



Kingdom of Spain

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
There is legislation
<p>Although animal sentience is not explicitly recognised in legislation, Law 32/2007 on the care of animals on farms, transport, slaughter and experimentation makes references to suffering, thus recognising an element of sentience. However this only covers vertebrate animals that are used in production and animals used in scientific research and education (Article 2), and specifically excludes hunting and fishing, wild animals (including in captivity) and bullfights. Law 32/2007 contains measures to ensure that farm animals are not caused unnecessary suffering but is applicable only to animals which have some economic value.</p> <p>The 17 provincial Autonomous Communities and two Autonomous Cities have the ability to legislate beyond the provisions of the Act; the Act aims to provide a baseline for consistency of protection.</p> <p>At European Union level, Article 13 of the Treaty on the Functioning of the European Union recognises animal sentience and requires that Member States pay regard to animals' welfare requirements in formulating and implementing European Union policies. In accordance to Article 10 of the National Constitution, this Article is part of the legal system per se and does not require legal transposition.</p>

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

concern?
The government is encouraged to update the existing legislation with a formal recognition of animal sentience, and to ensure that all categories of animals are included in this recognition irrespective of their economic value in accordance with current animal welfare science, which finds that all vertebrates are demonstrably sentient.
Are there economic and societal barriers to improving this aspect of animal welfare?
Although the existing provisions recognising certain aspects of sentience are a positive sign that improvement may be possible, it appears that this issue is not a priority for the government. Additionally there are socio-cultural barriers towards improving animal welfare, for example, with respect to bullfighting and hunting. The exclusion of wild animals from the legal classification of sentient beings also shows that there are barriers to improving animal welfare.
Are enforcement mechanisms in place in policy and legislation?
The legislation that refers to animals suffering contains enforcement mechanisms of imprisonment or community service.

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

Ranking: E

Part 1: Verification
There is partial government support
In 2009 the 27 Agriculture Ministers of the European Council, including from Spain, unanimously approved a statement on the UDAW encouraging the European Commission to support and initiate further international initiatives to raise awareness and create a greater consensus on animal welfare, and inviting the Member States and the Commission to support the UDAW initiative. ¹ Beyond this European Union support the government does not appear to have made any independent commitments with respect to the UDAW. <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.
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
There are no developments directly related to the UDAW in the policy and legislation individually produced by the country. UDAW can have a significant role in bringing the concept of animal welfare to the attention of the general public, but there was no evidence found that the European

¹ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/agricult/106877.pdf

Union support for the UDAW had a direct consequence on Spain's discussions on animal welfare.
Are there economic and societal barriers to improving this aspect of animal welfare?
The main obstacle is the government's lack of an active role in developing policy and legislation with regard to animal welfare, by taking into consideration the principles and precepts of the UDAW. It is assumed that there are not significant financial or other resource barriers to improvement. However, there may be socio-cultural barriers towards improving animal welfare.
Are enforcement mechanisms in place in policy and legislation?
There are no enforcement mechanisms relevant to this indicator.

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: D

Part 1: Verification
There is legislation with partial application
Article 337 of the Penal Code provides that those who cruelly mistreat pets and unjustifiably cause death or injuries causing serious physical impairment will be punished with imprisonment of three months to one year. Article 632(2) provides that those who those who cruelly mistreat pets without amounting to an offence under Article 337 are liable to 20 to 60 days imprisonment or 20 to 30 days community service. This legislation only protects pet animals and it is not clear whether it is capable of extending to causing suffering by failure to act. Article 4 of Law 32/2007 provides that the government will take measures to ensure that farm animals are not caused unnecessary suffering. The 17 provincial Autonomous Communities and two Autonomous Cities have the ability to legislate beyond the provisions of Law 32/2007; the law aims to provide a baseline for consistency of protection.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The current criminal offences for cruelty to animals only protect pets, and the relevant provisions in Law 32/2007 apply only to animals which have some economic value. The government is encouraged to extend the legislation to encompass suffering caused by negligent behaviour and to protect all categories of animals.
Are there economic and societal barriers to improving this aspect of animal welfare?
At present not all groups of animals are covered by anti-cruelty legislation, although there are government representatives specifically responsible for the welfare of wildlife, working animals and animals in captivity. This exclusion of large numbers of animals from protection represents a barrier to improving conditions in the country and is out of step with the position in many other European Union countries.

The continuing practice of bullfighting in parts of Spain is also a major concern in relation to the issue of cruelty to animals and represents a significant barrier in this area.

Are enforcement mechanisms in place in policy and legislation?

Article 337 of the Penal Code provides that those who cruelly mistreat pets and unjustifiably cause death or injuries causing serious physical impairment will be punished with imprisonment of three months to one year. Article 632(2) provides that those who those who cruelly mistreat pets without amounting to an offence under Article 337 are liable to 20 to 60 days imprisonment or 20 to 30 days community service. These provisions only protect pet animals and do not detail what particular conduct amounts to cruel mistreatment.

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 primary focus of Law 32/2007 is on farm animals. This law was enacted in order to comply with European Union legislative requirements on farm animal protection, and to give a base level of protection across the Autonomous Communities and Cities.

The law covers the care of animals throughout their entire life on the farm, during transportation and at the time of slaughter, through incorporation of the relevant European Union Directives and Regulations on this subject, which contain a high level of detail in relation to certain activities and species. Articles 1 to 9 of the law set out its purpose in relation to animals used in farming and the key aspects concerning animal welfare in the light of exploitation, transportation, slaughter or killing of animals.

The Ministry of Agriculture, Fisheries and Food has also produced guidelines and codes of practices concerning the welfare of farm animals².

Part 2: Assessment

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

Law 32/2007 recognises animal welfare as an individual issue in relation to animals used in farming. However the law remains relatively isolated as the legislation is designed to meet the requirements of domestic implementation of European Union legislation, and does not involve stakeholders of other relevant governmental departments or strategies beyond the Ministry of Agriculture, Fisheries and Food. In addition, despite incorporating the minimum European Union legislative requirements, Spain has at times been found to be deficient in full implementation

² <http://www.magrama.gob.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-granja/>

(including enforcement). For example, in 2011 the European Commission issued a reasoned opinion³ calling on Spain to address deficiencies in complying with European Union legislation on the welfare of farm animals at the time of slaughter, and in 2012 the European Commission called on Spain via letter of formal notice for the government to take action to implement the ban on barren battery cages for laying hens⁴. This demonstrates that although the government has enacted relevant law it has not always prioritised achieving full compliance with the letter of that law. NGO Compassion in World Farming has also reported finding evidence of non-compliance with European Union law on welfare issues related to pig farming, including tail docking, sow stalls and bedding⁵. It therefore appears that in relation to this category of animals the legislation is not fully effective to make animal welfare a mainstream concern in the country.

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

There do not appear to be any significant resource related barriers to improving the welfare of farm animals in Spain, aside from the economic difficulties suffered by the country which have impacted governmental process.

However the failure of the government to carry out all necessary enforcement activities with a view to achieving full compliance with the relevant legislation suggests that farm animal welfare is not a government priority. The devolved legislative power of the Autonomous Communities may also present a structural barrier to improvement.

Are enforcement mechanisms in place in policy and legislation?

Law 32/2007 contains enforcement mechanisms which are categorised as mild, serious or very serious, with administrative punishments ranging from warnings to fines of 600 to 100,000 Euros. There are, however, no more substantial enforcement mechanisms for cases of serious offenses, such as imprisonment and prohibition on keeping animals. The government is encouraged to strengthen the existing enforcement mechanisms.

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

Ranking: B

Part 1: Verification

There is legislation

Law 31/2003 on the conservation of wildlife in zoos makes provision for the licensing of zoos and facilities keeping wild animals in captivity, inspection processes, conservation measures (including animal welfare issues), record-keeping and enforcement mechanisms. The law was made to incorporate the requirements of European Union Directive 1999/22. Article 3 requires that zoos comply with welfare measures, in addition to any prescribed by the relevant Autonomous Community, including that conditions must allow animals to satisfy their biological needs and allow for conservation and that each species must be provided with environmental enrichment. The law

³ http://europa.eu/rapid/press-release_IP-11-1092_en.htm

⁴ http://europa.eu/rapid/press-release_IP-12-47_en.htm

⁵ http://www.ciwf.org.uk/what_we_do/pigs/spanishpigsinvestigation.aspx

also prohibits negligently or intentionally abusing, neglecting or allowing animals to deteriorate.

Part 2: Assessment

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

Animal welfare is recognised as an issue of importance relating to animals in captivity. However the provisions relating to welfare are not detailed and do not provide guidance on what is required in order to comply with Law 31/2003. In order to effectively bring the welfare issues associated with keeping wild animals in captivity to mainstream concern of society, the government is encouraged to include a section dedicated to animal welfare, including guidelines on issues of particular importance.

In 2010 a guidelines report on the implementation of Law 31/2003 was produced by the Spanish government in conjunction with the NGO community. Guidelines such as these are useful tools in making the issue of animal welfare a mainstream concern; however this example has no mandatory aspects to ensure that its recommendations are adhered to.

The Law was enacted in order to comply with European Union legislative requirements (which had a deadline of 2002, before Law 31/2003 was enacted). Subsequently the European Commission sent a series of letters to Spain in relation to the failure to implement the relevant European Union Directive, culminating in a reference to the European Court of Justice, which ruled in 2010 that the government was failing to licence zoos properly in a number of regions. In 2011 the European Commission sent a reminder to the Spanish government about its obligation to comply with the European Court of Justice ruling⁶.

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

There do not appear to be any significant resource related barriers to Spain improving the welfare of animals held in captivity in the country. The Ministry of the Environment and Rural Affairs and the Marine Directorate General of the Natural Environment and Forest Policy led the production of 2010 guidelines on zoological parks and appears to be responsible for implementing Law 31/2003, although this is not clarified in the wording of that law.

However, whilst legislative progress has since been made, the failure to comply with European Union requirements is a worrying trend that points towards a lack of commitment to animal welfare. The failure of the government to carry out all necessary enforcement activities with a view to achieving full compliance with the relevant legislation, despite several years of complaint from the European Commission about failure to comply, suggests that this is not a government priority for work or finance. The devolved legislative power of the Autonomous Communities may also present a structural barrier to improvement.

Are enforcement mechanisms in place in policy and legislation?

Article 4 of Law 31/2003 sets out enforcement mechanisms ranging from administrative punishments, such as fines from 300 to 300,500 Euros. More serious violations may result in application of various mechanisms that enable the authorities to either temporarily or permanently close part or the whole of the zoo. There are, however, no enforcement mechanisms in place to prosecute individuals with imprisonment for severe breaches of the legislation. The government is encouraged to strengthen the enforcement mechanisms on the welfare of captive animals to ensure

⁶ http://europa.eu/rapid/press-release_IP-11-1104_en.htm?locale=en

that they are a sufficient deterrent to bad practice and cruelty in the industry.

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

Ranking: B

Part 1: Verification
There is legislation
<p>Article 337 of the Penal Code provides that those who cruelly mistreat pets and unjustifiably cause death or injuries causing serious physical impairment will be punished with imprisonment of three months to one year. Article 632(2) provides that those who those who cruelly mistreat pets without amounting to an offence under Article 337 are liable to 20 to 60 days imprisonment or 20 to 30 days community service.</p> <p>Under Law 32/2007, Article 14(1)(c) together with First Additional Provision (2) prohibits the use of pet animals in fights, and 14(1)(i) together with First Additional Provision (2) prohibits the use of stray dogs or cats in experiments.</p> <p>Article 4 of Law 1/1970, which regulates hunting, permits the hunting of domestic animals which have “lost the condition of being domesticated”.</p> <p>Finally, and in addition to the above, autonomous communities have particular provisions for the control of stray dog populations within their legal systems.</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The enforcement mechanisms for cruel treatment of pets are stronger than for many other categories of animal. However the wording of the relevant provisions does not appear to encompass acts of neglect or negligence, and there is no publically available evidence of guidelines or standards produced by relevant government bodies to advise on the implementation and enforcement of the relevant legal provisions, or to provide guidance on best practice. The law allowing feral domestic animals to be hunted may lead to considerable animal suffering and is concerning.</p> <p>There is an active animal protection movement in the country with a number of organisations working to raise awareness of responsible pet ownership and to care for stray animals.⁷</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>There do not appear to be any resource or cultural barriers to improving the welfare of companion animals in Spain. Industry analysis reports that pet owners are strongly committed to taking care of their animals despite economic problems.⁸ However, there are significant issues related to stray dog and cat populations in Spain and abandonment of pets⁹, and the law allowing feral domestic animals to be hunted suggests that there are barriers to improvement in this area.</p>

⁷ <http://www.expatsfocus.com/expatriate-spain-animal-welfare>

⁸ <http://www.euromonitor.com/pet-care-in-spain/report>

⁹ <http://www.telegraph.co.uk/expat/expatlife/8382998/The-starving-dogs-that-give-Spain-a-bad-name.html>

Are enforcement mechanisms in place in policy and legislation?

Article 337 of the Penal Code provides that those who cruelly mistreat pets and unjustifiably cause death or injuries causing serious physical impairment will be punished with imprisonment of three months to one year. Article 632(2) provides that those who those who cruelly mistreat pets without amounting to an offence under Article 337 are liable to 20 to 60 days imprisonment or 20 to 30 days community service.

Infringement of the prohibition on using animals in fights or the prohibition on the use of stray dogs or cats in experiments is punishable with a fine of 6,001 to 100,000 Euros (Article 16(a), Law 32/2007).

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

Ranking: E

Part 1: Verification

There is legislation with partial application

Under Law 32/2007, Article 14(1)(c) together with First Additional Provision (2) prohibits the use of farm animals and pet animals in fights, but this explicitly excludes bullfighting and hunting (Article 2). It appears that animals used for draught or recreational purposes are not covered by this legislation, as they are neither pets nor “production animals”.

Law 10/1991 regulates bullfighting as a sport, and is focussed on the administration and organisation of the activity rather than the welfare of the animals used. The health of bulls used in bullfighting is referred to in the ‘statement of purpose’ introducing the law but is not developed in the substantive content.

Part 2: Assessment

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

The low level of protection for animals used in draught or recreational purposes does not fully recognise their welfare as an individual issue. This prevents the legislation from being able to make the issue of the welfare of these animals a mainstream concern in society. The continuing practice of bullfighting in most Autonomous Communities and the significant animal welfare issues related to the activity through legitimising it in national legislation does significant harm to the progress of making the concept of animal welfare a mainstream concern of society in relation to animals which are used for recreation and draught purposes.

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

As previously mentioned in this report, there are no significant resource reasons why the Spanish government cannot commit human and financial resources to improving the welfare of this category of animals. However there appears to be a lack of commitment to doing so.

It was reported that in 2013 legislation was passed to protect the future of bullfighting and running

of the bulls through legislation declaring the activity part of cultural heritage worthy of protection, and allowing public funds to be used to promote and protect the activities.^{10 11} This legitimisation of bullfighting is in itself a significant barrier to improvement and also demonstrates that there are cultural barriers to improving animal welfare.

Are enforcement mechanisms in place in policy and legislation?

Infringement of the prohibition on using animals in fights (which excludes bullfighting and hunting) is punishable with a fine of 6,001 to 100,000 Euros (Article 16(a), Law 32/2007). Article 13 of Law 10/1991 details the enforcement mechanisms in place for breach of the legislation relating to bullfighting, but these provisions do not relate to the welfare of the animals involved.

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

Ranking: B

Part 1: Verification

There is legislation

Article 7 of Law 32/2007 establishes provisions for the licencing of the use of animals in scientific research, by requiring compliance with European Union legislation. Relevant European Union legislation (Directive 2010/63, Regulation 1223/2009) is detailed, prohibits cosmetic testing, and incorporates the Three Rs principles.

The law additionally provides for the establishment of a procedure by the Ministry of Education and Science for the accreditation of training and experience of researchers working with experimental animals. The use of stray dogs and cats in experiments is prohibited by Article 14(1)(i) together with First Additional Provision (2).

Part 2: Assessment

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

The welfare of this category of animals is recognised as a unique issue in current national legislation. Furthermore, the Ministry of Agriculture has expanded on the provisions in Law 32/2007 to provide guidelines and regulations on the welfare of animals used in scientific research¹². This demonstrates some progress to make the welfare of animals used in scientific research a mainstream concern of society.

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

There does not appear to be any reason why there should be lack of resource, both human and

¹⁰ <http://www.telegraph.co.uk/news/worldnews/europe/spain/10353287/Spain-grants-bullfighting-protected-status.html>

¹¹ http://spanishnewstoday.com/bullfighting-in-spain-now-protected-by-law_19021-a.html#.VAcymk1OXcs

¹² <http://www.magrama.gob.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/animales-de-laboratorio/>

financial, for improving animal welfare for this category of animals. There has, however, been a lack of commitment to full implementation of European Union legislation in the country, resulting in European Commission action in relation to legislation addressing other categories of animals. This suggests that there may be some barriers to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

Carrying out experiments on stray dogs and cats is punishable with a fine of 6,001 to 100,000 Euros (Article 16(a), Law 32/2007). Carrying out experiments other than in accordance with project authorisation is punishable with a fine of 6,001 to 100,000 Euros in the case of primates and endangered species, and 601 to 6,000 Euros for other species of animals.

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

Ranking: C

Part 1: Verification

There is legislation with partial application

Wild animals are not included in the protection of Law 32/2007, other than in administrative issues relating to conservation in specifying the funds for the management of permits and licenses arising out of the Convention on International Trade Endangered Species of Wild Fauna and Flora (CITES). Law 1/1970 regulates hunting and requires that a licence is obtained in order to hunt (Article 3). Most of the provisions of this law are concerned with defining the locations and times of year in which hunting can take place and the species which can be hunted. There is a prohibition on hunting from vehicles (Article 43(1)(a)) and on the use of traps (Article 43(1)(k)), both of which can have poor welfare impacts on wild animals.

Part 2: Assessment

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

Whilst conservation is an issue of concern in the country¹³, the welfare of wild animals does not appear to be a mainstream concern of society. Hunting is popular and regarded as an important socio-economic activity involving national and international hunters.¹⁴ The government reports that overexploitation of economically valuable species is a threat to biodiversity.¹⁵ There are reports of the use of cruel methods of pest control, on game estates, for example, use of the illegal leghold trap and non-selective snares.¹⁶ There are international concerns about the hunting of migrating birds in Spain, causing conservation and welfare concerns, for example, because of the use of glue traps.¹⁷

¹³ <http://www.cbd.int/countries/profile/default.shtml?country=es>

¹⁴ <http://fp7hunt.net/Portals/HUNT/Reports/HUNTING%20for%20Sustainability-Spanish%20results.pdf>

¹⁵ <http://www.cbd.int/countries/profile/default.shtml?country=es>

¹⁶ <http://fp7hunt.net/Portals/HUNT/Reports/HUNTING%20for%20Sustainability-Spanish%20results.pdf>

¹⁷ <http://www.theguardian.com/world/2011/nov/04/birds-migrating-spain-killed-hunters>

Are there economic and societal barriers to improving this aspect of animal welfare?
There do not appear to be any resource related barriers, either human or financial, for the Spanish government to improve the welfare of wild animals in the country through legislation. However, there does not appear to be interest or commitment from the Spanish government to recognise the full extent of wild animal welfare issues through national legislation, possibly for socio-cultural or economic grounds. Although hunting is regulated, it is legitimised by Law 1/1970 and measures to promote the welfare of hunted animals do not appear to be a priority.
Are enforcement mechanisms in place in policy and legislation?
Infringement of the relevant provisions of Law 1/1970 is punishable by fines and confiscation of licences.

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
Recently, the Royal Decree 401 of 2012, which develops the organic structure of the Ministry of Agriculture, Food and Environment includes in Article 8.1.f provisions including specific responsibilities on the promotion of animal welfare. In addition, there is individual legislation does designate different government bodies as responsible for the implementation of each law, with the General State Administration responsible for implementation of Law 32/2007. Furthermore, the autonomous communities have organs to develop specific issues on animal welfare, examples of which can be found in Catalunya, Madrid and Cantabria.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
Recognising that the protection of farm animals is of importance to the General State Administration as evidenced by the fact that recent assessment of the Ministry of Agriculture included specific management of responsibility of animal welfare in a department of the Ministry.
Are there economic and societal barriers to improving this aspect of animal welfare?
There is no suggestion that the government lacks the human or financial resources to improve the accountability and responsibility of animal welfare issues in Spain. However it appears that there is a

lack of commitment to the issue at the high levels of government, as demonstrated by delays in the implementation of some European Union Directives concerning animal welfare, which presents a significant barrier to improving the situation.
Are enforcement mechanisms in place in policy and legislation?
Duties of implementation are mandated by legislation.

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: B

Part 1: Verification
There is legislation
Spain is a member of the OIE with a Spanish representative also sitting on the Scientific Advisory Board for OIE Scientific and Technical Reviews. In addition, Spain holds the Vice-presidency of the OIE for Europe since 2012 and participates very actively in the development of its functions. Furthermore, the focal point on animal welfare has voluntarily become member of the European Animal Welfare Platform, showing a high level of commitment with OIE activities.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
Spain's active role in the region means the country has taken a remarkable collaborative approach when it comes to deal with challenges and requests from the OIE. Voluntary initiatives on engagement with the organisation have a focus on animal health, but there is as well a strong independent component of animal welfare, which signals the country's clear intent to address animal welfare as an independent issue, giving it importance within the interaction of the country's OIE representatives.
Are there economic and societal barriers to improving this aspect of animal welfare?
There is no evidence that the human and financial resources available to the Spanish government are a barrier to engagement with the OIE and as a matter of fact, institutional investment in OIE organs is evidenced in the government.
Are enforcement mechanisms in place in policy and legislation?
Commitments of the Spanish government are clearly established and are enforceable through specific agreements with the organisation.

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

Ranking: A

Part 1: Verification
<p>There is legislation</p> <p>Law 32/2007 has a focus on some of the topics covered by the OIE's guiding principles and standards for animal welfare, in providing the legislative basis for the production systems, transportation and slaughter of farm animals and animals used in scientific research. These are key components of the OIE's animal welfare standards.</p> <p>The Ministry of Agriculture has published its guiding principles and policies for animal welfare online¹⁸. These refer to Law 32/2007 and therefore cover farm animals and laboratory animals only. The section relating to farm animals makes reference to the OIE, highlighting the OIE's animal welfare standards and thus including them in reference within departmental policy.</p> <p>Spanish legislation does not cover aquaculture, the control of stray dog populations and the slaughter of animals for disease control.</p> <p>In addition to the above, Royal Decree 1614/2008, introduces some provisions on control of diseases on fish used for aquaculture and as seen before, there is no national legislation on the control of stray populations, but there are provisions in place in autonomous communities throughout the country to address this.</p>
Part 2: Assessment
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p> <p>Through including elements of the OIE standards and guiding principles in legislation, they should be introduced into wider governmental strategies in the farming and research sectors. The Ministry of Agriculture has provided guidelines and regulations that include reference to the OIE and expand on Law 32/2007. This should help to lead progress in relation to the OIE's role in animal welfare in the country.</p> <p>Many areas in Spain have issues related to stray dog populations. The Ministry of Agriculture recognises that the OIE provides standards for managing such situations but they are not included in national Spanish legislation or policy. It is recommended that the OIE's standards on stray population management are incorporated into national legislation. Incorporation of the OIE's standards on aquaculture would also be of benefit.</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p> <p>There is no evidence of resource constraints, either human or financial, to improve animal welfare in the country through incorporating the OIE guiding principles and standards into legislation. However, the Spanish government has shown a lack of commitment to the full implementation (including</p>

¹⁸ <http://www.magrama.gob.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/bienestanimal/>

enforcement) of European Union Directives, and this lack of commitment demonstrates that there remain barriers to improving animal welfare in Spain through incorporation of the OIE's standards and guiding principles.
Are enforcement mechanisms in place in policy and legislation?
There are enforcement mechanisms in Law 32/2007 for infringement of those provisions which reflect the content of the OIE's standards, consisting of financial penalties.

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

Ranking: G

Part 1: Verification
There is no policy or legislation
The Ministry of Agriculture has published updates to policy and legislation as the country's legislative framework on animal welfare has updated over recent years. The Ministry also publishes news stories on issues including those relating to Law 32/2007. However there is no evidence of any targets or consistent monitoring of goals related to animal welfare in Spain.
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
There is no policy or legislation in relation to this indicator. Setting targets and indicators for improvements in animal welfare in a country is recommended for efficient progress in the area. It is recommended that the Spanish government publishes details of progress upon monitoring such goals in order to drive progress in the country. The government is encouraged to develop a clear strategy on animal welfare improvement and to commence regular reporting on progress towards identified goals.
Are there economic and societal barriers to improving this aspect of animal welfare?
Although it is presumed that there are no significant resource barriers to improvement in this area, it does not appear to be a priority for government work.
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

Part 1: Verification
There is partial legislation
The government has confirmed during the consultation process that aspects of animal welfare are included at various educational levels and in particular with professionals working directly with animals. Legislation has been developed mostly at the level of autonomous communities.
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
Based on the information received during consultation, there is acknowledgement of the importance of education on animal welfare throughout different levels in the country.
Are there economic and societal barriers to improving this aspect of animal welfare?
There is no evidence of existing barriers to introduce compulsory elements of education on animal welfare. We encourage the government to make these improvements more visible.
Are enforcement mechanisms in place in policy and legislation?
There is no evidence of mechanisms of enforcement relevant to this indicator.

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
Article 24 of law 50 of 1997 has a provision that states that the government needs to consult with animal protection organisations on the production of new norms on the matter. At an Autonomous Community level there has been some consultation with stakeholders, for example, in relation to the Catalan ban on bullfighting. ¹⁹
Part 2: Assessment

¹⁹ <http://www.bbc.co.uk/news/world-europe-10784611>

<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p>
<p>The legislation in existence is not specific to animal welfare promotion as there is no centralised body of legislation to promote this issue. The government indicates that animal protection normativity is included into the general consultation procedures of law 50 of 1997, but evidence of said interaction is scarce</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p>
<p>Improving animal welfare in Spain effectively will require the engagement of experienced and knowledgeable stakeholders. The government is encouraged to produce specific policy to underpin its relationship with the key stakeholders on animal welfare issues in the country, and make this relationship more visible.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>General mechanisms of law 50 of 1997 are applicable, but there are no specific references to animal welfare organisations and therefore there is no evidence of legal consequences deriving from inaction on this matter.</p>

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Kingdom of Spain: 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

Constitutional monarchy

Capital

Madrid

International law organisation^{20 21}

Accept ICJ and ICC jurisdiction

Suffrage²²

18

Legal system

Civil law²³

Executive branch

Head of state: King Juan Carlos

Prime minister: Mariano Rajoy Brey

Judicial branch

The Supreme Court (Tribunal Supremo) is the highest court comprised of five divisions²⁴.

Besides the Chief Justice and the five chairmen of the chamber, there are 74 judges²⁵.

Legislative branch

A bicameral Cortes (parliament) composed of an upper house, the Senate with 264 members and a lower house, the Congress of Deputies with 350 members. Elections are held every four years. Next in the hierarchy is the National Court (Audiencia Nacional) whose members are responsible for determining "the law for each of their Divisions and Sections (Appeals, Criminal, Administrative and Social)"²⁶

Political parties

Popular Party (PP), Spanish Socialist Workers' Party (PSOE), Convergence and Union (CiU)

Economics

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

²⁰

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

²¹ <http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3>

²² <http://aceproject.org/epic-en/CDTable?question=VR001#g>

²³

<http://www.nyulawglobal.org/globalex/Spain1.htm#thelegalsystem>

²⁴

http://www.poderjudicial.es/cgpj/es/Poder_Judicial/Tribunal_Supremo

²⁵

http://www.poderjudicial.es/cgpj/en/Judiciary/Supreme_Court/Institutional_information/Composition

²⁶ https://e-justice.europa.eu/content_judicial_systems_in_member_states-16-es-en.do?member=1

Spain's economic recovery materialized in the second half of 2013²⁷, and this recovery is expected to continue into 2014²⁸. This recovery has been spurred on by strong exports, mainly from the automotive, food processing and chemicals industries²⁹. However, private consumption remains low due to high unemployment (26%), no increases in wage or disposable incomes³⁰. However, with inflation low, forecast to be 0.6% through 2014³¹, this should help household purchasing power going forward. The EIU predicts real GDP will increase by 0.6% in 2014³², and longer term, a growth rate of 1.4% for the period 2013-30³³.

Main trading partners (2012)³⁴

Import

Germany - 12.0%

France - 11.7%

Italy - 6.8%

Export

France - 16.9%

Germany - 10.9%

Italy - 7.7%

Commodities (2012)³⁵

Imports

²⁷ <http://coface.com/Economic-Studies-and-Country-Risks/Spain>

²⁸ <http://www.businessmonitor.com/spain##>

²⁹ <http://coface.com/Economic-Studies-and-Country-Risks/Spain>

³⁰ <http://www.businessmonitor.com/spain##>

³¹ <http://www.businessmonitor.com/spain##>

³² <http://country.eiu.com/spain>

³³ <http://country.eiu.com/article.aspx?articleid=1250764109&Country=Spain&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

³⁴ <http://country.eiu.com/article.aspx?articleid=841431868&Country=Spain&topic=Summary&subtopic=Fact+sheet>

³⁵ <http://country.eiu.com/article.aspx?articleid=841431868&Country=Spain&topic=Summary&subtopic=Fact+sheet>

Machinery and transport equipment - 24.8%
Mineral fuels, lubricants, and related materials - 24.2%

Chemicals and related products - 14.7%

Exports

Machinery and transport equipment - 31.6%

Food, drinks and tobacco - 14.3%

Chemicals and related products - 13.6%

GDP (current USD, 2012)

\$1,349,350,732,836

GDP per capita, PPP (2012)

\$32,682

Labour force, total (2012)

23,257,658.00

Currency

Euro

Equivalence to 1 USD

0.7476

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

NA

Manufacturing, value added (% of GDP, 2012)

13 (2009)

Agriculture, value added (% of GDP, 2012)

3 (2010)

Industry, value added (% of GDP, 2012)

26 (2010)

Exports (% of GDP) (2012)

32

Imports (% of GDP) (2012)

31

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

71 (2010)

Unemployment rate, (% , 2011)

21.6

Education expenditure (% of GDP, 2012)

5 (2010)

Adjusted savings: Education expenditure
USD (2011)

66,124,762,333

Population: ages 15-64 (% of total) (2012)
67

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

18

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

22

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

78

Society

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

Total population (2012)

46,217,961

Religion³⁶

Christian (78.6%), Unaffiliated (19.0%),
Muslim (2.1%)

Languages

Spanish (Castilian), Catalan, Galician,
Basque³⁷

Population growth, annual % (2012)

0.1

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

15

³⁶ <http://features.pewforum.org/grl/population-percentage.php>

³⁷ <http://country.eiu.com/article.aspx?articleid=1261046710&Country=Spain&topic=Summary&subtopic=Basic+data>

