

CONCLUSION

This text has set out to provide an overview of the legal issues relevant to animal welfare for animals used in food production, and to outline the essential elements of comprehensive animal welfare legislation. Throughout the text the discussion has offered a variety of legislative approaches from different national contexts, set against the backdrop of international recommendations on animal welfare science and regulation.

The OIE's formal recognition of the scientific connection between animal welfare and animal health, and the resulting development of the international recommendations set out in the OIE Code, provide strong evidence of the growing consensus on the importance of animal welfare standards. If and when the WTO directly addresses the question of animal welfare under international trade law, the OIE recommendations on animal welfare may well become binding on WTO members. This suggests that countries that are members of the OIE, members of the WTO or engaged in international trade in animal-based or animal-derived food products have increasing incentives to begin national discussions on drafting and enforcing legislation capturing animal welfare principles.

There is some scientific evidence that compliance with animal welfare standards strengthens both the health of farm animal populations (including their resistance to disease outbreaks) and the quality of animal food products. Animal welfare science identifies a number of common areas of synergy between animal welfare, animal health and productivity (Fraser *et al.*, 2009). Regardless of the ethical concerns, many countries may choose to enact and enforce animal welfare legislation in the interest of increasing production and trade in animal-based foods for both international and domestic markets.

Although animal welfare is increasingly the subject of more comprehensive regulation around the world, it remains a work in progress. Most detailed legislation has been passed by European countries and countries aiming to increase international trade in animal food products, while many other countries have left the subject unregulated or regulated only in the most minimal way. The decision to regulate animal welfare must be balanced

against other government policies and with a realistic perspective of local capacities and abilities to comply with legislative requirements. Depending on the national context, the essential elements of animal welfare legislation outlined in this text may well need to be modified, implemented incrementally or supplemented with economic incentives or voluntary schemes. The answer for each country will depend on local politics, priorities and resources, and legislation should be developed with these clearly in view.

VI

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