

Enhancing animal welfare through education of representatives of citizens associations aimed at animal rescue and protection – a review

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Abstract

This review was aimed to describe the past and current situation related to the protection and rescue of animals by people organised in citizens associations in Slovakia, and to present the critical points and possible and easily applicable solutions. The article discusses the analogy with other associations that can validly carry out their activities only after completing training and conducting professional examinations. Moreover, it points to relevant European legislation and the absence of a similar legal provision in the Slovak legal order. Arguments explaining the importance of educating members of civil societies focused on the protection of animal rights or animal rescue are presented. Completing mandatory and qualified education will ensure that the civil societies can be reliable and compliant partners with state authorities in the protection and enforcement of animal rights, which in result, enhances the welfare of animals in Slovakia.

Animal rights protection, legislation, shelters

The human-animal relationship (HAR) has an important role in human society and is one of the most relevant factors affecting the welfare of animals (Boivin 2018; Hemsworth et al. 2018; Waiblinger 2019). The character of this relationship is complex, multifaceted, ambivalent, or even paradoxical, with different consequences for animals and humans (Patronek 2008; Herzog 2010; Serpell 2015; Amiot et al. 2016). Prato-Previde et al. (2022) describes HAR as ‘the two sides of the story’, because people interact with animals in very different ways: from caring, affectionate, and compassionate, to strongly negative, abusive, exploitative, or dysfunctional. As a result, millions of animals worldwide (e.g. 3,3 million of dogs in USA, or 100.000 in UK), each year are becoming an object of interest of organizations aimed at protecting their well-being, preventing animal abuse, and sheltering stray dogs and cats (Polgár et al. 2019; Pet Statistics 2021).

Animal sheltering in the Western society has existed since the mid-1800s and has been an evolving field ‘to both the benefit and detriment’ (Horecka and Neal 2022) of animals, pet owners, stakeholders, and communities (Roberts 2013; Bornstein 2015; Barnard et al. 2016; Berteselli et al. 2019; Parlapiano 2019). In the last decades, many conceptual problems (related to knowledge, implementation, culture and society) in sheltering have been formulated, which brought together academic, non-profit, and private groups – all of them looking for options of how to contribute to the enhancement of animal welfare through better cooperation (Horecka and Neal 2022).

In the Slovak Republic, the organization ‘Sloboda zvierat’ (Freedom for Animals) was founded in 1992. This organization established the first animal shelters in 1995. Twenty-five years later, in 2021, approximately 40 shelters and quarantine stations were operating in

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the Slovak Republic, covered by the citizens associations (hereinafter CAs) and voluntary organizations, or managed by municipalities (Mesarcova et al. 2021). Currently, several dozen CAs are actively operating in Slovakia with the goal to combat animal cruelty, rescue and protect animals, help with cases of lost and found animals, raise awareness about animal protection, organize lectures in kindergartens, elementary and secondary schools, or to publish various educational materials. These associations play an irreplaceable role in rescuing stray animals, since the Slovak legislation (Act No. 39/2007) mentions strays must be captured and placed in quarantine stations and shelters. As shelters are limited by their capacity (due to the available living space and the CA's finances), in a case of overcrowding, home foster care (volunteers caring temporarily for animals at home), or transportation to another shelter is ordinary practice. Although the Veterinary Care Act (2007) makes it possible to kill unwanted animals when adequate care cannot be provided for them, shelters in the Slovak Republic are run by the 'no-kill' policy (Mesarcova et al. 2021), which often creates problems with overcrowded animal shelters. Overcrowding, long-term stay, presence of restrictive conditions and unfamiliar stimuli in these facilities could be associated with additional emotional stress and poor animal welfare (Popescu et al. 2018).

Although only a competent, specially educated and trained person (Decree No. 283/2020 Coll.) may carry out the capture of stray animals (Veterinary Care Act No. 39/2007), anyone is currently allowed to establish a CA – *de facto* and *de jure* – by international conventions, the Constitution of the Slovak Republic, as well as the legislator, regardless of the availability of material or housing provisions, or specific education in the given area. In the case of activities of CAs aimed at the protection of animal rights, managing quarantines, shelters, transporting or relocating those animals, etc., a situation often arises where the statutory officers and/or members of the CAs do not have the necessary qualifications, education, authorisations or knowledge.

Enthusiasm and determination are undoubtedly important for functioning within animal rights or welfare organizations, but without at least basic relevant education of the persons involved, it is impossible to ensure proper and effective functioning of the CAs, and the improvement of animals' living conditions in Slovakia. By ensuring correct information, compliance with the rules, procedures and legislative requirements of the European Union and the Slovak Republic, these entities can much better and effectively assist state authorities in ensuring animal protection.

Civil organizations for animals in Slovakia: formation, legal status, and critical points

In the context of international law, 'everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form or join trade unions for the protection of his interests' (Held 2016). In the Slovak Republic, the Constitution guarantees the right to freedom of association (Act No. 460/1992 Coll.), according to which everyone has the right to associate with others in alliances, societies or other associations.

A citizens association (CA) is a legal entity whose establishment and activities are governed by Act No. 83/1990 Coll. on citizens associations. They are entered in the Register of Non-Governmental Non-Profit Organizations, which is a public administration information system, and its administrator and operator is the Ministry of the Interior of the Slovak Republic (Act No. 346/2018). A minimum of three persons (so-called preparatory committee), at least one of whom has reached the age of 18, may establish a CA upon paying the administrative fee (€100). No material or educational basis is required for the formation of CAs. As a legal entity, CA acts in its own name, can acquire property, sign contracts, and accept donations, bearing responsibility for its actions, for example, in case

of violation of the law it is sanctioned, can become party to a lawsuit, or subject to criminal proceedings.

Many CAs focused on helping animals to protect their rights and welfare (including shelters) are formed because of civic initiatives of people who have a positive relationship to animals, as well as enthusiasm for working with them, and become the basis for collecting animals and sheltering them. Definitions and competences of the shelters and quarantine stations are regulated by the Decree of the Ministry of Agriculture of the Slovak Republic (No. 283/2020 Coll.) on details on the protection of companion animals, requirements for the capture of stray animals and requirements for quarantine stations and animal shelters.

However, enthusiasm alone is not sufficient for effective functioning, as declared even by the representatives of the CAs themselves, who repeatedly met at the National Council of the Slovak Republic with experts from the State Veterinary and Food Administration of the Slovak Republic (SVFA SR), the District Veterinary and Food Administration (DVFA), experts on environmental crime, and the University of Veterinary Medicine and Pharmacy in Košice.

There are several reasons for the above-mentioned inefficiency of functioning of CAs in Slovakia, in some cases even amounting to counter-productiveness, including the lack of stakeholders' awareness of animal welfare issues or of the legislative framework that defines or determines possible ways of action in specific cases. In practice, examples of reported cases of the lack of awareness of the legislation include:

- CA members being unclear about how to report suspected animal cruelty;
- CA members being unclear about their rights/legal frameworks for their actions;
- CA members not distinguishing between criminal and administrative procedures;
- CA members being unclear about ownership rights, which may lead to illegal actions due to ignorance;

CAs sometimes unintentionally misleading or misinforming their public supporters by publishing posts on social media presenting proper actions or care about animals.

Specific examples of ineffectiveness, failures, or even illegal actions include removal of an animal from its owner, or taking an animal (stray, feral, or lost animal) from the street and placing it in an unapproved facility (e.g. so-called temporary foster care). This in fact constitutes a violation of the provisions of Section 22, paragraph 10 of Act No. 39/2007 Coll. on veterinary care, as amended by later legal regulations. In accordance with this provision, the municipality is obligated to capture stray animals on its territory and place them in a quarantine station or animal shelter. This must be done through 'an approved person' (natural person - entrepreneur, or legal entity) for the capture of stray animals (with the decision of approval for the capture of stray animals pursuant to Section 6, paragraph 2, letter av). This specially educated and trained person is obligated to enter each captured animal in a register of captured stray animals no later than the moment the animal is placed in a quarantine station or animal shelter, which then confirms the takeover and enters their data in the register. Each year by January 31, they report to the relevant RVFA the total number of captured stray animals for the previous calendar year.

If the municipality itself is not 'an approved person' for the capture of stray animals, it is obligated to contract for the capture of stray animals with a person approved for the capture of stray animals. In accordance with the provisions of Section 11 of the above-mentioned Act, the municipality is obligated to take possession of a stray animal found on its territory from the finder and place it in a quarantine station or animal shelter. The municipality provides care for the stray animal from the moment of takeover and after it acquires ownership of the animal. If the owner of the animal does not apply for the animal within 45 days from the day the animal was placed in the quarantine station or animal shelter, on the day following the expiration of this period, ownership of the animal passes to the municipality on whose territory the animal was found (section 17 of the cited law).

Ownership of the animal may be transferred to a quarantine station or animal shelter free of charge. The quarantine station or animal shelter is obligated to notify the municipality on whose territory the animal was found of the animal's takeover and to register the animal in the register of captured stray animals no later than the day following its takeover.

One of the possible implications of non-compliance with the established procedures, such as catching dogs and other animals directly from the street by unauthorized and/or untrained persons, is a negative impact on the health of humans and other animals. For example, on November 25, 2022, shelter employees captured a female dog with three puppies on the border with Ukraine in the cadastral territory of the municipality of Veľké Slemence. Due to the lack of space in shelters in eastern Slovakia, the captured dogs were transported to a shelter in Trenčín, where the female dog subsequently died. After a postmortem examination, the female dog was found to have rabies, even though she had not shown any known symptoms of the disease during her life. The relevant regional Veterinary and Food Administration was forced to take necessary measures which included, e.g. checking the vaccination of all animals within a radius of 10 kilometres, at the border crossing point in the Michalovce district. The Public Health Service of the Slovak Republic ordered the vaccination of all persons who encountered the infected animal (13 people in total) (SVFA SR). It is worth mentioning that from 2016 until 2021, Slovakia was a country free of rabies.

Another specific phenomenon in Slovakia is related to insufficient knowledge about animal welfare and rights, or the misinterpretation of these concepts. It has led to the current situation of many 'unauthorized or unjustified complaints' addressed to the relevant state institutions for suspicion of animal cruelty, insufficient protection of animals, or violation of their welfare. To illustrate the situation, we sent a request (06/10/2023) to the SVFA SR with the following questions regarding a) the number of unjustified complaints to the CA for suspected animal cruelty, b) the number of justified complaints to the CA for suspected animal cruelty, over the last two years. According to their response (09/10/2023) of March 1, 2021, the SVFA SR has been using its own application called 'Register of Submissions' for submitting, receiving, recording and evaluating complaints, which has made forms for submitting complaints available to the public. The internal part of the application serves the veterinary and food administration authorities for receiving, recording and evaluating complaints, used for risk analysis and for controlling their own activities. The forms available to the public are grouped into 26 predefined categories according to the area of submission, four of which are related to animal protection complaints. The information most relevant to our request is presented in Table 1.

European Union legislation

Highlighting some of the critical points of the CAs' activities in order to achieve a more effective functioning of the CAs and a closer cooperation with relevant state authorities, it is necessary to make sure that CAs are educated in the field of animal welfare, administrative procedures, and the basics of law. For regulations within the European Union (EU), Regulation 2016/429 of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the field of animal health ('animal health legislation') (hereinafter referred to as the 'Regulation') is applicable. This Regulation states that operators, animal professionals and pet owners are obligated to cooperate with relevant authorities and veterinarians in the application of the disease prevention and control measures laid down in this Regulation. For the purposes of this Regulation, an animal expert is a natural or legal person who works with animals or products, other than operators or veterinarians.

According to the Regulation, operators and animal experts should acquire the knowledge to ensure early diagnosis of animal diseases, as appropriate, through formal training or through the agricultural advisory system existing in the agricultural sector or through informal training to which national and Union-level agricultural organisations and other organisations can be valuable contributors. The Member States, and particularly their relevant authorities responsible for animal health, are among the main actors in the field of prevention and control of transmissible animal diseases. Article 11 of the Regulation, ‘Knowledge of Animal Health’, paragraph 1, implies that Operators and animal professionals should have adequate knowledge of:

- animal diseases, including those that are transmissible to humans;
- biosecurity principles;
- interaction between animal health, animal welfare, and human health;
- proper practices for the animal species in their care;
- treatment resistance, including antimicrobial resistance, and its consequences.

Table 1. Number of justified and unjustified complaints for suspected animal cruelty reported within four areas between March 1, 2021 and September 30, 2023 (data received from SVFA SR).

Category (3/1/2021–2/28/2022)	Justified	Unjustified	Impossible to assess objectively	Total	Registered submissions	% Justified	% Unjustified
3 - AWP - welfare of companion (pet) and other animals	270	517	159	946	952	28.36	54.31
4 - AWF - welfare of farm animals	67	160	30	257	263	25.48	60.84
5 - AWT - protection of animals during transport	0	1	1	2	2	0	50
6 - AWS - protection of animals during slaughter	1	1	1	3	3	33.33	33.33
Category (3/1/2022–3/1/2023)	Justified	Unjustified	Impossible to assess objectively	Total	Registered submissions	% Justified	% Unjustified
3 - AWP - welfare of companion (pet) and other animals	263	605	188	1056	1063	34.15	56.91
4 - AWF - welfare of farm animals	64	140	40	244	244	26.23	57.38
5 - AWT - protection of animals during transport	2	1	0	3	3	66.66	33.34
6 - AWS - protection of animals during slaughter	1	2	2	5	5	20	40
Category (3/1/2023–9/30/2023)	Justified	Unjustified	Impossible to assess objectively	Total	Registered submissions	% Justified	% Unjustified
3 - AWP - welfare of companion (pet) and other animals	163	284	70	517	521	31.29	54.51
4 - AWF - welfare of farm animals	25	76	13	114	177	14.12	42.74
5 - AWT - protection of animals during transport	0	0	0	0	0	N/A	N/A
6 - AWS - protection of animals during slaughter	0	0	0	0	0	N/A	N/A

*Note: SVFA SR in their reports further stated that because the above-cited application does not verify the identity of the submitter, it is not possible to account for how many complaints of suspected abuse were submitted by specific CAs, or by the public, or other parties involved in complaining.

Such knowledge may be acquired by: (a) professional practice or training; (b) existing programmes in the agricultural or aquaculture sectors relevant to animal health; (c) formal training; (d) further practice or other training leading to the same level of knowledge as in points (a), (b) or (c) (paragraph 3 of the cited article). Paragraph 4 implies that operators who sell or otherwise transfer ownership of prospective pet animals shall provide the prospective pet owner with basic information concerning the matters referred to in paragraph 1, as relevant to the pet.

Article 13 of the Regulation, ‘Responsibilities of Member States’, paragraph 2, implies that Member States shall encourage operators and animal health professionals to acquire, maintain, and develop adequate knowledge of animal health as provided for in Article 11 through appropriate programmes in the agricultural or aquaculture sector or through formal training. It is clear that in accordance with the Regulation, when the CA is an organization engaged in animal (dog, cat, etc.) rescue, it falls into the category of ‘operator’. For the purposes of the cited Regulation, an operator is defined as ‘any natural or legal person responsible for animals or products, even for a limited period of time, with the exception of pet owners and veterinarians’. The operator responsible for dog rescue should be familiar with the rules and obligations set out in the Regulation. This Regulation requires operators to ensure animal health and comply with biosecurity measures. Legislation is one of the policy instruments used to enhance and protect animal welfare and animal and public health. EU Member States are required to implement EU directives in their national legislation, which must be equivalent or stricter to EU directives (Veissier et al. 2008; Voogt et al. 2023).

Discussion

The legislative aspect of this issue explaining the justification and importance of education is connected with practical implications related both to animals (health, behaviour, welfare), and humans (public safety, well-being of volunteers and employees of CAs), and in accordance with the One Health and One Welfare concepts, also to the environment. Previous research has demonstrated that the shelter environment can be detrimental to the welfare and health of dogs (Wells 2004; Dalla Villa et al. 2013; Hewison et al. 2014; Barnard et al. 2016; Berteselli et al. 2019). Therefore, providing animal welfare under the curation of CAs (e.g. dogs placed in shelters) and creating an environment that minimizes stress is a challenging goal. Lamon et al. (2021) identified the welfare concerns in shelters, as well as proposed the tools for assessing and improving the welfare of sheltered animals (e.g. ethograms, physiological measurements, interactive assessment tests), which can be incorporated into a welfare assessment plan.

Beyond their basic functioning scope of managing the living conditions of individual animals, these CAs undoubtedly have an important role in the community by contributing to the One Welfare and the One Health concepts. The concept of One Welfare, an interdisciplinary frame, can be defined as the ‘interconnections between animal welfare, human well-being and the environment’. In cases where standards are not met for legal intervention, One Welfare services include low-cost veterinary care, sterilization programs, pet food banks (Koralesky et al. 2022), or solving situations such as animal hoarding (Fawcett et al. 2018). One Welfare expands and partially overlaps with the concept of One Health, representing ‘the connections among human, animal, and ecosystem health’, and typically focused on infectious diseases that can be transmitted among species. Both strategies should be implemented also in the activities of civic organizations aimed at protecting animals, in terms of animal well-being, population management, and identification, or control of infectious diseases including zoonoses.

Appropriate education and training of all shelter staff and volunteers has been identified as critical to providing animal well-being (Turner et al. 2012). In addition, formalization of the expertise of workers within this field could help to evolve the standard procedure and criteria for interventions, or in creating and sharing the best practices. Moreover, distinguishing best practices and truths from traditions and myths seems to be required (Horecka and Neal 2022). However, many of the individuals working for CAs are volunteers with little background or training in population management, including identification and control of infectious diseases. Therefore, education and acquisition of professional knowledge are essential. They would ensure the proper functioning of registered and approved organizations, and are a prerequisite for the organization in question, as well as the operators of so-called foster care (Article 10 of the Regulation), to be able to provide the best care for animals in accordance with applicable EU legislation.

Other countries (e.g. USA) can be the example for what we propose as a future standard in Slovakia. They provide educational or training programs for people involved in rescue and protection of animals (e.g. mandatory certification by National Animal Care and Control Association for animal shelter workers), covering many topics and skills (regulations, guideline, husbandry practices, health care, animal behaviour, training and enrichment). The Association of Shelter Veterinarians (ASV) established in 2001 (Washington, DC) argues: ‘Adequate training is required to ensure humane animal care, as well as staff and public safety. This includes allocating time and resources for employees and volunteers to complete training prior to undertaking responsibility for tasks.’ Currently, in many European countries (including Slovakia and the Czech Republic), there are opportunities for receiving the education ensuring necessary knowledge at universities (bachelor or master study programmes), but such a study is time-consuming and can create economic, logistic, and time-management challenges. As CAs and shelters often operate on tight budgets (as well as a lack of staff) and training can be expensive, utilizing low-cost training opportunities, (e.g. mandatory short-term basic education as proposed in our review article) is especially important.

The statutory officers of CAs focused on the protection and welfare of animals, or dealing with animal rights, should be obligated by law to complete an educational program led by experts (e.g. veterinary universities). Education should be focused on training in the field of animal welfare (population management, ethology, and infectious diseases), administrative proceedings conducted at the relevant state authorities (SVFA SR), and the basics of law (basics of civil, criminal, and administrative law) (approximately 60 h in total), analogically to the education of persons capturing stray animals. Pursuant to Decree No. 283/2020 Coll. on details on the protection of companion animals, requirements for the capture of stray animals and requirements for quarantine stations and animal shelter, a natural person ‘who holds a valid certificate of competence for the capture of stray animals and their placement in an animal shelter or quarantine station’ is deemed to be a competent person to ensure the capture of stray animals and their placement in an animal shelter or quarantine station. The Institute of Veterinary Education in Košice (hereinafter referred to as IVE) shall provide a certificate to an individual who, among other requirements, ‘has completed training at the IVE pursuant to Section 15a(d) of the Act, and has successfully passed an examination at the conclusion of the training; the examination is not required if the training is completed by the holder of a valid stray animal trapping certificate within the last year of its validity’. The aim of the final examination would be to verify the knowledge and skills of the participant in further education within the scope of the approved educational programme. Also, to verify the ability to perform professional activities covered by the educational programme in accordance with Act No. 568/2009 Coll. on Lifelong Learning and on Amendments and Supplements to Certain Acts, Section 14 (2009).

Another analogy from the legislation of the Slovak Republic can be applied (Act No. 274/2009 Coll. on Hunting and on Amendments to Certain Acts [hereinafter referred to as Act No. 274/2009 Coll.]), according to which the Slovak Hunting Chamber (SHC) was established. It is a unified professional self-governing organization protecting and promoting the legitimate interests of its members in the exercise of hunting rights, nature and environmental protection, as well as in other activities related to hunting. The legislation introduced mandatory membership in the SHC. The SHC uses financial resources from the exercise of hunting rights to finance hunting self-government - i.e. the transferred exercise of state administration, thereby saving public finances. Although maybe paradoxically, there is a certain parallel between the SHC and the CAs, namely a) protection of animal rights, and b) saving state funds. Analogically, anyone who is substituting the state's role to the extent that CAs in Slovakia are, should be eligible for support upon meeting certain conditions, e.g., demonstrating material and technical equipment, as well as standardized educational background. In the specific case of SHC members, IVE implements the educational programme 'Training of hunters on game hygiene and protection of personal health' (Decree of No.13/2012), which establishes the details of hunters' tests on hygiene and protection of personal health, record keeping, and the required reports.

Finally, it is worth looking at the situation from a socio-psychological perspective. It has been confirmed that empathy and concern for animals do not automatically guarantee their welfare, because no consensus or agreement on what constitutes a fair human-animal relationship exists in the public (Blouin et al. 2012). To complicate the situation even more, human-animal relationship (HAR) cannot be easily categorized into positive-caring or negative-abusive - it has many nuances, and three psychological mechanisms play a key role: empathy, attachment, and anthropomorphism (Prato-Previde et al. 2022). Strong attachment to animals (or anthropomorphic tendencies) does not mean building a positive HAR – in fact, these traits are positively correlated with tendencies for animal hoarding (Steketee et al. 2011), called 'the third dimension of animal abuse' (Patronek 2008). Animal hoarders are not only 'bizarre and strange animal-lovers' (Prato-Previde et al. 2022) but can be also found among people saving animals. They consider it their mission and are convinced that they are the only ones who can provide suitable care for animals (Patronek et al. 2006; Reinisch 2008). However, they are often unaware of the real needs of those animals, despite having good intentions towards them; their actions are ineffective or even detrimental. Regarding the level of knowledge, aspects of social psychology (cognitive-perceptual biases) play a role, as was previously described in studies on farm animals or working dogs (Cobb et al. 2021), leading to misinterpretations of animal needs and overall welfare.

Conclusion

Currently, there is no legislation in the European Union member states requiring the education of members of animal protection organizations and approved facilities whose main activity is the protection of animal rights. However, this article pointed out the above-cited Regulation of the European Parliament and of the Council, which clearly establishes an obligation for members of the association to educate themselves. Practice and experience, as well as some examples of unintentional harm caused by lack of knowledge and education, clearly pointed to the necessity of such legislation. It is expected that the competent statutory officers and members of associations or approved facilities guarantee compliance with the relevant legislation without inappropriate reactions due to a lack of knowledge. An example of extreme form of ignorance are the tens to a hundred of dogs in the homes of self-proclaimed rescuers who cannot guarantee welfare (sufficient space, well-being, or medical care). The necessity of responsibly educating the public was also

proven by the number of unjustified complaints of suspected animal cruelty addressed to the administrative authorities, as well as by the limits of the functioning of CAs caused by their lack of awareness of the legislative framework applicable to their activities. Responsible education can ensure that quarantines and shelters would become an adequate partner to the state authorities in solving application problems in practice. Moreover, a perspective of a better cooperation of all parties involved in the activities aimed to protect the well-being of animals could be another outcome. Ultimately, the CAs would be able to actively defend themselves in processes that they now consider to be not in accordance with the law and would thus be able to help where today some authorities refuse or do not have the possibility to provide such assistance. Through education it would thus be possible to achieve the common goal of improving animal welfare in Slovakia.

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