Animal Welfare, an international humane issue

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Introduction:

Animal welfare standards are not defined at the international level, except in Conventions by the Council of Europe and some multilateral agreements. Current World Trade Organization (WTO) provisions take little account of animal welfare. However, the ministerial conference in Doha in 2001 placed non-trade concerns, including animal welfare, firmly on the agenda for future WTO agricultural negotiations.

The OIE expert groups have been working to develop international standards and guidelines on the welfare of animals during land and sea transport, slaughter for human consumption and the killing of animals for disease control purposes. These guidelines are foreseen to be completed by 2005. Separate guiding principles on animal welfare are due to be adopted at the General Session of the OIE International Committee in May 2004.

Advances in European welfare standards in recent years have included improved measures for the protection of veal calves, laying hens and intensively-farmed pigs and a major legislative proposal is currently under discussion in Council to raise further the present standards for the protection of animals during transport. Furthermore, in the framework of the reform of the EU’s Common Agricultural Policy, direct payments to producers will be dependent on respecting minimum animal welfare standards and there are also incentives in place to strive towards higher welfare standards.

The OIE initiatives in animal welfare:

Animal welfare was identified as a priority in the 2001-2005 OIE Strategic Plan. OIE Member Countries had decided that, as the international reference organisation for animal health and zoonoses, the OIE must provide international leadership on animal welfare. Even though animal welfare is not covered by the WTO SPS Agreement, Member Countries wished to have guidelines and recommendations to assist them in bilateral negotiations. Member Countries recognised that, as animal protection is a complex, multi-faceted public policy issue which includes important scientific, ethical, economic and political dimensions, the OIE needed to develop a detailed vision and strategy incorporating these dimensions. In order to implement the new mandate, the Director General of the OIE convened an Ad hoc Group on animal welfare the recommendations of which were unanimously adopted during the 70th General Session. A permanent Working Group on Animal Welfare was then established and held its first
meeting in October 2002. The International Committee had decided that the OIE would give priority to the welfare of animals used in agriculture and aquaculture, and that, within that group, the topics of transportation, humane slaughter and killing for disease control purposes would be addressed first, followed by housing and management. Other topics, such as research animals and wildlife, would be addressed as resources permitted. At its first meeting, the Working Group saw as its primary task the development of policies and guiding principles to provide a sound foundation from which to elaborate draft recommendations and standards for the identified priorities. The Working Group then developed a detailed work program for 2003, including how specific topics would be addressed through Ad hoc Groups utilizing expertise inside and outside government. The Working Group's recommendations were adopted at the 71st General Session of the OIE in May 2003.

In addition, the OIE will work:

- to identify animal welfare research needs and encourage collaboration among research centers, to improve awareness of animal welfare in academia, and

- to provide expertise on specific animal welfare issues to OIE stakeholder groups, other international organizations, animal production sectors, industry and consumer groups. The OIE is aware of the importance of involvement by a broad range of stakeholders in this complex topic and is collaborating with various non-governmental organizations, including those from academia, the research community, industry and other relevant organizations, to ensure the best outcomes. The OIE is keen to make use of all available expertise and resources but the organizations presenting advice must represent a broad international view as standards, guidelines and recommendations developed by the OIE are applicable to all its Member Countries.

World Organization for Animal Health (OIE) and the issue of animal welfare:

On animal welfare, the OIE International Committee recognized that, as animal welfare was a complex, multi-faceted public policy issue which included scientific, ethical, economic and political dimensions, the OIE needed to develop a detailed vision and strategy incorporating and balancing these dimensions. The International Committee decided that, in the work on this issue, the OIE would give priority to the welfare of animals used in agriculture and aquaculture and that, within that group, the topics of transportation, humane slaughter and killing for disease control be addressed first, followed by housing and management. Other topics, such as research animals and wildlife, would be addressed as resources permitted.

The OIE Director General has also formed, as mentioned above, a permanent Working Group to coordinate and manage these animal welfare activities. At its first meeting in October 2003, the Working Group saw as its primary task the development of policies and guiding principles to provide a sound foundation from which to elaborate draft recommendations and standards in its area of work. The Working Group then developed a detailed work program for the first year, including how specific topics would be addressed through Ad hoc Groups utilizing expertise inside and outside government.
Although participation by non-governmental organizations in OIE standard-setting activities is not the norm, the OIE is aware of the importance of involvement by a broad range of stakeholders in discussions on this complex topic. It is keen to make use of all available expertise and resources, including those from academia, the research community, industry and other relevant organizations, to ensure the best outcomes, and has commenced discussions with various non-governmental organizations. The OIE, however, recognizes that it must be careful to ensure that the organizations presenting advice represent a broad international view as standards, guidelines and recommendations developed by the OIE must be relevant to all its Member Countries.

The OE Terrestrial Animal health code and Animal Welfare: The following are selected parts of the Code that form the basis for the welfare issues.

**GENERAL OBLIGATIONS**

Article 1.2.1.1.

*International trade in animals* and animal products depends on a combination of factors which should be taken into account to ensure unimpeded trade, without incurring unacceptable risks to human and animal health.

Because of the likely variations in animal health situations, various options are offered by the Terrestrial Code. The animal health situation in the exporting country, in the transit country or countries and in the importing country should be considered before determining the requirements which have to be met for trade. To maximize harmonization of the sanitary aspects of international trade, Veterinary Administrations of Member Countries should base their import requirements on the OIE standards, guidelines and recommendations.

These requirements should be included in the model certificates approved by the OIE which form Part 4 of the Terrestrial Code.

Certification requirements should be exact and concise, and should clearly convey the wishes of the importing country. For this purpose, prior consultation between Veterinary Administrations of importing and exporting countries is useful and may be necessary. It enables the setting out of the exact requirements so that the signing veterinarian can, if necessary, be given a note of guidance explaining the understanding between the Veterinary Administrations involved.

When Members of a Veterinary Administration wish to visit another country for matters of professional interest to the Veterinary Administration of the other country, the latter should be informed.
Article 1.2.1.2.

Responsibilities of the importing country

1. The import requirements included in the international veterinary certificate should assure that commodities introduced into the importing country comply with the national level of protection that it has chosen for animal and human health. Importing countries should restrict their requirements to those justified for such level of protection.
2. The international veterinary certificate should not include requirements for the exclusion of pathogens or animal diseases which are present within the territory of the importing country and are not subject to any official control program. The requirements applying to pathogens or diseases subject to official control program in a country or zone should not provide a higher level of protection on imports than that provided for the same pathogens or diseases by the measures applied within that country or zone.
3. The transmission by the Veterinary Administration of certificates or the communication of import requirements to persons other than the Veterinary Administration of another country, necessitates that copies of these documents are also sent to the Veterinary Administration. This important procedure avoids delays and difficulties which may arise between traders and Veterinary Administrations when the authenticity of the certificates or permits is not established.

Responsibilities of the exporting country

1. An exporting country should be prepared to supply the following information to importing countries on request:
   a) information on the animal health situation and national animal health information systems to determine whether that country is free or has free zones of listed diseases, including the regulations and procedures in force to maintain its free status;
   b) regular and prompt information on the occurrence of transmissible diseases;
   c) details of the country's ability to apply measures to control and prevent the relevant listed diseases;
   d) information on the structure of the Veterinary Services and the authority which they exercise;
   e) technical information, particularly on biological tests and vaccines applied in all or part of the national territory.
2. Veterinary Administrations of exporting countries should:
   a) have official procedures for authorization of certifying veterinarians, defining their functions and duties as well as conditions covering possible suspension and termination of the appointment;
b) ensure that the relevant instructions and training are provided to certifying veterinarians;
c) monitor the activities of the certifying veterinarians to verify their integrity and impartiality.

3. The Head of the *Veterinary Service* of the *exporting country* is ultimately accountable for veterinary certification used in *international trade*.

Article 1.2.1.4.

**Responsibilities in case of an incident occurring after importation**

APPENDIX 3.7.3.

**PRINCIPLES APPLICABLE TO AIR TRANSPORT OF SELECTED MAMMALIAN SPECIES**

Article 3.7.3.1.

**Livestock containers**

1. **Design**
   a) General principles of design
   b) Ventilation

2. **Species requirements**

Article 3.7.3.3.

**Stocking density**

**PRINCIPLES APPLICABLE TO ALL FORMS OF TRANSPORT**

Article 3.7.1.1.

The following factors should be taken into account by veterinarians in the supervision and control of the international transport of animals:

a) climate, temperature/humidity and time of day;
b) distance to be travelled and route;
c) mode of transport: air/rail/road/sea/roll-on(roll-off/on foot;
d) suitability of transport vehicle;
e) species of animals;
f) stocking density;
g) physiological status: fat/slaughter animal, store animal, pregnant/near to giving birth, age and sex, suckling, shorn/unshorn, horned/dehorned, lactating animals;
h) facilities and ability to feed/water on board transport, on the journey;
i) staging post facilities on the journey.

The Global Conference on Animal Welfare:

The OIE organized an international conference on animal welfare that was held in February 2004. The conference explained the OIE initiatives particularly to those outside government, and will seek NGO's proposals on how they could be best work with the OIE.

Over 450 participants from more than 70 countries attended the three day "Global Conference on Animal Welfare", organized by the World Organization for Animal Health (OIE), in Paris.

The Conference confirmed the great interest in animal welfare issues worldwide and proved that it is possible to have a constructive dialogue between institutions, stakeholders, scientists and non governmental organizations (NGOs) from all over the world, including developing countries.

After two days of excellent motivating presentations, all participants were given the opportunity to select one of eight discussion groups about land transport, sea transport, slaughter, killing for disease control, communications challenges in animal welfare, the role of veterinarians, animal welfare research and more general issues raised during the conference. The results of these discussions will contribute to the future steps and strategies to be taken by the OIE in animal welfare.

The OIE acts as a coordinator of guidelines on animal welfare worldwide. Transparency and openness are key elements of the OIE policy. It is strongly committed to continue to apply those principles also with regard to animal welfare issues.

The Conference also confirmed the essential role of the World Trade Organization (WTO) with regard to standards for international trade. It was strongly reaffirmed that science should always be an essential base for setting any international standard.

The role of developing countries has been of a particular importance. A clear message to cooperate in developing animal welfare concepts in their own countries has been given by many of their representatives during the conference, but it was also made clear that those countries need time and an understanding of their particular situation which sometimes leads to some constraints.

There are more than 120 developing member countries which are Members of the OIE. In order to allow them to endorse the animal welfare standards that will be applied by the
international community, it is important to provide them with technical and financial assistance.

The key role to be played by all components of the Veterinary Services of Member Countries was highlighted in order to prepare and implement all relevant actions linked to animal welfare.

Also, due to the recent outbreaks of Avian Influenza in Asia, particular interest was given to the discussions of the syndicate group dealing with killing for disease control.

**Animals in Islam:**

The Holy Prophet(s) has placed the killing of animals without a justifiable reason as one of the major sins:

**Slaughter of Animals Used for Food**

While Islam permits eating meat, it gives instructions to ensure humane slaughter, with as little pain to the victim as possible:

God's Messenger was reported as saying: 'Allah Who is Blessed and Exalted, has prescribed benevolence toward everything {and has ordained that everything be done in a good way}; so, when you must kill a living being, do it in the best manner and, when you slaughter an animal, you should {use the best method and} sharpen your knife so as to cause the animal as little pain as possible. (Narrated by Shaddad bin Aus. Muslim.

The Messenger of Allah was heard forbidding to keep waiting a quadruped or any other animal for slaughter. (Bukhari. Also Muslim).

The Prophet forbade all living creatures to be slaughtered while tied up and bound. (id (Ref. No. 46); Hadith No. 4817; p. 1079).

The Holy Prophet said to a man who was sharpening his knife in the presence of the animal: 'Do you intend inflicting death on the animal twice - once by sharpening the knife within its sight, and once by cutting its throat?

Hazrat Imam Ali says: "Do not slaughter sheep in the presence of other sheep, or any animal in the presence of other animals.

Hazrat 'Omar once saw a man denying a sheep, which he was going to slaughter, a satiating measure of water to drink. He gave the man a beating with his lash and told him: "Go, water it properly at the time of its death, you knave!" (Reported by Ibn Sirin about Hazrat 'Omar and recorded in Badae al-Sande; 6:2811).

If animals have been subjected to cruelties in their breeding, transport, slaughter, or in their general welfare, meat from them is considered impure and unlawful to eat (Haram).
The flesh of animals killed by cruel methods (Al-Muthiah) is carrion (Al-Mujaththamah). Even if these animals have been slaughtered in the strictest Islamic manner, if cruelties were inflicted on them otherwise, their flesh is still forbidden (Haram) food:

Oh, ye messengers! Eat of the good things {tayyibat} and do righteous deeds. Surely, I know what you do." (Qur'an.23:51).

Oh believers! Eat what We have provided for you of lawful and good things, and give thanks for Allah's favour, if it is He whom you serve. (Qur'an 2:172; 16:114).

The word 'Tayyib', translated as 'good', 'pure', 'wholesome', etc. means pure both in the physical and the moral sense.

The main counsel of Islam in the slaughter of animals for food is to do it in the least painful manner. All the Islamic laws on the treatment of animals, including the method of slaughter, are based in all conscience on "the spirit" of compassion, fellow-feeling and benevolence:

Providing for Animals Used to Carry Heavy Loads

Animals in the service of man should be used only when necessary and their comfort should not be neglected

The Prophet once passed by a lean camel whose belly had shrunk to its back. 'Fear God' he said to the owner of the camel, 'in these dumb animals and ride them only when they are fit to be ridden, and let them go free when it is meet that they should rest. (Narrated by Abdullah bin Ja'far. Awn).

About taking care of animals while traveling, the Holy Prophet used to give the following advice:
When you journey through a verdant land, {go slow to} let your camels graze. When you pass through an arid area, quicken your pace {lest hunger should enfeeble the animals}. Do not pitch your tents for the night on the beaten tracks, for they are the pathways of nocturnal creatures. (Narrated by Abu Huraira. Sahih Muslim.

Saying daily prayers (salat) is one of the five most important obligations of the Moslem religion. In the following Hadith, one of his companions tells us that the holy Prophet and his fellow travelers used to delay even saying their prayers until they had first given their riding and pack animals fodder and had attended to their needs: "When we stopped at a halt, we did not say our prayers until we had taken the burdens off our camels' backs and attended to their needs.

Hazrat Imam Ali's general advice about pack animals is: "be kind to pack animals; do not hurt them; and do not load them more than their ability to bear.
Cruelty to Animals

According to the spirit and overall teachings of Islam, causing unavoidable pain and suffering to the defenseless and innocent creatures of God is not justifiable under any circumstances. Islam wants us to think and act in the positive terms of accepting all species as communities like us in their own right and not to sit in judgement on them according to our human norms and values.

Prevention of physical cruelty is not enough; mental cruelty is equally important. In the following incident, a bird's emotional distress has been treated as seriously as a physical injury:

We were on a journey with the Apostle of God, and he left us for a while. During his absence, we saw a bird called hummara with its two young and took the young ones. The mother bird was circling above us in the air, beating its wings in grief, when the Prophet came back and said: 'who has hurt the FEELINGS of this bird by taking its young? Return them to her'. (Narrated by Abdul Rahman bin Abdullah bin Mas'ud.

It is reported by the same authority that: "a man once robbed some eggs from the nest of a bird. The Prophet had them restored to the nest.

The Islamic concern about cruelty to animals is so great that it has declared the infliction of any unnecessary and avoidable pain 'even to a sparrow or any creature smaller than that' as a sin for which the culprit would be answerable to God on the Day of Judgement.

The Prophet told his companions of a woman who would be sent to Hell for having locked up a cat; not feeding it, nor even releasing it so that it could feed herself." (Narrated by Abdullah bin 'Omar. Bukhari, 4:337)

Islam's concern for animals goes beyond the prevention of physical cruelty or even condescending kindness to them, which is a negative proposition. It enjoins on the human species, as the principal primates of animated world, to take over the responsibility of all creatures in the spirit of a positive philosophy of life and to be their active protectors.

The Prophet was asked if acts of charity even to the animals were rewarded by God. He replied: 'yes, there is a reward for acts of charity to every beast alive.' (Narrated by Abu Huraira, Bukhari, 3:322. Also Muslim).

The Prophet told his companions of a serf who was blessed by Allah for saving the life of a dog by giving it water to drink and quenching its thirst. (Narrated by Abu Huraira. Muslim, Vol. 4, Hadith No. 2244. Also Bukhari, 3:322 and others).

To catch birds and imprison them in cages without any special purpose is considered abominable.
No advantages and no urgency of human needs would justify the kind of calculated violence which is being done these days against animals, especially through international trade of livestock and meat. One of the sayings of the Holy Prophet Muhammad(s) tells us: "If you must kill, kill without torture." (La taqtolu bi'l-idha'i). While pronouncing this dictum, he did not name any animal as an exception - not even any noxious or venomous creature, such as scorpions and snakes.

Jabir told that God's Messenger forbade striking the face or branding on the face of animals... The same companion of the Holy Prophet(s) reported him as saying, when an ass which had been branded in its face passed him by: 'God curse the one who branded it.' (Narrated by Jabir bin Abdullah. Muslim, This Hadith is concerned with causing pain to the animal on the sensitive parts of its body, as well as with the disfigurement of its appearance.

When the Holy Prophet migrated to Medina from Mecca in 622 A.C., people there used to cut off camels' humps and the fat tails of sheep. The Prophet ordered this cruel practice to be stopped. The temptation for the people to perform this sort of vivisection on the animals was that the juicy humps and fatty tails could be eaten while the animal remained alive for future use. To remove this avidity, he declared: "whatever is cut off an animal, while it is still alive, is carrion and is unlawful (Haram) to eat." (Narrated by Abu Waqid al-Laithi).

To make sure that no injury was inflicted on the animal while there was even a flicker of life in it, it was forbidden by the Holy Prophet to molest the carcass in any way, such as: by breaking its neck, skinning, or slicing off any of its parts, until the body is dead cold. One of his sayings on this theme is: "Do not deal hastily with a 'being' before it is stone dead." (Kitab al-Muqni, 3:542. Also Al-Muhalla, 7:457; Ibn Hazm). Hazrat 'Omar ibn al-Khattab used to instruct repeatedly: 'Give time to the slaughtered being' till it is dead cold. (Al-Muhalla, 7:457; Ibn Hazm. Hazrat 'Omar ibn al-Khattab was the second Caliph (634-644 A.C. = 12-22A.H.).

Many other Muslim authorities have also given juristic opinions (fatawa) to the effect that, after slaughter, time should be given for the rigor mortis to set in before cutting up the carcass. (Kitab al-Nil wa Shifa'al-Alil, 4:460).

Another malpractice in Arabia in those days, which caused pain and discomfort to the animals, was stopped by the Holy Prophet in these words: "Do not store milk in the udders of animals…." (Muslim and Bukhari).

Not only physical but also emotional care of animals was so much emphasized by the Holy Prophet that he once reprimanded his wife, A'ishah, for treating a camel a bit offhandedly. Hazrat A'ishah herself narrates: "I was riding a restive camel and turned it rather roughly. The Prophet(s) said to me: 'it behooves you to treat the animals gently'. (Narrated by A'ishah. Muslim, Vol. 4, Hadith No. 2593).
The Holy Prophet himself was once reprimanded by God for neglecting his horse, as the following Hadith tells us: "The Prophet was seen wiping the face of his horse with his gown (jullabiyah). When asked why he was doing that, he replied: 'Last night I had a reprimand from Allah regarding my horse for having neglected him'.

The following Hadith forbids the disfiguration of the body of an animal.

The Prophet said: 'Do not clip the forelock of a horse, for a decency is attached to its forelock; nor its mane, for it protects it; nor its tail, for it is its fly-flap'. (Narrated by 'Utbah ibn Farqad Abu Abdillah al-Sulami. Abu Dawud).

The incidents of the Holy Prophet Muhammad's personal grooming of his horse; his wife A'isha's rough handling of her camel; the Holy Prophet's(s) prohibition of cutting forelocks, the mane or tail; the condemnation of striking and branding on the face or ears - all these and many other such Ahadith show that this great man, Muhammad had realized even fourteen centuries ago that animals have a sense of adornment and sensitivity.

Animal Sacrifice

It is not their flesh, nor their blood, that reaches Allah; it is your righteousness {piety and spiritual volition} that reaches Him....Their flesh will never reach Allah, nor yet their blood, but your devotion will reach Him (Qur'an 2:37).

The main purpose of allowing Muslims to continue with animal sacrifices was to turn this tradition into an institution of charity. All the verses of the Qur'an Majeed which deal with the subject wind up with the proviso that the meat be fed to the poor, the needy, those who are too modest to beg as well as the mendicants - those who beg openly (The Qur'an, 2:196; 22:28; 35-37).

In some cases, the offerers of the sacrifice are allowed to consume a portion of the meat themselves, while in others the whole of the carcass is to be given in charity. Sacrifice is meant to be an act of worship and thanksgiving to solicit the approbation of God neither in the sense of atonement nor in the sense of transposing one's sins onto a scapegoat; but it is meant to be an act of benevolence (Ihsan) to fulfill a social obligation. After reading the Qur'anic version of sacrifice, there remains no doubt in one's mind that any sacrifice that is allowed to go to waste is a sinful as well as a criminal violation of the Islamic law (shariah). Verses 22:36 and 37 make this proviso abundantly clear."

The Importance of Respecting the Balance of Nature

"Those who take undue advantage of other species break the Divine Law of equilibrium in nature - and nature never forgives." The Qur'an Majeed dwells on this theme recurrently, such as:
Allah has not created all this without truth {Haque} (Qur'an.10:5) for it is He who created everything and ordained it with due potential {Taqdir} (Qur'an.25:2) not to allow any change to corrupt what Allah has created (Qur'an.30:30). Then a warning is given to those people who are guilty of infraction, in these words; "Do they not know how many We have annihilated before them - those whom We had established on earth as more powerful than We have established you…” (Qur'an.6:6).

The Importance of Conserving Nature

{Even when the world is coming to an end} On Doomsday, if any one has a palm-shoot in hand, he should plant it.

Blood Sports

There are many Ahadith forbidding blood sports and the use of animals as targets, some of which are as follows:

The Prophet condemned those people who take up anything alive as a mere sport.” (Narrated by Abdullah bin 'Omar.

The Prophet said: 'Do not set up living creatures as a target'. (Narrated by Abdullah bin Abbas.

Military Research, Including Wound Labs

One might also appeal to the Islamic law (Shari'ah) to oppose using animals in military research in general and in the so-called wound laboratories in particular. The above-quoted Ahadith, as well as the Juristic Rules, would seem to support the view that our wars are our own problems and that we have no right to make the animals suffer for them.

Animals in War

Even in war, animals cannot be killed except if needed for food. Hazrat Abu Bakr, the first Caliph after the death of the Holy Prophet Muhammad (632-634 A.C.) addressed the Muslim army at a place outside Medina, called Jorf, before sending them off for the battle of Muta. Among the instructions he gave to the soldiers was not to slaughter animals except for food. (The Qur'an, 22:40; Tabari III, p. 123).

The Middle East and Australia:

The livestock trade in the Middle East seems to be mostly with Australia especially after the last the BSE crisis in the year 2000 and the outbreaks of rift Valley Fever in Saudi Arabia and Yemen in the same year. The scene appeared as there is an Australian monopoly. Through this monopoly, many trade malpractices were reported and the
shadow of a coming crisis was a fact till the last crisis of the well-known “Cormo Express” occurred. The scene now is getting different as other trade rivals are regaining some of their lost market in the Middle East. These rivals, especially from Eastern Africa, are improving their trade capacities through individual initiatives or collective organization through the Red Sea livestock Trade Commission (LTC).

For this reason, and others, the responsibilities of the Australian side are huge. Therefore, a new era of understanding between the Arabian and the Australian side is an importune matter.