

Coronavirus and animal cruelty in China: Major developments

Imogen Mellor LLB LLM, Future Pupil Barrister at One Pump Court

On 8 April 2020, the Agriculture Ministry of the Chinese government released a draft policy that forbids the consumption of cat and dog meat. The document was open to public consultation until 8 May.¹ Hopefully, it marks a major shift in acknowledging the fact that many Chinese people see these animals as companions and want them to be recognised and treated as such.

Ahead of the nation-wide ban, Shenzhen was the first city in mainland China to prohibit the trading and consumption of cats and dogs, with the legislation due to come into effect from 1 May 2020 (Shenzhen Special Economic Region Regulation on a Comprehensive Ban on the Consumption of Wild Animals).² The move follows the widespread temporary ban throughout China on the trading and consumption of meat from wild animals in the wake of the coronavirus pandemic. It is thought that the coronavirus outbreak could have originated from wildlife meat and live wild animals sold at market in Wuhan, which enabled pathogens, including the virus, to spread from animals to humans.

Even though the consumption of dog and cat meat is not universal throughout China, and is increasingly opposed within the country, there are still startling numbers of dogs and cats slaughtered under the practise. The exact number killed for meat is unclear, however, the animal protection charity, Animals Asia, estimated that around ten million dogs and four million cats are

slaughtered for meat in China alone. They state that:

“Dogs and cats of all shapes and sizes, many of them family pets still wearing their collars, are snatched from the streets and forced into tiny cages. Many suffer broken limbs as they are transported vast distances, without food or water.

When they finally arrive at the dog meat markets, injured, dehydrated and exhausted, they are forced to watch in terror as other dogs are bludgeoned to death or thrown still alive into boiling water to remove their skins.”³

The decision to ban dog and cat meat has not been justified by the Shenzhen government as a response to the coronavirus, rather a spokesperson for the Shenzhen government stated, that “dogs and cats as pets have established a much closer relationship with humans than all other animals, and banning the consumption of dogs and cats and other pets is a common practise in developed countries and in Hong Kong and Taiwan. This ban also responds to the demand and spirit of human civilization.”⁴

The decision by Shenzhen to actively introduce the ban was welcomed by animal rights groups. It was hoped that Shenzhen, as a large city in China, would inspire a “domino effect” with oth-

1 Notice of the Ministry of Agriculture and Rural Affairs on the Public Consultation of the “National Catalog of Animal Genetic Resources” <http://www.moa.gov.cn/hd/zqyj/202004/t20200408_6341067.htm>

2 Shenzhen News Net, ‘Regulations of Shenzhen Special Economic Zone on the Prohibition of Wild Animal Eating (Full Text)’ <http://www.sznews.com/news/content/2020-04/01/content_23021431.htm>

3 Animals Asia, ‘Facts About the Asian Dog Meat Trade & Dog Meat Festivals’

< <https://www.animalsasia.org/uk/our-work/cat-and-dog-welfare/facts-about-dog-meat-trade.html> >

4 Shenzhen News Net, ‘The official interpretation is here! Shenzhen completely prohibits the consumption of wild animals, you must know these issues’ <<https://mp.weixin.qq.com/s/JprO8aPKsZJZ-HgQwJpd5g>>



er provinces and cities enacting their own legislation to forbid the consumption of dog and cat meat. Dr Peter Li, China policy specialist for HSI praised Shenzhen's decision, saying "With Shenzhen taking the historic decision to become mainland China's first city to ban dog and cat meat consumption, this really could be a watershed moment in efforts to end this brutal trade that kills an estimated 10 million dogs and 4 million cats in China every year."⁵ Indeed, the Shenzhen ban seems to have had the hoped-for impact, as the justification given by the Chinese government for its draft policy echoes Shenzhen's. China's Ministry of Agriculture and Rural affairs stated: "With the progress of human civilisation and the public's concern and preference for animal protection, dogs have changed from traditional domestic animals to companion animals. Dogs are generally not regarded as livestock and poultry around the world, and China

⁵ Humane Society International, 'BREAKING: Shenzhen becomes mainland China's first city to ban eating of dogs, cats and wildlife in consumption and trade crackdown' (1 April 2020) <<https://www.hsi.org/news-media/shenzhen-chinas-first-to-ban-eating-of-dogs-cats-wildlife/>>

should also not manage them as livestock and poultry".⁶ Moreover, the city of Zhuhai followed Shenzhen's example, and have also banned the consumption of dog and cat meat.⁷

However, despite the draft legislation, as of yet, the nationwide ban on cat and dog meat has not come to fruition. It might be that cities will have to enact their own legislation banning canine meat, as has been done in Shenzhen and Zhuhai.

Other cruel practises

The introduction of the Shenzhen and Zhuhai bans are both triumphs for the protection of cats and dogs from an incredibly brutal practice. However, there are other acts of cruelty which

⁶ Human Society International, 'China's Ministry of Agriculture states that dogs are pets and not livestock, in what campaigners hope could inspire cities to end brutal dog meat trade' (9 April 2020) <<https://www.hsi.org/news-media/china-ag-ministry-states-dogs-are-pets-not-livestock/>>

⁷ China News, 'Zhuhai will implement the "most stringent" fasting wildlife regulations' (14 April 2020) <<http://www.chinanews.com/sh/2020/04-14/9156890.shtml>>

are yet to be banned.

One example is the use of wild animals for medicinal purposes. Recently, the Chinese government recommended the use of bear bile for treating the coronavirus.⁸ This involves being injected with the solution, which is extracted from the animal by inserting a catheter, syringe or pipe into their gallbladder. According to Animals Asia, the methods “cause severe suffering, pain and infection”.⁹

Bear bile has been used in traditional Chinese medicines as early as the 18th Century. The ‘remedy’ has also been used to treat respiratory infections. Despite this, there is no evidence that bear bile successfully treats coronavirus. In any case, ursodeoxycholic acid, the key ingredient in bear bile, has been available as a synthetic drug worldwide for decades. Therefore, there is no need for the cruel extraction.

It is feared that China's approval of the practise to treat coronavirus will only cause it to increase, resulting in more animal abuse. Speaking to the National Geographic, Aron White, a wildlife campaigner for the Environmental Investigation Agency (EIA) said, “There's a consistent preference among consumers for the wild product, which is often regarded as more powerful or ‘the real deal’”. So, having this legal market from captivity doesn't reduce pressure on the wild populations—it actually just maintains demand that drives poaching.”¹⁰

Finally, the updated agriculture ministry list for the Chinese draft legislation included the addition of some wildlife species which would be allowed to be farmed if the policy were not altered before 8 May 2020. Therefore, this paves the way for circumventing the temporary ban on wildlife consumption and trading by, as Peter Li told The Guardian, “rebranding wildlife as ‘spe-

cial livestock’”. Such rebranding “doesn't alter the fact that there are insurmountable challenges to keeping these species in farm environments, their welfare needs simply can't be met.”¹¹

A break-down of the Shenzhen ban

In terms of the Shenzhen legislation, the key provisions are as follows.

Article 2 bans the consumption of state-protected wild animals that are taken from the wild, bred in captivity and farmed.

Article 3 states that the consumption of “pet” animals, are banned. The provision lists species which are not banned, including pig, cattle, chicken, and other livestock and aquatic animals.

Article 8 bans the consumption of animals farmed for medicinal purposes. Animal rights groups have been concerned by the use of animals for medicinal purposes in China, as noted above.

Article 17 sets out the fines imposed for breaching the ban. These include a monetary fine of between 150,000 yuan and 200,000 for a value of illegal activity that is under 10,000 yuan for the sale or production of state-protected wild species and for other wild animals whose value is less than 10,000 yuan, there will be fines between 100,000 yuan and 150,000 yuan.

8 Xinhuanet, “New Coronavirus Pneumonia Diagnosis and Treatment Program (Trial Version 7)” Released with Interpretation’ (4 March 2020) <http://www.xinhuanet.com/health/2020-03/04/c_1125661175.htm>

9 Animals Asia, ‘Facts about bear bile farming’ <<https://www.animalsasia.org/intl/end-bear-bile-farming-2017.html>>

10 Rachel Fobar, National Geographic, ‘China promotes bear bile as coronavirus treatment, alarming wildlife advocates’ (25 March 2020) <<https://www.nationalgeographic.com/animals/2020/03/chinese-government-promotes-bear-bile-as-coronavirus-covid19-treatment/>>

11 Michael Standaert, The Guardian, ‘China signals end to dog meat consumption by humans’ (9 April 2020) <<https://www.theguardian.com/environment/2020/apr/09/china-signals-end-to-dog-meat-consumption-by-humans>>