

2020 Legislative Election Animal Protection Pledge

I hereby commit to support the pledge put forward by more than 50 animal protection and citizens' organizations, and pledge to support legislation upholding:

1. the inclusion of animal protection ideals in the Constitution
2. the notion that animals are not 'things', and the introduction of compensation for emotional distress resulting from harm inflicted upon animals
3. the introduction of animal protection-specific police officers
4. humanitarian animal relief practices in disaster management operations
5. transparency and resource sharing regarding animal experiments
6. the institutionalization of professional lab animal veterinarians in experiments labs
7. the enactment of animal welfare and sustainable production guidelines for various species of farmed animals
8. the promotion and education of plant-based eating

Signature:

Date:

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Taiwan's animal protection movement has withstood the waves of reforms undergone by Taiwanese society, and in 1998 successfully achieved the establishment of the *Animal Protection Act*. Since then, institutional and educational efforts have seen people open their hearts to animals and transformed society's attitudes towards animal issues.

However, in recent years there have been countless incidents of animal cruelty that have shocked the wider public. Attention paid to animal issues has heightened across all sections of society, while legislative reviews have seen the emergence of varied needs unaddressed by existing legislation. It is in this context that animal protection organizations have united to formulate eight legislative demands, which respond to domestic and international developments in this field. For the next legislative session we call on legislators to embrace the plight of animals and pledge to support the following appeals:

1. The inclusion of animal protection ideals in the Constitution

Animals and humans inhabit the same Earth. Animal health and welfare is integral to human quality of life and the quality of the ecosystems in which we live. Responding to this reality, in recent years the World Health Organization (WHO) and the World Organisation for Animal Health (OIE) have promoted the concept of 'One Health'.

Human rights and progressive values should be adequately reflected in constitutional provisions. In Germany's constitution (the Basic Law), the objective value of the environment and animals is recognized and protected, and required that the power of the state should respond to and protect these values when exercised. The Constitution of the Republic of China (Taiwan) already makes reference to environmental protection. By the same virtues, we call for the state's duty to protect animals to be added to Article 10 of the Constitution of the Republic of China (Taiwan).

2. The notion that animals are not 'things', and the introduction of compensation for emotional distress resulting from harm inflicted upon animals

Animals are sentient beings, not 'things'. Switzerland acknowledged that animals are sentient beings in its Constitution as early as 1992, while the European Union recognized animals as sentient beings in 2007, in accordance with the views of the majority of EU citizens.

In contrast, the Civil Law in Taiwan still defines animals as human property, that is, 'goods'. Hence, when an animal suffers unlawful mistreatment, there is no obligation to compensate the animal's owner for the emotional distress that is inflicted, even in cases of great grief and mental torment.

Recently the Taiwan High Court acknowledged that the close emotional relationships formed between humans and animals (especially companion animals) can resemble the companionship of family members, by awarding more than NTD\$10,000 compensation to the owner of a deceased pet. However, this should not be a standalone precedent; the status of animals as ‘independent beings’ between humans and things should be given clear definition in the law and/or Constitution, providing an appropriate legal hierarchy and actualizing social ethics and respect for life.

3. The introduction of animal protection-specific police officers

Whether it is animal abuse or violence against women, the elderly, children, or youth, these all constitute violence against vulnerable individuals. While it is the responsibility of all people to prevent social harms, the police have a special duty to safeguard law and order.

Although serious cases of animal abuse or harm warrant criminal penalties under Taiwan’s Animal Protection Act—and most police personnel acknowledge the necessity and significance of protecting animals—the police force must contend with many competing duties and its capacity is limited. However, the successful prosecution of criminal cases requires police powers to conduct effective investigations and ensure preservation of evidence. In practice, many animal protection investigations also require writs and powers of disposition, including for searches, arrests, and seizure of property, all of which depend on animal protection-specific police officers. We advocate for legislation to establish "animal protection-specific police", to be explicitly responsible for the handling of criminal investigations and enforcement of compulsory penalties in cases of animal cruelty.

4. Humanitarian animal relief practices in disaster management operations

Taiwan is situated on a seismic belt, and experiences regular earthquakes and typhoons. Natural disasters cause not only the loss of property and human casualties, but also the casualties of the animals that co-inhabit this island. In addition to the harm inflicted on animals themselves, animal casualties can also directly affect the lives of their owners, and indirectly exacerbate environmental and economic costs. Regardless of whether an animal is a companion animal, stray animal, animal used for economic gain, or wild animal, like humans they also require harm prevention and rescue measures in the face of major natural disasters.

Animal humanitarian relief should be incorporated into existing relief legislation, including guidelines and standard procedures for resource investment, integration, and sharing (for example, cooperation between domestic and international relief organizations, coordination with non-government spaces, etc.), animal rescue and relocation, designation of emergency evacuation sites, emergency medical assistance, allocation of financial and human relief resources, and disposal of remains.

5. Transparency and resource sharing regarding animal experiments

The impacts of the quality, effectiveness, and efficiency of using animals in scientific applications are not limited to the allocation of national research funding, the protection of public health, and the prevention of disease. In fact, these key attributes are also crucial to the preservation of academic freedom. In recent years, the poor reproducibility, applicability, translatability, and predictivity of animal experiments has raised questions about the value of animal experiments. While the published literature has yet to be systematically reviewed or evaluated, it has nonetheless become the basis for further animal experimentation. The fact that the content and reviews of experimental protocols are not made public, experimental results and operational details are not disclosed, and the rate of resource sharing is exceedingly low, are cause for further review. To promote the development of biomedical sciences and the reduction of unnecessary animal experiments, legislation should be enacted to promote information disclosure and resource sharing under the tenets of intellectual property rights and personal data protection.

6. The institutionalization of professional lab animal veterinarians in experiments labs

The welfare of animals used in animal experiments has significant consequences for the quality of scientific research. The way these animals are used and the care they require is also unique. Hence, the international community has already developed a specialization for veterinarians in this field. Taiwan's current legislation does not mandate the presence of a full-time 'lab animal veterinarian', and lacks development and assessment mechanisms for their education, training, examination of licensing, and on-the-job training schemes. This has led to vast differences in animal care at institutions with scientific application of animals including anesthesia, analgesia, euthanasia, and other procedures. Legislation should mandate a comprehensive program including education, internship, licensing, and on-the-job training schemes for "lab animal veterinarians," and require that all institutions with scientific application of animals employ a "lab animal veterinarian." It should also require institutions with scientific applications of animals to be classified as places of veterinary practice.

7. The enactment of animal welfare and sustainable production guidelines for various species of farmed animals

Animal products are still a primary source of protein and fats for the majority of Taiwanese citizens. Thus, the optimization of the agriculture and aquaculture sectors in Taiwan is not only integral to the sustainability of these industries, but also has profound implications for food safety and consumer health.

In 2015 and 2017 respectively, the Council of Agriculture enacted *Definition and Guidelines of Friendly Egg Production Systems* and *Definition and Guidelines of Friendly Pig*

Production Systems. In 2016, the Fisheries Agency devised the *Draft Framework for Aquatic Animal Welfare*, however the framework is still ‘referential’ in nature and is yet to come into effect. As a result, the absence of clear industry direction has created uncertainty for producers and investors, and severely infringed on consumers’ right to know and right to choose.

8. The promotion and education of plant-based eating

In August of this year, the United Nations Intergovernmental Panel on Climate Change (IPCC) published *The Special Report on Climate Change and Land*, which states that plant-based diets are one of the key ways by which humanity can mitigate and respond to climate change. The report emphasizes that encouraging plant-based eating and providing diverse plant-based food options through government procurement, health insurance, educational programs, and public nutrition and health policy can reduce food waste, minimize healthcare expenditure, and contribute major reductions to greenhouse gas emissions.

We advocate for the promotion of plant-based eating to have a legal basis to facilitate execution across government departments, similar to the promotion of physical activity. Aside from providing plant-centered food at government banquets and other government-sponsored events, explicit policies and research indicators should be developed for progressive implementation in national nutritional guidelines, nutrition education, and health education. The government should also enact measures to facilitate the development of relevant industries and services.

Lead signatories

Animal Protection Association of the Republic of China, Life Conservationist Society, Taiwan Veterinary Medical Association, World Dog Alliance, Taiwan Society for the Prevention of Cruelty to Animals, Taiwan Animal Protection Monitor Network, Environment & Animal Society of Taiwan (listed in order of number of strokes in Chinese name)

Joint signatories

Heart of Taiwan Animal Care, Taiwan Animal Equality Association, Friendly Planet Association, 社團法人台灣愛狗人協會, Taiwan Rabbit Saving Association, Faith for Animals, 中華民國流浪動物花園協會, Help Save A Pet Fund Taiwan, Taiwan Not Only Environment Action Group, Contemporary Thoughts on Animals, Taiwan Environmental Protection Union, Meetpets Taiwan Association, Animal Pep Talk, Taiwan Animal Rights and Welfare Society, Life Conservationist Society of Taitung Country, Taiwan Pawprint K9 Rescue, 桃園市好生活協會, 桃園市推廣動物保護協會, 桃園縣狗舖子流浪狗協會, 台南市尊重動物生命協會, Tainan Animal Care Society, National Taiwan University Animal Rights Club, National Taiwan University Lovelive Club, Ming Chi University of Technology Animal Life Guardian Club, 政大附中大眾傳播與動物權利社, National Taiwan Normal University Animal Rights Club, 高師大流浪動物志工隊, National Kaohsiung Normal University Animal Caring Club, 高雄醫學大學動物保護社, 嘉南藥大動物研習社, 台南大學流浪動物社, Asia Animal Protection Club, Chinese Culture University Respect Life Club, Chinese Animal Welfare Interchange Association, 社團法人中華亞洲環境生態護育交流

協會, Taiwan Citizen Participation Association, Oceanus Honors Gaia Taiwan, Citizen of the Earth Taiwan, Treasure Our Land Taiwan, Taiwan Sustainable Union, Birds TAIWAN, 桃園在地聯盟, 桃園市南崁文化協會, Wild at Heart Legal Defense Association Taiwan, Matsu Fish Conservation Union Taiwan, 台灣動物保護法律研究協會籌備會