



Халықаралық құқық / International law / Международное право

IRSTI 10.62.43  
Scientific article

<https://www.doi.org/10.32523/2616-6844-2025-150-1-207-218>

## International experience in animal rights protection

A.S. Ibrayev\*<sup>1</sup>, A.A. Mukasheva\*<sup>2</sup>, N.O. Ybyray\*<sup>3</sup>

<sup>1</sup>Astana International University

<sup>2,3</sup>L.N. Gumilyov Eurasian National University

(e-mail: <sup>1</sup>alisher-ibraev@mail.ru, <sup>2</sup>anarabai@mail.ru, <sup>3</sup>ybyray.nursultan@mail.ru)

**Abstract:** The authors of this article have conducted an analysis of the advanced practices of foreign countries concerning the protection of animal rights. The research purpose is to explore the regulation of interactions with animals, responsible treatment, legislative measures for the protection of animal rights, and the positioning of animals within the framework of legal relationships.

To achieve this objective, the authors have examined the legislation of selected developed countries in Europe and Asia, as well as the overall regulatory framework of the European Union, within a single article. According to the Animal Protection Index, the best animal rights protections are found in the European countries.

In the Republic of Kazakhstan, faunal legislation primarily focused on the protection of wild animals from threats, ensuring their integrity as an essential part of the ecosystem, and preserving biodiversity. Unfortunately, the protection of the rights of all animal species is in its early stages and requires separate comprehensive studies aimed at improving the current unfavorable situation in the country.

**Keywords:** European Union, foreign experience, legislation, animals, responsible treatment.

## Introduction

At the end of 2021, Kazakhstan enacted the Law “On Responsible Treatment of Animals” (hereinafter referred to as the Law), which served to appease public concern following a series of alarming incidents of inhumane treatment of animals. These incidents increased during the nationwide quarantine imposed due to the Coronavirus pandemic.

However, the challenges in implementing the Law “On Responsible Treatment of Animals” are becoming increasingly evident. Although new regulations have been introduced, the practice of euthanizing stray dogs and cats continues to persist. The “Collect-Neuter-Vaccinate-Return” (CNVR) system has been effectively implemented in only a limited number of regions, raising significant concerns about the quality of these efforts.

As our colleagues rightly note, “the law on responsible treatment of animals is the first of its kind, dedicated to the protection of animals not merely as fauna (such faunal laws are also enacted in the interest of people), but with the recognition that animals are beings capable of experiencing pain and suffering. The law is essentially a humanitarian act. This is its historical significance, as with the adoption of the Law, Kazakhstan has embarked on a journey toward the universal values concerning animals that some countries have been striving for over decades or even centuries, many of which have achieved significant success” [1].

It is becoming clear that the Republic of Kazakhstan is only at the beginning of a comprehensive and holistic regulation of relationships related to the responsible treatment of animals. For this reason, Kazakhstan can draw upon the foreign experiences of Western and other countries, which have a long history of regulating such relationships.

In the modern world, animals live within boundaries established by humans. They are not allowed to exist freely, except in designated areas, and typically, their population and every movement are controlled. Reserves and nature sanctuaries are established for their conservation, but as soon as an animal steps beyond the permissible limits and, simply by being near humans, poses a potential threat, it is captured, euthanized, or killed. The question that arises is: on what grounds does humanity consider itself superior to animals? [2].

Primarily, Kazakhstan should look to the European experience, as according to the World Animal Protection Index (WAPI) [3], the legislation of these countries most comprehensively regulates relationships involving the treatment of animals, and is the most successful in protecting animals from cruelty.

## The methodology

Throughout this study, the authors effectively utilized a range of methodologies, drawing from both theoretical-dialectical frameworks and broader philosophical approaches. These included systemic analysis, analogy, synthesis, observation, and modeling.

## Discussion

### *Analysis of Foreign Experience in Regulating Animal Treatment Issues*

As it is well known, the majority of European countries are members of the European Union (hereinafter referred to as the Union). A unique feature of the Union's member states

is the supranational structure of the EU, which has the authority to adopt legally binding acts that apply to all member states. The welfare of animals is one of the Union's responsibilities, enshrined in Article 13 of the Treaty on the Functioning of the Union [4]. While this article does not grant direct rights to animals, it imposes an obligation on the Union's member states to consider animal welfare when formulating legislation.

To date, there are several Union directives aimed at improving animal welfare. One such directive is the European Parliament and Council of the European Union Directive 2010/63/EU of 22 September 2010 on the protection of animals used for scientific purposes [5]. This directive restricts the use of animals for scientific purposes. The directive is particularly noteworthy as it explicitly acknowledges animals as sentient beings, deserving of appropriate treatment. In this regard, the Union's member states are pioneers in this field, as this status has never before been conferred upon animals and it carries an imperative character. Consequently, the Union's members are required to harmonize their national legislation with these directives. At the same time, individual countries retain the right to impose stricter regulations regarding the treatment of animals.

However, it should be acknowledged that these directives have limited scope. As a result, there is currently no pan-European act that regulates the treatment of domestic animals.

When examining individual European countries, the Animal Protection Index indicates that the highest levels of animal rights protection found in the United Kingdom, Sweden, Denmark, the Netherlands, Switzerland, and Austria [6]. The legislation of these countries rated at level "B", which is the second-highest possible rating. Interestingly, no country has been awarded the highest rating of "A" indicating that even in such progressive societies, there remains scope for improvement.

In Austria, there are no stray animals born and raised on the streets; only abandoned or lost pets found. If someone spots a dog wandering without an owner, they report it to the animal control officer, who promptly takes the dog to a local shelter. The dog held for seven days to determine if it has an owner. Almost half of the stray animals that were captured were reunited with their owners. The remaining animals were either transferred to private shelters and charitable organizations, of which there are around 300, adopted by new families, or, in extreme situations, euthanized.

In England, the situation with stray animals remains a significant problem, although the state and various charities are making efforts to solve it. The main measures include sterilization and castration programs, as well as the activities of animal shelters. However, despite these measures, the number of stray animals remains significant.

There are thousands of dogs and cats on the streets of England every year. Most of them either end up in shelters or return to their owners if they can be found. In some cases, animals find new homes thanks to the work of charities. However, some animals are euthanized, especially if they suffer from aggressive behavior, diseases, or if they cannot find a new home for a certain time.

The Government is also introducing legislative initiatives to protect animals. For example, according to the Animal Welfare Act of 2006 [7], owners are required to provide animals with appropriate conditions of care and maintenance. Violation of these requirements may result in fines and other legal consequences.

In addition, the legislation provides for measures to prevent the emergence of new stray animals, such as mandatory registration and chipping of dogs, as well as the promotion of responsible animal ownership, including sterilization.

Germany's experience indicates that addressing the issue of stray animals cannot be resolved in just one or two years; it requires a longer timeframe, typically 5 to 9 years. Similar to the United States and other countries, Germany emphasizes three key conditions to effectively tackle the problem:

- Establishing regulations to control animal reproduction;
- Implementing sterilization programs and providing support for shelters;
- Promoting education and raising public awareness.

Germany was the first country in the world to enshrine animal protection in its Constitution. In addition, the country has a comprehensive legal framework, including the Animal Protection Act, the Dog Keeping Ordinance, and a regulated shelter system.

Mistreatment of a dog can lead to it becoming homeless, and current legislation allows third parties to file complaints against irresponsible owners. The Law on Animal Protection provides for fines for violations of the rules for the treatment of animals. For example, leaving an animal on the street, which is considered abuse, or illegally killing it can result in a fine of 25,000 euros. If an animal can no longer be kept at home, the law obliges to transfer it to a shelter.

The State also seeks to reduce the number of animal births, even among professional breeders associated with officially registered organizations, by setting breeding quotas. Uncontrolled breeding is strictly prohibited.

In Germany, to regulate the number of stray dogs, mandatory annual payments for each dog have been introduced, the amount of which varies from 100 to 300 euros. If the dog belongs to a fighting breed, the payment amount is doubled. This is due to the fact that such dogs pose a danger to society, as well as the fact that owners often abandon them when dogs are injured. Accordingly, the number of fighting dogs in shelters is proportionally higher.

If a person's social status or income level does not allow them to pay the aforementioned taxes, they are exempt from payment. Service dogs and guide dogs are also exempt from these taxes. Every dog must be registered, have its own registration number, and be equipped with an electronic chip.

In Germany, a special free database has been created to help locate lost animals. This database allows each owner to enter their pet's information, including a photograph.

Sterilization is the main approach to controlling the animal population in Germany, as it is in other Western nations. This procedure carried out on stray animals in shelters and on pets in veterinary clinics.

As is well known, India and the People's Republic of China rank highest among countries in terms of population size. This characteristic has a significant impact on the regulation of animal welfare, as the sheer number of animals interacting with millions of people makes it difficult to determine the fate of individual animals, which inevitably affects their level of protection.

It is widely known that the cow is considered a sacred animal in India. The fact that killing a cow in this country can lead to a real prison sentence is not a myth [8]. However, it is also interesting to consider the situation regarding other animals. Since 1960, India has had a law in

place called the Prevention of Cruelty to Animals Act [9]. This law, which remains in force today, is aimed at promoting the welfare of animals in general, indicating that animals in India are protected regardless of their sacred status.

Chapter 3 of the aforementioned law outlines all possible forms of animal cruelty, from widely recognized acts of beating and any form of violence against animals to intentionally allowing any infected animal to roam freely. The law also contains numerous references to the inadmissibility of keeping animals in uncomfortable conditions. Thus, the law prohibits causing not only physical suffering but also mental distress. Moreover, negligent and careless treatment of pets can result in a person being sentenced to several months of imprisonment. All of this creates a comprehensive set of guarantees for animal welfare. The law also prohibits medical and cosmetic testing on animals within the country [9].

However, the situation regarding animal protection is not uniform across the entire country. Even today, cases of animal cruelty occur in various spheres in India. It is important to remember that India has an extremely diverse population in terms of cultural development. While animal rights are effectively protecting in large cities such as Mumbai, sacrificial rituals involving animals are still practicing in rural regions of the country [10]. In these practices, animals are not even stunned before being sacrificed, leading to cruel and unnecessary suffering for which no one held accountable [11].

Nevertheless, India represents a relatively successful model of legislative protection for animals in the Asian region, earning a “C” rating on the Animal Protection Index.

The situation in the People's Republic of China is far less optimistic. Currently, there is no comprehensive law in China that explicitly prohibits animal cruelty. In 2009, a draft law was created to establish rights and protections for animals; however, it was never passed. There are laws regulating the treatment of livestock and poultry, but these cover only a small portion of animals, leaving the majority of animals in China entirely unprotected. Furthermore, since 2014, Chinese law has required that cosmetics and medical products tested on animals before they can be approved for market access [12]. Animal testing is a compulsory requirement for market approval, with no allowance for alternative testing methods. The regulations only specify that animals must housed in comfortable conditions and that facility workers must handle them with “care”. This implies that laboratory animals should not endure hunger, mistreatment, or pain, should kept in clean cages, and must have daily access to food and water.

Additionally, in many provinces of China, it is traditional to consume wild animals such as snakes, bats, and many others. Until recently, these animals were freely available in urban markets. In 2020, in response to the COVID-19 pandemic, several new laws introduced in China. Initially, a temporary restriction on the trade of wild animals was implemented, and in March, the ban became permanent. This was due to a theory in the media suggesting that the coronavirus outbreak linked to the consumption of bats, which are carriers of the disease. While the outbreak of this new disease led to a positive change in legislation for wild animals, unfortunately, the protection of animal rights in this case was not the goal, but rather a side effect. Regrettably, China lags significantly behind developed countries in the regulation of animal rights and protections.

In December 2000, the Japanese Parliament passed a law holding people accountable for their pets. This law required city mayors to take responsibility for establishing special parks

where pets can run, play, and take care of their needs, even if on a commercial basis (with the owner, not the dog, paying the fee). Builders were instructed to ensure that future residential complexes would be pet-friendly, with features like special pet doors, flooring resistant to pet claws, and possibly even ventilation systems or specialized air conditioning to eliminate unwanted odors in areas where pets reside.

Pet owners can file complaints through specially designated websites on the Internet, and animal protection societies are ready to immediately advocate for the rights of the animals involved.

In 1973, Japan enacted a law stating that “no one has the right to kill animals, cause them harm, or make them suffer without a valid reason” [13].

Acts of cruelty, such as neglecting to provide food or water without valid reason, can result in fines up to 500,000 yen. Abandoning animals, such as leaving a dog on the street, is also punishable by a fine of up to 500,000 yen. The killing of an animal without cause or inflicting harm on an animal is punishable by imprisonment.

A notable example is the Netherlands. Since the 19th century, the country had a significant population of dogs. However, the widespread presence of dogs led to an outbreak of rabies, which resulted in numerous deaths among the population. Fearing the disease, many owners began abandoning their pets, and since this act was legal, the streets became filled with stray dogs of all kinds. The Dutch decided to change the situation. To address the issue, the government mandated sterilization and castration as compulsory procedures. These operations were provided free of charge, with the state covering all expenses. As a result, 70% of the dogs were sterilized. Any dog could also be brought in for a medical examination to determine which vaccines and procedures were necessary. To better control the situation and permanently resolve the problem, the government enacted a series of laws aimed at protecting the health and well-being of animals. The new legislation encouraged owners to provide timely treatment for their pets and strictly prohibited any form of animal cruelty. Violating these rules could result in a prison sentence of up to 3 years and a fine exceeding \$16,000 [14].

When deciding to adopt a dog, people often choose purebred animals, believing them to be more beautiful and healthier. To counter this, the Dutch government increased taxes on the purchase of dogs from pet stores. This measure prompted potential owners to consider alternative ways of acquiring a pet and increased the chances of shelter animals finding a home. Simultaneously, the government launched an awareness campaign to educate the public on the importance of caring for and protecting animals just as they do humans. Local residents were given the opportunity to care for stray puppies. This initiative proved effective, with over 1 million stray dogs finding families and safe homes. The campaign had a substantial influence on the citizens, resulting in 90% of the population adopting a dog as a pet.

To solidify this success, in 2011, the government assigned this responsibility to Animal Cops—a group of police officers tasked with ensuring the protection and safety of dogs. Today, puppies in the Netherlands not only live in homes but also welcomed in most shops, restaurants, and other establishments across the country.

## **Contemporary Realities of Implementing the Republic of Kazakhstan's Law on Responsible Treatment of Animals**

With the enactment of the Law on Responsible Animal Care, Kazakhstan embarked on a challenging path toward comprehensive regulation of human-animal relationships. However, the implementation of these legal norms has highlighted fundamental and deeper issues within society.

In 2023, over a dozen procurement lots for the care, sterilization, and vaccination of stray animals posted on the government procurement portal. Separate tenders conducted for each district, resulting in a lack of a unified contractor and dispersed animal control efforts across the republic.

For example, the area designated for animal control in Taldykorgan resembles a construction site: vehicles and construction equipment parked near the cages, and a dump is located a short distance away. No vehicles for capturing and transporting animals were present on the premises, with staff claiming they are located elsewhere. Recently installed cages are quite spacious, with animals housed individually, but they exposed to the elements.

Sanitary standards are not observed. Instead of bowls, plastic canisters are used, and instead of proper feed, waste from local cafes and canteens is provided. Staff members believe that street animals, unaccustomed to dry food, are better off being fed «regular food». A dog was euthanized with an injection of xylazine, a veterinary anesthetic, with no scales available in the veterinary office to measure dosage accurately, which is determined by eye. There are no stretchers for transporting animals to the operating room; instead, a construction sack is used [15].

In 2023, changes were made to the standard regulations for animal trapping, temporary housing, and euthanasia [16], including the release of non-aggressive animals back to their original habitats. However, in Astana, where these rules were enacted, they are not being followed. Animals are not released as stipulated by the rules, and no proper conditions for their care are provided. The shelter houses ten times more dogs than permitted, with insufficient food and care. The temporary isolation facility was planned to be moved to another building this spring, but enclosures have yet to be purchased. Based on the capital's shelter, the Law on Responsible Animal Care has not yet led to significant changes in practice. Concerns remain regarding the public's attitude towards stray animals, with a considerable number of Kazakhs still advocating for the culling of dogs, who often end up on the streets due to the irresponsibility of their former owners.

### **Conclusion**

Regarding the legislation of Kazakhstan that regulates responsible animal care, it must be acknowledged that it is not without flaws, as pointed out by animal rights advocates across the country [12]. The law, which came into effect on March 1, 2021, represents only the initial step toward comprehensive regulation in this legal area, and it is evident that additional legal acts will follow. Therefore, it is crucial to consider the feedback from experts and draw upon international experience when drafting these future regulations.

Despite the progressive and significant nature of the adopted Law, attention should be given to the following problematic issues:

**Consistent Legal Definition:** There is a need for a unified legal approach to the definition of “animal”. In faunal legislation, animals are defined exclusively as wild creatures living in natural freedom, while other regulations establish different definitions at the level of subordinate acts.

It is worth noting that animals are the only object of civil relations that passes from a state of inspiration to a state of inanimate without loss of product properties. Based on the above, we believe that the objects of civil rights should be divided into animate and inanimate things. Therefore, the definition of an animal should be as follows:

An animal is a movable, indivisible, inspired being, in civil circulation possessing the property of a commodity, characterized by a developed nervous system, capable of experiencing a feeling of pain, as well as the ability to move from the state of an inspired thing to an inanimate one as a result of external factors.

**Establishment of Humane Treatment Norms:** The law should include provisions that enshrine humane approaches to the treatment of animals, specifically by revising the principles to regard animals as sentient beings capable of experiencing emotions and suffering.

**Reevaluation of the “Collect-Neuter-Vaccinate-Return” System:** The current system requires reassessment, as it allows for the possibility of illegal euthanasia of animals, including the potential use of meat from captured non-food animals.

**Strengthening State Control and Legal Accountability:** There is a need to tighten state control and oversight, as well as to enhance legal accountability for the illegal use and exploitation of animals for entertainment purposes (e.g., dog fighting) and for profit (e.g., breeding of pedigree cats and dogs).

### **Acknowledgements**

The scientific article was prepared within the framework of the project AP19679495 “Problems of regulation of the legal regime of animals: domestic and foreign experience” funded by the Committee of Science of the Ministry of Science and Higher Education of the Republic of Kazakhstan.

### **The contribution of the authors.**

**A.S. Ibrayev** – Writing the text of the manuscript; Critical revision of the manuscript text (including the stages before or after the publication of the manuscript); Editing the text of the manuscript; The design of the manuscript;

**A.A. Mukasheva** – Substantiation of the research concept (formulation of the idea, research goals and objectives); Development of research methodology;

**N.O. Ybyray** – Analysis and synthesis of literature data; Collection of literature data;

### **References:**

1. Animal protection index. Available at: <https://api.worldanimalprotection.org/> (accessed: 11.11.2024)
2. F. De Waal, Are We Smart Enough to know how smart Animals are? New York 2016



3. Consolidated version of the Treaty on the European Union Available at: [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF) (accessed:11.10.2024)
4. Directive 2010/63/EU of the European Parliament and of the Council on the protection of animals used for scientific purposes. Available at: <https://www.fao.org/faolex/results/details/en/c/LEX-FAOC098296/> (accessed: 11.10.2024)
5. World Animal Protection, Animal Protection Index. Available at: <https://api.worldanimalprotection.org/#> (accessed at 12.10.2024)
6. India National and State Cow Protection Laws. Available at: [https://www.hrw.org/sites/default/files/report\\_pdf/india0219\\_appendix\\_1.pdf](https://www.hrw.org/sites/default/files/report_pdf/india0219_appendix_1.pdf) (accessed: 12.10.2024)
7. Animal Welfare Act 2006. Available at: <https://www.legislation.gov.uk/ukpga/2006/45/contents> (accessed at 20.10.2024)
8. The Prevention of Cruelty to Animals Act, 1960. Available at: [https://www.indiacode.nic.in/handle/123456789/1547?sam\\_handle=123456789/1362#:~:text=India%20Code%3A%20Prevention%20of%20Cruelty%20to%20Animals%20Act%2C%201960&text=Long%20Title%3A,prevention%20of%20cruelty%20to%20animals.](https://www.indiacode.nic.in/handle/123456789/1547?sam_handle=123456789/1362#:~:text=India%20Code%3A%20Prevention%20of%20Cruelty%20to%20Animals%20Act%2C%201960&text=Long%20Title%3A,prevention%20of%20cruelty%20to%20animals.) (accessed: 05.11.2024)
9. Animal sacrifice in Hinduism. Available at: [https://en.wikipedia.org/wiki/Animal\\_sacrifice\\_in\\_Hinduism#:~:text=The%20practice%20of%20Hindu%20animal,scriptures%20such%20as%20the%20Yajurveda.](https://en.wikipedia.org/wiki/Animal_sacrifice_in_Hinduism#:~:text=The%20practice%20of%20Hindu%20animal,scriptures%20such%20as%20the%20Yajurveda.) (accessed: 03.11.2024)
10. Кровавая резня в Непале. Тысячи буйволов погибли в честь богини. Available at: <https://www.bbc.com/russian/features-50642771> (accessed: 11.11.2024)
11. China Implements Rule Change in First Step Towards Ending Animal Testing of Cosmetics. Available at: <https://www.hsi.org/news-media/china-implements-rule-change-063014/> (accessed: 05.11.2024)
12. «Наши замечания не учитывались в стенах Мажилиса»: зоозащитники подвергли критике новый законопроект. Available at: <http://nv.kz/2021/12/10/265898/> (accessed: 11.11.2024)
13. Act on Welfare and Management of Animals Act No. 105 of October 1, 1973. Available at: <https://www.japaneselawtranslation.go.jp/en/laws/view/3798/en> (accessed: 10.11.2024)
14. How did the Netherlands manage to become the first country with no stray dogs? // <https://everydogmatters.eu/how-did-the-netherlands-manage-to-become-the-first-country-with-no-stray-dogs/> (accessed: 30.10.2024)
15. Карательная ветеринария: как проходит стерилизация бездомных животных в Казахстане. Available at: <https://informburo.kz/fotoreportazh/karatelnaya-veterinariya-kak-proxodit-sterilizaciya-bezdomnyx-zivotnyx-v-kazaxstane> (accessed: 30.10.2024)
16. Об утверждении типовых правил отлова, временного содержания и умерщвления животных. Available at: <https://adilet.zan.kz/rus/docs/V2200028125> (accessed:10.11.2024)

**А.С.Ибраев<sup>1</sup>, А.А.Мукашева<sup>2</sup>, Н.Ө.Ыбырай<sup>3</sup>**

<sup>1</sup>Астана халықаралық университеті

<sup>2,3</sup>Л.Н. Гумилев атындағы Еуразия ұлттық университеті

(e-mail: <sup>1</sup>[alisher-ibraev@mail.ru](mailto:alisher-ibraev@mail.ru), <sup>2</sup>[anarabai@mail.ru](mailto:anarabai@mail.ru), <sup>3</sup>[ybyray.nursultan@mail.ru](mailto:ybyray.nursultan@mail.ru))

### **Жануарлар құқығын қорғаудағы халықаралық тәжірибе**

**Аннотация:** осы мақаланың авторлары шет елдердің жануарлар құқығын қорғауға қатысты озық тәжірибелеріне талдау жасады. Бұл зерттеудің мақсаты-жануарлармен өзара әрекеттесуді реттеуді, жауапкершілікпен қарауды, жануарлардың құқықтарын қорғаудың заңнамалық шараларын және жануарлардың құқықтық қатынастар шеңберіндегі орналасуын зерттеу.

Осы мақсатқа жету үшін авторлар бір мақалада Еуропа мен Азияның жекелеген дамыған елдерінің заңнамасын, сондай-ақ Еуропалық Одақтың жалпы нормативтік-құқықтық базасын зерттеді. Жануарларды қорғау индексіне сәйкес, Еуропа елдерінде жануарлар құқығын қорғаудың ең жақсы шаралары кездеседі.

Қазақстан Республикасында фауналық заңнама бірінші кезекте жабайы жануарларды қауіп-қатерден қорғауға, олардың экожүйенің ажырамас бөлігі ретінде тұтастығын қамтамасыз етуге және биоәртүрлілікті сақтауға бағытталған. Өкінішке орай, жануарлардың барлық түрлерінің құқықтарын қорғау ерте сатысында және елдегі қазіргі қолайсыз жағдайды жақсартуға бағытталған жеке кешенді зерттеулерді қажет етеді.

**Түйінді сөздер:** Еуропалық Одақ, шетелдік тәжірибе, заңнама, жануарлар, жауапкершілікпен қарау.

**А.С.Ибраев<sup>1</sup>, А.А.Мукашева<sup>2</sup>, Н.Ө.Ыбырай<sup>3</sup>**

<sup>1</sup>Международный университет Астана

<sup>2,3</sup>Евразийский национальный университет имени Л.Н. Гумилева

(e-mail: <sup>1</sup>[alisher-ibraev@mail.ru](mailto:alisher-ibraev@mail.ru), <sup>2</sup>[anarabai@mail.ru](mailto:anarabai@mail.ru), <sup>3</sup>[ybyray.nursultan@mail.ru](mailto:ybyray.nursultan@mail.ru))

### **Международный опыт в области защиты прав животных**

**Аннотация:** Авторы данной статьи провели анализ передовой практики зарубежных стран, касающейся защиты прав животных. Целью данного исследования является изучение регулирования взаимодействия с животными, ответственного обращения, законодательных мер по защите прав животных и позиционирования животных в рамках правовых отношений.

Для достижения этой цели авторы изучили законодательство отдельных развитых стран Европы и Азии, а также общую нормативную базу Европейского союза в рамках одной статьи. Согласно Индексу защиты животных, наилучшие меры по защите прав животных были приняты в Европейских странах.

В Республике Казахстан фаунистическое законодательство в первую очередь направлено на защиту диких животных от угроз, обеспечение их целостности как неотъемлемой части экосистемы и сохранение биоразнообразия. К сожалению, защита прав всех видов животных

находится на ранней стадии и требует отдельных комплексных исследований, направленных на улучшение текущей неблагоприятной ситуации в стране.

**Ключевые слова:** Европейский союз, зарубежный опыт, законодательство, животные, ответственное обращение.

### **References:**

1. Animal protection index. Available at: <https://api.worldanimalprotection.org/> (accessed at 11.11.2024)
2. F. De Waal, Are We Smart Enough to know how smart Animals are?, New York 2016
3. Consolidated version of the Treaty on the European Union Available at: [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF) (accessed: 11.11.2024)
4. Directive 2010/63/EU of the European Parliament and of the Council on the protection of animals used for scientific purposes. Available at: <https://www.fao.org/faolex/results/details/en/c/LEX-FAOC098296/> (accessed: 11.11.2024)
5. World Animal Protection, Animal Protection Index. Available at: <https://api.worldanimalprotection.org/#>(accessed:12.10.2024)
6. India National and State Cow Protection Laws. Available at: [https://www.hrw.org/sites/default/files/report\\_pdf/india0219\\_appendix\\_1.pdf](https://www.hrw.org/sites/default/files/report_pdf/india0219_appendix_1.pdf) (accessed: 12.10.2024)
7. Animal Welfare Act 2006. Available at: <https://www.legislation.gov.uk/ukpga/2006/45/contents> (accessed at 20.10.2024)
8. The Prevention of Cruelty to Animals Act, 1960. Available at: [https://www.indiacode.nic.in/handle/123456789/1547?sam\\_handle=123456789/1362#:~:text=India%20Code%3A%20Prevention%20of%20Cruelty%20to%20Animals%20Act%2C%201960&text=Long%20Title%3A,prevention%20of%20cruelty%20to%20animals.](https://www.indiacode.nic.in/handle/123456789/1547?sam_handle=123456789/1362#:~:text=India%20Code%3A%20Prevention%20of%20Cruelty%20to%20Animals%20Act%2C%201960&text=Long%20Title%3A,prevention%20of%20cruelty%20to%20animals.) (accessed: 05.11.2024)
9. Animal sacrifice in Hinduism. Available at: [https://en.wikipedia.org/wiki/Animal\\_sacrifice\\_in\\_Hinduism#:~:text=The%20practice%20of%20Hindu%20animal,scriptures%20such%20as%20the%20Yajurveda.](https://en.wikipedia.org/wiki/Animal_sacrifice_in_Hinduism#:~:text=The%20practice%20of%20Hindu%20animal,scriptures%20such%20as%20the%20Yajurveda.) (accessed: 03.11.2024)
10. Krovavaja reznja v Nepale. Tysjachi bujvolov pogibnut v chest' bogini. Available at: <https://www.bbc.com/russian/features-50642771>(accessed:11.11.2024)
11. China Implements Rule Change in First Step Towards Ending Animal Testing of Cosmetics. Available at: <https://www.hsi.org/news-media/china-implements-rule-change-063014/> (accessed: 05.11.2024)
12. «Nashi zamechanija ne uchityvalis' v stenah Mazhilisa»: zoozashhitniki podvergli kritike novyj zakonproekt. Available at: <http://nv.kz/2021/12/10/265898/> (accessed: 11.11.2024)
13. Act on Welfare and Management of Animals Act No. 105 of October 1, 1973. Available at: <https://www.japaneselawtranslation.go.jp/en/laws/view/3798/en> (Accessed:10.11.2024)
14. How did the Netherlands manage to become the first country with no stray dogs? // <https://everydogmatters.eu/how-did-the-netherlands-manage-to-become-the-first-country-with-no-stray-dogs/> (accessed: 30.10.2024)

15. Karatel'naja veterinariya: kak prohodit sterilizaciya bezdomnyh zhitovnyh v Kazahstane. Available at: <https://informburo.kz/fotoreportazh/karatelnaya-veterinariya-kak-proxodit-sterilizaciya-bezdomnyh-zivotnyh-v-kazahstane> (accessed: 30.10.2024)

16. Ob utverzhdenii tipovyh pravil otlova, vremennogo sodержaniya i umershivleniya zhitovnyh. Available at: <https://adilet.zan.kz/rus/docs/V2200028125> (accessed: 10.11.2024)

### **Сведения об авторах:**

**Ибраев А.С.** – доктор философии (PhD), старший преподаватель Высшей школы права Международного университета Астана, проспект Кабанбай батыра, 8, Астана, Казахстан.

**Мукашева А.А.** – доктор юридических наук, профессор кафедры конституционного и гражданского права Евразийского национального университета им. Л.Н. Гумилева, ул. Сатбаева 2, 010000, Астана, Казахстан.

**Ыбырай Н.О.** – докторант кафедры конституционного и гражданского права Евразийского национального университета им. Л.Н. Гумилева, ул. Сатбаева 2, 010000, Астана, Казахстан.

**Ibrayev A.** – doctor of Philosophy (PhD), Senior Lecturer, Higher School of Law, International University of Astana, Kabanbay batyr str. 8, Astana, Kazakhstan.

**Mukasheva A.** – Doctor of Law, Professor, Department of Constitutional and Civil Law, L.N. Gumilyov Eurasian National University, Satbaev st. 2, 010000, Astana, Kazakhstan.

**Ybyray N.** – doctoral Student, Department of Constitutional and Civil Law, L.N. Gumilyov Eurasian National University, Satbaev st. 2, 010000, Astana, Kazakhstan.

**Ибраев А.С.** – философия докторы (PhD), Астана халықаралық университетінің Жоғары құқық мектебінің аға оқытушысы, Қабанбай батыр көшесі 8, Астана, Қазақстан.

**Мукашева А.А.** – заң ғылымдарының докторы, Еуразия ұлттық университетінің конституциялық және азаматтық құқық кафедрасының профессоры. Л.Н. Гумилева, Сәтбаев 2 көшесі, 010000, Астана, Қазақстан.

**Ыбырай Н.О.** – Л.Н. Гумилева атындағы Еуразия ұлттық университетінің конституциялық және азаматтық құқық кафедрасының докторанты, Сәтбаев 2 көшесі, 010000, Астана, Қазақстан.



Copyright: © 2025 by the authors. Submitted for possible open access publication under the terms and conditions of the Creative Commons Attribution (CC BY NC) license (<https://creativecommons.org/licenses/by-nc/4.0/>).