

Into the Void: International Law and the Protection of Animal Welfare

Introduction

The treatment of animals of has been described as ‘the next great social justice movement’ (Weisbrot, 2013, forthcoming), and as ‘a major unresolved problem of social justice in the world today’ (Cao, 2013, forthcoming). A key dimension of this “unresolved problem” is a poorly developed international regime of legal protection for animals. Legal protection of animal welfare varies widely across different national jurisdictions, from long-established, enforceable animal welfare standards in some nations (typically developed countries), to the complete absence of such standards in some other nations (typically developing countries). Even within those countries where animal welfare laws are in place, the law may be heavily qualified, providing protection to animals in some settings and not in others, and the concept of protection itself may vary, from a narrow prohibition of cruelty to a wider conception which requires meeting the basic welfare needs of an animal (such as those expressed through the Five Freedoms). Complicating matters further, federal jurisdictions, such as the United States and Australia, may have state-based regulation which can vary across the country, including on matters as fundamental as who counts as an “animal”.

Given the variability in the domestic protection accorded to animals by individual countries, it should not be surprising that there is currently no global legal agreement specifically concerned with the welfare and treatment of individual animals. A number of international instruments directly address animals, but with a focus on their preservation, trade and/or use rather than on their welfare or treatment. Equally important, some international frameworks, especially those addressing global commercial trade, have important indirect implications for animal welfare. Part I of this article assesses the extent to which protection of the welfare and treatment of animals is currently addressed in international legal agreements. Given the lack of a coherent international legal regime, a number of proposals have been put forward or are currently being pursued to address this gap. Part II of this article analyses how the international regulation of animal welfare is being pursued through the World Animal Health Organisation (OIE), which in recent years has enlarged its sphere of policy concern from animal health to include the distinct area of animal welfare. Part III shifts the focus to possible new frameworks for the international regulation of animal welfare protection. Perhaps the most developed of these is the *Draft International Declaration on Animal Welfare*. While the movement for adoption of the *Draft International Declaration on Animal Welfare* has made some progress, it is argued that the *Draft* suffers from a number of shortcomings. More recently, prominent animal law scholar Professor David Favre has revived a proposal for the establishment of an *International Convention for the Protection of Animal Welfare*. It is far from clear which of these approaches, if any, will succeed. Regardless, the growing national and international significance of animal welfare as an area of policy and legal concern, and the manifest lack of an effective international legal framework in this area, suggest we are entering a new era of international animal protection regulation.

As a final introductory point, this article does not purport to address in any depth the normative dimensions of animal welfare, other than to contend that there is currently a gap in the international legal protection of animal welfare and to assess various approaches which have emerged to address this. The focus is on the broad structure underpinning

these approaches, and their legal strengths and weaknesses, particularly their comprehensiveness and enforceability.

Part I: Animal Welfare and Existing International Legal Frameworks

Although there is no global regulatory regime addressing the welfare protection of domestic animals, the European Union has been active in establishing a regional protection framework for member countries. A range of regulations and directives address aspects of animal welfare, including issues such as the welfare of farm animals, the transport and slaughter of farm animals, the keeping of a range of farm animals (pigs, calves, laying hens and broilers) and animal experimentation (for a summary of this regulation see European Commission 2012). This regulation is complex, and the European Commission has released an animal welfare strategy advocating simplified, general principles in place of the numerous specific instruments. Greater reliance on general principles would be consistent with the foundation of the regime, the recognition of the sentience of animals in the *Treaty on the Functioning of the European Union*. Art 13 of this Treaty provides:

In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.

The recognition of animal sentience and the importance of animal welfare in this *Treaty* reflects a non-instrumental recognition of the significance of animal interests. To this extent, it is consistent with steps taken by some nation states to include recognition of animals in their constitutional documents. For example, Germany, India, and Ecuador have incorporated recognition of the importance of animal protection in their respective national constitutions (Wagman and Liebman, 2011). The mere inclusion of animal recognition provisions in a constitution does not by itself enshrine extensive protection for animals. However, as Wagman and Liebman suggest (2011, pp.260-1):

Constitutional provisions are given heightened respect and therefore there is significant value in getting a law affecting animals into a constitution. Thus, incorporating animals into constitutions brings them into the very structure of the body politic . . . The inclusion of animal interests and issues in a constitution – a relatively new development in a limited number of jurisdictions – provides strong evidence of the increasing global spotlight on animals and their treatment under law.

An obvious weakness of the EU approach is that it is limited to a select group of countries, so that while it is regionally significant, and might provide useful insights for a larger project, it falls short of constituting a comprehensive global framework. As well, in the quest for simplification the European Commission has suggested that it would 'consider the use of science-based animal welfare indicators as a possible means to simplify the legal framework and allow flexibility to improve competitiveness of livestock producers'. The intention is to use 'outcome-based animal welfare-indicators' to complement prescriptive standards in EU legislation. This is a data-driven risk assessment process, and requires the European Food Safety Authority (EFSA) to develop animal-specific standardised measures of welfare (a shift

away from prevailing reliance on identification of factors known to promote good or poor welfare) (EFSA 2012a). The European Commission notes in this context that the World Organisation for Animal Health (OIE) already recognises the use of outcome-based welfare measures. While simplification may be a laudable goal, an increased reliance on quantitative science-based welfare indicators is less benign, especially in the context of seeking to improve 'livestock producer competitiveness' (European Commission 2012). . A potential risk here is that welfare assessment based on quantitative measures leads to science becoming the de facto key driver for decision-making. While EFSA acknowledges that it 'is not mandated to give advice on ethical or cultural issues related to animal welfare' (EFSA 2012b), science researchers or organisations need to be careful about over-reaching into the policy realm (Favre, 2012, p. 252):

issues of animal welfare are public policy decisions, not science-based decisions. Therefore, [scientific organizations are] not the best place to address the difficult questions of the quality of life for animals versus the economic and social consequences of imposing limitations on the use of animals. Likewise, a science-based organization should not be empowered to set environmental standards. Rather the role of science is to inform the decision makers of present facts and possible future consequences of alternative causes of action.

Beyond the regional realm of the EU, there are international agreements in place which give effect to the protection of wild animals, especially where they are endangered. An important example is the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES). Such treaties may include, in one form or another, requirements for the humane treatment of animals, and so do have welfare protection implications. In the case of CITES, Art VIII requires members to 'ensure that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment'. It may be correct to suggest that such a provision recognises the sentience of effected animals (Wagman and Liebman, 2011, p. 288). As well, these welfare provisions may be adopted into legislation by nation states, giving domestic effect to their treaty obligations. So, for example, the Federal Parliament of Australia has enacted the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), in part giving domestic effect to Australia's CITES obligations. Section 303GP of the Act makes it an offence to knowingly or recklessly subject an imported or exported 'CITES specimen' to cruel treatment.

Crucially, though, such provisions are the exception, rather than the rule, in international conservation law. As Favre suggests, the *Convention on Biological Diversity* (CBD) is more typical of prevailing conservation treaties, and it contains no provisions addressing individual animal welfare (Favre, 2012 p. 246). In fact, the CBD contains provisions which may be contrary to the welfare interests of individual animals (for example, Art 8(h) requires contracting parties to '[p]revent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species').¹ However effective these treaties may be in extending protection to the environment, and to wild animals as species inhabiting the environment, their focus is not on the extension of justice to individual animals. Rather international law addressing wild animals aims 'to conserve them to prevent them becoming extinct as a species, not to conserve them because each individual animal can experience pain and/or pleasure' (Gillespie, 2009, p. 352). And, most significantly,

conservation treaties may overlook non-endangered species, and do not address domesticated animals at all. This means that, internationally, while ‘the environmental perspective of the importance of wildlife as part of ecosystems is well accepted, the conditions of life and death of individual animals at the hands of humans around the world are not yet a focus of legal drafting’ (Favre, 2012, p. 246).

Part II Enlarging the Role of the OIE?

If both the EU transnational approach to animal welfare protection and the approach embodied in international conservation treaties are, in their different ways, too narrow to meet the requirements of an international animal welfare framework, are more compelling alternatives available?

The OIE is assiduously seeking to develop policy influence in the arena of animal welfare. This is significant, given the reach of the OIE is truly global, with the organisation claiming to have 178 member countries (OIE, 2013a). The longstanding and still central focus of the OIE is the prevention and control of animal diseases (OIE, 2013b). An OIE Animal Welfare Working Group was only established in 2002, while the OIE has been in existence since 1924 (OIE, 2013c). Since 2005 the OIE has adopted 11 animal welfare standards, addressing areas such as transport of animals by land, the use of animals in research and education, the stunning and killing of farmed fish and the slaughter of animals for human consumption (OIE, 2013c). These standards are collectively incorporated into the *Terrestrial Animal Health Code* (eight of the 11 sets of standards) and the *Aquatic Animal Health Code* (three of the 11 sets of standards). As the names of the Codes suggest, most provisions in the Codes address animal health (including animal disease), with the animal welfare standards confined to a single chapter.

The emergence of animal welfare on the agenda of the OIE has been construed as signalling ‘that animal welfare was no longer a concern only of certain (generally prosperous) nations, but had become an issue for official attention at a global level’ (Fraser, 2008, p. 331). Indeed, the OIE has been portrayed as a global leader on animal welfare (Bayvel, 2008):

The progress made by the OIE, to date, in relation to international animal welfare leadership is, by any standards, impressive. The future OIE modus operandi will be characterised by a commitment to communication, consultation, continuous improvement and incremental change . . . The notion of approaching animal welfare change management on a truly global, rather than a national basis, represents a significant paradigm shift.

In a political calculus, Otter et al (2011, p. 65) argue that the OIE ‘is politically powerful as an organization both established and run by wealthy governments in conjunction with business interests. This means the OIE is the most likely intergovernmental organization through which an international animal protection agreement will be achieved’. There can be little doubt that the OIE is strategically positioning itself to fulfil such a role. For example, commencing in 2004 it has convened a series of global conferences on animal welfare, drawing in a wide range of stakeholders, and stimulated action by developed nations to actively lead regional development of animal welfare initiatives (OIE 2013c). At the Third OIE Global Conference on Animal Welfare in 2012, OIE members formally recommended that the OIE ‘consider the development of a global animal welfare strategy’ (OIE u.d., p. 4).

However, there are several reasons to be cautious about the extent to which the OIE approach can provide an effective international framework for animal protection. First, the existing animal welfare standards are very broadly expressed. A review of the standards reveals liberal use of the aspirational word “should”. This amounts to a non-enforceable guideline only, by contrast with a standard employing mandatory language such as “must”. Second, even putting aside the heavily qualified nature of the language employed in the codes, the standards are not formally enforceable against members of the OIE, since the standards are non-binding (Fraser, 2008, p. 335). Assessing the OIE standards on live animal transport, as an example, Favre states (2012, p. 252):

The standards include no numbers, no prohibitions, no required inspections, and no limitations on operations. Rather, the standards read like a checklist of issues that should be considered if you are going to engage in live animal transport. While this list is useful for policy makers, it is not an actual standard that limits or prohibits practices that are harmful to animal welfare, nor can it be expected to do so as OIE is not charged with such an important responsibility.

The OIE can establish a dispute resolution process where an OIE member alleges breach of standards on the part of another member. However, the whole process is voluntary (OIE, 2013d, p 2). The animal *health* standards under the *Terrestrial and Aquatic Animal Health Codes* may be enforceable between OIE members but not through the OIE process. Instead, they may be enforceable as trade restrictions between OIE members who are also members of the World Trade Organization (Favre, 2012, pp.251-252). Fraser summarises this as follows (Fraser, 2008, pp.335-336):

The [OIE] guidelines may exert influence through international trade, but this needs to be understood within the context of the trade rules of the World Trade Organization (WTO). The General Agreement on Tariffs and Trade, and the Agreement on the Application of Sanitary and Phytosanitary Measures, permit countries to take trade-restrictive actions if these are “necessary” to protect the health of humans, animals or plants within the importing country. Furthermore, the WTO recognizes the OIE as the international standard-setting body in matters of *animal health* (emphasis added).

However, it seems likely, though not definitively settled, that the OIE animal *welfare* standards would not be similarly enforceable under the WTO (Otter et al, 2011, p. 57). The Food and Agriculture Organization of the United Nations (FAO 2009, p. 18) states:

The World Trade Organization, under the Agreement on the Application of Sanitary and Phytosanitary Measures (the “SPS” agreement), formally recognises the OIE as the reference organization responsible for establishing international standards relating to animal health. Because the SPS agreement does not include animal welfare, the animal welfare standards of the OIE cannot be referenced in the case of disputes between countries over international trade.

The logical next question is whether it would be possible to enforce animal welfare standards as trade restrictions under the WTO regime, independently of the OIE. The

prevailing legal position is that trade restrictions based on animal welfare grounds are not enforceable under the General Agreement on Tariffs and Trade (GATT) (Fitzgerald, 2011). However, it may well be that 'governments are taking too cautious a view of the GATT restrictions and using them as an excuse for not making more meaningful changes to benefit the welfare of animals' (Stevenson, 2009, p.331). Even if historically true, this timidity may be subsiding. In the 'EU Seal Ban' dispute, currently before the WTO, Norway and Canada are challenging EU legislation banning the import and sale of seal products in the EU market. The EU is arguing that the trade restriction is based on animal welfare concerns and is valid under the 'public protection of morals' exception in Art XX(a) of GATT (for a succinct summary of the dispute see IFAW, 2013). There are differing views on the likely success of the EU argument (see, eg, Fitzgerald, 2011; cf Howse & Langille, 2012). If the EU is successful in this case, one consequence may be that there is sufficient political impetus to allow recognition of OIE animal welfare standards under the WTO regime in the same way animal health standards are recognised. With a decision in the EU Seal Ban case unlikely before 2014 (IFAW, 2013) this possibility remains highly speculative.

A third shortcoming of locating international protection of animals within the OIE framework follows from the WTO analysis above. The OIE is, in essence, instrumentally focussed on facilitating animal production and trade in animals. Animal welfare protection is a subsidiary concern, an adjunct to the efficient production and transport of terrestrial and aquatic animals. As Otter et al suggest (2012, 57), the 'standards, guidelines, and recommendations contained in the OIE codes are trade standards, meaning that they are primarily designed to assure sanitary and safe international trade in animals, not to protect animals from harm . . . the OIE model cannot be considered as the basis for a full-fledged global animal welfare regime'.

Finally, the OIE stresses the centrality of standards based on scientific welfare indicators. As suggested above, such indicators cannot be a substitute for the more complex public policy decision-making to be engaged in as part of establishing an effective protection regime for animals, in which a range of non-scientific factors are equally relevant.

Part III New Frameworks for International Law and Animal Welfare

If the OIE is not principally focussed on animal welfare protection, an alternative global framework, built around a *Universal Declaration on Animal Welfare*, purports to do so. The campaign for adoption of the UDAW by the United Nations (UN) is being led by the World Society for the Protection of Animals (WSPA) (WSPA has Special Consultative Status with the Economic and Social Council of the United Nations). According to WSPA, a draft UDAW has the endorsement of 'over 330 animal welfare groups, over 2 million compassionate individuals, and many supportive governments – including Cambodia, Fiji, New Zealand, Palau, the Seychelles, Switzerland and the 27 European Union member states' (WSPAa, u.d.). In pressing for a universal declaration, WSPA explicitly draws on the precedent of human rights universal declarations, such as that on the rights of the child, stating they have had 'huge impact' (WSPAa, u.d.).

WSPA's agenda is ambitious, seeking 'a global approach to animal protection' and 'global recognition that animals matter, that they can feel pain and can suffer and that we have a responsibility to put an end to cruelty around the world' (WSPA b. u.d.). An UDAW would be significant, it is argued, since (WSPAa, n.d.):

A UDAW would inspire change at international, regional and national levels by: encouraging governments to improve their national animal welfare legislation; providing a basis for animal welfare legislation in countries where it does not currently exist; encouraging those industries which use animals to keep welfare at the forefront of their policies; mobilising and uniting the animal welfare movement behind a common goal; providing a useful framework to link humanitarian development and animal welfare agendas; and inspiring positive change in public attitudes towards animal welfare.

The draft UDAW itself, a very short statement, recognises in the Preamble that ‘animals are living, sentient beings and therefore deserve due consideration and respect’ (WSPA, 2007). Other provisions include that ‘appropriate standards’ on animal welfare be developed, that ‘appropriate steps’ be taken to prevent cruelty and that standards of animal welfare for each State be ‘promoted, recognized and observed by improved measures, nationally and internationally’. The qualified nature of this language is strongly reminiscent of the type of language used in the OIE’s animal welfare standards, considered earlier. Pragmatism, including the need to build a wide base of support among UN members, is one likely explanation for this approach.² It perhaps also reflects the fact that even if the Declaration is adopted by the UN it will not be enforceable against any signatory, since ‘Declarations may be public statements about something, but they do not bind States to actually do or stop doing anything’ (Favre, 2012, p. 23). This raises the question of whether acceptance of the UDAW by the UN would be a meaningful legal development at all. While acknowledging that it would not provide a specific means for advancing animal welfare, Wagman and Liebman (2011, p. 25) argue that it is ‘a creative and animal-centric document . . . it would signal a general affirmation that animal welfare issues are important to the global community’. Just as the UN *Universal Declaration of Human Rights* established the basis for subsequent enforceable international conventions, so to the UDAW could be ‘developed as a Convention on Animal Welfare, which would create an international body devoted to monitoring animal welfare issues worldwide’ (Wagman & Liebman, 2011, p. 25; see also, Draeger, pp. 296-301).

Otto et al (2012, pp. 66-67) argue that the most likely way forward may be a hybrid model, drawing on aspects of the OIE and UDAW framework, since ‘although the OIE and UN represent two competing models for global regulation of animal welfare, they have not developed in isolation and therefore overlap in a number of significant ways’. At the Third Global Conference on Animal Welfare in Malaysia in 2012, the OIE, consistent with recommendations at earlier conferences (Otter et al, 2012, p. 67) requested that member countries seek to ‘promote the adoption by the United Nations of a Declaration addressing animal welfare, including close compliance with OIE animal health and welfare standards’ (OIE u.d., p. 3). This reciprocates one of the principles in the Preamble to the draft UDAW, which recognises ‘the importance of the ongoing work of the OIE (World Organization for Animal Health) in setting global standards for animal welfare’ (WSPA, 2007). However, a hybrid model would still be symbolic only, given the respective shortcomings of the OIE and UDAW approaches, in particular that both, by themselves or combined, would not allow for the application and enforcement of animal welfare standards against any nation.

Another approach, recently revived by Favre (2012), is to seek ratification of an *International Convention for the Protection of Animal Welfare* (ICAW) through the UN. This

approach was first proposed by Favre and a colleague in the 1980s and, at that time, rejected by WSPA (Favre, 2012, pp. 255-256):

During the 1980s . . . [w]e both decided at some point that an animal welfare treaty was needed as it became clear CITES was not interested in such a topic. A committee was formed, and a draft produced. Two public hearings were held: one in Geneva, Switzerland and one in London, England. Once a polished draft evolved, it became clear that an international sponsor was required to give the treaty international attention. We asked to be put on the agenda of a Board meeting of World Society for the Protection of Animals, attended a meeting in Paris, and presented the treaty. They were not interested.

Subsequent efforts to find a sponsor nation for the treaty were unsuccessful, and 'here it sits without an international sponsor that has the resources to start the process. It is prepackaged and ready to go' (Favre, 2012, p.256).³ The ICAW is a much more sophisticated legal instrument than the draft UDAW. It is designed in the form of an "umbrella treaty", comprising the Convention itself, setting out general principles for protection of animal welfare, and detailed Protocols, with specific commitments and institutional arrangements for the welfare of particular types of animals or the treatment of animals in particular settings (Companion Animal Protocol, Protocol for the Care of Exhibited Wildlife, Protocol for the Taking of Wild Animals, and Protocol for the International Transportation of Animals).

The proposed ICAW shares the pragmatic animal welfare orientation of the draft IDAW. It seeks to embed in international law many of the welfarist protections in place in developed jurisdictions such as the EU, USA, Australia, and New Zealand (including prohibitions against unnecessary suffering or cruelty, and the provision of appropriate care). In other words, the use of animals in a range of settings is contemplated, with harm to be restricted only to that which is necessary. This pragmatic approach is justified 'because a key goal of the treaty is to build an international community with a focus on animal issues, [and] the provisions of the treaty and its protocols can only be as progressive on animal welfare issues as is politically feasible at a particular point in time' (Favre, 2012, p. 260). If this might be regarded as inadequate by adherents of an abolitionist or animal rights perspective (Otter et al, 2011, p. 65), it reflects the prevailing legal ethos in domestic law around the world, as well as in the limited frameworks that have so far appeared on the international horizon.

There are, however, advantages which an ICAW could claim over the international frameworks considered earlier in this article. It represents a significant step beyond the UDAW, since a convention is a form of treaty, and countries which have signed and ratified the agreement would be liable to have their compliance with treaty obligations monitored and enforcement action taken against them in the event of breach.

As well, if Protocols were adopted in the way proposed, parties would be obliged to enact the Protocol obligations into domestic law. By contrast with the present standing of animal welfare standards under the OIE framework, it has been argued that obligations under the ICAW and any Protocols would be enforceable as trade restrictions between signatory States, since exceptions to the requirements of the WTO and GATT regime include 'when a nation state carries out the requirements of another multilateral treaty' (Favre, 2012, p 73, citing the *Vienna Convention*). It needs to be acknowledged, though, that such an outcome

is not clear-cut. In the *EU Biotech* case (2006), for example, the WTO Dispute Settlement Body Panel declined to consider the requirements of other treaties in deciding whether there had been a breach of relevant WTO requirements concerning regulation of genetically modified organisms. The Panel suggested that unless all parties to a WTO dispute had also ratified the relevant treaty it was not bound to consider the treaty requirements. This aspect of the Panel's decision has been strongly criticised, and subsequent case developments may undermine this approach (Howse and Horn, 2009, pp. 49, 53-62).

The final reason for why the ICAW may be a preferable approach is that it is much more comprehensive than existing international frameworks such as CITES, since it addresses all animals, and not just those considered in the context of species conservation.

Conclusion

Animal welfare is currently not addressed by a comprehensive, global protection regime. This article has considered prevailing frameworks in international law which address animal welfare in some way, but which by themselves do not meet the hallmarks of an effective global protection regime, including comprehensiveness and enforceability. There are now several visions emerging for how global animal welfare protection could be achieved, including through an enhanced role for the OIE's animal welfare standards, the adoption of a *Universal Declaration on Animal Welfare* by the United Nations or the ratification of an *International Convention for the Protection of Animal Welfare* (and associated Protocols), again through the United Nations. It may be that none of these emerging approaches by themselves represent the best way forward in the international protection of animal welfare, and that each could complement the other. For example, a UDAW might serve as a pre-cursor for the ICAW, in the same way that the *UN Declaration of Human Rights* paved the way for later multiparty treaties (Tulloch and White, 2011).

The prospects of establishing any new international framework for animal protection in the short term are not promising. A struggling global economy undermines consideration of animal welfare issues, as countries focus on meeting the social and economic needs of human citizens (Favre, 2012, p. 264). As well, the active participation of two of the key international players in such a development, China and the US, must be questionable. At a domestic level, China currently has no animal welfare law in place (with the exception of Hong Kong) (Cao, 2013, forthcoming). A draft animal welfare legislative proposal was prepared from 2009-2011 and submitted to the national legislature of China but has not yet been adopted (Cao, 2013, forthcoming). This may be predictive of a reluctance to sign up to international efforts to protect animal welfare. While the US does have a domestic animal welfare protection regime in place, a recent history of mixed international participation and prevailing political gridlock in the US Senate suggests that agreement by the US to a new international regime may be doubtful (Favre, 2012, p. 264). The universal nature of animal welfare, the demands of international trade, and eventual global economic recovery are factors which will fuel the momentum for international animal welfare protection. This means that 'those interested in animal welfare issues must be ready to take advantage of a political opening whenever it might occur' (Favre, 2012, p. 264). The challenge now is to be thinking carefully about what legal form an international framework for animal protection might take.

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¹ Thanks are due to an anonymous referee for this point.

² There is some evidence that the campaign for a UDAW builds on failed efforts to establish a *Universal Declaration of Animal Rights* (UDAR). According to Gibson (2011, p. 549), the 'first draft of the UDAR was published in 1972. In the following year the National Council for the Protection of Animals in France made some amendments to it, adopted it, distributed it and collected 2 million signatures from supporters. The text was then endorsed at an international meeting held in London in 1977. On 15 October 1978, it was made public and presented to a full audience in the UNESCO House in Paris. The text was then revised in 1989 by the International League of Animal Rights and submitted to the UNESCO Director General in 1990. After that, support for the UDAR waned and the draft was put on the shelf . . . after a period it was dusted off, retitled, amended to dispose of any association with animal rights activism and presented by the WSPA as the new Universal Declaration on Animal Welfare'.

³ The full text of the proposed *International Convention for the Protection of Animal Welfare* (and an example Protocol) can be found in Favre (2012), pp. 265-280.