



Federative Republic of Brazil

Animal Protection Index 2014 ranking: C

Animal Protection Index Indicators

Goal 1: Recognition of animal sentience and the importance of animal protection as a societal value

1. Animal sentience is formally recognised in legislation and/or policy

Ranking: C

Part 1: Verification
<p>There is legislation with partial application</p> <p>The Ministry of Agriculture, Livestock and Food Supply advises that the first measures for animal respect and protection were established in 1934 by Decree 24.645.¹ Article 3 of this Decree recognises some aspects of animal sentience. It recognises animals' physiological needs by providing that animals should not be overworked or kept in places where they cannot breathe properly, move or rest, or are deprived of air or light, and also recognises that animals can suffer, for example in requiring that animals should be given a quick death, free of suffering.</p> <p>Legislation concerning farm and zoo animals also recognises some aspects of sentience relating to the experience of pain and suffering and the recognition of some behavioural needs. For example, Normative Instruction 3/2000 requires humane handling of animals to reduce stress, to avoid excitement, discomfort, pain and suffering during the slaughtering process. Normative Instruction 4/2002 requires zoos to provide equipment and facilities that meet the needs of the animals housed so as to ensure their physical and psychological well-being.</p> <p>A leaflet produced by the Ministry of Agriculture, Livestock and Food Supply on animal welfare defines animal welfare as the state of harmony of an animal in relation to the environment where it lives and refers to the need for good nutrition, good health, adequate handling and facilities and expression of innate behaviours of the species.</p>

¹ Ministry of Agriculture, Animal Welfare in Brazil <http://www.abiec.com.br/img/folder-animal-welfare.pdf>

Sentience of free-living wild animals is not recognised in legislation.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Although there is no formal recognition of animal sentience in legislation, humane principles regarding animals are incorporated within Brazil's Constitution. Chapter VI, Article 225(1)(VII) of the Constitution (from 1988) provides that the government must protect flora and fauna from all practices that subject animals to cruelty prohibited by law. The government therefore has authority to deal with cruelty issues involving any category of animal.²

In recent years the government has addressed the welfare needs of animals in legislation relating to the keeping of farm, zoo, circus and laboratory animals. A particular focus for resources has been the improvement of animal welfare practices in relation to transport and slaughter of animals destined for international trade because of the links between humane treatment of animals and meat quality.

Commentators on animal welfare advise that generally speaking, in Brazil, as in many other South American countries, there is growing awareness of animal welfare amongst consumers, particularly in countries with agricultural export industries.³ However, animal welfare may not receive as much emphasis as in some other countries because of other priority needs relating to human health and welfare, poverty and education.

The Ministry of Science, Technology and Innovation describes Federal Law 11,794/08 on the creation of the National Regulatory Control Council on Animal Experimentation (CONCEA) as representing a paradigm shift on the use of animals for education and research in the country.⁴ The law provides for critical analysis of the real needs of laboratory animals in experimental situations and for ethical examination by society of the justification for using animals.⁵

Are there economic and societal barriers to improving this aspect of animal welfare?

With respect to the challenges it faces in protecting the country's environment, the government has reported that a realistic view of the conservation and sustainable use of biodiversity must take into account numerous biological, physical, social and economic factors, as well as the relative lack of funding, and that the problems are many, complex, delicate and difficult to separate.⁶

It would seem fair to apply the same analysis of challenges or potential barriers the government faces in advancing animal protection to all categories of animals throughout the country. However, it is evident that the government in Brazil has seized opportunities to improve farm animal welfare during transport and slaughter because of the benefits to industry and international trade. Recently the government has also introduced modern legislation applicable to the use of animals in scientific research.

Other potential barriers to improving animal welfare and inculcating humane attitudes include the vast areas involved, difficulties with infrastructure, and the different cultures and languages. Poverty is

² http://www.animallaw.info/nonus/administrative/adbrfeddec_24_645.htm

³ C.B. Gallo and T.A. Tadich, South America, in Long Distance Transport and Welfare of Animals, Edited: Appleby, Cussen, Garcés, Lambert and Turner, CAB International, WSPA, 2008

⁴ http://www.fesbe.org.br/v8/imagens/base_legal_experimentacao_animal.pdf

⁵ http://www.fesbe.org.br/v8/imagens/base_legal_experimentacao_animal.pdf

⁶ First national report for the Convention on Biological Diversity, Brazil

also a serious barrier to improving animal welfare. For example, cruelty to animals is permitted under the 1998 environmental crimes Law 9,605/98 if it is carried out in response to hunger or need.

Are enforcement mechanisms in place in policy and legislation?

There are enforcement mechanisms (fines and imprisonment) for the provisions in legislation which recognise some aspects of animal sentience, for example, the need to avoid pain and suffering and to provide for natural behaviours.

2. The government has pledged in principle support for the Universal Declaration on Animal Welfare

Ranking: D

Part 1: Verification

There is partial government support

The UDAW has received in principle support from two government ministries. In October 2008 the Ministry of Agriculture pledged its support, followed in May 2009 by support from the Ministry of Environment.

Note: The Universal Declaration on Animal Welfare is a proposed formal international acknowledgment 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.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The support of the Ministries of Agriculture and the Environment for the UDAW does not appear to feature within their current work programmes. The content of the UDAW and its principles is not mentioned on the websites of these organisations.

Upon signing the pledge for the Ministry of Environment, the Minister at that time, Carlos Minc, said that he felt compelled to support the campaign both as a concerned citizen with an interest in animal welfare and as a minister responsible for the protection of Brazil's rich diversity of wildlife.⁷ The lack of dissemination of information about the UDAW to members of the public and lack of incorporation within the work programmes of the relevant ministries show that this support is not currently effective.

Are there economic and societal barriers to improving this aspect of animal welfare?

There are not considered to be any significant barriers to the government taking steps to pledge to support the UDAW, given the strength of the country's partnerships with other organisations and governments which have already given their support, such as the OIE and the European Union.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

⁷http://www.worldanimalprotection.ca/latestnews/2009/ministerial_support_boosts_animal_welfare_in_brazil.aspx

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

Ranking: C

Part 1: Verification
There is legislation with partial application
<p>Article 225(1)(VII) of Brazil's Constitution (1988) provides that the government must protect flora and fauna from all practices that subject animals to cruelty prohibited by law. The government therefore has authority to deal with cruelty issues involving any category of animal.</p> <p>Basic legislation in Brazil includes Decree 24,645/1934 from 1934, which established protection against cruelty and ill treatment for animals, especially working animals, and is still in effect. Article 3 of the 1934 Decree prohibits various conducts including abandoning a sick, injured or mutilated animal; failing to provide an animal with all that is necessary, including veterinary assistance; and denying a quick death, free of suffering, to an animal whose death is necessary, whether or not it is for consumption.</p> <p>Article 32 of Law 9,605/98 (Regulating criminal and administrative penalties relating to behaviour and activities harmful to the environment, 1998) prohibits engaging in an act of abuse or mistreatment, or injuring or mutilating wild, domestic or domesticated animals, native or exotic, including circumstances where cruelty is carried out for as experimentation for educational or scientific purposes. Article 37, however, provides an exception where these actions are carried out under conditions of need, to satisfy the hunger of the agent or his family; to protect works, orchards and flocks from the predatory or destructive actions of animals, provided that this is legal and expressly authorised by the authorities with jurisdiction; or by reason of the animal(s) being harmful.</p>

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>Incidences of cruelty involving companion animals attract public attention, and in some cases create public outcry⁸, demonstrating that concern about animal welfare is increasing in the country. There is also a thriving animal protection movement dating back to the 19th century.⁹ However, campaigns by animal protection organisations highlight animal suffering in many areas, which need to continue to be addressed.¹⁰ Recent high profile animal cruelty cases attracted media reports noting public concern about the lack of significant punishment by the courts.¹¹ A number of organisations have</p>

⁸ <http://www.dailymail.co.uk/news/article-2076522/YouTube-video-nurse-Camila-Moura-beating-dog-death.html#ixzz312bVDqHM>

⁹ <http://www.uipa.org.br/historico/>

¹⁰ <http://www.apasfa.org>

¹¹ <http://www.examiner.com/article/no-jailtime-for-brutal-dog-killer-petitions>; <http://www.dailymail.co.uk/news/article-2076522/YouTube-video-nurse-Camila-Moura-beating-dog-death.html#ixzz312bQB37c>

been campaigning for stricter penalties for cruelty and abuse of animals in the country. These organisations have also campaigned in opposition to proposals to weaken penalties and to decriminalise acts of cruelty and abuse committed against animals, which are being considered as part of a review of the country's Penal Code. Such organisations include, for example, World Animal Protection (formerly the World Society for the Protection of Animals).¹²

The government is making efforts on a great many fronts and works in partnership with others to raise awareness and improve animal welfare both internationally and nationally, for example, with the OIE, European Union and the Food and Agriculture Organisation of the United Nations. The website of the Ministry of Agriculture, Livestock and Food Supply details many workshops and events concerning animal welfare.¹³ A historic moment for animal protection in Brazil occurred in 1997 when the Supreme Court ruled in favour of a ban on the Farra do Boi, a traditional fiesta involving the torture and killing of dozens of bulls/oxen in communities in the southern state of Santa Catarina.¹⁴ The Supreme Court found that "...although it is the duty of the State to guarantee to all people the expression of cultural rights, cultural expressions have to conform to the constitutional rule of the article 225, which forbid any practice that submits animals to cruelty. Therefore, the event called "the Oxen Festival" violates the aforementioned constitutional rule".

On January 22 2012 there was a day of action under the banner "No More Cruelty" that took place in more than 150 cities in Brazil during which thousands of people reportedly took to the streets calling for "proper and effective punishment for those who commit cruelty and mistreatment of animals". They also protested against weakening of existing penalties for such acts.¹⁵

The Penal Code continues to be reviewed and the debate concerning appropriate penalties for cruelty and abuse of animals is ongoing, but early decisions by the committee concerned appear to be contrary to the wishes of many Brazilians who wish to see stronger penalties for cruelty, abuse, and abandonment of animals.¹⁶ Critics of penalties have commented that in practice community or social service of providing "a simple donation basket can compensate for the crime of setting a dog or cat on fire."¹⁷

Are there economic and societal barriers to improving this aspect of animal welfare?

The combined legislation of 1934 and 1998 put into place some basic protections for animals concerning acts of cruelty, abuse and neglect. However, the law is not comprehensive and the exemptions under the 1998 Act are potentially wide-reaching, making enforcement difficult. In this respect the lack of comprehensive, up-to-date basic animal protection legislation representing modern animal welfare concepts and principles is a barrier to improving animal welfare. The current situation regarding the law is a barrier to progress, as it is not enabling credible action to be taken against individuals committing acts of cruelty.

The country faces resource barriers to progress on animal welfare because of the need to focus on competing priorities. For example, there are important priorities regarding human welfare, health, poverty and education. Nevertheless the government has some track record of action on animal protection, for example with respect to humane slaughter. It is considered that action could be taken

¹² <http://e-activist.com/ea-campaign/clientcampaign.do?ea.client.id=24&ea.campaign.id=5827>

¹³ <http://www.agricultura.gov.br/animal/bem-estar-animal/projetos>

¹⁴ http://www.animallaw.info/topics/tabbed_nonus/spbrazil.htm

¹⁵ <https://en-gb.facebook.com/crueldadenuncamais.oficial>

¹⁶ <http://movimentocnm.blogspot.co.uk/2014/01/o-que-mudou.html>

¹⁷ <http://riotimesonline.com/brazil-news/rio-politics/animal-cruelty-debate-continues/#>

to modernise basic animal protection legislation, for example, by imposing a duty of care on those responsible for animals, and by introducing penalties that would discourage inhumane treatment of animals.

Are enforcement mechanisms in place in policy and legislation?

Decree 24.645/34 and Brazil's Constitution place all animals under the protection of the State. Their interests may be represented in court by the Public Prosecutor or by NGOs.¹⁸ Local authorities should therefore feel obliged to enforce the law if incidences of cruelty and abuse are brought to their attention.

Offences under the 1934 law are considered as misdemeanors incurring fines. Penalties under Article 32 of Law 9,605/98 are more serious. The penalty for engaging in an act of abuse or mistreatment is imprisonment of three months to one year, and a fine. The penalty shall be increased by one-sixth to one-third in the event of the death of the animal.

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

Ranking: B

Part 1: Verification

There is legislation

The general protection under Decree 24,645/1934 applies to this category of animals. There is also general protection for farm animals under Article 32 of the environmental crimes Law 9,605/98, that prohibits engaging in an act of abuse or mistreatment, or injuring or mutilating wild, domestic or domesticated animals, whether native or exotic.

There is also specific legislation to protect farm animals during rearing, transport and slaughter, although in places this would benefit from added detail.¹⁹

Instruction No. 56, dated November 6, 2008, establishes general procedures of Good Practice Guidelines for the Welfare of Animal Production and Economic Interest relating to farm animal rearing systems and transportation. Article 3 outlines general principles for animal welfare including management through basic knowledge of animal behaviour; appropriate diet; properly designed production systems for different species to ensure the possibility of rest and animal welfare; appropriate handling and transport; and avoiding unnecessary suffering.

Decree 5,741 of 2006 governs the movement of animals. Documentation is required for movement of animals with information on the destination, health of the animal and purpose of the transport.

There is specific guidance for different species and for wild animals and aquatic animals.²⁰

¹⁸ <http://www.drc-citizenship.org/system/assets/1052734738/original/1052734738-cornwall.2010-engaging.pdf?1398364294>

¹⁹ Otto Schmid and Rahel Kilchsperger, „Overview of Animal Welfare Standards and Initiatives in Selected EU and Third Countries, Final Report Deliverable 1.2, EconWelfare Project, April 2010/updated November 2010, Research Institute of Organic Agriculture (FiBL)

²⁰ <http://www.agricultura.gov.br/animal/mercado-interno/transito>

Normative Instruction 03/2000 on Technical Regulation of Stunning Methods for Humane Slaughter of Meat Animals regulates pre-slaughter handling and humane slaughter from the time animals arrive at a facility until they are slaughtered. All handling of animals must be performed with a minimum of excitement and discomfort. The law forbids all use of aggressive instruments and the causing of reactions of distress.

Ordinance No. 524 of March 2011 established the Permanent Technical Commission on Animal Welfare to coordinate the work of animal welfare by the Ministry of Agriculture, Livestock and Food Supply and to facilitate adoption by farmers of best practice for animal welfare.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The government has invested considerable attention and resource in improving farm animal welfare, particularly in relation to transport and slaughter of animals destined for international trade. Animal welfare has become recognised as important because of the links between humane treatment of animals and meat quality, and also because of the animal welfare requirements of importing countries, for example, of the European Union.

On its website, the Ministry of Agriculture, Livestock and Food Supply draws attention to its 2013 "actions that ensure animal welfare"²¹ including partnership with the World Society for the Protection of Animals (now World Animal Protection) to provide courses and training in animal welfare and humane slaughter of cattle, pigs and poultry based on an agreement signed in 2008 and an agreement with the European Union to co-operate on animal welfare.

Article 4 of Instruction No. 56 dated November 6, 2008 (on Good Practice Guidelines for the Welfare of Animal Production and Economic Interest) provides for the production of Manuals of Good Practice with recommendations for specific procedures for each animal species. The Ministry of Agriculture, Livestock and Food Supply has developed a number of these manuals, including on humane slaughter of cattle, pigs and poultry and on animal transport.²² To assist with this task and to facilitate raising awareness of animal welfare throughout the country, the Ministry of Agriculture, Livestock and Food Supply established, in 2008, a Permanent Technical Commission of Animal Welfare with 27 focal points in the federal states. The Ministry advises on its website that the main tasks of the Commission are to develop and propose legislation, standards and technical recommendations regarding best practice; encourage and promote events related to animal welfare; promote training of all involved in the livestock chain; work with representative entities of the livestock and research sectors; propose publication and dissemination of technical material and information on animal welfare; and encourage and propose agreements, covenants and terms of cooperation with public and private entities to promote animal welfare.

The Ministry has also invested resources into developing partnerships with IGOs, INGOs and NGOs to promote studies, workshops and programmes to improve farm animal welfare.²³

In Brazil, as in many South American countries, the socio-economic and cultural situation is

²¹<http://www.agricultura.gov.br/animal/noticias/2013/03/mapa-promove-acoese-que-garantem-bem-estar-animal>

²² <http://www.agricultura.gov.br/desenvolvimento-sustentavel/producao-integrada-cadeia-pecuaria/boas-praticas-agropecuarias>

²³http://ec.europa.eu/dgs/health_consumer/information_sources/docs/ahw/workshop_fao_ec_agenda_en.pdf

characterised by high poverty indexes and people are reported to be more concerned about food safety and a fair price for meat than about maintaining animal welfare standards.²⁴ However, as an exporting country there is increasing awareness of animal welfare in Brazil among consumers as well as among people working throughout the meat chain.²⁵

The government faces challenges in raising awareness and concern over animal welfare throughout the country. For example, with respect to transporting animals most of the roads are unpaved and are frequently in poor condition meaning that journey times are extended. Research on cattle transport in Brazil has found that most journeys are under 500 km with 35% of trips reaching over 500 km, which in terms of journey duration would usually be up to eight hours.²⁶ However, a combination of the road conditions and weather conditions usually leads to increased journey length of some 60 hours or more leading to higher transport costs and risk of extreme stress to animals, which may lead to deaths.²⁷ The Brazilian Union of Poultry Producers advises that poor road conditions increase transport times for broilers by up to 40%.²⁸ One study showed bruising in broilers of 18 to 44% with higher incidences associated with longer journeys.²⁹

With respect to slaughter the government continues to face challenges. Recent surveys indicate high percentages of bruised carcasses almost certainly due to poor transportation and handling conditions: 84.2% of carcasses were bruised in one study and in another 92.1%.³⁰ A study of the condition of pigs on one farm found that over half the pigs had skin lesions before they were loaded for transport to slaughter.³¹ The proportion increased during the marketing process to 80.7% after loading and to 95.8% on arrival at the lairage of the slaughter plant.

The Food and Veterinary Organisation of the European Union has carried out veterinary inspections in Brazil with farm animal welfare issues being included. Inspections include positive comments on improvements in animal welfare concerning the export industry in animal products from Brazil to European Union. For example, report 2007-7391 advised that animal welfare at slaughter was generally respected. Report 2007-7214 on poultry, poultry meat and poultry meat products reported many improvements since the 2004 mission, especially in terms of the supervision system covering all levels of checks. However there were problems with stunning to resolve. More recent versions of these reports have not been produced.

²⁴ C.B. Gallo and T.A. Tadich, South America in Long Distance Transport and Welfare of Animals, Edited: Appleby, Cussen, Garcés, Lambert and Turner, CAB International, WSPA, 2008

²⁵ C.B. Gallo and T.A. Tadich, South America in Long Distance Transport and Welfare of Animals, Edited: Appleby, Cussen, Garcés, Lambert and Turner, CAB International, WSPA, 2008

²⁶ Paranhos da Costa M.J.R. et al, The transport of farm animals in Brazil: Report for the World Society for the Protection of Animals, WSPA, 2006

²⁷ Paranhos da Costa M.J.R. et al, The transport of farm animals in Brazil: Report for the World Society for the Protection of Animals, WSPA, 2006

²⁸ Paranhos da Costa, Huertes, Gallo, Dalla Costa, Strategies to promote farm animal welfare in Latin America and their effects on carcass and meat quality traits, Meat Science 92 (2012) 221 - 226

<http://ainfo.cnptia.embrapa.br/digital/bitstream/item/67248/1/strategies-to-promote-farm-animal-welfare-in-latin-america.pdf>

²⁹ <http://ainfo.cnptia.embrapa.br/digital/bitstream/item/67248/1/strategies-to-promote-farm-animal-welfare-in-latin-america.pdf>

³⁰ <http://ainfo.cnptia.embrapa.br/digital/bitstream/item/67248/1/strategies-to-promote-farm-animal-welfare-in-latin-america.pdf>

³¹ <http://ainfo.cnptia.embrapa.br/digital/bitstream/item/67248/1/strategies-to-promote-farm-animal-welfare-in-latin-america.pdf>

The government has invested in a number of projects aimed at improving animal welfare within the country. Projects featured on its website include development of good management practices for beef cattle, training courses for drivers transporting pigs and poultry, humane slaughter training programmes and animal welfare workshops on animal welfare in dairy production.³²

Are there economic and societal barriers to improving this aspect of animal welfare?

The country faces resource barriers to progress on animal welfare because the government has to focus on a number of important priorities including human welfare, health, poverty and education. The country also faces barriers with respect to a number of other factors, including a possible lack of motivation and education of key stakeholders, a lack of infrastructure and a lack of trained personnel.

However, the government has taken advantage of opportunities to establish projects to improve animal welfare at slaughter and during transport because of the benefits arising from good animal welfare for meat quality. The government also strives to meet the animal welfare expectations of trading partners. Farming plays a major role in Brazil's economy and beef, poultry and pork are very important export products and this gives hope that the government will continue in the positive direction that it has set.

Are enforcement mechanisms in place in policy and legislation?

The penalty for mistreatment or abuse under Article 32 of the environmental crimes Law 9,605/98 is detention of three months to one year, and a fine.

There are specific penalties in other legislation. For example, the government monitors animal welfare during transport and slaughter, particularly with respect to animals intended for export. The Ministry of Agriculture, Livestock and Food Supply advises that states and municipalities have full autonomy regarding enforcement of legislation and management on practices.

The Ministry of Agriculture, Livestock and Food Supply advises there are 277 establishments for slaughter of cattle and 126 for slaughter of pigs registered with the Federal Inspection Service of the Ministry of Agriculture, Livestock and Food Supply. The Federal Inspection Service is responsible for verifying that slaughterhouses are applying the law and carries out random inspections and review of records.

Establishments breaching humane slaughter practices described in Instruction No. 3/2000 risk sanctions ranging from fines to suspension of slaughter. In event of breaches of the legislation the Ministry of Agriculture, Livestock and Food Supply works with Secretaries of State and Municipal Agriculture authorities, the National System of Sanitary Surveillance and the National System of Consumer Protection, and with prosecuting authorities at state and federal levels.

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

Ranking: D

Part 1: Verification

There is legislation with partial application

³² <http://www.agricultura.gov.br/animal/bem-estar-animal/projetos>

The general protection under Decree 24,645/1934 applies to this category of animals. The Brazilian Institute for the Environment and Natural Renewable Resources (Instituto Brasileiro do Meio Ambiente e Recursos Naturais Renováveis), a division of the Ministry of Environment, regulates zoos according to Law No. 7,173 of December 14, 1983. Normative Instruction No 04 of 04 March 2002 was issued to set more detailed provisions. It outlines requirements for three categories of zoos and covers some animal welfare issues including requiring that zoos provide equipment and facilities that meet the needs of the animals housed. Minimum parameters regarding enclosure requirements are included so as to ensure the physical and psychological well-being of animals. Individuals wishing to keep large wild animals in their homes, for example, bears, lions, and primates, among other species, must register with the Brazilian Institute for the Environment and Natural Renewable Resources under Administrative Act No. 108 of October 6, 1994. Registration requirements include provision of details of the animal enclosures and production of an annual report. Such animal keepers must also have the assistance of at least one veterinarian.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

There is evidence that the Brazilian Institute for the Environment and Natural Renewable Resources works to implement the law. Its website, for example, has details of zoos being notified that they must meet requirements, including those concerning animal welfare, under threat of sanctions including closure and removal of animals.³³ For example, a zoo was closed by the Institute in 2012 because of findings of abuse, inadequate enclosures, poor hygiene, empty water tanks, and inadequate nutrition.³⁴

However, whilst the law provides in theory for the needs of wild animals in zoos to be met, in practice many zoos in the country do not provide conditions that are appropriate. For example, in 2013 a zoo in the city of Taboão da Serra, outside of Sao Paulo, Brazil was the focus of protests following animal deaths alleged to be the result of starvation, neglect and squalid conditions. Video footage from the zoo shows animals kept in barren cells and enclosures.³⁵

A recent report by an NGO Wild Welfare, which works internationally to improve animal welfare in zoos, advises that Brazil has 116 zoological institutions open to the public, holding approximately 50,000 animals.³⁶ Wild Welfare reports that, as at 2014, many of these zoos are of "very poor quality, with outdated physical structures, bad management and no record keeping".

Currently the Brazilian Society of Zoos and Aquariums is developing international partnerships, including with Wild Welfare, aimed at improving zoos in the country to achieve efficient management, high ethical standards and the best animal welfare practices. 44 of the 116 zoos in the country are members of the Society.

Are there economic and societal barriers to improving this aspect of animal welfare?

³³ <http://www.ibama.gov.br/noticiasambientais/bosque-rodrigues-alves-pode-ser-embargado-por-falta-de-equipe-para-cuidar-do-zoologico-no-para>; <http://www.ibama.gov.br/publicadas/ibama-promove-retirada-de-animais-de-zoologico-interditado-em-santa-catarina>

³⁴ <http://www.ibama.gov.br/publicadas/ibama-promove-retirada-de-animais-de-zoologico-interditado-em-santa-catarina>

³⁵ <https://www.thedodo.com/brazil-zoo-on-lockdown-as-prot-372497501.html>

³⁶ <http://www.wildwelfare.org/#!brazil/c13kq>

Many animals kept in zoos in Brazil have been confiscated from the illegal wildlife trade. According to government estimates from 2012, nearly 12 million wild animals are seized from illegal trade every year in Brazil.³⁷ This presents a barrier to improvement in this area.

There are also an unknown number of private keepers of wild animals. Permitting private individuals to keep animals which have requirements that are difficult, if not impossible, to meet in captivity is a barrier to improving welfare for this category of animals. Permitting the rearing and breeding of wild animals for commercial purposes and for the exotic pet trade is also a structural barrier to improving animal welfare.

It should be noted that only 44 of the 116 zoos are members of the Brazilian Society of Zoos and Aquariums and that much work still remains to be done to improve the situation of animals in Brazil's zoos. Over half of the zoos in the country are public institutions funded by municipalities, which may present resource barriers to improving animal welfare, especially as most zoos are not permitted to charge entry fees (as reported by Wild Welfare³⁸).

Are enforcement mechanisms in place in policy and legislation?

The Brazilian Institute for the Environment and Natural Renewable Resources may close or remove animals from any zoo if the requirements of Normative Instruction No. 4 are not met and as referred to previously there is evidence of such action being taken. The Institute may also issue warnings and fines. Zoos are required to keep a logbook and to make it available for inspection.

Private keepers of wild animals must file an annual report and may be subject to inspections and have their permission to keep animals removed or cancelled at any time if they are found to be in breach of any requirements.

4. c. There are laws that apply to companion animals

Ranking: C

Part 1: Verification

There is legislation with partial application

The general protection under Decree 24,645/1934 applies to this category of animals. Article 32 of the 1998 environmental crimes Law 9,605/98 also provides some basic protection for companion animals in Brazil.

Municipalities are responsible for public health issues involving domestic animals, including dangerous animals under Law No. 5,027 of 14 June 1966.

In 2008 Sao Paulo state became the first Brazilian state to enact a law banning the killing of stray dogs and cats as a population control practice. Sao Paulo State Law No. 12.916 concerning stray dogs and cats provides for animal control agencies to work with NGOs and other organisations on humane population control, to establish adoption centres, and to promote responsible pet ownership. The law also calls for spaying and neutering of community dogs. In 2001 Sao Paulo

³⁷ <http://noticias.r7.com/cidades/noticias/comercio-ilegal-de-animais-silvestrese-o-terceiro-crime-mais-lucrativo-do-mundo-20120611.html>

³⁸ <http://www.wildwelfare.org/#!brazil/c13kq>

also introduced a law requiring registration of dogs and including positive responsibilities for pet owners (Lei Municipal N° 13.131).

Two Brazilian states and many municipalities prohibit the euthanasia of healthy dogs and cats. They are reported to be implementing humane methods of population control through neutering campaigns with promotion of responsible ownership and adoption.³⁹

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Over the past few decades dogs and cats have become increasingly popular in the country. Brazil now has the world's second largest pet industry, according to the Brazilian Association of the Industry of Pet Products (Associação Brasileira da Indústria de Produtos para Animais de Estimação), and 59% of Brazilian households are reported to have a pet.⁴⁰ The Association advises that the country's pet industry will show turnover of 15.4 billion Brazilian real in 2013, representing an overall increase of 8.3% in comparison with 2012.

The country has very large numbers of stray and "community" animals. Centres for the Control of Zoonoses in Brazilian cities have responsibility for dealing with animal diseases and are required to control dog and cat populations. This has led to inhumane killing of stray animals in many areas. Animal protection organisations have run campaigns against cruel catch and kill methods used by these centres.⁴¹ In some states legislation provides for humane killing of stray animals but in others gas chambers and electrocution are used.

The government has worked with partners to promote humane population control and handling of stray animals, and since 2005 training has taken place in more than 200 cities.⁴²

Are there economic and societal barriers to improving this aspect of animal welfare?

The increasing popularity of companion animals in Brazil and increased public interest in high profile animal cruelty cases suggests that, despite resource barriers, it may be possible for progress to be made to improve the welfare of companion animals in the country, including via the introduction of comprehensive federal legislation.

Are enforcement mechanisms in place in policy and legislation?

Penalties for acts of abuse or mistreatment, or injuring or mutilating wild, domestic or domesticated animals, native or exotic under the 1998 Federal environmental crimes Law 9,605/98 are detention of three months to one year, and a fine. The penalties are increased by one-sixth to one-third in the event of the death of the animal.

Under the environmental crimes Law 9,605/98, in the case of harm or loss of a domestic animal, a private party can sue the violator to recover damage for that loss or injury.

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

³⁹ <http://icfaw.org/Documents/Supporting%20the%20implementation.pdf>

⁴⁰ <http://www.visionline.com.br/roche/forumpet/palestras/download/The%20Pet%20Market.pdf>

⁴¹ <http://www.apasfa.org>

⁴² <http://www.itecbr.org>

Ranking: D

Part 1: Verification
There is legislation with partial application
<p>The general protection under Decree 24,645/1934 applies to this category of animals. This includes a prohibition on using animals for fighting, and a limit of six hours of work before animals must be given food and water.</p> <p>Article 32 of the 1998 environmental crimes Law 9,605/98 provides general protection for animals used for draught and recreation purposes.</p> <p>The country has banned cruel activities such as cockfighting, bird fighting, and dog fighting. In 1997 the Supreme Court ruled in favour of a ban on the Farra do Boi, a traditional fiesta involving the torture and killing of dozens of bulls and oxen in communities in the southern state of Santa Catarina.⁴³ The Supreme Court found that "...although it is the duty of the State to guarantee to all people the expression of cultural rights, cultural expressions have to conform to the constitutional rule of the article 225, which forbid any practice that submits animals to cruelty. Therefore, the event called "the Oxen Festival" violates the aforementioned constitutional rule".</p> <p>In 2002, the Brazilian Federal Congress passed Law N.10.519 to regulate rodeos, requiring a veterinarian at rodeo and prohibiting the use of electric prods, or similar devices with potential to injure animals.</p> <p>Some municipalities and states have introduced laws relating to animals used for draught and recreational purposes. In January 2014 Minas Gerais became the tenth state to ban circuses using animals with the introduction of Law 21,159 of 2014.</p> <p>It is understood that the use of marine mammals in entertainment has been prohibited since 1991,⁴⁴ although no official evidence of this was found in the preparation of this report.</p>

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>Equine animals are used to transport loads in Brazil; donkeys are important in some areas for small-scale rural transport and mules are also used for transport and pulling carts and some ploughing.⁴⁵ Some cities have regulated the use of such animals by prohibiting movement in urban areas and by limiting the number of hours they can work but unfortunately abuse and neglect is still widespread: animal protection organisations report that working horses and donkeys are often simply abandoned and left to starve in the streets and that there is no supervision by the government.⁴⁶</p> <p>There has been a long running NGO campaign in Brazil concerning the conditions in which circus animals are kept and the way in which they are treated.⁴⁷ In 2008 footage entered the public</p>

⁴³ <https://www.animallaw.info/intro/brazil>

⁴⁴ <http://www.zoocheck.com/reportpdfs/acresdolphinreport.pdf>; Mooney, J. 1998. Captive Cetaceans: A Handbook for Campaigners, Whale & Dolphin Conservation Society, UK

⁴⁵ Starkey, P., Livestock for traction and transport: world trends, key issues and policy implications, FAO, 2011

⁴⁶ <http://www.one-voice.fr/sante-sans-torture/mobilisation-pour-les-anes-bresiliens/>

⁴⁷ <http://www.apasfa.org/futuro/right.shtml>

domain showing abuse, confinement and deprivation in some of the country's circuses, highlighting a campaign by a coalition of Brazilian and international animal protection groups calling for the country to ban animal circuses.⁴⁸ Animal circus bans now exist in over thirty cities in the states of Sao Paulo, Santa Catarina, Rio Grande do Sul, Pernambuco and Rio de Janeiro, amongst others, but there is no federal legislation.⁴⁹ In January 2014 Minas Gerais became the 10th Brazilian state to introduce a ban on the use of animals in circuses.

Are there economic and societal barriers to improving this aspect of animal welfare?

The apparent lack of government interest in improving the welfare of working animals is a barrier to improving animal welfare. In 2011 a report for the United Nations Food and Agriculture Organisation advised that, despite the contribution to society made by such working animals, there is little or no training offered in schools, colleges and universities relating to animal traction technologies.⁵⁰ The slow progress in taking action regarding the use of wild animals in circuses also demonstrates that this is not a government priority and that barriers to improvement exist.

Are enforcement mechanisms in place in policy and legislation?

Penalties for breaches of legislation relating to rodeos include fines and suspension of activities. There are penalties relating to Article 32 of the 1998 general legislation.

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

Ranking: B

Part 1: Verification

There is legislation

The first specific federal legislation concerning the use of animals in scientific research was introduced in 2008.⁵¹ Law 11,794/08 sets requirements for the keeping and use of animals in education and scientific research and provides for the creation of a National Animal Control and Experimentation Committee and institutional Ethical Committees on Animal Use. Articles 14 and 15 provide for the replacement and reduction of the use of animals, and the refinement of research, in line with the principles of the Three Rs.

The law is supported by Decree No. 6.899 of 15 July 2009, which defines the composition of the National Council for the Control of Animal Experimentation, establishes rules for its operation, and creates a Register of Institutions for Scientific Use of Animals. The National Council was launched in 2009 and its bylaws were established in under Ordinance 263/10. The Register was also established in 2010 by the Ministry of Science and Technology and in 2011 the Register established accreditation procedures for institutions involved in research and teaching.

The general environmental crimes Law 9,605/98 includes a prohibition of mistreatment of animals, including in scientific and educational research.

⁴⁸ http://www.ad-international.org/animals_in_entertainment/go.php?id=1405&ssi=10

⁴⁹ http://www.ad-international.org/animals_in_entertainment/go.php?id=1406&ssi=10

⁵⁰ Starkey, P., Livestock for traction and transport: world trends, key issues and policy implications, FAO, 2011

⁵¹ <http://www.ncbi.nlm.nih.gov/pubmed/20602540>

In 2014 Sao Paulo became the first state to ban the testing of cosmetics on animals. In June 2014 the Chamber of Deputies passed Bill 6602/13 to ban animal testing for cosmetics in the entire country.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The legislation is relatively new and will take some time to embed within the country. However, the government appears to be progressing swiftly with the various aspects of the legislation, including registration procedures for institutions. The responsibilities of the National Council for the Control of Animal Experimentation are to formulate and enforce compliance with the rules concerning the humanitarian use of animals and to maintain records of teaching and research procedures, which should serve to promote concern over the welfare of research animals. The Council has supported the creation of the National Network of Alternative Methods and the Brazilian Centre for the Validation of Alternative Methods.

The ban on cosmetics testing in Sao Paulo appears to have had a positive effect on animal welfare because the state hosts more than 700 of the 2,300 cosmetics companies in the country, more than any other state in Brazil,⁵² and subsequently in June 2014 the Chamber of Deputies passed a bill to ban cosmetic testing on animals throughout the country. However this will not be entirely comprehensive as it will not ban the testing of ingredients with unknown effects, nor will it prohibit Brazilian companies carrying out testing abroad and immediately selling the resulting products in Brazil.

Are there economic and societal barriers to improving this aspect of animal welfare?

The government faces challenges in improving animal welfare for animals used in scientific research and education because of the scale of such research in the country and the fact that the relevant legislation is relatively new. However, the existence of the bill which proposes to ban cosmetic testing on animals is a positive sign that barriers to improvement in this area are relatively low.

Are enforcement mechanisms in place in policy and legislation?

There are penalties under Article 32 of the environmental crimes Law 9,605/98 including imprisonment of three months to one year and fines. Also, if the animal dies from the vivisection, the penalty applied is increased.

There is a chapter on penalties in the specific Law 11,794/08.

Penalties for any institution or research centre conducting cosmetic testing on animals in Sao Paulo state include a fine of \$435,000 per animal. The fines will be doubled for repeat offenders and establishments may also be closed temporarily or permanently. Workers found violating the law also face fines.

4. f. There are laws that apply to wild animals

Ranking: B

⁵² http://www.hsi.org/news/press_releases/2014/01/saopaulo-cosmetic-testing-ban-012414.html

Part 1: Verification**There is legislation**

Chapter VI, Article 225(1)(VII) of Brazil's Constitution (from 1988) provides that the government must protect flora and fauna from all practices that subject animals to cruelty prohibited by law.

Native wild animals have protection under Law 5,197 of January 3, 1967, which stipulates that animals of any species, in any phase of their development, that live naturally free and out of captivity and constitute native fauna, as well as their nests, shelters, and natural breeding habitats, are government property. This law prohibits their use, chasing, destruction, hunting, or capture.

Law 9,605/98 concerns crimes against the environment and includes protection of wild animals.

Article 32 includes general protection against abuse and mistreatment, with some exemptions. Article 29 provides that killing, chasing, hunting, catching or using native or migrating wildlife species without obtaining the proper permission, license, or authorisation from the competent authority incurs penalties. The unauthorized breeding of wild animals is also prohibited.

Decree 6,514 of July 22, 2008 lists violations against fauna, the respective administrative sanctions, and the corresponding federal administrative procedures.

Laws 7,643/87 and 9,605/98 prohibit the hunting of whales and dolphins in Brazilian waters.

Violation of the law incurs a penalty of two to five years' imprisonment, a fine, and the confiscation of the vessel involved.

Ordinance No. 117 of 15 October 1997 requires registration with the Brazilian Institute for the Environment and Natural Renewable Resources by entities wishing to participate in businesses related to the processing of animals, parts, products and by-products. Permission may be granted for many species, including protected species in certain circumstances. Article 10 provides that live animals of Brazilian wildlife may be sold by commercial breeders, zoos duly registered with the Institute and legal persons to initiate commercial or conservation activities, including regarding the keeping of such animals as pets subject to various provisions including requirements of the Convention on International Trade in Endangered Species (CITES).

Part 2: Assessment**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

Brazilian wildlife is very important to the country and also to the rest of the world: at least 10% of the world's amphibians and mammals and 17% of all bird species occur in Brazil, and there are 524 species of mammals, of which 77 are primates.⁵³ Protection of the environment and biodiversity is at the heart of the country's constitution, and Brazil is a member of most major conservation related conventions such as CITES and the Convention on Biodiversity.

The Ministry of Environment advises that, because of its magnitude, the management and conservation of Brazil's biological diversity is no easy task.⁵⁴ There is huge investment of resources and a vast array of organisations devoted to this task. For example, the Ministry reports that there are thousands of organisations working at national and international levels to safeguard the country's environment, including its wildlife.

⁵³ <http://www.cbd.int/doc/world/br/br-nr-01-p9-en.pdf>

⁵⁴ <http://www.cbd.int/doc/world/br/br-nr-01-p9-en.pdf>

The country is a major target for wildlife smugglers and the government and partner organisations attempt to prevent illegal wildlife trading. There are many examples of action being taken against the illegal wildlife trade on the website of the Brazilian Institute for the Environment and Natural Renewable Resources, including for example, operations with Interpol to seize animals and birds.⁵⁵ According to government estimates, nearly 12 million wild animals are seized illegally every year in Brazil, including monkeys, turtles, jaguars and birds.⁵⁶

It is understood that, with the exception of the state of Rio Grande do Sul, commercial, sport, and recreational hunting are prohibited in the country, although no official evidence of this was found in the preparation of this report.

Brazil is a member of the “Buenos Aires Group” of Latin American countries opposed to the resumption of commercial whaling, and led efforts to retain the ban on commercial whaling at the International Whaling Commission in 2010.⁵⁷ In 2008 Brazil declared its entire coastline a whale and dolphin sanctuary.

Are there economic and societal barriers to improving this aspect of animal welfare?

In its first national report for the Convention on Biological Diversity in the 1990s, the government reported that a realistic view of the conservation and sustainable use of biodiversity must take into account numerous biological, physical, social and economic factors, as well as the relative lack of funding, and that the problems are many, complex, delicate and difficult to separate.⁵⁸ It would seem fair to apply the same analysis to challenges the government faces today in protecting Brazil’s wildlife from exploitation and poor welfare consequences.

Poverty is a serious factor with respect to exploitation of wildlife, and indeed hunger provides cause for exemption under Article 32 of the 1998 environmental crimes Law 9,605/98. In this respect the broad scope of exemptions may be a barrier to improving the welfare of this category of animals.

The government advised in its fourth report on the Convention of Biological Diversity in 2010 that over 10 million people in Brazil live with income lower than US\$300 per month, and a significant portion of these live in rural areas, where dependence on ecosystems is higher.⁵⁹

Permitting the breeding and rearing of wild animals for commercial purposes is also a barrier to improving animal welfare because it is often either difficult or impossible to meet the physiological and ethological needs of such animals in captivity.

Are enforcement mechanisms in place in policy and legislation?

Offences under the Brazilian Fauna Law No. 5,197 of January 3, 1967 are punishable by up to five years in prison.

Decree No. 6,514 of July 22, 2008 includes penalties, for example, fines varying from R\$500,00 (US\$250.00) to R\$5.000,00 (US\$2,500.00).

⁵⁵ <http://www.insightcrime.org/news-briefs/brazil-cracks-down-on-animal-trafficking>

⁵⁶ <http://noticias.r7.com/cidades/noticias/comercio-ilegal-de-animais-silvestres-e-o-terceiro-crime-mais-lucrativo-do-mundo-20120611.html>

⁵⁷

http://www.worldanimalprotection.ca/latestnews/2010/latin_american_bloc_opposes_lifting_ban_on_commercial_whaling.aspx

⁵⁸ First national report for the Convention on Biological Diversity, Brazil <http://www.cbd.int/doc/world/br/br-nr-01-p9-en.pdf>

⁵⁹ Fourth national report for the Convention on Biological Diversity, Brazil <http://www.cbd.int/doc/world/br/br-nr-04-en.pdf>

The Constitution provides for any Brazilian citizen to bring a lawsuit against private individuals, corporations, or governmental entities for engaging in conducts that damage the environment (Citizen Suits Law No. 4.717/65).

The environmental crimes Law No. 9.605/98 includes penalties of imprisonment for six months to one year, and/or a fine. The penalty is increased in certain circumstances. However there are exceptions to this law. For example, it is not considered a crime to kill an animal for reasons of hunger or to protect crops or herds.

Animals recovered from violations of the law may be released or be given to zoos or foundations or similar entities.

Goal 2: Presence of effective governance structures and systems

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

Ranking: B

Part 1: Verification

There is legislation

Responsibility for improving animal protection has been assigned by the government to relevant Ministries. The Ministry of Agriculture, Livestock and Food Supply is responsible for promoting animal welfare through the Department of Agriculture and Cooperative Development. To specifically oversee animal welfare the Ministry of Agriculture, Livestock and Food Supply established a Permanent Technical Commission on Animal Welfare under Ordinance No. 185, 2008.⁶⁰ This commission includes officials from a number of areas including animal products, international relations and animal health and works in partnership with public and private entities to promote animal welfare in the country. The Ministry's website advises that the main duties of the Commission are to promote best practice, align the country's legislation with scientific advances and international agreements and facilitate compliance of the agricultural sector with the requirements of international markets.⁶¹

Resources have been assigned by the Ministry of Agriculture, Livestock and Food Supply to promote animal welfare. For example, one project highlighted on its website was aimed at improving the welfare of cattle during transport under Project Notice 40/2008, for which the amount of resources assigned was reportedly R\$9,980,000.⁶²

⁶⁰http://www.agricultura.gov.br/arq_editor/file/Animal/Bemestar-animal/Folder%20Animal%20Welfare%20in%20Brazil%20-%202009_05_2013.pdf

⁶¹ <http://www.agricultura.gov.br/animal/bem-estar-animal>

⁶² <http://www.agricultura.gov.br/animal/bem-estar-animal/projetos>

The National Council for the Control of Animal Experimentation of the Ministry of Science, Technology and Innovation oversees the issue of animal experimentation. The Ministry of the Environment oversees issues concerning wild animals and its division, the Brazilian Institute for Environmental and Renewable Natural Resources, is the relevant federal administrative agency responsible for policing and enforcing of federal environmental laws.⁶³

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The Ministry of Agriculture, Livestock and Food Supply has put into place a structure within which the Permanent Technical Commission on Animal Welfare can fulfil its aims throughout the country, with 27 official focal points working in the Federal Agricultural Superintendencies in all Brazilian States. The Ministry advises on its website that the role of these focal points is to promote the development of working groups with livestock sector stakeholders to improve the Commission’s effectiveness on animal welfare throughout the country.

Under transport and slaughter legislation, the Ministry has put into place inspection procedures with respect to animals intended for international trade.

Training projects carried out by the government with partners have penetrated hundreds of cities in the country and have reached many thousands of professionals. For example, training has taken place on humane population control of stray animals and on humane treatment of animals during transport and slaughter.

The Ministry of Environment works throughout the country with partners, for example, with agencies such as Interpol and local police on issues such as illegal wildlife trade. There is evidence of application of laws concerning the welfare of animals in zoos and circuses.

Are there economic and societal barriers to improving this aspect of animal welfare?

Although the individual responsibilities within the government regarding aspects of animal protection are clear, the government has not put into place an overall strategy for improving animal welfare. Additionally, the government has not appointed an individual with overall responsibility for improving animal welfare nationally. It would assist if the government were to develop an overall strategy that identifies priorities for action, and that sets goals against which progress can be measured.

Lack of resources at different levels of government and in municipalities may be a barrier to improving animal welfare. These resources would include the availability of trained personnel and funding.

Are enforcement mechanisms in place in policy and legislation?

The responsibilities of the relevant government bodies are mandated in legislation, and audits carried out by the European Union demonstrate government effectiveness with respect to the implementation of laws and measures that have been prioritised.

Goal 3: Implementation of animal protection standards

⁶³ <http://www.ibama.gov.br>

6. The government is actively engaged with the OIE to improve animal welfare internationally, regionally and nationally

Ranking: D

Part 1: Verification
There is policy
<p>The government is actively engaged with the OIE to improve animal welfare internationally, regionally and nationally.</p> <p>The Secretariat of Agribusiness International Relations, a division of the Ministry of Agriculture, Livestock and Food Supply, is responsible for the country's sanitary and phytosanitary agreements with other countries and is tasked to work with the OIE and other organisations such as the World Trade Organisation.⁶⁴ The role of the OIE is publicised on the Ministry of Agriculture, Livestock and Food Supply's website and the Ministry of Agriculture, Livestock and Food Supply highlights the importance of the OIE's animal welfare standards.⁶⁵</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The government invests resources in promoting animal health and welfare in partnership with the OIE and others. For example, in 2013 Brazil hosted and co-funded the Third OIE Global Conference on Veterinary Education and the Role of the Veterinary Statutory Bodies.⁶⁶ This conference addressed the need for better global harmonisation of veterinary education, based on the OIE's guidelines. Brazil is a member of the OIE Regional Commission for the Americas, which creates an opportunity for Brazil to work with other countries towards implementation of all OIE animal welfare standards. With respect to the welfare of beef cattle, for which there is a specific OIE animal welfare standard, The government has formed technical partnerships under the banner of the National Council of Technological and Scientific Development to promote animal welfare issues in the beef cattle chain.⁶⁷ The Ministry of Agriculture, Livestock and Food Supply has also developed partnerships regarding animal welfare and good practice with the Brazilian Poultry Association and the Brazilian Association of Swine Breeders.⁶⁸ Manuals have been produced on Animal Welfare of Laying Hens,</p>

⁶⁴ <http://www.agricultura.gov.br/ministerio>

⁶⁵ <http://www.agricultura.gov.br/internacional/negociacoes/multilaterais/zoosanitarias>

⁶⁶ http://www.oie.int/eng/A_EDUVSB2013/introduction.htm

⁶⁷ http://ec.europa.eu/food/animal/welfare/seminars/docs/2021012009_conf_global_trade_farm_animal_wel_presentation_gap.pdf

⁶⁸ http://ec.europa.eu/food/animal/welfare/seminars/docs/2021012009_conf_global_trade_farm_animal_wel_presentation_gap.pdf

Poultry and Turkeys, on Good Agricultural Practices in Pig Production and Good Agricultural Practices for Beef Cattle. ⁶⁹
Are there economic and societal barriers to improving this aspect of animal welfare?
A lack of resources for animal protection issues sitting outside the prioritised issues of transport and slaughter of animals destined for international trade may be a barrier to improving animal welfare. The country would benefit from a comprehensive plan to implement the OIE standards on animal welfare. However, the government has demonstrated effectiveness on a number of issues and is obviously very committed to its work with the OIE and other international partners regarding animal welfare. The Regional Commission for the Americas presents an opportunity for Brazil to develop a strategy to implement all OIE animal welfare standards nationally via long-term sustainable collaboration.
Are enforcement mechanisms in place in policy and legislation?
There are no enforcement mechanisms relevant to this indicator, although it is clear that the government takes its OIE involvement and commitments seriously.

7. The government has incorporated the OIE's guiding principles for animal welfare and its animal welfare standards into policy and legislation

Ranking: D

Part 1: Verification
There is legislation with partial application
The Ministry of Agriculture, Livestock and Food Supply states in a leaflet "Animal Welfare in Brazil" that the country is a member of the OIE and "thus the country meets the standards established in the Terrestrial Animal Health Code". ⁷⁰ Chapter 7 of the OIE's Terrestrial Animal Health Code is entitled 'Animal Welfare' and contains guiding principles for animal welfare with eleven animal welfare standards that have been agreed by the OIE's 178 member countries, including Brazil. However, some of the standards remain to be implemented, such as national humane stray dog population control and humane rearing of animals in accordance with the OIE's animal welfare standards. Some aspects of Brazilian animal protection legislation encompass the basic concept of the Five Freedoms. For example, Normative Instruction 3/2000 requires humane handling of animals during slaughter to reduce stress, to avoid excitement, discomfort, pain and suffering and Normative Instruction 4 of 04 March 2002 requires zoos to provide equipment and facilities "that meet the needs of the animals housed" so as to ensure the "physical and psychological well-being" of animals. The government has based legislation on animal experimentation upon the principles of the Three Rs.
Part 2: Assessment

⁶⁹http://ec.europa.eu/food/animal/welfare/seminars/docs/2223042008_presentations_marcio_portocarrero.pdf

⁷⁰Ministry of Agriculture leaflet, Animal Welfare in Brazil <http://www.abiec.com.br/img/folder-animal-welfare.pdf>

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The government has introduced legislation in an effort to fulfil its commitments to the OIE's guiding principles and animal welfare standards. However, the government has not adopted a comprehensive approach towards the guiding principles and all of the existing animal welfare standards. The government has prioritised issues relating to animal transport and slaughter. The government promotes the work of the OIE and draws attention to its animal welfare standards. For example, in its summary of the country's animal welfare legislation on its website,⁷¹ the Ministry of Agriculture, Livestock and Food Supply advises readers to "check the recommendations of the OIE for animal welfare in different production stages and for different species" and provides a link to the OIE's website.

With respect to the animal welfare standards of the OIE, the government has taken action in many respects, for example, with respect to humane slaughter and transport legislation and seeking to promote good welfare in beef cattle production systems. However, there is more work to do in some areas, for example, with respect to national humane stray dog population control and humane rearing of animals in accordance with the OIE's animal welfare standards. The government has invested in resources to produce good practice manuals in a number of areas relevant to the OIE's standards.

Are there economic and societal barriers to improving this aspect of animal welfare?

A lack of dedicated resources for animal protection issues other than for the prioritised issues of transport and slaughter of animals destined for international trade may be a barrier to improving animal welfare in line with the OIE's standards. However, the government has demonstrated effectiveness on a number of issues and is clearly committed to its work with the OIE and other international partners regarding animal welfare, so improvement in this area should be possible.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

8. The government publishes reports on progress towards goals set to monitor and improve standards of animal welfare

Ranking: C

Part 1: Verification

There is legislation with partial application

With respect to animal experimentation the National Regulatory Control Council on Animal Experimentation is required to publish an annual report of its activities (Ordinance 263/10). The Ministry of Agriculture, Livestock and Food Supply reports on a wide variety of animal protection workshops, projects and events on its website.

The Ministry of Environment also reports on developments on its website, for example, highlighting

⁷¹ <http://www.agricultura.gov.br/animal/bem-estar-animal/auditorias>

confiscations and actions involving wild animals. The report of the Secretariat of Biodiversity and Forests of the Ministry of the Environment on the National Program for Biodiversity Conservation and the Convention on Biological Diversity contains information on developments in sustainable agriculture, including organic production, wildlife conservation and protection, and on public attitudes towards the environment.⁷²

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Whilst animal protection legislation has been introduced, a national strategy for improving animal welfare has not been agreed against which progress reports could be produced. However, the various responsible government departments do produce reports on their activities and developments, which are posted on their websites. Information on animal protection related activities also appears in other reports, for example, within the report on the Convention on Biological Diversity.

It is suggested that as a first step towards strategic reporting that the government could put into place measures to report on progress towards implementing the OIE animal welfare standards.

Are there economic and societal barriers to improving this aspect of animal welfare?

The country would benefit from the development of a comprehensive animal welfare strategy with goals against which progress can be monitored and reported. The government already produces high quality reports and strategies in other areas, for example, regarding conservation and biological diversity, and given political will similar actions could be put into place regarding animal protection.

Are enforcement mechanisms in place in policy and legislation?

The National Regulatory Control Council on Animal Experimentation is required by law to publish reports on its activities. There do not appear to be any enforcement mechanisms regarding to the government publishing reports on progress with respect to improving animal welfare for other categories of animals.

Goal 4: Provision of humane education

9. Animal care and protection are included in the national education system

Ranking: E

Part 1: Verification

Policy is being discussed or developed

⁷² <http://www.cbd.int/doc/world/br/br-nr-04-en.pdf>

Animal care and protection are not currently included in the national education system. However the Federal Constitution defines environmental education as a state obligation and this included as one of the principles and aims within the National Policy for the Environment (Law 6,938/1981). This would appear to present scope to include animal care and protection within the curriculum. Indeed there have been attempts at a political level to amend the law so that animal welfare education becomes a compulsory subject. In this respect Federal Deputy Ricardo Tripolo at the Brazilian National Congress introduced an amendment to the Environmental Education Law Bill PL9795/1999.

In 2013 participants of an International Workshop on Wellness in Animal Production, sponsored by the World Society for the Protection of Animals (now World Animal Protection) in partnership with the Ministry of Agriculture, Livestock and Food Supply, the Brazilian Enterprise for Agricultural Research and São Paulo State University, agreed to present a motion to the Ministry of Education calling for animal welfare to be included in the curriculum of colleges of Veterinary Medicine, Animal Science, Life Sciences and related fields in the country. 300 Brazilian universities provide such courses and, as of June 2013, 90 of these were reported to already have a discipline or dialogue with the animal welfare issue.⁷³

Animal protection NGOs provide resources and work with teachers in order to try to integrate animal welfare education into the curriculum. For example, in 2010, the World Society for the Protection of Animals (now World Animal Protection), AnimaVida and the City Department of Education and others held a workshop in Petropolis, which involved directors and coordinators from 30 schools in the city.⁷⁴

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

There have been a number of initiatives involving government, state and city Departments of Education working with partners, including animal protection and conservation organisations to include animal care and protection in education.⁷⁵

Are there economic and societal barriers to improving this aspect of animal welfare?

The government has previously produced teaching materials relating to environmental education.⁷⁶ Given political will and resources the issue of animal care and protection could be included within the curriculum, perhaps as part of environmental education, which is a state obligation according to the Constitution. However, there may be resource issues presenting a financial barrier to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

⁷³<http://www.worldanimalprotection.org.br/noticias/2013/WSPA-propoe-mocao-para-inclusao-da-disciplina-de-bem-estar-animado-no-ensino-superior-no-brasil.aspx>

⁷⁴ <http://www.worldanimalprotection.org.br/noticias/2010/WSPA-e-AnimaVida-promovem-workshop-de-Educacao-Humanitaria-em-Petropolis.aspx>

⁷⁵ <http://www.worldanimalprotection.org.br/nossotrabalho/educacao/Bem-estar-animado-para-escolas/ccc.aspx>

⁷⁶ http://www.unesco.org/archives/multimedia/index.php?s=films_details&pg=33&id=2455

Goal 5: Communication and awareness

10. The government works with others to improve animal protection by consulting and engaging relevant stakeholders, including NGOs

Ranking: B

Part 1: Verification
There is legislation
<p>The government has established mechanisms to work with others to advance animal protection. For example, it established the Permanent Technical Commission on Animal Welfare under Ordinance No. 185 of 2008. The Commission aims to coordinate the Ministry of Agriculture, Livestock and Food Supply's work on animal welfare in partnership with other private and public entities both nationally and internationally.⁷⁷</p> <p>The Ministry of Agriculture, Livestock and Food Supply features its partnership work on animal protection projects on its website. For example, projects highlighted include the welfare of animals during transport with NGO partners under Ordinance No 575 of 2012.⁷⁸</p> <p>In 2013 Brazil and the European Union signed an agreement to co-operate on animal welfare by sharing knowledge and expertise.⁷⁹</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>Lists of national⁸⁰ and international⁸¹ partners on animal welfare feature on the website of the Ministry of Agriculture, Livestock and Food Supply. At a national level these include industry and NGO representatives. International partners listed include the OIE and the European Union as well as individual countries.</p> <p>Brazil is a member of the Regional Commission for the Americas, which presents an opportunity for the country to develop a strategy to implement all OIE animal welfare standards nationally via long-</p>

⁷⁷ <http://www.agricultura.gov.br/animal/bem-estar-animal>

⁷⁸ <http://www.agricultura.gov.br/animal/bem-estar-animal/projetos>

⁷⁹ <http://www.globalmeatnews.com/Industry-Markets/Brazil-and-EU-to-co-operate-on-animal-welfare>

⁸⁰ <http://www.agricultura.gov.br/animal/bem-estar-animal/parceiros-nacionais>

⁸¹ <http://www.agricultura.gov.br/animal/bem-estar-animal/parceiros-internacionais>

term sustainable collaboration.

The Ministry of Agriculture, Livestock and Food Supply has produced a leaflet "Animal Welfare in Brazil" that highlights partnerships with NGOs.⁸² Further information on international and national partnerships appears on the Ministry's website.^{83 84}

The Ministries of Environment and Foreign Affairs work with the Brazilian Network to Fight the Trafficking of Wild Animals on a campaign against trafficking of wild animals⁸⁵, which involves international and national stakeholders.

The Ministry of Agriculture, Livestock and Food Supply website lists a number of projects and events aimed at advancing animal welfare in the country encompassing numerous areas, for example, humane slaughter and farm animal welfare.⁸⁶

Are there economic and societal barriers to improving this aspect of animal welfare?

There are not considered to be any significant barriers to the government working in partnership with others to improve animal welfare in the country. The government has already demonstrated effectiveness and willingness to work with partners on a range of initiatives.

Are enforcement mechanisms in place in policy and legislation?

There are some enforcement mechanisms regarding working with partners on animal protection, for example, with respect to requirements for the composition of ethical committees regarding animal experimentation. The Permanent Technical Commission on Animal Welfare is also based on the premise of partnership working.

Publication: November 2014

⁸²http://www.agricultura.gov.br/arq_editor/file/Animal/Bemestar-animal/Folder%20Animal%20Welfare%20in%20Brazil%20-%2009_05_2013.pdf

⁸³ <http://www.agricultura.gov.br/animal/bem-estar-animal/parceiros-internacionais>

⁸⁴ <http://www.agricultura.gov.br/animal/bem-estar-animal/parceiros-nacionais>

⁸⁵ <http://www.agricultura.gov.br/animal/bem-estar-animal/fique-por-dentro>

⁸⁶ <http://www.agricultura.gov.br/animal/bem-estar-animal/fique-por-dentro>

Federative Republic of Brazil: Socioeconomic information

Politics

Where not otherwise noted, information for this section has been sourced from the Economist Intelligence Unit's (EIU) country profiles.

Government type

Federal republic

Capital

Brasilia

International law organisation^{87 88}

Accepts ICC jurisdiction; has not submitted an ICJ jurisdiction declaration

Suffrage⁸⁹

16

Legal system

Civil law⁹⁰

Executive branch

President: Dilma Rousseff

Vice-president: Michel Temer

Judicial branch⁹¹

At the apex of the Brazilian judicial system is the Supreme Federal Court followed by the Higher Court of Justice. The Supreme Federal Court consists of eleven justices are appointed by the President of the Republic after their nomination is approved by a majority in the Federal Senate.

Legislative branch

Brazil has a bicameral national congress consisting of an upper and lower house. The upper house Senate has 81 seats and the lower house Chamber of Deputies has 513 members. Elections take place every four years.

Political parties

Partido do Movimento Democrático Brasileiro (PMDB), Partido dos Trabalhadores (PT), Partido da Social Democracia Brasileira (PSDB)

Economics

Where not otherwise noted, information for this section has been sourced from the World Bank.

It is expected that Brazil will only grow moderately in 2014, with BMI forecasting real GDP growth of 2.4% for 2014⁹². Consumption, which has been a major source of growth in the past, will only increase

⁸⁷

http://treaties.un.org/Pages/ViewDetails.aspx?src=TR EATY&mtdsg_no=XVIII-10&chapter=18&lang=en#11

⁸⁸ <http://www.icj>

<http://www.icj.org/jurisdiction/index.php?p1=5&p2=1&p3=3>

⁸⁹ <http://aceproject.org/epic-en/CDTable?question=VR001#g>

⁹⁰ <http://www.juriglobe.ca/eng/sysjuri/class-poli/droit-civil.php>

⁹¹ <http://www.juriglobe.ca/eng/sysjuri/class-poli/droit-civil.php>

⁹¹

<http://www.nyulawglobal.org/globalex/Brazil1.htm>

⁹² <http://www.businessmonitor.com/brazil##>

sluggishly, as the dissemination of credit slows down⁹³. Exports might improve modestly as the European, Chinese and American economies recover⁹⁴. The construction of the facilities for the Football World Cup could also provide a benefit to social housing and will provide a boost to the construction industry⁹⁵. Longer term, the EIU forecasts real GDP to grow at 3.2% for the period 2013-30⁹⁶.

Main trading partners (2012)⁹⁷

Import

China - 16.1%

US - 15.4%

Argentina - 7.8%

Export

China - 17.0%

US - 11.1%

Argentina - 7.4%

Commodities (2012)⁹⁸

Import

Intermediate products & raw materials - 42.8%

Capital goods - 20.8%

Consumer goods - 16.9%

Export

⁹³ <http://coface.com/Economic-Studies-and-Country-Risks/Brazil>

⁹⁴ <http://coface.com/Economic-Studies-and-Country-Risks/Brazil>

⁹⁵ <http://coface.com/Economic-Studies-and-Country-Risks/Brazil>

⁹⁶

<http://country.eiu.com/article.aspx?articleid=430880227&Country=Brazil&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

⁹⁷<http://country.eiu.com/article.aspx?articleid=551478639&Country=Brazil&topic=Summary&subtopic=Fact+sheet>

⁹⁸<http://country.eiu.com/article.aspx?articleid=551478639&Country=Brazil&topic=Summary&subtopic=Fact+sheet>

Primary products - 46.8%

Manufactured products - 37.4%

Semi-manufactured products - 13.6%

GDP (current USD, 2012)

\$2,252,664,120,777

GDP per capita, PPP (2012)

\$11,909

Labour force, total (2012)

103,193,816

Currency

Real

Equivalence to 1 USD

2.4233

Central government debt, total, (% of GDP, 2011)

52.8

Manufacturing, value added (% of GDP, 2012)

15

Agriculture, value added (% of GDP, 2012)

6

Industry, value added (% of GDP, 2012)

28

Exports of goods and services (% of GDP, 2012)

13

Imports of goods and services (% of GDP, 2012)

14

Services, etc., value added (% of GDP) (2012)

66

Unemployment rate, (% , 2011)
8.3 (2009)

Education expenditure (% of GDP, 2012)
5.8 (2010)

Adjusted savings: Education expenditure
USD (2011)
133,506,902,830

Population: ages 65 and over (% of total)
(2012)
7

Population living in rural areas (% of total)
(2012)
15

Population living in urban areas (% of total)
(2012)
85

Society

Where not otherwise noted, information for this section has been sourced from the World Bank.

Total population (2012)
198,656,019

Religion⁹⁹
Christian (88.9%), Unaffiliated (7.9%), Folk religions (2.8%), Other religions (0.2%), Buddhist (0.1%)

Languages
Portuguese¹⁰⁰

Population growth, annual % (2012)
0.9

Population: ages 0-14 (% of total) (2012)
25

Population: ages 15-64 (% of total) (2012)
68

⁹⁹ <http://features.pewforum.org/grl/population-percentage.php>

¹⁰⁰ <http://country.eiu.com/article.aspx?articleid=331041617&Country=Brazil&topic=Summary&subtopic=Basic+data>

