

## Literature review

# Normative for the protection of pets in Latin America: situation of Colombia, Chile, Uruguay and México

Lucy Villafañe-Ferrer<sup>1\*</sup>  M.Sc; Doris Gómez-Camargo<sup>2</sup>  Ph.D; Rubén Darío Gómez-Arias<sup>3</sup>  Ph.D.

<sup>1</sup>Universidad de Cartagena, Doctorado en Medicina Tropical. Corporación Universitaria Rafael Núñez. Programa de Bacteriología. Cartagena, Colombia.

<sup>2</sup>Universidad de Cartagena, Facultad de Medicina, Doctorado en Medicina Tropical. Cartagena, Colombia.

<sup>3</sup>Universidad de Antioquia, Facultad Nacional de Salud Pública. Medellín, Colombia.

\*Correspondence: [lmvfmaster@hotmail.com](mailto:lmvfmaster@hotmail.com)

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## ABSTRACT

Nowadays, society is focused on acquiring pets for the purpose of companionship, disregarding the duty of attending their needs and take responsibility for their actions. Consequently, social groups sensitive to this problem promote cultural changes and exert pressure on the governments of Latin American countries in order to formulate and implement guidelines to protect pets. This article compares essential aspects of pet protection regulations in four countries in Latin America, Colombia, Chile, Uruguay and Mexico. A narrative review of published literature and the websites of the government entities responsible for the formulation and implementation of the regulations in the four countries was carried out with the purpose of establishing a comparison between their content and their performance. Through this review, differences regarding the objectives of the guidelines and the process of their formulation were identified. The actors that intervened in the process of formulation, structure, object, and what is more important, results reported in each country since the implementation of these regulations are also described.

**Keywords:** Animals; bonding; human-pet; animal welfare; government; public policy (*Source: DeCS*).

## RESUMEN

Actualmente, la sociedad se ha enfocado en la tenencia de mascotas para adquirirlas por compañía desestimando el deber de atender sus necesidades y hacerse responsable de sus acciones, debido a esto, grupos sociales sensibles a esta problemática, promueven cambios culturales y han influenciado los gobiernos de países de América Latina con el fin de formular e implementar directrices para proteger a las mascotas. En el presente artículo se comparan aspectos esenciales de las normativas de protección de mascotas de cuatro países de América Latina, Colombia, Chile, Uruguay y México. Se realizó una revisión narrativa de la literatura publicada y de los sitios web de los entes gubernamentales responsables de la formulación y puesta en marcha de las normativas de los cuatro países, con el propósito de establecer una comparación entre su contenido y su desempeño. Mediante esta revisión se identificaron diferencias en cuanto a los objetivos de las directrices y el proceso de su formulación.

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Se describen, además, los actores que intervinieron en el proceso de formulación, estructura, objeto y los resultados más importantes reportados en cada país a partir de la implementación de estas normativas.

**Palabras clave:** Animales; vínculo humano-animal; bienestar animal; gobierno; política pública (Fuente: DeCS).

## INTRODUCTION

The community's perception of pet ownership has focused on acquiring them for company or whimsically sometimes and the word responsibility has been dismissed. Many pet owners should be aware of the fact that having a pet implies attending to their needs and taking responsibility for their actions. In this order of ideas, there is a need to comprehensively address the problem of animal keeping by defining responsibilities and applying sanctions to those who fail to avail by regulations (1).

The concept of animal protection dates back to the French revolution, from which a welfare approach has been adopted. Latin America has not been exempt from this trend and for that reason, different social groups have been promoting cultural changes regarding solidarity of human beings with nature in response to acts of violence against animals. Thanks to this, the governments of Latin America have introduced in their agendas the issue of animal protection in the sense that they are living beings that feel and deserve respect (2) by recognizing that the formulation of laws for the protection of pets is fair and necessary, and that it is a human duty to ensure comfort, safety, tranquility and protection to the species that provide company and thus come to avoid any act of cruelty that leads to the unnecessary suffering of those animals (3).

This is how in our continent, countries such as Colombia and Uruguay have enforced regulations for the protection of pets with sanctions and penalties for those who mistreat them. While in the case of Mexico, despite being a country where there are regulations for animal protection, it occupies the first place in having more homeless animals. Chile is among one of the countries that have recently implemented regulations for this problem (4).

This publication provides a narrative review of pet protection regulations in 4 countries in Latin America that have joined this trend: Colombia, Chile, Uruguay and Mexico, with the purpose of establishing a comparison of contents and results.

## METHODOLOGY

The comparison of regulations was carried out taking into account the following aspects: object, social actors, purpose and results, for which a bibliographic search was carried out in the governmental entities responsible for the design and implementation of the norms; The websites where this process was carried out were: websites of Medellin City Hall, Bogota City Hall, the Library of the National Congress of Chile, Presidency of the Oriental Republic of Uruguay, COTRYBA website (Honorary Commission for Responsible Tenure and Animal Welfare ) - Oriental Republic of Uruguay, Senate of the Federal Republic of Mexico, Legislative Assembly of the Federal Republic of Mexico, Secretariat of the Environment of Mexico City and General Secretariat of Government of Jalisco.

The search was also carried out on the Internet in the Google academic search engine, using the descriptors animal protection, public policy, development plans, management report indications, municipal agreements, animal protection law and articles in scientific journals.

### **Colombia: Pet protection regulations in the cities of Medellin and Bogota D.C.**

In Colombia, the first regulation in describing animal abuse was Law 5, 1972, where Animal Protection Boards were created in all municipalities of the country. The existing laws for the protection of the environment did not include domestic animals nor there were any penalties for their abuse. It was mayors who established sanctions at the request of Animal Protection Boards whose composition was ad honorem and depended mostly on the goodwill of the citizens who wanted to protect the animals (2).

In the year of 1989 an Animal Protection Law, Law 84, 1989 (5) was passed, which provided protection against the suffering and pain of animals caused by man. However, it did not consider animals as sentient beings but as goods that must be cared for their usefulness. The sanctions encompassed in this law had to be

issued by police inspectors, but it disappeared in the 1991 Constitution, leaving these conducts unpunished. Notwithstanding, this law is considered progressive because it contains all the duties that human beings must have with animals. Despite its good intentions, the law is inoperative because it lacks the tools allowing authorities to apply it. For this reason, various attempts to modify it have arisen in order to impose effective sanctions to punish abusers. Subsequently, modifications were made to this law, but they have not achieved the expected results due to legal gaps that make it difficult to apply the penalties established to counteract animal abuse. Additionally, regulations have not been made public and in most cases still remain unknown (4).

It was not until 2016, when law 1774 was passed, that the category of animals was elevated to sentient beings, animal abuse was considered a crime, and a sanctioning procedure of a police and judicial nature was established (6). In Colombia, there is not a national public policy backed by the legal provisions mentioned above allocating resources to create new institutions and strengthen existing ones that allow for effective actions to protect animals and educate the population on animal care and respect. Instead of this, municipal public policies were found supported by national and international legislation (Table 1). This fact suggests that large cities have more economic and administrative possibilities to invest in these problems and that in the poorest municipalities, resources are destined to human welfare while underestimating those of animals (2).

**Table 1.** Regulations that support pet protection policies in Colombia.

<b>International regulations</b>	<b>Description</b>
Universal Declaration of animal rights	Animals have rights that must be recognized by human beings.
One Health Strategy	Global strategy for cooperation in search of better health for people, animals and the ecosystem.
Objectives of the OIE (World Organization for Animal Health)	Intergovernmental organization to improve animal health in the world.
FAO, OIE and WHO Tripartite Alliance	It recognizes the need to address health risks in the human-animal-ecosystem interface.
European Union regulations	Protocol on the protection and welfare of animals.
<b>National regulations</b>	<b>Description</b>
Law 5 Decree 497 of 1972	Animal advocacy boards.
Decree Law 2811 of 1974	National Code of Renewable Natural Resources and Environmental Protection
Law 9 of 1979	Sanitary measures for the slaughter of animals.
Law 84 of 1989	National Statute for the Protection of Animals.
Judgment T- 035 of 1997	Holding of domestic animals as an expression of fundamental right.
Law 576 of 2000	Code of ethics of veterinary medicine and animal husbandry professionals.
Law 746 of 2002	Possession and registration of potentially dangerous dogs.
Resolution 02601 of 2003	Provision of private security and surveillance services with canines.
Judgment T- 760 of 2007	Nature protection
Judgment C- 666 of 2010	Animal welfare and protection.
Law 089 of 2011	Criminalization of animal abuse.
Law 1638 of 2013	Prohibition of the use of wild animals in circuses.
Law 1753 of 2015 (PND)	Public policy for the defense of animal rights and / or animal protection.
Article 248	Law against animal abuse modifies Law 84 of · 1989.
Law 1774 of 2016	Whereby the National Police and Coexistence Code is issued
Law 1801 of 2016	Articles 119 and 130.
Police Code	Description

Source: self-made.

Medellin and Bogota D.C. are two cities in Colombia with a public pet protection policy and with results of its implementation.

Medellin approved the first animal protection regulation in Colombia; the Public Policy for the Comprehensive Protection of the Fauna, formulated by Municipal Agreement 22 of 2007. In the case of Bogota, the District Public Policy of Protection and Animal Welfare 2014-2038 was created in 2015, by Decree 242 of that same year (7,8,9).

These political-administrative acts arose with the purpose of responding to social problems such as: the presence of canines and felines in the streets in unprotected conditions, irresponsible possession of pets, existence of animal traction vehicles, wildlife trafficking; use of animals on public roads for profit, illegal animal fights, and other expressions of violence affecting animal protection. Additionally, these policies considered the existing gaps in current regulations at the national level that oversee the relationship between man and animals (8).

Different actors were involved in the process of formulating and implementing these policies (Table 2), such as public officials, scholars, government leaders and Non-Governmental Organizations (NGOs). The documents analyzed describe the role these actors play in the implementation of the policy. Given that the formulation of these policies had the participation of various social players, it can be said that they met the standards of citizen participation provided for in the 1991 Constitution of the Republic of Colombia and in the international legal order (7,9,10,11).

According to the actors, in these cities there were situations that gave rise to problems of animal abuse, such as irresponsible situations of disrespect, abuse and neglect, insufficient institutional management to meet wildlife requirements, and the lack of educational actions allowing for information and knowledge related to the protection and welfare of animals. It was considered that these problems could be solved with intervention measures such as formulation of objectives, goals, projects and actions to guide the behavior of all the actors towards the achievement of required cultural changes (8,12).

The policies in Medellin and Bogota are similar in purpose; they both seek to generate a citizen culture for the responsible tenure of animals, prevent and control zoonotic diseases, train personnel for the implementation of these regulations and ensure the application of laws and regulations established for animal protection; both based on similar principles of welfare, protection, education, responsibility, solidarity and environmental sustainability (7,9).

The review made allowed to detect differences between these guidelines: Medellin's public policy has, among its objectives, a comprehensive assistance to wildlife and consecrates, among its principles, respect, humanism and solidarity as moral values to apply in the human-animal relationship. Bogota's policy emphasizes the prevention of pain and suffering and also, includes among its principles, respect as a basic component of the relationship between all species, and social responsibility as an essential element to protect animals (2).

Both policies are structured differently (strategies and programs; axes and lines of action) but have the same purpose: wild and domesticated animals inhabiting the municipal territory (7,9).

The implementation model of these policies was adjusted to the particular situation of each municipality, but in general it was interactive and participatory - Bottom up; the participation of local players could explain some differences between the two policies (10).

The indicators of compliance with the two policies refer to the results related to the objectives and show medium and long term goal achievements. An advantage of these indicators is that they are presented in quantitative terms, which allows to evaluate the performance of the plans and programs by comparing expected goals with achievements (11).

The programs and lines of action of these policies include activities aimed at attaining expected results, the latter being similar; although the goals proposed to meet them through different periods of municipal government are different and adjusted to regional priorities (Table 2).

The expected results in both policies seek a cultural change in citizens so that animal rights are guaranteed. This aspect is built upon the assumption that the success of this policy really lies in the modification of cultural patterns in human beings (4).

**Table 2.** Comparison of regulations: Colombia, Chile, Uruguay and Mexico

Aspects	Colombia		Chile	Uruguay	Mexico	
	Medellin	Bogota D.C.			Mexico D.F.	State of Jalisco
<b>Regulations</b>	Public Policy for the Comprehensive Protection of the Fauna. Agreement No. 22 of 2007.	District Public Policy for Animal Protection and Welfare 2014-2038. Decree 242 of 2015.	Law 21020 of July 19, 2017. Responsible possession of pets and animal companionship.	Law No. 18471 on Responsible Animal Ownership of April 21, 2009.	Animal Protection Law of Mexico City.	Animal Protection Law for the State of Jalisco. December 30, 2006.
<b>Object</b>	Animals of the district territory	Animals of the district territory	Establish rules on responsible ownership of pets and animal companionship.	Establish rules for the protection of animals in their life and well-being.	Animal protection	Protection and care of animals
<b>Actors</b>	District Secretaries Municipal Council Animalistic NGOs La Perla wellness center Environmental Police	District institutions Academy Animalistic NGOs Congress of the republic CISPAER Social Organizations, Local Environmental Commissions, Environmental Advisory Council, Citizen oversight	Senators Academics Veterinary Medical College of Chile Mayors, Chamber of Deputies Animalistic NGOs, Chilean Associations of Municipalities, Library analysts of the National Congress, Animal protection society.	Senators Political parties National Veterinary Academy Animal protection service unit of zoonosis and vectors Animalistic NGOs.	Government of Mexico City. Departments of Environment, Health, Education and Public Safety. Canine and feline care centers, Veterinary clinics Protective associations of animals. Animalistic NGOs. Authorities territorial demarcation. Academics	Jalisco state government. Departments of the Environment, Health, Education Animal Protective Associations. Veterinary doctors Animalistic NGOs. State and municipal authorities. Animal Control Centers.
<b>Purpose (s)</b>	Generate a culture of respect, care and protection of wildlife	Transform the relationship between human and non-human animals, towards a culture of good treatment and respect.	Protect animal health and welfare, determine obligations and rights of those responsible for pets, regulate liability for damages resulting from the action of pets.	Seek animal welfare, prohibit the hunting, capture and slaughter of wild animals, regulate the use of animals for research, determine obligations and rights of animal holders, creation of CONAHOBA.	Guarantee well-being, good treatment, provide maintenance; avoid abuse, zoophilia, cruelty, suffering; ensure animal health, generation of a culture of care and dignified and respectful treatment of animals.	Generate a culture of animal protection, protection and care of animals.
<b>Verification sources</b>	Municipal agreements Mayor's development plans City Hall Management Reports	Municipal Decree Mayor's development plans. Mayor's management reports.	Laws Regulations Constitutional procedures of the law.	Laws Decrees COTRYBA reports.	Laws Decrees Management reports Department of the Environment	Laws Decrees Management reports Government of Jalisco
<b>Expected results</b>	Animal identification with microchip. Behavioral changes Population control of canines and felines. Replacement of animal traction vehicles. Adoption Promotion	Replacement of animal traction vehicles. Construction of shelters for protection of stray animals. Behavioral changes Population control of canines and felines. Animal identification with microchip	Behavioral changes Population control of canines and felines. Animal identification with microchip. Regulation of liability for damage committed by pets.	Sterilization of the street dog population. Animal identification with microchip. Management of complaints about animal abuse. Increase in adoptions.	canine and feline overpopulation Control. Behavioral changes Decrease in cases of animal abuse.	Behavioral changes Control canine and feline overpopulation. Decrease in cases of animal abuse.

Source: self-made.

Both policies are aimed at both domestic and wild animals and their principles are aimed at protecting wildlife within a context of environmental conservation. This differs from other guidelines such as the basic principles on which animal welfare from the World Organization for Animal Health is based and the pillars of the European Union, where the notion of animal welfare is aimed at those animals representing an economic profit (13,14).

Both policies have had satisfactory results during the time they have been implemented and in some cases they have exceeded the proposed goals. Such is the case of the replacement of animal-powered vehicles, the use of microchips to keep track of street pets and animals, the construction of shelters for abandoned animals and the improvement of existing ones; and raising awareness to generate a culture of respect for animals (12,15,16,17,18,19). Of the two cities, Medellin is leading in the implementation of the policy for a longer time than Bogota and has been a pioneer in seeking solutions to this problem in the country (4).

The advances generated in both cities are significant and suggest that civil society is organized for animal protection and the use of mechanisms to influence the political will of officials and key actors. In these public policies, there are no sanctions against animal abuse; the respective sanctions in terms of fines, are contemplated in Law 1774 of 2016 (law that punishes animal abuse) and in Law 1801 of 2016 (By which the National Police and Coexistence Code is issued) (7,20).

Despite the fact these cities have endeavored to improve wildlife conditions, there are other places in the country where there are cases of violence against species, putting ecosystems at risk. Such behaviors could be related to lack of education and environmental awareness. In 2017, the National Planning Department announced that it will develop a policy defining guidelines for the protection of animals in Colombia (1).

### **Chile: Law 21020**

The law regulating the protection of animals in Chile is Law 21020 of July 19, 2017; which

modifies Law No. 20380, September 11, 2009 (21,22) and whose scope is national.

Its application is given through the Regulation on responsible possession of pets and animal companionship issued by the Ministry of Interior and Public Health of Chile and signed by the Ministry of Health of the Republic of Chile. Municipalities are responsible for designing and executing programs to ensure compliance (23).

This law aims to regulate the tenure of animals and its general purpose is the protection of animal health and welfare, public health through control measures, and the development of a culture of responsible ownership of animals.

Before the enactment of this Law, it was possible to observe an increase in pets with a low or no responsible ownership at all and the consequential increase in the number of stray animals. Additionally, health problems associated with zoonosis were evident by contamination with feces and urine, garbage, tick proliferation and bites by street animals. These problems were mainly due to sociocultural factors, such as abandoning animals that cannot be maintained and to the insufficiency of economic, regulatory and supervisory resources. This led to the need to create a legal framework for the protection of animals beginning with Law 20380 of 2009, which presented gaps among which stood out the impossibility that a citizen or an organization dedicated to animal protection could bring an action to report an act affecting an animal. Moreover, the law did not change the legal status of animals that were considered as things. These conditions limited the scope of standards (23).

As of 2009, a draft Law on responsible possession of pets and animal companionship was processed; and in 2017 Law 21020 was approved by the National Congress (24,25). Different actors intervened in the processing course, described in table 2. Among other measures, this Law sets infractions and penalties against animal abuse, promotion of responsible pet ownership, prohibition of feeding stray animals and the number of animals that can be kept in a house depending on its size. For its implementation, the Law has a regulation that establishes the strategies for its application and was created by the Ministry of Interior in August 2017 and

submitted for citizen evaluation in order to know observations regarding its content (23).

Since the date of formulation of these regulations, some actors have expressed their disagreement with certain aspects contemplated in the Law and by omission of others; such is the case of trade associations and experts in veterinary medicine, who propose some improvements to the guidelines, such as including rules related to wildlife damage, and a greater commitment in education for responsible pet tenure and for that purpose they consider important the compulsory participation of Veterinary Programs, the Ministry of Education and communities (26). Some NGO's and animalists also question that the norm was created only to control the population of abandoned animals and that it is not a support for these actors to fulfill their functions because it does not contemplate the allocation of resources by the State. In addition, the sterilization procedures that are proposed and that should be applied at an early age put the development of the animal at risk with a higher probability of presenting certain diseases such as cancer. These disagreements suggest that during its approval all interested actors were not taken into account, and that the way in which the process was carried out contradicts the legal principle according to which the Law should be the expression of the national will. The pressure exerted by these actors during the public consultation process to know the opinion of citizens has led to the modification and elimination of certain articles of Law (27).

When analyzing the content of the Law, weaknesses and gaps can be seen; it does not include the construction of temporary animal support centers equipped with laboratories for the diagnosis of zoonoses; it does not have economic resources for the operation of the existing ones; and does not specify the roles of the actors in the execution of the Law, which puts their implementation at risk. In addition to this, the Law does not create adequate sanctions against animal abuse and only fines are applied to offenders; several of the sanctions are contemplated in the Chilean Criminal Code (28). The Law is not explicit, either, with respect to the rights of animals or their status as sentient beings.

Because this regulation was recently approved, there is still insufficient information on regulations developed by the municipalities of the country, on whose application the expected changes would depend. Therefore, their implementation could not be evaluated.

### **Uruguay: Law 18471.**

The regulations for the protection of pets in Uruguay is Law No. 18471 on Responsible Animal Tenure, April 21, 2009. This Law came into force six years later in 2014, and is regulated by Decree No. 62/014, March 21<sup>st</sup> of that same year (29,30). For its compliance, the National Honorary Commission for Animal Welfare - CONAHOBA was created, which advised the Executive Branch on animal welfare policies, and received complaints of mistreatment and abandonment of animals. This commission did not meet its objectives, and was subsequently replaced by the Honorary Commission for Responsible Tenure and Animal Welfare (COHATRYBA or COTRYBA), which is responsible for helping to implement the law and is under the tutelage of the Ministry of Livestock, Fisheries and Agriculture of Uruguay (29,30,31).

Before the enactment of this Law, there were multiple problems related to animal abuse such as the use of animal-drawn vehicles, abandonment of animals, zoonosis transmission, bites by stray animals, overpopulation of canines, and the slaughter of animals. The situation led different actors to propose the bill (Table 2) (32).

Law No. 18471 aims to protect animals in their life and well-being; responsible pet tenure; obligations and rights of animal holders; and sanctions against animal abuse, among other aspects. A characteristic of this law is that it considers animals as things and does not elevate them to the category of sentient beings; does not establish regulations to improve the living conditions of animals in circuses, zoos and wildlife reserves; and should include community education programs on responsible ownership of animals. These gaps have led to different actors expressing disagreement with the law and considering that it is necessary to modify it taking into account those situations (31). According to these actors, the problems of

animal abuse in Uruguay occur mainly because there is not an adequate education and social health in the country in this regard (33). After the implementation of the Law, in Uruguay some critics have expressed disagreements with the regulation, given that their primary objective seems to be punishment and enforcement of court sentences, rather than education and prevention. They also question the entities responsible for their implementation (CONAHOBA and later COTRYBA), considering that there is still a lack of sensitivity in the management of the subject. Critics say they disagree with some solutions, such as the use of microchips because, according to them, education and awareness raising, shelter building and greater state support for animal protection associations that deal with stray animals should take precedence. In spite of this, the norm contemplates sanctions and prison sentences for those who commit acts of cruelty and violence against animals.

The expected results of this policy are aimed at the control and reduction of the street population and the criminalization of animal abuse acts (Table 2).

COTRYBA, the commission responsible for implementing the Law has managed to comply with the processing of reports of animal abuse, attacks and bites on productive people and animals, and has created departmental commissions that will be responsible for compliance with regulation. However, there are few results related to the other objectives of this guideline such as the control and reduction of the population of stray animals. Although in Uruguay, efforts are being made regarding the reduction of cases of animal abuse, there has been insistence on a greater commitment of the National Government in terms of the allocation of resources and the design of educational strategies to achieve a necessary change of behavior and to raise awareness among the general population about regarding animals as beings with the capacity to feel and worthy of a respectful treatment (34).

### **Mexico: Pet protection regulations.**

The Mexican Republic does not have a general animal protection law; however, there are state regulations (35). Two of these laws with a long

period of validity are the Animal Protection Law of Mexico City of February 26, 2002 with reform of May 4, 2018; and the Animal Protection and Care Law for the State of Jalisco of October 25, 2012, which repealed the Animal Protection Law of December 30, 2006 (36,37). These laws are executed through decrees and programs.

Both regulations aim at animal welfare and the generation of a culture of animal protection. State actors advocated the development of these animal protection directives because Mexico has one of the highest documented figures of animal cruelty, cases of abuse due to beatings, abandonment and poor diets, and homeless animals; situations that lead to social, health and government expenditure problems (38).

In the process of formulating and implementing these laws, state government officials, animal protection associations, and academics interested in generating a change in the population have participated in order to reduce cases of animal aggression (Table 2). These guidelines describe the role that each of the actors must fulfill in order for these regulations to be implemented and for objectives to be achieved (36,37).

As in the other countries analyzed, animal cruelty in Mexico is largely derived from the lack of education and a disrespectful culture, thus making education necessary as the main tool to counteract this problem (38).

These laws have similar contents. They both contemplate the roles of the actors in the application of regulations, promote the launching of educational campaigns for the culture of care and protection of animals, define regulations for the care of stray animals, promote the establishment of animal control centers, and include complaints and penalties for abuse. These Mexican laws differ in some aspects from the other countries analyzed in that they implement slaughter as a strategy to counteract the overpopulation of stray animals and do not define mechanisms to allow a census of the number of animals, a strategy widely used in other Latin American countries that has facilitated a greater control of the population of pets. Microchips are only contemplated in the case of assistance dogs in Mexico City. Furthermore, they prohibit the feeding of alcohol



or non-therapeutic drugs to animals; the latter regulation is not contemplated in the guidelines of the other countries analyzed (36,37).

The expected results of these regulations are mainly aimed at generating behavioral changes and promoting a culture of animal care and protection (Table 2).

Among the results obtained from the implementation of these laws are: updating records of commercial establishments for the production and sale of animals, training for the spread of a culture of protection, dignified and respectful treatment of animals, free sterilizations, inclusion of punishment with jail sentences for animal abuse in the penal code; and the creation of animal protection centers. Although results are evident, some analysts consider it necessary to advance in the development of these norms to achieve a change in society (39,40,41). In Mexico, there are other states with laws against animal abuse, but somehow figures continue to be discouraging (38).

### **Comparison of the regulations of Colombia, Chile, Uruguay and Mexico.**

It is believed that animal abuse does not constitute a social problem due to the characteristics of the violence and the victims against which it is exercised. It is an invisible violence because it occurs in the private sphere and because only rarely and because of its extreme hardness it becomes public. It is a silent type of violence since its direct victims, animals, do not have their own voice and thus it seems to be an issue that does not demand immediate attention (42).

The emergence of social groups for animal welfare has brought about the public knowledge of these types of violence. It corresponds to the entities of national, state and / or municipal governments, as representatives of the common good, to respond to these problems through regulations. In this process, different actors can be articulated to improve the effectiveness of these guidelines, which constitute a process of construction and mediation between the government and the different actors in society. This is the epitome in the construction of the guidelines, which is fully complied with in the design process of the

regulations analyzed (2,10).

Ideally, the implementation of pet protection regulations is to achieve social and political transformations that lead to animal welfare (13,43,44). However, not all regulations analyzed seek this objective. In Chile and Uruguay, a cultural change is not pursued, but the control of the population of abandoned animals, the punishment and application of sanctions; strategies that have a limited effect on the problems detected and on the prevention of animal abuse and other violent behaviors.

Another important aspect in the processes of implementing guidelines is the clarity in the functions that each of the actors involved have (2,45). The regulations in Colombia, Uruguay and Mexico describe the role of each of the actors analyzed. This criterion is not so clear in the Chilean Law, which puts its application at risk. A common condition in the formulation of the guidelines analyzed is the participation of animalistic NGO's, which are revealed as one of the main promoters of ethical, political and administrative transformations for the welfare of animals (38,43).

Colombia is the first Latin American country to recognize animals as sentient beings, a figure that was included in its civil code and in Law 1774 of 2016. This background could be important in promoting the cultural change that is required in Latin American countries (46). However, it does not yet have a national public policy for animal abuse. This same situation occurs in Mexico where there is also no national regulation (35).

In the cases analyzed, several aspects needing improvement were detected. Among them, the definitive prohibition of shows that entail animal abuse such is the case of the animal protection law for the state of Jalisco, Law No. 18471 Law of Uruguay and Law 21020 of Chile (35,47), where special permits can be given for these demeaning spectacles.

In addition, there are also gaps in relation to the financial resources that should support the standards, which threaten their viability (45). This condition was evident in the regulations of Chile and Uruguay, where resources for the

fulfillment of the objectives are not explained; the State does not allocate resources to support the centers of attention of existing street animals, and the construction of new shelters is not clear (21,30).

With the exception of the State of Jalisco in Mexico, where jail sentences are included to punish animal abuse (48), the penalty component in the other countries is weak. The social sanction against animal abuse is limited to the imposition of fines (4).

In Colombia, Uruguay and Mexico, the application of these regulations has brought out results such as an improvement in the physical conditions of abandoned animals thus expediting their adoption. In Chile the law is recent and there are still no publications documenting its results. In Colombia, only the cities analyzed have a census of animals to control the population and use microchips for this purpose.

Among the cases analyzed, Colombia and Mexico have more advanced and structured regulations and they privilege awareness as a strategy to promote change in the treatment of animals.

It is important to highlight that the regulations analyzed consider animal protection as a moral consideration; an important notion to overcome the utilitarian, anthropocentric and egocentric

conceptions that govern the interaction of man with animals (2,3,46).

Tolerance of animal aggression generates the production of more violent acts against animals and the development of other types of aggressive behaviors. This type of conducts should not be downplayed and it is important to have regulations in place to punish these acts (42,49).

In conclusion, protecting animals from abuse coincides with the ethical commitment to defend anyone or any animals that are victims of injustice, regardless of their species, age, gender, preferences, etc. Protecting species from harm contributes to the construction of a more just society. Although in most Latin American countries, animals still maintain the category of goods, the regulations analyzed show different efforts leading towards the improvement of their conditions. Despite the fact this progress differs among the cases analyzed, these initiatives mark an important milestone in the paradigm shift in the sustainable development of the planet and humanity.

### **Conflict of interests**

The authors declare there were no conflicts of interest.

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