



United Republic of Tanzania

Animal Protection Index 2014 ranking: D

Animal Protection Index Indicators

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

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

Ranking: C

Part 1: Verification
<i>There is legislation with partial application</i>
Section 4(b)(i) of the Tanzanian Animal Welfare Act 2008 states that an animal is a sentient being, and that anyone exercising powers under, applying or interpreting the Act shall have regard to this principle. This includes all species of animal but does not extend to any animals governed by the Fisheries Act or the Wildlife Conservation Act (section 2 Animal Welfare Act 2008); therefore wild animals and fish are not covered by this recognition. Sentience of wild animals and fish is not recognised in that separate legislation.
Part 2: Assessment
<i>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</i>
This formal recognition of sentience in legislation, as a guiding principle for that legislation, is an important way to introduce the concept of sentience into government discussions on animal protection. However wild animals and fish are currently excluded from the recognition of sentience whereas scientific evidence shows that all vertebrates are demonstrably sentient. The government is encouraged to extend this recognition of sentience to all animals.
<i>Are there economic and societal barriers to improving this aspect of animal welfare?</i>
Although the existing recognition in legislation is extremely positive and suggests that some

improvement may be possible, cultural attitudes to wild animals as resources may present a barrier to improvement in this area. The Ministry of Livestock and Fisheries Development acknowledges in the Livestock Policy (at 3.19) that issues such as inadequate awareness and socio-cultural limitations present constraints to improving animal welfare.¹

Are enforcement mechanisms in place in policy and legislation?

There are enforcement mechanisms for the provisions of the Animal Welfare Act 2008 that arise out of the recognition of sentience. Section 4(b)(i) of the Act requires that anyone applying or interpreting the Act shall have regard to the principle of sentience.

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

Ranking: C

Part 1: Verification

There is partial government support

The Ministry of Livestock Development pledged support in principle for the UDAW in 2007. 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 Universal Declaration on Animal Welfare has informed decisions within the Ministry of Livestock to determine government policies. Furthermore, the guiding principles of the UDAW have been incorporated into legislation, forming the basis for the Animal Welfare Act 2008.

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

There appears to be full commitment from the government to incorporate the declaration into its legislative and policy system. The Animal Welfare Advisory Council within the Ministry of Livestock and Fisheries Development states on its website that, when the UDAW is tabled at the United Nations, Tanzania will accede to it.²

Are enforcement mechanisms in place in policy and legislation?

Support for UDAW has not undertaken all necessary formalities within the government; support at present has been given only by the Ministry of Livestock Development. The government is encouraged to pledge full in principle support.

¹ <http://www.mifugouvuvu.go.tz/wp-content/uploads/2013/06/Livestock-Policy.pdf>

² <http://www.mifugouvuvu.go.tz/animal-welfare-advisory-board/>

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
<p>The Animal Welfare Act 2008 prohibits causing unnecessary or avoidable suffering in specified circumstances for specified categories of animal, and although some level of duty of care is established by various parts of the Act, the legislation does not extend to causing suffering by failure to act and not all provisions apply to all animals. The Act does not protect fish and it does not protect free-living wild animals. It is not clear whether or not it protects captive wild animals. Section 22(1) of the Act prohibits transporting animals in a way that is likely to cause pain, injury or undue suffering or distress, and section 59(1)(c) creates an offence of conveying or carrying an animal in such a manner or position as to cause that animal any unnecessary suffering. In relation only to farm animals, section 11(2) of the Act prohibits causing unnecessary pain, suffering or distress, or abandoning an animal. In relation only to working animals, section 33(2) prohibits causing avoidable suffering, injury, pain or distress.</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The basic anti-cruelty legislation to protect animals deals with the issue of animal welfare and is based on internationally accepted principles, such as the Five Freedoms and the Three Rs. The country has included animal welfare as a consideration in relevant policies, including environmental policy and the National Livestock Policy 2006. The legislation would benefit from extending protection to all categories of animals.</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>An OIE report indicates that “to establish the necessary enforcement structures/systems, training of the inspectors, formal authorisation and licensing of slaughterhouses, transporters, drivers and slaughter workers/men” continues to be a challenge in the country.³ The Ministry of Livestock and Fisheries Development acknowledges in the Livestock Policy (at 3.19) that issues such as inadequate awareness and socio-cultural limitations present constraints to improving animal welfare.⁴ It appears that there may be resource and enforcement barriers to improvement in this area.</p>
Are enforcement mechanisms in place in policy and legislation?
<p>Sections 7 to 10 of the Animal Welfare Act 2008 establish general inspection and enforcement mechanisms, providing that inspectors can be appointed by the Minister and giving a general</p>

³ Animal Welfare In OIE Member Countries & Territories in the SADC Region: Summaries of baseline country assessments. Gaborone, Botswana: OIE - Sub-regional Representation for Southern Africa, 2011 (at 19)

⁴ <http://www.mifugouvuzi.go.tz/wp-content/uploads/2013/06/Livestock-Policy.pdf>

framework of powers and duties of inspectors. The Act also provides that local authorities may produce by-laws for effective enforcement of the Act.

Section 59(2) of the Act provides that contravention of the prohibition in section 59(1) on conveying or carrying an animal in such a manner or position as to cause that animal any unnecessary suffering is punishable by imprisonment for up to one month or a fine up to 100,000 shillings. A first offender can be given a reprimand or correction order.

However there do not appear to be enforcement mechanisms for the prohibition on causing unnecessary pain, suffering or distress to or abandoning a farm animal in section 11(2) or for the prohibition on causing working animals avoidable suffering, injury, pain or distress in section 33(2), although the Act does envisage that local government authorities have powers to make enforcement by-laws (section 8(3)). It is not clear whether any such local by-laws have been made.

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

Ranking: C

Part 1: Verification
There is legislation
<p>Section 59(1) of the Animal Welfare Act 2008 creates cruelty offences which apply to this category of animals. These include cruelly beating, kicking, ill-treating, torturing, infuriating or terrifying an animal; conveying or carrying an animal in such a manner or position as to cause that animal any unnecessary suffering; and subjecting the animal to an operation which is performed without due care and humanity.</p> <p>The Animal Welfare Act 2008 also makes specific provision for the protection of animals used in farming, including during transport and slaughter. Sections 11 to 15 of the Act deal with housing, including requiring that animals are provided with appropriate housing, care and attention taking into account their physiological and behavioural needs (section 11). Sections 22 to 25 deal with transport, including requiring that an animal is not transported in a way likely to cause pain, injury or undue suffering or distress and that permits are issued by veterinarians on fitness for transport (section 22). Sections 29 to 32 deal with slaughter. Animals must be slaughtered by methods which involve instantaneous killing or which instantaneously render them unconscious and end in death without recovery of consciousness (section 29). There is an exemption for religious slaughter (section 30). Section 63 of the Act gives the Minister of Livestock Development and Fisheries powers to make secondary regulations on issues including husbandry conditions, slaughter and breeding, although it is not clear whether any such regulations have been made.</p> <p>The country's National Livestock Policy, which is focused on animal production, contains further guidance on humane handling, transportation and slaughter.</p>

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

concern?
The legislation protecting the welfare of farm animals is based on the principles of the Five Freedoms and requires that physiological and behavioural needs are taken into account (section 11 Animal Welfare Act 2008). Policy guidance provides further detail. However, there appears to be a lack of enforcement mechanisms within the existing legislation.
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>Growing demands for food have seen a greater production of livestock and farmed animals. The OIE reports that this has meant an increase in farming-intensive models: "Intensive farming is found primarily in poultry, mostly boilers, but there is also a growing battery egg production and piggery production".⁵ Increasing use of intensive methods presents significant welfare challenges but the importance of producing healthy livestock may also assist in reducing some barriers to improvement. However, although the legislation follows good international practice, questions remain over implementation. The country scores in the middle-lower percentile of the Worldwide Governance indicators of the World Bank, with scores ranging no more than 37 points in the scale on issues related to national constraints such as Government Effectiveness and the Rule of Law, which raises concerns about the abilities to control and implement legislation effectively. An OIE report indicates that "to establish the necessary enforcement structures/systems, training of the inspectors, formal authorisation and licensing of slaughterhouses, transporters, drivers and slaughter workers/men" continues to be a challenge in the country.⁶</p> <p>The Ministry of Livestock and Fisheries Development acknowledges in the Livestock Policy (at 3.19) that issues such as inadequate awareness and poor handling facilities present constraints to improving animal welfare.⁷</p>
Are enforcement mechanisms in place in policy and legislation?
<p>Section 59(2) of the Animal Welfare Act 2008 provides that contravention of the prohibitions in section 59(1) is punishable by imprisonment for up to one month or a fine up to 100,000 shillings. A first offender can be given a reprimand or correction order.</p> <p>Other than this provision in section 59(1), there do not appear to be enforcement mechanisms for other relevant provisions relating to the welfare of animals used in farming (sections 11 to 15 on husbandry, sections 22 to 25 on transport and sections 29 to 32 on slaughter), although the Act does envisage that local government authorities have powers to make enforcement by-laws (section 8(3)). It is not clear whether any such local by-laws have been made.</p>

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

Ranking: E

⁵ Animal Welfare In OIE Member Countries & Territories in the SADC Region: Summaries of baseline country assessments. Gaborone, Botswana: OIE - Sub-regional Representation for Southern Africa, 2011

⁶ Animal Welfare In OIE Member Countries & Territories in the SADC Region: Summaries of baseline country assessments. Gaborone, Botswana: OIE - Sub-regional Representation for Southern Africa, 2011

⁷ <http://www.mifugouvuvu.go.tz/wp-content/uploads/2013/06/Livestock-Policy.pdf>

Part 1: Verification**There is legislation with partial application**

The Animal Welfare Act 2008 does not apply to animals that are governed by the Wildlife Conservation Act (section 2 Animal Welfare Act 2008). The definition of animal in the Wildlife Conservation Act 2009 (section 1(3)) is all vertebrates and invertebrates that are not domestic animals, thus suggesting that all wild animals, whether or not in captivity, are excluded from the protection of the Animal Welfare Act 2008. However, the content of the Wildlife Conservation Act 2009 does not extend to wild animals in captivity except where they are held for certain purposes such as commercial or conservation breeding (although there are references to zoos in sections 89 and 90), and the definitions in section 3 of the Animal Welfare Act 2008 include reference to "captive animals", which do not include domesticated animals. It therefore appears that a wild animal held captive in a private zoo or private collection could fall within the scope of the Animal Welfare Act 2008.

Therefore if captive wild animals are covered by the Animal Welfare Act 2008, the cruelty offences in section 59(1) of the Act would apply to certain circumstances for this category of animals. These include cruelly beating, ill-treating, torturing, infuriating or terrifying an animal.

In the Wildlife Conservation Act 2009, there are requirements for obtaining a license to operate "wildlife farming, breeding, ranching, game sanctuary and zoos" before the National Environmental Management Council (Ministry of Natural Resources and Tourism). No reference is made to animal welfare consideration here. Under section 50 of the Wildlife Conservation Act 2009, the Director has powers to grant permits authorising the capture of wild animals for providing specimens for zoos, or for educational, scientific, cultural or commercial purposes. Such permits may contain conditions as to care, stabling, feeding and transporting the animals (section 51), but the legislation does not require that any such conditions are attached.

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

The issue of animals in captivity is not fully considered in legislation. The regulations permitting the capture of wild animals do not focus on animal welfare or animal protection measures, but rather on the social and environmental impact of the use of animals in captivity. Capture of wild animals may be permitted for purposes including commercial gain. The current definition of "animal" in the Animal Welfare Act 2008 by reference to the definition in the Wildlife Conservation Act 2009 results in some lack of clarity in the legislative provisions and in the protection afforded to animals in this category.

The existing legislation does not prohibit keeping wild animals in private collections or small zoos, although it appears that when animals are kept in such situations they may be covered by the protection of the Animal Welfare Act 2008. Any other wild animals kept in captivity are not protected by welfare legislation.

The division of protection between the two pieces of legislation for this category of animals also results in a situation where sentience is recognised only for those captive wild animals which do not fall within the purposes of captivity that are governed by the Wildlife Conservation Act 2009.

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

<p>The existing division of protection for different circumstances of this category of animals, and lack of welfare considerations for captured animals which are held for conservation, educational or commercial purposes, demonstrates that there are barriers to improvement in this area.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>For those animals which are covered by the Animal Welfare Act 2008, section 59(2) of the Act provides that contravention of the prohibitions in section 59(1) is punishable by imprisonment for up to one month or a fine up to 100,000 shillings. A first offender can be given a reprimand or correction order.</p> <p>For those animals which are covered by the Wildlife Conservation Act 2009, there do not appear to be any welfare considerations with enforcement mechanisms.</p>

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

Ranking: C

<p>Part I: Verification</p>
<p>There is legislation with partial application</p>
<p>Section 59(1) of the Animal Welfare Act 2008 creates cruelty offences which apply to this category of animals. These include cruelly beating, kicking, ill-treating, torturing, infuriating or terrifying an animal; conveying or carrying an animal in such a manner or position as to cause that animal any unnecessary suffering; and subjecting the animal to an operation which is performed without due care and humanity.</p> <p>Section 37 prohibits surgical operations for the purpose of modifying the appearance of an animal by which any part of the animal's body is removed or damaged, other than a curative purpose. An animal which has undergone a prohibited operation cannot be entered in any competitions or offered for sale (section 38). The only non-therapeutic procedures permitted on companion animals are neutering, and ear tipping of feral cats when used as a sign of neutering (section 19).</p> <p>There are also some provisions in the Animal Welfare Act 2008 specifically relating to companion animals. Section 16 provides that a person who keeps or looks after a companion animal is responsible for that animal's complete health and welfare and has a duty to care for that animal's well-being. Dogs and cats may only be sold in pet shops and other businesses offering animals within the scope of their business activity (section 18(9)). Commercial breeders must be licenced under section 20, in accordance with prescribed standards.</p> <p>Sections 50 to 58 of the Act regulate the establishment of pounds. Anyone wanting to operate a pound must obtain a permit from the government, but the legislation does not mention whether there are any conditions relating to welfare attached to such a permit. It is also unclear how these pounds operate in combination with the animal sanctuaries and hospices that are envisaged by section 28, which provides that injured, orphaned or diseased animals which are straying or ownerless shall be taken to such rescue centres for treatment and adoption.</p> <p>Section 63 of the Act gives powers to the Minister of Livestock Development and Fisheries to make secondary regulations on issues including breeding and animal pounds. It is not clear whether any</p>

such regulations have been made with welfare considerations.

It should be noted that this report is based on the copy of the Animal Welfare Act 2008 available on the government's Parliamentary On-line Information System website, where parts or all of sections 16, 17, 18, and 21 to 27 are missing and may impact on the assessment of this indicator.

Part 2: Assessment

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

Legislation is applicable to anyone who keeps or has agreed to look after a companion animal and includes responsibility for health and welfare. The level of detail of the regulations should help to promote good attitudes towards companion animals and to make the welfare of these animals a mainstream concern of society.

However, although the legislation follows good international practice, questions remain over implementation and dealing with problems associated with stray/feral/roaming dogs and cats. There also appears to be a lack of enforcement mechanisms within the existing legislation.

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

There are an estimated four million street dogs and cats in the country presenting a significant challenge for the government. Widespread poverty and a lack of appreciation of companion animals, which are regarded as having no or little value by the public present barriers to improving animal welfare.⁸ The widespread presence of rabies also engenders fear in people and provides a barrier to development of humane attitudes to animals, as does the lack of a national humane approach to population management of street dogs. Resource issues also present a barrier to improving animal welfare considering the scale of the problem and the size of the country.

Are enforcement mechanisms in place in policy and legislation?

Section 59(2) of the Animal Welfare Act 2008 provides that contravention of the prohibitions in section 59(1) is punishable by imprisonment for up to one month or a fine up to 100,000 shillings. A first offender can be given a reprimand or correction order.

Other than this provision in section 59(1), there do not appear to be enforcement mechanisms for the sections of the Act specifically relating to this category of animals (section 37 on surgical procedures, section 16 creating a duty of care, and sections 18 and 20 on selling and breeding), although the Act does envisage that local government authorities have powers to make enforcement by-laws (section 8(3)). It is not clear whether any such local by-laws have been made.

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

Ranking: C

⁸ <http://www.vetsonline.com/publications/veterinary-times/archives/n-43-42/charity-champions-welfare-in-tanzania.html>

Part 1: Verification
There is legislation
<p>Section 59(1) of the Animal Welfare Act 2008 creates cruelty offences which apply to this category of animals. These include cruelly beating, kicking, ill-treating, over-riding, over-driving, over-loading, torturing, infuriating or terrifying an animal; causing, procuring or assisting in the baiting of animal fights; conveying or carrying an animal in such a manner or position as to cause that animal any unnecessary suffering; keeping, using, managing or acting or assisting in the management of premises for animal fighting or baiting; and receiving money for admission to animal fighting or baiting premises.</p> <p>The Act also contains further provisions specifically addressing issues related to animals used for recreational purposes. Section 18(6) prohibits the use of performance enhancing substances for animals used in competitions. Section 18(7) prohibits training animals in a way that is detrimental to health and welfare and 18(8) prohibits subjecting animals for shows, advertising or similar in a manner which can entail suffering, pain, injury or distress.</p> <p>Provisions specifically addressing issues related to working animals are contained in sections 33 to 36 of the Act. These include a duty of care under section 33, which establishes that any person who keeps or looks after a working animal is responsible for that animal's complete health and welfare and shall provide housing, care and attention taking into account its physiological and behavioural needs, including for food, water, shelter, exercise, companionship and veterinary treatment, and which prohibits causing a working animal any avoidable suffering, injury, pain or distress. Sections 34 and 35 restrict the amount of work which an animal can be required to perform, and section 36 reiterates the prohibition on organising animal fighting.</p> <p>It should be noted that this report is based on the copy of the Animal Welfare Act 2008 available on the government's Parliamentary On-line Information System website, where parts or all of sections 16, 17, 18, and 21 to 27 are missing and may impact on the assessment of this indicator.</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The legislation covers relevant issues faced by working animals imposing some limitations on the way in which working activities are undertaken, and awarding some protection to animals used for recreational purposes. It is positive that animal fighting is prohibited and that charging money for admission to animal fights is considered as a distinct prohibition. However, there is a lack of enforcement mechanisms within the existing legislation. The OIE reports that the country has developed a dependency on working animals: "Animals are a source of manure, draught power for cultivation and transport. Animals provide alternative savings to banks."⁹ It is therefore important that this group of animals is afforded sufficient protection with full implementation of legislative provisions.</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>The lack of recognition of horses and donkeys as draught animals by the government is a barrier to</p>

⁹ Animal Welfare In OIE Member Countries & Territories in the SADC Region: Summaries of baseline country assessments. Gaborone, Botswana: OIE - Sub-regional Representation for Southern Africa, 2011

improving animal welfare, as is the view by some decision makers that draught power, even when provided by oxen, is a “backward” part of development.¹⁰ Poverty and a lack of awareness of animal health and welfare issues amongst animal owners provide further challenges with respect to improving the welfare of draught animals.¹¹ Socio-cultural attitudes towards the use of animals in entertainment may provide further barriers. The Ministry of Livestock and Fisheries Development acknowledges in the Livestock Policy (at 3.19) that issues such as inadequate awareness and socio-cultural limitations present constraints to improving animal welfare.¹² However, a number of NGOs are working to address the welfare of draught animals, for example, the Tanzania Animal Welfare Society.¹³

Are enforcement mechanisms in place in policy and legislation?

Section 59(2) of the Animal Welfare Act 2008 provides that contravention of the prohibitions in section 59(1) is punishable by imprisonment for up to one month or a fine up to 100,000 shillings. A first offender can be given a reprimand or correction order.

Other than this provision in section 59(1), there do not appear to be enforcement mechanisms for the sections of this Act relating specifically to this category of animals (section 18 relating to animals used in entertainment and sections 33 to 36 relating to working animals), although the Act does envisage that local government authorities have powers to make enforcement by-laws (section 8(3)). It is not clear whether any such local by-laws have been made.

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

Ranking: C

Part 1: Verification

There is legislation

The Animal Welfare Act 2008 does not apply to animals that are governed by the Wildlife Conservation Act (section 2 Animal Welfare Act 2008). The definition of animal in the Wildlife Conservation Act 2009 (section 1(3)) is all vertebrates and invertebrates that are not domestic animals, thus suggesting that all wild animals, including those in captive use for research, are excluded from the protection of the Animal Welfare Act 2008. However, the content of the Wildlife Conservation Act 2009 does not extend to wild animals in captivity except where they are held for certain purposes such as commercial or conservation breeding, and the definitions in section 3 of the Animal Welfare Act 2008 include reference to “captive animals” which do not include domesticated animals. It therefore appears that a wild animal held in captive use for research would fall within the scope of the Animal Welfare Act 2008, although only if that animal had been bred in captivity (section 45).

¹⁰ <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4013987/>

¹¹ <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4013987/>

¹² <http://www.mifugouvuvu.go.tz/wp-content/uploads/2013/06/Livestock-Policy.pdf>

¹³ <http://www.vetsonline.com/publications/veterinary-times/archives/n-43-42/charity-champions-welfare-in-tanzania.html>

Domestic animals used for scientific research also fall within the scope of the Act, and the definition of animal in the Act extends to invertebrates as well as to vertebrates.

Section 59(1) of the Animal Welfare Act 2008 creates cruelty offences which apply to this category of animals. These include cruelly ill-treating, torturing, infuriating or terrifying an animal; without any reasonable cause or excuse administering a poisonous or injurious drug or substance to an animal; and subjecting an animal to any operation which is performed without due care and humanity.

The Act also contains further provisions specifically addressing issues related to animals used for scientific research, including on genetic manipulation, at sections 37 to 48. Experiments using animals for experimental or other scientific purpose can only be done under permit from the Director (section 40). Permits will be granted if the experiment is intended to benefit, either directly or indirectly, the health or nutrition of a human being or an animal and "any other purpose deemed to be of sufficient value" (section 40(2)) and if the practice in question does not adversely affect the welfare of the animal and is not in breach of ethical rules and standards prescribed by the Minister (section 41). An experiment may not be carried out for a purpose that can be achieved non-animal means, or by using fewer animals or entailing less distress; or for a purpose the importance of which does not justify the distress caused (section 44(2)). The holder of a permit must ensure that the animal suffers as little pain, injury, fear or distress as possible without defeating the objective of the experiment, and anaesthetic must be used except where that would defeat the objective (section 46).

Part 2: Assessment

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

The Animal Welfare Act 2008 contains consideration of some welfare challenges faced by animals used in scientific research. The provisions of the Act are based on the Three Rs principles. Although animal experimentation is not prohibited, animal welfare considerations are in place in the decision-making process. Specific prohibitions apply to undertake experiments on animals for which there is a replacement or a lower severity alternative and of experiments for a purpose which does not justify the distress caused.

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

Whilst the government has enacted legislation it appears that many institutions have yet to establish oversight committees and that in institutions with guidelines and policies, there are reported to be no responsible committees or units to directly oversee if and how these guidelines and policies are enforced. Implementation and enforcement of the legislation therefore appears problematic presenting a barrier to improving animal welfare.¹⁴ It may be that there are resource constraints providing further challenges.

Are enforcement mechanisms in place in policy and legislation?

Section 59(2) of the Animal Welfare Act 2008 provides that contravention of the prohibitions in section 59(1) is punishable by imprisonment for up to one month or a fine up to 100,000 shillings. A first offender can be given a reprimand or correction order.

Section 43(1)(c) of the Act provides that permits for experiments can be revoked where the holder does not comply with the conditions of the permit.

¹⁴ <http://www.ncbi.nlm.nih.gov/pubmed/23006770>

Other than this provision in section 59(1) and the possibility of licence revocation under section 43(1)(c), there do not appear to be enforcement mechanisms for the other sections of the Act specifically relating to this category of animals (sections 37 to 48 relating specifically to animal experiments), although the Act does envisage that local government authorities have powers to make enforcement by-laws (section 8(3)). It is not clear whether any such local by-laws have been made.

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

Ranking: D

Part 1: Verification
There is legislation with partial application
<p>The Animal Welfare Act 2008 does not apply to animals that are governed by the Wildlife Conservation Act (section 2 Animal Welfare Act 2008). The definition of animal in the Wildlife Conservation Act 2009 (section 1(3)) is all vertebrates and invertebrates that are not domestic animals. Therefore animals in this category are not covered by the Animal Welfare Act 2008. The Wildlife and Conservation Act 2009 contains provisions for conservation of animals and their environment, but generally does not consider welfare from an individual perspective. Provisions which do touch on welfare considerations are: that any person who wounds an animal shall use all reasonable endeavours to kill it at the earliest opportunity (section 42); and that hunting with vehicles, poison, traps or dogs is prohibited (section 65).</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The Wildlife Conservation Act 2008 contains little consideration of animal welfare, although it can be said that some protection is derived from the ecological and conservation perspective. Environmental measures are regulated with the view of managing populations, hunting seasons and regarding animals as trophies, and the Director has powers to grant permits authorising the capture of wild animals for providing specimens for zoos, or for educational, scientific, cultural or commercial purposes (section 50). The current Wildlife Policy emphasises the importance of hunting, both by rural citizens and by tourists.¹⁵</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>The country is part of the CITES international treaty and has a prominent role in discussions on conservation of many endangered species, particularly elephants.¹⁶ There has been some recognition for the country's stance towards conservation, but illegal poaching of ivory remains a problem in the country. The country scores in the middle-lower percentile of the Worldwide Governance indicators of the World Bank, with scores ranging no more than 37 points in the scale on issues related to national constraints such as Government Effectiveness and the Rule of Law, which</p>

¹⁵ <http://www.tzonline.org/pdf/wildlifepolicy.pdf>

¹⁶ <http://allafrica.com/stories/201402270049.html>

raises concerns about the abilities to control and implement legislation effectively. Trophy hunting provides the country with tourism and investment income, which may present barriers to improving wild animal welfare as may socio-cultural attitudes towards animals.¹⁷

Are enforcement mechanisms in place in policy and legislation?

There are enforcement mechanisms for the implementation of the Wildlife Conservation Act 2009, with possibilities for substantial imprisonment and fines, although most of these relate to conservation provisions rather than welfare issues.

Contravention of the prohibition on hunting with vehicles, poison, traps or dogs under section 65 is punishable with a fine of between one and two million shillings and/or imprisonment of one to three years, with a minimum fine of twice the value of the animal killed.

It appears that there is no enforcement mechanism for contravention of the requirement under section 42 to kill an animal at the earliest opportunity when it has been wounded.

Goal 2: Presence of effective governance structures and systems

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

Ranking: D

Part 1: Verification

There is legislation with partial application

The Ministry of Livestock Development and Fisheries is responsible for implementation of the Animal Welfare Act 2008. Section 7(3) of the Act deems all zoo sanitary inspectors and members of the police above the level of Inspector to be animal welfare inspectors appointed to act generally for the purposes of that Act. The Minister may make more detailed regulations under section 63, on issues such as husbandry conditions, slaughter, breeding, competitions and animal pounds and sanctuaries. Local government authorities have powers to make enforcement by-laws under section 8(3). It is not clear whether any such regulations and local by-laws have been made.

The Animal Welfare Act 2008 does not apply to wild animals unless they are in captivity, and the provisions of the Wildlife Conservation Act 2009 do not include welfare considerations.

Part 2: Assessment

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

Animal welfare is an independent issue, recognised by legislation as such for government management and regulation, and responsibility for implementation of the Animal Welfare Act 2008

¹⁷ <http://www.mnrt.go.tz/index.php/highlights/view/investmentopportunities-in-tanzania>

is allocated at Ministerial level. There is a framework for deploying animal welfare measures based on existing legislation. The government's Livestock Policy acknowledges the importance of work in the area of animal welfare (at 3.19).¹⁸

The existing legislation envisages the production of more detailed regulations to implement the provisions of the Animal Welfare Act 2008, but the production of such regulations is not required by the existing law. The existing legislation contains detailed provisions, many of which do not have associated enforcement mechanisms. Local government authorities have powers to make enforcement by-laws but are not obligated to do so.

It is noted that the Ministry of Livestock Development and Fisheries participated in a 2012 working group on the development of proposed new legislation on animal protection, together with relevant stakeholders including NGOs. It is positive that the government allocated resources to this aim.

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

The OIE has reported that the general responsibilities of the Ministry of Livestock Development and Fisheries with regard to the Millennium Development goals are developed without compromise on animal welfare considerations and that the country has appointed local inspectors and resources to enforce the regulations of the Animal Welfare Act 2008 as part of national reforms of the public sector.¹⁹ Animal welfare work is identified as an item for Ministry work in the Livestock Policy. This indicates that improvement may be possible.

Are enforcement mechanisms in place in policy and legislation?

The responsibility for implementation of the legislation is clearly set out in the Animal Welfare Act 2008. However there is no duty placed on the Ministry of Livestock Development and Fisheries to make or to consider making the regulations envisaged by section 63; nor is there a duty placed on local government authorities to make enforcement by-laws as envisaged by section 8(3).

Goal 3: Implementation of animal protection standards

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

Ranking: D

Part 1: Verification

There is policy

The government has a record of interaction with the OIE. Tanzania has requested assistance on a Performance Veterinary Service mission from the OIE, which has been completed, although the

¹⁸ <http://www.mifugouvuvu.go.tz/wp-content/uploads/2013/06/Livestock-Policy.pdf>

¹⁹ Animal Welfare In OIE Member Countries & Territories in the SADC Region: Summaries of baseline country assessments. Gaborone, Botswana: OIE - Sub-regional Representation for Southern Africa, 2011

government has not consented for the PVS report to be made public.
The government also reports to the OIE on disease control.

Part 2: Assessment

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

The introduction of the Animal Welfare Act 2008 represented a significant legislative advance with regard to animal protection in Tanzania, and shows that interaction with the OIE is an important advance in terms of the application of the OIE’s guiding principles and standards in the country. The government is encouraged to develop its engagement with the OIE further, in particular in the area of animal welfare.

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

It appears that since the enactment of the Animal Welfare Act 2008 the level of interaction with the OIE may have reduced. However despite this, the OIE reported in 2011 that Tanzania has been developing further its animal health situation by improving veterinary capacity, which in turn has highlighted issues on human resource and budget that exist in the country. It therefore appears that further development in this area should be possible.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

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

Ranking: D

Part 1: Verification

There is legislation with partial application

The existing legislation covers many of the key issues established in the OIE’s guiding principles and animal welfare standards, but further development is recommended on some animal welfare issues such as transport of live farmed animals, humane handling, humane killing, competency of slaughter staff, further measures in compliance of animal research institutions.

Part 2: Assessment

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

The government has made some positive progress towards introducing elements of animal welfare principles and animal welfare standards into legislation. Further developing remaining elements addressed by the OIE’s standards is recommended to achieve more comprehensive legislation, and it is important that enforcement mechanisms are created and implemented in respect of those standards which have already been introduced.

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

Full transposition of the OIE's standards and guiding principles into legislation is encouraged. The government is encouraged to continue this work and introduce elements of budget to develop these measures. An OIE report indicates that "to establish the necessary enforcement structures/systems, training of the inspectors, formal authorisation and licensing of slaughterhouses, transporters, drivers and slaughter workers/men" continues to be a challenge in the country.²⁰ The Ministry of Livestock and Fisheries Development acknowledges in the Livestock Policy (at 3.19) that issues such as inadequate awareness and poor handling facilities present constraints to improving animal welfare.²¹

Are enforcement mechanisms in place in policy and legislation?

Enforcement mechanisms are not widespread with regard to the OIE's standards and principles across existing legislation. Guidance to citizens on understanding the OIE, its role and the standards could also benefit animal welfare and help with implementation of the existing legislation.

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

Ranking: D

Part 1: Verification

There is legislation with partial application

Section 5 of the Animal Welfare Act 2008 establishes an Animal Welfare Advisory Council, the functions of which include advising the Minister of Livestock Development and Fisheries on matters relating to animal welfare. Section 6(3) of the Act requires the Minister to publish an annual report including a statement on the number of matters which have been referred to the Council for advice, and the number of cases which have been disposed of otherwise than in accordance with that advice with the reason for so doing. It is not clear whether such reports have been produced and made publicly available.

On the issue of animals in research, the Director of Animal Welfare has powers to verify the records and information logged by permit holders allowed to perform animal experimentation in the country, but there are no indications that these reports are made public or are unified under a single national report on animal experimentation.

Part 2: Assessment

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

There is no apparent evidence of reports on animal welfare having been made publicly available, including the reports envisaged by section 6(3) of the Animal Welfare Act 2008. The website of the Ministry of Livestock Development and Fisheries does not appear to include specific information on

²⁰ Animal Welfare In OIE Member Countries & Territories in the SADC Region: Summaries of baseline country assessments. Gaborone, Botswana: OIE - Sub-regional Representation for Southern Africa, 2011

²¹ <http://www.mifugouvuvu.go.tz/wp-content/uploads/2013/06/Livestock-Policy.pdf>

<p>animal welfare initiatives, beyond a description of the role of the Animal Welfare Advisory Council and Animal Welfare Act 2008 (the latter having been written before the Act was enacted).²²</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p>
<p>It appears that no reports on animal welfare standards and progress have been made, despite a requirement for some to be produced under the Animal Welfare Act 2008. This suggests that there are significant barriers to improvement in this area. However it can be seen that the government produces policies on many different areas of concern and these are publicly available, including analysis of changes and improvements since earlier versions of policy documents.²³ It could assist with improving animal welfare if the government were to produce a comprehensive policy document on animal welfare, identifying key legislation and any current gaps in areas of protection, enforcement mechanisms in legislation and enforcement activities on the ground, and to use this as a starting point for reporting on progress.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>The requirement for the Minister to produce reports relating to Council advice is contained within primary legislation.</p>

Goal 4: Provision of humane education

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

Ranking: D

<p>Part 1: Verification</p>
<p>There is legislation with partial application</p>
<p>Section 10(1) of the Animal Welfare Act 2008 provides that the Director shall ensure the development of information and humane education programme to promote awareness, knowledge and compliance amongst organisations and individuals on animal welfare principles and provisions of the Act. It is not clear whether this envisages school level education or dissemination of information to citizens and those involved in relevant sectors such as farming.</p> <p>The Education and Training Policy (1995), which was produced some time before the enactment of the Animal Welfare Act 2008 and does not appear to have been updated since, does include areas of education which have scope for animal welfare content to be added: humanities (which includes environmental studies) and life skills (which includes livestock husbandry).²⁴ The government is encouraged to update this policy and to use the opportunity to include humane education in the school curriculum.</p>

²² <http://www.mifugouvuvu.go.tz/animal-welfare-advisory-board/>

²³ <http://tzoneonline.org/policies.asp>

²⁴ 6.2.5-6.2.7 <http://www.tzoneonline.org/pdf/Educationandtrainingpolicy04.pdf>

The government has also allowed NGOs to develop humane education programmes in schools, for example, by supporting the launch of “Mzigo Usiyoyamkinika” by the NGO World Society for the Protection of Animals (now World Animal Protection), a story anthology to help children learn about animal welfare.²⁵

The government participates in World Animal Day, with the 2013 event²⁶ involving the support of NGO activities to raise awareness and address some issues such as rabies vaccination.

Part 2: Assessment

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

The OIE finds that the country’s National Livestock Policy “encourages a commitment to increase awareness on animal welfare” and that it seeks, through multiple activities and partnerships, to mainstream concepts of animal welfare throughout the region.²⁷ One of the outputs of this policy position has been the inclusion of animal welfare as a compulsory course component for undergraduate veterinary medicine students at the Sokoine University of Agriculture and an animal welfare education programme in the agriculture and livestock training institutes in Tanzania which are responsible for training personnel at certificate and diploma levels. However there is no evidence that animal protection elements have been formally included in school level education requirements.

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

Although section 10(1) of the Animal Welfare Act 2008 requires the Director to ensure the development of a humane education programme, there is no evidence that this has been done and no references are made to this in the current Education and Training Policy.

The government has allowed some collaboration with NGOs to take place and this is encouraging that, despite budgetary constraints, improvement may be possible. The government is encouraged to continue engagement with NGOs with a view to implementing humane education components into the national education curriculum.

Are enforcement mechanisms in place in policy and legislation?

The requirement for the Director to ensure the development of a humane education programme is contained within primary legislation.

Goal 5: Communication and awareness

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

²⁵ <http://www.worldanimalprotection.ca/latestnews/2008/tanzanias-first-lady-launches-animal-welfare-stories.aspx>

²⁶ <http://www.mifugouvuvu.go.tz/animal-welfare-advisory-board/>

²⁷ Animal Welfare In OIE Member Countries & Territories in the SADC Region: Summaries of baseline country assessments. Gaborone, Botswana: OIE - Sub-regional Representation for Southern Africa, 2011

Ranking: C

Part 1: Verification
There is legislation with partial application
<p>Section 5 of the Animal Welfare Act 2008 establishes an Animal Welfare Advisory Council, the functions of which include advising the Minister of Livestock Development and Fisheries on matters relating to animal welfare. The members of the Council are appointed by the Minister and must include: a chairman who is qualified in animal welfare matters; the Director of animal welfare; a state attorney; a veterinarian from the private sector; two representatives from animal advocacy groups; a police officer; a representative of the association of universities majoring in agriculture; a leading animal behaviourist; a leading animal welfare ethicist; and a zoologist.</p> <p>Section 10(2) establishes that the Director in charge of animal welfare will support and monitor the establishment of animal welfare advocacy groups existing before and after the commencement of the Act.</p> <p>It should be noted that this report is based on the copy of the Animal Welfare Act 2008 available on the government's Parliamentary On-line Information System website, where parts or all of sections 16, 17, 18, and 21 to 27 are missing and may impact on the assessment of this indicator.</p> <p>The Act does not apply to wild animals when they are not held captive, and there appears to be no equivalent requirement for stakeholder engagement in relation to free-living wild animals.</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>The existing legislation contains provisions requiring engagement with relevant stakeholders. This is a formal recognition, in legislation, of the importance of obtaining advice and input on matters related to animal welfare. This also shows a desire to include different levels of society to facilitate the achievement of goals within the Animal Welfare Act 2008.</p> <p>There is evidence that the government is willing to participate in voluntary activities and schemes that promote positive attitudes towards animal welfare and engages actively in communicating with stakeholders. For example, the government participates in World Animal Day, with the 2013 event²⁸ coordinated by the Ministry of Livestock Development and Fisheries and jointly organised by a committee including representatives from the private and public sectors and from NGOs. The government supported a week of NGO activities to raise awareness and address some issues such as rabies vaccination.</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>The Animal Welfare Advisory Council does not appear to publish details of its activities, other than in connection with World Animal Day.²⁹ It may be that there are financial constraints both on the activities of the Council and on the ability of the Council to report on and review progress of its work.</p>

²⁸ <http://www.mifugouvuvu.go.tz/animal-welfare-advisory-board/>

²⁹ <http://www.mifugouvuvu.go.tz/animal-welfare-advisory-board/>

The remit of the Animal Welfare Advisory Council is matters falling under the Animal Welfare Act 2008, which excludes wild animals (unless in captivity). There is no equivalent body involved in stakeholder consultation in relation to the welfare of wild animals.

Are enforcement mechanisms in place in policy and legislation?

The requirement for the Animal Welfare Advisory Council to be established and consulted is contained within primary legislation.

Publication: November 2014

United Republic of Tanzania: Socioeconomic information

Politics

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

Government type

Republic

Capital

Dodoma

International law organisation^{30 31}

has not submitted an ICJ jurisdiction declaration; accepts ICC jurisdiction

Suffrage

18

Legal system

Based on English common law, 1977 union and 1985 Zanzibar constitution

Executive branch

President: Jakaya Kikwete

Vice-president: Mohamed Ghalib Bilal

Judicial branch

The Court of Appeal is the highest court, followed by the High Court of Tanzania³².

³⁰

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

³¹ <http://www.icj>

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

The Court of Appeal consists of 15 judges, one being the Chief Justice³³.

Legislative branch

Tanzania has a unicameral National assembly, consisting of 295 members; "Zanzibar's House of Representatives (59 members, including nine women appointees) legislates on internal matters"³⁴.

Political parties

Chama Cha Mapinduzi (CCM), Civic United Front (CUF), Chama Cha Demokrasia na Maendeleo (CHADEMA)

Economics

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

Overall, Tanzania has performed well economically. The EIU forecasts a real GDP growth rate of 7.4% average for the period 2014-2018³⁵. In 2012, sustained growth was driven by investment in the mining sector; and looking forward, recent discovery of natural

³²

<http://www.nyulawglobal.org/globalex/Tanzania1.htm>

³³

http://www.judiciary.go.tz/index.php?option=com_content&view=article&id=43&Itemid=66

³⁴<http://country.eiu.com/article.aspx?articleid=1021337286&Country=Tanzania&topic=Summary&subtopic=Political+structure>

³⁵ <http://country.eiu.com/Tanzania>

gas resources could drive future development³⁶. On the other hand, there was a high current account deficit in 2012 as Tanzania was importing "twice as much as it exports"³⁷. However, the BMI expects that investment in Tanzania offshore gas sector "will offset poor export performance in the country in 2014 and 2015"³⁸

Main trading partners

Import

China - 15.23%

UAE - 10.41%

India - 8.66%

Export

Switzerland - 16.56%

China - 11.65%

South African Customs Union - 11.04%

Commodities

Imports

Petroleum oils, refined - 24.20%

Cars - 4.37%

Motor vehicles for transporting goods - 3.07%

Exports

Gold - 22.37%

Precious metal ores and concentrates - 8.97%

Tobacco, raw - 4.98%

GDP (current USD, 2012)

\$28,248,844,763

GDP per capita, PPP (2012)

\$1,601

³⁶

<http://www.africaneconomicoutlook.org/en/countries/east-africa/tanzania/>

³⁷ <http://coface.com/Economic-Studies-and-Country-Risks/Tanzania-United-Republic-of>

³⁸ <http://www.businessmonitor.com/node/5060###>

Labour force, total (2012)

22,801,577

Currency

Shilling

Equivalence to 1 USD

1,613.48

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

NA

Manufacturing, value added (% of GDP, 2012)

10

Agriculture, value added (% of GDP, 2012)

28

Industry, value added (% of GDP, 2012)

25

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

31 (2011)

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

50 (2011)

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

47

Unemployment rate, (% , 2011)

NA

Education expenditure (% of GDP, 2012)

6.2 (2010)

Adjusted savings: Education expenditure
USD (2011)
565,079,797

Population living in urban areas (% of total)
(2012)
27

Society

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

Total population (2012)
47,783,107

Religion³⁹
Christian (61.4%), Muslim (35.2%), Folk religions (1.8%), Unaffiliated (1.4%), Hindu (0.1%)

Languages
Swahili, English⁴⁰

Population growth, annual % (2012)
3

Population: ages 0-14 (% of total) (2012)
45

Population: ages 15-64 (% of total) (2012)
52

Population: ages 65 and over (% of total)
(2012)
3

Population living in rural areas (% of total)
(2012)
73

³⁹ <http://features.pewforum.org/grl/population-percentage.php>

⁴⁰ <http://country.eiu.com/article.aspx?articleid=1711057955&Country=Tanzania&topic=Summary&subtopic=Basic+data>

