

REGIONAL TRAINING SEMINAR FOR WOAH NATIONAL FOCAL POINTS FOR ANIMAL WELFARE NAIROBI, KENYA

COUNTRY PRESENTATION:

SOUTH AFRICA



Date: 5 September 2024

Presenter: Dr Anndrea Yelliah



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Previous National Focal Point:

Dr Mphane Molefe
(Director:
Veterinary Public
Health)



August 2024 : New National Focal Point for Animal Welfare

- Dr Anndrea Yelliah
- Deputy Director for Primary Animal Health Care under Veterinary Public Health appointed in October 2023
- National Management of Compulsory Community Service Programme
- Animal welfare mandate



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- Qualified from the University of Pretoria in 2015
- Community Service in a Primary Animal Health Care clinic in 2016
- Private Sector
- Clinical State Veterinarian in Primary Animal Health Care 2017 to 2023
- MSc student: Rabies in wildlife
- Department of Agriculture 2023



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Current Animal Welfare legislation:

1. The Animal Protection Act (Act 71 of 1962)
2. The Animal Matters Amendment Act (Act 42 of 1993)
3. The Performing Animals Protection Act (Act 24 of 1935)
4. The National Societies for the Prevention of Cruelty to Animals Act (Act 169 of 1993)



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The Department of Agriculture has been tasked with drafting of a new 'Animal Welfare Bill'

This legislation seeks to repeal the existing 'outdated' legislation



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Gaps in current legislation:

- Recognises animals for their economic value and fails to acknowledge their intrinsic value and interests as individuals.
- Centered around prohibiting a list of offences to prevent ‘unnecessary’ suffering for animals without articulating what constitutes ‘necessary’ suffering.
- Definition of the word ‘animal’, wording has left room for uncertainty with regards to inclusions or exclusions



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- Does not contain proactive and positive mechanisms and standards for preventing cruelty and creating accountability including through civil and administrative actions for harm caused to animals.
- Provides very minimal penalties for offences committed which does not act as a deterrent for animal cruelty and suffering on a mass scale.
- Does not explicitly recognise the sentience and intrinsic worth of animals.
- Does not recognise basic foundational principles, such as duties to limit harm, the duty of care, and the precautionary principle



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Challenges

- Gaps have been identified in the current draft and **further expertise** is required to review current legislation and develop progressive animal welfare legislation in South Africa.
- Difficulties such as determining appropriate penalties for crimes against animals is a major impediment to an effective animal protection system.



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OTHER WELFARE MATTERS



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Definition of Animal



- **Previous case:**
- Tarantulas on display in store
- Legal opinion: Included under APA
- Second legal opinion: agrees

- **Current case:**
- Cockroaches, mealworms and other insects used for live feed for reptiles
- Mosquitoes for Rift Valley Fever Research

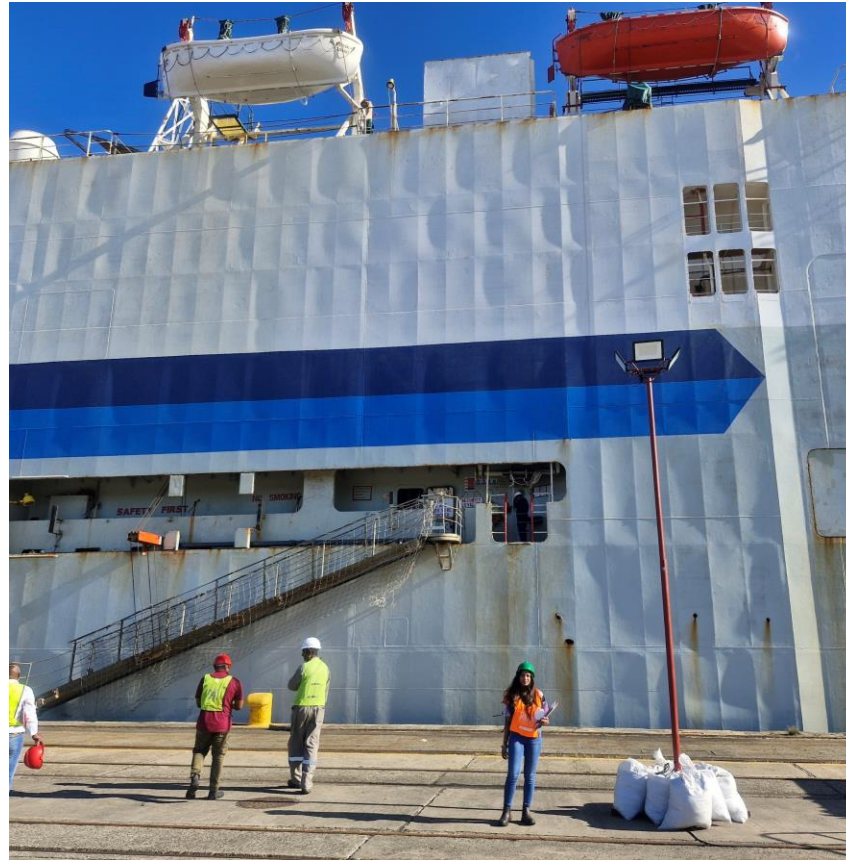


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Live Animal Export by Sea



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Challenges with live export

- Challenge with compliance with the guidelines for exportation of live animals by sea
- Current guidelines not legally binding – Enforced through refusal to certify for exports by official veterinarians if non-compliances identified.
- On farm management- screening process
- Competent authority Vs welfare organizations
- Public misinformation



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Other current welfare matters currently of interest at the National Department:

- FMD outbreak
- Bull calf management in dairy industry and specifically during FMD outbreak
- Ear notching and crating of pigs
- Reptile exhibitions
- Rodeo events
- Animals used in research (SANS)
- Traditional, cultural and religious slaughter
- Live export of all animals including horses



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WHERE DO WE GO FROM HERE?



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- Increased efforts to recognize that animals are sentient beings, who have intrinsic value as individuals in addition to their other capacities, interests and values
- Increased awareness of the commitment to the protection and promotion of interests of all vulnerable beings;
- Reinforcement of the interconnectedness between the interests, flourishing, wellbeing and welfare of both humans and animals as part of nature, as well as the negative consequences that flow from disregarding such interconnectedness;



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- With the increased capacity, the National Department of Agriculture has made significant progress on animal welfare matters
- Finalize regulations for live export by sea
- Finalize Animal Welfare Bill
- Assist with development and review of standards in industry
- Work together with industry, academia, animal welfare organizations and other stakeholders to improve animal welfare



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“The greatness of a nation and its moral progress can be judged by the way its animals are treated”

Thank You



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