practice and the killing of any animal without authorisation or justified purpose. It is against the law to abandon animals, make cosmetic mutilations and use animals in traditional medicine. Guardians and owners of animals have a duty of care towards their animals. The Law of Protection and Treatment of Animals (2017) established the State Animal Protection Commission which is responsible amongst other things, for the protection of all animals and to advise both public and private institutions on appropriate care of animals. The State Animal Protection Commission is also required to establish indicators to evaluate compliance regarding animal protection measures. The Commission is required to include a representative from animal welfare organisations and a representative from independent animal rescuers. Municipalities must establish technical committees



responsible for animal health, welfare and population management. These committees are recommended to include both veterinarians and representation from animal welfare organisations.

#### Colima

The Law for the Protection of State Animals (2016) states that every person has the obligation to provide dignified and respectful treatment to all animals. The Law protects all animals except for those in the wild who are protected under separate legislation. However, urban wild birds are protected under the Law. The Law for the Protection of State Animals (2016), strictly prohibits committing an act deliberately or by omission that causes an animal considerable pain or suffering; to torture or mistreat an animal deliberately or through neglect; not providing adequate food, water, weatherproof shelter or medical treatment; perform cosmetic mutilations; give animals alcohol or drugs except for therapeutic or scientific purposes and abandon animals. It is also prohibited to commit an act that could cause the death or mutilation of an animal or negatively alter their natural instincts except by those licenced under the law to perform such activities.

#### Durango

The Animal Protection and Welfare Law (2019) requires owners and those responsible for animals to provide appropriate care on a species-specific basis including adequate housing, nutrition and veterinary treatment. It is prohibited to abandon animals. The act provides anti-cruelty prohibitions for domestic animals including act or omissions likely to cause an animal pain and torture or mistreatment.

#### Guanajuato

The Law for the Protection of Animals (2018) places a duty of care on owners and holders of animals. This care includes mandatory provision of food, health care and treatment. It is prohibited to negatively modify the behaviour or physical body of an animal, commit any act or omission that causes suffering or endangers life, deprive animals of air, light, food, water, adequate space and shelter and medical care. It is also forbidden to neglect or abandon animals.

#### Guerrero

Law No. 491 of Animal Welfare (2016) sets as the first general principle, to be observed in the formulation of policy and by society in general, that 'Animals must receive humane, dignified and respectful treatment throughout their lives.' General anti-cruelty prohibitions include withholding light, air, food, water, appropriate shelter, killing without just cause and causing an animal pain or suffering through such acts as burning, drowning or poison. Also banned are cosmetic mutilations, neglect and animal abandonment.

The Law established the Citizen Advisory Council for Animal Care and Welfare to act as a body for consultation and institutional coordination and cooperation. The Council is responsible for creating and running programmes and initiatives aimed at preventing animal cruelty. The Council must include members from government departments such as Health and Public Education as well as veterinarians and five representatives from animal protection associations.

#### Hidalgo

The Law for the Protection and Decent Treatment of Animals (2018) places a duty of care on owners. Owners of any animal must ensure they provide appropriate food, water, shelter and medical treatment as suitable for their species. Owners must vaccinate and sterilise all animals unless authorised



by state officials. Acts of cruelty against any animal include unnecessary death; mutilation; any act or omission which may result pain or suffering; torture; deprivation of food and water; animal abandonment and leaving animals in unventilated vehicles for long periods. Similarly, the use of animals in the celebration of rites or traditional medicine that threaten their wellbeing are also prohibited.

#### Jalisco

The Animal Protection and Care Act (2012) provides several general anti-cruelty provisions that are applicable to all animals such as prohibitions on actions that injure or cause animals to suffer and animal abandonment. Owners or those in possession of animals are also required to ensure their animals are vaccinated. The Act also established the Council for Care and Welfare of Animals which guides state policy and ensures state ministries with responsibilities for improving animal welfare are held accountable.

#### Michoacán de Ocampo

The Law of Rights and Protection for Animals (2018) enshrines the Five Freedoms in law. Through the Five Freedoms cruel treatment such as deprivation of food and water and inadequate shelter are prohibited under the law. Further protections for animals in the Law include a prohibition on cosmetic mutilations, abandonment and providing drugs and alcohol to animals for non-therapeutic purposes.

#### Morelos

The Fauna State Law (2017) provides some anti-cruelty measures for animals, for example, it is prohibited to perform any action that results in the death or mutilation of animals or negatively modifies their behaviour. Similarly, neglect and cosmetic mutilation are also prohibited under the Law. Abandonment of pets or other animals does not appear to be banned.

#### Nayarit

The Fauna Protection Act (2014) considers cruel and abusive behaviour to include keeping animals permanently tied up or exposed to the elements, deprivation of food, beating, bestiality, abandonment and exposure to noise, temperatures or any other type of physical phenomena that may be harmful.

#### Nuevo Leon

The Animal Protection and Welfare Law (2018) prohibits any act of abuse or cruelty that affects an animal's health, their natural behaviour or causes their death. Other acts of cruelty prohibited under the Law include limiting an animal's mobility without cause, bestiality, abandonment, allowing animals to roam freely without supervision, intentional destruction of nests or removal of eggs and neglect.

#### Puebla

The Animal Welfare Law (2018) includes prohibitions on cruel acts such as bestiality, negligence and abandonment.

#### Querétaro

The Animal Protection Act (2014) mandates the provision of enough food, water and space for all



animals as well as proper medical treatment and vaccinations. Additional anti-cruelty provisions include keeping them permanently caged (except for poultry or animals that can fly), beating, abandonment and using animals in target practice.

#### Quintana Roo

The Animal Welfare Law (2014) states that every person has the obligation to provide decent and respectful treatment to all animals. The Law includes provisions that aim to protect animals from mutilations, bestiality and negligent behaviour. It is prohibited to use live animals as an attack target for other animals, organise dog fights and use any animal in circuses.

#### San Luis Potosi

Under the Animal Protection Law (2014) all animals are protected from abuse, harassment and torture. The Law provides some general anti-cruelty provisions for example a ban on the unjustified mutilation of animals however, most anti-cruelty provisions are directed at specific categories such as pets or draught animals.

#### Sinaloa

The Animal Protection Law (2013) prohibits any act or omission that may cause pain or suffering or that endangers the life of an animal or their welfare. Further anti-cruelty provisions in the Law include prohibitions on abandonment, the use of live animals for target practice and providing animals with alcohol or drugs without a therapeutic purpose. Unlike animal welfare legislation in other states, Sinaloa allows for cosmetic mutilations.

#### Sonora

The Law for the Protection of Animals (2015) places a duty of care on both animal owners and those in custody of an animal. Anti-cruelty prohibitions include unnecessary mutilations, abandonment causing animals to fight and the use of muzzles which do not allow an animal to breathe or drink water freely.

#### Tabasco

The Law for the Protection and Care of Animals (2017) sets as one of its general principles that all animals must be treated with respect and dignity. The Law sets a duty of care on animal owners and also states that everyone has an obligation to treat animals with dignity and respect. General anti-cruelty provisions which are applicable to all animals include prohibitions on any mutilation or negative modification of their natural instincts not carried out with just cause, zoophilia and abandonment.

#### Tamaulipas

The Animal Protection Act (2016) includes protections for animals including prohibitions on exposure to noise, temperature, lights and any other physical phenomena animals may find harmful as well as the use of animals in the celebration of rites or traditional uses that may harm their welfare. It is also prohibited to abandon them, cause unjust suffering or damage. Some acts such as torture, bestiality and cosmetic mutilations are only applicable to domestic or wild animals in captivity.

### Tlaxcala

The Animal Protection Act (2017) does not provide general anti-cruelty provisions for animals. The Act provides anti-cruelty provisions for some categories of animals for example owners must ensure animals in captivity are provided the necessary means to ensure they have freedom of movement while owners of draught animals must refrain from using spurs or other similar pieces of equipment as punishment.

### Veracruz

The Animal Protection Act (2016) prohibits any act, whether through deliberate action or negligence causes pain and suffering to animals. This includes torture, the use of animals in circuses, the use of animals in the celebration of rites and festivities and animal abandonment.

### Yucatán

The Law for the Protection of Fauna (1999) understands animal cruelty as any act that causes harm to domestic or wild animals including neglect, inappropriate working conditions, torture and mistreatment including a failure to protect animals from such actions.

### Zacatecas

The Welfare and Protection of Animals Law (2017) provides general anti-cruelty provisions for all animals protected under the Act for example it is prohibited to torture an animal or commit any act that may cause pain, suffering or endanger the life or wellbeing of an animal. It is also prohibited to deprive any animal of food, water, space, medical care and appropriate shelter. Animal abandonment and failure to act are also prohibited.

### Analysis

*The inconsistencies in animal welfare protection across the states mean that animals in some areas of the country are better protected than others. A gap remains in Mexican animal welfare law in those states that do not currently have comprehensive legislation, and animal welfare could be improved if standards were consistent across the country.*

*Some states, such as Guerrero and Jalisco, should be praised for establishing state-level animal welfare councils and commissions to ensure animal welfare in those states continues to improve. The councils are made up of multiple government departments, animal welfare organisations and veterinarians ensuring that animal welfare programmes and solutions are present a wholistic approach to improvements.*

*State laws place the responsibility of enforcement and implementation on regional ministries and, in some cases, animal protection NGOs. In the Federal District, the Ministry of the Environment is responsible for implementing the regional animal protection legislation. The Ministries of the Environment, of Health and of Education of the Federal District together implement specific programs statewide to "spread culture and behaviour of good treatment and respect for animals." It would be beneficial to animal welfare if the high standards for mainstreaming animal welfare set by some of the regions, such as the Federal District, were included in the Federal Criminal Code and thus*

applicable nationwide. Currently, devolved regulation inhibits the mainstreaming of animal welfare across the country.

### Enforcement mechanisms

The existing animal protection legislation at state level contains enforcement mechanisms including fines and administrative arrest. Fines are the most commonly used method of enforcement, ranging from 1 to 500 times the daily minimum wage in the state or federal district, with large variation between states.

Animals are also subject to forfeiture, and businesses found to be in contravention of the law may be forced to close either temporarily or permanently.

### Key recommendations

- **The Federal Government of Mexico is encouraged to amend the Animal Health Act (2007) or to introduce an independent animal welfare act to standardise animal welfare protections across Mexico. At the very least, the Federal Government is encouraged to support all states in developing their own animal welfare acts.**
- **State legislation on animal welfare generally provides clear and well-defined protections for animals and should act as an example to other countries with federal systems.**

## 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

##### D

##### Rearing

Several provisions concerning the welfare of animals used in farming appear in Articles 19 to 23 of the Federal Animal Health Act (2007)<sup>32</sup>. This Act is applicable across the country and applies to all animals except aquatic animals (Article 4). The main aim of the Act is to diagnose, prevent and control diseases affecting animals; however, welfare issues are also mentioned. Although not specifically referred to as such, this Act does include all principles of the Five Freedoms (Article 20(1)) as matters to be taken into consideration when secondary regulations are made under the Act.

<sup>32</sup> <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC009444>

Article 21 of the Act provides that the owners or keepers of domestic animals must provide adequate quantity and quality of food and water, veterinarian supervision and immediate attention in case of illness or injury.

The Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food is responsible for safeguarding the health and welfare of animals in 'primary production' (Article 3). The Secretariat certifies, verifies and reviews the implementation of the provisions in the Act, determines measures of good husbandry practices and produces rules based on scientific principles and international recommendations, including in relation to animal welfare (Article 19), transport and humane slaughter (Articles 22, 23, 27(VI)), and animal health measures which may include procedures and requirements for ensuring good animal welfare (Article 16(XIV)). Animal welfare is defined as activities designed to provide comfort, peace, protection and security for animals during breeding, husbandry, use, transportation and slaughter.

State-level animal welfare legislation applies to this category of animals. All state animal welfare acts defer to standards set at a Federal level and many include specific provisions for farm animals, particularly in reference to transportation and slaughter.

#### Rearing - pigs

No policy or legislation relating specifically to rearing pigs was found at the time of writing.

#### Rearing - broiler chickens

No policy or legislation relating specifically to rearing broiler chickens was found at the time of writing.

#### Rearing - egg-laying hens

No policy or legislation relating specifically to rearing egg-laying hens was found at the time of writing.

#### Rearing - dairy cattle and calves

No policy or legislation relating specifically to rearing dairy cattle and calves was found at the time of writing.

#### Transport

##### Federal

NOM-051-ZOO-1995 Humanitarian Treatment in Animal Mobilisation<sup>33</sup> sets as its aim to establish systems that reduce the suffering of animals. The safety and comfort of animals are stated as priority factors throughout mobilisation.

The standard prohibits moving any animal that is ill, injured or fatigued from being moved except for medical attention. Similarly, offspring dependent on their mothers are also prohibited from being moved without their mothers. It is prohibited to hit an animal with any object that could cause trauma.

<sup>33</sup> <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC017930>



Vehicles should not be overloaded and should adhere to species-specific load densities indicated in the Federal Standards. Rest periods are recommended for long journeys and are included in the Standard on a species basis. For example, pigs should not be transported for more than twenty hours and should be rested every eight hours.

### State

All state animal welfare legislation includes similar provisions building on the Federal Standards. All vehicles transporting animals must be adequately ventilated, and animals must be protected from adverse weather. The transportation of animals must include procedures that prevent cruelty, abuse, extreme fatigue and lack of rest with appropriate food and water provided. Similarly, it is prohibited to move, drag or suspend animals from limbs, or to move them in sacks and car trunks.

Some states include unique provisions such as those detailed below:

### Aguascalientes

Under the Act, it states it is preferable that cowboys or other caregivers that are familiar with the animals to be responsible for their transportation. Those responsible for transporting animals must remain calm at all times, act without abruptness, avoid excessive noise or hitting the animals to ensure the animals do not get hurt or fight.

### Chiapas

The Law for the Protection of Fauna (2014) prohibits land vehicles transporting animals from travelling at speeds in excess of eighty kilometres per hour.

### Coahuila

The Law of Protection and Treatment of Animals (2017) requires that animals be transported in a manner according to the specificities of their species.

### Durango

Under the Animal Protection and Welfare Law (2019) it is prohibited to transport animals when the temperature is excessively high or low.

### Slaughter

### Federal

NOM-033-SAG/ZOO-2014<sup>34</sup> - Methods to kill domestic and wild animals – mandates that all farm animals are stunned before slaughter and provides the appropriate methods of stunning on a species-specific basis. The standards also include indicators to ensure slaughterhouse employees know how to tell if an animal has been appropriately stunned.

### State

<sup>34</sup> <http://www.fao.org/faolex/results/details/en/c/LEXFAOC148241>



State animal welfare legislation provides similar provisions regarding the slaughter of farm animals. Slaughter is only permitted at licensed premises designed for the purpose of animal slaughter. Animal welfare across the country prohibits the use of slaughter using methods such as blunt force trauma, poisoning and corrosive acids. Similarly, many welfare acts include anti-cruelty provisions such as prohibitions on boiling animals alive and limb fracturing

Some states include unique provisions as detailed below:

#### Aguascalientes

Farm animals must be rested for at least twelve hours before slaughter and receive sufficient food and water. The Act also mandates the prescribed methods for rendering an animal unconscious by species. All animals are required to be made unconscious before slaughter, even in an emergency.

#### Campeche

Mammals due for slaughter must be rested for a minimum of twelve hours before slaughtering under the Animal Protection Act (1997) except for infant mammals and poultry who must be slaughtered immediately. All quadrupeds must be rendered unconscious using anaesthesia, electrocution or pistol before slaughter. Authorities are allowed to give permission for slaughter via bloodletting alone provided that the procedure does not prolong the agony of the animal.

#### Chiapas

The Law for the Protection of Fauna (2014) provides that the slaughter of domesticated animals can only be carried out with the express permission of the relevant health authorities. However, this is only applicable to livestock including pigs, poultry, rabbits and horses. The Law requires all quadrupeds to be rendered unconscious before slaughter.

#### Chihuahua and Nayarit

Under the Animal Welfare Law (2017), it is prohibited to slaughter any animal in the presence of another animal.

#### Colima

The Law for the Protection of State Animals (2016) forbids the slaughter of pregnant animals near to birth. During the slaughter process, it is also prohibited to damage the eyes or fracture the limbs of any animal, introduce live or dying animals to boiling waters or temperatures to cause suffering or to commit any act that involves pain and suffering. The Law also mandates the appropriate rest time for animals ahead of slaughter on a species-specific basis.

#### Analysis

*This legislation is intended to safeguard animal health; however, the Federal Government has recognised the connection between animal health and animal welfare, and therefore the Federal Animal Health Act 2007 operates to protect the welfare of this category of animals. A broad range of responsibilities are allocated to the authority for the purposes of implementing this Act, including engagement with relevant stakeholders and dissemination of information. The legislation makes mention of an available budget for programs and projects necessary to implement the provisions.*



*There are currently inconsistencies across the country in the animal protection provided by state laws. Despite the commitment of the Mexican Government to improving animal welfare in this category as demonstrated in the Federal Act, not all state authorities not indicated that they acknowledge the welfare challenges faced by farm animals. For example, Chihuahua and Nayarit are the only states where it is prohibited for animals to see others slaughtered while the Animal Protection Act (2019) of Aguascalientes requires those transporting animals to remain calm at all times, act without abruptness, avoid excessive noise or hitting the animals to ensure the animals do not get hurt or fight.*

### Enforcement mechanisms

Infringement of the requirement to provide food, water and veterinary medical assistance under Article 21 of the Animal Health Act (2007) is an administrative offence (Article 167(III)). Breach of regulations produced by the Secretariat on animal welfare and on humane slaughter is also an administrative offence (Article 167 (II) and (IV)). These administrative offences are punishable with suspension of licence, closure of premises and/or financial penalty. The amount fined depends on the offence, ranging from 20 to 100,000 days of the amount of the minimum wage (which, for the purposes of the Act, is referenced to the minimum wage of the Federal District at the time the offense was committed). These are the only punishments available for animal welfare related offences. Harsher enforcement mechanisms, including imprisonment terms for two to eight years, are in place for offences relating to animal health and risking or endangering the health status of the country.

The Secretariat also has inspection powers set out within Article 126 of the Act.

There are enforcement mechanisms for state-level anti-cruelty legislation.

### Key recommendations

- **The Federal Government of Mexico is urged to enact legislation detailing specific welfare requirements for the rearing of farm animals. Such requirements should be legally binding, species-specific and aligned with or exceed OIE animal welfare standards.**
- **Due to the significant animal welfare concerns associated with long distance transport, the Federal Government of Mexico 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	C
<p>Although not specifically referred to as such, the Federal Animal Health Act (2007), applicable across the country, does include all criteria of the Five Freedoms (Article 20(I)) as matters to be taken into consideration when secondary regulations are made under the Act. The Act applies to all animals except aquatic animals (Article 4). Article 21 requires that adequate quantity and quality of food and water, veterinarian supervision and immediate attention in case of illness or injury must be provided to wild animals kept in captivity.</p> <p>The Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food is the body responsible for safeguarding the health and welfare of animals covered by the Federal Animal Health Act (2007). The Secretariat determines measures of good husbandry practices and produces rules based on scientific principles and international recommendations, including in relation to animal welfare (Article 19) and animal health measures, which may include procedures and requirements for ensuring good animal welfare (Article 16(XIV)). Animal welfare is defined as activities designed to provide comfort, peace, protection and security for animals during breeding, husbandry, use, transportation and slaughter.</p> <p>The General Law of Wildlife (2000)<sup>35</sup> contains provisions applicable to animals in captivity. Article 5(VIII) mandates that the authorities shall provide for improving the quality of life for wildlife kept in captivity, "using the techniques, biological and ecological knowledge of each species." Article 78 states that public or private collections of wild species, including zoos, circuses and private collections, must register and update their data annually to the corresponding authority, and have a management plan approved by the Secretariat. Article 78 Bis lists the elements that management plans must contain: including, but not limited to, biological information for each species, type of confinement by species and number of individuals, diet provided to each individual, clinical and animal health care and means of transport for mobilisation. They must always also include measures to guarantee the dignified and respectful treatment of animals in their care.</p> <p>State protection legislation specifically relating to captive animals varies across Mexico. States make provisions for freedom of movement of captive animals, for example, in Durango (Article 43 Law on the Protection of Animals). Animal protection legislation in some other states, including the Federal District, does not contain any specific provisions for captive animal welfare.</p> <p>The general anti-cruelty provisions at state level also apply to animals kept in captivity and most animal welfare acts at this level refer to Federal standards for animals in captivity. All states include provisions requiring zoo operators to be licensed and prohibiting the feeding of animals by the public without explicit authorisation from zoo staff. Similarly, most states require captive facilities to ensure the freedom of movement is protected for all animals in their care. Some states provide unique provisions such as those included below:</p>	

<sup>35</sup> <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC027776>

## Zoos

### Aguascalientes

Under the Animal Protection Act (2019), owners are required to ensure captive animals are treated respectfully. Zoos are also required to assign responsibility for animal welfare to an appropriately certified veterinarian. To operate a zoo, owners must complete information specified in the 'General Information Guide for Breeding, Exhibition, Sale, Training and Transfer of Live Animals' and submit the document to the appropriate authority for approval prior to the start of operation.

### Chiapas

The Law for the Protection of Fauna (2014) provides additional protections to animals in zoos, specifically protecting their freedom of movement and in the course of their transportation, they cannot be immobilised in such a manner as to cause them injury or suffering.

### Chihuahua

The Animal Welfare Law (2017) requires all facilities holding animals including zoos to employ personnel trained in the care of specific species and to take steps to control the population of the animals held in captivity. Zoos are required to hold a license issued by the Ministry of Urban Development and Ecology. Owners must also register with the State authorities as a person involved in the exhibition of animals. It is also forbidden to stop providing care including food and water on non-working days. State and Municipality officials can perform unannounced inspections of facilities to ensure compliance with the law.

### Coahuila

The Law of Protection and Treatment of Animals (2017) requires that any exhibited animal, including those in captivity be provided adequate environments for their display that comply with the provisions including in the Law such as spatial requirements on a species-specific basis.

The Law of Protection and Treatment of Animals (2017) requires owners of potentially dangerous animals to obtain a license prior to taking on responsibility of such an animal. The license holder is required to prove they can provide the necessary care for the animal, must not have been convicted of violent crimes and a certificate of psychological health.

### Colima

The Law for the Protection of State Animals (2016) requires that in order to obtain permission to operate a zoo, owners are required to present an animal welfare plan in accordance with the provisions in the Law.

### Durango

Zoos must also implement animal welfare programmes. Zoos in Durango State must have permission from the state authorities to operate and a veterinarian or equivalent specialist must be appointed to hold overall responsibility for the care of the animals.



### Guanajuato

The Law for the Protection of Animals (2018) places responsibility for the inspection of animal exhibitions with the municipal authorities.

### Tamaulipas

The Animal Protection Act (2016) provides specific anticruelty provisions for animals in exhibitions and shows. Prohibitions include keeping animals locked in the dark, drugging or sedating them and giving them alcoholic drinks. Provisions provided for draught animals are also applicable to animals in captivity.

### Private keeping of wild animals

### Aguascalientes

Under the Animal Protection Act (2019), wild animals can be held by private individuals provided that said individual holds a license for such animals. Licenses for such animals can be gained from the local municipality with the submission of the 'General Information Guide for Breeding, Exhibition, Sale, Training and Transfer of Live Animals.'

### Campeche

Under the Animal Protection Act (1997), keeping any animal that is dangerous or aggressive by nature is allowed only by authorisation of the state Ministry of Environment. The sale of any vertebrate including wildlife species, requires permission from the relevant authorities. Breeders must obtain a license to sell any wild animal and are required to provide adequate living facilities and care to the animals.

### Chiapas

The Law for the Protection of Fauna (2014) strictly prohibits the sale of wild animals unless they are considered exotic.

### Coahuila

The Law of Protection and Treatment of Animals (2017) requires owners to obtain permits for any animal considered exotic or wild fauna. A separate license is required for possession of potentially dangerous animals. The license holder is required to prove they can provide the necessary care for the animal, must not have been convicted of violent crimes and a certificate of psychological health. In addition, the Law requires farm owners or animal breeders to obtain permits from the local government to operate and the issuing of such a permit is dependent on adequate facilities to prevent animal abuse. Any person with knowledge of an illegally held exotic or wild animal is obliged by law to report such possession.

### Colima

The Law for the Protection of State Animals (2016) requires private owners of wild animals to obtain permission from municipal authorities to take possession of such animals. Breeders and sellers of privately kept wild animals must also ensure animals are treated in a decent and respectful manner and maintain welfare in accordance with scientific advances. Sale of such animals can only take place in facilities able to ensure their proper care and maintenance and where they have protection

from the sun and rain.

### Durango

The Animal Protection and Welfare Law (2019) states that breeders must provide an information guide to new owners along with a health certificate. Similarly, breeders must also keep an appropriate plan to ensure a good standard of welfare for the animals under their care. It is forbidden to slaughter any animal to perform rituals, acts of magic or alternative medicine.

### Guerrero

Law No. 491 of Animal Welfare (2016) explicitly defines pets as both domestic and wild animals.

### Fur farming

There is no policy or legislation related to fur farming at Federal or State level.

### Analysis

*Federal authorities recognise that several factors may be detrimental to the welfare of animals in captivity, as reflected in the General Law of Wildlife (2000), which is applicable across the country. The Ministry of Environment and Natural Resources is the responsible authority for the implementation of the provisions in this Law, including inspecting premises to verify implementation of designated management plans.*

*Authorities in several states and the Federal District, but not in all, have their own regional legislation that acknowledges that captive animals experience conditions that have the potential to be detrimental to their welfare. In some states, such as Campeche, animal welfare groups lend their cooperation to the authorities to implement the law through powers to inspect any facility where animals are held, whereas in other states there is no evidence of similar promotion of the regulations. Others, such as Colima, require would-be operators to provide animal welfare plans in order to obtain a licence.*

*Legislation at a state-level appears to accept the private keeping of wild animals for example, Guerrero explicitly defines pets as domestic and wild animals. There appear to be few exceptions as to which animals may be kept in the home. Some states include provisions regarding the registration of owners with dangerous animals. Only Chiapas includes any exclusions, banning the sale of wild animals unless they are considered exotic.*

*The Federal Animal Health Act (2007) contains limited provisions protecting this category of animal. The General Law of Wildlife (2000) goes further to protect the welfare of wild animals in captivity at federal level. There is evidence of human resource allocated to the implementation and promotion of this law, but no evidence of financial resource allocation to the delivery of this task.*

## **Enforcement mechanisms**

Infringement of the requirement to provide food, water and veterinary medical assistance under Article 21 of the Animal Health Act (2007) is an administrative offence (Article 167(III)). Breach of regulations produced by the Secretariat on animal welfare is also an administrative offence (Article 167 (II)). These administrative offences are punishable with suspension of licence, closure of

premises and/or financial penalty. The amount fined depends on the offence, ranging from 20 to 100,000 days of the amount of the minimum wage (which, for the purposes of the Act, is referenced to the minimum wage of the Federal District at the time the offence was committed). These are the only punishments available for animal welfare related offences. Harsher enforcement mechanisms, including imprisonment terms for two to eight years, are in place for offences relating to animal health and risking or endangering the health status of the country. The Secretariat also has inspection powers set out within Article 126 of the Act.

Violations of the General Law of Wildlife (2000) are punishable with, depending on the nature of the violation; written warning, fine (20 to 5000 times minimum wage), temporary or permanent suspension of licences or permits, administrative arrest (up to 36 hours), and community service related to wildlife conservation. The Secretariat has inspection powers set out within Article 78 of the Act.

There are enforcement mechanisms for all state-level anti-cruelty legislation.

### Key recommendations

- **Animal welfare legislation at Federal and State level currently covers the basic needs of animals 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 Federal Government of Mexico is urged to produce detailed legislation specifying the conditions under which wild animals may be kept in captivity. Such regulations should 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 behaviours should be respected.**
- **The Federal Government of Mexico 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 Federal Government of Mexico 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	B
At national level, Article 21 of the Federal Animal Health Act (2007) provides that the owners or keepers of domestic animals must provide adequate quantity and quality of food and water, veterinarian supervision and immediate attention in case of illness or injury.	

The general anti-cruelty provisions at state level also apply to companion animals and most states include specific provisions for companion animals. However, the scope of protections varies.

Some states have provisions on responsible pet ownership that may have welfare implications. For example, in San Luis de Potosi (Article 76 Law on the Protection of Animals) and Durango (Article 21 Law on the Protection of Animals) pets cannot be sold to children under 12 without an adult taking responsibility for the animal, and in Quintana Roo microchipping is required (Article 35 Law on the Protection and Well-being of Animals). Others have specific welfare considerations; for example, in Morelos and Guerrero breeders must only use methods that allow animals to express normal behaviours.

Most states place a duty of care on animal owners and custodians and provide guidance on when the euthanasia of companion animals is permitted. Breeders of companion animals are required to be registered with the state authorities and most states hold a register of companion animals. Animal welfare legislation in each state appoints a responsible body for lost and stray animals as well as mandating holding periods for such animals. All states allow stray animals to be euthanised and most include provisions that suggest culling of stray populations would be allowed. However, there is no evidence that culling of stray dog populations has taken place in recent years.

Dog fighting is prohibited in all states.

Some state animal welfare legislation provides unique provisions for companion animals and strays, some of which are included below:

### Care of companion animals

#### Aguascalientes

Under the Animal Protection Act (2019), pets are defined as those animals that depend on human beings to survive without lucrative activity involvement and include cats, dogs and other animals including wildlife species that serve as company or recreation of humans.

Breeders and pet shops are required to gain a permit from the local government to operate. Such establishments must also issue a certificate of sale to new owners including owner details.

Certificates of sale be submitted to local authorities on a quarterly basis. Municipalities within the state are responsible for investigating any complaints of noise, overcrowding or lack of hygiene at any facility breeding or reproducing animals. Sellers and breeders are required to provide those purchasing animals with a manual including details regarding the health, care, food, shelter, hygiene, precautions and other relevant considerations for the animal.

The Animal Protection Act (2019) established a Center for Control, Attention and Animal Welfare in each municipality. Each centre is required to offer free vaccinations and sterilisations including for rabies and must allow animal welfare organisations to inspect facilities to ensure high welfare standards are maintained.



### Chihuahua

The Animal Welfare Law (2017) rehoming facilities are also required to neuter all animals before adoption. Euthanasia of companion animals is only permitted when there is severe injury or terminal disease which reduces the quality of life for the animal or when the animal is aggressive and constitutes a public health risk. These restrictions extend to animal breeders, exhibits and other entertainments.

### Coahuila

Under the Law of Protection and Treatment of Animals (2017), companion animals must be sterilised between the ages of three and six months. If a dog accidentally becomes pregnant, the owner must require permission from the municipal government to sell or rehome the puppies. Puppies are required to be neutered at three months old. The Law of Protection and Treatment of Animals (2017) requires breeders to obtain permits from the local government to operate and the issuing of such a permit is dependent on adequate facilities to prevent animal abuse. There are limitations placed on breeders for animal welfare. Dogs are only allowed to be bred once every twelve months while cats are only allowed to be bred three times every two years. The sale and adoption of puppies is prohibited before they reach twelve weeks old and for kittens until they are sixteen weeks in age. Under the Law, animal protection organisations are given the right to inspect breeders and pet shops to ensure they adhere to appropriate levels of animal welfare.

### Colima

Under the Law for the Protection of State Animals (2016), breeders and pet shops handling companion animals are required to gain a license from municipal authorities, ensure animals are treated in a decent and respectful manner and maintain welfare in accordance with scientific advances. Sale of such animals must take place in facilities able to ensure their proper care and maintenance and where they have protection from the sun and rain.

### Durango

The Animal Protection and Welfare Law (2019) mandates that all domestic pets are to be sterilised unless a breeder is registered. Breeders may only breed females once a year up until the age of four when it is mandatory for them to be neutered, dewormed, vaccinated and rehomed. It is forbidden to slaughter any animal to perform rituals, acts of magic or alternative medicine.

### Guerrero

Law No. 491 of Animal Welfare (2016) allows Animal Control Centres to capture animals roaming on the streets with identification and return them to their owners. If an animal is picked up three times, the Animal Control Centre has the right to retain the animals for selling or adoption. If the animal is unable to be rehomed within 30 days, they will be euthanised.

### Stray animals

### Baja California Sur

The Domestic Animal Protection Act (2016) provides that any animal that traditionally lives in the environment of human beings has the right to live in the conditions and with the freedom that are

characteristic of their species. However, it is unclear if this is applicable to stray or roaming animals or urban wildlife for example.

### Chihuahua

The Animal Welfare Law (2017) establishes Animal Control Centers that are responsible for the capture and care of stray animals. Centers must have the necessary infrastructure to properly care for animals, provide food and water and ongoing training to staff. Centers must hold captured animals for a minimum of ten days to allow time for owners to reclaim them and following the holding period advertise the animals in their care for rehoming. Animal Control Centers are also permitted to euthanise animals following the holding period. They must ensure animals are vaccinated, neutered and dewormed for adoption and are also required to carry out free trap-neuter-release and mass vaccination **programmes**.

### Coahuila

The Law of Protection and Treatment of Animals (2017) defines companion animals as cats and dogs only. Where abandoned animals are suitable, they are to be trained to perform in a support function for people with disabilities and animal-assisted therapy and to be donated to those with limited resources. Under the Law, animal protection organisations are given the right to inspect Animal Control Centres to ensure they adhere to appropriate levels of animal welfare.

### Durango

The Animal Protection and Welfare Law (2019) requires animal shelters to be under the supervision of a veterinarian to ensure all activities are carried out with good animal welfare standards. Canine and Feline Assistance Centers are responsible for carrying out free mass vaccination and sterilization campaigns in their municipality as well as conduct humane euthanasia when required. The Centres must care for stray animals for a minimum of twenty days before euthanising them or transferring the animal to the care of an animal welfare association for rehoming.

### Analysis

*All states provide specific provisions regarding companion animals and strays, particularly for dogs. Many states require sterilization and municipal authorities must provide mass vaccination and sterilization programmes for both owned and stray animals. State legislation provides a good base of protections for companion animals and strays. However, protections are inconsistent across states. Some states such as Coahuila include provisions for stray animals where they may be trained as working or disability animals while others only mandate shelters hold strays for a few days before allowing them to be euthanised. No state bans the culling of stray animals, however there are no reports to suggest this is taking place given the mass sterilization and vaccination programmes across the country.*

*Responsibility for implementing state legislation rests with state authorities and enforcement and promotion mechanisms vary between states. In Hidalgo, the law establishes a Fund for the Protection of Animals, which is part government-funded, and the remit of which includes conducting campaigns to sterilise dogs and cats (Article 80 Law of Protection and Humane Treatment of Animals). Similar campaigns are envisaged by the legislation in Veracruz (rabies vaccination, sterilisation and*

deworming: Article 15 Law on the Protection of Animals), Chihuahua (responsible breeding and sterilisation: Article 6 Law on the Well-being of Animals).

### Enforcement mechanisms

Infringement of the requirement to provide food, water and veterinary medical assistance under Article 21 of the Federal Animal Health Act (2007) is an administrative offence (Article 167(III)), punishable with financial penalty.

There are enforcement mechanisms for the state level legislation.

### Key recommendations

- **State and Federal Governments of Mexico are strongly encouraged to ban the third-party sale of companion animals.**
- **The Federal Government of Mexico is encouraged to standardise Federal Standards on companion animals to align with welfare considerations of companion animals in the Law for the Protection and Treatment of Animals (2017) of Coahuila.**

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

### Analysis of the legislation

#### Ranking

#### D

The Federal Animal Health Act (2007) is applicable across the country and applies to all animals except aquatic animals (Article 4). Although not specifically referred to as such, this Act does include all criteria of the Five Freedoms (Article 20(I)) as issues to be taken into consideration during development of secondary regulations under the Act. Article 21 of the Act provides that the owners or keepers of domestic animals and of captive wild animals must provide adequate quantity and quality of food and water, veterinary supervision and immediate attention in case of illness or injury.

The Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food determines measures of good husbandry practices and produces rules based on scientific principles and international recommendations, including in relation to animal health measures which may include procedures and requirements for ensuring good animal welfare (Article 16(XIV)). Animal welfare is defined as activities designed to provide comfort, peace, protection and security for animals during breeding, husbandry, use, transportation and slaughter.

The general anti-cruelty provisions at state level also apply to animals used in draught and entertainment.

The majority of Mexican state animal protection legislation includes welfare provisions specifically relating to animals used for draught purposes, with varying level of detail. Most states provide provisions regarding adequate care, food, water and rest throughout the working day and limitations on weight for animals that carry.

Most states do not have legislation specifically regulating the use of animals for recreational purposes; however, most have prohibited the use of live animals in circuses. Animal fights are prohibited in all states with the exceptions of bullfighting and cockfighting. Similarly, rodeos and other related entertainments are permitted.

### Animals used for entertainment

#### Federal

Under the General Wildlife Law (2000), the use of wildlife in circuses is prohibited.

#### State

##### Campeche

Under the Animal Protection Act (1997), circuses and other fairs are required to ensure animals are kept in facilities that provide a freedom of movement.

##### Chihuahua

The Animal Welfare Law (2017) allows State and Municipality officials to perform unannounced inspections of facilities to ensure compliance with the law. The Animal Welfare Law (2017) bans the use of marine mammals in shows. There are no mentions in the Law of traditional sports such as cockfighting and bullfighting. The Law also prohibits the use of bait animals in animal confrontations for shows and sports, forcing animals to perform acts that exceed their physical capabilities and result compromising their wellbeing.

##### Coahuila

The Law of Protection and Treatment of Animals (2017) prohibits the use of live animals for shooting practice and fights between dogs or between other animals. Cockfighting is exempt from the animal fight ban however bullfighting is also banned. The Law of Protection and Treatment of Animals (2017) also requires owners of stables and horse-riding facilities to obtain permits from the local government to operate and the issuing of such a permit is dependent on adequate facilities to prevent animal abuse. Under the Law, animal protection organisations have the right to inspect circuses and training schools to ensure adequate animal welfare standards are being provided.

##### Colima

The Law for the Protection of State Animals (2016), protects this category of animals. While it is banned under the Law to use any animal for performing purposes in circuses, it is permitted to exhibit them. Owners must ensure their animals are feed and cared for appropriately and not subject to excessive working hours. Permission must be sought from the Directorate of Ecology to conduct recreational riding in areas of environmental value or protected areas.



### Durango

The Animal Protection and Welfare Law (2019) animals may only be used in circuses if permission is given by the appropriate municipality.

### Guanajuato

The Law for the Protection of Animals (2018) places responsibility for the inspection of animal exhibitions with the municipal authorities. While the use of live companion animals as targets in shooting competitions is prohibited, wild animals be used in contests organised by legally registered shooting clubs or associations and with prior permission from the Federal Government. The use of any animal in fixed or travelling circuses is banned in Guanajuato.

### Tamaulipas

The Animal Protection Act (2016) provides specific anti-cruelty provisions for animals in exhibitions and shows including bullfighting. Prohibitions include keeping animals locked in the dark, mobilising them through blows or sharp implements and applying substances to hinder or impede vision.

### Draught animals

#### Baja California Sur

The Domestic Animal Protection Act (2016) includes specific provisions for guard animals for example, owners are required to provide them with adequate food, water and shelter. The Act also limits the amount of time they can be tied up to twelve hours.

#### Coahuila

The Law of Protection and Treatment of Animals (2017) states that no animal can be exploited to perform work beyond the limitations of their species. Similarly, the Law states that every working animals is entitled to a reasonable limitation of time and intensity of work as well as access to adequate food and rest. Similarly, owners and managers are required to provide clean and safe environments with adequate space for draught animals before and after their working day. Owners are prohibited from overloading draught animals.

#### Colima

The Law for the Protection of State Animals (2016) requires those that train domestic animals for guard purposes must be authorised by the Directorate of the State Police. For the purposes of training it is prohibited to use other live animals as well as training techniques such as beatings or animal abuse.

#### Durango

Horses used for draught purposes must be equipped with suitable horseshoes and other equipment suitable for paved or urbanised areas. Owners must also avoid mistreating their draught animals. The working life of draught animals must take into consideration their age and physical condition and must include appropriate nutrition and rest breaks. The work should not result in exhaustion, suffering, wounds, illness or death.

#### Guerrero

Law No. 491 of Animal Welfare (2016) mandates that draught animals must be given at least an

hour of rest for food and water and it is prohibited for them to be worked for more than six hours without such a break. Animals are not allowed to work for more than eight hours a day and must have at least one day off a week. It is prohibited to use animals under three years or females in the last third of their pregnancy for loading, shooting or riding purposes.

#### Jalisco

The Animal Protection and Care Act (2012) explicitly states that municipality inspectors must ensure that animals used in a working capacity are not exposed mistreatment by their owners or to conditions that result in suffering.

#### Nuevo Leon

The Animal Protection and Welfare Law (2018) provides that the working life of a draught animals must not exceed fifteen years.

#### Analysis

*Most state-level animal welfare legislation provides specific protections for animals used for entertainment purposes including requirements for exhibits to provide adequate space for the free movement of animals. Most states have banned the use of animals in both stationary and travelling circuses in recent years. All states ban animal fights however, most allow bullfighting and cockfighting to take place. Coahuila and Sonora are the only states to ban bullfighting.*

*Almost all state-level animal welfare legislation provides specific protections for draught animals and some, such as Law No. 491 of Animal Welfare for the state of Guerrero provide a maximum number of hours per day for working animals.*

*Cultural attitudes to the use of animals in entertainment present a barrier to improvement in this area. Bullfighting is a centuries old tradition in Mexico. This not only acts as a barrier to improving animal welfare in the country but also contributes to the perpetuation of poor animal welfare for the bulls involved. Although bullfighting was recently banned in the state of Sonora, cockfighting remains legal in that state (with a clear exemption under Article 8 of Law on the Protection of Animals) and across Mexico.*

### Enforcement mechanisms

Infringement of the requirement to provide food, water and veterinary medical assistance under Article 21 of the Federal Animal Health Act 2007 is an administrative offence (Article 167(III)), punishable with financial penalty.

There are enforcement mechanisms for the relevant state legislation including fines, imprisonment, animal forfeiture and community work.

### Key recommendations

- **The Federal Government of Mexico is strongly encouraged to extend current prohibitions on the use of animals for entertainment purposes. Such a prohibition should cover rodeos, animal**



races, all animal fights including bullfighting and cockfighting, rides on wild animals and all other forms of entertainment.

- The Federal and State Governments are encouraged to align welfare provisions for draught animals with Law No. 491 of Animal Welfare (2016) of Guerrero which mandates an eight-hour working day for draught animals. Draught animals should not be overworked, and they should only be used for draught purposes if they are in good health and welfare. Draught animals should be retired if they are no longer able to carry out the draught work. The OIE animal welfare standard on working equids provides further guidance.

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

Analysis of the legislation	
Ranking	C
<p>The Official Mexican Standard NOM-062-ZOO-1999<sup>36</sup> 'technical specifications for production, care and use of laboratory animals' contains criteria established to regulate proper care and handling of laboratory animals while protecting human health. The standard relates to laboratory rodents, lagomorphs (rabbits/hares), carnivores, primates and swine. The regulations cover a broad range of concerns regarding care and management of laboratory animals, including feeding, housing, transport, pain relief and prevention, euthanasia and staff training. Although the standard itself states that compliance is mandatory, this does not appear to be cemented in legislation at federal level.</p> <p>At state level, the majority of states and the Federal District include provisions on animal experimentation in their animal protection legislation. The legislation of the Federal District and several other states requires compliance with the Official Mexican Standard for laboratory animals.</p> <p>Most regional legislation requires experiments involving animals to be fully justified to relevant authorities. Such experiments must be for the purpose of advancing scientific knowledge or aiding the control of human or animal disease. However, a small number of states have no mention of animals used in scientific research within their animal protection legislation.</p> <p><u>Federal</u> In 2019, the Mexican Senate proposed an amendment to the Federal Law on Animal Health to ban the testing of cosmetics and their ingredients on animals. The Bill has not yet come to a vote.<sup>37</sup></p> <p><u>Aguascalientes</u> Under the Animal Protection Act (2019), researchers are required to submit a proposal to the</p>	

<sup>36</sup> <http://www.fmvz.unam.mx/fmvz/principal/archivos/062ZOO.PDF>

<sup>37</sup> <https://themazatlanpost.com/2019/05/15/mexico-seeks-to-become-the-second-country-in-latin-america-to-ban-cosmetic-tests-on-animals/>



appropriate authority. An Ethics Committee must be established for experiments involving live animals and must include representatives from animal welfare associations. The Committee is responsible for ensuring the physical conditions, care and welfare of animals prior to the experiments and that necessary measures are taken to prevent unnecessary suffering. It is prohibited to perform experiments on animals if the results of the experiments are known in advance, when it is orientated towards a commercial activity or when it does not have a scientific or academic purpose.

#### Campeche

The Animal Protection Act (1997) requires justification to the Ministry of Environment for the use of animals in experiments. The Ministry of Environment is required to seek opinions from the Ministries of Health and Education, Culture and Sport before approving any animal experimentation.

#### Chihuahua

The Animal Welfare Law (2017) mandates that the well-being of all animals held in testing and teaching facilities be maintained at all times. Both institutions and persons involved in animal research have a responsibility to ensure adequate levels of animal welfare and to ensure staff caring for animals are appropriately trained. The Animal Welfare Law (2017) enshrines the 3Rs Principles – Replacement, Reduction, Refinement – in law. Similarly, the Law states that experiments on animals are only justified when the purpose is to obtain a novel and useful contribution to the health and wellbeing of humans and animals and when there is no alternative method to replace their use. The law also prohibits the use of an animal in more than one experiment unless authorised and the animal has recovered completely between tests. The Animal Welfare Law (2017) requires that animal testing involving surgeries follow the same principles as veterinary surgery for example in the use of anaesthesia and analgesia. Similarly, experiments that require the severe restriction of food and water are only permitted if they do not compromise the long-term health and welfare of the animals. Following the completion of a research project, animals may only be euthanised if they have no chance of recovery or would have an impaired quality of life.

#### Coahuila

The Law of Protection and Treatment of Animals (2017) applies to this category of animals. Specifically, researchers must obtain authorisation from the municipal government to carry out any experiments on animals that may cause pain, suffering, injury or death. Such experiments must be fully justified before the appropriate authorities and will only be permitted when such acts are 'essential for the study and advancement of science' as defined in the Official Mexican Standards. Where animals cannot obtain a normal life following experiments, researchers are permitted to euthanise the animals in accordance with official standards. Under the Law, animal protection organisations have the right to inspect experimentation laboratories to ensure an adequate level of care is being provided to the animals held in the facility.

#### Colima

Under the Law for the Protection of State Animals (2016), it is prohibited to capture any abandoned animal (either by an individual or animal control centre) and donate said animal for experimentation. No student may be forced to perform any experiment on an animal against their will.



### Durango

The Animal Protection and Welfare Law (2019) general provisions apply to this category of animals. The Law explicitly includes the 3Rs Principles.

### Analysis

*The Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food in Mexico is responsible for encouraging proper “production, care and use of laboratory animals” according to the Official Mexican Standards. This authority applies techniques designed to ensure the health and proper use of this category of animal and implore regional governments to do the same.*

*The national standards are detailed and make specific provisions for the care of animals used in scientific research. However, they are not legally mandated at federal level, nor do they appear to aim to reduce the number of animals used in experimentation, nor are facilities required to provide justification for their use. Although it is positive that several states have incorporated these requirements in their regional legislation, inclusion in mandatory national standards would help to mainstream the issue of welfare of laboratory animals across Mexico. The OIE’s guiding principles state that the internationally recognised Three Rs (replacement, reduction and refinement) provide valuable guidance for the use of animals in science. Incorporating the principle of the Three Rs into legislation would help to improve the welfare of these animals.*

*The current lack of requirements for protocol review by an animal ethics committee presents a barrier to the improvement of animal welfare. The use of animals in scientific research carries with it an ethical responsibility to ensure their welfare and moral justification of their use.*

*At the state-level most animal welfare legislation provides specific protections for animals used in experimentation, however, this level of protection is inconsistent. While most states allude to some of the 3Rs Principles, only Durango explicitly includes them in legislation. Similarly, some states ban the use of animals in experiments for commercial purposes, essentially banning the testing on animals for cosmetics and their ingredients and others establish oversight committees either at an institution or state-level for the approval of experiments using animals.*

*It is positive to see that the Federal Government is looking to ban the use of animals for testing of cosmetics and their ingredients, however the proposed bill has yet to be voted on.*

### Enforcement mechanisms

No enforcement mechanisms have been identified for the Official Mexican Standards for laboratory animals.

There are enforcement mechanisms for the relevant state legislation.

### Key recommendations

- **The Federal and State Governments of Mexico are encouraged to enshrine the 3Rs Principles – Replacement, Reduction and Refinement – in legislation.**

- The Federal and State Governments of Mexico (where applicable) are encouraged to establish 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.
- The Federal Government of Mexico is encouraged to implement the proposed ban on the testing of cosmetic products and their ingredients on animals.

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

Analysis of the legislation	
Ranking	C
<p>The General Law of Wildlife (2000) (Ley General de Vida Silvestre) contains provisions on the conservation and sustainable exploitation of wildlife. However, this law is primarily focused on conservation. The Law states that the use of wildlife must only be carried out in a manner that prevents or reduces damage to wildlife and acts of cruelty against wild animals are strictly prohibited.</p> <p>Although hunting is legal with a valid permit in the General Law of Wildlife (2000), hunting, capture and trade of wildlife is prohibited in a small number of states and the Federal District. The Law prohibits the use of poisons, traps and certain weapons in sports hunting.</p> <p>The Law also states that the import and export (and therefore hunting and capture) of wild species will adhere to CITES. The capture of endangered species is only permitted for restoration, reintroduction and repopulation activities as well as scientific research.</p> <p>The General Law of Wildlife (2000) strictly regulates the capture and use of some types of animal. Marine mammals, primates and sea turtles must not be used in any capacity and capture of these animals is only permitted for restoration, repopulation or reintroduction of the species into their natural habitat.</p> <p>Under the General Law of Wildlife (2000), local people who undertake subsistence hunting, are to receive support, technical advice and training from the appropriate authorities to ensure hunting activities comply with the Law.</p> <p>Regional protection of wild animals varies greatly between states, with no legislative protection in many. Some conservation provisions have a welfare impact, such as the prohibition on damaging or killing wildlife in Queretaro and Aguascalientes. Some states exclude wild animals from their general anti-cruelty legislation.</p>	



### Aguascalientes

The Animal Protection Act (2019) is applicable to this category of animals. Under the Act, it is also prohibited to destroy the nests, shelter or burrow of any animal.

### Chiapas

The Law for the Protection of Fauna (2014) considers wild animals to be the property of the nation and heritage of the current and future generations. The Law prohibits the hunting of wild animals except by those with permission for sports hunting under the applicable laws. The sale of wild animals is prohibited. It is also prohibited to hunt animals in protected areas, with prohibited weapons and without written authorisation. Similarly, the hunting of female animals and the destruction or taking of nests and eggs are also prohibited.

### Coahuila

The anticruelty provisions of the Law of Protection and Treatment of Animals (2017) applies to this category of animals. The Law requires anyone with knowledge of illegally captured, held or sold exotic or wild fauna to report such activities to the appropriate authorities. The hunting of animals is only permitted in particular locations including hunting parks. To participate in a hunt a permit is required, and participants are required to avoid all acts of unnecessary cruelty.

### Durango

The Animal Protection and Welfare Law (2019) general provisions apply to this category of animals. The Law states that no person has the right to remove animals from the wild without authorisation.

### Hidalgo

The Law for the Protection and Decent Treatment of Animals (2018) mandates that those who hunt for subsistence purposes may only do so to meet the needs of their immediate family and are prohibited from hunting any protected animal.

### Morelos

The Fauna State Law (2017) explicitly prohibits the hunting of wild animals for commercial purposes, and hunting is only permitted in order to contribute to conservation and ecological balance.

### Analysis

*The Ministry of Environment and Natural Resources is responsible for the implementation of the General Law of Wildlife (2000), which is applicable across the country. Article 21 states that the Secretariat of Environment and Natural Resources must coordinate with the Ministry of Education to promote the development of projects in rural schools and higher education contributing to the conservation of wildlife and their habitats. The Secretariat is mandated to promote and participate in training of relevant authorities to achieve the objectives of this law.*

*Consideration of conservation issues presents an opportunity for the welfare of individual wild animals to be considered.*

*Seasonal hunting of many species of wild animals is legal in Mexico, with a valid permit. Federal and state legislation lacks detail regarding permitted hunting and killing methods. Introduction of such measures could help to protect wild animals from cruel and inhumane killing.*

*The efforts of the Mexican government to protect populations and habitats of wild animals with the General Law of Wildlife (2000) is encouraging and it may be that such efforts could be extended to develop legislation to protect wild animals from conduct causing suffering.*

*Most state-level animal welfare legislation defers to the Federal Laws regarding wildlife; however, the general anti-cruelty provisions are applicable to wild animals in all states except where wild animals may be considered 'pests' in states such as Colima.*

### Enforcement mechanisms

Violations of the General Law of Wildlife (2000) are punishable with, depending on the nature of the violation, written warning, fine (20 to 5000 times minimum wage), temporary or permanent suspension of licences or permits, administrative arrest (up to 36 hours), and community service related to wildlife conservation.

Relevant regional animal protection legislation contains enforcement mechanisms.

### Key recommendations

- **The Federal and State Governments of Mexico are 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 a minimum, the Governments are 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**

**C**

The Ministry of Health is responsible for implementation of the relevant provisions in the Federal Animal Health Act (2007), with the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food responsible for developing more detailed rules. The Ministry of Environment and Natural Resources is responsible for implementation of the relevant provisions in the General Law of Wildlife (2000). The legislation does not mention specific budgets for doing so.



The regional authorities accountable for improving animal protection differ between states, but most of state legislation specifies the responsible body and include delegated authorities and responsibilities to municipal governments and city councils. Some animal welfare legislation includes specific funds for the improvement of animal welfare such as the States of Aguascalientes and Chihuahua. Some states such as Baja California have established a Pro-Animal Committees at both State and Municipality level. Several states also mandate the establishment of Ethics Committees responsible for approving animal experimentation at either an institutional or state level.

### Analysis

*Federal legislation assigns responsibility for some aspects of animal welfare to specific ministries, however the responsibility at a state level varies between government departments which may hinder improvements in animal welfare across the country. While state legislation often refers to applicable Federal Standards, there is no acknowledgment of the relationship between Federal and State authorities regarding improvements to animal welfare.*

*Most of the regional legislation is the responsibility of state ministers and secretariats, who may defer responsibility of enforcement to animal welfare groups. The efforts of different states to mainstream animal welfare regionally vary. In the Federal District, the Ministries of Environment, Health and Education implement relevant programs annually circulate "behaviours and culture of good treatment and respect for animals", whereas many other state authorities do not indicate efforts to promote animal welfare as a societal value. Some states have established animal welfare committees to further, however, these states are currently in the minority.*

*It would be beneficial for the national government to coordinate animal welfare legislation and policy at a central level, working in cooperation with the states and Federal District to improve animal welfare protection across the country, with reporting requirements and resources allocated. This could help to overcome some of the current inconsistencies in animal protection legislation across the country, and harmonise the legislation, while holding state authorities accountable for maintaining animal protection in their regions. There is no apparent evidence indicating that the national government currently works with regional authorities in improving animal welfare, as such state legislation varies greatly in content and level of implementation and enforcement.*

### Enforcement mechanisms

The responsibilities of the relevant government bodies are set out in legislation and thus subject to challenge if they were to fail to fulfil those duties. However, in relation to the role of the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food, most of the animal welfare-specific provisions of the Federal Animal Health Act (2007) give that body powers to make detailed rules, rather than requiring it to do so.

### Key recommendations

- **The Federal Government of Mexico is encouraged to create a national 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	E
<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.<sup>38</sup></p> <p>Nationally, the Federal Animal Health Act (2007) contains sections on farm animal health that mention transportation and slaughter however, this envisages detailed rules being made by the Secretariat. Detailed provisions regarding farm animal rearing for example, were not found at the time of writing.</p> <p>The Official Mexican Standards for laboratory animals cover many of the OIE's standards on animals used in science and research but are not mandatory.</p> <p>There is much disparity across the states in terms of what the animal welfare legislation contains, and therefore some states have legislation that incorporates the OIE's guiding principles and standards more closely than others. Some regions do not incorporate any, such as Jalisco, or only one or two principles, such as Chiapas and Tlaxcala.</p> <p>The OIE's animal welfare standards on beef cattle, broiler chicken and farmed fish production systems are not included in regional or national Mexican legislation.</p> <p>The Government is engaged with the OIE in reporting instances of disease outbreak and in conducting disease simulation exercises. In 2011 an OIE/FEI (International Federation of Equestrian Sports) conference was held in Mexico calling for improvements to movement of horses in South America. Changes to quarantine for horses competing at national and international levels were called for in an effort to safeguard animal health and welfare. However, neither national animal health nor regional animal welfare legislation refer to engagement with the OIE and there is no evidence of the government engaging with the OIE to improve animal welfare legislation.</p> <p><u>Analysis</u></p> <p><i>Current law across Mexican states and the Federal District varies greatly. The first step to incorporating</i></p>	

<sup>38</sup> <http://www.oie.int/infographic/StandardsAW/index.html>



the OIE's standards into legislation would be to harmonise the current laws and to revise these to include the OIE's standards and guiding principles. This could create a good baseline for animal protection in the country.

In terms of application of the OIE's guiding principles and standards in Mexico, a small number of these are present and therefore mainstreaming animal welfare standards in the legislation. Active engagement with the OIE to improve animal welfare is encouraged to demonstrate the will of the government to achieve animal welfare standards in line with good international standards, and to show a commitment to improving animal welfare across the country.

As the Mexican Federal States and the Federal District are autonomous, there is a lack of consistency in animal welfare legislation and consequently the level to which the standards and guiding principles have been incorporated.

Nationally, it would improve welfare if the Mexican Criminal Code were to be reviewed and updated to incorporate animal welfare provisions, including the OIE's standards and guiding principles more closely. The lack of joined up legislation that meets the OIE's standards on animal welfare is a barrier to improving animal protection across the country.

#### Enforcement mechanisms

Enforcement mechanisms are not widespread with regard to the OIE's standards and principles across existing legislation. Those states which do have legislation incorporating some of the standards have varying enforcement mechanisms.

#### Key recommendations

- **The Federal and State Governments of Mexico are encouraged to fully implement legislation in line with the OIE animal welfare standards, including enforcement mechanisms for all species to ensure a good level of animal welfare across the country.**

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

#### Analysis of the legislation

The Government has not pledged in principle support for the Universal Declaration on Animal Welfare. However, multiple cities across the country have declared their support for the UDAW.<sup>39</sup>

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

<sup>39</sup> <http://www.fao.org/ag/againfo/themes/animal-welfare/news-detail/en/c/178136/>



of support for the UDAW demonstrates a government's commitment to working with the international community to improve animal welfare.

### Analysis

*Support for 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.*

*The Federal Government of Mexico is encouraged to pledge in principle support for the UDAW as this will assist in promoting good models of animal welfare policy and help to introduce animal welfare considerations into decision-making processes for other policies. Government support for UDAW would be a positive step in expressing a desire to improve animal protection in the country. Given that animal sentience is recognised in some states and that animal protection appears to be addressed in several laws, it should be possible for the Government to take action to support UDAW.*

### Enforcement mechanisms

There are no enforcement mechanisms relevant to this indicator.

### Key recommendations

- **The Federal Government of Mexico 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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