



# Animal Protection Index (API) 2020

## Republic of the Union of Myanmar: ranking F

### Executive summary

The Animal Health and Development Law 1993 is the main piece of legislation dealing with animal welfare in Myanmar. The law provides basic protections for some animals including protection from deliberate harm, such as withholding food and water, but it lacks a recognition of animal sentience and is applicable only to domesticated animals bred by humans. While the Protection of Wildlife and Conservation of Natural Areas Law 1994 applies some protections to wildlife, the fact that wild animals are not within the scope of the Animal Health and Development Law is concerning. There are some protections for livestock and draught animals, however, these do not cover their rearing, their transport or their slaughter, nor provide species-specific standards. Overall, there is a lack of animal welfare legislation in Myanmar.

The Ministry for Agriculture, Livestock and Irrigation holds overall responsibility under the Animal Health and Development Law, but Myanmar lacks a body or department dedicated to animal welfare. While Myanmar recognises in some ways the connection between animal and human health, the country's legislation is limited in applying protections for animal welfare.

Since the API was first published in 2014, Myanmar has not substantially improved animal welfare through legislation. Myanmar has made great strides in its plan for developing a "green" agenda and strives to develop sustainably. While these policies and strategies are likely to positively impact species conservation and livestock animals, generally they have not translated into explicit improvements for animal welfare. While the Government has partnered with both the OIE and NGOs for improvements in animal health and a "green" development plan, they are yet to entrench OIE standards into their animal welfare law.

The Government of Myanmar is urged to develop and legislate animal welfare protections for livestock from rearing to transport to slaughter. Similarly, the Government of Myanmar is encouraged to ban completely the culling of stray animal populations and engage with organisations such as the United Against Rabies Collaboration to protect both animals and its human population from rabies. The Government of Myanmar is encouraged to strengthen and expand its current animal welfare protections into a comprehensive Act that would enshrine animal sentience, define animal welfare in accordance with OIE standards and prohibit animal cruelty in a more encompassing manner. This includes the creation of a specific government body dedicated to animal welfare that should include representatives from animal welfare organisations. Further legal and policy recommendations are associated with each Animal Protection Index (API) indicator and contained in the relevant sections of this report.



## Animal Protection Index Indicators

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

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

Analysis of the legislation	
Ranking	D
<p>There is no policy or legislation recognising animal sentience. However, the Animal Health and Development Law 1993<sup>1</sup> recognises that animals can suffer.</p> <p><b>Analysis</b></p> <p><i>As it stands today, there is no formal evidence or signal from the Government to recognise sentience as an independent issue that will inform discussions of animal issues in the country. As such, sentience is not included and does not inform public policies that could be potentially linked to animals (such as environmental or sustainable production policies).</i></p> <p><i>The Government has not yet incorporated current practical experience and scientific knowledge regarding animal sentience into the country's legislation. The Government does not appear to consider animal welfare an important issue, despite Myanmar being a member of the OIE, which has guiding principles on animal welfare that are based on the premise that animals are sentient beings.</i></p>	
Enforcement mechanisms	
<p>There is no policy or legislation relevant to this indicator.</p>	
Key recommendations	
<ul style="list-style-type: none"> <li>• <b>Given the extensive body of scientific evidence proving that animals are sentient, the Government of Myanmar is urged to recognise that all animals for whom there is scientific evidence – at a minimum, all vertebrates, cephalopods and decapods crustaceans – are sentient beings and to enshrine this principle into legislation. Recognising animals as sentient will underpin further animal welfare considerations.</b></li> </ul>	

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

<sup>1</sup> <http://extwprlegs1.fao.org/docs/pdf/mya36263.pdf>



## Analysis of the legislation

### Ranking

### D

The Government repealed the Prevention of Cruelty to Animals Act 1930<sup>2</sup> and a series of norms on animal trade and produced new legislation in 1993. The Animal Health and Development Law (The State Law and Order Restoration Council Law No. 17/1993)<sup>3</sup> contains provisions on the protection of animals against basic forms of animal suffering, including deliberate acts and some forms of negligence or failure to act.

Article 25 of the law creates an offence of causing to work cruelly, wilfully ill-treating, unnecessarily maiming, wilfully keeping without food and water, neglecting to give proper treatment and care when sick or wounded, or letting to stray in a public place when diseased or wounded.

The law covers all domestic animals bred by humans or captured for a certain purpose (Article 2).

#### Analysis

*In 1993, the Animal Health and Development Law updated the basic anti-cruelty regulations in legislation from 1930. The law itself is very different from existing legislation in other countries insofar as it does not present a catalogue of situations or eventualities, but rather presents a framework in which the Government can interact with citizens to improve animal welfare. The law covers mostly issues of animal health and its objectives (Chapter II) including the promotion of livestock, the control of animal disease and protection from ill treatment. As such, the legislation has linked economic development and public health to animal protection.*

*Article 18 of the Animal Health and Development Law allocates responsibility of enactment of animal protection legislation to the Director General of Livestock Breeding and Veterinary Department.*

## Enforcement mechanisms

Breaches of the anti-cruelty provisions in Article 25 of the Animal Health and Development Law are punishable with a fine of up to 1000 Kyats (just over 1 USD).

## Key recommendations

- **The Government of Myanmar is encouraged to amend the Animal Health and Development Law (1993) to expand its definition of 'animal' to include at least all vertebrates, cephalopods and decapods crustaceans as they are recognised to be sentient beings.**

<sup>2</sup> [https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&cad=rja&uact=8&ved=2ahUKEwja7rLD-pIAhXTWhUIHRm8BswQFjAFegQIAxAC&url=https%3A%2F%2Fwww.constitutionaltribunal.gov.mm%2Fawdatabase%2Fmy%2Fdownload%2Ffile%2Ffid%2F1682&usq=AOvVaw1gNw2kd\\_O6m7ebdSYK-9Gd](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&cad=rja&uact=8&ved=2ahUKEwja7rLD-pIAhXTWhUIHRm8BswQFjAFegQIAxAC&url=https%3A%2F%2Fwww.constitutionaltribunal.gov.mm%2Fawdatabase%2Fmy%2Fdownload%2Ffile%2Ffid%2F1682&usq=AOvVaw1gNw2kd_O6m7ebdSYK-9Gd)

<sup>3</sup> <http://extwprlegs1.fao.org/docs/pdf/mya36263.pdf>



- Recognising that animals can suffer physically and psychologically, the Government of Myanmar is encouraged to prohibit acts which would cause psychological distress to animals, such as abandonment.
- The Government of Myanmar is encouraged to amend the Animal Health and Development Law 1993 to include animal welfare considerations in Chapters V and VI for the import and export of animals, as well as to increase the enforcement mechanism through a fine to align with other fines prescribed in the law.

## Goal 2: Presence of animal welfare legislations

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

Analysis of legislation	
Ranking	G
<p>The Animal Health and Development Law is focused on farm animal health, in particular on disease prevention and on feed quality (from the point of view of ensuring the quality of meat products for human consumption). The anti-cruelty provisions in Article 25 apply to this category of animals, but there are no particular provisions on slaughter or rearing and there are no limits or specifications regarding the species that may be kept.</p> <p>The Department for Livestock Breeding and Veterinary services 2017-2018 National Plan<sup>4</sup> includes training on basic livestock animal husbandry and animal health (Activity 2). The department has also been developing an Animal Husbandry and Animal Health Law (Activity A4) as well as drafting good husbandry practices for poultry, pigs and dairy cattle (Activity E2), although these are yet to be enacted at time of writing.</p> <p><u><a href="#">Rearing - pigs</a></u></p> <p>There is no policy or legislation related specifically to the rearing of pigs.</p> <p><u><a href="#">Rearing - broiler chickens</a></u></p> <p>There is no policy or legislation related specifically to the rearing of broiler chickens.</p> <p><u><a href="#">Rearing - egg-laying hens</a></u></p> <p>There is no policy or legislation related specifically to the rearing of egg-laying hens.</p>	

<sup>4</sup> <https://www.moali.gov.mm/en/livestock-breeding-and-veterinary-department>



### Rearing - dairy cattle and calves

There is no policy or legislation related specifically to the rearing of dairy cattle and calves.

### Transport

There is no policy or legislation related specifically to the transport of livestock beyond requirements for appropriate documentation.

### Slaughter

There is no policy or legislation related specifically to slaughter of livestock.

### Analysis

*The country has introduced some animal protection measures in a law that mainly includes administrative powers and procedures for the trade of livestock and other production animals, but this is not currently fully effective to improve welfare standards for farm animals at all stages of their lives. There is a degree of acknowledgment that production, health and welfare are interconnected, and the Government is encouraged to make this link much more explicit and to produce more detailed regulation on commonly farmed species. The lack of recognition of the importance of animal welfare as an issue separate to those of animal health and disease control is a considerable barrier to progress.*

*There are some responsibilities allocated both in the Ministry of Livestock Breeding and Fisheries and the Director General of Livestock Breeding and Veterinary Department in terms of controlling the process, but there is no evidence that the law has allocated any financial resource for these activities. While the Livestock Breeding and Veterinary Department plans to produce good husbandry guidelines for several species, as well as a new Animal Husbandry and Animal Health law, these had yet to move beyond draft stage at time of writing.*

*The country has taken great effort to produce strategies and action plans for sustainable agriculture and development as related to climate change including food security and disease/climate resistant livestock. However, this has not translated into specific improvements in animal welfare in agriculture.*

### **Enforcement mechanisms**

Breaches of the anti-cruelty provisions in Article 25 of the Animal Health and Development Law are punishable with a fine of up to 1000 Kyats (just over 1 USD ).

There are also administrative enforcement mechanisms set out in the law for animal health related issues, for example, under Article 5 the Director General has power to forbid the trade of feed that is harmful to animals.

### **Key recommendations**



- The Government of Myanmar is encouraged to align its 'good husbandry' guidelines on livestock to the Five Freedoms, including in the transport and slaughter animals.
- In addition, the Government of Myanmar is urged to ban the worst forms of confinement for farm animals. In particular, the use of farrowing crates, sow stalls, and cages should be banned. The stocking density of broiler chickens should also be reduced to a maximum 30kg/m<sup>2</sup> or lower. Surgical operations, such as piglet mutilations and beak trimming for egg-laying hens, should not be performed except under anaesthesia and with analgesics.
- The Government of Myanmar is urged to mandate the humane slaughter of all farm animals. Animals should be instantaneously rendered unconscious and insensible to pain and distress prior to slaughter. Today, there is growing consensus amongst religious authorities worldwide that pre-slaughter stunning is compatible with religious principles.<sup>5</sup> Humane halal slaughter allows for the animal to be temporarily rendered unconscious via stunning prior to slaughter, as long as the animal's skull remains intact and the animal would regain consciousness in time should slaughter not occur. Therefore, animals should be unconscious before being bled, and no further processing should occur until irreversible loss of consciousness is confirmed. No animal should be forced to witness other animals being slaughtered as this is inherently distressing.
- Legislation regarding the transport of animals shall protect their Five Freedoms. Due to the significant animal welfare concerns associated with long distance transport, the Government of Myanmar is strongly urged to ban the export of live animals for long distances (i.e. over than eight hours) and replace it with a meat only trade. Long distance transport is inherently cruel as it involves chronic stress for all animals and, for some species and modes of transport, it may involve overpopulation, exhaustion, excess heat or cold, inadequate ventilation and/or access to food and water, leading to disease, pain, injury or death.

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

Analysis of the legislation	
Ranking	D
The Protection of Biodiversity and Protected Area Law superseded the Protection of Wildlife and Conservation of Natural Areas Law in 2018. However, due to lack of available translation, it has been unable to be assessed for the API at the time of writing.	

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



The protection in the Animal Health and Development Law includes domestic animals bred by humans or captured for a certain purpose (Article 2). It is not clear whether this definition includes wild animals who have been captured and/or their captive-bred offspring, or whether it includes only domestic animals. To the extent that the definition includes animals kept in captivity, the general anti-cruelty provisions in Article 25 would apply to this category of animals.

### Zoos

With regards to public and private zoological collections, the Protection of Wildlife and Conservation of Natural Areas Law (The State Law and Order Restoration Council Law No. 6/94)<sup>6</sup> is concerned with the establishment of zoological gardens as a means to protect wildlife. Under Article 17 of that law, the Director General has power to make secondary regulations permitting the capture, farming or commercial sale of wild animals under certain conditions. Articles 21 to 24 make provisions for licensing zoos and botanical gardens, and under Article 35 it is an offence to operate without a licence. There are no explicit welfare considerations in this law.

### Private keeping of wild animals

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

### Fur farming

There is no policy or legislation related to fur farming

### Analysis

*It is positive that zoos must be licenced to operate in this country. However, there is no evidence that the issue of the welfare of captive animals is covered by legislation in the country. There appears to be no recognition of the fact that captivity conditions can cause very poor welfare. There appears to be a low awareness of the importance of providing for the welfare of captive animals. The lack of recognition of the importance of animal welfare as an issue separate to those of animal health and disease control is a considerable barrier to progress.*

*Myanmar currently lacks legislation that would limit which animals can be kept as companion animals. Furthermore, there does not appear to be any restriction on fur farming in Myanmar, which is a practice that is inherently cruel to animals.*

## Enforcement mechanisms

Breach of any secondary regulations made under the Protection of Wildlife and Conservation of Natural Areas Law on the farming and trade in wild animals, or operation of a zoo without a licence, is an offence punishable with up to 3 years imprisonment and/or a fine of up to 10,000 kyats (Article 35).

## Key recommendations

<sup>6</sup> <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC139132>



- The Government of Myanmar is urged to clarify the scope of the definition of ‘animal’ in Article 2 of the Animal Health and Development Law to ensure that wild animals are protected under the law.
- The Government is also encouraged to include welfare considerations - aligned with the Five Freedoms - for wild animals in captivity into the Protection of Wildlife and Conservation of Natural Areas Law. This should include regulations for the housing, feeding, handling and husbandry of species under the care of any licensed zoological garden as well as consideration of appropriate species for captivity.
- Myanmar currently lacks legislation regulating the private keeping of wild animals as pets. The Government of Myanmar is encouraged to develop a Positive List of species, specifying those that can be kept as companion animals, based on clear criteria including animal welfare and other relevant concerns.
- The Government of Myanmar is urged to fully ban fur farming. Fur farming is inherently cruel and causes pain, distress and suffering to animals.

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

Analysis of the legislation	
Ranking	D
<p><u>Care of companion animals</u></p> <p>The anti-cruelty provisions in Article 25 of the Animal Health and Development Law apply to this category of animals. In particular, Article 25 prohibits unnecessary maiming; yet with no definition on what is considered 'necessary', it is a provision that might be difficult to implement or enforce.</p> <p><u>Stray animals</u></p> <p>Under the definition of ‘animal’ in the Animal Health and Development Law, it is unclear if the law applies to stray animals beyond those once owned and then abandoned.</p> <p><u>Analysis</u></p> <p><i>The legislation includes some general provisions prohibiting some specified forms of mistreatment of animals, including abandonment and preventing animals from accessing food and water. These may be important first steps towards raising awareness and making the welfare and protection of companion animals a mainstream concern of society. However, there is no duty of care placed on animal owners in legislation.</i></p>	





*There appears to be a low awareness of the importance of providing for the welfare of companion animals. There is a need for further legislative and policy development. The lack of recognition of the importance of animal welfare as an issue separate to those of animal health and disease control is a considerable barrier to progress.*

*While there is no national legislation regarding culling of companion animals, there have been attempts to ban the practice in some areas.<sup>7</sup> However there have been reports of inhumane culling of dogs taking place.<sup>8</sup>*

### Enforcement mechanisms

Breaches of the anti-cruelty provisions in Article 25 of the Animal Health and Development Law are punishable with a fine of up to 1000 Kyats (just over 1 USD).

There are also administrative enforcement mechanisms set out in the law for animal health related issues, for example, under Article 5 the Director General has power to forbid the trade of feed that is harmful to animals.

### Key recommendations

- **The Government of Myanmar is encouraged to expand its definition of ‘animal’ in the Animal Health and Development Law to include stray animals i.e. those not deliberately bred by man.**
- **The Government is strongly encouraged to promote responsible pet ownership, including adoption or community responsibility for stray dogs.**
- **The Government of Myanmar is strongly encouraged to promote humane dog population management, which relies on promoting responsible ownership, mass dog vaccination and reproduction control programmes. Culling is unnecessary, cruel and has been scientifically proven to be ineffective in population control. Therefore, the Government is encouraged to ban the inhumane and indiscriminate culling of animals which should be included in Article 25 of the Animal Health and Development Law.**
- **The Government of Myanmar is encouraged to engage with the International Companion Animal Management (ICAM) coalition to learn about and implement their dog population management methodology<sup>9</sup>. This methodology consists of a full cycle of action, addressing root causes of conflict between roaming dogs and communities. The document is helpful to governments to manage dogs humanely as well as to help communities live in harmony with dogs. The Government of Myanmar is also encouraged to engage with organisations such as**

<sup>7</sup> <https://www.theguardian.com/cities/2017/jan/19/stray-dogs-yangon-myanmar-mass-cull-child-attacks>

<sup>8</sup> <https://www.theguardian.com/cities/2017/jan/19/stray-dogs-yangon-myanmar-mass-cull-child-attacks>

<sup>9</sup> <https://www.icam-coalition.org/>



the United Against Rabies Collaboration<sup>10</sup> to protect both animals and its human population from rabies.

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

Analysis of the legislation	
Ranking	F
<p><u>Animals used for entertainment</u></p> <p>The anti-cruelty provisions in Article 25 of the Animal Health and Development Law apply to this category of animals. Apart from this general provision, there is no policy or legislation regarding the use of animals for entertainment.</p> <p><u>Draught animals</u></p> <p>The Animal Health and Development law does contain a specific reference to animals used for draught purposes. Article 18 specifies that the government will make provisions to limit the weight carried by certain species and breach of any such prescribed limits is a punishable offence under Article 25.</p> <p><u>Analysis</u></p> <p><i>The specific reference in Articles 18 and 25 of the Animal Health and Development Law to draught animals may be included because of the importance of such animals to livelihoods and the economy. Raising awareness of the links between good animal health and welfare and profitability is a component of making animal welfare a mainstream concern of society. There is no evidence of secondary legislation as envisaged by Article 18 of the Animal Health and Development Law.</i></p>	
Enforcement mechanisms	
<p>Breaches of the anti-cruelty provisions in Article 25 of the Animal Health and Development Law, including a breach of any weight restrictions that may be made under Article 18, are punishable with a fine of up to 1000 Kyats (just over 1 USD).</p>	
Key recommendations	
<ul style="list-style-type: none"> <li>• <b>The Government of Myanmar is urged to specify the definition of 'working animal' in its legislation. Furthermore, the Government is encouraged to include working animal species in</b></li> </ul>	

<sup>10</sup> <https://www.oie.int/en/for-the-media/press-releases/detail/article/the-united-against-rabies-collaboration-launches-global-plan-to-achieve-zero-rabies-human-deaths/>

their good husbandry guides to ensure working animals are cared for in accordance with the Five Freedoms.

- The Government of Myanmar is urged to forbid the organisation of and attendance to entertainment events causing animal suffering. Such a prohibition should cover circuses, rodeos, animal fights, animal races, rides on animals and all other forms of animals used in entertainment. Notably, the Government is strongly encouraged to ban the use of all animals in circuses. Phasing out of animals for entertainment purposes could start with a ban on the use of wild animals for such performances.

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

Analysis of the legislation	
Ranking	G
No evidence was found on the existence of any policy or legislation for the protection of animals used in scientific research.	
<p><u>Analysis</u></p> <p><i>There is no evidence that the country has developed any form of legal protection for animals used for scientific research including educational, cosmetic or other forms of surgical or invasive manipulation. There is no evidence showing that the country has an understanding of the welfare consequences of such activities on animals.</i></p>	
Enforcement mechanisms	
There is no policy or legislation relevant to this indicator.	
Key recommendations	
<ul style="list-style-type: none"> <li>• The Government of Myanmar is encouraged to implement a law banning the use of animals in testing for cosmetic products and their ingredients. The capture of wild animals for the purpose of experimentation should also be banned.</li> <li>• The Government of Myanmar is encouraged to regulate the use of all animals in scientific research, incorporating the Three Rs Principles (Replacement, Reduction, Refinement) and enact legislation under which all animals used for research are protected from unnecessary pain and suffering.</li> </ul>	



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

Analysis of the legislation	
Ranking	E
<p>The Protection of Biodiversity and Protected Area Law superseded the Protection of Wildlife and Conservation of Natural Areas Law in 2018. However, due to lack of an available translation, it has been unable to be assessed for the API at time of writing.</p> <p>The Protection of Wildlife and Conservation of Natural Areas Law (The State Law and Order Restoration Council Law No. 6/94)<sup>11</sup> published in 1994 has a series of provisions for the protection of animals in the wild. The objectives of this law include wildlife protection and the conservation of natural areas (Article 3), but generally the law establishes powers for implementation of these objectives by secondary measures, for example, for different types of nature reserves to be established (Article 7) and for lists of protected species to be determined (Article 15). There is a general ban on hunting animals in natural reserves or protected species and a system of licences for hunters, with no welfare considerations (Article 19). Article 17 envisages secondary legislation permitting species of wild animals to be raised on a commercial basis.</p> <p>The Myanmar Sustainable Development Plan (2018-2030)<sup>12</sup> and Climate Change Strategy and Action Plan (2016-2030)<sup>13</sup> both provide guidance and targets for protection/rehabilitation of wild areas, but these have not been translated directly into impacts for wild animal welfare.</p> <p><b>Analysis</b></p> <p><i>The existing legislation and policies are focused on conservation and not on the welfare of individual animals. There are mechanisms by which the relevant authorities can establish natural reserves and protect natural habitats as well as specify categories of endangered species.</i></p> <p><i>It is not positive, from a welfare point of view, that the legislation envisages secondary regulations permitting species of wild animals to be captured and raised on a commercial basis (Article 17).</i></p> <p><i>Several authorities are given specific tasks and responsibilities under the Protection of Wildlife and Conservation of Natural Areas Law, and there is evidence of a system of fines, licences and fees which provide financial resource for the activities allocated to the authorities. In addition, and specifically for the enactment of this Law, there is a Committee for the Protection of Wildlife and Natural Areas, with high level government representatives and with specific powers to undertake legal responsibilities.</i></p> <p><i>The powers to make secondary regulations under the Protection of Wildlife and Conservation of Natural Areas Law may provide some opportunity for welfare considerations to be introduced, for</i></p>	

<sup>11</sup>[https://www.myanmartradeportal.gov.mm/uploads/legals/2018/7/The%20Protection%20of%20Wildlife%20and%20Protected%20Areas%20Law%201994%20\(Eng\).pdf](https://www.myanmartradeportal.gov.mm/uploads/legals/2018/7/The%20Protection%20of%20Wildlife%20and%20Protected%20Areas%20Law%201994%20(Eng).pdf)

<sup>12</sup><http://www.fao.org/faolex/results/details/en/c/LEX-FAOC180813>

<sup>13</sup><http://www.fao.org/faolex/results/details/en/c/LEX-FAOC171444>



example, in relation to conditions to be imposed on hunting licence holders.

### Enforcement mechanisms

There are enforcement mechanisms under the Protection of Wildlife and Conservation of Natural Areas Law, which relate to secondary regulations to be made under that law.

### Key recommendations

- The Government of Myanmar is encouraged to articulate the positive animal welfare outcomes that will occur as a result of climate change mitigation and adaptation strategies and sustainable land use policies.
- The Government is also encouraged to include protections for individual wild animals in addition to their conservation efforts. This also includes strict regulations for the capture and trade in species of wild animals.
- The Government of Myanmar is encouraged to ban any form of hunting that does not directly support subsistence i.e. for feeding oneself and one's family and not for commercial gain. Subsistence hunting operations must employ the least cruel methods of hunting and slaughter, and that all possible efforts should be made to reduce the time to death of animals killed in these hunts. At a minimum, the Government is strongly encouraged to forbid the use of the cruellest hunting methods.

## Goal 3: Establishment of supportive government bodies

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

#### Analysis of the legislation

Ranking

F

There is no evidence of a dedicated structure, body or organ that has the responsibility of promoting animal welfare.

In relation to the protection and conservation of wild animals, Article 4 of the Protection of Wildlife and Conservation of Natural Areas Law establishes a committee with particular responsibilities on the promotion of further policy and the task of enacting the provisions found in law, but this law does not focus on animal welfare protection.



The Animal Health and Development Law includes a set of specific responsibilities delegated to the Ministry of Livestock Breeding and Fisheries, and the Livestock Breeding and Veterinary Department.

Analysis

*The Government has recognised some issues that can potentially impact animal welfare and has put some mechanisms into place. However, there appears to be a general low level of awareness of welfare issues relating to various categories of animals. There also appears to be a failure to recognise animal welfare as an independent issue that needs to be addressed by the Government in a way that allows citizens and other branches, departments and organs of the Government to understand and link animal welfare to other policy concerns and challenges.*

**Enforcement mechanisms**

Although responsibilities have been allocated in some areas to some government bodies, the legal system is extremely open, requiring implementation by secondary regulation and thus leaving narrow room for enforcement of such responsibilities. Generally, government bodies are given powers to make secondary provisions but are not required to do so, and there is no mention of animal welfare considerations in this process. The Government would benefit from policy and secondary legislation production to address this gap.

**Key recommendations**

- **The Government of Myanmar is encouraged to create a national committee or council to oversee animal welfare, ensuring it is standardised across the country and covers all animals from domestic animals, to working animals, to wildlife. The Government is encouraged to continue its work with partners such as the FAO, OIE and animal welfare NGOs to ensure animal welfare policies and legislation are up-to-date.**
- **The responsibility for different types of animals currently falls under multiple Ministries and Departments; therefore the Government is recommended to align all animal welfare under one Ministry, with appropriate resources for research, implementation and enforcement.**

**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	G



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>14</sup>

The OIE's animal welfare standards have yet to be transposed into legislation and policy in the country.

### **Analysis**

*The OIE's standards on animal welfare not only represent a consensual position achieved by countries represented in the organisation regarding this subject matter, but also provide the necessary scientific background to produce sound policy and legislation on animal welfare. The Government is encouraged to produce policy and legislation covering the animal welfare standards and principles.*

*Myanmar is a member of the OIE and as such has given its support to the OIE's animal welfare standards and guiding principles for animal welfare. The Government is therefore encouraged to incorporate the OIE's standards and principles within the country's legislation. The fact that Myanmar is participating in the Regional Animal Welfare Strategy for Asia Pacific and has made successful efforts with respect to animal health indicates that it may be possible to take action to incorporate the OIE's guiding principles on animal welfare and its animal welfare standards into the country's legislation and policy.*

*The country has a policy of interacting with OIE, but the policy is mostly limited to contributions to animal health improvement, although steps within the region on animal welfare measures are starting to be reported. There is no evidence of human or financial resource in existence to develop work on animal welfare improvement with the OIE. The lack of recognition of the importance of animal welfare as an issue separate to those of animal health and disease control is a considerable barrier to progress. However, the Government is engaging with the OIE and the country's participation in the Regional Animal Welfare Strategy for Asia Pacific presents an opportunity to improve animal welfare nationally.*

*The country has taken important steps to work on the control of animal health and on participating in veterinary programmes and missions. This has yet to be translated into more specific animal welfare provisions. There is no doubt that protecting animal health is a crucial step into developing policy and legislation on animal welfare. The Government is encouraged to make use of OIE resources, including standards and principles on animal welfare, to inform future initiatives on animal protection.*

### **Enforcement mechanisms**

There are no enforcement mechanisms relevant to this indicator.

### **Key recommendations**

- **The Government of Myanmar is urged to implement legislation in line with the OIE standards, including enforcement mechanisms for all species to ensure a good level of animal welfare**

<sup>14</sup> <http://www.oie.int/infographic/StandardsAW/index.html>



across many industries.

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

### Analysis of the legislation

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

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

#### Analysis

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

*Taking into consideration that support for the Universal Declaration implies political will to adopt a soft-law commitment and that this has not taken place in the country, the salient obstacle is the lack of political will to adopt such a declaration as a policy instrument.*

### Enforcement mechanisms

There are no enforcement mechanisms relevant to this indicator.

### Key recommendations

- **The Government of Myanmar 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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