



# Republic of Indonesia

Animal Protection Index 2014 ranking: D

## 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</p> <p>Although there is no express recognition of sentience in legislation, Article 1(42) of Law Number 18 Year 2009 (Husbandry and Animal Health) defines animal welfare as "all matters relating to animal physical and mental conditions", the wide scope of which (both positive and negative, both physical and mental) provides implicit recognition of animal sentience.</p> <p>In Part 2 of Law 18 of 2009, Article 66 requires that, in the interest of animal welfare, measures are taken that relate to catching and handling, placement and multiplication, care, transportation, slaughtering and killing, as well as "reasonable treatment and tender care". This is to be implemented with humanity so that animals are free from hunger and thirst, pain, torture and misuse, as well as from fear and from feeling under pressure, and so that ill treatment, torture and misuse of animals are avoided. This relates to all vertebrates and to "some of the animals that have no backbone that can feel pain".</p> <p>This is complemented by Government Regulation number 95 of 2012 concerning veterinary public health and animal welfare, which provides that the concept of animal welfare in that Regulation applies to any kind of animal whose survival depends on human covers vertebrates and invertebrates that can feel pain. This definition promotes understanding of the range of animals expected to be afforded the protection of animal welfare provisions and draws attention to the fact that animals are capable of feeling pain and this should be taken into account in their handling and treatment.</p>

<b>Part 2: Assessment</b>
<b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b>
The existing legislation explicitly takes into consideration the fact that animals can feel pain and fear and therefore some protective measures are in place. There is also implicit recognition of the capacity for positive mental states. The government is encouraged to give clearer effect in legislation to these elements of animal sentience.
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
The lack of enforcement mechanisms for failure to comply with the animal welfare provisions of Law 18 of 2009, together with the fact that enforcement mechanisms (including fines and imprisonment) do exist for some of the other provisions of Law 18 of 2009, suggests that this does not have high priority for improvement. The Elucidation section of Law 18 of 2009 states that a separate law is needed to comprehensively govern all animal aspects including livestock, pets, laboratory animals and veterinary practice, but this does not appear to have been developed further in legislation since that law was enacted. However, there do not appear to be significant barriers in terms of resources for this indicator, and in March 2014 the government updated the OIE's Regional Animal Welfare Strategy Commission for Asia Pacific on a number of important activities in progress aimed at improving animal welfare in the country, including an intention to revise section 302 of the Book of Criminal Law to increase penalties for animal cruelty and negligence. <sup>1</sup> Additionally, the government reported that a national animal welfare appreciation meeting was to be held to discuss a national animal welfare advisory committee and the development of a national animal welfare strategy. This meeting took place in April 2014 and a number of stakeholders indicated their intention to work to improve animal welfare in the country. <sup>2</sup>
<b>Are enforcement mechanisms in place in policy and legislation?</b>
Under Article 85 of Regulation 95 of 2012, animal care facility owners stand to have their business permits revoked for non-compliance with the principles of Animal Freedom in Article 83(3) (application of the five freedoms for various stages of the animal usage process, including catching, handling and slaughter). There do not appear to be any means of implementation or enforcement of the animal welfare related provisions in Law 18 of 2009.

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

**Ranking: D**

### Part 1: Verification

<sup>1</sup> [http://www.rf-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rf-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>2</sup> <http://www.changeforanimals.org/#!united-voice-for-animal-welfare-law-refo/chks>

<p><b>There is partial government support</b></p> <p>The Minister for Agriculture pledged support for the UDAW on May 10, 2013.</p> <p><u>Note:</u> 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.</p>
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<p><b>Part 2: Assessment</b></p>
<p><b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b></p> <p>Pledging support for the UDAW is an important step in creating a dialogue for the protection of animals and improving animal welfare standards in Indonesia. The support of the Minister for Agriculture may be indicative of government intention to make progress and to move towards international animal welfare standards.</p> <p>Whilst some of the principles of the UDAW are recognised in existing legislation (such as the application of welfare provisions to all vertebrates and some invertebrates (Article 66(3) of Law 18 of 2009)), there is room for expansion and incorporation of more specific principles and goals from the UDAW.</p> <p>More actionable policy derived from the UDAW principles could promote humane attitudes and behaviours across society.</p> <p>Enforcement of clear relevant legislation would also assist. The apparent lack of enforcement of current legislation means that the support for the UDAW is currently not fully effective to raise awareness of animal welfare issues in the country.</p>
<p><b>Are there economic and societal barriers to improving this aspect of animal welfare?</b></p> <p>Article 78(1) and (2) of Law 18 of 2009 recognise that the quality of human resources (including government, regional government, business operators, and all relevant parties) on animal health and husbandry needs improvement. The government has also indicated a desire to improve animal welfare in connection with its support for the UDAW.<sup>3</sup> Additionally, the government is demonstrating a range of activity on animal welfare issues, including legislation development, and has participated in a meeting to discuss a national animal welfare strategy.<sup>4</sup></p> <p>However, social, cultural and religious traditions involving animals in Indonesia could still present significant barriers to the implementation of some of the key principles contained within the UDAW, in particular in relation to slaughter. The current lack of enforceability also suggests that there are barriers to improvement here.</p>
<p><b>Are enforcement mechanisms in place in policy and legislation?</b></p> <p>The government has not yet expressed full government support in principle for the UDAW.</p>

<sup>3</sup> [http://www.rr-asia.oie.int/fileadmin/Regional\\_Representation/Programme/I\\_Welfare/2013\\_Animal\\_Welfare/21\\_Indonesia\\_experience.pdf](http://www.rr-asia.oie.int/fileadmin/Regional_Representation/Programme/I_Welfare/2013_Animal_Welfare/21_Indonesia_experience.pdf)

<sup>4</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

### 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

<b>Part 1: Verification</b>
There is legislation
<p>Article 302(1) of the Criminal Code creates an offence of intentionally hurting or injuring an animal or harming its health, without purpose or exceeding what is necessary for the purpose.</p> <p>Law 18 of 2009 includes a brief section on animal welfare, by which four provisions create the framework of protection for animals. Article 66(1) creates a duty of care in requiring that measures are taken in the interest of animal welfare in relation to the reasonable treatment and tender care of animals, in relation to listed activities including capture, husbandry, slaughter and transport. As “animal welfare” is defined as all matters relating to animal physical and mental conditions (Article 1(42)), this implies that measures are taken to avoid the physical and mental suffering of animals. This is expanded on in Article 66(2) which requires that generally animals should be free from pain, fear or pressure when these activities take place and that ill treatment, torturing and misuse of animals must be avoided (66(2)(g)). Article 66(3) specifies that these provisions apply to vertebrates and to some invertebrates which are able to feel pain. Article 66(4) remits to the Minister to produce further implementing regulations, although it is not clear whether any such regulations have been made.</p>
<b>Part 2: Assessment</b>
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The main relevant legal provisions appear in a law (Law 18 of 2009) that is specifically focused on the health and productivity of animals and on animal husbandry, and prevention of animal cruelty does not yet appear to be a main concern of this legislation. References are made in the law to animals as industrial products, which may make it difficult to make this element of animal protection a mainstream concern of society, beyond the minimum requirements for health and control of diseases. The legislation also contains enforcement mechanisms for various of the other provisions in Law 18 of 2009 but not for the animal welfare provisions. Although these provisions create an implication that it is prohibited to cause animal suffering, the current wording of Article 66 together with the definition of animal welfare under Article 1(42) are not sufficiently clear, in particular in establishing liability for failure to act. The government is encouraged to develop this further.</p> <p>The government reported in an OIE RAWS meeting in 2014 that it intends to revise the Criminal Code to increase penalties for abuse or mistreatment of animals (Article 302(1)).<sup>5</sup></p>
Are there economic and societal barriers to improving this aspect of animal welfare?
There is no evidence of the allocation of resources (human and financial) to the promotion of animal welfare and prevention of cruelty to animals in the country. Law 18 of 2009 has responsibilities and

<sup>5</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

structures in place for the promotion and control of animal health and animal productivity, but no such structures are in place in relation to animal welfare. It is stated in the law that the government will have a framework to produce regulations that implement mandates on animal welfare, which suggests that improvement may be possible, but there appears to be no evidence of such regulations having been produced.

The government signalled its intention at an OIE RAWVS meeting in 2014 to increase penalties and to introduce regulations to address issues of animal cruelty and neglect,<sup>6</sup> demonstrating a desire to improve in this area.

**Are enforcement mechanisms in place in policy and legislation?**

Breach of Article 302(1) of the Criminal Code is punishable with two to seven years imprisonment and fines.

Unlike some of the other provisions in Law 18 of 2009, which do have enforcement mechanisms, the animal welfare provisions appear as an isolated body in the existing legislation and do not have enforcement mechanisms.

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

**Ranking: C**

**Part 1: Verification**

**There is legislation**

The general cruelty prohibition in Article 302(1) of the Criminal Code applies to this category of animals.

Indonesian legislation relevant to this area is largely concerned with protecting the farming industry from an economic point of view, including preventing the outbreak of disease. There are various procedural requirements, such as the need to obtain a licence for various activities, including opening a slaughterhouse, and some of these can have welfare implications.

Article 66(1) requires that measures are taken in the interest of animal welfare (defined as all matters relating to animal physical and mental conditions) in relation to listed activities including capture, husbandry, slaughter and transport, and Article 66(2) requires that generally animals should be free from pain, fear or pressure when these activities take place. In particular, Article 66(2)(d) provides that transportation shall be conducted properly so that the animal feels free from fear, pressure and torture; Article 66(2)(f) requires that slaughtering and killing shall be conducted properly so that the animal feels free from pain, fear, pressure, torture and misuse; and Article 66(2)(g) requires that ill treatment, torturing and misuse of animals must be avoided.

Article 19 of Law 18 of 2009 provides that anyone rearing animals must sufficiently meet their animals' needs for feed and health, and that the government shall foster the development of a domestic industry. Article 29 states that rearers, husbandry companies and certain parties engaged

<sup>6</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWVS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWVS_CG_Mtg_7_March_2014.PDF)

in the business of rearing animals meeting a certain scale are obliged to have a husbandry business permit and to comply with the good culture procedure of rearing animals without disturbing public order in accordance with guidance stipulated by the Minister.

Article 61(1) of Law 18 of 2009 requires that, in relation to animals killed for meat, slaughter must be conducted at a slaughterhouse and must comply with methods according to the “norms of health practiced by veterinarians and welfare of the animal”. Harvesting of culture products must comply with the requirements for animal health, biosafety, and the norms of religions, ethics as well as aesthetics (Article 34(2)(d)).

Article 61(b) of Law 18 of 2009 on the Farming and Health of Animals requires that ‘the slaughtering of animals whose meat will be circulated must comply with slaughtering manner which meets with the norm of the health of veterinarian society and animal welfare’. Article 47(3) and (6) of Law 18/2009 require that an animal suffering incurable disease must be given euthanasia and/or killed “by veterinary force” with due observance of the provision on animal welfare, and that this must be done by veterinarian or by animal health force under veterinarian supervision. Further, Article 61(3) states that the Minister shall stipulate the procedure for “decent slaughtering”. Part 2 of the law requires that “measures are made pertaining to capturing, handling, placing and holding, nourishing and nursing, transportation, slaughtering and killing, natural treatment and protection of animals”.

Secondary legislation relating to animals in this category may also be found in the Regulation of the Government of the Republic of Indonesia (Number 95 of 2012) concerning Veterinary Public Health and Animal Welfare, which stipulates some considerations for good practice, including separating sick from healthy animals, mandating cleanliness, providing medicine for sick animals and feeding them safely and according to their physiological needs (Article 5). Article 8(3) contains regulations for slaughterhouses and Article (3)(e) requires that animal suffering be reduced at slaughter. Chapter three of the Regulation is specifically concerned with animal welfare, and includes the requirement for animals to be afforded the Five Freedoms (Article 83(2)(2)), across a range of activities including transportation, treatment, handling and placement of animals (Article 83(2)(3)). Notably, Article 83(4) requires that those involved in various processes involving animals including catching, handling, placement, maintenance, transport, utilisation, protection, slaughtering and comparison medical practise must be completed by people who have ‘competence in the field of animal welfare’. Articles 86 to 99 then give more detail about how to conduct the above steps of the animal use process. Articles 87 and 88 relate to caging and housing and Article 89 relates to transport, requiring that this does not hurt the animal or lead to stress, that there is protection from the elements and that they have food and drink adequate to their physiological needs. Article 95 relates to slaughter, requiring that this does not hurt the animal or lead to fear or stress before slaughter, that it does not lead to fear or stress at slaughter, and that animals are dead before further handling.

Article 47 of Regulation 82 of 2000 concerning Animal Quarantine requires that veterinarians must refuse release from quarantine if the animal is physically unfit to travel.

The government advises that a draft regulation on the transport of cattle is currently being developed.

## **Part 2: Assessment**

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

concern?
<p>The general welfare provisions in Law 18 of 2009, particularly under Article 66, are applicable to animals used in farming and provide a good starting point for the welfare of animals in this category. However the existing provisions are not detailed and there appears to be little by way of implementing detail or guidelines to enable those affected by the legislation to understand the application of the broad principles in the law. Although Regulation 95 of 2012 does provide some examples and can assist with understanding the application of the principle of the Five Freedoms to different stages of animal farming, there appears to be no method of regulation and enforcement of these guidelines.</p> <p>However, the government has reported (in March 2014) that it is in the process of drafting regulations on a number of issues including handling and slaughtering of animals during the festival of Ied Qurban and poultry slaughter and transport, revising legislation concerning cattle slaughter, good farming practices for cattle and dairy, poultry and layer and good breeding practices for livestock, as well as revising some existing regulations.<sup>7</sup> The government is also working with others to promote education and training of veterinarians, auditors and slaughterhouse workers.<sup>8</sup> The government has produced a large amount of regulation on fish farming and transport. There are some health considerations which will contribute to improved welfare but current legislation in this area contains relatively little by way of welfare-specific considerations.</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>Lack of knowledge and education about humane treatment of animals and about animals' behaviour needs may present a barrier to improving animal welfare in this area, as demonstrated by international concern about animal welfare standards during slaughter of Australian sheep in the country in 2011.<sup>9</sup></p> <p>There is no evidence in the law of existing dedicated authorities and financial resources to implement the provisions on animal welfare and animal protection in this law. However the financial incentive to improve the health of farm animals may provide an opportunity to make improvements also to animal welfare in this area, and it appears that the Ministry of Agriculture is particularly concerned about improvements in relation to slaughter.<sup>10</sup></p>
Are enforcement mechanisms in place in policy and legislation?
<p>Breach of Article 302(1) of the Criminal Code is punishable with two to seven years imprisonment and fines.</p> <p>Some of the provisions of Law 18 of 2009 concerning animals used in farming, including in rearing, transport and slaughter, are enforceable with penalties (for example, the slaughter of a productive female ruminant rather than using her for milk production may receive penalties of detention and/or a fine), however there do not appear to be any mechanisms of enforcement of animal welfare provisions. Article 85 of Law 18 of 2009 lists some provisions of that law for which there is a criminal offence and an enforcement mechanism for failure to comply, and the animal welfare provisions of</p>

<sup>7</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>8</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>9</sup> [http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/BriefingBook44p/AnimalExports](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook44p/AnimalExports)

<sup>10</sup> [http://www.rr-asia.oie.int/fileadmin/Regional\\_Representation/Programme/1\\_Welfare/2013\\_Animal\\_Welfare/21\\_Indonesia\\_experience.pdf](http://www.rr-asia.oie.int/fileadmin/Regional_Representation/Programme/1_Welfare/2013_Animal_Welfare/21_Indonesia_experience.pdf)

Law 18 of 2009 are not included in this list.  
 Under Regulation 95 of 2012, inspections and supervision of slaughterhouses can occur (Articles 38-44), giving the supervisor power to delay or stop the production process and examine documents or records, however this is largely to avoid zoonoses and infection, and it does not appear that they have powers to ensure good animal welfare.  
 Article 85 provides that animal care facility owners who are not applying the principle of freedom of animals as intended by Article 83(3) may have their business permits revoked by the regent or mayor. However, there is no mention of how these inspections may occur (in relation to animal welfare issues), and there are no direct penalties for slaughterhouses and individuals whose slaughter practices do not comply with animal welfare provisions.

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

Ranking: D

<b>Part 1: Verification</b>
There is legislation with partial application
<p>The general cruelty prohibition in Article 302(1) of the Criminal Code applies to this category of animals.</p> <p>The activity of capture and handling wildlife is part of the activities that Law 18 of 2009 includes in the provisions that need to take in consideration animal welfare. Article 66(1) requires that measures are taken in the interest of animal welfare (defined as all matters relating to animal physical and mental conditions) in relation to listed activities including capture, husbandry, slaughter and transport, and Article 66(2) requires that generally animals should be free from pain, fear or pressure when these activities take place. Article 66(3) specifies that these provisions apply to vertebrates and to some invertebrates which are able to feel pain.</p> <p>More detailed provisions are found in Regulation 95 of 2012 Concerning Public Health and Animal Welfare, which requires that animals have access to freedoms from hunger and thirst, from pain, injury and disease, from discomfort, persecution and abuse, from fear and distress and to express their natural behaviour (Article 83(2)). These freedoms should occur across a range of activities including transportation, caging, maintenance and protection of animals (Article 83(2)(3)). Articles 86 to 99 then give more detail about how to conduct the above steps of the animal use process. The law requires that, in relation to caging and housing (Articles 87 and 88) and in relation to transport (Article 89), this does not hurt the animal or lead to stress, there is protection from the elements and they have food and drink adequate to their physiological needs.</p>

<b>Part 2: Assessment</b>
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The existing legal provisions lack detail in relation to this category of animals. Issues of animal welfare experienced by animals in captivity do not appear to be sufficiently addressed by the



existing legislation. Media reports consistently suggest that the welfare of captive wild animals in the country is poor.<sup>11 12</sup>

The government is encouraged to develop specific captive animal policies and regulations to promote the welfare of captive wild animals in line with current scientific knowledge and practical experience, and to use enforcement mechanisms to encourage compliance. As welfare issues for animals in captivity have not been recognised sufficiently in policy and legislation, the government is encouraged to engage relevant parties in discussion about ways in which captive animal welfare can be improved with changes to current legislation and policies. Engaging with businesses as well as municipal government branches that are running zoos to find out how welfare can be improved will be important to create an expected standard of animal welfare that can be readily implemented for animals in this category. A potential model for progress is presented by Surabaya Zoo, which has engaged with an international NGO, Wild Welfare.<sup>13</sup>

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

Although Article 84(4) states that animal care processes including maintenance, placement and handling will be conducted by people who “have competence in the field of animal welfare”, reports about the current standards in zoos in Indonesia seem to indicate that this legislation is not effective.<sup>14</sup> It appears as if lack of relevant education could therefore be a barrier to improvement as those who are in control of captive animals do not necessarily understand how to care for them. In addition, lack of recognition of animal sentience by society at large, including tourists visiting zoos in Indonesia, may inhibit progress. There may also be significant financial barriers to improvement here. However it is noted that the government has established a Sub-Directorate within the Ministry of Agriculture with responsibility for animal welfare, and as at the date of publication of this report the government advises that it is in the process of developing a draft national strategy for animal welfare, which demonstrates government desire to improve in this area.

#### Are enforcement mechanisms in place in policy and legislation?

Breach of Article 302(1) of the Criminal Code is punishable with two to seven years imprisonment and fines.

Article 85 of Law 18 of 2009 lists some provisions of that law for which there is a criminal offence and an enforcement mechanism for failure to comply, but the animal welfare provisions of Law 18 of 2009 are not included in this list. There appear to be no enforcement mechanisms for the animal welfare provisions of this law.

In relation to Regulation 95 of 2012, Article 85 provides that animal care facility owners who are not applying the principle of freedom of animals as intended by Article 83(3) may have their business permits revoked by the regent or mayor. However, there is no mention of how these inspections may occur (in relation to animal welfare issues), and it is not clear whether zoos and similar enterprises fall within the definition of animal care facilities.

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

<sup>11</sup> <http://www.bbc.co.uk/news/world-asia-25908531>

<sup>12</sup> <http://www.independent.co.uk/environment/nature/animals-left-for-dead-in-indonesian-zoos-7771373.html>

<sup>13</sup> <http://www.wildwelfare.org/#!indonesia-surabaya-zoo/c1b5e>

<sup>14</sup> <http://www.independent.co.uk/environment/nature/animals-left-for-dead-in-indonesian-zoos-7771373.html>

**Ranking: D**

<b>Part 1: Verification</b>
There is legislation with partial application
<p>The general cruelty prohibition in Article 302(1) of the Criminal Code applies to this category of animals.</p> <p>The general animal welfare provisions of Law 18 of 2009 apply to animals in this category. Article 66(1) requires that measures are taken in the interest of animal welfare (defined as all matters relating to animal physical and mental conditions) in relation to listed activities including husbandry, and Article 66(2) requires that generally animals should be free from pain, fear or pressure when these activities take place. Article 66(3) specifies that these provisions apply to vertebrates and to some invertebrates which are able to feel pain.</p> <p>More detailed provisions are found in Regulation 95 of 2012 Concerning Public Health and Animal Welfare, which requires that animals have access to freedoms from hunger and thirst, from pain, injury and disease, from discomfort, persecution and abuse, from fear and distress and to express their natural behaviour (Article 83(2)). These freedoms should occur across a range of activities including transportation, caging, maintenance and protection of animals (Article 83(2)(3)). Articles 86 to 99 then give more detail about how to conduct the above steps of the animal use process. The law requires that, in relation to caging and housing (Articles 87 and 88), this does not hurt the animal or lead to stress, there is protection from the elements and they have food and drink adequate to their physiological needs. These provisions apply to all vertebrates, and invertebrates that can feel pain, that depend on humans for survival (Article 83(1)).</p> <p>Regulation 95 of 2012 Concerning Public Health and Animal Welfare, which requires that animals have access to freedoms from hunger and thirst, from pain, injury and disease, from discomfort, persecution and abuse, from fear and distress and to express their natural behaviour (Article 83(2)), also applies to this category of animals. These freedoms should occur across a range of activities including transportation, caging, maintenance and protection of animals (Article 83(2)(3)). Articles 86 to 99 then give more detail about how to conduct the above steps of the animal use process. The law requires that, in relation to caging and housing (Articles 87 and 88) and in relation to transport (Article 89), this does not hurt the animal or lead to stress, there is protection from the elements and they have food and drink adequate to their physiological needs.</p> <p>There does not appear to be any additional policy, discussion or sign of upcoming progress for companion animals.</p> <p>In Bali a 2009 by-law regarding rabies control requires that pet owners have to keep their dogs at home and vaccinate them regularly. It is not clear whether there are other humane stray animal disease and population control laws in the country.</p> <p>Organised dog fighting is illegal (Articles 170, 241, 302 and 406 Criminal Code).</p>
<b>Part 2: Assessment</b>
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
Much of Indonesian animal welfare law seems to centre on animals raised for food purposes, and

whilst Article 66 of Law 18 of 2009 does set out requirements for those responsible for animals, there is no apparent enforcement mechanism.

The inclusion of the Five Freedoms detailed in Article 83(2) of Regulation 95 of 2012 and their application to activities in Article 83(3) is reflective of international standards for animal welfare, but again there appear to be no enforcement mechanisms for these. The existing legal provisions lack detail in relation to this category of animals and there also appear to be no comprehensive legal provisions relating to a requirement for humane stray population control throughout the country.

However, the government has advised that it has carried out public communication, information and education activities in a number of provinces regarding dog management.<sup>15</sup>

The welfare of companion animals in Indonesia, particularly of dogs, arouses international concern with respect to inhumane methods of killing stray dogs, such as poisoning<sup>16</sup>, and also the practice of rearing and killing cats and dogs for meat.<sup>17</sup>

Although dog fighting is illegal, dog fighting events remain popular in the country.<sup>18</sup>

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

There appear to be socio-cultural barriers to improving animal welfare for companion animals, including the popularity of dog fighting in the country and the practice of rearing and killing dogs, and sometimes cats, for meat. Parts of the country are working to control rabies, which has led to the cruel killing by poisoning of dogs, although there have been a number of humane population management control projects in the country that involve the government, local authorities, NGOs and other stakeholders, which may provide some scope for improvement.<sup>19</sup>

#### Are enforcement mechanisms in place in policy and legislation?

Breach of Article 302(1) of the Criminal Code is punishable with two to seven years imprisonment and fines.

Article 85 of Law 18 of 2009 lists some provisions of that law for which there is a criminal offence and an enforcement mechanism for failure to comply, but the animal welfare provisions of Law 18 of 2009 are not included in this list. There appear to be no enforcement mechanisms for the animal welfare provisions of this law.

In relation to Regulation 95 of 2012, Article 85 provides that animal care facility owners who are not applying the principle of freedom of animals as intended by Article 83(3) may have their business permits revoked by the regent or mayor. However, there is no mention of how these inspections may occur (in relation to animal welfare issues), and it is not clear whether pet shops and commercial breeders would fall within the definition of animal care facilities.

It is stated that administration of animal welfare provided in Article 66 shall be conducted by the government and the regional government together with the public (Article 67), however no details are given of how this is to occur, or of acts and behaviours that are not permitted.

<sup>15</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>16</sup> <http://www.thejakartapost.com/news/2014/06/27/stray-dogs-must-be-culled-bali-governor-says.html>

<sup>17</sup> <http://www.dailymail.co.uk/news/article-2569111/Held-tiny-cages-animals-await-fate-alongside-remains-dogs-rats-monkeys-creatures-flame-roasted-WHOLE-Indonesian-market.html>

<sup>18</sup> <http://www.examiner.com/article/indonesian-animal-welfare-group-asks-for-global-help-to-end-dog-fighting-video>

<sup>19</sup> [http://web.oie.int/RR-Europe/eng/events/docs/Wilkins\\_hammond.pdf](http://web.oie.int/RR-Europe/eng/events/docs/Wilkins_hammond.pdf)

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

**Ranking: D**

<b>Part 1: Verification</b>
<p><b>There is legislation with partial application</b></p> <p>The general cruelty prohibition in Article 302(1) of the Criminal Code applies to this category of animals.</p> <p>The general animal welfare provisions from Law 18 of 2009 apply to animals in this category. Article 66(1) requires that measures are taken in the interest of animal welfare (defined as all matters relating to animal physical and mental conditions) in relation to listed activities including husbandry, and Article 66(2) requires that generally animals should be free from pain, fear or pressure when these activities take place. Article 66(3) specifies that these provisions apply to vertebrates and to some invertebrates which are able to feel pain.</p> <p>More detailed provisions are found in Regulation 95 of 2012 Concerning Public Health and Animal Welfare, which requires that animals have access to freedoms from hunger and thirst, from pain, injury and disease, from discomfort, persecution and abuse, from fear and distress and to express their natural behaviour (Article 83(2)), also applies to this category of animals. These freedoms should occur across a range of activities including transportation, caging, maintenance and protection of animals (Article 83(2)(3)). Articles 86 to 99 then give more detail about how to conduct the above steps of the animal use process.</p> <p>The law requires that, in relation to caging and housing (Articles 87 and 88), this does not hurt the animal or lead to stress, there is protection from the elements and they have food and drink adequate to their physiological needs. These provisions apply to all vertebrates, and invertebrates that can feel pain, that depend on humans for survival (Article 83(1)).</p> <p>The government advises that recently produced Regulation 16 of 2014 makes rules regarding facilities, food and health requirements for dolphins kept in captivity.</p> <p>Organised dog fighting is illegal (Articles 170, 241, 302 and 406 Criminal Code).</p> <p>Although there are legal provisions which apply to animals in this category, they do not directly address the specific welfare challenges which can arise for these animals. There is little by way of detailed policy or legislation regulating welfare issues relating to animals used for draught or recreational purposes.</p>
<b>Part 2: Assessment</b>
<p><b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b></p> <p>Although the relevant legal provisions do encourage compliance with the Five Freedoms of animal welfare, these are broadly worded and not enough guidance is given to Indonesians as to how they</p>

can achieve the required standards of care.

The use of animals for entertainment in the country has caused considerable international concern, for example, the use of wild animals in circuses and animal fighting events.<sup>20</sup> The use of dolphins in travelling performances causes significant welfare concern also<sup>21 22</sup> and there have been reports of endangered species being kept illegally in hotels to attract customers.<sup>23</sup>

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

There is no evidence in policy and legislation of resources (human and financial) to improve or enact regulations specific to this indicator (for this category of animals). There appear to be socio-cultural barriers to improving animal welfare for animals used in entertainment, including the popularity of animal fighting events.

However it is noted that the government has established a Sub-Directorate within the Ministry of Agriculture with responsibility for animal welfare, and as at the date of publication of this report the government advises that it is in the process of developing a draft national strategy for animal welfare, which demonstrates government desire to improve in this area.

#### Are enforcement mechanisms in place in policy and legislation?

Breach of Article 302(1) of the Criminal Code is punishable with two to seven years imprisonment and fines.

Article 85 of Law 18 of 2009 lists some provisions of that law for which there is a criminal offence and an enforcement mechanism for failure to comply, but the animal welfare provisions of Law 18 of 2009 are not included in this list. There appear to be no enforcement mechanisms for the animal welfare provisions of this law.

In relation to Regulation 95 of 2012, Article 85 provides that animal care facility owners who are not applying the principle of freedom of animals as intended by Article 83(3) may have their business permits revoked by the regent or mayor. However, there is no mention of how these inspections may occur (in relation to animal welfare issues), and it is not clear whether circuses and similar facilities would fall within the definition of animal care facilities.

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

### Ranking: E

#### Part 1: Verification

#### There is legislation with partial application

The general cruelty prohibition in Article 302(1) of the Criminal Code applies to this category of animals.

<sup>20</sup> <http://www.tourism-review.com/travel-tourism-magazine-wildlife-exploitation-tourism-sites-that-you-should-avoid-in-indonesia-category1844>

<sup>21</sup> <http://www.theblackfish.org/news/indonesia-dolphin-circuses.html>

<sup>22</sup> <http://www.thejakartapost.com/news/2014/07/25/protests-greet-new-dolphin-attraction.html>

<sup>23</sup> <http://www.tourism-review.com/travel-tourism-magazine-wildlife-exploitation-tourism-sites-that-you-should-avoid-in-indonesia-category1844>

The general animal welfare provisions from Law 18 of 2009 appear to apply to animals in this category. Article 66(1) requires that measures are taken in the interest of animal welfare (defined as all matters relating to animal physical and mental conditions) in relation to listed activities including husbandry, and Article 66(2) requires that generally animals should be free from pain, fear or pressure when these activities take place. Article 66(3) specifies that these provisions apply to vertebrates and to some invertebrates which are able to feel pain.

Article 74(1) states that in order to improve the utilisation of animals as laboratory animals and research model animals and/or the use of animal organs for the welfare of human beings, "medical science of comparison on animal" shall be applied. The comparative medicine must be applied under supervision of a competent veterinarian, according to animal ethics and veterinary medicine ethics along with due consideration of animal welfare (Article 74(2)).

More detailed provisions are found in Regulation 95 of 2012 Concerning Public Health and Animal Welfare, which requires that animals have access to freedoms from hunger and thirst, from pain, injury and disease, from discomfort, persecution and abuse, from fear and distress and to express their natural behaviour (Article 83(2)), also applies to this category of animals. These freedoms should occur across a range of activities including transportation, caging, maintenance and protection of animals (Article 83(2)(3)). Articles 86 to 99 then give more detail about how to conduct the above steps of the animal use process.

The law requires that, in relation to caging and housing (Articles 87 and 88), this does not hurt the animal or lead to stress, there is protection from the elements and they have food and drink adequate to their physiological needs. These provisions apply to all vertebrates, and invertebrates that can feel pain, that depend on humans for survival (Article 83(1)).

Article 97 regulates "comparison medical practice", which is not defined in the law. Article 97(2) specifies that the application of the principle of freedom of animals in this context requires prioritising ways that do not hurt or lead to stress, using clean facilities and infrastructure which do not harm and do not lead to stress, and providing food and drink to suit the physiological needs of animals. Article 98 requires that comparison medical practice be performed by or under the supervision of a veterinarian. Article 99(1) states that it is not permitted to: engage in activities that result in unnecessary suffering for animals; mutilate animal bodies; provide materials that cause toxicity, disability, injury and/or death to the animal; or cause the animals to experience fear, pain, permanent disability or death. Although these broad principles are positive, it appears that there is no separate legislation or guidelines governing the use of animals in scientific research in more detail.

## Part 2: Assessment

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

The government has taken some steps towards achieving international standards in this area, and advises that there are ethics committees relating to the use of animals in research. However, there is still a great deal of progress to be made to further protect this category of animals. Although it is positive that animals used for scientific purposes have been addressed and acknowledged as an individual issue, the provisions are not detailed and do not meet good international standards. There is also some contradiction in the existing legal provisions. Whilst Article 99 of Law 95 of 2012 does

<p>seem to provide several protections for animals, these often appear to be incompatible with the use of animals for scientific purposes. For example, Article 99(1)(d) prohibits causing fear or pain; although these are often inevitable components of using animals for scientific research.</p>
<p><b>Are there economic and societal barriers to improving this aspect of animal welfare?</b></p> <p>It seems that compliance with the relevant animal welfare provisions is mostly voluntary, as the authority for inspection of documents and evidence of non-compliance seems to apply only for criminal breaches (Article 84). The lack of detail and contradictory nature of the existing legal provisions could also act as a barrier to improvement here.</p> <p>The fact that those in breach of provisions can only be prosecuted after the harm to the animal has occurred and been proven forensically is a barrier to improving animal welfare. It would be preferable if action could be taken prior or upon recognition that certain practices or a proposal may cause unnecessary harm. The lack of recognition of the importance of the concept of the Three Rs in legislation is also a barrier to improving animal welfare.</p>
<p><b>Are enforcement mechanisms in place in policy and legislation?</b></p> <p>Breach of Article 302(1) of the Criminal Code is punishable with two to seven years imprisonment and fines.</p> <p>Article 85 of Law 18 of 2009 lists some provisions of that law for which there is a criminal offence and an enforcement mechanism for failure to comply, but the animal welfare provisions of Law 18 of 2009 are not included in this list. There appears to be no enforcement mechanism for the animal welfare provisions of this law.</p> <p>There are no penalties listed for non-compliance with the relevant provisions of Regulation 95 of 2012. Further, in order to prove a violation of Article 99, veterinary forensic testing must occur. This means that the animal must first suffer through the breach, which must then be proven before prosecution can occur. A more preventative mechanism of compliance may help enhance the effectiveness of this Act.</p>

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

**Ranking: C**

<p><b>Part 1: Verification</b></p>
<p><b>There is legislation</b></p> <p>The general cruelty prohibition in Article 302(1) of the Criminal Code applies to this category of animals.</p> <p>The general animal welfare provisions from Law 18 of 2009 apply to animals in this category. Article 66(1) requires that measures are taken in the interest of animal welfare (defined as all matters relating to animal physical and mental conditions) in relation to listed activities including catching and killing. Article 66(2) requires that catching wild animals must comply with the provisions in the statutory regulation on conservation, and that animals should be free from pain, fear or pressure at killing. Article 66(3) specifies that these provisions apply to vertebrates and to some invertebrates which are able to feel pain.</p>

Article 9(3) states that the exploitation of genetic resources of wild animals shall comply with the regulations of law concerning conservation of bionatural resources and the ecosystem, and Article 73(2) states that the reproduction, medication, conservation medication and forensic veterinary medicine related to wild animals shall be administered in accordance with the regulations. It is not clear whether any such regulations contain welfare-related provisions.

Article 28 gives the government power to allow wild animals to be raised as livestock, as long as their population has reached genetic stability and provided it is in conformity with the regulations of law concerning the conservation of wild animals, unless their lifecycles are wholly or partly in the water (Article 28(3)).

Article 83 of Regulation 95 of 2012 applies where the survival of a wild animal “depends on humans”, thus would apply to an animal that has been trapped or caught. These require (inter alia) that animals have freedom from pain, injury and disease, from discomfort, persecution and abuse, and from fear and distress (Article 2), and this applies to activities including catching and handling, fair treatment and protection of animals and killing (Article 3). However these responsibilities apply only to animal owners, animal care facility owners, and those handling animals as part of their jobs. Therefore it appears that this would only apply to hunting or trapping wild animals where this is done as part of a job.

Law 18 of 2009 and Regulation 95 of 2012 also make some provisions relating to trade in wildlife products and protection of endangered species. Separate legislation governing hunting, including Regulation 13 of 1994 on game hunting affairs and Decree 616/Kpts-II/1996 on the control of game hunting, requires licensing for hunting. Article 20 of Regulation 13 of 1994 prohibits hunting using motorised vehicles, explosives, tracking animals, chemicals, fire, nets or traps with trap holes. The Regulation also provides for the establishment and registration of hunting parks.

Act 5 of 1990 concerning conservation of living resources and their ecosystems protects specified endangered species of animals; Article 21 prohibits activities including catching, injuring, killing and trading in such animals.

## Part 2: Assessment

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

Whilst legislation does exist, it predominately concerns conservation, and legalises exploitation and rearing wild animals as long as environmental conservation is considered. Therefore although wild animals are considered an independent issue, existing legislation does not have a strong protective role and welfare of individual animals is not considered sufficiently.

Despite existing provisions relating to conservation, wild animal trade and habitat loss continue to be major issues for the country.<sup>24</sup> The illegal wildlife trade in the country causes national and international concern and poses a threat to the survival of a number of species, for example, orang utangs.<sup>25</sup> In March 2014 a bid to halt the trade in wildlife, the Indonesian Council of Ulama issued a fatwa declaring illegal hunting or illegal trading of endangered species to be haram (forbidden). A wide range of animals, including endangered species, are sold at markets in the country.<sup>26</sup>

<sup>24</sup> <http://www.wcs.org/where-we-work/asia/indonesia.aspx>

<sup>25</sup> <http://news.nationalgeographic.com/news/2014/03/140304-fatwa-indonesia-wildlife-trafficking-koran-world/>

<sup>26</sup> <http://www.brookings.edu/research/reports/2013/03/25-indonesia-wildlife-trafficking-felbabbrown>



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

The government does not appear to have allocated resources to ensuring the welfare of wild animals as a distinct issue from conservation, and there is no indication that this has been addressed in any policy or discussion to date. This may well result from the prioritisation of conservation measures at present. It appears that there are a number of barriers to progress in safeguarding the welfare of free-living wild animals including habitat degradation and fragmentation, exploitation, pollution, forest and land fires.<sup>27</sup> The conversion of natural forest into oil palm plantation is a serious threat.<sup>28</sup>

There are also socio-cultural barriers to improving this area, for example, with respect to the country's involvement in the production of Traditional Chinese Medicines and the culture of, for example, bird keeping in Java.<sup>29</sup>

However, the government is working with others to try to address some of these issues in the face of considerable challenges.<sup>30</sup>

**Are enforcement mechanisms in place in policy and legislation?**

Breach of Article 302(1) of the Criminal Code is punishable with two to seven years imprisonment and fines.

Article 85 of Law 18 of 2009 lists some provisions of that law for which there is a criminal offence and an enforcement mechanism for failure to comply, but the animal welfare provisions of Law 18 of 2009 are not included in this list. There appears to be no enforcement mechanism for the animal welfare provisions of this law.

There are no penalties listed for non-compliance with the relevant provisions of Regulation 95 of 2012.

Intentional violation of Article 21 of Act 5 of 1990 (catching, injuring, killing, trading in protected species) is punishable with imprisonment of up to five years and a fine.

**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: D**

**Part 1: Verification**

**There is legislation with partial application**

<sup>27</sup> <http://www.cbd.int/countries/?country=id>

<sup>28</sup> <http://www.cbd.int/countries/?country=id>

<sup>29</sup> <http://www.brookings.edu/research/reports/2013/03/25-indonesia-wildlife-trafficking-felbabbrown>

<sup>30</sup> <http://www.onegreenplanet.org/animalsandnature/deforestation-poaching-and-the-wildlife-trade-in-indonesia/>

Within Law 18 of 2009, there are provisions that maintain that government oversight must occur to ensure safe, healthy, whole and legitimate animal products (Article 58(1)). Article 67 states that the administration of animal welfare requirements given by Article 66 shall be conducted by the government and regional government together with the public. Article 68 states that the government and regional government are responsible for determining competent veterinarians, increasing the roles and functions of animal health administering institutions and making coordination with due observance of the regulations of law concerning regional government. In order to meet the need for animal health personnel, the government shall arrange the supply and placement of animal health personnel throughout the territory as required (Article 70(1)).

The government shall empower rearers, those in the husbandry field and business of animal health, by facilitating the advancement of business and competitiveness through access to funding sources, financing, science, technology and information, animal health services and technical assistance and by avoiding costs that result in high-cost economy (Article 76(1)). Article 76(3) provides that the government and regional government as well as other stakeholders in the field of husbandry and animal health shall empower rearers to enhance animal welfare.

Article 78 states that the government and regional government through educational institutions and business shall facilitate and develop education and training as well as provide information relating to the provision of competent human resource on husbandry and animals health (Article 78(4)), as well as motivating those who manage animals and developing the role of the public in conducting good husbandry and animal health (Article 78(5)). Although it is positive that the legislation sets expectations for monitoring and improvement in many areas, the law does not identify a particular government body as responsible for this activity.

## Part 2: Assessment

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

Whilst the government has endeavoured to take responsibility for the development and support of implementation of good animal health and husbandry practices, there do not seem to be any mechanisms for implementation and accountability. An expansion of current legislation to include accountability for this at a high government level would promote the improvement of animal welfare in Indonesia. It is evident from the country's engagement with the OIE and the March 2014 workshop to discuss a national framework for animal welfare and a national animal welfare advisory committee that the government is focussing effort to improve animal welfare,<sup>31</sup> and the government has established a Sub-Directorate of Zoonoses and Animal Welfare within the Ministry of Agriculture.

As at the date of publication of this report the government advises that it is in the process of developing a draft national strategy for animal welfare, with plans for the creation of a national committee for animal welfare, and that it intends to seek input from NGOs in this process.

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

Although legislation does provide a role for government in the development of animal health and husbandry procedures and to foster public participation in good animal husbandry and animal health, there is no division of responsibilities or budgets and no apparent method set out in the

<sup>31</sup> [http://www.rrasia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rrasia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

legislation to ensure that this will occur. However the Ministry of Agriculture is making attempts to improve farm animal welfare, in particular in consideration of the expectations arising from international trade in livestock and animal products,<sup>32</sup> and is developing a national animal welfare strategy, which shows scope for improvement.

#### Are enforcement mechanisms in place in policy and legislation?

The duties of government bodies are mandated by Law 18 of 2009; however these are generally statements of purpose lacking in specificity.

## Goal 3: Implementation of animal protection standards

### 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

The incorporation of the principles of the Five Freedoms into Law 18 of 2009 and Regulation 95 of 2012 appears to be evidence of government engagement with the OIE. Further, the final stages of the Improved Animal Welfare Programme were held in January 2013 in Indonesia. Supported by both the Indonesian and Australian governments, the IAWP aims to improve the understanding of OIE's animal welfare standards and promote their implementation in member countries.

The country is a member of the OIE Regional Animal Welfare Strategy for Asia, the Far East and Oceania. Inclusion in this body has brought about Indonesia's involvement in a number of activities to improve animal welfare and has stimulated further work on legislation and enforcement.<sup>33</sup>

#### Part 2: Assessment

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

The Improved Animal Welfare Programme workshop should promote the application of the OIE's animal welfare principles into Indonesian policy and law. This workshop emphasised welfare during transport and slaughter as well as proper training of veterinarians operating in the modern slaughter industry.

Indonesia's inclusion in the OIE Regional Animal Welfare Strategy for Asia, the Far East and

<sup>32</sup> <http://www.rr->

[asia.oie.int/fileadmin/Regional\\_Representation/Programme/1\\_Welfare/2013\\_Animal\\_Welfare/21\\_Indonesia\\_experience.pdf](http://www.rr-asia.oie.int/fileadmin/Regional_Representation/Programme/1_Welfare/2013_Animal_Welfare/21_Indonesia_experience.pdf)

<sup>33</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

Oceania demonstrates government willingness to become involved in improving animal welfare standards within the region and to cooperate with other neighbouring nations to achieve progress. In March 2014 the government updated a meeting of the OIE's Regional Animal Welfare Strategy for Asia, the Far East and Oceania on an active programme of work aimed at improving animal welfare in the country with respect to a number of issues concerning farm animal welfare and also with respect to dog management.<sup>34</sup>

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

It appears that the Indonesian government is willing to participate in international programmes and to collaborate with the OIE, as evidenced by its past and current interactions. This suggests that the government may intend to assign further resources to implement the OIE's animal welfare standards. The government's engagement with the OIE<sup>35</sup> and the Regional Animal Welfare Strategy is proving effective.

**Are enforcement mechanisms in place in policy and legislation?**

There are no enforcement mechanisms relevant to this indicator.

## 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 government has incorporated elements of the Five Freedoms into both Law 18 of 2009 (Article 66) and Regulation 95 of 2012 (Chapter Three), following the guiding principles of animal welfare. However despite this, there is no acknowledgement in legislation of the OIE's animal welfare standards, apart from some regulations on slaughter of farmed animals. The remainder of the OIE's animal welfare standards have not been incorporated into legislation or guidance. In March 2014 the government advised a meeting of the OIE's Regional Animal Welfare Strategy for Asia, the Far East and Oceania that it was working on a number of pieces of secondary legislation which are related to the OIE's animal welfare standards with respect to slaughter and cattle.<sup>36</sup>

### Part 2: Assessment

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

Whilst it is noted that the Indonesian government has incorporated the principles of the Five

<sup>34</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>35</sup> <http://www.rr->

[asia.oie.int/fileadmin/Regional\\_Representation/Programme/1\\_Welfare/2013\\_Animal\\_Welfare/21\\_Indonesia\\_experience.pdf](http://www.rr-asia.oie.int/fileadmin/Regional_Representation/Programme/1_Welfare/2013_Animal_Welfare/21_Indonesia_experience.pdf)

<sup>36</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

Freedoms into legislation, there are some inconsistencies in comparison with the OIE's standards. For example, the OIE Guidelines for Slaughter for Human Consumption do not distinguish the method of slaughter according to its purpose.

The explanation of Law 18 of 2009 notes that the Law has not fully covered all animals. This could be considered an acknowledgement of the need to expand the reach of current legislation to all categories of animals.

The government is encouraged to continue its work to implement existing legislation and to expand its policy and legislation so as to incorporate the OIE's guiding principles and animal welfare standards.

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

Where elements of the OIE's standards have been incorporated into legislation, it does not appear that resources have been supplied to ensure sufficient enforcement and compliance, and there are no enforcement mechanisms within Law 18 of 2009 relating to the animal welfare provisions of that law. However, the government's increasing engagement with OIE and its March 2014 update to the OIE on animal welfare activities<sup>37</sup> suggests that improvements are occurring.<sup>38</sup> There are however socio-cultural barriers to progress on animal welfare issues within the country that may present challenges.

#### Are enforcement mechanisms in place in policy and legislation?

Under Regulation 95 of 2012, animal care facility owners stand to have their business permits revoked for non-compliance with the principles of Animal Freedom in Article 83(3) (application of the five freedoms for various stages of the animal usage process, including catching, handling and slaughter). However, there are no provisions for individuals in breach of the law.

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

### Ranking: E

#### Part 1: Verification

##### Policy is being discussed or developed

The government is participating in the OIE Regional Animal Welfare Strategy for Asia, the Far East and Oceania and is updating meetings of this group on progress on improving animal welfare in the country.<sup>39</sup>

There is no evidence of regular reporting to the public of progress towards more detailed goals.

#### Part 2: Assessment

<sup>37</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>38</sup> <http://www.rr->

[asia.oie.int/fileadmin/Regional\\_Representation/Programme/I\\_Welfare/2013\\_Animal\\_Welfare/21\\_Indonesia\\_experience.pdf](http://www.rr-asia.oie.int/fileadmin/Regional_Representation/Programme/I_Welfare/2013_Animal_Welfare/21_Indonesia_experience.pdf)

<sup>39</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>There have been no reports on the progress made by Indonesia, and there appears to be no legislation requiring or authorising any government department to issue these.</p> <p>The implementation of a policy or regulation requiring the production of reports on goals and progress would be beneficial for transparency, as well as allowing the government to gauge the effectiveness of their current legislation concerning animal welfare.</p> <p>The government is encouraged to develop a coherent animal welfare strategy with goals against which progress can be measured. It is very encouraging that a meeting took place in April 2014 that involved the government and many other stakeholders to discuss a national framework for animal welfare for the country.<sup>40</sup></p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>It is suggested that as a first step towards strategic reporting that the government could consider putting into place a coherent strategy on animal welfare and measures to report on progress towards implementing the OIE animal welfare standards. Given the government's engagement with the OIE and recent discussions with other stakeholders it is considered that there may not be significant barriers to such a course of action.</p>
Are enforcement mechanisms in place in policy and legislation?
There is no policy or legislation relevant to this indicator.

## Goal 4: Provision of humane education

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

Ranking: D

<b>Part 1: Verification</b>
There is legislation with partial application
<p>Legislation provides that the government and regional government through education institutions and business world shall facilitate and develop education and training related to the supply of human resources competent in the field of husbandry and animal health (Law 18 of 2009, Article 78). Article 67 also provides that implementation of animal welfare shall be prioritised in attempting to enhance public awareness and participation through education, training and extension activities. Article 78(5) states that the government and regional government shall administer extension of husbandry and animal health as well as encourage and foster the public participation to carry out good husbandry and animal health, although this is a narrower application than required by the indicator.</p>

<sup>40</sup> [http://www.r-rasia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.r-rasia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

There is also some policy in this area; the Ministry of Agriculture has developed a “small veterinarian” animal welfare education programme in elementary and junior schools.

### Part 2: Assessment

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

The provisions in Article 78 of Law 18 of 2009 show some government initiative to develop human resources through the use of education for the fields of animal husbandry and health. This is indicated by funding and providing resources for progress through education and training. The government also operates humane education at school level and is encouraged to mandate this in legislation. Inclusion of animal care and protection in the national education curriculum would also be a good mechanism to enable the government to achieve the legislative goal contained within Article 78(5) and Article 67; to encourage and foster the public participation in good husbandry and animal health.

Indonesian veterinary school curricula include some animal welfare issues, supported by several universities and the Indonesian Veterinary Medical Association.<sup>41</sup>

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

Indonesia has a structured education system in place<sup>42</sup>, so making further development within the existing curriculum should be possible. The content of Articles 67 and 78 of Law 18 of 2009 and the development of the “small veterinarian” school programme are suggestive of a government desire for progress. It may be that cultural attitudes towards animals present some challenges with respect to implementing animal care and protection in the national education system, particularly with respect to wild animals and the use of animals in entertainment.

Are enforcement mechanisms in place in policy and legislation?

The duties of government bodies are mandated by Law 18 of 2009; however these are generally statements of purpose lacking in specificity.

## Goal 5: Communication and awareness

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

Ranking: C

#### Part 1: Verification

There is legislation with partial application

<sup>41</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>42</sup> [http://www.indonesianembassy.org.uk/education/education\\_system1.html](http://www.indonesianembassy.org.uk/education/education_system1.html)

Article 79 in Law 18 of 2009 provides that the government and regional government shall be obligated to administer research and development in the field of husbandry and animal health, and that this may be conducted by the government, regional government, educational institutions, individuals, non-government organisations, or business world, either severally or jointly, but this does not explicitly reference animal protection or welfare.

The government is working with other stakeholders to advance animal welfare. For example, the December 2013 newsletter of the OIE's Regional Animal Welfare Strategy for Asia Pacific reported that the Indonesian Government had given approval to the launch of a new humane rabies control project funded by the World Society for the Protection of Animals (now World Animal Protection), the Global Alliance for Rabies Control (GARC) and local authorities, on the island of Nias, in northern Indonesia.<sup>43</sup> The article also reported government approval for a project WSPA (now World Animal Protection) would be supporting with the Food and Agriculture Organisation of the United Nations on the island of Flores in Indonesia. The government has also co-operated with stakeholders regarding humane slaughter training, for example, the Indonesian agriculture ministry co-operated with the RSPCA to train poultry slaughterhouse workers in Java.<sup>44</sup>

As at the date of publication of this report the government advises that it is in the process of developing a draft national strategy for animal welfare, with plans for the creation of a national committee for animal welfare, and that it intends to seek input from NGOs in this process.

## Part 2: Assessment

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

Article 79 of Law 18/2009 demonstrates the desire of the Indonesian government to collaborate on many levels with others in order to achieve research and development in the field of animal husbandry and health. This is also indicated by the desire to train and educate so that adequate human resources are available in the fields of animal husbandry and health (Article 78). In March 2014 the government advised the OIE of its intention to hold a meeting with stakeholders to discuss a national framework for animal welfare and an animal welfare advisory committee.<sup>45</sup> The meeting, which included a wide range of experts and stakeholders took place in April 2014.<sup>46</sup> The government is also currently involved in a number of training initiatives involving stakeholders.<sup>47</sup>

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

There are no apparent financial or human resource barriers to improvement in this area, and the current legislation seems to promote development and engaging with the field of human resources development. There do not appear to be any social or cultural traditions that would prevent further government collaborations from occurring as demonstrated by the multi-stakeholder meeting on animal welfare that took place in April 2014.<sup>48</sup>

**Are enforcement mechanisms in place in policy and legislation?**

<sup>43</sup><http://www.australiananimalwelfare.com.au/app/webroot/files/upload/files/RAWS%20Newsletter%20December%202013.pdf>

<sup>44</sup> [http://eurogroupforanimals.org/files/publications/downloads/OIE\\_International\\_report\\_2011.pdf](http://eurogroupforanimals.org/files/publications/downloads/OIE_International_report_2011.pdf)

<sup>45</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>46</sup> <http://www.changeforanimals.org/#!united-voice-for-animal-welfare-law-refo/chks>

<sup>47</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)

<sup>48</sup> [http://www.rr-asia.oie.int/uploads/tx\\_oiefiles/RAWS\\_CG\\_Mtg\\_7\\_March\\_2014.PDF](http://www.rr-asia.oie.int/uploads/tx_oiefiles/RAWS_CG_Mtg_7_March_2014.PDF)



The duties of government bodies are mandated by Law 18 of 2009; however these are generally statements of purpose lacking in specificity.

**Publication: November 2014**

## Republic of Indonesia: 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

Republic

#### Capital

Jakarta

#### International law organisation<sup>49 50</sup>

Non-party state to the ICC and not submitted an ICJ jurisdiction declaration

#### Suffrage<sup>51</sup>

17

#### Legal system

Roman-Dutch civil law system and adat/customary law; Islamic law also acts as a parallel independent legal system<sup>52</sup>

#### Executive branch

President: Susilo Bambang Yudhoyono

Vice-president: Boediono

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49

[http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&midsg\\_no=XVIII-10&chapter=18&lang=en#11](http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&midsg_no=XVIII-10&chapter=18&lang=en#11)

<sup>50</sup> <http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3>

<sup>51</sup> <http://aceproject.org/epic-en/CDTable?question=VR001#g>

52

<http://www.nyulawglobal.org/globalex/Indonesia1.htm>

#### Judicial branch<sup>53</sup>

The highest court is the Supreme Court (Mahkamah Agung), then the Constitutional Court. There are 60 supreme justices who are appointed by the Judicial Committee, who in turn are appointed by the People's Representative Council (DPR). Only one judge serves as chief justice. Next in the hierarchy are the Courts of Appeals, which are the High Court, Religious High Court, Administrative High Court and Military High Court.

#### Legislative branch<sup>54 55</sup>

The upper house is the Dewan Perwakilan Daerah (DPD) with 128 members and the lower house, where legislative power resides, is the Dewan Perwakilan Rakyat (DPR), which has 550 members. They are chosen through a general election every five years.

#### Political parties

Democratic Party (PD)

Party of Functional Groups (Golkar)

Indonesian Democratic Party

### Economics

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53

<http://www.nyulawglobal.org/globalex/Indonesia1.htm#hierarchy>

54

<http://www.nyulawglobal.org/globalex/Indonesia1.htm#separationofpowers>

<sup>55</sup><http://country.eiu.com/article.aspx?articleid=71040391&Country=Indonesia&topic=Summary&subtopic=Political+structure>

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

The overall outlook for the Indonesian economy is strong. The EIU forecasts that the rate of economic growth will average out at 5.2% for the period 2012-30<sup>56</sup>. The main driver of the economy currently is domestic demand; exports only represent 25% of the GDP<sup>57</sup>. The EIU also reports that there is a noticeable reduction in corruption and general improvement in the business environment which will "encourage investment and increase productivity"<sup>58</sup>. Although forecasts are generally positive for the economy, GDP growth was revised down for 2014 by BMI, due to "rising borrowing costs and inflation...[and the impact it will have]...on investment and private consumption"<sup>59</sup>.

#### Main trading partners (2012)<sup>60</sup>

##### Export

Japan - 15.9%  
China - 11.4%  
EU27 - 9.5%

##### Import

China - 15.3%  
Singapore - 13.6%  
Japan - 11.9%

<sup>56</sup><http://country.eiu.com/article.aspx?articleid=610647845&Country=Indonesia&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

<sup>57</sup> <http://coface.com/Economic-Studies-and-Country-Risks/Indonesia>

<sup>58</sup>

<http://country.eiu.com/article.aspx?articleid=610647845&Country=Indonesia&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

<sup>59</sup> <http://www.businessmonitor.com/indonesia###>

<sup>60</sup>

<http://stat.wto.org/CountryProfile/WSDBCountryPFView.aspx?Language=E&Country=AT%2cAZ%2cID>

#### Commodities (2012)<sup>61</sup>

##### Exports

Fuels and mining products - 39.9%  
Manufactures - 35.9%  
Agricultural products - 23.9%

##### Imports

Manufactures - 62.6%  
Fuels and mining products - 25.7%  
Agricultural products - 11.0%

#### GDP (current USD, 2012)

\$878,192,879,854

#### GDP per capita, PPP (2012)

\$4,956

#### Labour force, total (2012)

115,864,647

#### Currency

Rupiah

#### Equivalence to 1 USD

10,933.2000

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

26.2

#### Manufacturing, value added (% of GDP, 2012)

23

#### Agriculture, value added (% of GDP, 2012)

13

#### Industry, value added (% of GDP, 2012)

44

<sup>61</sup> Ibid.

Exports of goods and services (% of GDP, 2012)  
24

Imports of goods and services (% of GDP, 2012)  
26

Services, etc., value added (% of GDP) (2012)  
43

Unemployment rate, (% , 2011)  
6.6

Education expenditure (% of GDP, 2012)  
2.8 (2011)

Adjusted savings: Education expenditure USD (2011)  
22,440,173,957

Population growth, annual % (2012)  
1.2

Population: ages 0-14 (% of total) (2012)  
29

Population: ages 15-64 (% of total) (2012)  
66

Population: ages 65 and over (% of total) (2012)  
5

Population living in rural areas (% of total) (2012)  
49

Population living in urban areas (% of total) (2012)  
51

## Society

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

Total population (2012)  
246,864,191

### Religion<sup>62</sup>

Muslim (87.18%), Catholic (2.91%), Other Christian (6.96%), Hindu (1.69%), Buddhist (0.72), Khong Hu Chu (0.5%), Other or not specified (0.19%)

### Languages

Indonesian, English, and 250 regional languages and dialects<sup>63</sup>

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<sup>62</sup>  
<http://sp2010.bps.go.id/index.php/site/tabel?tid=321&wid=0>

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<sup>63</sup><http://country.eiu.com/article.aspx?articleid=41040388&Country=Indonesia&topic=Summary&subtopic=Basic+data>

