



Swiss Confederation

Animal Protection Index 2014 ranking: A

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: A

Part 1: Verification
There is legislation
Although the legislation does not explicitly refer to sentience, the concept of sentience is recognised by the Animal Welfare Act 2005. The purpose of the Act is to protect the dignity and welfare of animals (Article 1), and dignity is the inherent worth of the animal that has to be respected when dealing with it (Article 3). Activities on animals are forbidden if their dignity is thereby disregarded (Article 4(3)). If any strain imposed on the animal cannot be justified by overriding interests, this constitutes a disregard for the animal's dignity, and strain is deemed to be present in particular if pain, suffering or harm is inflicted on the animal, if it is exposed to anxiety or humiliation, if there is major interference with its appearance or its abilities or if it is excessively instrumentalised. The Act applies to vertebrates and any invertebrates that may be so designated by the Federal Council (Article 2).
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
Recognition of sentience is the basis of animal protection legislation in Switzerland. This is effective to make animal welfare a mainstream concern in the country. The legislation is backed up by the government conducting education and training for people who handle animals and ensuring the

public is informed about animal welfare. Responsibility for implementing the Act is given to the Cantons, which have authorities and committees relevant to the Act and issue cantonal licenses for certain uses of animals, such as breeding for scientific research and cantonal regulations if necessary to supplement Federal regulations. The Federal Department of Home Affairs supervises this. The Federal Food Safety and Veterinary Office publishes further guidance on its website on understanding and applying the principle of the "dignity of the animal".¹

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

There do not appear to be significant resource or other barriers to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

Offences under the Animal Welfare Act 2005, that arise out of the recognition of animal sentience, are punishable with fines and/or imprisonment. There are also methods of encouragement including the production of educational materials to promote correct animal handling for those who work with animals, as well as training and education for animal keepers and people who train animals.

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

Ranking: A

Part 1: Verification

There is full government support

The Swiss government gave full government support in principle to the UDAW in February 2008. Note: The Universal Declaration on Animal Welfare is a proposed formal international acknowledgment of a set of principles giving animal welfare due recognition among governments and the international community. An expression of support for the UDAW demonstrates a government's commitment to working with the international community to improve animal welfare.

Part 2: Assessment

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

Support for the UDAW has a significant role in making the concept of animal welfare of mainstream concern in Switzerland, and current legislation is in line with the general principles of the UDAW.

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

It is advised that the government develops legislation to further incorporate the terms of the UDAW by linking humanitarian, development and animal welfare agendas nationally and internationally.

Are enforcement mechanisms in place in policy and legislation?

Support for the UDAW has undertaken all necessary formalities within the government.

¹ <http://www.blv.admin.ch/themen/tierschutz/05459/>

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: A

Part 1: Verification
There is legislation
Article 4(2) of the Animal Welfare Act 2005 prohibits inflicting pain, suffering or harm on an animal, inducing anxiety in an animal or disregarding its dignity in any other way without justification. The mishandling, neglect or unnecessary overworking of animals is also prohibited. Article 26 of the Animal Welfare Act 2005 and Article 16 of the Animal Welfare Ordinance give more detail on which specific conducts are prohibited.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The legislation is wide reaching in its scope and covers all vertebrates and any invertebrates that may be designated as included by the Federal Council (Article 2, Animal Welfare Act 2005). This is sufficient to make this aspect of animal protection a mainstream concern in the country.
Are there economic and societal barriers to improving this aspect of animal welfare?
The Animal Welfare Act 2005 provides that the Department of Economic affairs oversees the implementation of relevant legislation in the cantons. It is possible that the delegation of implementation to cantonal level may present a structural barrier, although controls exist in the form of requirements under Article 38 of the Animal Welfare Act 2005 and Article 210 of the Animal Welfare Ordinance 2008 that each canton must set up a technical office responsible for implementation and enforcement and that those undertaking enforcement activities must attend specific training.
Are enforcement mechanisms in place in policy and legislation?
Article 26 of the Animal Welfare Act 2005 provides that anyone who wilfully mistreats or neglects an animal, unnecessarily overworks it or in any other way disregards its dignity is liable to a fine or imprisonment of up to three years. Anyone who does so through negligence is liable to a fine or imprisonment of up to 180 days.

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

Ranking: A

Part 1: Verification
There is legislation

The general anti-cruelty provisions in Article 4 and Article 26 of the Animal Welfare Act 2005, and Article 16 of the Animal Welfare Ordinance, apply to this category of animals.

The Animal Welfare Act 2005 and Animal Welfare Ordinance 2008 contain extensive regulations regarding animal husbandry and farm animal welfare. The Ordinance in particular goes into a high level of detail in relation to issues including housing, transport and slaughter.

The Federal Council produces minimum requirements for keeping animals, with forms of husbandry which contravene basic principles of animal welfare prohibited.

Article 4(1) of the Animal Welfare Act 2005 provides that anyone who handles animals must take account of their needs as best as possible and ensure their well-being as far as circumstances of the intended purpose permit. Article 6 of the Act provides that anyone who keeps or looks after animals must feed and care for them properly and provides them with the activities and freedom of movement needed for their well-being, as well as shelter where necessary.

Article 15 of the Animal Welfare Act 2005 is concerned with transporting animals and places restrictions on travelling times and conditions and requirements for personnel involved in the process. Cattle, pigs, goats, sheep, horses and poultry travelling to slaughter are only permitted to travel through Switzerland by rail or air. Articles 151 to 176 of the Ordinance set out strict requirements for transporting animals with responsibility given to personnel at each stage of the process.

Article 21 of the Act covers slaughter of animals; mammals are required to be stunned before slaughter using a method specified by the Federal Council. This includes slaughter for religious purposes, but halal and kosher meat from animals slaughter without pre-stunning is permitted to be imported and sold to allow a supply for Jewish and Islamic communities.

The Animal Welfare Ordinance defines farm animals as "animals of species that are kept directly or indirectly for certain other benefits or are intended for such use." Articles 17 to 21 list prohibited conducts in relation to specific species. Articles 37 to 67 of the Ordinance contain specific requirements for keeping different types of farm animals. Articles 177 to 188 make regulations covering all aspects of slaughter including stunning, methods of killing, housing, transport and requirements for slaughterhouse staff.

Part 2: Assessment

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

The legislation protecting farm animal welfare is wide-reaching and detailed. The system includes guidance and advice; Article 83 describes an advisory committee which advises on housing systems and installations for mass-produced housing systems and installations for cattle, sheep, goats, pigs, domestic rabbits and domestic poultry. This is made up of representatives of the federal authorities and the cantons as well as scientists and experts in animal welfare issues, animal husbandry and housing construction.

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

There are no apparent resource or cultural barriers to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

Article 26 of the Animal Welfare Act 2005 provides that anyone who wilfully mistreats or neglects an animal, unnecessarily overworks it or in any other way disregards its dignity is liable to a fine or imprisonment of up to three years. This also applies to killing an animal deliberately and without

provocation in a way that causes suffering, and abandoning a farm animal with the intention of disposing of it. Anyone who commits these acts through negligence is liable to a fine or imprisonment of up to 180 days.

Article 28 of the Animal Welfare Act 2005 provides that, unless Article 26 applies, anyone who disregards the regulations on keeping, breeding, transporting, slaughtering and carrying out surgery on animals is liable to a fine. Article 28 also provides that it is an offence to breach the requirements of the Animal Welfare Ordinance 2008 or other secondary regulations made under the Act, punishable with a fine or imprisonment if done wilfully, or a fine if done negligently.

Article 213 describes inspection for farm animal holdings. These must be carried out by the cantonal authority at least every four years, using a risk-based or randomised approach and must always take place at holdings where deficiencies were found in the previous year.

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

Ranking: B

Part 1: Verification

There is legislation

The general anti-cruelty provisions in Article 4 and Article 26 of the Animal Welfare Act 2005, and Article 16 of the Animal Welfare Ordinance 2008, apply to this category of animals.

Particularly relevant to this category of animals are the prohibition on the use of animals for exhibition if such use is obviously associated with pain, suffering or harm for the animal and the prohibition on the performance of actions or failure to perform actions on an animal for exhibition purposes, if this results in the infliction of pain or harm on the animal or compromises its well-being in some other way (Article 16(e) and 16(i), Animal Welfare Ordinance 2008).

Under Article 6 of the Act, anyone who keeps or looks after animals must feed and care for them properly and provide them with the activities and freedom of movement needed for their well-being, as well as shelter where necessary.

Although fur farming is not banned, legislation effectively prevents the farming of animals for their fur because the keeping of animals for such purposes is only permitted under zoo conditions; for example, two red foxes would require a minimum of 100 m² natural grounds, the possibility to hide plus a 10 m² indoor area (Annex 2, Animal Welfare Ordinance 2008).

Article 7 of the Act provides that The Federal Council may make requirements for licencing in order to keep certain categories and species of animals, and that a licence is required for the commercial and private keeping of wild animals that pose particular challenges in terms of husbandry and care. Articles 85 to 96 of the Animal Welfare Ordinance 2008 contain requirements specifically relevant to wild animals kept in captivity. Article 89 of the Ordinance lists those animals in respect of which a licence is required, including mammals other than indigenous insectivores and small rodents, marsupials, anteaters and related animals, specified birds, fish over 1 m, sharks and rays, and specified reptiles and amphibians, and Article 92 lists those species which are considered to have special needs in terms of husbandry and care (including cetaceans, primates other than marmosets,

marsupials and other specified species). Article 90 lists those facilities for which a licence is required, including zoos, circuses, safari parks, game parks, small zoos, dolphinariums, aviaries, aquariums, terrariums, permanent animal shows and similar institutions.

Part 2: Assessment

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

The license requirements under the Animal Welfare Ordinance 2008 go some way to protect the welfare of this category of animals.
 Article 91 of the Ordinance describes the process of consultation of experts that must be done before an animal can be taken into captivity. Experts with knowledge of zoological biology shall advise the management on animal husbandry, the care of the animals, livestock planning and the construction and design of enclosures.
 It is positive that the legislation identifies particular groups and species of animals whose welfare needs are more difficult to meet in captivity, and creates a more stringent licencing regime for keeping these animals.

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

The existing legislation is detailed and positive in terms of protection of the welfare of this category of animals. However the existing law legitimises the use of wild animals in circuses, demonstrating that there are some barriers to improvement.

Are enforcement mechanisms in place in policy and legislation?

Article 26 of the Animal Welfare Act 2005 provides that anyone who wilfully mistreats or neglects an animal, unnecessarily overworks it or in any other way disregards its dignity is liable to a fine or imprisonment of up to three years.
 Article 28 of the Animal Welfare Act 2005 provides that, unless Article 26 applies, anyone who disregards the regulations on keeping animals is liable to a fine. Article 28 also provides that it is an offence to breach the requirements of the Animal Welfare Ordinance 2008 or other secondary regulations made under the Act, punishable with a fine or imprisonment if done wilfully, or a fine if done negligently.
 Wild animal facilities that require a license are inspected by the cantonal authority at least every two years. If two successive inspections have not led to any objections, the frequency of inspections may be reduced to a maximum of four years.

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

Ranking: B

Part 1: Verification

There is legislation

The general anti-cruelty provisions in Article 4 and Article 26 of the Animal Welfare Act 2005, and Article 16 of the Animal Welfare Ordinance 2008, apply to this category of animals.

Particularly relevant to this category of animals is the prohibition on abandoning or leaving behind an animal that is kept in the house with the intention of disposing of it (Article 26(e) Animal Welfare Act 2005).

Under Article 6 of the Act, anyone who keeps or looks after animals must feed and care for them properly and provide them with the activities and freedom of movement needed for their well-being, as well as shelter where necessary.

Certain specified actions (such as cosmetic surgical procedures) are prohibited on specified species of animals under the Animal Welfare Ordinance 2008; Article 21 in relation to horses, Article 22 in relation to dogs, and Article 24 in relation to cats and birds. Article 24(b) further prohibits any surgical procedures carried out to make it easier to keep pets, other than procedures to prevent reproduction and the removal of dewclaws. Commercial breeders are required to carry out livestock inventories under Article 30 and to register with the cantonal authorities under Article 101.

Articles 68 to 79 of the Ordinance contain extensive requirements for dog keeping, including that anyone who wants to keep a dog must provide a certificate of competence regarding their knowledge on keeping and dealing with dogs before they get one, unless they have evidence of owning a dog before. A certificate of competence for keeping the dog under control in everyday situations must also be obtained within a year of acquiring a dog.

It is permitted to shoot feral cats year round (Article 5(3) Federal Law on Hunting and the Protection of Wild Animals).

It has been prohibited to trade in cat and dog fur since 2013 (Article 14(2) Animal Welfare Act 2005).

Part 2: Assessment

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

The legal provisions relating to companion animals are detailed and wide-reaching in their scope. The Federal Food Safety and Veterinary Office operates a website specifically aimed at providing companion animal owners with information on health and welfare issues.²

However, the law does not currently contain provisions on humane companion animal population control.

A recent petition to ban the hunting of feral domestic cats was rejected by the Swiss Parliament.³ The hunting of cats is reported to facilitate an underground market in illegal cat fur, which is another welfare concern that the government is attempting to address with stricter penalties.⁴

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

There is a high level of protection for animals kept as pets but there appear to be resource and socio-cultural barriers to introducing humane population control methods for cats. The head of the Federal Department of the Environment, Transport, Energy and Communications, Doris Leuthard, said in relation to the proposed ban on hunting feral cats that it would be very complicated and costly to implement box trap or sterilisation programmes, and that this would be an unnecessary intrusion into

² <http://www.meinheimtier.ch/de>

³ http://www.parlament.ch/ab/frameset/d/n/4909/410211/d_n_4909_410211_410522.htm

⁴ <http://www.theverge.com/2013/6/14/4429720/switzerland-cracks-down-on-its-underground-cat-fur-market>

cantonal sovereignty, although it is noted that she also commented that stray cats are not a widespread problem and that relevant cantons restrict hunting activities.⁵

Are enforcement mechanisms in place in policy and legislation?

Article 26 of the Animal Welfare Act 2005 provides that anyone who wilfully mistreats or neglects an animal, unnecessarily overworks it or in any other way disregards its dignity is liable to a fine or imprisonment of up to three years.

Article 28 of the Animal Welfare Act 2005 provides that, unless Article 26 applies, anyone who disregards the regulations on keeping animals is liable to a fine. Article 28 also provides that it is an offence to breach the requirements of the Animal Welfare Ordinance 2008 or other secondary regulations made under the Act, punishable with a fine or imprisonment if done wilfully, or a fine if done negligently.

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

Ranking: B

Part 1: Verification

There is legislation

The general anti-cruelty provisions in Article 4 and Article 26 of the Animal Welfare Act 2005, and Article 16 of the Animal Welfare Ordinance 2008, apply to this category of animals. Particularly relevant to this category of animals are the prohibitions on: unnecessarily overworking an animal (Article 26(a) Animal Welfare Act 2005); organising fights between or with animals in which animals are tormented and killed (Article 26(d) of the Act); the use of animals for exhibition, promotion, films or similar purposes, if such use is obviously associated with pain, suffering or harm for the animal (Article 16(2)(e) Animal Welfare Ordinance 2008); participating in competitions and sporting events with animals using banned substances or products (Article 16(h) of the Ordinance); and the performance of or failure to perform actions on an animal for exhibition purposes, if this results in the infliction of pain or harm on the animal or compromises its well-being in some other way (Article 16(i) of the Ordinance).

Article 23(1) of the Ordinance prohibits angling with the intention of releasing the fish back into the water, and the use of live fish as bait.

Under Article 6 of the Act, anyone who keeps or looks after animals must feed and care for them properly and provide them with the activities and freedom of movement needed for their well-being, as well as shelter where necessary.

The provisions on dogs in the Ordinance contain detailed regulations on working dogs (service dogs, guide dogs, dogs for the disabled, rescue dogs, livestock guardian dogs, cattle dogs and hunting dogs).

The current legislation permits the use of animals in circuses, including travelling circuses. Minimum

⁵ http://www.parlament.ch/ab/frameset/d/n/4909/410211/d_n_4909_410211_410522.htm

requirements must be met in order for a licence to be granted, but Article 95(2) of the Ordinance provides that some of these need not be fully met for enclosures for animals that are frequently and regularly trained in a circus ring, if the spatial conditions at individual host venues do not permit this. It is prohibited to import dolphins under Article 206a of the Ordinance.

Part 2: Assessment

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

The legislation does not contain the same level of detail on protecting the welfare of draught animals and of animals used in sporting recreational purposes as it does for some other categories of animals.

In 2013 the last dolphinarium in the country closed in the country, following the introduction of the import ban⁶.

The government permits the use of wild animals in circuses, an issue which raises animal welfare concerns,⁷ and on which a number of other countries have taken action. The license conditions for animals kept in circuses should go some way to protect the welfare of this category of animals, however, it is difficult to create conditions in which animals can express natural behaviours in a travelling or temporary animal exhibit. In addition, the conditions do not have to be met fully if they are frequently in a circus ring and the spatial conditions at the host venue do not permit this.

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

The existing legislation is detailed and positive in terms of protection of the welfare of this category of animals in most circumstances.

However the existing law legitimises the use of wild animals in circuses and gives exceptions to enclosure design while animals are travelling with circuses. This demonstrates that there are barriers to improvement.

Are enforcement mechanisms in place in policy and legislation?

Article 26 of the Animal Welfare Act 2005 provides that anyone who wilfully mistreats or neglects an animal, unnecessarily overworks it or in any other way disregards its dignity is liable to a fine or imprisonment of up to three years.

Article 28 of the Animal Welfare Act 2005 provides that, unless Article 26 applies, anyone who disregards the regulations on keeping animals is liable to a fine. Article 28 also provides that it is an offence to breach the requirements of the Animal Welfare Ordinance 2008 or other secondary regulations made under the Act, punishable with a fine or imprisonment if done wilfully, or a fine if done negligently.

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

Ranking: A

⁶ <http://www.ladolphinconnection.es/blog/wp-content/uploads/2014/04/Report-from-Switzerland-OceanCare.pdf>

⁷ <http://www.swissinfo.ch/eng/circus-rejects-accusations-of-animal-negligence/3822020>

Part 1: Verification**There is legislation**

The general anti-cruelty provisions in Article 4 and Article 26 of the Animal Welfare Act 2005, and Article 16 of the Animal Welfare Ordinance 2008, apply to this category of animals.

Particularly relevant to this category of animals is the prohibition on inflicting pain, suffering or harm on an animal or inducing anxiety in it during the course of experiments, unless this is avoidable for the purpose of the experiment (Article 26(d) of the Act).

Under Article 6 of the Act, anyone who keeps or looks after animals must feed and care for them properly and provide them with the activities and freedom of movement needed for their well-being, as well as shelter where necessary.

Articles 10, 11 and 12 of the Act regulate the breeding and use of animals in experiments for genetic modification.

Articles 17 to 20 of the Act are directly concerned with the use of animals in experiments.

Experiments with animals in Switzerland that inflict pain, suffering or harm, induce anxiety, substantially impair general well-being or disregard dignity in any other way must be limited to the indispensable minimum (Article 17). Those carrying out experiments must obtain a licence, which will be limited in time and may contain conditions and requirements (Article 18(4)). Experiments are not permitted if, in relation to the anticipated gain in knowledge, they inflict disproportionate pain, suffering or harm or induce disproportionate anxiety (Article 19(4)).

Articles 112 to 149 of the Animal Welfare Ordinance 2008 contain detailed provisions on animal experiments, genetically modified animals and mutants with a significant clinical pathological phenotype. These include detailed provisions on keeping and breeding animals, performing and getting approval for experiments and information on the animal experiments committees. The scope of these provisions extends to vertebrates; decapods and cephalopods; mammals, birds and reptiles in the last third of gestation; and larva stages of fish and amphibians that take in food ad libitum (Article 112 of the Ordinance). Primates can be used in experiments (Article 118), but experiments on animals relatively high on the evolutionary scale may only be carried out if the purpose cannot be achieved in species that are lower on the evolutionary scale and no suitable alternative methods are available (Article 20(2) of the Act).

The Ordinance also contains provisions on the use of anaesthetic during experiments. Experiments that entail strain on the animal (which is defined by a list of circumstances including surgical procedures, general anaesthesia and isolation) can only be carried out if it is shown that the objective is associated with the preservation or protection of the life and health of humans and animals, can be expected to yield new knowledge on fundamental processes of life, or serves to protect the natural environment. The applicant must also show that the objective cannot be achieved using other non-animal methods, and the smallest number of animals possible must be used (Article 137 of the Ordinance).

The Animal Experimentation Ordinance 2010, made pursuant to the Animal Welfare Ordinance 2008, contains further regulation on laboratory animal husbandry, the production of genetically modified animals and the methods of animal experimentation. Issues covered in this Ordinance include husbandry (Articles 2 to 8), recording and reporting procedures for experiments on certain species (Articles 12 to 23), and the required content of applications and reports (Articles 28 to 31). Draft revisions to the federal Food Law, expected to be enacted in 2016, include a provision allowing the federal council to ban the marketing of cosmetics tested on animals (Article 20).

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The legislation contains the internationally recognised principles of the Three Rs. There is detailed provision to reduce the amount of animal experimentation that takes place and to protect the welfare of those animals involved in experiments (within the constraints of those experiments).</p> <p>Although cosmetic testing is not specifically mentioned in legislation, the requirements on proportionality and observing the principles of the Three Rs mean that cosmetic testing cannot take place.</p> <p>Article 118 of the Animal Welfare Ordinance 2008 concerns the origin of laboratory animals and says that wild animals may be caught for use in experiments if they belong to a species that is difficult to breed in sufficient number. There may be negative welfare issues associated with this.</p> <p>Implementation and enforcement of the relevant legislation is dealt with at cantonal level. Each canton must appoint a committee of experts for animal experiments, independent of the licensing authority and with representatives from animal welfare organisations. The committee reviews applications and submits proposals to the licensing authority. It is consulted on the inspection of laboratory animal husbandries and the conduct of experiments. The cantons may entrust further duties to the committee. At oversight level, a Federal committee is appointed by the Federal Council, containing experts on animal experiments that advise the federal authority and cantons if necessary, and collaborating with the Federal Ethics Committee on Non-Human Biotechnology.</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
The existing provisions are wide-reaching in their scope and detailed. There do not appear to be significant barriers to improvement in this area.
Are enforcement mechanisms in place in policy and legislation?
<p>Article 26 of the Animal Welfare Act 2005 provides that anyone who wilfully mistreats or neglects an animal, unnecessarily overworks it or in any other way disregards its dignity is liable to a fine or imprisonment of up to three years.</p> <p>Article 28 of the Animal Welfare Act 2005 provides that, unless Article 26 applies, anyone who disregards the regulations on keeping animals is liable to a fine. Article 28 also provides that it is an offence to breach the requirements of the Animal Welfare Ordinance 2008 or other secondary regulations made under the Act (thus including the Animal Experimentation Ordinance 2010), punishable with a fine or imprisonment if done wilfully, or a fine if done negligently.</p>

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

Ranking: B

Part 1: Verification
There is legislation
The general anti-cruelty provisions in Article 4 and Article 26 of the Animal Welfare Act 2005, and

Article 16 of the Animal Welfare Ordinance 2008, apply to this category of animals. Particularly relevant to this category of animals is the prohibition on deliberately and without provocation killing an animal in a manner that causes it suffering (Article 26(b) of the Animal Welfare Act 2005) and the wanton killing of animals (Article 16(2)(c) of the Animal Welfare Ordinance 2008). Article 23(1) of the Ordinance prohibits angling with the intention of releasing the fish back into the water, and the use of live fish as bait.

Hunting wild animals is governed by the Federal Law on the Hunting and Protection of Wild Animals and Birds 1986. This has a conservation focus and identifies certain species of animals and times of year for hunting. The issue is regulated at cantonal level, with two systems used: licencing of individual hunters, and lease of hunting rights for a specific area. The canton of Geneva prohibits all hunting.⁸ In order to obtain hunting licences, applicants must be over 20, pass a test and fulfil a range of conditions. Culling of certain species such as deer also takes place to encourage forest regeneration.⁹

Part 2: Assessment

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

The legislation legitimises hunting, although hunting activities are not exempt from the general provisions of the Animal Welfare Act 2005 and the Animal Welfare Ordinance 2008. This should provide some welfare protection in terms of killing with minimised suffering. It is positive that it is prohibited to angle for fish with the intention of releasing them back into the water.

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

Cultural acceptance of hunting may present a barrier to improvement for this category of animals.

Are enforcement mechanisms in place in policy and legislation?

Article 26 of the Animal Welfare Act 2005 provides that anyone who wilfully mistreats or neglects an animal, unnecessarily overworks it or in any other way disregards its dignity is liable to a fine or imprisonment of up to three years.

Article 28 of the Animal Welfare Act 2005 provides that it is an offence to breach the requirements of the Animal Welfare Ordinance 2008 or other secondary regulations made under the Act, punishable with a fine or imprisonment if done wilfully, or a fine if done negligently.

Enforcement of hunting legislation takes place at cantonal level.

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

⁸ <http://www.bafu.admin.ch/jagd-fischerei/07833/07883/index.html?lang=de>

⁹ <http://www.bafu.admin.ch/jagd-fischerei/07833/07885/07887/index.html?lang=de>

Ranking: B

Part 1: Verification
<p>There is legislation</p> <p>The Swiss government has a clear structure for implementing the regulations in the Animal Welfare Act 2005 and the Animal Welfare Ordinance 2008, as well as the laws on experiments and hunting, and this is set out in several places in the legislation. The Federal government via the Federal Council is responsible for producing relevant secondary regulations and authorises the Federal Food Safety and Veterinary Office to produce implementing regulations of a technical nature. The Federal Council also monitors the import, transit and export of animals and their products.</p> <p>The cantons are responsible for implementation and enforcement of regulations, and for the training and education of persons who perform the necessary functions. Each canton is able to supplement the Act with cantonal law but must report to the Federal government on certain areas such as inspections and investigations and work collaboratively when necessary. Article 31(1) of the Animal Welfare Act 2005 provides that the prosecution and judgment of offences is a matter for the cantons. Each canton is required by Article 33 of the Act to set up a technical office under the responsibility of the Cantonal Veterinary Officer for ensuring that the Act and secondary regulations are enforced, and required by Article 42 of the Act to draw up supplementary regulations where required for implementation. Enforcement is supervised on behalf of the Federal government by the Department of Home Affairs (Article 40 of the Act).</p> <p>The Constitution requires the government to legislate to regulate the protection of animals, in particular keeping and care of animals, experiments on animals and procedures carried out on living animals, the use of animals, the import of animals and animal products, the trade in animals and transport of animals, and the slaughter of animals, and requires regulations in most areas to be enforced by the cantons (Article 80).</p>
Part 2: Assessment
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p> <p>Efforts to make animal welfare a mainstream concern of society are clearly being made through the structure of governance. The Federal Food Safety and Veterinary Office has overall responsibility for improving animal protection, but in practice this responsibility is delegated to a cantonal level. Responsibility is given to the cantons with support and collaboration from an identified branch of the Federal government. The Federal Food Safety and Veterinary Office has set up a study group to help ensure that the "dignity of the animal" is protected by law.</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p> <p>It is possible that the dissemination of responsibility to cantonal level could present some structural barriers to improvement; in 2013 the head of the Federal Department of the Environment, Transport, Energy and Communications, Doris Leuthard, said in relation to the proposed ban on hunting feral cats that to do so would be an unnecessary intrusion into cantonal sovereignty.¹⁰ However, there is clear responsibility placed on the cantonal authorities: each canton is required to</p>

¹⁰ http://www.parlament.ch/ab/frameset/d/n/4909/410211/d_n_4909_410211_410522.htm

<p>set up a technical office for ensuring that the Animal Welfare Act 2005 and secondary regulations are enforced (Article 33), and to draw up supplementary regulations where required for implementation (Article 42). The 2014 Animal Welfare Report by the Federal Food Safety and Veterinary Office notes (at page 7) that all of the cantons have reinforced their animal welfare offices significantly in order to meet heightened requirements and the greater inspection workload.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>The government bodies responsible for improving animal protection are identified in the relevant legislation.</p>

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: C

<p>Part 1: Verification</p>
<p>There is policy</p>
<p>The government is actively engaged with the OIE in the area of animal welfare. For example, the country is a member of the Advisory Committee of the World Animal Health and Welfare Fund and of the steering group of the OIE’s regional platform on animal welfare in Europe. Recently the government is engaging with the OIE on the subject of the health and welfare of reptiles used for their skins, having developed draft guidelines on humane killing for these purposes.¹¹</p>

<p>Part 2: Assessment</p>
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p>
<p>The existing legislation and policy and level of engagement with the OIE demonstrates that animal welfare is an issue of importance in Switzerland. The government is encouraged to continue its work in this area.</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p>
<p>Although the existing low level of interaction with the OIE suggests that this may not be a priority for the government at present, it is assumed that there are no resource barriers to increased engagement and the government shows a generally good track record in animal protection.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>There are no enforcement mechanisms relevant to this indicator.</p>

¹¹ http://www.blv.admin.ch/themen/tierschutz/04013/index.html?lang=en&print_style=yes

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

Ranking: B

Part 1: Verification
There is legislation
The areas covered by the OIE's standards are addressed by Swiss legislation, with the exception of dog population control. These include standards relating to animals in research and education, farm animal husbandry, transport and slaughter. Stray dogs are reported not to be a problem in the country. ¹²
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The existing legislation provides an overall high level of protection for animals in the country, in many areas higher than the level set by the OIE standards. The government also publishes educational materials to promote correct animal handling for those who work with animals, as well as training and education for animal keepers and people who train animals.
Are there economic and societal barriers to improving this aspect of animal welfare?
Given the high level of government involvement and legislation for the protection of animals, and the detail of many of the relevant legal provisions, there would not appear to be very significant barriers to improvement here. However some barriers may exist in relation to stray population control, of dogs (should this become an issue in the future) or of other animals that might be addressed by the OIE in the future; it is noted that in 2013 the head of the Federal Department of the Environment, Transport, Energy and Communications, Doris Leuthard, said in relation to a proposed ban on hunting feral cats that it would be very complicated and costly to implement box trap or sterilisation programmes, and that this would be an unnecessary intrusion into cantonal sovereignty. ¹³
Are enforcement mechanisms in place in policy and legislation?
There are enforcement mechanisms in place for those of the current legal provisions that incorporate the OIE's standards, including fines and imprisonment.

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

¹²

http://www.fao.org/fileadmin/user_upload/animalwelfare/WSPA_RSPCA%20International%20stray%20control%20practices%20in%20Europe%202006_2007.pdf

¹³ http://www.parlament.ch/ab/frameset/d/n/4909/410211/d_n_4909_410211_410522.htm

Ranking: A

Part 1: Verification
<i>There is legislation</i>
<p>The Federal Food Safety and Veterinary Office has produced reports on animal welfare for the years 2008 to 2009 and 2010 to 2011, including the results of audits carried out by the Federal Food Chain Unit on the enforcement of animal welfare legislation on livestock farms.¹⁴</p> <p>Article 208 of the Animal Welfare Ordinance 2008 requires that reports are published in relation to the promotion of appropriate handling of animals and developments in animal welfare. Reporting requirements are also set out in the Animal Welfare Act 2005.</p>
Part 2: Assessment
<i>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</i>
<p>The reports produced by the Federal Food Safety and Veterinary Office under Article 208 of the Animal Welfare Ordinance 2008 consider a range of issues concerning animal use and ways to improve animal welfare. These reports are important for making animal welfare a mainstream issue as they highlight issues in enforcement, resourcing and implementation of the law. The Office is part of the governance structure which aims to ensure that the Animal Welfare Act 2005 and the Animal Welfare Ordinance 2008 are implemented and enforced. Reports also include mention of legal provisions that are due to come into force after the date of the relevant report. The most recent report was produced in September 2014 to cover the period 2012-2013.¹⁵</p>
<i>Are there economic and societal barriers to improving this aspect of animal welfare?</i>
There are no apparent barriers to improvement in this area.
<i>Are enforcement mechanisms in place in policy and legislation?</i>
The reporting requirements are mandated by legislation.

Goal 4: Provision of humane education**9. Animal care and protection are included in the national education system****Ranking: C**

Part 1: Verification

¹⁴ <http://www.blv.admin.ch/dokumentation/00327/04527/04531/index.html?lang=de>

¹⁵ <http://www.blv.admin.ch/themen/tierschutz/index.html?lang=en>

There is legislation with partial application

Education in Switzerland is decentralised to canton level, and there does not appear to be a Federal requirement for animal care and protection to be included in the curricula for each canton. Education and training for people who handle animals is promoted by the Federal government and the Federal Council provides for certain training and continuing education to be recognised by the federal government or the cantons, as outlined in Article 5 of the Animal Welfare Act 2005. The Ordinance of the Federal Department of Economic Affairs on Training in Animal Husbandry and in the Handling of Animals 2008, produced pursuant to Article 5 of the Act, sets out criteria for specialist training for people who keep, care for, breed and handle various types of animals. It also regulates the form of continuing education and the procedure for training, advanced education and continuing education events and examination regulations for certain types of training. Under Articles 68 to 79 of the Ordinance the requirements relating to keeping dogs include that anyone who wants to keep a dog must provide a certificate of competence regarding their knowledge on keeping and dealing with dogs before they get one, unless they have evidence of owning a dog before. A certificate of competence for keeping the dog under control in everyday situations must also be obtained within a year of acquiring a dog.

Part 2: Assessment

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

The inclusion of animal care and protection in the national curriculum would be a path to increasing awareness of animal welfare in society as this would entrench an understanding of animal welfare in children and young adults. The cantonal education authorities are encouraged to include this in compulsory education programmes.

The Federal Food Safety and Veterinary Office provides on its website details of officially recognised courses relating to animal welfare¹⁶ and operates a website specifically aimed at providing companion animal owners with information on health and welfare issues.¹⁷

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

The devolution of responsibility for education to canton level may present a structural barrier to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

The requirements for training are mandated by legislation.

Goal 5: Communication and awareness

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

¹⁶ <http://www.blv.admin.ch/themen/tierschutz/00739/index.html?lang=de>

¹⁷ <http://www.meinheimtier.ch/de>

Ranking: A

Part 1: Verification
There is legislation
<p>Various provisions in the current legislation envisage the government working collaboratively with relevant stakeholders such as NGOs. Where provisions in the Act give power to the Federal Council to make secondary regulations, these provide that the Council will do so after consultation with relevant industry representatives.</p> <p>Article 32 of the Act mentions international cooperation between the Federal Council and other countries to train inspectors, carry out inspections and exchange information in the field of animal welfare.</p> <p>In relation to the use of animals in experiments, Article 22 of the Animal Welfare Act 2005 provides that the government will collaborate with universities and industry to develop and promote scientific research which reduces, refines and replaces animal use. Article 148 of the Animal Welfare Ordinance 2008 provides that the membership of the Swiss Committee on Animal Experiments, responsible for consultation with the cantons in respect of the use of animals in experiments, must include experts on animal welfare issues, and Article 34 of the Act makes similar provision in respect of cantonal committees on animal experiments.</p> <p>The 2010 to 2011 animal welfare report details (from page 22) how the Federal Food Safety and Veterinary Office provides financial and administrative support to the 3R Research Foundation, an organisation aimed at following the principles of the Three Rs to improve the animal welfare situation for animals used in experimentation.¹⁸</p>

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The government clearly recognises the benefit of consulting and involving stakeholders in legislative processes, including animal welfare organisations. The work that is being done with stakeholders that have animal welfare expertise should be beneficial for making animal welfare a mainstream issue in legislation and improving animal protection.
Are there economic and societal barriers to improving this aspect of animal welfare?
Current efforts to include stakeholders are encouraging and positive. Some of these collaborations are formally set out in legislation and there appear to be no significant barriers to improvement.
Are enforcement mechanisms in place in policy and legislation?
The obligation to consult stakeholders in specified circumstances is mandated by legislation.

Publication: November 2014

¹⁸ <http://www.blv.admin.ch/dokumentation/00327/04527/04531/index.html?lang=de>

Swiss Confederation: Socioeconomic information

Politics

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

Government type

Federal republic

Capital

Bern

International law organisation^{19 20}

Accepts ICJ and ICC jurisdiction

Suffrage²¹

18

Legal system

Civil law²²

Executive branch

Federal president & minister of defence, civil protection & sports: Ueli Maurer

Vice president and minister of foreign affairs:

Didier Burkhalter

Judicial branch

The judiciary in Switzerland is composed of the Supreme Court, the Swiss Federal Criminal Court, the Swiss Federal Administrative Court and the Swiss Federal Patent Court²³. The Swiss Federal Supreme Court is the final appellate court and sits 3 to 5 judges, all appointed by the Federal Assembly for a term of six years²⁴.

Legislative branch

Switzerland has a bicameral Federal Assembly composed of the Council of States with 46 seats, and the lower house, National Council, comprised of 200 seats. Elections are held every four years.

Political parties

Swiss People's Party (SVP), Social Democratic party (SP), Radical Democratic Party - Liberals (FDP)

Economics

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

¹⁹

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

²⁰ [http://www.icj-](http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3)

[cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3](http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3)

²¹ [http://aceproject.org/epic-](http://aceproject.org/epic-en/CDTable?question=VR001#g)

[en/CDTable?question=VR001#g](http://aceproject.org/epic-en/CDTable?question=VR001#g)

²²

<http://www.nyulawglobal.org/globalex/Switzerland1.htm>

²³

<http://www.nyulawglobal.org/globalex/Switzerland1.htm>

²⁴

<http://www.nyulawglobal.org/globalex/Switzerland1.htm>

The main driver of growth is currently household consumption^{25 26}. Although there has been a rise in unemployment and sluggish wage growth, “low interest rates, plentiful cash, consistent immigration and expectations of a moderate return to inflation”²⁷ should bode well for the economy going forward. In terms of exports, recoveries in major trade partner countries, such as Germany (representing 20% of exports alone), will have a positive impact on growth, and on what is already a healthy current-account surplus (10.1% of GDP in 2012²⁸). In the longer term, Switzerland’s growth will be “supported by increased productivity and population growth”²⁹, and, as forecast by the EIU, will see an average real GDP growth rate of 1.8% for the period 2013-30³⁰.

Main trading partners (2012)³¹

Import

Germany - 31.1%
Italy - 10.7%
France - 8.8%

Export

Germany - 20.8%
US - 11.7%
Italy - 7.5%

²⁵ <http://coface.com/Economic-Studies-and-Country-Risks/Switzerland>

²⁶ <http://www.businessmonitor.com/switzerland###>

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

²⁸ <http://country.eiu.com/article.aspx?articleid=151431799&Country=Switzerland&topic=Summary&subtopic=Fact+sheet>

²⁹ <http://country.eiu.com/article.aspx?articleid=391001623&Country=Switzerland&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

³⁰ <http://country.eiu.com/article.aspx?articleid=391001623&Country=Switzerland&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

³¹ <http://country.eiu.com/article.aspx?articleid=151431799&Country=Switzerland&topic=Summary&subtopic=Fact+sheet>

Commodities (2012)³²

Imports

Chemicals & pharmaceuticals - 39.4%
Machinery & electrical equipment - 16.6%
Precision instruments, watches & jewellery - 10.8%

Exports

Chemicals & pharmaceuticals - 39.4%
Precision instruments, watches & jewellery - 21.9%
Machinery & electrical equipment - 16.6%

GDP (current USD, 2012)

\$632,193,558,707

GDP per capita, PPP (2012)

\$53,367

Labour force, total (2012)

4,551,632.00

Currency

Franc

Equivalence to 1 USD

0.9215

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

27.7 (2008)

Manufacturing, value added (% of GDP, 2012)

NA

Agriculture, value added (% of GDP, 2012)

NA

³² <http://country.eiu.com/article.aspx?articleid=151431799&Country=Switzerland&topic=Summary&subtopic=Fact+sheet>

Industry, value added (% of GDP, 2012)
26 (2010)

Exports (% of GDP) (2012)
51 (2011)

Imports (% of GDP) (2012)
40 (2011)

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

Unemployment rate, (% , 2011)
4.1

Education expenditure (% of GDP, 2012)
5.4 (2009)

Adjusted savings: Education expenditure
USD (2011)
35,851,714,302

Population growth, annual % (2012)
1.1

Population: ages 0-14 (% of total) (2012)
15

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

Population: ages 65 and over (% of total)
(2012)
17

Population living in rural areas (% of total)
(2012)
26

Population living in urban areas (% of total)
(2012)
74

Society

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

Total population (2012)
7,997,152

Religion³³
Christian (81.3%), Unaffiliated (11.9%),
Muslim (5.5%), Hindu (0.4%), Buddhist (0.4%),
Jewish (0.3%), Other religions (0.1%)

Languages
German (64%), French (19%), Italian (8%),
Romansch (1%), others (8%)³⁴

³³ <http://features.pewforum.org/grl/population-percentage.php>

³⁴ <http://country.eiu.com/article.aspx?articleid=540937038&Country=Switzerland&topic=Summary&subtopic=Basic+data>

