

A photograph of a brown deer standing in a green field. In the background, several cows are grazing. The text "COUNCIL ON ANIMAL AFFAIRS" is at the top, and "2011-2013" is below it.

COUNCIL ON ANIMAL AFFAIRS
2011-2013

PART 1
OPINIONS



2014, Council on Animal Affairs, The Hague

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COUNCIL ON ANIMAL AFFAIRS

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PART 1
OPINIONS



RAAD VOOR DIERENAANGELEGENHEDEN

The purpose and activities of the Council

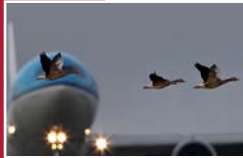
The Council on Animal Affairs (*Raad voor Dierenaangelegenheden*, RDA) is an independent council of experts which offers the Minister for Agriculture solicited and unsolicited advice on complex, multidisciplinary issues relating to animal health and welfare. The RDA currently comprises about forty experts with a wide range of backgrounds and expertise, who serve on the Council in a personal capacity, without obligation or compulsion.

The Council on Animal Affairs considers issues across the entire spectrum of animal policy: on captive ('domesticated') and non-captive ('wild') animals, smallholding animals, companion animals (pets), and farm and laboratory animals.

The Council sets down the results of its deliberations in an 'Opinion' which provides an overview of the scientific and societal background to an issue and advises on policy options and resolution avenues for possible dilemmas. Consensus is not a requirement; an Opinion can include minority standpoints.

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Preface

The public debate on societal responsibility for the health and welfare of animals concerns animals held professionally but also, and increasingly, smallholding animals, pets, and 'non-captive' animals, i.e. those living in the wild.

The Council on Animal Affairs is therefore aware of the importance of its task as an independent body advising the Dutch Minister for Agriculture with regard to national and international policy on animal health and welfare. By broadening the expertise brought to the Council by its members, who serve it in a personal capacity, the Council has equipped itself well to fulfil this task.

It is with great pleasure that I make this report of the Council's deliberations during the 2011-2013 period available to a wider public – not just in order to inform, but also to invite responses. Just as the opinions of the Council are also intended to inform public debate, the quality of our advice benefits from responses from society.

Professor F. Ohl
Chairperson, Council on Animal Affairs

RDA chairperson Frauke Ohl:

“We have identified a consistent line”

“If you want sustainable solutions you shouldn’t be looking for ad-hoc answers,” Frauke Ohl points out, with inescapable logic. The Council that she chairs is, indeed, looking for sustainable solutions. “For the Council it’s important to be consistent across different issues, and for stakeholders and those in politics this is perhaps even more important.” Looking back, Ohl believes that in recent years this has been achieved.

In the years 2011, 2012 and 2013 the Council for Animal Affairs (*Raad voor Dierenaangelegenheden*, RDA) published seven Opinions. These concerned issues of differing topic and scope, such as the best way to cull geese, the role of market forces in farm animal welfare, and the question of societal care duties for non-captive animals.

A clear line runs through all these Opinions, states Ohl in her study at the Utrecht faculty of Veterinary Medicine, where she is Professor of Animal Welfare and Laboratory Animal Science. The Council does not confine itself to the concrete issue at hand, but always seeks to answer the underlying questions. “Then you begin to see the links between different subjects. That makes it possible to identify and describe an action framework for the way we, as humans, behave with animals.” Such a framework may not

deliver an immediate answer, but it does guide you towards one, step by step – and in such a way that later on, answering a different question, one can employ the same lines of reason.

Large grazers and marine mammals

This framework was first sketched in the ‘Moral issues and public policy on animals’ (*Agenda voor het Dierbeleid*, 2010), formulated under the leadership of Ohl’s predecessor Henk Vaarkamp. It then played an important role in the ‘Duty of Care, Naturally’ advisory report which considered the question of whether, and under what conditions, we as humans should take responsibility for the welfare of non-captive animals. Ohl: “The Council formulated that Opinion on its own initiative, and for good reason: public debate made it necessary.” Large grazers in the

Oostvaardersplassen nature reserve, fallow deer in the *Waterleidingduinen* (rainwater filtration dunes) area, and of course the stranded humpback whale Johanna – all were crystallisation points of social agitation, but also demonstrated differences in situations, opinions, terminologies and given meanings. One more reason why the Council attaches great importance to

“We always seek to answer the underlying questions”

an action framework, or as Ohl would call it, an assessment framework.

It gives clarity on the meaning of the concepts being employed. “We should be as consistent as possible with such concepts as ‘unnecessary suffering’. One shouldn’t use the words in one way here and another way there.”



Frauke Ohl

Onafhankelijk oordeel

'Duty of Care, Naturally' (see pp.8 and 20) comprises an appendix presenting an assessment model that uses a flow diagram to guide users through 'ethical assessment in regard to the duty of care for animal welfare'. This effectively brought the Council's work to the 'next level' that was its stated ambition. In a variety of shapes and forms this assessment model has reappeared in most of the Council's subsequent Opinions.

"We can now give clearer and more independent advice"

"Under my predecessor the RDA had already transformed its shape and working methods," emphasises the current chairperson. "More members were appointed, with more specialised expertise, and they were appointed in a personal capacity, not as the representatives of an organisation. This meant that their individual expertise came to the forefront. This has enabled us to give clearer and more independent advice. We have a broad, integrated vision of animal affairs." When Ohl was nominated as Vaarkamp's successor after his sudden death,

the Council asked itself whether any new steps were needed for it to attain its ambitions. "We felt that we could be more proactive, that we could give more variety to the form in which our Opinions were delivered, and that we could strengthen interaction with politics and our stakeholders. When I look back now, I see that all these things have taken place." The first is illustrated by the formulation of an unsolicited Opinion on wild animals ('Duty of Care, Naturally', p.8); the second by the publication of several condensed Opinion papers, e.g. the 'Protocol on Stranded Large Marine Mammals' (*Protocol Gestrande Zeezoogdieren*, p.16); the last is best demonstrated by the organisation of stakeholder meetings and more frequent contact with organisations representing stakeholders and departmental directorates.

"My predecessor set the course"

"When Henk Vaarkamp died suddenly in 2011, he had already set the RDA on a new course," Ohl says of her influential predecessor. "He was convinced that the Netherlands could be an animal welfare champion, and that the Council could bring about the cooperation between all involved parties that would be needed to bring that about. We continue to work on it."

Performance

"We have continued to broaden our expertise," adds Ohl. "Ecology is a new field of expertise we have gained, for instance. I see a general shift of emphasis away from animal welfare 'in and of itself' and towards consideration of the underlying issues and the connections between different sub-areas. This movement is also linked to growing social interest in the 'One Health' idea. Two reference points in this development were the outbreak of Q fever around 2009 and the debate on the influence of the antibiotics used in the livestock industry on antibiotic resistance in humans." Such issues now mean that safety and responsibility in human and animal health and welfare are ever more being seen as being interconnected and, increasingly, also related to nature and ecology. This contributes towards greater con-

sistency in Council Opinions, a trend which Ohl is pleased to see: "If you look at the different backgrounds of the Council members, and the diversity of the consultancy requests we have met, then I regard that consistency as a real achievement."

"We welcome input from broad societal groups"

Ohl considers it important that this consistency is maintained in the future. "Staying consistent in our vision and approach, while remaining flexible in regard to the kinds of advice we give: this is what we strive for. We want to play a role in developing conceptual frameworks, but equally, in applying these frameworks in practice." It is also important to be more visible to society: this ensures a higher social return on the Council's work, but it also makes for higher-quality advice. "If you can go beyond the experts who are part of our natural audience, and reach a wider public, then new input can arise from that group, and that's exactly what we want. Our advisories benefit from it."



Photo: Martijn de Groot



Photo: Ellen Bourma



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Profitable Welfare: improving farm animal welfare by facilitating innovation processes and using market forces

Unsolicited Opinion



Maurits Steverink

Question: How can government promote the free market regulation of animal welfare in the various links of the production chain?

Aanleiding: For many years there has been a strong public desire to improve the welfare of livestock animals. For livestock farmers, however, improved welfare usually means higher costs that cannot be passed on to the buyer. If it were possible to pass the costs on, this would form a solid foundation for sustainable progress.

Considerations: If you incorporate animal welfare into a concept that consumers can understand, then the result is more sustainable than when you try to legislate for it,” says Maurits Steverink, chairperson of the forum that prepared this Opinion. “This applies all the more to an export sector.” In his day-to-day life Steverink runs a consultancy for marketing and innovation in the agrifood sector.

With this Opinion the Council demonstrates its conviction that the Dutch livestock industry should invest its ambitions in special products with added sustainability value. “That is where improved continuity and larger margins can be achieved, and it is precisely in the area of animal welfare that these can be realised.”

The market does best at creating profitable concepts in the vanguard, and government does best at creating legislation in the rearguard of the innovation process,

argues Steverink. An example: retail eggs. “In the 1980s battery eggs were the norm. Then the market came up with the barn-roaming egg, the free-range egg, and the organic egg. Next came the Better Life (*Beter Leven*) hallmark, the Roundel egg, and similar concepts. Together these enjoy broad public support. That’s the point at which government, at the EU level, can say: let’s abolish the cages. Then you take everyone with you, including the free riders.”

Government can do more than just look after the rearguard. “Helping research, for one. Setting standards, so that achievements can be compared; that’s two. Helping entrepreneurs who want to make the switch to animal-friendly methods, by sharing initial risk right through to introduction and roll-out; that’s three. And, importantly: in this country, consumers are detached from the natural world. New animal-friendly concepts have to be explained to consumers who know very little about nature. Education can make a difference, from secondary vocational training to the University of Wageningen.”

Hallmarks can help to put new concepts on the market, but a producer can also introduce a new brand independently. However, animal welfare hallmarks and standards should be internationalised quickly, as Dutch infrastructure, knowledge and entrepreneurship have a good chance of trailblazing these concepts at the EU level. Animal welfare is also becoming a topical theme abroad.

Advice: Adopt a multi-track approach. Promote the inclusion of animal welfare in consumer experience. Create the conditions that encourage entrepreneurs to focus on products that answer these demands. Make explicit and incorporate into policy those communications having regard to livestock products and sustainability aims such as animal welfare; promote innovation throughout the chain. Seek to establish a single European hallmark and higher European minimum standards for animal welfare.

Response: The Opinion (in preparation) has been included in round-table discussions organised by the Standing Committee on Economic Affairs, Agriculture and Innovation (*Vaste Kamercommissie Economische Zaken, Landbouw en Innovatie, EL&I*) and presented within the 'Implementation Agenda for a Sustainable Livestock Industry' (*Uitvoeringsagenda Duurzame Veehouderij*) covenant and at numerous national and international conferences and meetings. It has also been given attention in several newspapers and specialist journals. In December 2013 the Minister for Agriculture in the Dutch House of Representatives named the Opinion as complementary to the 'All Meat Sustainable' (*Al Het Vlees Duurzaam*) report by the Van Doorn Committee.

Photo: Marcel van den Bergh/EZ



Duty of Care, Naturally: on the welfare of semi-captive and non-captive animals

Unsolicited Opinion



Frauke Ohl

Question: What responsibility does society have for the health and welfare of non-captive animals? How can this responsibility be put into actual practice?

Background: In recent years there has been regular public debate on whether or not to intervene on behalf of animals living in the wild, i.e. non-captive animals. Examples include the large grazers in the *Oostvaardersplassen* nature reserve that appeared to be susceptible to cold and malnutrition during the winter months, and the humpback whale Johanna that was stranded, alive, on the beach at Texel.

Considerations: The question of whether intervention is required to prevent animal suffering is usually accompanied by the question of whether this concerns captive or non-captive animals. The Council decided to examine whether any such difference in moral responsibility actually existed. “In the light of current affairs we thought it wise to formulate an opinion on this matter on our own initiative,” explains Council chairperson Frauke Ohl. Together with Council secretary Laurens Hoedemaker she took the lead in framing this unsolicited Opinion.

It quickly became clear that the issue involved many factors that would all need to be included in a satisfactory analysis: the specific situation, economic aspects, the aims

and principles of parties such as nature organisations, and emotions. Emotions? “Yes,” says Ohl. “You often hear people say that emotions should be kept out of the discussion, but in fact they play an important role and should therefore be taken into consideration.”

The core question then became: how best to structure the analysis of a complex problem? In answering this question the assessment model in the Council’s existing Opinion ‘Moral issues and public policy on animals’ demonstrated its added value for the first time.

Ohl: “Large grazers can nicely serve as example, but actually the same questions need to be asked in all cases. Are the animals being exposed to unnecessary suffering? To answer that, you first need to know whether there is a welfare problem, and from the animal’s standpoint this can be defined only from a biological perspective. If the animal can no longer deal with the situation by way of its adaptive capacity, there’s a welfare problem. The next question is: what action can we take? At that point you also have to consider whether any human objectives are involved which might oppose such action, in which case the objectives of those responsible have to be compared with the relevant societal norms. This kind of multi-stage analysis ensures that all aspects are given consideration, and that different issues can be assessed by the same criteria.”

Advice: The practical implementation of a societal duty of care for animals, both individually and as a group, depends on the degree to which the animal(s) can give full rein to their natural self-reliance and on the question as to whether this natural self-reliance is inhibited by human action. In answer to this question the Council recommends that the ‘Care Duty Assessment Model and (un)acceptable suffering’ (*Afwegingsmodel Zorgplicht en (on)aanvaardbaar lijden*, p.20) is used to formulate a coherent policy that can be upheld under all circumstances. This policy considers, in turn, whether welfare is being compromised; whether remedial action can be taken; whether human interests might raise objections to such action; and whether these human interests outweigh animal welfare considerations.

Response: In 2012 the line of thought behind this Opinion was included in the Amsterdam discussions of fallow deer in the *Waterleidingduinen* rainwater purification dunes. The Opinion itself gained international attention through presentations in Bilbao, Brussels and elsewhere, consultancy work for the Scottish National Heritage by the Council chairperson, and a well-received presentation for the European Commission. In the Dutch House of Representatives the Minister for Agriculture called the Opinion “valuable, practicable, and a foundation for the whale protocol”; her department is using it as a reference document for the government’s new *Natuurvisie*, its statement of intent on nature management.



Guidelines on Geese Culling

Solicited (shortened) Opinion



Laurens Hoedemaker

Question: What would be, in different practical situations, a practicable and societally acceptable method of culling wild geese (migratory or non-migratory) without causing unnecessary suffering?

Background: Geese cause economic damage and are a risk to traffic on the ground and in the air. The ‘Geese Agreement’ (*Ganzenakkoord*), which was reached between a large number of organisations representing agricultural, horticultural and nature conservation interests, contains arrangements for combating the growing number of non-migratory geese in particular. Culling forms part of those arrangements, so from a welfare perspective there is a need for guidelines on the use of different culling methods. Motions in the Dutch House of Representatives have also included a request for such guidelines.

Considerations: The Council limited itself to the question put by the Minister, which concerned the method of culling, and not the question of whether the animals ought to be culled at all. This led to discussions within the Council; not all its members shared the Minister’s view that in this case culling was necessary, and the Council was unable to agree on the acceptability of certain culling methods. Moreover, one Council member was unwilling to sign the finally formulated Opinion. “That was the first time that has ever happened,” says

the then Council secretary Laurens Hoedemaker, looking back, “but they were, nonetheless, open and constructive discussions.” The consequence was a separate Opinion chapter detailing minority standpoints; this was a first, as such standpoints had always been part of the Council’s underlying theoretical work, but never – until now – of its practice.

Nevertheless the Council, which had not created a separate forum for this Opinion, achieved a number of general conclusions. In reaching these conclusions the ‘Care Duty Assessment Model and (un)acceptable suffering’, which had been incorporated into the Opinion ‘Duty of Care, Naturally’, played an important role. This model gives a prominent place to aspirations, needs, and social acceptability. These differ in each different practical situation, with specific advice suited to each specific situation as a result.

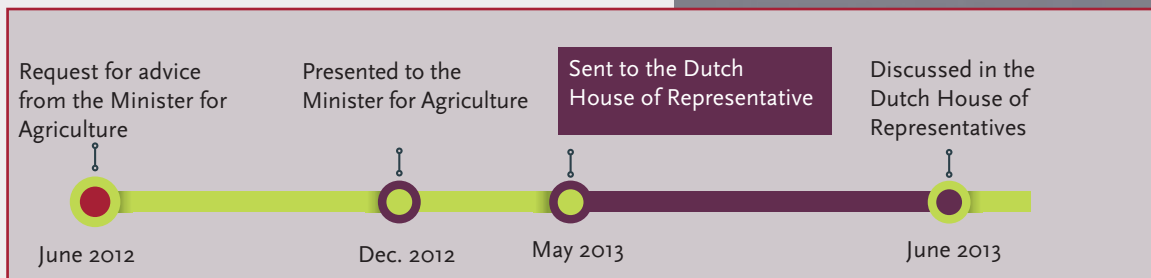
The Council formulated separate advisories for reducing the size of the goose population, reducing the risks to air traffic, combating agricultural damage, culling sick animals, and curbing invasive exotics. Hoedemaker: “It all depends on what you want to achieve. From an animal welfare perspective the best approach for one purpose will not be the best approach for another. If you want to reduce the number of geese for air traffic safety purposes – and this was one of the aims that had been the subject of public debate – then the method with

the least compromising effect on welfare is rounding up the animals during the moulting season and culling them with CO₂ gas.”

Advice: Different methods are to be preferred in different situations, on the basis of such considerations as practicability, social acceptability, and effectiveness. Methods such as beheading and poisoning are unacceptable for any purpose. Electrocutation and neck-breaking methods are rejected because these are not very practicable. Other methods such as shooting, shaking the eggs, and gassing with CO₂ are advised, depending on the aim, varying from combating invasive exotics to reducing overall goose numbers.

Response: Despite the low profile which the Council had adopted for this Opinion, it was given considerable regional and national media cover. This was often in connection with news on governmental developments in regard to the Geese Agreement. The Ministry of Economic Affairs has submitted an exemption request to the European Commission in order to further examine the CO₂ culling method.

Photo: Province of North Holland



Getting a grip on intervention

Solicited Opinion



Ludo Hellebrekers

Question: Construct an assessment framework for the acceptance or otherwise of intervention in captive animals, and demonstrate its application in two cases: the freeze branding of cattle and the routine castration of stallions, tomcats and pigs. The integrity of the animal must not be affected and the interventions must not be in response to the animals' housing problems or to cosmetic considerations.

Background: Physical interventions in animals are forbidden in principle in the Netherlands, but much use is made of legal exceptions. There exists a strong societal pressure to reduce the incidence of these exceptions, but this may have considerable economic and social consequences. To be able to make a responsible choice between forbidding and permitting an intervention, there is a need for an assessment framework that makes the considerations and the consequences clear.

Considerations: "Our analysis quickly revealed that in the Netherlands we handle animal interventions inconsistently," says Ludo Hellebrekers, chairperson of the responsible forum within the Council. "Take, for example, the castration of tomcats, stallions and pigs. The first two cases we consider very normal, but there is strong

public opposition to the last. The Council considers it important that for all such interventions – which would include beak-clipping in chickens and freeze branding in cattle, for instance – we make available a clear, unambiguous decision model. This makes it possible for everyone to understand why one intervention is permitted while another is forbidden."

This is not to say that in ten years' time we might not arrive at a different conclusion, notes Hellebrekers, a professor at the Veterinary Medicine faculty of Utrecht University. "You have to weigh up a number of important factors, and the factors themselves are continuously changing. You have to take account of the animal, its context, and its welfare, but also of economics and ecology. Today that yields a certain conclusion, but in a few years' time it might yield a different one." According to the professor, who is trained as a veterinarian, that is precisely the attraction of this assessment framework, which was based on the assessment model presented in the Opinion 'Duty of Care, Naturally'. "The most important thing is not the outcome at this particular moment or for a given animal species, but the transparency of the process for society. It gives everyone thinking about the moral and ethical dilemmas surrounding animal welfare something to go by, and I'm very pleased about that."

Advice: Use the Intervention Assessment Framework to go through each issue step by step; this ensures transparency and coherence. One then considers, in turn, whether the intervention has permanent consequences for the animal's integrity or welfare; whether the intervention is deemed necessary to serve the animal's own interests or human objectives, together with a systematic and unambiguous assessment of these two interests; and finally, alongside this, a weighing-up of relevant societal norms.

Response: A contribution has been made to the public debate on intervention in animals and, according to the Policy Letter on Animal Welfare (*Beleidsbrief Dierenwelzijn*) which the Minister sent to the Dutch House of Representatives in 2012, to the willingness of the livestock industry to reach agreements on certain interventions, thanks to the Opinion's assessment framework.



Responsible Dog Ownership: setting limits to unacceptable behaviour from dogs and their owners

Solicited Opinion



Helga van Veen

Question: How can we prevent socially unacceptable behaviour in dogs – aggression, in particular – with the aim of having better socialised dogs and as a result a substantial reduction in the number of biting incidents?

Background: There has been much debate in the Netherlands for some time on how best to deal with biting dogs. The debate has centred on how biting incidents could be prevented, for instance with compulsory muzzles; and what should happen to dogs that have bitten, for instance seizure, compulsory retraining, or even euthanasia. Municipalities and societal organisations were concerned about the effectiveness and proportionality of policy, and the Minister for Agriculture considered extra measures.

Considerations: For this forum, chaired by Helga van Veen, it quickly became clear that there was little to be gained from banning aggressive breeds. “This quickly turns into arguments about breeding purity, and displacement towards other breeds,” says Van Veen, who is chairwoman of the board of the Dutch *Beter Leven* (‘Better Life’) hallmark foundation for animal welfare. “We’ve seen this before, in the approach to the pit bull terrier. And you can see it coming: more and more breeds would have to be banned, with all the enforcement problems that would

bring. That way lies disaster. Ultimately, whatever the breed of dog, it’s all about the combination of the dog and its owner; about how the owner takes responsibility for their dog, and how they treat it. Prevention should therefore be directed principally towards future owners.”

Ignorance or inexperience amongst dog owners would appear to be the cause of many incidents. For this reason, measures to constrain the dog, such as muzzle orders, should be accompanied by the promotion of knowledge and skill in its owner. The responsibility that owners feel for their dogs should be strengthened, and of course the government should have the means to deal robustly with the situation when an owner appears to be unable to control their dog.

Up to now most of these means were within the domain of local councils. However, each has their own policy, and a dog owner can often behave in a neighbouring municipality in a way that would not be permitted at home. Legislation should therefore be modified so that municipalities have the means to act earlier, and so that the measures imposed apply at the national level. Dogs are brought into human social interactions more than any other companion animal, stresses Van Veen. “This is why we have advised that dogs, too, should be held against the criteria of the so-called ‘positive list’ that determines whether, and under what conditions, a given animal species may be kept.”

Advice: Undertake the preventative actions specified by the Council both at municipal and at national level, for instance by providing good information and breeding policies, and ensure that conditions are in place to take administrative or criminal legal action against those owners who remain in default. Make use of the ‘Dogbite Policy Assessment Framework’ (*Afwegingskader voor hondenbetenbeleid*) formulated by the Council.

Response:

The European Forum of Animal Welfare Councils (EuroFAWC) has shown great interest in this Opinion, which has also been mentioned in a variety of radio and television programmes. In a letter to the Dutch House of Representatives the Minister for Agriculture emphasised that policy should be directed both towards prevention and towards safety guarantees for people and animals after biting incidents.

In a letter to Parliament on the state of affairs concerning a ‘positive list’ of mammalian species, the Minister noted that further consideration will be given to the degree to which supplementary regulations may be needed with regard to farm animals and to dogs and cats kept as companions.

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Request for advice from the Minister for Agriculture

Presented to the Minister for Agriculture

Sent to the Dutch House of Representatives



Protocol on Stranded Large Marine Mammals

Solicited (shortened) Opinion



Laurens Hoedemaker

Question: What is the opinion of the Council on the ‘Protocol on Stranded Living Large Cetaceans’ (*Protocol Stranding Levende Grote Walvisachtigen*) that the Minister for Agriculture presented to the Dutch House of Representatives; particularly in regard to the sections on relief, care, and euthanasia in relation to animal welfare?

Background: When a live humpback whale stranded on a sandbar near the Dutch island of Texel in 2012, it revealed that the allocation of tasks and responsibilities in a rescue operation of this kind was unclear. To address this shortcoming, in the summer of 2013 the Minister for Agriculture drew up a first draft of a protocol whose first principle was the welfare of the animal. This protocol was a supplement to existing guidelines on the relief of marine mammals such as the common seal, the grey seal, dolphins and porpoises.

Considerations: “The level of public concern about the stranded whale Johanna made this a controversial subject,” says Laurens Hoedemaker. As secretary of the Council he was responsible for drawing up this Opinion, for which he worked closely with the Directorate General for Nature and Regional Policy. “But there was also an obvious need for clear guidelines on the activities of different bodies.

The protocol put forward by the Minister for Agriculture was an excellent initiative, and the Council needed do little more than add annotations. That is why this Opinion is a shortened one.”

In formulating it, use was once again made of the assessment model that had been presented earlier in the Opinion ‘Duty of Care, Naturally’. It gave rise to a number of marginalia, notes Hoedemaker. “For instance, that not every possible rescue is also a desirable one. One must look not only at the individual animal, but also at its population. Caring for sick animals and then returning them to the wild can actually be a burden to the population.”

Moreover, for an individual animal it is true that if it has little chance of survival in its natural environment, it is not helped by being ‘rescued’. In that case a method of killing has to be chosen that respects the animal’s welfare as much as possible. Regarding such cases the Council also has a second comment. “If you do not yet have the means to kill the animal in a responsible way,” explains Hoedemaker, “then sedate it until you do.”

The Council also established that there were still no adequate welfare-friendly means available for killing large marine mammals. Other means should therefore be sought.

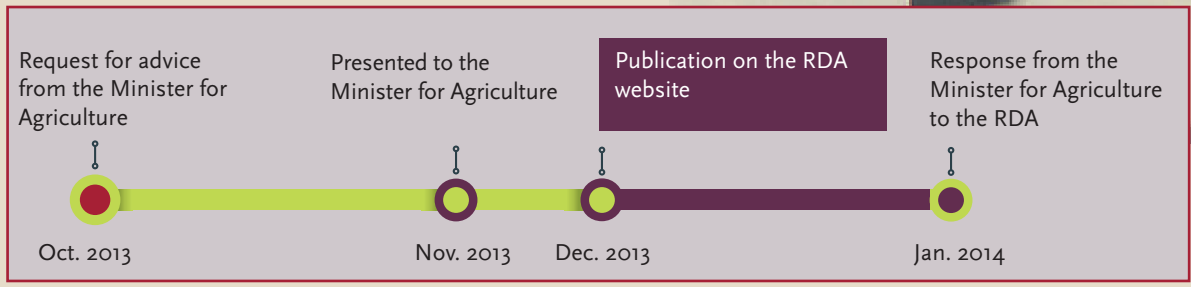
Photo: Geert Aarts, IMARES



Advice: Use the RDA’s assessment framework, set up a small permanent team of stranding coordinators, ensure that decision-making procedures and communications take place in a more streamlined way, and carry out research into killing methods that can be employed with the greatest possible consideration for the animal’s welfare. The Council also gives a number of suggestions for improvements that allow the protocol to be developed into an action plan.

Response: There have been mixed societal responses to this Opinion, in particular with regard to the question of whether all animals should be rescued and whether a veterinary expert can be made available quickly enough to make that decision.

The Minister for Agriculture has invited suggestions for this Opinion, in particular with regard to euthanasia and palliative care.



Setting Conditions on Animal Ownership

Solicited Opinion



Ludo Hellebrekers

Question: Indicate, for a number of animal species, under which conditions a species may be kept as a companion animal (the species in question are listed in an appendix to a letter from the Minister for Agriculture to the Dutch House of Representatives, dated 20 June 2013).

Background: Ever louder calls have been voiced, both by the public and from government, to curb the keeping of unusual species as pets. In the summer of 2013 the Minister for Agriculture therefore presented to the Dutch House of Representatives two lists, of those animals species that might be kept with or without special conditions, respectively. The conditions under which the animals on the first list might be kept had not yet been formulated.

Considerations: The idea of drawing up a ‘positive list’, a list of animal species that could be kept without conditions, has not enjoyed strong support amongst the various hobby associations in the country. For this reason it has been difficult to call on the knowledge they possess. However, this support and knowledge were badly needed for the possible future formulation of the conditions under which animals might legally be held.

“The chairperson of the Council, Frauke Ohl, then organised a large stakeholder meeting to find out whether

a shared working agenda could be drawn up,” remembers Ludo Hellebrekers, the chairman of the forum that led the compilation of this Opinion. The meeting went very well and revealed the stakeholders’ willingness to cooperate. “Then we got to work. The process was somewhat comparable to the discussion on interventions, for which the Council had also drawn up an Opinion.” In the first instance, just as in that first case, the Council formulated a road map for the setting of conditions. Hellebrekers: “You have to weigh up the various aspects that affect those sorts of conditions: animal welfare, human welfare, and of course ecological aspects.”

The Council was therefore able to make recommendations on the way conditions for keeping animals might be drawn up. However, in the Council’s view, more clarity was needed before these conditions could actually be formulated: what information would they need to contain? How would they be tested? Who would set them and who would enforce them? The Council also requested information on the welfare problems that characterised the different species that are ‘subject to conditions’. The Minister has agreed to provide this information, but as it has not yet been made available to the Council, the Council is unable to answer the Minister’s request for concrete conditions.

Photo: Marcel van den Bergh / EZ

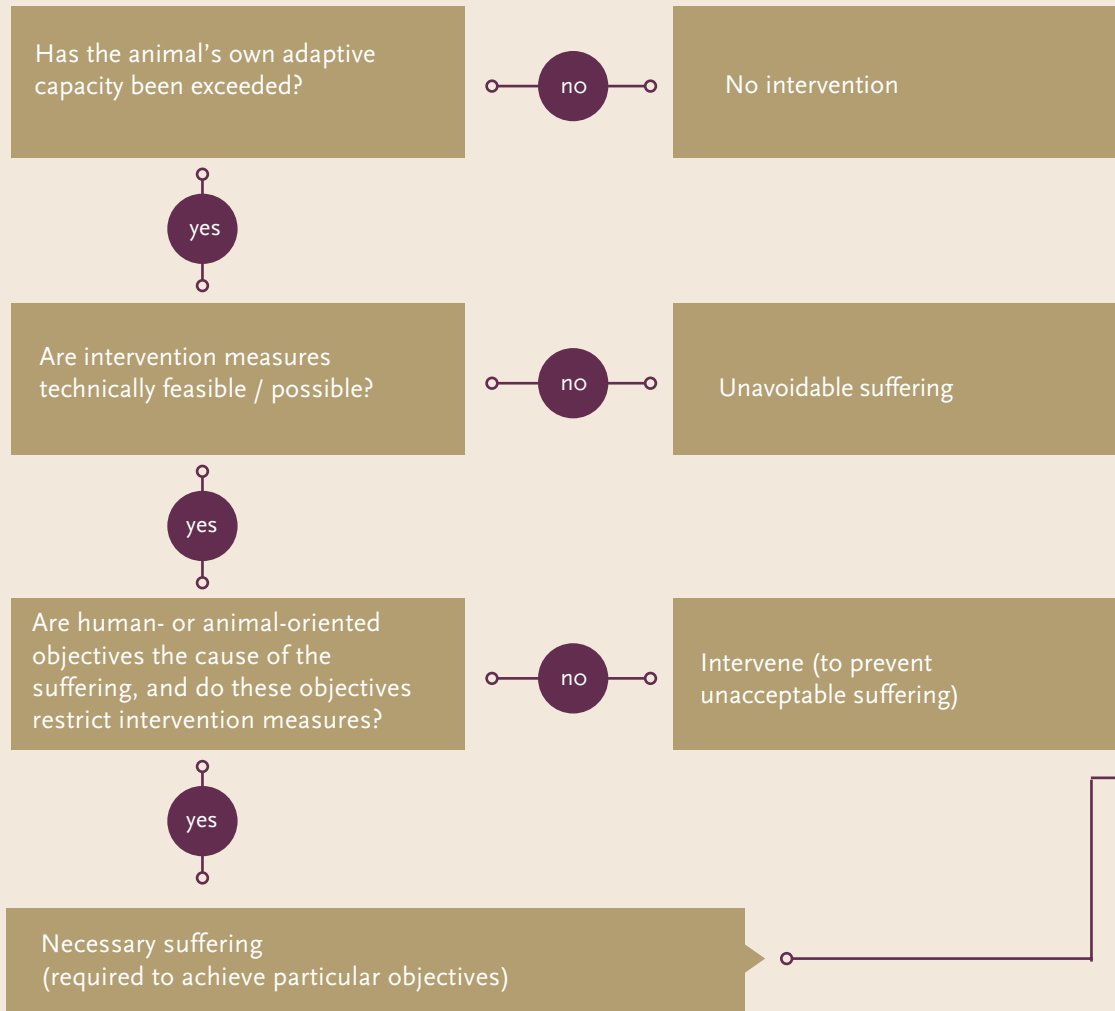


Advice: The first part of the Opinion contains recommendations for drawing up conditions, with examples for the ferret, the hamster, the chinchilla and the guinea pig. The form is comparable with the assessment frameworks used in earlier Opinions. The Council's letter to the Minister indicates that the information available on potential welfare problems is not sufficient to formulate conditions for keeping animals. The system employed to identify such problems must therefore be refined, after which an expert committee should assess the results.

Response: Because this concerns an Opinion that has yet to be given its definitive form, public response has been limited.



Framework Duty of Care and (un)acceptable suffering



Guideline for a balanced decision
 The question of when animals suffer, and whether or not this is acceptable, arises regularly and in very different contexts. When should we intervene, and when have we allowed ourselves to be misled by anthropomorphism, the attribution of human feelings and emotions to animals? The assessment model on this page, originally formulated for the Opinion 'Duty of Care, Naturally' (p.8), helps us to analyse these complex issues in a consistent way and to take a balanced decision. It has also served as a useful starting point for a number of other Opinions.

Ethical appraisal on the basis of relevant facts, intuitions, values, etc.

Unacceptable suffering: reconsider intervention measures and/or human actions (if these are the primary cause of the suffering)

Acceptable suffering: suffering that is considered morally acceptable by the general public

A number of members on the significance and importance of the Council's work

Dr H.M.G. van Beers-Schreurs (*pig breeding, veterinary pharmacology*)

“The Council provides a platform for a wide range of expert opinions. Outside of the political arena, it formulates opinions which have solid scientific foundations and are backed by societal support in the broadest sense of the word.”

Dr F.W.A. Brom (*ethics*)

“The way we treat animals is an emotive issue with intense societal reactions. We shouldn't try to gloss over that fact. The RDA represents a broad assembly of practical and scientific experts who share a desire to think about the subject constructively. This approach contributes to the respectful treatment of fundamental differences of opinion, and to a well-founded social dialogue.”

Mr A.G. Dijkhuis (*fauna management, spatial planning*)

“It is good that the Council has expanded its remit to include all animals: captive, semi-captive and non-captive.”

Prof. L.J. Hellebrekers (*veterinary medicine, companion animals*)

“Ever since ‘Moral issues and public policy on animals’ there has been a consistent theme running through all of the Council's Opinions. The consistent structure, the process and the way of thinking, the assessment framework – they all show clear agreement, and that is good for the quality of our advice, now and in the future.”

J. Hesterman (*smallholder animal keeping*)

“By being at the cutting edge of science and practice, time and again the Council succeeds in giving useful advice.”

Prof. R.B.M. Huirne (*animal rearing and economics*)

“The Council's broad-based reports ensure that the Minister for Agriculture has solid, well-balanced foundations on which to base and promote policy. This contributes to improved societal acceptance of the animal rearing sector.”

J. Th. de Jongh (*companion animals, professional*)

“The members of the Council represent an incredible diversity of backgrounds but they all have ‘animals’ in common. This means that its Opinions are informed by a wide variety of perspectives and have broad social support. That's a strength.”

J. Kaandorp (*zoo animals*)

“The RDA Opinions ‘Intervention in Animals’ (*Grip op Ingrepen*), ‘Setting Conditions on Animal Ownership’ (*Onder voorwaarden houden van dieren*) and ‘Duty of Care, Naturally’ (*Zorgplicht natuurlijk gewogen*) are the logical consequence of societal demand for the most scientific and objective possible evaluation of these issues. It has been an honour and a pleasure to work on them.”

Prof. F. van Knapen (*veterinary public health*)

“It is a good thing that the Minister is advised by a broad panel of experts, because there are many issues having to do with animals for production and animals in the wild. The preparation and therefore the quality of the Opinions is sometimes hampered by the speed with which they are expected to appear.”

Dr F.L.B. Meijboom (*animal ethics*)

“The Council always aims to connect concrete, practical questions with broader societal and political debates. This means that its Opinions contain material to feed further discussion, but also to help make progress on concrete issues and problems.”

P.I. Polman (*smallholder animal keeping*)

“The Opinion ‘Setting Conditions on Animal Ownership’ (*Onder voorwaarden houden van dieren*) has become more than just an advisory document. It came about in a process of, on the one hand, gaining the trust of all those involved, and on the other, creating and obtaining the space needed for a meticulous approach. This is how to get a step closer to the responsible ownership of animals.”

F. van der Schans (*agriculture and environment*)

“The strength of the RDA lies in its combination of commitment and expertise. It has proved of enormous value in the consideration of topics of great social and political interest, such as the stranding of large marine mammals, or livestock interventions such as castration, branding or dehorning. This strength will doubtless be important to the Ministry again, for instance in considering the introduction of wolves or the risks of zoonosis.”

Prof. M.M. Sloet van Oldruitenborg-Oosterbaan (*horse breeding, equine medicine*)

“Providing scientific answers to societal questions: that’s what the Council does.”

Prof. J.A. Stegeman (*health care, agricultural animals*)

“The Opinion on the independent position of veterinarians contributed towards the establishment of a quality system for veterinarians: ‘Quality Assurance of Veterinarians’ (*De Geborgde Dierenarts*).”

M.H.A. Steverink (*organic cattle farming, intermediate sectors, chain management*)

“The composition of the Council ensures a healthy, challenging mix of opinions, facts, philosophies and interests. This counters the pressure of the daily bustle, and allows state-of-the-art opinions to be formed. Sometimes these are concrete, and sometimes they are more abstract; that depends on the question being asked of the Council.”

H.W.A. Swinkels (*veal farming*)

“The strength of the RDA is that it is made up of both scientists and practical experts. You can see this in the Opinions. There is always a solid foundation, and the practicalities are always considered. This combination has been strengthened still further in recent years; a great improvement.”

Mrs H.M. van Veen (*animal protection, hallmarks*)

“Working with forums ensures you get the right expertise, depth and speed; it works really well. You can also see that this expertise predominates above individual members’ own interests. That leads to good advisory documents, ones that are actually used.”