



# BARKING FOR JUSTICE: LEGAL FRAMEWORKS FOR WELFARE AND PROTECTION OF STREET DOGS



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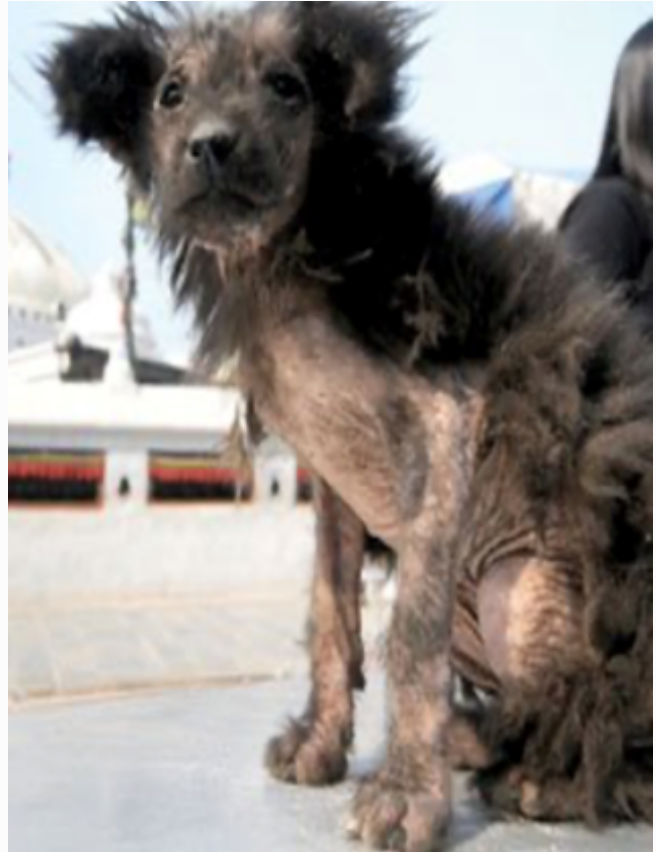
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## Abstract

Street animals, particularly street dogs, are a significant concern in Nepal. Despite some existing legal provisions, the protection and welfare of these animals remain inadequate. This research examines the legal framework governing animal welfare in Nepal, highlights gaps and challenges, and compares Nepalese laws with international standards. Based on findings, recommendations for strengthening legal frameworks and policy interventions are proposed.





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# CHAPTER 1

## BACKGROUND

Nepal is home to thousands of animals especially dogs, facing issues like abandonment, malnutrition, disease, and abuse. The street dogs of Nepal undergo all kinds of negligence, abuse, lack of medical care, and inhumane population control, such as poisoning and beating. Although the laws to protect them do exist, implementation is very weak, and the animals continue to suffer with very little protection.

This research study will, therefore, examine the legal framework in Nepal relating to street dog welfare, point out lacunae in enforcement, and identify the role of governmental and nongovernmental organizations. In this background, the study will provide policy recommendations for strengthening legal protection, improving the mechanisms for enforcement, and ensuring humane treatment for street dogs in Nepal by reviewing the existing laws and directives.

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## Chapter 2

# INTRODUCTION

Street dogs are an integral part of Nepal's urban and rural landscapes but often face neglect, abuse, and inadequate medical care. While the Muluki Civil Code, 2074 and Muluki Criminal Code, 2074 include general animal protection provisions, there is no specific law addressing street dogs.

This research examines Nepal's legal framework on street dog welfare, identifying enforcement gaps and comparing existing laws with international standards. It aims to provide policy recommendations to strengthen legal protections and improve enforcement mechanisms for the welfare and management of street dogs in Nepal.



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## 2.1 Research Problem

- What are the existing laws and provisions for the welfare and protection of street dogs in Nepal?
- What are the gaps in the implementation and enforcement of these laws?
- How are NGOs working to ensure the welfare and protection of street dogs?
- What best practices could Nepal adopt from other countries to improve the welfare and protection of street dogs?

## 2.2 Research Objective

- To analyze the existing laws and regulations in Nepal for the protection and welfare of street dogs.
- To identify gaps in the implementation and enforcement of the legal framework designed for the protection and welfare of street dogs.
- To examine the contributions of NGOs, municipalities, and public participation in promoting and supporting the welfare of street dogs.
- To compare Nepal's legal framework for street dogs with that of other countries, such as India, to identify strengths, weaknesses, and potential areas for improvement.

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## 2.3 Significance of the study

This study contributes to legal research on animal welfare and provides insights for policymakers, activists, and legal practitioners in improving animal protection laws.

## 2.4 Scope and Limitations

The study focuses on Nepal's legal framework, comparing it with international standards, and analyzing enforcement challenges.

## 2.5 Methodology

### Primary Data Collection

1. Conducting interviews with legal experts, NGOs representatives, Animal Right activists, Veterinaries to understand the effectiveness and actual implication of the current laws .

2 .Field Visit : Visiting selected areas like Kathmandu , Lalitpur , Dhulikhel and Chitwan to observe the condition of the street animal gather data about welfare and challenges .

3. Conducting survey at least with 20 to 30 people

### Secondary Data Collection

1.Reviewing Nepalese laws

2 .Analyzing legal frameworks and practices in other countries, particularly in India, to identify models that can be adapted in Nepal for the welfare of street animals .

3 .Reviewing research articles, books, related to animal welfare and legal frameworks to provide a theoretical foundation for the study.

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# Legal Framework for street dogs Welfare

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## 3.1 Definition

### Animal Welfare

"Animal welfare refers to an animal's quality of life and how well an animal is coping with their environment. [1]

According to the World Organization for Animal Health (WOAH):

"Animal welfare refers to the physical and mental state of an animal in relation to the conditions in which it lives and dies. Good animal welfare requires that animals are free from pain, distress, and suffering and can express natural behaviors." (Terrestrial Animal Health Code, Chapter 7.1, WOAH). [2]

### Street Dogs

The World Health Organization (WHO) defines stray dogs as free-roaming dogs that rely on human settlements for food but do not have a specific owner.

[1] Similarly, the World Organization for Animal Health (WOAH) describes stray dogs as animals that live in public spaces, either born as strays or abandoned by previous owners.

Street dogs can be classified into:

There is no Animal welfare Act in Nepal which would provide a proper definition for animal welfare. Instead, Nepal has Animal Welfare Directive, 2016 which provides certain protections to animals. Animal Welfare Directive, 2016 explains "Animal Welfare" as actions mentioned under provision clause 4 relating to mental and physical welfare. [1]

The clause 4 of Animal Welfare Directive mentions Provisions related to animal welfare:

- a. Freedom from hunger, thirst and malnutrition,
- b. Freedom from fear and distress,
- c. Freedom from physical and thermal discomfort,
- d. Freedom from pain, injury and disease, and
- e. Freedom to express normal patterns of behavior.

1. Stray Dogs – Those without an owner or permanent shelter.
2. Community Dogs – Those cared for collectively by a local community but without individual ownership.
3. Feral Dogs – Dogs that have minimal human contact and have adapted to a wild-like existence.

### References:

- 1 [Save Nepal Org](#)
2. [WOAH.org](#)
3. [Animal Welfare Directive, 2073 \(2016\)](#).

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## Nepalese Perspective

There is no specific definition of street dogs or stray animals under Nepalese law, making their protection and management quite ambiguous. According to the Animal Welfare Directive, 2016, municipal authorities are tasked with treating the stray animals humanely by way of vaccination, sterilization, and sheltering.

The Local Government Operation Act, 2017, assigns local governments the responsibility to manage stray animals, yet it does not provide a legal definition for street dogs. In practice, organizations like SAVE Nepal and Animal Nepal recognize “community dogs” as street dogs that are cared for by local residents but lack individual ownership.

## 3.2 The Importance of Protecting Street Dogs in Nepal

Street dogs play an important role in the ecosystem and the daily lives of many communities in Nepal. They help control the population of rodents and other small animals, which can be a health hazard in urban and rural areas.

The dogs also contribute to the social ecology in that they act as watch dogs in neighborhoods, very frequently warning the people of some dangerous situation. These dogs are part of the cultural and emotional ecology, too, since many residents feed them. Absence of the appropriate legal framework focusing on their care, street dogs are highly susceptible to being deserted, abused, and exploited. Meeting their needs is important, not only for the animals, but also for the safety of the communities in which they live.

### References:

<https://www.woah.org/en/home/>

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### 3.3 Ethical and Legal Status of Street Dogs

Ethically, animals are recognized as sentient beings in various international frameworks. In Nepal, the Muluki Criminal Code, 2074 criminalizes cruelty against animals but does not explicitly recognize street dogs' legal status, leaving them vulnerable to mistreatment.

### 3.5 International Agreements and Nepal's Commitments

Nepal has endorsed, and is a signatory to a number of international agreements like the Convention on Biological Diversity (CBD) and the World Organization for Animal Health (WOAH) (formerly OIE) Animal Welfare Guidelines[2]. While neither of these agreements directly addresses free-roaming, street dogs, they do commit Nepal to the protection and humane treatment of animals.”

### 3.4 Existing Legal Provisions

- Muluki Criminal Code, 2074: Prohibits cruelty to animals but lacks enforcement mechanisms, leading to widespread neglect of street dog welfare. Amending this Code to include clear penalties for violations, specific protections for street animals, and establishing a dedicated enforcement body could significantly improve animal welfare.
- Muluki Civil Code, 2074: Outlines ownership responsibilities but does not address street dogs, creating a legal gap. Introducing provisions for the care, sterilization, and vaccination of street dogs under this Code would provide a legal foundation for their protection.
- Animal Welfare Directive, 2073: Provides guidelines for other animals but lacks legal provisions for street dogs. Expanding this Directive to include comprehensive welfare standards for street dogs, along with mandatory municipality action plans, is essential for progress.
- Local Government Operations Act, 2074: Grants municipalities the authority to manage street dogs but lacks clear implementation strategies. Updating this Act to mandate municipal responsibilities, allocate budgets for animal welfare programs, and establish partnerships with NGOs could enhance street dog management.

#### References:

5 Convention on Biological Diversity (CBD): CBD Website

6 OIE Animal Welfare Guidelines

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# Chapter 4

## Challenges in Street Dogs Welfare

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### 4.1 Lack of Special Legal Protection with Regards to Street Dogs

Although general legislation concerning animal welfare in Nepal, such as the Animal Welfare Directive, 2016, exists, there are no specific laws relating to the protection of street dogs. This eventually created a legal vacuum that precipitated a non-uniform policy across municipalities; thus, some have adopted humane management approaches while others have continued culling or simply neglected their presence. This is further weakened by a lack of mechanisms for enforcement that can prosecute and punish those who commit animal cruelty. More ambiguities in the legal definition leave it unclear whether street dogs have the same rights and protection as owned animals.

### 4.2 Issues in Population Control

**Sterilization and Vaccination Programs:** These programs remain unregulated and grossly underfunded; thus, unsafe surgical procedures, poor post-operative care, and a lack of coverage are prevalent. Many areas lack the proper veterinary infrastructure to do sufficient sterilization campaigns. That has caused overpopulation and increased disease transmission, including rabies.

**Culling :** Despite worldwide advice against it, some municipalities poison, shoot, or kill the animals by various inhumane methods of euthanasia. Mostly the only option is to unleash such unethical and ineffective practices on the animals in the absence of humane alternatives and pressure from the public to reduce dog populations. This too contributes to ecological imbalances and disrupts natural population control.

### 4.3 Cruelty, Neglect, and Human-Animal Conflict

1. Street dogs are threatened on many counts due to cumulative public hostility, urbanization, and absence of welfare mechanisms.
2. **Physical Abuse & Neglect:** Most street dogs face deliberate cruelty to the extent of beating, burning, acid-attacking, and abandonment.. Lack of legal consequences has emboldened such abuses.
3. **Road Accidents:** Fatal road accidents are common, in which street dogs are also involved due to rapid urbanization and increased vehicular movements without proper shelters or safe zones. **Starvation & Disease:** Most street dogs have to fight hard for getting enough food and water; thus, they suffer from malnutrition and a weak immune system, which increases their susceptibility to diseases and parasites.
4. **Human-Animal Conflict:** Negative public perception leads to human and street dog conflict, especially where incidents of dog bites and outbreaks of rabies have been recorded. Misinformation feeds fear, and then violent actions against street dogs degrade the welfare conditions.

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## 4.4 Role of Government and NGOs

- **Government Initiatives:** The Government of Nepal has signed various international agreements related to animal welfare, but implementation is weak due to insufficient funding, unclear legal mandates, and poor coordination among authorities. The Animal Welfare Act addresses general animal welfare but excludes specific protection for street dogs, highlighting the need for policy reforms and targeted programs.
- **NGO Contributions:** NGOs such as Animal Nepal, Sneha's Care, KAT Centre (funded by KAT UK), Community Dog Welfare Center in Gokarneshwor (run by a New Zealand couple), Street Dog Care in Boudha (run by a German national), Soltis Hope, Magic Marble Foundation, and HART in Pokhara and Ratnanagar (run by HAT UK) contribute through sterilization, vaccination, rescue, and rehabilitation.
- **Challenges and Solutions:** Despite budget limitations and partial government support, strong partnerships between the government, NGOs, international funders, and local communities are essential for humane population control, legal reforms, and public awareness campaigns.



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# Chapter 5

## Analysis

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### 5.1 Findings from field studies

#### # Lack of Comprehensive Legal Framework

Despite Nepal's endorsement of international animal welfare agreements, there is a notable gap in comprehensive domestic laws specifically addressing street dogs. The Animal Welfare Directive, 2016 provides some protections for animals, but it lacks specific provisions for street dogs, leading to inconsistent enforcement across regions.

#### #Humane Population Control Methods

While some municipalities, particularly in urban areas like Kathmandu, have initiated sterilization and vaccination campaigns for street dogs, these efforts are sporadic and not widespread. In many rural regions, street dogs are often managed through lethal methods like poisoning or shooting.

#### #Community Involvement

Many local communities, especially in urban areas, show a high degree of empathy and responsibility towards street dogs. Some have organized feeding programs, and local residents often work together to care for stray dogs. However, this informal approach does not provide sustainable solutions to street dog overpopulation and health issues.

#### #Challenges in Enforcement

The lack of a specific animal welfare law in Nepal, combined with insufficient training for local law enforcement and limited resources for animal welfare programs, leads to weak enforcement of existing protections for street dogs.

#### #Lack of Awareness of Animal Welfare Directive

There is a significant lack of awareness among the public about animal welfare laws in Nepal, including those that may apply to street dogs. The absence of specific laws for street dogs and limited knowledge of the Animal Welfare Directive, 2016 hinder effective protection and humane treatment.

#### #Legal Inaction and Police Response

Despite numerous incidents of street dog abuse, no formal case related to street dogs has been filed in court yet. While some NGOs have attempted to involve law enforcement by reporting cases to the police, the response has been inconsistent. Some cases have been addressed, while in others, the police have encouraged negotiation instead of legal action. In one instance in Patan, animal welfare activists requested that the police detain an offender for at least one day to set an example or serve as a deterrent. However, the overall lack of legal precedents, coupled with police unfamiliarity with animal protection laws, has led to the dismissal or informal resolution of most cases.

One potential solution to address this issue is the implementation of specially trained Animal Control Officers within the police force. These officers would receive legal training on enforcing animal protection laws and gain knowledge about animal behavior, enabling them to act as valuable resources within the community. Establishing such a program could significantly improve legal enforcement and serve as a deterrent to animal abuse, ensuring better protection for street dogs in Nepal.

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## 5.2 Comparative Analysis with International Best Practices

India: The Prevention of Cruelty to Animals Act, 1960 includes street dog protection laws and sterilization policies.

cruelty, such as:

- Section 11: Prohibits cruelty towards animals, which includes actions that harm street dogs, such as poisoning, physical abuse, or neglect.
- Section 38: Empowers the Animal Welfare Board of India (AWBI) to promote animal welfare and formulate guidelines for the treatment of animals, which could include guidelines for the humane management of street dogs.

- European Union: Strict welfare laws mandate humane treatment and non-lethal population control.
- Lessons for Nepal: The need for stronger legal recognition, improved enforcement, and sustainable welfare strategies.

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# Chapter 6

## Recommendations

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### 1. Develop Specific Animal Welfare Legislation for Street Dogs

Recommendation: Nepal should establish a dedicated animal welfare law focused specifically on street dogs, outlining their protection, humane treatment, and population control measures.

Rationale: This will provide clear legal provisions for street dogs and ensure better enforcement of animal welfare standards.

### 2. Increase Public Awareness and Education

Recommendation: Launch awareness campaigns to educate the public about the importance of humane treatment of street dogs, sterilization, and the legal aspects of animal welfare.

Rationale: Increased awareness will lead to more responsible behavior toward street dogs and foster a culture of compassion.

### 3. Expand Sterilization and Vaccination Programs

Recommendation: Expand and sustain sterilization, vaccination, and health checkup programs for street dogs across Nepal.

Rationale: These programs help control the population and prevent the spread of diseases, while also ensuring the health and safety of street dogs.

### 4. Improve Training for Local Law Enforcement

Recommendation: Provide specialized training for local law enforcement officials on animal welfare, humane handling of street dogs, and enforcement of relevant laws.

Rationale: Proper training will ensure effective implementation of animal welfare policies and laws, leading to better protection of street dogs.

### 5. Strengthen Collaboration with NGOs and Communities

Recommendation: Enhance collaboration between the government, NGOs, and local communities to address street dog welfare at the grassroots level.

Rationale: NGOs and community groups are critical to implementing animal welfare initiatives, and stronger partnerships will improve the effectiveness of welfare programs.

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# Chapter 7

## Conclusion

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The legal framework for the protection and welfare of street animals in Nepal remains insufficient in both awareness and enforcement. While Nepal has laws such as the Animal Welfare Directive 2016 and provisions under the Civil and Criminal Codes, their implementation is weak due to a lack of government commitment, public awareness, and proper infrastructure. My research findings indicate that the general public remains largely unaware of animal welfare laws, leading to widespread neglect and mistreatment of street animals.

Additionally, gaps in existing laws, such as unclear responsibilities of local authorities and inadequate penalties for animal cruelty, hinder effective protection. Organizations like SAVE Nepal and other animal welfare groups have played a crucial role in rescuing and rehabilitating street animals, but without strong legal backing and governmental support, their efforts remain limited.

To improve the situation, Nepal needs stronger legislation, better enforcement mechanisms, and public awareness campaigns to change societal attitudes toward street animals. Collaboration between the government, NGOs, and the community is essential for ensuring humane treatment and legal protection for these vulnerable animals. Addressing these challenges will not only improve animal welfare but also contribute to a more compassionate and responsible society.

# FIELD VIST



## References

### Nepalese Laws & Policies

- Government of Nepal. (2016). Animal Welfare Directive, 2016. Ministry of Agriculture and Livestock Development.
- Government of Nepal. (1973). National Parks and Wildlife Conservation Act, 1973. Nepal Law Commission.
- Government of Nepal. (2017). Local Government Operation Act, 2017. Nepal Law Commission.
- Government of Nepal. (2017). Criminal Code Act, 2017. Nepal Law Commission.
- Government of Nepal. (1999). Animal Health and Livestock Services Act, 1999. Nepal Law Commission.

### International Standards & Treaties

- World Organisation for Animal Health. Terrestrial Animal Health Code: Stray Dog Population Control (Chapter 7.7)  
<https://www.oie.int/en/standard-setting/terrestrial-code>
- World Animal Protection. Universal Declaration on Animal Welfare (UDAW).  
<https://www.worldanimalprotection.org/universal-declaration-animal-welfare>

### Reports & Articles

- Humane Society International. Street dog population management in Nepal: A humane and sustainable approach.
- Animal Nepal. The state of animal welfare in Nepal: Challenges and solutions.
- Shrestha, R., & Shrestha, B. (2020). Challenges in stray dog management and legal protection in Kathmandu Valley. Journal of Environment and Public Health, 2020, 1-10. <https://doi.org>
- World Health Organization (WHO). (2018). Rabies control in Nepal: Addressing the street dog population through humane measures.  
<https://www.woah.org/en/home/>

[1] [https://www.indiacode.nic.in/bitstream/123456789/11237/1/the\\_prevention\\_of\\_cruelty\\_to\\_animal\\_act%2C\\_1960.pdf](https://www.indiacode.nic.in/bitstream/123456789/11237/1/the_prevention_of_cruelty_to_animal_act%2C_1960.pdf)

### Convention on Biological Diversity (CBD): CBD Website

[1] OIE Animal Welfare Guidelines : <https://www.woah.org/app/uploads/2021/03/en-normes.pdf>

[1] <https://www.woah.org/en/home/>

<https://save-nepal.org/animals-in-the-law-1> <https://www.woah.org/en/home/> Animal Welfare Directive, 2073 (2016), <https://www.animalnepal.org.np/wp-content/uploads/2019/08/Animal-Welfare-Directive-2073-English.pdf>