

# ACTIVITY REPORT 2017 - 2018

## Brussels Animal Welfare Council



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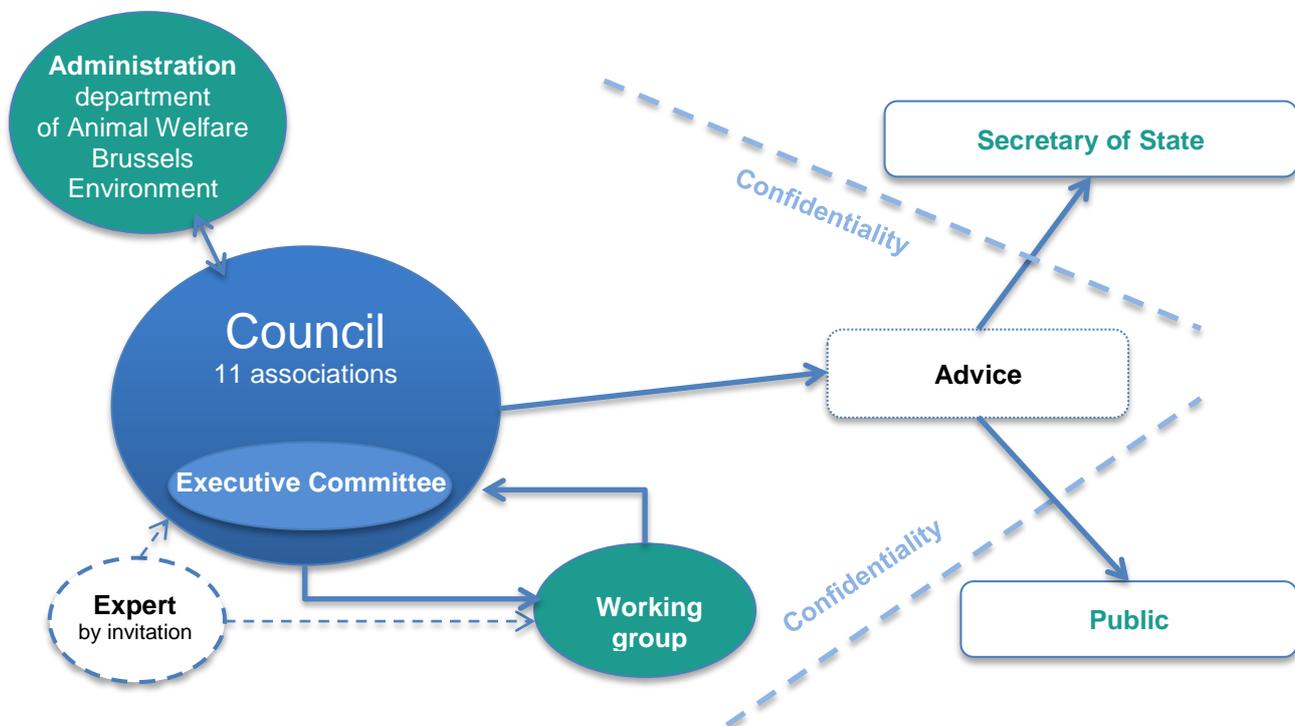
## OPERATION AND COMPOSITION

When competence in animal welfare were devolved to the regions by the 6th State Reform, separate animal welfare councils were set up to advise the respective ministers and Secretaries of State of the Flemish, Walloon and Brussels Capital (BCR) regions. Requests for advice in the BCR are initiated by Secretary of State Bianca Debaets, the department of Animal Welfare of Brussels Environment or the Council itself. The Brussels Council is made up of 15 members, being representatives of animal protection organisations (2), animal shelters (2), breeders' associations (2), professional veterinary associations (3), civil society (1) and Brulocalis (1), and 4 scientific experts who constitute the Executive Committee. The Council's administration is run by staff of the department of Animal Welfare of Brussels Environment

The consortium of Council members meets about 6 or 7 times per year. These meetings are always prepared in advance at a separate meeting of the Executive Committee.

The Council may also set up working groups to investigate specialist subjects in greater depth. External experts may be invited to take part in these working groups, by their chairmen. The working groups prepare a document or advice, which the Council then discusses, if necessary amends, and approves.

When working up its advice the Council always strives for consensus. If consensus cannot be reached, the differing points of view are recorded in a minority advice. Once approved, advices are filed with the State Secretary, then put forward for publication.



## ACTIVITIES AND ADVICES

### 1. ACTIVITIES AND ADVICES 2017

The Brussels Council was set up in late 2016, and subsequently (early 2017) began planning its agenda and the subjects for consideration.

#### 1.1. Mandatory cat identification and registration

In the first year of its existence, the Council evaluated the federal “Cat Plan”: a multi-annual programme to diminish overpopulation of (stray) cats.

By consequence, cat identification and registration became mandatory on 1 November 2017 for every cat born in the BCR after this date. Owners are required to take their cat to a vet to have it chipped and registered before the age of 12 weeks. Also, the requirement to neuter cats of both sexes before the age of 6 months came into effect on 1 January 2018 for all cat owners (except registered breeders). Cats born before 1 January 2018 must be neutered before 1 July 2018.



The Council recommended that an exception be made in the case of animal shelters, who may rehome unneutered kittens under 6 months of age, provided the adopter is contractually obliged to neuter the kitten before the age of 6 months.

#### 1.2. Ban on fairground ponies

The use of fairground ponies for public amusement or entertainment had, until recently, been allowed in some municipalities in the BCR, but not others.

However, a ban in all 19 municipalities of the BCR comes into effect on 1 January 2019<sup>1</sup>. The Council's advice on this subject was requested by the Secretary of State, midway through 2017, and rested on facts gathered by the federal Council in 2011 in support of the Royal Decree of 1 March 2013 concerning the welfare of fairground horses and ponies.

The Council drafted standards to assess the welfare of fairground horses and ponies, but concluded that there was not enough information available to assess fairground ponies owners' compliance with these standards in the BCR. In the end, the Council advised the Secretary of State to ban the use of fairground ponies, based on other arguments. However, the Secretary of State was also provided with a minority advice from the three associations of veterinarians and Felis Belgica.

<sup>1</sup>This was ratified by an ordinance of 25 January 2018 amending the Law of 14 August 1986 concerning animal protection and welfare. The advice applies not only to ponies, but to other equids put to work in fairgrounds.

#### 1.3. Unstunned slaughter

The subject of “unstunned slaughter” has already been discussed and debated at length by politicians, expert advisory boards and faith communities.

According to European legislation it is compulsory to anaesthetise (or rather stun) animals at slaughter, with the exception of those slaughtered in accordance with a religious rite. In Belgium this exception has been subject of debates of the federal Council in 2008, and of the Walloon Animal Welfare Council in 2016, as the avoidable suffering caused by unstunned slaughter has been clearly evidenced in an extensive body of scientific research.



The Brussels Council also acknowledges the problem that meat from unstunned animal slaughter currently circulates in the 'conventional' food supply, without consumers being able to opt for meat from animals that were 100% surely stunned at slaughter.

For this reason the Council recommended that prior (potentially reversible) stunning be made compulsory for all animal slaughter in the BCR.

This is already compulsory in the Walloon and the Flanders region, through decrees which came into effect on 1 June 2018 and 1 January 2019 respectively<sup>2</sup>. The Council fears a steep rise in unstunned slaughter in the BCR after these dates, as its advice has not yet been converted into legislation.

<sup>2</sup> There currently is an exception for cattle: the animals can be stunned immediately after neck-cutting (post-cut stunning).

#### 1.4. Reptiles as pets

The Secretary of State requested the Council to draft – in likeness of the so-called 'positive list for mammals' - a so-called "positive list" of reptile species suitable as pets. The Walloon Animal Welfare Council had already approved a list of this type on 21 April 2017. Important criteria for inclusion in the positive list were – among others - absence of potential danger to humans and ease of care. The list therefore consisted of several non-poisonous species which do not have to be fed on living animals. The Brussels Council decided to adopt this list in full, but acknowledges the need to keep it open to regular review.



This advice has not yet made it to the statute book in the BCR.

## 2. ACTIVITIES AND ADVICES 2018

In 2018 the Council held 7 plenary meetings. In addition, a number of working groups within the Council were set up in the course of the year.

### 2.1. Reduction of lab animal use

Towards the end of 2017 the Secretary of State asked for the Council's advice on the policy note on the reduction of the use of laboratory animals (animal testing).



This concept paper set ambitious targets to substantially reduce animal numbers used in lab tests in the BCR, by imposing obligatory target figures for the sector. In the BCR, the latter is almost exclusively composed by institutions for scientific research and education.

The Council stated its agreement in principle with the essentials of this note, save a few comments and a minority advice by the representatives of the animal shelters, the National Animal Welfare Council and GAIA, who would have liked to have seen some of the regulations tightened.

### 2.2. Ban of the breeding of "Fold" cats

Cats of the breeds Scottish Fold and Highland Fold have rather short, forward folding ears, due a genetic mutation which affects cartilage growth. Unfortunately, it also causes cartilage deformation in other areas of the skeleton. This congenital disorder is known – in scientific language - as osteochondrodysplasia, and often leads to chronic arthritis and pain.

The pain is often difficult or impossible to recognise, as cats show only minor changes in behaviour, attitude and facial expression when in pain. In the light of these welfare issues the Council wishes to introduce an outright ban (and corresponding extinction policy) on the breeding of Fold cats, with a requirement that all existing cats be neutered and a ban on the exposition and advertising of these breeds.

The Council recommends that these measures be implemented swiftly, given the rapidly rising popularity of Fold cats. In April 2019, the first steps were indeed taken for the implementation of this advice in legislation in BCR.



### 2.3. Hybrid cats in the BCR

In 2017 the Flemish Animal Welfare Council published an advice and a report on the subject of hybrid cats: cross breeds of domestic cats with wild, non-domesticated feline species. At present hybrids are gaining popularity in Belgium and elsewhere, the 'top of the list' being occupied by the Bengal and the Savannah. However, there are several problems related to the breeding and keeping of hybrid cats.

To begin with, wild feline species and early generation hybrids are not behaviourally suited to pet life. The second problem in early hybrid generations is the lack of fertility, combined with welfare issues during mating and gestation. This is all the more worrying given that the creation of a new hybrid breed will always require sufficient numbers of wild felines to prevent in-breeding.



Thirdly, neither wild felines nor their hybrids are figured on the 'positive list' (Royal Decree of 16 July 2009). This means that it is against the law to breed or keep either without special derogation from the "Zoology Commission". Therefore the Brussels Council - in line with its Flemish counterpart - advised a ban on the breeding and keeping of hybrid cats (the Savannah included), with the exception of Bengals of the fifth filial generation onwards. The exception for Bengals was granted because they, of all hybrid breeds, are best suited to pet life and it was estimated that the genetic diversity is large enough to support a healthy population,. However this exception is it not supported by GAIA, the National Council for Animal Protection or the representatives of the animal shelters.

The first steps for the implementation of this advice in legislation were taken in April 2019.

### 2.4. Licensing of occasional dog and cat breeders

Breeders of cats and dogs must obtain a licence if they intend to breed more than 2 litters per year. After application and a on-site inspection by the competent authority they can obtain a licence as hobby, professional or merchant-breeder. In the Walloon region, however, breeders of 1 or 2 litters per year - occasional breeders - must also be licensed. These licences can be issued under a "light" procedure in the Walloon region, which cuts down on the red tape and dispenses with the on-site inspection.

The Brussels Council advocates a similar licensing procedure for occasional breeders in the BCR, because it would help improve the traceability of dog and cat breeding activities.



It would also enable small-scale breeders of pedigree cats to raise a small number of litters in a home environment, under a fairly relaxed set of rules, despite compulsory cat neutering (see above). The majority of Council members wishes to reserve the occasional breeder's licence for breeders of pedigree cats in the BCR; no exception to compulsory neutering should be made for the "ordinary" domestic cat, as part of the "Cat Plan".

The Council would also wish the licensing procedure to be less "light" on a number of points than it is in the Walloon region.

However, the advice did not meet with unanimous approval. The three veterinary associations regret the differences in occasional breeder status between the three Belgian regions and would like to extend the "light" licensing procedure to occasional breeders of domestic cats. They warn that pedigree selection inevitably leads to genetic abnormalities.

This advice has not yet made it to the statute book in the BCR.



## 2.5. Ban on the sale of live animals at public markets

On some markets in the BCR live animals (fish, chickens and other birds, rodents, rabbits, etc.) are still sold. For the time being, and cats and dogs aside, this is not forbidden by regional law, although it is forbidden by some municipalities.



The practice exposes animals to a number of stressors, such as transportation, inclement weather, crowds, caging, etc. The practice can also lead to impulse purchases, through which the animals may end up with owners who have an insufficient understanding of the animal's needs or insufficient resources to meet them.

The Council looked into this problem and into potential arguments in support of the responsible sale of animals on markets. However, the latter did not outweigh the arguments for a ban. The Council therefore advocates a ban on the sale of live animals - vertebrate and invertebrate - in public places in the BCR, including animal markets and municipal markets. However, the sale of animals (other than dogs or cats) can still be allowed at specialist animal shows. Events of this kind serve a limited commercial goal and are generally attended by more specialised participants and organisers. The Council also stresses the need to raise public awareness on issues such as the benefit of purchasing animals from specialist, local breeders.

This advice has not yet made it to the statute book in the BCR.

## 2.6. Legal framework for “foster families”

Dogs and cats given up to or rescued by animal shelters are sometimes temporarily homed by “foster families” (FF) before returning to the shelter or being placed with a new owner.



The FFs may provide an answer to overpopulation in the animal shelters and could offer the animals in question more comfortable living conditions, as well as socialisation in a family environment. At present, however, there is no legal framework or charter governing FFs, yet they fulfil the role legally set aside for animal shelters. In addition, the compulsory documentation and inspections thereof by the competent authority are rendered considerably more complex and difficult.

Moreover, FFs often receive extremely young (and sometimes motherless) kittens or puppies and/or animals which have already suffered through mistreatment or neglect. The care for these animals can sometimes prove more intensive than previously estimated.

The Council discussed several options for a legal framework and concluded that every FF should be assisted by an experienced and competent shelter, on the basis of a contract between the two. A number of (minimum) criteria were established for this contract, which have to be consolidated into legislation. These criteria concern for example: assistance from the shelter (regular visits), visits from the shelter's contractual veterinarian, the keeping of registers, adoptions/departs from the FF (under the shelter's supervision), costs for food and care, hygiene measures and the maximum number of animals per FF.

The communication to and about FFs must enhance their knowledge and their sense of responsibility in a positive and encouraging manner.

This advice has not yet made it to the statute book in the BCR.

## 2.7. Minimum standards for the keeping of equids

Despite widespread, growing societal concern for their welfare, sometimes equids (horses, donkeys, hinnies and mules) are still kept in conditions which, do not satisfy their physical and/or behavioural needs, according to the most recent scientific understanding. Besides, these needs remain largely undefined or insufficiently defined in the legislation. As a result, it is currently difficult for inspectors to exercise control.

To address this issue, the Council has set up a working group of experts in scientific research and from the practice field (inspectors, veterinarians, and professionals from the sector).



This working group has studied guides for good practice, welfare assessment protocols and recent underlying research, in order to draft a number of minimum standards. The results of the working group were discussed at a plenary meeting of the Council, in which several of the standards were (slightly or more radically) amended.

The resulting advice contains minimum standards (and recommendations) on matters such as feed and water requirements, housing and shelter, social contact, safety and health. The minimum standards are to be seen as requirements from which a deviation may be made only in the positive sense, and which should be consolidated into new legislation.

This advice has not yet made it to the statute book in the BCR.

## 2.8. Minimum standards for the keeping of cats and dogs by private persons

As for equids, recently the physiological and behavioural needs of dogs and cats have come to be better understood by science, but have remained unintegrated in Belgian law. The latter provides only a very broad framework by which to enforce the welfare of pets owned by private individuals. This sometimes makes it difficult for inspectors to enforce animal welfare.



In order to draft minimum standards regarding housing and care for these animal species as well, two additional working groups were set up. The composition and working methods of these working groups were similar to those of the working group "equids", although the resulting minimum standards for cats and dogs apply specifically to private owners, including foster families.



At the end of 2018, the results of the working group "cats" were discussed by the Council and an advice with minimum standards for cats was approved.

The working group "dogs" has also concluded its discussions in 2018. The advice on minimum standards for dogs was approved by the Council in early 2019.

This advice has not yet made it to the statute book in the BCR.

## MORE INFORMATION ON THE WEBSITE

The advices already communicated to the Secretary of State may be freely consulted - in Dutch and French only - at <https://leefmilieu.brussels/> or <https://environnement.brussels/> (under "thema's" or "thématiques" click to "dierenwelzijn" or "bien-être animal" and then to "Brusselse Raad voor dierenwelzijn" or "Conseil bruxellois du bien-être animal"). The names of the organisations, and their representatives in the Council, are also given. Under "dierenwelzijn" or "bien-être animal" more information can be found on the themes within the remit of the department of Animal Welfare.