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Companion Animals In Japan

How Pet's Welfare Has
Changed Across the
Years

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要旨

この論文は日本における動物福祉の概念、特に犬と猫の取り扱い方を分析することだ。これをするために20世紀半ばからアニマルウェルフェアの観念の進化や施行された法律を通じて日本におけるペットの概念とその変化を分析することが必要だ。

それから時間を通じて、犬猫に関わる法律やアニマルウェルフェアの実態の分析を通して、昔からのペットの管理はどのように変化し、今後どのように変わるのだろうかと理解する目的がある。そうして日本のペット業界や動物福祉団体や政府から実行された政策を検討した。

かつて日本だけではなく、犬と猫は、番犬やネズミの捕食者として人間に飼われ始めた。つまり双方の利益を得るために、人間は犬猫の家畜化を始めた。その時から動物、特にペットは私有財産と見なされていて、飼い主や人間が与える権利や法的保護に完全に依存している。

動物福祉は現在の意味で使われるようになったのは欧米、特に英国から、1965年にいわゆる「ブランベル報告書」からだとされている。結果として、動物福祉は世界中に広げられ、動物をみだりに殺傷したり、苦しめたりしないように、適切に取り扱わなければならないという考えを指すことになった。ただし、日本において、その現代的な概念へと移行し始めたのは20世紀の最後の10年から21世紀の初めの間になってからだった。ただし、日本の動物福祉の概念は『愛護』という概念を中心として、一般的に西洋に比べて遅れているものと考えられている。

動物に関する法律は、天皇がイギリスを訪問した時、英国のメディアや世論は日本における犬猫の取り扱いを批判した。その批判を受けて、1973年に「動物の保護と管理に関する法律」制定された。その後、改正は1999年、2005年、2013年と2019年に行われた。

二章では20世紀からの猫と犬の様々な種類が使用されているペットカフェを論じる。

ペットカフェとは動物との触れ合いを通じてストレスが溜まった人間が「癒し」を得る事ができるカフェである。ペットカフェの業界は2000年代に作ったにもかかわらず、まだ規制が十分にされておらず、動物福祉の基準に適ったとは言えない。

一部のペットカフェはペットショップから動物を取得し、カフェの顧客が気に入った動物を販売することができる。このように企業や個人の顧客に動物を提供するために、日本のペット業界は子犬と子猫を大量に生産し、ペットショップで非常的な価格で販売する。ペット業界では、動物はまるで商品と同じように扱われ、需要に応じて、大量に生産され、成長するとともに減価され、売れ残った時に廃棄される。ブリーダーから繁殖した子犬と子猫が幼過ぎるが故に、遺伝的な問題を抱えてしまう可能性があるため日本の動物福祉団体は不適切な繁殖をさせているブリーダーと戦っている。

日本において狂犬病予防法が制定されて保健所や動物管理センターのような動物シェルターは様々な種類があり、野良犬と野良猫を管理するために建設された。目的は主に動物の殺処分である。現在も狂犬病の症例は発見されていないが、保健所

の施設や活動はあまり変わっていない。一方、動物福祉団体や政府では殺処分される犬猫の数字を減らすために、キャンペーンや活動を考案していた。

ペット業界も動物の取り扱い方を改善するために、動物福祉団体は海外の動物福祉の基準や法規を研究し、立法プロセスに影響を与えていた。実際、日本の動物福祉団体は、アメリカやヨーロッパの団体に比べて、あまり力を持っていないけれど、市民活動を利用して、動物福祉の問題について世論を一般の人に教え込んでいる。最大の団体は、西洋人に設立され、その人の自国との動物福祉を比較して、キャンペーンや基準を提案する。

日本では自然災害は珍しくないので、政府が実施したペットの救援や管理の政策を検討した。20世紀の終わりと21世紀の初めに発生した阪神・淡路大震災と東日本大震災と熊本地震、3つの地震を例として上げ、行政と動物福祉団体が実施した活動を検討した。

Introduction

During my first visit to Kyoto I saw, for the first time in my life, dogs carried around by their owners in strollers. Furthermore, all the dogs I encountered during my walks, were all pure-bred, small and well-kept, their fur was shiny and brushed and the majority of them used to wear fancy dresses or collars. All these elements made me think that Japanese dogs were well treated and loved. However, that was also my first time seeing a Japanese pet store. At first, I was drawn by the cuteness of the puppies playing in the shop window, however, looking inside the shop I saw countless of puppies kept in transparent boxes, too small to let them run or play freely. At that moment I started getting interested in animal welfare in Japan, and I found out the picture was quite different from what I initially thought.

This elaborate intends to analyse the evolution of the conception of companion animals in Japan, through the analysis of the concept of animal welfare and the various legislations that have been implemented since the second half of the 20th century, and are still being devised. It will try to understand how companion animal management has changed and what are the main actors that made it possible.

To do that I analysed the main official documents release by the Ministry of Environment of Japan: the *Law on Protection and Management of Animals*, its related documents and its various amendments throughout the years. Then I examined secondary sources regarding the pet industry and establishment that employs animals which gave an exhaustive pictures of the governmental management of companion animals from the point of view of volunteers belonging to the most active Non-Profit Organizations. In regard of the various associations and campaigns I visited the official websites examining the various pamphlets and newsletters. In the case of disasters I primary examined secondary sources integrating with official records of the government and the various Non-Profit Organizations that took part in the relief activities.

Since the first encounter with wolves, humans have started the domestication process, influencing the physical structure and the attitude that these animals have towards humans. In the beginning dogs and cats were kept purely for utilitarian

reasons, as guard dogs or mice catchers, however, in more recent times, in the specific case of Japan, they had shifted to fashion accessories and family members. What remained unchanged is that companion animals are completely dependent on their owners, as they are seen as a private property, and are bound by the rights that humans bestow upon them.

Animal welfare has been a matter of discussion since ancient times, however, it was only in the 19th century that a more scientific approach to the well-being of animals became established. Originating from Europe, it spread to America and Asia, however, it was only between the last decade of the 20th and the beginning of the 21th century that in Japan the conception of companion animals started their shift towards its modern sense.

Although companion animals are the best protected among the various categories of animals in Japan, the general conception of animal welfare in Japan is that of one falling behind in comparison to the West. The legal history linked to animals in Japan, started in 1973 with the emission of the first *Law on Protection and Management of Animals*. Throughout the years, various amendments have been made to the Law and its various appendices with regard to international welfare standards and a more modern conception of animal welfare. In particular, in 2019, important measures have been added to the Law and their enforcement which are set to be carried out in the following years, and are expected to improve animal treatment in the pet industry.

Nowadays in Japan, other than as companion animals, pets are employed in the entertainment industry. In this dissertation we will examine the specific example of pet cafes where Japanese go to get out of their stressful everyday life and be "healed" by animals. However, in order to supply both these businesses and private customers with companion animals, the Japanese pet industry produces puppies and kittens in great amounts to sell them at astronomical prices at pet stores. In this industry, animals are treated like any other commodity, bred in mass according to the fashion they decrease in price as they grow older and are discarded when they become unsellable. When they arrive at the final customers, these puppies are too young, unsocialised and possibly have genetic issues caused by inappropriate breeding practices.

The unethical practices of the pet industry and the low attention to animal welfare are reflected in the system of governmental shelters. In Japan there exist various types of animal management facilities, initially created to manage cases of rabies, they are now used to supply to the high number of strays taken from the streets and abandoned by their owners.

To correct these issues, animal welfare organizations have been advocating improvement of animal welfare conditions in the pet industry for years. Although they do not possess as much power as in other Countries such as the USA or Europe and cannot directly influence the policymaking, they nonetheless use civic activism to suggest improvements and educate the public in animal welfare matters. Some of the biggest organizations have been founded, and are still run, by foreigners that brought their own cultural baggage and use comparisons with their own native country to bring forward new changes.

In the specific case of Japan, I found it appropriate to examine the management of animals in times of a natural disaster, since they are not so uncommon in Japan. Bringing as examples the Hanshin Earthquake, the nuclear disaster of Fukushima and the Kumamoto Earthquake, I examined the response of the government in regard to pet rescuing activities in these three emergencies. From the moment of the evacuation to the permanence in temporary housing I analysed the efforts of both the government and NPOs in rescuing pets and support their owners.

Chapter one: Animal Welfare

1.1 Introduction

This chapter will concern animal welfare, its origin and the main differences with the Japanese conception of it. In addition it will give an overview of the conception of companion animals in Japan, how it changed compared to the past and how it was reflected in the way pets are treated.

To do that, first we must understand what animal welfare is, how it was created and how it has evolved in time. Animal welfare stems from, and is strictly connected to, the relationship between animals and humans, therefore it is influenced by the cultural values of each country.

Dawkins created a definition of animal welfare, distancing herself from the debate about consciousness that monopolized the discussion regarding whether animals were worthy of consideration or not. In general, what defines animal welfare standards internationally nowadays are the concepts included in the *Five Freedoms*, devised in 1965 in Europe. Then, from Europe animal welfare ideology arrived in Japan at the end of the 19th century and brought a new conception, different from the traditional attitude towards animals. Kondo and Sato examined the main differences between the origins of the European and Japanese conception of animal welfare. While the construction of animal welfare in western societies was influenced by the three main concepts of utilitarianism, animal right ideology and the agent-centred view, in Japan, the main influences were given by Buddhism and Confucianism. A new attitude towards animals was coming into shape and the first law regarding animal welfare in Japan was enforced in 1973. However, after that, Japan did not modify the law until 1999, when pressures from the public in response to a gruesome accident involving animal abuse and murder suddenly raised awareness on animal abuse. From that point onward, the Law was changed on an average of five years, with the latest amendment carried out in 2019. With every amendment the notion of abuse came to be more relevant than before and punishments were made harsher. The main issue is that, like with welfare, the definition of abuse is difficult to give as there are many aspects to consider. Ascione gave an exhaustive definition of abuse,

regarding all categories of animals, while Vermeulen and Odendaal proposed a more specific definition in regards of domestic animals. Abuse has not always been a priority in Japan, but thanks to external influences the conception took roots in Japanese consciousness.¹ This could be backed up by the fact that compared to 20 years ago, the reports of animal abuse have increased, however the number of prosecutions has remained low.

In recent years, as a consequence of a trend all over the world, Japan has seen its numbers of domestic animals rise exponentially, in what, at the end of the 20th century and the beginning of the 21st century, has been called "pet boom". Atherton proposes a good insight on the way Japanese treat their animals and the origins of this attitude that she considers to be ambivalent, switching from excessive affection to complete abuse.

1.2 Animal Welfare

The concept of animal welfare in its modern sense, it is generally recognised to have been created in the second half of the 20th century in Europe, thanks to the notions of the Brambell's Report. However, the debate centred around whether animals were worthy of consideration began as far as the 3rd century B.C, with Aristotle, to reach Descartes and Kant. Even if developed in different time periods, all the theories revolved around the idea of animals not having a consciousness, or a "soul", and therefore being inferior to humans.² This was, according to these philosophers, the justification for animal exploitation by humans. These theories fall under what is usually called the anthropocentric theory, meaning the belief that only humans are entitled of an ethical value, denying other non-human animals a value of their own and therefore assigning them only an instrumental value based on their use to humans.³ As already pointed out, this conception reflects on the subordination of non-

1 In: Ascione, Frank R (2008). *The International Handbook of Animal Abuse and Cruelty: Theory, Research, and Application*. Purdue University Press.

2 Yamasaki Masafumi 山崎将文 (2018). Dōbutsu no kenri to ningen no jinken 動物の権利と人間の人権 (*Animal Rights and Human Rights*). 法政論叢, 54(2), 21-41.

3 Wolf, Peter Joseph; Schaffner, Joan E. (2019). *The Road to TNR: Examining Trap-Neuter-Return Through the Lens of Our Evolving Ethics*. *Frontiers in Veterinary Science*, 5(341).

human entities that become means to human ends, becoming more relevant the more industrialized a society is.⁴

Still nowadays, most of the debate about animal welfare revolves around whether animals possess consciousness or not and modern brain science has given great contributions to try to solve this matter. However, Dawkins claims that there is a fundamental difference between understanding how the brain works, and how it produces consciousness. Scientific studies concerning the brain and its activities are still exploring many possibilities on the matter, thus, she claims that defining animal well-being based on something we do not still fully comprehend would be limiting. On the other hand, a definition of animal welfare not centred around consciousness could be shared and understood by people with very different conceptions about animals. Therefore she proposes two main criteria to define animal welfare: physical health and whether the animal has what it wants. The first criteria is the most obvious and is almost universally accepted as essential to good welfare. There is no doubts that injuries and illnesses are clear signals of a violation of welfare and this recently came to include self-mutilation, for example birds plucking their feathers or mammals scratching or biting themselves were recognized to do so when they are stressed. Dawkins also includes longevity as a sign of physical health as a long lifespan is generally considered proof of good welfare conditions. The second criteria is more difficult to define as animals are unable to openly express their opinion. However, she claims that by simply giving two alternatives and seeing which one the animal chooses, one can infer if the animal considers the environment positive or negative.⁵

1.2.1 The *Five Freedoms*

A more specific framework to analyse animal welfare, was created in the second half of the 20th century, providing a more practical approach to the issue of animal treatment. The so-called *Five Freedoms* are nowadays internationally accepted

4 Kopnina, Helen; Washington, Haydn; Taylor, Bron; Piccolo, John J (2018). *Anthropocentrism: More than Just a Misunderstood Problem*. *Journal of Agricultural and Environmental Ethics*, (31), 109-127. Springer Nature.

5 Dawkins, Marian Stamp (2017). *Animal Welfare With and Without Consciousness*. *Journal of Zoology*, 30(1), 1-10.

standards for ensuring that animals subjected to human's control, thus leaving out of the picture wild animals, are treated with care and respect of their basic needs. They were first designed following the guidelines of the *Report of the Technical Committee to Enquire into the Welfare of Animals Kept Under Intensive Livestock Husbandry Systems*, generally known as the *Brambell Report*, by the name of the Commission chairman: F.W. Rogers Brambell. Redacted in 1965, it was a document submitted to the British Government as an inquiry on how to improve the living conditions of livestock. In their initial concept, they are sometimes called *Brambell's Five Freedoms* and are the freedom for an animal to turn round, groom itself, get up, lie down and stretch its limbs, if kept in an enclosed spaces. The current official framework of the *Five Freedoms* is stated as follows:

1. **Freedom from hunger and thirst.** Animals must be provided with fresh water and food at any time, according to their species, age and health conditions to maintain health and vigour.
2. **Freedom from discomfort.** Animals must be provided with an appropriate environment including shelter and a comfortable resting area. Temperature, noise and light levels must be appropriate for the species and health condition.
3. **Freedom from pain, injury, or disease.** Animals must be appropriately taken care of from a medical point of view. This includes vaccinations, treatments and regular monitoring of medical conditions.
4. **Freedom to express normal behaviour.** Animals need to be able to express their natural behaviour at all times according to their species and individual characteristics. They must be provided with sufficient space, proper facilities, and interaction with others individuals at their discretion. This also implies that they have to be able to move every part of their body freely, which can be challenging when housed in confined spaces.
5. **Freedom from fear and distress.** Mental health must also be considered, as psychological stress can quickly transition into physical illness. This requires

ensuring conditions and treatment appropriate to the species, for example fitting environment characteristics and the respect of the other freedoms.⁶

Even if originally devised to ensure the welfare of livestock, nowadays the *Five Freedoms* are internationally recognised as standard for animal welfare for every animal raised by humans, including pets. It must be specified that these *Five Freedoms* are guidelines for optimal treatment of animals and therefore not legally binding. However, they can be considered to promote animal management regulations in various fields by setting standards that conform to those expressed in the *Five Freedoms* framework.

1.2.2 Animal Welfare in Japan vs Western Countries

As explained above, the modern concept of animal welfare was created in Europe, more specifically in the United Kingdom, towards the end of the second half of the 20th century. After that, it expanded in North America and Asia influencing the pre-existing conception and permeating them.⁷ Kondo and Sato proposed an interesting analysis of the different conception of animal welfare in Western countries and Japan and how, in both cases this conception has been initially influenced by religious aspects to shift towards a more ethical and scientific approach. According to them, in western societies Christianity assured for a long time humans supremacy over every other living being with the belief that God created humans to rule over every other living creature. However, between the 17th and 18th century the relationship between humans and animals started to be reconsidered from a more ethical and scientific perspective. The three main ideologies that contributed to build the current conception of animal welfare have been utilitarianism, the animal rights ideology and the agent-centred view. Utilitarianism is an ethical theory centred around the *Greatest Happiness Principle* whose only desirable aim is freedom from pain. Bentham was the first to claim, deviating from the debate around consciousness, that the only consideration worth of importance was whether a subject could feel pain or

6 McCulloch, Steven P (2013). *A Critique of FAWC's Five Freedoms as a Framework for the Analysis of Animal Welfare*. *Journal of Agricultural and Environmental Ethics*, 26(5), 959–975.

7 Kondo Seiji; Sato Shusuke (1999). *Recent Topics of Animal Welfare*. *Animal Science Journal*, 70(5), 257-267.

not. This theory does not condone aimless violence or abuse directed at any living creatures but allows the killing of animals in order to sustain human life. Opposed to this, the animal rights ideology claims that each living thing has a value in itself and should not be killed or made to feel pain unnecessarily, stating that it is never justified sacrificing an individual to benefit another. The agent-centred view, with its roots in the moral philosophy of Kant, opposes animal cruelty because of its possible continuum to human abuse. With the origin of criminal profiling, studies conducted in the second half of the 20th century, on criminal subjects, demonstrated a connection between cruelty towards animals during childhood and violent behaviour resulting in criminal activities in adulthood.

On the other hand, the construction of an animal welfare conscience in Japan was influenced primarily by Confucianism and Buddhism. As evidence of this Kondo and Sato bring as examples the many animal cults in Shinto shrines and the Buddhist belief that every living being has a soul and a consciousness. In general, they assert that Japanese show a preference for tamed animals and nature, rather than their wild aspect, making them favour the nature they can control. They also assert that Japanese have no background on animal abuse and therefore they give greater consideration to the act of killing rather than abusing an animal, adducing also to their underdeveloped animal behaviour science and psychology compared to the western one. This total aversion to killing stemming from Buddhism, is also at the base of the general refusal of performing euthanasia, in comparison to western cultures. The main issue of creating an international conception of animal welfare is that moral standards differ among countries because they are largely influenced by culture, resulting in a different set of considerations. Therefore they assert that to become truly international the concept of animal welfare must not clash with humanism, which leaves out of the picture the animal rights ideology. In regard to this matter, they also claim that human-animal relationships should not be denied but should be made international and reviewed in terms of animal welfare based on scientific ideology. For this purpose, the more advanced scientific research on animal welfare carried out in western countries should be used as a model for future references.⁸

8 Kondo, Sato, *Recent Topics*.

1.3 Aigo vs Fukushi vs Kanri

First of all, to better understand the world of Japanese animal welfare we should examine the different words used by Japanese to refer to animals and animal management activities.

The first word that should be explained is *fukushi*, the Japanese word for welfare, which has the same connotation as the English word. As already explained, the principle of animal welfare involves all categories of animals, promoting respect for their lives and well-being under a utilitarian point of view. Towards the half of the 20th century, a wave of protection movements came to Japan from Europe, promoting the creation of various animal protection groups. However, as Iseda points out, the Japanese consequently created their own idea of animal welfare centred around the concept of *aigo*.⁹

The second, and probably the most important word in the Japanese context, is *aigo*, a distinctly Japanese concept that cannot be properly translated in English. It could be expressed as "Love and Protection" by the two kanji used to write it, the first is the kanji for "love" (愛, ai) and the second express the concept of "protection" (護, go). What differentiate the concept of *aigo* from all the others is the emotional involvement that it implies, therefore it can be used to refer only to something towards which one feels an attachment to, that is why it is rarely used to refer to farm or laboratory animals, only pets. It is the "official" term of the government in terms of companion animals' welfare, currently used in the *Law on Protection and Management of Animals*¹⁰ and the various pamphlets released by the Ministry of the Environment of Japan (MoE). It should be differentiated from *hogo*, the original term for "protection" used in the name of the Law until 1999, which is written with the kanji meaning "to preserve" (保, ho) and "protection" (護, go). It was replaced with *aigo* to evoke emotional involvement in the Japanese towards animals and create a consciousness

9 Iseda Tetsuji 伊勢田 哲治 (2018). Hito to dōbutsu no arubeki kankei to wa: dōbutsu fukushi no kangaekata wo shinkasaseru 人と動物のあるべき関係とは一動物福祉の考え方を深化させる (*What is the Desirable Relationship Between Humans and Animals: Deepening the Idea of Animal Welfare*). 静岡実験動物研究会会報, 44(1), 2-9.

10 Dōbutsu no aigo oyobi kanri ni kansuru hōritsu 動物の愛護及び管理に関する法律 (*Law on Protection and Management of Animals*). Cabinet of Japan. (Last Amendment 2019).

about treating them fairly and without abuse.¹¹ Although the official translation of the Animal Law in English translates *aigo* with "welfare", given the fundamental difference explained above, in this dissertation it will be translated as "protection".

The last word, *kanri* (管理) in Japanese means "management" and even if it is not a word related to animal welfare, is one of the most employed in official names of facilities and documents when referring to animals. It basically refers to all the measures implemented in order to prevent animals from disrupting human life, property and environment, therefore it is used in the names of Animal Management Center, which is one type of facility to detain dogs and cats captured on the streets or relinquished by owners. In general the two terms of *aigo* and *fukushi* are the most used by pro-animal associations in Japan and are considered to be almost the same, as both aim at improving the conditions of animals. However, *fukushi* is also used to refer to farm and laboratory animal welfare and it lacks that emotional bond between humans and animals, while the concept of *aigo* is based on liking or disliking an animal and therefore it lacks that desire for equality of all animals. Hence, from a certain point of view *fukushi* implies a bigger scope of activity and therefore is considered to represent a higher level of animal welfare. *Aigo* is the official term used in the Animal Law and recently many governmental shelters renamed themselves using *aigo* instead of *kanri* to evoke a more favourable opinion among the public. Opposed to this, and denouncing the hypocrisy of this change, animal welfare organizations prefer to use the term *fukushi* to separate themselves from official management. Being based on emotions, *aigo* is considered somewhat limited in reaching the objective of animal welfare, that, as we will come to understand, can be obtained only by using a rational approach.¹²

Although in this dissertation the matter of animal rights will not be taken into consideration, I will introduce the Japanese word for "animal rights": *kenri*. The

11 Nakanishi, Yumiko (2016). *The Principle of Animal Welfare in the EU and Its Influence in Japan and the World. Contemporary Issues in Environmental Law: The EU and Japan*, 5, 87–113. Springer, Japan.

12 Ahonen, Pilvi (2012). *Animal Lovers, Bridge-Builders and Supervising Watchdogs: Framing and Civil Society Construction by Japanese Pro-Animal Organizations in the Kansai and Tokyo Areas* [Pro gradu Thesis]. Turku: University of Turku.

debate about "animal rights" is still ongoing everywhere in the world and because it has so many ethical implications for both animals and humans it can be presumed that the debate will go on for some time. The issue of animal rights will not be examined in this thesis because of its several ethical and moral implications, but it is necessary to explain why it differs from animal welfare. The concept of animal rights aims at equality between humans and animals to create a society where humans do not interfere with animals' lives. In simpler words, by granting to animals the same rights as humans, the former are recognised as equal and they should be treated as such. This involves the total abolition of any practice that exploits animals for human convenience: experimentation on animals, using animals in the food industry and any other form of animal use in human society. Basically, the animal rights movement aims for a total change of animals and human relations. The animal right movement can be said to be a natural extension of the human right movement, to recognise a certain degree of rights also to animals. The basis of human rights is the "human dignity" that implies that no humans should be treated as an object, with these premises it would be difficult to apply this concept to Japanese society, since the idea of animal ownership is very strong in Japan.¹³ The word *kenri* is not used in any official document in Japan, in fact even animal welfare organizations are careful about using it in their names because in Japan it is usually associated with radical activism or terrorism.

1.4 Law on Protection and Management of Animals

The first law regarding animals was drafted after the visit of Emperor Hirohito to England in the early 1970. At the time, the British media strongly criticized Japan for not having a law regarding animal welfare, and consequently denouncing the lack of welfare standards for animals. In response to this, Japan drafted the *Law on Protection and Management of Animals (Dōbutsu no hogo oyobi kanri ni kansuru hōritsu)* in 1973, and enacted it the next year. However, Ascione claims that it was drafted only to appease critics from other countries since the law had only thirteen articles and animal abuse was punished with only the payment of a fine.¹⁴ This first

¹³ Yamasaki, *Animal Rights*.

¹⁴ Ascione, *The International Handbook*, 280.

draft of the law recognised animals only as a private property of their owners and until the first decade of the 21st century, killing a pet was not considered punishable as an act of cruelty directed toward an animal, but because it was an act of damage to someone's private property. The value of an animal was expressed only in relation to its owner and the act of damaging someone's property was punished more harshly than violence towards an animal.¹⁵

In 1999, under the pressure of the recent case of Kobe, when a high-school student with history of animal murder, brutally killed an 11 year old boy, it was decided to amend the Law for the first time and the name was changed to *Law on Protection and Management of Animals (Dōbutsu no aigo oyobi kanri ni kansuru hōritsu)*. The decision to change *hogo* with *aigo* was done in order to evoke a subjective vision of protection and create in the Japanese a consciousness about treating animals with fairness and without abuse. With the revision of 1999, penalties for animal cruelty were raised and the definition of companion animals changed from “dogs and cats” to “home animals” to include also those kept at schools and in shelters.¹⁶ Articles were increased to thirty one, pets were recognised a separate status as "animals" and the punishment for abandonment and abuse were raised.¹⁷ The new name of the Law is usually translated in English as *Law on Welfare and Management of Animals*, however, as explained before, the official term employed in the name is *aigo* that has a slightly different meaning than welfare, therefore in this thesis will be translated as "protection". The other reason because the word welfare should not be used to refer to the Animal Law, is because the Japanese law mainly focuses on companion animals, and, in general, the word welfare is used to refer also to livestock and laboratory animals. The revision of the law concerned also Article 2, on fundamental principles, adding that "animals are living beings" and they shall be handled "according to their nature, considering the symbiosis/coexistence of animals and humans".¹⁸ In comparison with European regulations on animal welfare there are two

15 Holca, Irina; Săpunaru Tămaş, Carmen et al. (2020). *Forms of the Body in Contemporary Japanese Society, Literature, and Culture*. Rowman & Littlefield.

16 Atherton, Cassandra; Moore, Glenn (2016). *Speaking to Animals: Japan and the Welfare of Companion Animals*. *Electronic Journal of Contemporary Japanese Studies*, 16(1).

17 Ascione, *The International Handbook*.

18 *Law on Protection and Management of Animals*, 2019.

concepts worth considering, the first is that the idea of symbiosis between humans and animals is unique to Japan, the second is that in the Japanese law animals are recognised only as "living beings", while in the regulations regarding animal welfare of the European Union, it is recognised that animals are "sentient beings" since 1997.¹⁹

The Law was further amended in 2005 with the addition of stricter regulation and standards for animal handling business, like the introduction of a registration system for animal handlers and the rise of penalties for animal abuse.²⁰

The third amendment was carried out in 2012, adding, for the first time, provisions for animal relief guidelines during a disaster. For the first time, article 44-1, 44-2 and 44-3 presented some examples of what could be considered a finable offence toward an animal. These include of course injuring, killing and abandoning, but also debilitation through lack of feeding and watering, over-exploitation of the animal, restraint in an unsanitary place, neglecting injuries or illnesses by not giving medical attention.²¹ It also introduced the provision for the draft of a *Health and Safety Plan for Dogs and Cats*²² for animal handlers to comply with.

The most recent amendment was carried out in 2019, due to the growing pressure from animal welfare associations and the general public to create stricter regulations for the pet industry. The clause against storing animals in places too cramped was added, and the fines for animal abuse were raised from two to five million yen. The most important clause introduced with this amendment was the one about the "8 weeks rule" prohibiting the selling of puppies and kittens under the 8 weeks of age.²³

19 *Consolidated Version Of The Treaty On The Functioning Of The European Union*. European Union, 2012. Article 13

20 Heisei 17 ni okonawareta hōkaisei no naiyō 平成 17 に行われた法改正の内容 (*Contents of the Law Revision Made in 2005*). Ministry of the Environment of Japan. URL https://www.env.go.jp/nature/dobutsu/aigo/1_law/revise.html

21 Heisei 24 ni okonawareta hōkaisei no naiyō 平成 24 に行われた法改正の内容 (*Contents of the Law Revision Made in 2012*). Ministry of the Environment of Japan. URL https://www.env.go.jp/nature/dobutsu/aigo/1_law/revise_h24.html

22 Inuneko nado kenkō anzen keikaku 犬猫等健康安全計画 (*Health and Safety Plan for Dogs and Cats* (Pamphlet)). Ministry of the Environment of Japan.

This rule will come into effect in 2021 and it was introduced after studying laws on animal welfare of European Countries.

The *Law on Protection and Management of Animals* safeguard mainly animals that are kept and managed by humans, meaning that it is focused on companion animals, the related industry and handling businesses. Aside from the main Law, there are many other documents pertaining to animal welfare management, such as laws enforcement, guidelines and standards for people involved in business that include animals.²⁴ According to a 2019 survey conducted by the Pet Food Association, the rate of people who claim to have an appropriate knowledge of the content of the Law is less than 50%. In general the most known rules are the one about "breeding for life", meaning the commitment of keeping an animal for the whole duration of his life, and the one forbidding animal abuse and animal killing.²⁵

Although the conception of animal welfare was firstly created In Europe, the EU (European Union) is still lacking a law that regulates the standards for the welfare of companion animals, every country is responsible for formulating their own legislation. The two official documents are the *European Convention for the Protection of Pet Animals*,²⁶ redacted in Strasbourg in 1987 and the *Universal Declaration of Animal Rights*²⁷ redacted by UNESCO in 1978. The document redacted by UNESCO had a strong zoo-centric stance, typical of the animals rights ideology, presenting the animals as subjects of the articles, while the *European Convention* and the Japanese Law, put a human agent as responsible for the action towards the animals. Neither one of the two documents is a law, however, the *European Convention* was the base for the various national laws promulgated by each Member State. In the case of Italy,

23 Reiwa gannen ni okonawareta hōkaisei no naiyō 令和元年に行われた法改正の内容 (*Contents of the Law Revision Made in the First Year of Reiwa*). Ministry of the Environment of Japan. URL https://www.env.go.jp/nature/dobutsu/aigo/1_law/revise_r01.html

24 Ōkura Kōji 大倉 弘二 (2014). Kaisei dōbutsu aigo kanrihō ni tsuite 改正動物愛護管理法について (*Regarding the Revision of the Law on Protection and Management of Animals*). 日本補助犬科学研究, 8(1), 12-16.

25 Zenkoku Inuneko Shiiku Jittai Chōsa Kekka 全国犬猫飼育実態調査結果 (*National Survey About Dogs and Cats Breeding Situation*). Pet Food Association. 2019

26 *European Convention for the Protection of Pet Animals*. Council of Europe. 13 November 1987.

27 *Universal declaration of animal rights*. UNESCO. 15 October 1978.

for example the *Convention* was signed in 1987, but it was ratified only in 2010, with the introduction of *Law 201, of November 4th, 2010*.²⁸

1.5 Companion Animals in Japan

1.5.1 Pet Boom

According to Kajiwara the "pet boom" in Japan started around the last two decades of the 20th century, when the number of registered dogs rose from 3.8 to 5.8 million.²⁹ Different sources attribute the spark of a sudden increase in pet purchasing to various factors. Atherton identifies the reason behind this sudden popularity of companion animals in the revolution of the infrastructures following the economic boom. Tatami and wooden floors, typical of traditional Japanese houses, were replaced by concrete flooring in modern apartments, more resistant to scratching.³⁰ This, and the spreading of paved areas in the cities, changed the concept of the outdoors as a "dirty" place, allowing animals that were usually kept outside, inside the premises of the house.³¹ The other reason brought forward by Atherton, and others, is the declining birth rate, stemming from the renewed role of women and the new economic environment. Many single women tend to fill the void left by a partner or a child with a pet, while young couples prefer companion animals to children, at least for the first time.³² On the other hand, Hansen, pinpoints the reason for wanting to keep a domestic animal, in the desire for touch, both physical and affective in a "post familial" society. This new conception of Japanese society, centred around human-non-human contact was created as a consequence of the shift from the traditional patriarchal and extended family to an urban and nuclear one. According to him the post-bubble period with its stalled economy and declining birthrate further

28 Legge 4 Novembre 2010, n.201 (Law 201, of November 4th, 2010).

29 Kajiwara Hazuki (2020). *Surviving with Companion Animals in Japan. Life after a Tsunami and Nuclear Disaster*. Palgrave Macmillan.

30 Atherton, *Speaking to Animals*.

31 Kajiwara, *Surviving*.

32 Atherton, *Speaking to Animals*.

exacerbated the feeling of loneliness and uncertainty that brought about the pet boom.³³

In the beginning, like in every culture, household animals in Japan were kept mainly for practical reasons: dogs were used for hunting and to protect households, therefore they were called *banken*, written with the kanji of "watch" and "dog", and rarely entered the house, likewise, cats were used to hunt mice in rice fields and houses. This human-animal relationship began to change in the second half of the 20th century, with the rapid economic growth the reasons to keep a domestic animal shifted from being purely practical to having them for their economic value.³⁴ Atherton recognises a paradox in the way modern Japanese treat their animals, swinging from cases of outright cruelty and abandonment to pets treated as they were children, a common phenomenon in more recent years. However, she claims that this tendency to treat pets as they were humans is not positive and has contributed to creating situations of animal mistreatment to the limit of animal abuse. She brings forward the example of dogs and cats carried inside strollers, a common sight in developed urban areas, carried around as they were children, not permitted to walk or run freely. Also the tendency of many pets owners that refuses euthanasia, even when necessary, to prevent the animal from suffering, to spend more time with their animals. Although, at first sight, these situations could be considered as expressions of love and attention toward the animal, she claims it to be inappropriate as it causes harm to the pet rather than being a superior level of animal welfare. She traces back this paradox to the Japanese way to anthropomorphise non-human animals, calling it the "anthropomorphic paradox". This phenomenon has its roots in Japanese folklore, rich with myths about animals transforming into humans acquiring the ability to speak and interact with them. As Japan entered the 20th century, people came to live in an urban industrial setting, disconnecting from nature in their daily lives but maintaining this aspect of anthropomorphism, which is still present in Japanese society, expressing itself for example in anime and manga. In her work she expresses the idea that Japan would have the opportunity to be one of the most advanced countries

33 Hansen, Paul (2013). *Urban Japan's "Fuzzy" New Families: Affect and Embodiment in Dog-Human Relationships*. *Asian Anthropology*, 12(2), 83–103.

34 Kajiwara, *Surviving*.

when it comes to animal welfare, not only for their idea of anthropomorphising animals, but also because of the appreciation for subtle gestures and silences typical of Japanese culture. Virtually, this could make Japanese people better prone to understand non-verbal communication between animals and humans. This also brings forth the idea that spoken language does not give humans a monopoly on intelligence and emotions bringing a powerful argument in favour of animal welfare. Japanese are said to see themselves not in an elevated position compared to animals, but rather in a "lateral connection", placing them on the same level as humans. This is one of the main differences with the conception of animals in Western culture, which has been influenced by Christianity. The Christian church traditionally made a sharp distinction between humans and animals, arguing that God created animals for the use of humans who stand above all other creatures, whereas in Buddhism humans shall not hurt other living beings. While the understanding and development of close relationships with animals should lead to greater animal welfare, the author argues that the Japanese often extend this to treating their companion animals as human babies, enforcing their will on and further subjugating the animal to them.³⁵

Nowadays, as a consequence of the declining birthrate, the number of households keeping pets exceed those with children under 18 years of age and the total number of pets in Japan is above that of young children.³⁶ As already said, the declining number of children has been considered as one of the main factors of the rising number of pets in Japanese households in the first decade of the 21st century. Furthermore, the search for a "child substitute" influenced the type of companion pet, bringing Japanese to prefer dogs to cats, given their affectionate temperament and their obedience. It also brought a shift in the type of favourite dog as small and cute breeds like chihuahuas and toy poodles replaced the traditional and proud Akita. This shift has his roots also in the Japanese phenomenon known as *kawaii* culture, meaning the favouring of cute features in objects and living beings. The problem is that *kawaii* is mainly associated with puppies, the younger the better, meaning that

35 Atherton, *Speaking to Animals*.

36 Kajiwara, *Surviving*.

they are sold before they are sufficiently developed physically and emotionally, arriving at their new homes frightened and unsocialised. This can lead to the abandonment of the animal when it reaches maturity and has lost its cute appearance and has probably developed behavioural issues that displeases the owner. Furthermore, although it is not a phenomenon limited to Japan, animals are treated like fashion objects and cute accessories, coming and going with the season or after the release of a movie. This is linked to the phenomenon of “impulse buying”, meaning that animals are bought on a whim without any consideration to the consequence that comes with buying a living creature. Because of all the reasons stated above, Atherton believes that blurring the lines between animals and humans, results in the incapacity to treat animals as such, depriving them of the ability to behave accordingly to their natural instincts.³⁷

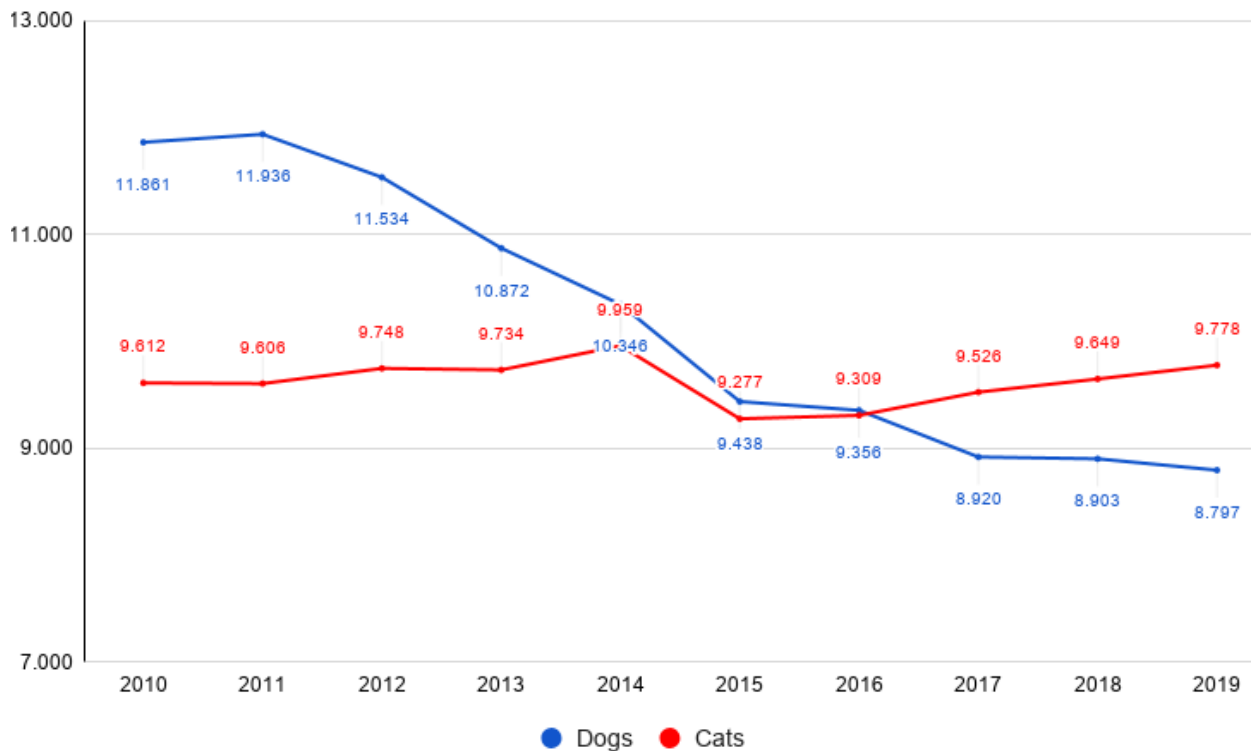
Even if sometimes affection is brought to the extreme it can be said that, in general, Japanese regard their pet as a member of the family, although it seems difficult for Japanese to sympathise with animals that are not part of their immediate family. Collectively, through their government agencies, they show a strange lack of compassion for strays and abandoned animals. Strays are usually collected by local animal management centres to take them away from the cities' streets so as not to cause disturbance to the citizens. Adoption from these facilities is a relatively new concept and rare, given the custom of buying puppies at pet shops, and even when an animal is adopted, usually it is a puppy. Atherton claims that this is also a practical decision, a rescued or older dog requires time and patience to get accustomed to the new life and sometimes they come with their own set of problems deriving from previous experiences or old age, while a puppy can be shaped in the way the owner wants to.³⁸

37 Atherton, *Speaking to Animals*.

38 Atherton, *Speaking to Animals*.

1.5.2 Dogs and Cats in Japan

Figure 1. Figures of Dogs and Cats Kept in Japan



Source: Zenkoku Inuneko Shiiku Jittai Chōsa Kekka, 全国犬猫飼育実態調査 結果 (National Survey About Dogs and Cats Breeding Situation). Pet Food Association. 2010-2019

According to the data of the Pet Food Association, the estimated number of pets in Japan in 2019 was 8.797 thousand dogs and 9.778 thousand cats. As it can be seen from Figure 1 the number of cats has slightly increased in the past years, surpassing for the first time the number of dogs in 2017. The rate of families that keep a dog as a pet is around 13%, while those who have a cat is 10% with an average of one dog and two cats for every household. According to the same survey, between 2014 and 2019 monthly expenses for keeping a pet grew considerably, from 7.000¥ to 11.500¥ for dogs, and increased of nearly 2.000¥ for cats. Many consider this increase in expenses to be one of the reasons for animal abandonment in Japan and for the decrease in the numbers of pets kept. As a matter of fact, when asked if they would keep a pet in the future, only 20% of the current owners answered yes, although the rate lowered for dogs but remained almost unchanged for cats, confirming the shift in pet preference toward keeping a cat. In any event the main reasons given by the

owner for not wanting to keep an animal are that it is difficult to plan trips or holidays, the apartment does not allow animals and that keeping a pet is expensive. The average lifespan of both cats and dogs is now around 14 years for both dogs and cats, although it is slightly higher for cats, and it depends on the size for dogs. It has increased, mainly thanks to improvement of the quality of pet food and of living conditions. In contrast to the past, 80% of companion animals are kept indoors, with around 50% of dogs taken out for walks, while only 12% of cats are left out of the house. This low rate of dogs and cats kept outside is closely linked to the low rate of microchipping in Japan. A 2019 survey found that only 29% of dog owners attach a microchip to their animals, while for cats the numbers are not even mentioned since it is not mandatory and it is not common, not only in Japan. The most common method used by dog owners as proof of the ownership of the animal, is attaching a tag with the name of the owner and the anti rabies injection certificate on the collar. On the other hand, regarding cats, almost 50% of owners do not attach any tag or other identification method.

In regard to the breed, the majority of dogs are pure-bred, at 88%, while for cats it is more common to keep a mixed breed, pure-bred cats are only 19% but there has been an increase in the past years. This difference is attributable to the fact that more than 50% of dogs are bought at pet stores, which only sell pure-bred puppies of different breeds, while mutts are usually the result of reproduction of stray dogs. On the other hand, cats are, for the major part, picked up as strays, therefore they are usually the result of mixed breeding. The most popular dog breeds are toy poodles, Chihuawas and the native shiba inu, while big sized breeds are more rare. As already pointed out, small breeds are more popular, which is attributable to the small size of Japanese apartments, and the fact that smaller dogs are generally thought to be easier to manage. Mixed breeds are not sold in pet stores and are believed to be marginalized by Japanese. However, Ascione found that there is an ambivalent attitude toward mixed breed dogs, with many people showing very negative feelings about them but, on the other hand, many are found to own dogs that are mixed breed. He believes this tendency to be characteristic of Japanese, they dislike the idea of mixed breed and purposely creating them, but would keep a dog if it was the

unexpected result of mixed breeding.³⁹ Adoption from animal centres or Non-Profit Organizations' shelters is less than 15% for both dogs and cats, although is a little higher for cats. In any case, there is a clear preference in adopting from a private association shelter rather than one operated by the local government, and in the following chapters we will come to understand why.

1.5.3 Pet Market

Figure 2. Japanese Pet Market Value

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Value (in trillion ¥)	1,42	1,43	1,45	1,47	1,5	1,52	1,54	1,57	1,6	1,63

Source: *Market value of pet related businesses in Japan from fiscal year 2012 to 2019 with forecasts until 2021. Statista. 2020.* URL <https://www.statista.com/statistics/739184/japan-pet-market-retail-value/>

The Japanese pet industry value has been slowly, but steadily growing with time, and it is expected to be even higher in 2021. The most profitable sector is pet food, followed by toys and commodities. Furthermore, the Japanese pet industry has grown considerably to offer a variety of services, from pet hotels to retirement houses for pets whose owners are unable to keep them any longer.

The Japanese pet industry also includes all those businesses that produce and sell animals, such as breeders, auction sellers and pet shops. All these are gathered under the First Type Animal Handling Business category, that includes all those businesses that use animals to make profits.

39 Ascione, *The International Handbook*.

Figure 3. Figures of animal handling businesses

	First type animal handling business	Breeders
2010	38.460	-
2011	39.897	-
2012	39.702	-
2013	39.568	-
2014	39.874	11.983
2015	40.92	12.392
2016	42.367	12.603
2017	42.942	12.448
2018	43.749	12.235
2019	44.828	12.730

Source: Dōbutsu toriatsukai gyōsha tōroku todokede jōkyō 動物取扱業者登録・届出状況 (*Animal Handlers Registration/Notification Status*). Ministry of the Environment of Japan. 2019.

As could be seen from Figure 3, in the past years the number of registered businesses dealing in animals have increased to reflect the growing numbers of animals kept by families. First Type Animal Handling Businesses are all those licensed to sell pets, starting from breeders to auctions to arrive at pet stores. The exhibition business includes all those activities in which animals are exhibited to the public, like zoos, or where the public is allowed to enter in contact with the animals, such as pet cafes.

1.5.4 Animal Abuse

Like with animal welfare, the definition of abuse is also influenced by social constructs and education, therefore, giving a comprehensive definition of abuse that could be relevant for all categories of animals that enter in contact with humans is difficult. Many have tried to give exhaustive definitions of what animal abuse is, however, as the concept is in continuous evolution according to the times and public opinion, only a few can be considered relevant and complete.

Ascione defines animal abuse as a socially unacceptable behaviour that intentionally causes unnecessary suffering or distress to, and/or death of an animal. By this definition, all those behaviours that cause harm to animals but are accepted as normal by society, such as killing livestock and using animals in laboratories, are not considered an abuse.⁴⁰ However, the component of being socially accepted, makes this definition not apt to become internationally accepted, as every society has a different conception of animals and their handling. The definition that better defines abuse in regards to companion animals is the one created by Vermeulen and Odendaal. They define abuse as the "intentional, malicious or irresponsible, as well as unintentional or ignorant, infliction of physiological and/or psychological pain, suffering, deprivation and the death of a companion animal by humans."⁴¹ This definition encompasses all types of animal abuse, from intentional to unintentional, nowadays defined as neglect, and considers also the psychological pain as well as the physical one.

As already pointed out animal abuse has never been a major issue in Japan, however, it was brought to the attention of the general public with the "Kobe incident" in 1997, when a student with history of animal abuse killed a younger child. This incident deeply shocked the public opinion and when it was made public that the perpetrator had a history of abusing and murdering animals, Japanese started seeing the correlation between animal abuse and violence towards other people. Despite the fact that it was born purely from anthropocentric ideas, a new conscience toward animal abuse was formed and animal welfare activists started asking for a revision of the Animal Law and the introduction of stricter punishments for animal cruelty and murder.

In general, the recognised form of abuse are intentional acts of cruelty and neglect, which is unintentional. While abuse is deliberate and done with full knowledge of one's action and the perpetrator gains some enjoyment from the act while neglect implies indifference for the suffering of the animal and its condition, although a certain

40 Ascione, *The International Handbook*.

41 In Ascione, *The International Handbook*.

will should be recognised in the failure to act.⁴² Although neglect is one of the most common forms of abuse, it is also the least evident, in comparison to physical abuse. As already pointed out, abuse was not widely recognised as an important ethical issue in Japan, like for example in Europe, and animal welfare associations claim that neither officials nor citizens were able to recognise abuse and denounce it. In an effort to resolve this, the Ministry of the Environment released a document in 2010 containing a summary of what should be considered animal abuse, to provide Prefecture animal protection departments with guidelines to enforce the Law.

Figure 4. Examples of Animal Abuse

Intentional Abuse	Neglect
What must not be done	Not doing something you should do
<ul style="list-style-type: none"> • Hit • Kick • Pour Boiling Water • Actions that could cause external injuries to the animal, such as animal fights • Psychological oppression or fear • Overwork 	<ul style="list-style-type: none"> • Leave without veterinary assistance • Ignore a disease • Not taking care of the animal

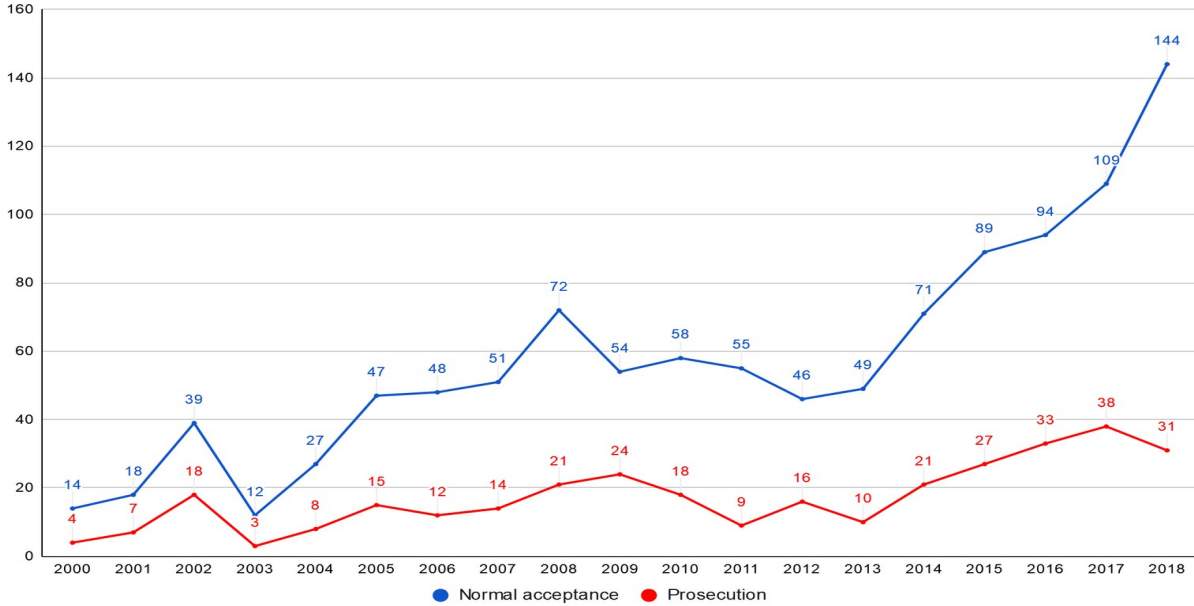
Source: Shiiku kaizen shidō ga hitsuyōna rei (gyakutai ni gaitō suru kanōsei, aruiwa hōchi sureba gyakutai ni gaitō suru kanōsei ga aru to kangae rareru rei) ni tsuite 飼育改善指導が必要な例（虐待に該当する可能性、あるいは放置すれば虐待に該当する可能性があると考えられる例）について (Examples of Cases of Keeping an Animal That Requires Improvement Guidance (Cases that May Fall Under Abuse, or Cases that May Fall Under Abuse if Left Untreated)). Ministry of the Environment of Japan. 2010.

In the same document, the Ministry includes some examples of situations that should be considered abuse, both for animal handlers and owners. The general standards are insufficient or spoiled food and water, dog with visible unkempt appearance (matted fur or long nails) or injured, the environment where the dog is kept is soiled, the animal is kept in a constricted environment (leash too short, cages too small) or the general setting of the environment is not appropriate for the animal (temperature, noise).

42 Ascione, *The International Handbook*.

In 2018, the Ministry of the Environment of Japan released the *Animal Cruelty Case investigation Report*,⁴³ which is a collection of cases of animal abuse released by the press, with the relative punishment. The document is the last of a series of four similar surveys that collect examples of reported cases of animal abuse both in Japan and abroad to provide references for local authorities and tribunals in dealing with similar cases.

Figure 5. Acceptance and Prosecution Rate of Suspected Animal Abuse Cases



Source: Dōbutsu no hogo oyobi kanri ni kansuru hōritsu oyobi dōbutsu no aigo oyobi kanri ni kansuru hōritsu (Heisei 12nen 12gatsu shikō) ihan jin'in 動物の保護及び管理に関する法律及び動物の愛護及び管理に関する法律 (平成 12 年 12 月施行) 違反人員 (*Number of Persons in Violation of the Law on Protection and Management of Animals (2010 Enforcement)*). Ministry of the Environment of Japan. 2019

In the span of twenty years the number of individuals reported for violation of the Law and animal abuse have increased exponentially, although the number of those prosecuted remains very low. This could mean that, as Ascione declared, even if regulations are made stricter with every amendment, taking action when witnessing animal abuse remains uncommon in Japan, both by officials and private citizens. He brings forward the example of veterinarians, which are usually the first that can detect animal abuse and take legal action by informing the competent authorities. In

43 Dōbutsu no gyakutai jirei nado chōsa hōkokusho 動物の虐待事例等調査報告書 (*Investigation Report of Animal Cruelty Cases*). Ministry of the Environment of Japan. 2018

2006, the rate of veterinarians that reported cases of animal abuse to authorities or an animal protection agency, was only 10%. He tries to justify this low rate of abuse report with the cultural norm in Japan to not get involved with the personal matters of another family, although he acknowledges that this is changing. To implement the network between veterinarians and authorities, he suggested creating a cross-reporting system between veterinarians, local authorities and animal welfare organizations to share information about suspected cases of animal abuse.⁴⁴ In 2019, article 41-2 concerning the report of veterinarians of any case of suspected abuse was modified. The previous article used the form 通報するよう努めなければならない (tsūhōsuru yōtsutomenakerebanaranai) which can be translated as "must try to report" to 通報しなければならない (tsūhōshinakerebanaranai) "must report".⁴⁵ Although this could seem a trivial matter, the form in which laws are written can influence how the public receive them, and how the case is treated in an eventual trial.

On the other hand, it is important to educate the public on what is to consider abuse and how to report it. In 2013, the rate of people who did not know of the existence of the law was 46,8,⁴⁶ in 2019 this rate lowered to 21%.⁴⁷

With the last amendment of the Law, punishment for animal abuse has been further raised from 2 million yen to 5 million yen and from 2 years of imprisonment to 5 years (Art. 44). For the abandonment of a companion animal, at the already present payment of a fine of one million yen, was added imprisonment for a year (Art. 44-3). At the already existing type of abuse, were added, commit violent acts that may cause physical harm to the animals or store the animal in a place where the breeding density is inadequate (Art. 44-2).

44 Ascione, *The International Handbook*.

45 Dōbutsu no aigo oyobi kanri ni kansuru hōritsu nado no ichibu wo kaisei suru hōritsu 動物の愛護及び管理に関する法律等の一部を改正する法律 (*Law to Partially Revise the Law on Protection and Management of Animals*). Ministry of the Environment of Japan. 2019

46 Ascione, *The International Handbook*.

47 Pet Food Association, *National Survey*, 2019.

1.6 Conclusions

Although animal welfare in itself is an intricate concept to define, because of its many cultural and ethical implications, the *Five Freedoms* offer a clear idea of what should be considered animal well-being. They offer general guidelines that apply to all categories of animals kept under humans' control. Although they are not in any way legally binding, they offer clear standards on what animal welfare should be. Although it is clear that European animal welfare was exported all over the world, Japan included, the Japanese did not passively accept the western conception of animal welfare. They created an original concept of welfare for companion animals that revolves around the idea of *aigo*, a proper Japanese concept that involves affection for the animal instead of pure interest for its well being. And this concept of loving a pet rather than caring for its well-being that Atherton was referring to when in her work she speaks about Japanese being overly affectionate with their pets.⁴⁸

Although Japan drafted its first law regarding the welfare of companion animals in 1973, as Ascione claims, the law was more a facade to please the western countries rather than a real attempt at establishing animal welfare.⁴⁹ The subsequent reason to revise it was purely anthropocentric, deriving from the agent centred view concept that animal abuse and killing should be prevented to avert violence towards humans. It could be said that Europe influenced Japanese law on animal welfare from the start, since it was thanks to the critiques from Europe that Japan decided to enact the Law in 1973.⁵⁰ However, it must be recognised that the subsequent changes stemmed solely from internal incentives. Although it should be said that there are still some dark spots in how the Law is designed, for example the ambiguous form used in some articles such as the one regarding veterinarians denouncing cases of animal abuse. Before, they were "bound to try to denounce", meaning that it was at their discretion, however, now they must do it. The same can be said for other articles, for example the one about storing animals in places with inappropriate density, since it is

48 Atherton, *Speaking to Animals*.

49 Ascione, *The International Handbook*.

50 Nakanishi, Yumiko (2016). *The Principle of Animal Welfare in the EU and Its Influence in Japan and the World. Contemporary Issues in Environmental Law: The EU and Japan*, 5, 87–113. Springer, Japan.

not specified a standard it could prove difficult to demonstrate that the density is not appropriate. Therefore even though with every amendment regulations are made stricter, according to animal NPOs staff interviewed by Ahonen, there is still a general lack of enforcement of the law by government officials.⁵¹ This reflects badly on the enforcement of the law because it could not be considered an imperative or an order so there is no meaning of legal bounding, and this could be one of the reasons for the low enforcing rate.

In Italy for example, animal abuse and killing is punished by the Penal Law, and crimes against animals fall under a special category, distinct from the ones regarding crimes against humans or things.⁵² In Japan, animal abuse is only punished by the *Law on Protection and Management of Animals*. Animal abuse in Japan has not been considered as important as animal killing for many years, however the conception of it is changing, thanks also to external influences. The rising numbers of individuals reported for animal abuse might be an indicator of a growing awareness of what is animal abuse and what to do to confine it. However, the low rate of prosecution might indicate that Japanese administration still does not have that rate of enforcement of the law compared to other countries.

The "pet boom" was caused by changes in the society, and infrastructure and, in turn, it caused the rising of the modern pet industry. Breeders that produce puppies in large quantities and then pet stores, located in the busiest city centres, create a framework of animal mass production that falls outside of animal welfare standards.

Historically, the management of companion animals was driven largely by an anthropocentric utilitarian ethical framework. However, in the past years, consideration towards animal welfare around the world has increased, leading to a trend of viewing non-human animals as worthy of ethical consideration in their own right. This shift in considering animals as their own entity and not as subordinate to humans, resulted in changing the public opinion and in the stipulation of codes and legislation to protect animals, around the world. Japan in particular, as Atherton claims, has the capability to be a leader in animal welfare, because of its culture and

51 Ahonen, *Animal Lovers*.

52 *Codice Penale Italiano (Italian Penal Code)*. Article 544.

religious background that give regards to both humans and animals in a different perspective than western conception of animals. However, public ignorance regarding animal issues and the low interest demonstrated by the administration in dealing with abuse issues are thought to be holding back these improvements.

Chapter Two: Pet Cafes

2.1 Introduction

This chapter will discuss the issue of Japanese pet cafes, why they are so popular and, by examining the natural behaviour of the employed species, why they should be considered as businesses that do not entirely respect animal welfare. It will examine the regulations and standards animal cafes must comply with and why these are not yet appropriate for the scope of the business.

The first cat cafe opened in Japan in 2004 leading the way for the opening of many pet cafes employing a huge variety of animals. In this chapter only cat, hedgehog and owl cafes will be examined, mostly because they are currently the most popular. The Japanese trend of pet cafes spread also to other Countries, such as Europe and America, however, the attitude of European citizens towards these new businesses was quite different than in Japan.

Plourde searched for an explanation of the popularity of cat cafes in the social unease of post-bubble Japan, with its economic uncertainty and crumbling of traditional values. That same uncertainty can be seen nowadays in the loss of affective relations and the individualization of society. Animal cafes have become part of the larger "*iyashi* industry", which was created around 1995 after the burst of the economic bubble and the two major disasters that struck Japan that year, the Kobe Earthquake and the Sarin attack in Tokyo.⁵³ While Mattes claims that the popularity of pet cafes is a consequence of the *kawaii* culture and, in particular, the ones that employ wild animals have become the latest trend because animals that were previously considered wild and dangerous, are now seen as *kawaii*, gentle and harmless.⁵⁴

Literature about pet cafes is scarce as studies regarding their practices or official surveys have not been conducted, however newspaper articles and animal welfare

53 Plourde, Lorraine (2014). *Cat Cafés, Affective Labor, and the Healing Boom in Japan*. *Japanese Studies*, 34(2), 115–133.

54 Mattes, Seven Marie (2018). *Animals Left behind: Multispecies Vulnerability in Post-3-11 Japan* [PhD Dissertation]. Michigan State University.

organizations' statements, offer a certain degree of insight on these businesses. Although Japanese animal welfare organizations have not been actively involved in opposing these businesses, both local and international organizations have expressed bitter disapproval in regard to the exploitation of animals in the entertainment industry. The main concerns regard the stress that derives from being near a large number of humans, the fact that their natural instincts are culled, and the issue that they are exploited for human entertainment. The fact that there have been some examples of bad management at cat and owl cafes does not mean that every business is a bad one but it should raise awareness to the challenges of the industry. Social media and tourism websites have proved to be useful in identifying bad managed or shady stores.

Hedgehog and Owl Cafes are the latest trend in regard to pet cafes, however, taking into account the fundamental difference between “domestic” and “tamed” animals, explained in the next pages, I deemed it appropriate to differentiate them from cat and dog cafes. Therefore, hedgehog and owl cafes will serve as examples for the “wild animals” cafes category.

2.2 What Are Animal Cafes?

Pet cafes, otherwise known as animal cafes, are coffee shops where the customers can enjoy food and beverages surrounded by, more or less, domesticated animals. The idea of pet cafes originated in Taiwan in 1998 and it expanded to Japan, where in 2004 the first cat cafe opened in Osaka, followed by Tokyo in 2005.⁵⁵ In recent years, cat cafes opened also in the USA and even in Europe. Pet cafes can be usually found in busy shopping districts and in city centres, employing a wide variety of animals varying from cats and dogs to less domesticated animals such as otters and even penguins. According to the classification given by the Ministry of the Environment of Japan, they are First Type Animal Handling Businesses under the "exhibition" category, meaning establishments where people can watch and interact with animals. This type of customer-animal interaction is called *fureai* in Japanese, a word that invokes mutual (and emotional) contact between the two parties and is very

⁵⁵ Plourde, Affective Labor.

popular in Japan, typical of pet cafes and petting zoos. However, according to a research conducted by Wild Welfare and the Japanese Coalition for Animal Welfare (JCAW) regarding Visitor-Animal Interactions (VAIs), animals used for this purpose are subjected to enormous amounts of stress. Wild animals in particular, are often placed for long periods of time in environments unsuitable for their species, unable to move according to their nature, like birds tethered to perches to prevent them from flying which causes frustration. Furthermore, being handled and petted continuously by a large number of humans can result in chronic stress, leading to the animal to show unnatural and repetitive behaviours. They also claim that regulations regarding the over-use of animals in these businesses are lacking and standards for animal welfare are low.⁵⁶

The official regulation pet cafes must comply with are the *Law on Protection and Management of Animals* and the *Standards for Breeding and Storing of Exhibition Animals*. The former was amended in 2019, and consequently, in 2020 was amended the latter. However, the *Standards* have been devised to regulate all the "exhibition" industry, therefore standards specifically designed for pet stores do not exist, moreover, the existing regulations do not differentiate between species. The only specific rule regarding the operating hours are valid only for cat cafes, while for others animal cafes opening hours are at the cafe owner's discretion. Those who sell animals are required to keep a record book containing information on the number of purchased and sold animals and from 2019, every business is required to keep a record for every animal employed in the exhibiting.⁵⁷

Plourde finds the reasons behind the popularity of these cafes to be mainly the impossibility for many Japanese to keep animals in their apartments, and the *iyashi*, "healing" benefit that contact with animals has on humans. Especially in big cities like Tokyo, pet friendly apartments are not that common, therefore people living alone go to pet cafes to have some vicinity with animals that they cannot otherwise keep at home.⁵⁸ According to a Pet Food Association survey, apartment contracts not allowing

56 Wild Welfare. *Visitors Impact Zoo Animals' Welfare in Japan*. Wild Welfare Official Website. URL <https://wildwelfare.org/visitors-impact-zoo-animals-welfare-in-japan/>

57 *Law on Protection and Management of Animals*, 2019. Art.21-5.

58 Plourde, *Affective Labor*.

animals are one of the main reasons for not keeping a pet, especially for young people between 20 and 30 years old.⁵⁹ The second reason is that contact and vicinity with animals is believed to have a healing power, comparable to the effects of pet therapy. *Iyashi*, is a Japanese word that means "healing", and Plourde found that the word is often used by customers to describe their experience in the cafe and also by owners to advertise the shop.⁶⁰ This sense of healing by contact with pets is also thought to be psychologically beneficial in a society, like the Japanese one, that could be extremely stressful. In these cafes people can interact with animals without all the expenses and duties that come with keeping one at home.⁶¹

The other factor attributed to the growing popularity of pet cafes is the *kawaii* culture, Japanese have a soft spot for everything that is cute and animals, in particular, are the embodiment of this concept. This is particularly true with the latest trend of hedgehogs and owls cafes, the *kawaii* culture transformed the previous conception of wild animals as dangerous and non-approachable making them appear cute and harmless.⁶²

2.3 Cat Cafes

Cat cafes can be considered the "original" pet cafes and their popularity resulted in the expansion of these businesses in other countries, even in Europe. According to a survey carried out by the MoE (Ministry of the Environment), in 2015, the number of pet cafes grew from three stores in 2005 to more than 300 in 2015, with the majority of the cafes located in the city of Tokyo, followed by Osaka.⁶³ Of these, the majority are run as adoption places, to care for protected cats and help them find foster families, while a small percentage of them are run by pet stores or breeders.⁶⁴ The cat cafe business peaked in 2009 but it is still a significant retail phenomenon in

59 Pet Food Association, *National Survey*, 2019.

60 Plourde, *Affective Labor*.

61 Ryall, Julian. *Japan 'pet cafe' boom raises concerns about animal welfare*. *Deutsche Well*. (21-05-2019). URL <https://www.dw.com/en/japan-pet-cafe-boom-raises-concerns-about-animal-welfare/a-48818496>

62 Mattes, *Multispecies*.

63 *Neko kafe no jittai chōsa 猫カフェの実態調査 (Survey Regarding Cat Cafes)*. Ministry of the Environment of Japan. 2015

Japan, especially in Tokyo, although, in recent times, new types of cafes employing animals such as hedgehogs and owls have been gaining popularity. Various types of cafes exist in Japan, some specializing in certain breeds or specific ages, employing kittens only, while others, usually those that foster adoption, have a wider mix of breeds. Some businesses employ cats that come exclusively from breeders while others get their animals from pet shops, or kittens born from a litter in the owner's circle of friends. Others are run by, or thanks to, cooperation with pro-animals organizations, giving them a place to stay until they find a family.

Plourde searched for the reasons of the popularity of cat cafes finding it mainly in the issues of Japanese modern society, stemming from the post-bubble period. The stagnant economic growth and increasing social and economic uncertainty of the time raised the need for healing through affective relations. In her opinion, this desire for healing through human-animal interaction suggests an eagerness for an alternative sense of home in a moment when the traditional concept of family has been changing and interpersonal relations have become a marketable commodity. This sense of loneliness and need for affection have brought about the regarding of cat cafés as part of the *iyashi* industry.⁶⁵

At some cafes, animals are considered as part of the "staff", an attitude that Jackson et al. consider stemming from the anthropomorphisation of animals, typical of the Japanese culture. They are distinct from the "human staff" but there is an interdependence of human and animal in the running of the establishment with the "human staff" performing the material labour of interacting with customers and caring for the cats, while "cat staff" perform the affective labour of "healing" customers. When the store closes, it is common for cats to sleep in cages inside the cafe, while some cafes let the cats sleep at the owner's or employee apartment so as to divide the space between the "workplace" and "home" environment.⁶⁶

64 Neko kafe gyōkai no genkyō to neko kafe kyōkai ni yoru torikumi ni tsuite 猫カフェ業界の現況と猫カフェ協会による取組について (*About The Current State Of The Cat Cafe Industry And The Efforts Of The Cat Cafe Association*). Ministry of the Environment of Japan. 2015

65 Plourde, *Affective Labor*.

66 Jackson Merlock, Kathy; Shepherd Stolley, Kathy; Lyon Payne, Lisa (2020). *Animals and Ourselves: Essays on Connections and Blurred Boundaries*. McFarland.

It must be noted that among all types of animal cafes they are the least criticized by animal welfare associations, mainly because cats are domesticated animals, or at least semi-domesticated, therefore used to human presence to a certain degree.⁶⁷ However, some animal welfare organizations oppose even to cat cafes, arguing that cats are overstimulated by the constant attention from customers. As Plourde affirms, the cats' labour is carefully monitored by the manager and the staff and unproductive cats, meaning those that are sleeping or sitting away from customers are often made productive since patrons are paying for direct contact with the animals. She noticed that if a customer asks for a particular cat, the staff would wake him up and bring it to the patron for interaction.⁶⁸ This manner in which cats are used in this retail environment, where they are burdened with performing affective labour for patrons, has been criticized as a form of exploitation by Japan's animal rights movement. They seriously believe that the structure of the management of cat cafes is that of an over-stimulating environment where cats are exploited for human's entertainment. Therefore there is a recognition and awareness that this kind of labour affects the cat's overall physical and mental well-being. In response to these objections, Japan's animal welfare law was amended in 2012 and a new article was added to the *Standards for Exhibition Animals* imposing a ban on the exhibition of dogs and cats after 8p.m. It was done, mainly to regulate the pet store industry, and the exhibition of young puppies and kittens during late hours, as they are kept all day in cages. After a reaction from cafe owners, the law was further revised to allow cat cafes to stay open until 10p.m, with the condition that they must employ only adult cats (older than one year) free to roam the room and that have access to a break room.⁶⁹ According to the MoE survey in 2015, the average business hours of a cat cafe were between eight to ten hours a day.⁷⁰

Aside from exploitation, animal welfare organizations bring forward other issues that could be caused by the cat's normal behaviour. The main concerns addressed by the

67 Driscoll, Carlos A; Macdonald, David W; O'Brien, Stephen J. (2009). *From Wild Animals to Domestic Pets, an Evolutionary View of Domestication. In the Light of Evolution: Volume III: Two Centuries of Darwin*. Washington (DC): National Academies Press.

68 Plourde, Affective Labor.

69 *Standards for Breeding and Storage of Exhibition Animals*, 2004. Article 3-1(1)h

70 *Survey Regarding Cat Cafes, 2015*.

British association *Cat Protection*, among others, are that, in a cafe, a large number of cats is kept in a relatively close environment, with a group of people unknown to them coming and going. They claim that keeping a large population of cats in the same space is not suitable for domestic cats because, unlike strays, they have evolved to live as solitary animals and generally do not choose to live in social groups.⁷¹ According to Bradshaw, aggression episodes are common between cats of the same household, deriving from territorial behaviour and could be exacerbated by concentrating the resources, food and litter, in the same place. However, he claims that adaptability to living in large colonies is possible and it depends on the cat's personality, therefore introduction of new cats is possible but must be done gradually or it could lead to agonistic behaviour among cats.⁷² The other issue concerning the presence of a revolving population of strangers is that the cats could be stressed as a result of being in a confined space with a continually changing group of people.

A big number of cats together in the same place is also related to the possibility of infectious diseases. If not properly vaccinated and treated, cats could easily become subjects to infectious diseases that can spread quickly, helped by the small space they are kept in.⁷³ Some diseases are also transmissible to humans, and are particularly dangerous in establishments where food and beverages are served in the vicinity of animals. A study conducted about the possibility of *Giardia Duodenalis* infections in pet cafes found that 19% of cats were positive and asymptomatic. As many cat cafes permit customers to eat in the premises of the shops it is necessary to instruct customers, and staff, about hygienic norms upon entering and leaving the shop as well periodic testing of the animals and mass de-worming operations.⁷⁴

Although cat cafes are, together with dog cafes, the least criticized type of cafes, there have been, nonetheless, various cases of mismanagement that lead to health

71 Cat Protection Official Website, (18-04-2019). *Cat Cafes*. URL <https://www.cats.org.uk/derbydistrict/news/cat-cafe>

72 Bradshaw, John W.S. (2016). *Sociality in Cats: A Comparative Review*. *Journal of Veterinary Behavior: Clinical Applications and Research*, 11, 113-124.

73 *Cat Cafes*, 2019.

74 Suzuki, J; Murata, R; Kobayashi, S; Sadamasu, K; Kai, A; Takeuchi, T, (2011). *Risk of Human Infection with Giardia Duodenalis from Cats in Japan and Genotyping of the Isolates to Assess the Route of Infection in Cats*. *Parasitology*, 138(4), 493-500.

issues for the cats. In 2016, for the first time a cat cafe was ordered to temporarily close down by the authorities in Tokyo. The authorities found that the store was violating hygiene standards, the cats were not kept in their cages when not with the customers which led to uncontrolled breeding and spreading of diseases. The owners also violated the management plan, which stated the presence of ten cats, while, at the moment of the inspection, more than sixty-two were found on the premises. On the second inspection, after issuing a first warning, authorities found out that improvements were not made and that cats were infected with cold symptoms. The store was given a 30 days suspension, marking the first of such provisions in Japan.⁷⁵ Again, in 2018, one of the most popular chains of cat cafes, came under severe criticism after an outbreak of a feline parvovirus infection in one of their stores. This virus spreads quickly among cats and the chance of recovering once infected is very low and, although humans are immune to it, they can serve as vehicles to spread it to other cats. The main accusation was that the managers kept running the store after two cats were found sick, resulting in a total of five cats dying from the virus. After a discussion with the Tokyo Metropolitan Government's Bureau of Social Welfare and Public Health, the company closed the infected branch for sanctification of the store and temporarily closed all other stores for testing the cats.⁷⁶

On the other hand, an example of virtuous management of a cat cafe is given by the Tokyo Cat Guardian association, a Non-Profit Organization established in Tokyo in 2008 that operates mainly with cats, taking them from governmental facilities and fostering them in the association's shelter. The cats are sterilized at the association's clinic when they arrive at the facility and, when they are deemed ready for transfer, they are put up for adoption and enter the café to interact with customers. The adoption process includes an interview for the owner-to-be, guidance regarding animal insurance and pet-care and the payment of the amount of money necessary

75—Forster, Katie. *Cat café in Tokyo closed down due to 'unhygienic' conditions*. *Independent*. (22-04-2016). URL <https://www.independent.co.uk/news/world/asia/cat-cafe-neko-no-te-tokyo-japan-closed-unhygienic-conditions-a6996106.html>

76 McGeer, Oona. *Cat Cafe Mocha in Tokyo shuts down after cats die from feline parvovirus outbreak*. *Japan Today*. (9-08-2018). URL <https://japantoday.com/category/national/cat-cafe-mocha-in-tokyo-shuts-down-after-cats-die-from-feline-parvovirus-outbreak>

for the adoption. As the organization has a clinic in the premises of the facility, they also offer veterinary care and post-adoption services.⁷⁷

2.4 Wild Animals

The two types of establishment covered next handle two species of wild animals: hedgehogs and owls. To understand why these types of cafes should be considered unethical we must first understand the characteristics of the animals employed in these establishments. First of all we must distinguish between the two terms “domesticated” and “tamed”. Domesticated animals are those that have been selectively bred, throughout an extended period of time, to be genetically tolerant of humans, and this behaviour is proper of the whole species (for example dogs; even cats are somewhat not completely domesticated yet). On the other hand, tamed animals are individual animals of a certain species that have been trained to tolerate human presence, but it is limited to few selected individuals and such behaviour does not pertain to the whole species.⁷⁸ This distinction is important when it comes to animals bred in captivity, they are not “domesticated”, they are “tamed”. This means that the animal would be better suited for vicinity with humans than other individuals of the same species, but will retain their natural behaviour and needs. This is linked to the definition of welfare proposed by Dawkins, based on “the animal well-being” and on “what the animal wants”. An animal kept in captivity may have a secure source of food and be protected from predators, therefore its well-being should be guaranteed, but it also retains its natural instinct that must be satisfied, in order to secure “what it wants”.⁷⁹ If that behaviour is prevented it could cause physiological changes that could be described as “stress” and bring serious disorders. The animals used in hedgehogs and owl cafes are, mostly, bred in captivity, that means they are tamed, therefore accustomed to human presence. However, this does not imply that

shuts-down-after-cats-die-from-feline-parvovirus-outbreak

77 Tokyo Guardian Official Website. URL <https://tokyocatguardian.org/>

78 Daly, Natasha (2019). *Domesticated Animals, Explained: Domestic Animals Such as Dogs, Cats, and Cattle Have Been Genetically Adapted Over Generations to Live Alongside Humans*. National Geographic Website. URL <https://www.nationalgeographic.com/animals/reference/domesticated-animals/>

79 Dawkins, *Consciousness*.

they are used to being handled by many different people or that their natural instincts are respected.

In regards of pet cafes that have become the latest fad, meaning those employing animals labelled as wild, hedgehogs and owls cafes will be taken as representative examples but the general concepts may as well apply to all those cafes hosting wild or exotic animals.

The main difference with the cat and dog cafes is that the animals employed are not domesticated, they are tamed, bred in captivity and kept secured, not able to move around the shop. The latest fad of wanting contact with animals that until not long ago were considered wild and dangerous, is causing damages to the animals since their natural behaviour cannot be ensured, for human safety concerns.

2.5 Hedgehog Cafes

The first hedgehog café opened in Tokyo in 2016 and nowadays they are still one of the most popular animal themed cafes. Studies regarding hedgehog cafes and on how these animals fare in this kind of environment are yet to be completed and the majority of information about these cafes can be found on the internet.

The type of hedgehogs commonly used in pet cafes is the African pygmy hedgehog which, as the name suggests, is native of Central and East Africa. Physically a little different from the European hedgehogs they are smaller with many varieties in the colour of the quills. As hedgehogs have not undergone a process of domestication, they are to be considered tamed animals, and the implications of employing them in this kind of establishment are many. D.J Schubert, a wildlife biologist at the *Animal Welfare Institute*, claims that hedgehogs are not suited for the cafe environment. Aside from the fact that they are nocturnal, the main issue is that they are picked up and passed around by a large number of people. Some hedgehogs might acclimate to being handled but since they are, by instincts, wild animals, they retain all the characteristics of their species. Being treated in such a way by humans builds up a

lot of stress that can influence their lifespan, even if they do not demonstrate any outwards sign of it.⁸⁰

One of the first indicators of stress in hedgehogs is curling up in a ball, which is one of the main behaviours shown by these animals when they are picked up by customers. This is a typical anti predator defence used when the animal feels endangered, therefore it would be safe to assume that the hedgehog must feel stressed and scared. A similar behaviour is walking backwards when picked up, trying to escape.⁸¹ Secondly, hedgehogs are predominantly solitary creatures, and even if they are not a territorial species, they tend to stay away from other specimens so as to avoid direct competition.⁸² In cafes, hedgehogs are kept together in the same box with other four or five hedgehogs, which is not optimal. If they have to be stored together, experts claim that each animal should have at least one hide box each, to make them feel safe. Another main issue is that hedgehogs are naturally nocturnal, their usual daily cycle is to sleep during the day to start their hunting activity at night.⁸³ Therefore, the usual daily business hours of a cafe clashes with the natural behaviour of their species. They surely are not suited to stay in a busy room full of noises and people touching them for many hours a day. Even more so because hedgehogs have many predators, they rest in places covered either by leaves or grass or in holes in the ground; leaving them exposed all day makes them feel vulnerable, building up stress.

One final issue is that some pet cafes also sell the animals that they exhibit. This means that any customer, without any experience or knowledge of hedgehogs could buy one on a whim. Animal rights associations such as *PETA*⁸⁴ (*People for Ethical Treatment of Animals*) and the *RSPCA*⁸⁵ (*Royal Society for the Prevention of Cruelty*

80 Alberts, Elizabeth Claire. *Hedgehog Cafe Isn't As Cute As It Looks*. *The Dodo*. (2-08-2017). [URL https://www.thedodo.com/hedgehog-cafe-toyko-japan-2247493157.html](https://www.thedodo.com/hedgehog-cafe-toyko-japan-2247493157.html)

81 Heatley, Jill J. (2008). *Chapter 16: Hedgehogs*. *Manual of Exotic Pet Practice*. Saunders.

82 Heatley, 2008

83 Heatley, 2008

84 People for Ethical Treatment of Animals (PETA) Official Website. *Here's Why You Should Never Buy a Hedgehog*. URL <https://www.peta.org/features/hedgehog-pet-industry/>

85 Royal Society for the Prevention of Cruelty to Animals (RSPCA) Official Website. *African Pygmy Hedgehogs*. URL <https://www.rspca.org.uk/adviceandwelfare/pets/other/africanpygmyhedgehogs>

to *Animals*) strongly discourage the idea of keeping a hedgehog as a pet. The fact that they are mostly nocturnal and feel the need to hide in secluded spaces makes them mostly unapproachable as they do not search for human companionship like a dog or a cat would. Furthermore, as they are not a common pet, veterinary attention will be more difficult to find and also more expensive.

The most popular hedgehog cafe in Japan is HARRY (a play on the Japanese word for hedgehog: *harinezumi*) with four shops in Tokyo and one in Yokohama. Here hedgehogs are housed together in groups of five or more animals in the same box. The animals are then handed out on a box to the customer who, with a pair of gloves provided by the staff to prevent injuries, scoop them up and feed them small worms or dried food. In the case the hedgehog makes clear he doesn't appreciate being handled is quickly replaced with a more docile one. The shops are open from late morning until early evening, clearly in contrast with the natural sleeping cycle of hedgehogs. In addition to the pet café, they also have an adoption section for those who want to keep a hedgehog as a pet. In their explanation of the hedgehog typical day they clearly state that the hedgehog is active from the evening, which might seem to clash with their daily business hours.⁸⁶

2.6 Owl Cafes

Owl cafes are the second type of cafes dealing with wild animals that are all the rage in Japan. Cafes employing these animals are popular as they exhibit animals that are thought to be unapproachable in the wild and also because the owl is a particularly significant animal in Japanese culture as it is commonly considered to be a symbol of good fortune. According to animal rights groups, this contributes to a large number of customers visiting owls cafe toward the end of the year.⁸⁷ According to the *Animal Cafes Website* the majority of bird-themed cafes are concentrated in the Tokyo area with fifteen shops.⁸⁸

86 Hedgehog Cafe Harry Official Website. URL <https://www.harinezumi-cafe.com/>

87 *Owl Cafes In Japan Draw Ire Of Animal Safety Activists. Reuters. (2-03-2017).* URL <https://globalnews.ca/news/3282953/owl-cafes-in-japan-draw-ire-of-animal-safety-activists/>

88 Animal Cafes Official Website. URL <https://animalcafes.com/birdcafes.html>

Though owl cafe practices vary by the type of owls employed and by the set of rules that customers must comply with, many do not allow touching unilaterally the animals but they ask customers to contact the staff if they want to hold a bird. Others are made in such a way that customers can stroke the birds but not pick them up, others allow patrons to feed the animals. In short, every cafe is managed in a different way. However, they all have some common features, the exhibit tamed animals bred in captivity, either in Japan or abroad, specifically for this industry. In general the birds are fastened to low perches with strings attached to their legs, next to other owls of different species. Therefore, unlike other cafes like cat cafes, the birds are not able to move freely during business hours, and sometimes not even when the shop is closed.

The issues with employing wild animals such as owls are many. First of all, owls are notoriously nocturnal birds of prey which have evolved for flight and precision hunting, they sleep during the day on secluded roost to avoid daylight since they developed pupils which have evolved to collect more light from the surrounding environment to hunt at night.⁸⁹ Therefore, animal rights groups strongly criticize these establishments since, in their opinion, they violate legal welfare requirements by restraining owls with ropes and disrupting natural sleep cycles by keeping them awake during the day.⁹⁰ Chihiro Okada, a member of the Animal Rights Center in Japan, claims that the movements of the animals are constantly restricted and owls belong to the wild, not in a human built environment. She also states that oversight of the industry is scarce, as even when bad situations are reported to the authorities, they carry out an inspection, but as there are no welfare standards, improvements are rarely made. Okada adds that wild animals kept in these cafes are subjected to great amounts of stress, because of the environment filled with people and different noises and from being constantly restricted, and all these factors greatly reduce their lifespan.⁹¹ Okada also claims that disrupting the natural sleep cycles of owls, which

89 Marshall, Joe T.; Gill, F. (2020). *Owl*. *Encyclopædia Britannica*. URL <https://www.britannica.com/animal/owl>

90 Kerr, Millie. *Conservationists Get Their Talons out for Japan's Owl Cafes*. *The Guardian*. (3-01-2017). URL <https://www.theguardian.com/environment/2017/jan/03/conservationists-get-their-talons-out-for-japans-owl-cafes>

91 Ryall, 2019.

are nocturnal, and tying their feet to perches, as many cafes do, constitutes animal abuse. The situation with owls is particularly delicate as they are birds of prey with acute sight and hearing that makes them not suitable to be in a loud and bright environment like a cafe. As a consequence they can develop neurotic and self-destructive behaviour such as pulling at their feathers, pacing, and rocking back and forth, activists say.⁹²

According to the *Standards for Breeding and Storage of Exhibition Animals*, animals such as birds should have the right amount of space for flapping their wings. That is considered the acceptable standard regarding movement of freedom for birds.⁹³ However, the same article also states that the facility should be built in such a way to let animals develop their original habits, which, in the case of birds should mean that they should be able to fly.

In 2017, the *Animal Right Center*, released a testimony sent by a former employee of an owl-cafe that kept around thirty owls of different species for both exhibitions and selling. In his record, the employee speaks of owls kept tethered to the same spot all day, unable to fly, except fluttering their wings, which is acceptable according to the MoE standards. Even though animals in pet cafes should be given time to rest throughout business hours, these owls were kept in the same spot, with a tag in front of them asking customers not to touch them. The animals did not have free access to water and were rarely given any from the staff, during opening hours, as they were busy with customers. This was also made for the practical reason of reducing waste, even in summer or when the owls were clearly showing signs of thirst. The source claimed that during the span of the year, seven owls died after showing some signals of distress. In the beginning the owner prioritized business over bringing the animals to a veterinary facility, until many of them died. They buried the dead owls in the space in the back of the shop simply resupplying the stock of birds, without even investigating the cause of death. Furthermore, the source pointed out that there was a hygiene issue as the shop did not have a partition to separate the place where the food for customers and the one for the animal was handled. Using this the *Animal*

92 Reuters, 2017.

93 *Standards for Breeding and Storage of Exhibition Animals*, 2004. Art.3-1(2)a

Right Center reported the cafe to the local Animal Management Department (Department of Public Health), that carried out an investigation of the premises finding that the manager was not keeping a record book.⁹⁴ According to the *Law on Protection and Management of Animals*, all businesses selling animals have to keep a record of the number of animals handled at the shop, the information about their selling and death.⁹⁵ With the amendment of the Law in 2019, the keeping of the record book for animals was made mandatory also for businesses that handle animals for exhibitions, fostering other than selling.⁹⁶

In recent times, the trend of animal cafes reached even Europe, with cat cafes opening in various countries. There have also been two attempts at bringing the latest trend of owl cafes to the European public. In England, a pop-up exhibition of five days was scheduled to be held for a week in central London, in 2015. The original event was devised to be a bar where customers could interact with owls provided by an association that promotes encounters with animals, while being served cocktails. The owls would be handled by expert falconers that would let the customers interact with the animals under professional supervision and the event would be held at night in accordance with the owl's sleeping schedule. However, the decision of holding this event was heavily criticised, with thousands of people signing a petition to cancel it. Criticism turned to threats and the organizer decided to hold it in a concealed location known only to the possessor of the event tickets under strict surveillance. The main reason for the opposition to this business was the fear that it could be the starting point for a trend of keeping owls as house pets increasing the number of owls bred in captivity to supply the pet trade. The initial owl charity organization that would have benefited from the revenues of the event, withdrew from the enterprise and the new one decided to remain anonymous.⁹⁷

94 Animal Rights Center Official Website. Naibu kokuhatsu-fukurō kafe 内部告発 – フクロウカフェ (*Ex-owl cafe worker speaks out*). (5-02-2017). URL <https://arcj.org/en/issues-en/entertainment-en/ex-owl-cafe-worker-speaks-out/>

95 *Law on Protection and Management of Animals*, 2019. Art. 22-6

96 *Law on Protection and Management of Animals*, 2019. Art. 21-5

97 *Annie the Owl: is London Pop-up Show Ethical?*. BBC News. (10-04-2015). URL <https://www.independent.co.uk/news/uk/home-news/annie-owl-organiser-s-life-made-hell-misconstrued-event-10163564.html>

The trend of owl cafes reached even Italy where in 2018 an establishment inspired by the Japanese cafes, opened. However, the business lasted only six months and although the owners did not give any clear explanation about the reason for the decision, the sources ascribe this result to a lack of customers and protests from environmental associations.⁹⁸ When the news of the inauguration of the bar was made public, social media were filled with critical comments, against the idea of keeping nocturnal and wild animals inside a coffee establishment. Various animal welfare associations claimed that putting birds of prey in close contact with humans could pose a risk for the safety of the customers. The Italian League for Protection of Birds (LIPU) commented the entrepreneurship idea to be against the wild nature of the owls and not to be educative in any way. They condemned the practice of keeping wild animals, even if treated by trained personnel, in an artificial environment and suggested that interested customers visit natural oasis to see these animals in their natural habitats without causing them any discomfort.⁹⁹

2.7 Conclusions

The popularity of pet shops started with the post-bubble economy in the mid-1990 and it is still going strong given the increasing social and economic uncertainty in Japanese society. The role of pet shops as part of the "healing industry" is very strong both in the way that shop owners advertise their business and in the comments of the customers that feel to have been healed by contact with animals. However, if humans benefit from contact with animals the same cannot be said for the latter.

The situation could be different according to the species of animals involved and in regard to the management of animals in each shop. Considering that dogs and cats have undergone a process of domestication by humans in the past centuries, they are used to human contact and being around humans. If managed correctly, meaning by putting the welfare of the cats in first place, they could observe the standards

98 *Owl Café Italy Closes*. *Italics Magazine*. (25-06-2018). URL <https://italicsmag.com/2018/06/25/owl-cafe-italy-closes/>

99 LIPU Official Website. Bar dei gufi? Lipu: "Esponete foto, non animali" (*Owls bar? Lipu: Display photos, not animals*). (15-12-2017). URL <http://www.lipu.it/news-natura/conservazione-fauna/11-conservazione/1139-bar-dei-gufi-lipu-esponete-foto-non-animali>

specified in the *Five Freedoms* to ensure the welfare of their animals. However, many cat cafes, especially those that exhibit pure-bred cats, are supplied by pet stores or breeders ending up supporting the pet breeding industry and therefore exacerbating the issue of producing animals for the sole purpose of human entertainment. The other issue is related to forcing the cats to act as members of the staff, as in many cafes happens, and that is related to the opinion of Atherton that thinking of animals in human terms is deleterious for them.¹⁰⁰ Expecting cats, which are mainly nocturnal and sleep many hours a day, to behave and perform their duties like humans, and entertain the customers all day, could lead to stressful situations for the animals. Even though cat and dog cafes are the only one that have standards in regard to business hours, the current regulations allow cat cafes to be open for fourteen hours a day. Moreover, there is the high risk that these establishments pose for animal and human health alike, since the majority of cafes also serve food and beverages to the customers. However, cat and dog cafes are the least criticized by animal welfare organizations, as long as they respect the general welfare of the cats employed. Furthermore, putting aside those run by pet stores and breeders, pet cafes that host cats rescued from pro-animals organizations and shelters can prove useful in finding new foster families for the cats and, at the same time, educate customers about animal welfare issues.

On the other hand, cafes that employ wild animals, should not be considered ethical even if the animals have a secure source of food and shelter. First of all, animal welfare organizations warn of the danger that the fad of these cafes could spark an interest in keeping wild animals as household pets. In Japan, owls and hedgehogs can be legally kept as companion animals, and these stores present keeping a hedgehog as even easier than keeping a dog or a cat. This is promptly rebutted by many organizations, especially foreign ones that warn that these species need constant and professional attention. As Dawkins proposes, animals in captivity come with a legacy of how to behave in the wild, which may not be appropriate to their health or survival but which is deeply ingrained in them and brings with possibility of serious disorder if the behaviour is prevented. Wild animals kept in environments built by humans, different from those in which their species evolved, could make them

¹⁰⁰ Atherton, *Speaking to Animals*.

experience physiological changes that would be described as "stress". This is linked to the theory expressed by Dawkins that in the case of wild animals the "what the animal" wants factor would not be respected.¹⁰¹ As the abuse in this type of establishment is neglect, rather than physical abuse, deriving from stress and culling of their natural needs, it might be more difficult for both customers and authorities to recognise it and act accordingly.

As already pointed out before, wild animals like hedgehogs and owls, even if bred in captivity, retain all the behaviour proper of their species, and are not used to being handled by many humans or to a loud and bright environment. Furthermore both animals belong to nocturnal species, therefore forcing them to stay awake during the day disrupts their normal cycle, building up stress. Owls, in particular, are constantly tied to their perch, not able to fly or move freely and constantly subjected to human touch or attention. The fact that owls are not permitted to fly, which is the most natural behaviour for them, is clearly a violation of one of the Five Freedom of expressing normal behaviour, that should be enough to consider the way they are treated as abuse. Even more so because the standards devised by the MoE deem sufficient for birds to be able to flap their wings. Furthermore, the cafe environment with its loud noises and bright lights is not suited for nocturnal animals such as owls or hedgehogs. Finally, the presence of many humans touching them and taking pictures can be a source of stress for both animals causing irreversible damages.

Regulations and standards regarding pet cafes are still lacking and the issue has been ignored in the last revision of the Law. Japanese welfare organizations condemn the practice but have not been taking any concrete action to fight this businesses. Public opinion response to the accusations moved to these establishments of being abusive also seems to be lacking in Japan. On the contrary, the actions taken in Europe, by animal welfare organizations and the public alike, in regards to the opening of owls cafes in England and in Italy shows clearly that awareness about these more subtle forms of abuse is higher than in Japan. Although the two examples were about two perfectly legal establishments, interest in the welfare of the animals and concern about this practice to spark a sudden interest in

¹⁰¹ Dawkins, *Consciousness*.

keeping owls as companion animals alone were able to stop this practice from happening. Thus, it can be acknowledged that in western countries there seems to be a higher level of awareness on wild animals' needs and how they should be treated with a better consciousness that they should be left in their natural environment or in the care of professionals. Also, the stance taken by animal welfare organizations seemed to have an impact on the decision to close the bar in Italy, proving what Mattes claims that these organizations have more power in western countries than in Japan.

Laws regarding pet cafes and their employment of animals are still lacking and the general forms, such as "appropriate" or "should strive to", used in the *Standards* leaves open a space for interpretation from the owner of the cafe on one side, and does not give much opportunity to act for governmental authorities when they perform controls. In order for visitor-animal interactions to ensure a high standard of welfare is maintained, there needs to be a set of rules and ethical guidelines that can be enforced.

In conclusion, pet cafes that employ wild animals should not be considered ethical because they do not conform to the general standards of animal welfare. On the other hand, those that employ domesticated animals could be considered acceptable assuming that the animals' well being is put in first place. However, it is important to remember that pet cafes are, first and foremost, businesses, therefore, in one way or another the animals employed in the cafes are exploited by humans to entertain other humans. Even more so, they exacerbate the issues of the animal breeding industry as they produce more animals to be employed in cafes.

Chapter Three: Pet Shops

3.1 Introduction

This chapter will describe the Japanese pet industry revolving around pet stores. It will analyse the supply chain and the various actors and regulations concerning dogs and cats trade, examining the pet industry from a legal and ethical point of view.

First of all, Harrison explores the conception of companion animals in Japan, which are seen, especially in urban environments, as expensive commodities whose value is defined by their price and, in turn, bestow value upon their owner.¹⁰² This theory is reinforced by Hansen who describes how puppies and kittens diminish in value as time or fads pass and the way of disposing of them when that happens.¹⁰³

A common opinion among animal welfare organizations' staff interviewed by Ahonen and Mattes, is that breeders and pet shops are at the base of the various issues of the pet industry and the consequent high rate of companion animals abandonment.¹⁰⁴ They claim that the majority of breeding facilities are puppy mills with the only aim of producing the largest number of puppies to make the best profit. Their practices are still not thoroughly regulated and monitoring of the industry is lacking, given the lack of standards and the low rate of enforcement by the authorities. Impulse buying and the *kawaii* factor are the main issues brought to the table by the volunteers interviewed by Mattes and Ahonen when talking about purchases at pet stores. These two phenomena are strictly intertwined and in some cases one is the consequence of the other. In the past years the Japanese government was pressured from the main animal welfare NPOs to put a stop, or at least increase the monitoring of these practices with two amendments of the Law. However, in 2012 and 2019, after pressure from the principal animal welfare organizations, the Law underwent some important changes that improved regulation of the industry in a

102 Harrison, Trevor W. (2008). *21st Century Japan: a New Sun Rising*. Montréal: Black Rose Books.

103 Hansen, Paul (2013). *Urban Japan's "Fuzzy" New Families: Affect and Embodiment in Dog–Human Relationships*. *Asian Anthropology*, 12(2), 83–103.

104 Ahonen, *Animal Lovers*; Mattes, *Multispecies*.

more international way. In particular, the amendment carried out in 2019 have a clear European influence, mainly from Great Britain and Sweden.

It must be specified that this chapter deals only with the shady practices of the pet breeding industry, and it is not representative of all the conscious breeders and owners.

3.2 Pet Stores

Pet stores in Japan can be found in any city's shopping district and mall and they sell all pet related items, such as pet food and clothes and fashion accessories for animals, but also the animals themselves. Birds, snakes and frogs kept in small plastic boxes, puppies and kittens are kept in plexiglass cages piled one on another, resembling a capsule hotel for animals. Each one of them has a sticker on the glass stating the breed, the date of birth and the price. Every breed is sold at a different price, depending on the current fad, but on an average, they all sell at around 100.000 ¥ (about 800 €).

Harrison argues that the popularity of pet shops derives from their selling only pure-bred puppies arguing, among others, that pets, especially dogs, in modern Japanese society have become an expensive commodity.¹⁰⁵ Puppies at pet stores are sold at exorbitant prices, and, like any other material product, they decrease in value as they grow or as the fashion changes. Until recent years, when puppies became unsellable due to their age or because that particular breed's fad had passed, they were usually abandoned or brought to local *hokensho* where they were disposed of.¹⁰⁶ According to Mattes, and the volunteers from various Japanese animal welfare organizations that she interviewed, this way of managing animals in the pet industry is the biggest pet welfare issue in Japan.¹⁰⁷

105 Harrison, 2008.

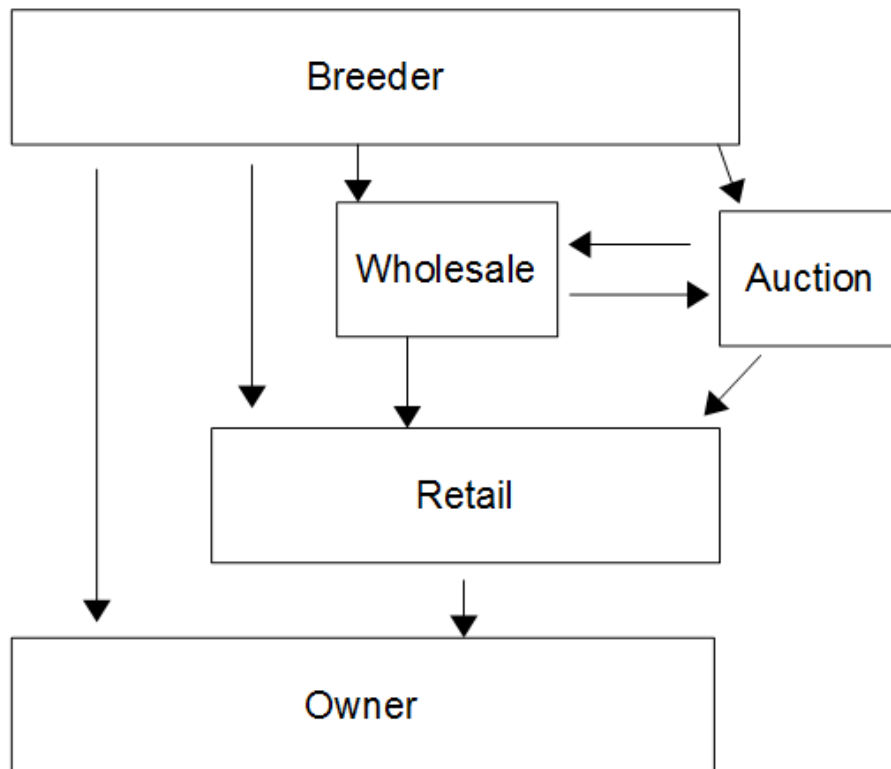
106 Hansen, *Affect and Embodiment*.

107 Mattes, *Multispecies*.

3.2.1 Pet Industry

The main actors of the pet industry are breeders, auctioneers, wholesale and retail businesses, meaning pet shops. In general, the itinerary of puppies and kittens could be summarized as represented in Figure 6.

Figure 6. Pet Industry Scheme



Source: Petto dōbutsu ryūtsū hanbai jittai chōsa hōkokusho ペット動物流通販売実態調査報告書 (Pet Animals Distribution and Sale Survey Report). Ministry of the Environment of Japan. 2003.

Pet shops and breeders belong to the First Class Animal Handlers Businesses and are regulated by the *Law on Protection and Management of Animals* and, since 2005 they must be registered with the MoE.¹⁰⁸ According to the figures of the Ministry, in 2019 the number of total registrations was 20,069, of these, breeders were 12,730.¹⁰⁹

¹⁰⁸ Dōbutsu no aigo oyobi kanri ni kansuru hōritsu no ichibu wo kaisei suru hōritsu shinkyū taishō jōbun 動物の愛護及び管理に関する法律の一部を改正する法律新旧対照条文 (*Comparison of New and Old Texts of the Law to Partially Revise the Act on Protection and Management of Animals (2005-2012)*). Ministry of the Environment of Japan.

¹⁰⁹ *Animal Handlers Registration/Notification Status, 2019.*

Although the possible methods of acquiring a puppy or a kitten are various, pet stores are the most popular method of animal buying in Japan, as reported by the Pet Food Association survey in 2019, 50,3% of dogs and 14,1% of cats were bought at pet stores. The number of purchases at pet stores have been steadily increasing since the beginning of the 21th century and they have been more or less stable since 2013. In comparison, pet owners that purchased their animal directly from a breeder were only 15,2% for dogs and 3,2% for cats.¹¹⁰

Given the complexity of the pet industry passages, to arrive at pet stores at a sellable age, young animals are separated from the mother too early and have to go through a long itinerary to arrive at pet stores. According to the *Asahi Shimbun*, in fiscal year 2018, 3% of the total number of animals bred and offered for sale died in the various processes of the pet industry. They carried out a survey based on the information acquired by local authorities with the reports from breeders and pet shops in regards to the numbers of animals kept and managed by them. The results were around 896.126 between dogs and cats offered for sale in 2018, 40.000 more in comparison to last year. Of these, 2,8% of dogs and 3,2% of cats died during the breeding and transportation process to retail stores, although the numbers do not include those born dead or breeding adults that died. This suggests that a huge number of puppies and kittens intended for sale, as well as adult dogs and cats raised for breeding purposes, die from injury, disease, stress and other factors during the process.¹¹¹ Those who arrive at pet shops are confined in small transparent cages with no stimulus, given little food and water to reduce the cleaning of the cage and often do not receive the proper medical care if they are sick. A survey conducted in 2020 by the Ministry of the Environment found that some shops had sick puppies treated by staff members without any veterinary knowledge. It denounce that, in addition to the puppies exhibited inside the shop, there are many other puppies in the back office, which are often neglected by the staff. The draft for animal dealers standards drawn by the MoE proposes to limit the number of animals a pet shop employee can

110 Pet Food Association, *National Survey*, 2019

111 Yada, Megumi; Ota, Masahiko. *Pet Shops and Breeding Sites Death Traps for Dogs and Cats*. *The Asahi Shimbun* (21-04-2020). URL <http://www.asahi.com/ajw/articles/13265467>

manage to twenty dogs and thirty cats.¹¹² Although it might seem a big improvement from the actual conditions, the MoE survey proved that those numbers are still too high. In a day, a single employee has to change the water and feed every animal he is in charge of, clean their cages while serving the customers and replenishing the store shelves. The result is that animals are given little water and food to prevent them from soiling the cages, and cases of puppies dying because of neglect from the staff have been reported.¹¹³

To ensure a correct handling of puppies and kittens during the whole supply chain the Ministry of Environment released a document in 2016, the *Thorough Monitoring and Guidance for First Class Animal Handlers (Compliance with Health and Safety Plans for Dogs and Cats)*.¹¹⁴ The document sets the mortality rate required for an official inspection to 0.8% for dogs and 1.3% for cats in case of animal sellers and to 5.6% for dogs and 6.4% for cats for breeders. However, the data must be provided to the MoE by the breeders or shop owners themselves.

To further strengthen the monitoring of pet stores, the MoE devised an article for the compulsory attachment of microchip for animal handlers. It compels people involved in animals dealing to attach a microchip before 30 days have passed from the day of purchase or on the day of the transfer of the animal.¹¹⁵ This rule is expected to come into effect in 2022.

Other than the pet industry system, there are other two main issues when it comes to pet stores: the simplicity of buying animals, related to impulse buying and the *kawaii* factor.

112 Tekiseina shiyō kanri no kijun no gutaika ni tsuite 適正な飼養管理の基準の具体化について (*In Regards of Concrete Standard of Proper Breeding and Management*). Investigative Commission on Proper Animal Breeding and Management Methods. 2020

113 Dōbutsu toriatsukaigyō no jittai chōsa kekka 動物取扱業の実態調査結果 (*Results of a Survey Regarding the Actual Situation of Animal Handling Businesses*). Ministry of the Environment of Japan. 2020.

114 Daiichi dōbutsu toriatsukai gyōsha ni taisuru kanshi, shidōtō no tettei ni tsuite (inuneko nado kenkō anzen keikaku no junshu) 第一種動物取扱業者に対する監視、指導等の徹底について (犬猫等健康安全計画の遵守) (*Thorough Monitoring and Guidance for First Class Animal Dealers (Compliance with Health and Safety Plan for Dogs and Cats)*). Ministry of the Environment of Japan. 2016

115 *Law on Protection and Management of Animals*, 2019.

3.2.2 Impulse Buying

Impulse buying is a process where the product acts as a motivator for an unplanned purchase, which implies quick decision making and little regard for its consequences.¹¹⁶ This factor is one of the main causes that animal welfare associations bring on the table when talking about pet shops because it is, at the same time, a consequence of the poorly regulated pet industry and also the cause for the high rate of abandonment in Japan.¹¹⁷

The issue is that there is a lack of standards in regard to sales carried on at pet stores making the purchase of animals too simple and immediate, customers need only to pay the price specified on the price tag. Mattes argues that this facility with which animals can be bought at pet stores is what leads to the act of spontaneous buying. She argues that by purchasing an animal on a whim, the owner is not buying the pet as a living thing but only the idea of it being a *kawaii* product. This leads to owners abandoning dogs and cats because of behaviour perfectly normal for their breeds but that was not taken into consideration or known by the owner at the time of the purchase.¹¹⁸ Even without any notion of animal welfare or pet care anyone can walk out of the store with a dog without even considering if the place where they live allows companion animals or if one of their relatives is allergic. This system clashes for example with the one adopted by NPOs' shelters which require the foster family to go through a process to see if the dog and the owner would be suitable for each other. In the case of pet shops, not having to go through an adoption process, like you would at shelters or by acquiring directly from a breeder, does not let the buyer fully consider the implications of buying an animal or acquiring information about the breed beforehand. However, as Ahonen points out, the responsibility of this phenomenon does not only reside in the businesses side, but also on the future owners who are buying the animal. Especially if it is the first one, the buyer may not

116 Verma Vohra, Aastha (2016). *Materialism, Impulse Buying and Conspicuous Consumption: A Qualitative Research*. *Global Business Review*. 17(1), 51–67.

117 Ahonen, *Animal Lovers*.

118 Mattes, *Multispecies*.

have much knowledge regarding the breed or the commitment that a companion animal implies.¹¹⁹

3.2.3 *Kawaii* Factor

Strictly linked to impulse buying is the so-called “*kawaii* factor”, one of the features often associated with Japanese society. Other than being one of the causes for impulse buying, it is also the reason why puppies are usually sold at a too young age.

Kawaii is a Japanese word meaning “cute”, “adorable”. It can be used in many different contexts and to describe a variety of things: objects, persons and, in general, the word is often associated with animals.¹²⁰ Hansen found that “*kawaii*” is the most used word inside a pet store, directed at the countless puppies and kittens enclosed in the plexiglass boxes.¹²¹ Animals, and puppies in particular, are the embodiment of the *kawaii* concept because they possess all traits typical of what experts call baby-like figures: a head relatively larger in comparison to the body size, a high and protruding forehead, large eyes and so on.¹²² The problem is that puppies and kittens maintain their *kawaii* features for a limited period of time, as their aspect changes as they grow up. That is why the most popular puppies at pet shops are just fifty to sixty days old, meaning that, to go through all the various stages of the pet industry, they are separated from their mothers and sold before they are sufficiently developed physically or emotionally. Kittens and puppies suffer from being separated from their mothers too soon, and arrive at their new homes frightened and unsocialised. This can further lead to behavioural issues that show up at a later time leading to a disappointed owner, and often results in the mature, and not-so *kawaii* animal, being abandoned. Moreover, as Elizabeth Oliver of ARK explains, *kawaii* pets also need to survive fashion trends. Just like any other object, every breed has its moment of fame, but it usually passes quickly, resulting in the out-of-fashion pet to be

119 Ahonen, *Animal Lovers*, 63, 68.

120 Mattes, *Multispecies*, 99.

121 Hansen, *Affect and Embodiment*.

122 Nittono, H; Fukushima, Michiko; Yano, Akihiro; Moriya Hiroki (2012). *The Power of Kawaii: Viewing Cute Images Promotes a Careful Behavior and Narrows Attentional Focus*. PLOS ONE, 7(9).

abandoned. Atherton states that, while many people who buy a *kawaii* puppy fall in love with it, treating the animals as a fashion accessory is also a form of animal cruelty, even if more subtle.¹²³

Researchers agree that baby-like figures, in this case, puppies, can function as facile emotion elicitors, inducing positive emotions that force the subject to approach the target for social interaction and a tendency to take care of it.¹²⁴ Conscious of this, pet shops try to entice the impulse-buying customer to purchase the puppies exploiting their cute appearance. On the other hand, the impulse-buyer is so focused on the animal cuteness that does not think about the suitability of that dog or cat as a pet, or of themselves as owners.¹²⁵ The consequence is that impulse-buyers that were urged to buy the dog because of its cuteness did not think about the implications of having a pet and when they realize the amount of work needed, abandon their animals or relinquish it to public shelters. Animal Management Centres are bound by the Law to accept any pet that is brought to them by private citizens.¹²⁶ However, with the emendation of 2012, aimed at reducing the number of culled animals in *hokensho*, some examples for refusing to take an animal brought by the owner were added to the Law and its Enforcement Regulations.¹²⁷

With the same amendment, article 21-4 was added with the aim of restraining irresponsible buying and selling. The article specifies that at the moment of the sale, the seller shall provide all the information pertaining the breeder, the animal and the proper way to take care of it.¹²⁸ The related article 8-6 of the Enforcement Regulations adds that the customer, after being provided with these informations, will have to sign a document that proves the previous explanation was given by the

123 Atherton, *Speaking to Animals*.

124 Nittono et al, *The Power of Kawaii*.

125 Roscoe, Bruce (2009). *Windows on Japan: A Walk Through Place and Perception*. Algora Publishing.

126 *Law on Protection and Management of Animals*, 2019. Article 35-1.

127 *Dōbutsu no aigo oyobi kanri ni kansuru hōritsu no ichibu wo kaisei suru hōritsu 動物の愛護及び管理に関する法律の一部を改正する法律 (Law to Partially Revise the Act on Protection and Management of Animals)*. Ministry of the Environment of Japan. 2012. Article 35.

128 *Law to Partially Revise the Act on Protection and Management of Animals*, 2012. Article 21-4.

seller.¹²⁹ Although it was done to restrain the phenomenon of impulse buying and customer ignorance on pet care, even if regulations are modified in order to better monitor the industry, customer knowledge about their rights is still low. According to the Pet Food Association, in 2019 the percentage of people that knew about the contents of article 21-4 was 30,6%.¹³⁰ In 2019, article 21-4 was then modified in order to limit online selling, specifying that the sale shall be conducted inside the premises of the business.¹³¹ However, this article regulates only the transaction with the future owner of the animals, it does not pertain to sales between animal handlers which remains, for the most part, unsupervised.

3.3 Breeders

By definition, a breeder is someone who breeds animals to eventually sell them. In Japan, dog breeders are grouped under the Japan Kennel Club (*Ippansha danhōjin japan keneru kurabu*), founded in 1949.

A breeder usually specialises in one or very few breeds and has extensive knowledge on every aspect of the breed's behaviour and needs, including possible genetic disorders. Acknowledging that there are many breeders in Japan who are genuinely involved in ethical breeding practices, ARK Newsletters and various newspaper articles present a dark picture of the reality of the breeding industry in Japan.

3.3.1 Puppy Mills

The first problem with the Japanese pet industry is that the major part of puppies and kittens sold at pet stores are bred in facilities that keep a large number of adult dogs and cats for the sole purpose of breeding. "Puppy mills" is the term used to describe a commercial operation in which an excessive number of animals are constricted in

129 *Dōbutsu no aigo oyobi kanri ni kansuru hōritsu shikō kisoku 動物の愛護及び管理に関する法律施行規則 (Enforcement Regulations of the Law on Protection and Management of Animals)*. Ministry of the Environment of Japan. 2013. Article 8-6.

130 Pet Food Association, *National Survey*. 2019.

131 *Law to Partially Revise the Law on Protection and Management of Animals*, 2019. Article 21-4.

enclosed spaces to minimize costs while maximizing breeds and sales.¹³² This definition however, is not enough to picture the conditions the puppies are bred and the parents are kept in. In these facilities breeding dogs are kept in unsanitary conditions, in cages or chained all day, forced to breed their whole lives until they are physically incapable to do so. In this dissertation only puppy mills will be taken into consideration, which should be distinguished by the general term breeders. Although they both breed animals to sell them, as already explained, a breeder is someone who has an extensive knowledge about the breed they are managing and they manage a small number of animals taking care of them. On the other hand, puppy mills and unethical breeders deal in a large number of animals, keeping them in conditions far below animal welfare standards for the sole purpose of making quick money. In these facilities, dogs and cats of various breeds are forced to live in unsanitary environments, deprived of the basic care and social contact.¹³³

To be sold in pet stores, puppies are separated from the mother too early, causing behavioural issues and, as all dogs are pure-bred, irresponsible breeding produces puppies with genetic disorders. These issues present themselves when the dog is mature, meaning that the owners will find themselves with a dog or cat with bad behaviours or illnesses that appear after being bought and this could reflect badly on their future conception of pet care. For the reasons aforementioned, large scale breeding also affects the high rate of abandonment at *hokensho*, directly, as breeders provide owners with "faulty" puppies, but also directly as irresponsible breeders could legally hand in all the unsold puppies and kittens, at least until 2012. The volunteers interviewed by Ahonen, pointed out that if a pet store closed, the animals were either given to an animal welfare association, to local *hokensho* or abandoned.¹³⁴

The main problem pointed out by Ahonen is that animal activists and pro animal associations in Japan do not hold any power towards breeders when dealing with them. This is because animal ownership in Japan is kept in high regards, and to take custody of the animals, volunteers would need the owner to renounce their

132 Cusack, Carmen M. (2017). *Animals and Criminal Justice*. Routledge.

133 Mattes, *Multispecies*.

134 Ahonen, *Animal Lovers*.

ownership rights to take them in custody. The only thing they can do is to report the breeders to the authorities and hope they will be sentenced for animal abuse. However, as volunteers point out, official inspections are usually announced beforehand to the handler, virtually giving them the time to render the facility compliant with the legal standards and then return to their usual practices once the inspection is over.¹³⁵

Attempt to regulate irresponsible breeding was done in 2012, when the drafting and the compliance to the *Health and Safety Plan for Dogs and Cats*¹³⁶ was made compulsory for all those businesses selling animals.¹³⁷ The general rule of the Plan is that the business owner shall provide a framework to ensure the safety and health of young dogs and cats used for sales. The form is to be submitted at the moment of the request for the licence for opening a business and it should specify the measures the owner will take to ensure the safety of the puppies and kittens: methods for breeding, storage and display of the animals and the method of managing animals that have become unsellable. This Plan was devised in order to stop the practice of breeders of bringing their unsold animals to local *hokensho*. Although there are not set standards for the methods that should be implemented by businesses, the Ministry of the Environment released a pamphlet giving some examples of what should be included in the Plan. For example, cooperation with a veterinarian, specify a person or an animal protection group to which ensure animals that are unsellable and methods for attachment of microchip and vaccinations.¹³⁸

According to both Ahonen and Mattes, animal welfare association staff lament that even if regulations have become stricter in the past years, the lack of specific standards such as the size of the cages, the number of animals a breeder can keep, make it difficult for governmental authorities to implement the Law and convict what

135 Ahonen, *Animal Lovers*.

136 Inuneko nado kenkō anzen keikaku 犬猫等健康安全計画 (*Health and Safety Plan for Dogs and Cats (Form)*). Ministry of the Environment of Japan.

137 *Law to Partially Revise the Act on Protection and Management of Animals*, 2012. Article 10-3(2).

138 Inuneko nado kenkō anzen keikaku 犬猫等健康安全計画 (*Health and Safety Plan for Dogs and Cats (Pamphlet)*). Ministry of the Environment of Japan.

should be considered irresponsible breeders.¹³⁹ To solve this, after the 2019 amendment of the Law, the MoE has been conducting discussion in regards of appropriate "numerical standards" to integrate in the *Enforcement Regulations*. The Ministry instituted an Investigative Commission to devise concrete standards for breeders and animal sellers. The main points of the draft presented by the Commission focuses on the principal issues pointed out by pro animal organizations. First of all standards to determine the welfare of the animals at first sight, such as the size of the cages, detailed numerical standards, in regard to the animal size, have been devised. According to the draft, storing more than one animal in the same cage will be prohibited, unless it is a mother with the puppies. The use of wire mesh as flooring will be banned, although it will be allowed the use of thick drain-board nets if it is proven not to damage the animal's paws. Finally, there were added provisions to specify nails and fur conditions that could be indicators of abuse. The provisions will also set a limit for breeding businesses in regards to animals cared for by each person to 15 dogs and 25 cats for each breeder and 20 dogs and 30 cats for pet shop employees. The numbers were calculated on the average time that a breeder spends to take care of one animal in a day. However, there is a clause that allows the tightening of the numerical limit for bad businesses and relax it for good businesses. They also proposed a limit for females dogs and cats in regards to the number of litters they can produce. For now the proposal is to breed for a limited period of 6 years, however, in consideration of the fact that heat periods vary from breed to breed and even between individuals, it is being considered to set a number of pregnancies for each female. These standards will also introduce mandatory annual veterinary check ups for every animal, including analysis for breeding animals to certify their suitability to do so.¹⁴⁰

These standards were devised in cooperation with the *Animal Protection Parliamentary League Aiming at Zero Killing of Dogs and Cats*. The League presented its own draft for "numerical standards" devised after researching European laws regarding animal welfare, mainly from Sweden, Great Britain and Germany.¹⁴¹ Animal associations run by westerners usually refer to British Law to make a

139 Mattes, *Multispecies*; Ahonen, *Animal Lovers*.

140 *In Regards of Concrete Standard of Proper Breeding and Management*, 2020

comparison with the Japanese law regarding animal welfare. For example, the *Breeding and Sale of Dogs (Welfare) Act* of 1999, effective in the UK states that licensed breeders must not mate dogs under one year of age, not make a female dog produce more than six litters during her lifespan, and that twelve months must pass between the birth and the next pregnancy.¹⁴² These standards are only drafts in Japan for now, but the Ministry of the Environment is planning to enforce them in June 2021.

In 2020 the UK Government announced the introduction of *Lucy's Law*, putting a ban on all commercial third party sales in Britain. This means that pet stores will be cut out and anyone purchasing a puppy or kitten must buy directly from the breeder or adopt through a rescue centre. Considering that all licensed breeders are required to show puppies together with their mothers at the place of birth this law is expected to disrupt the supply chain of unscrupulous breeders and dealers.¹⁴³

Animal welfare organizations agree that the main issues with breeders are that, although they are legal, their management makes them similar to puppy mills and that, as a consequence, they produce dogs with behavioural issues and genetic diseases.

3.3.2 Genetic Manipulation

Genetic manipulation of dogs by humans goes as far as the first encounter with wolves, when humans started breeding the most friendly specimens, creating the first ancestors of the modern dog. Later, selective breeding was carried out to create specimens that could serve various purposes, and that is the reason why nowadays

141 *Thorough Monitoring and Guidance for First Class Animal Dealers (Compliance with Health and Safety Plan for Dogs and Cats)*, 2016.

142 *Breeding and Sale of Dogs (Welfare) Act* 1999. U.K Government. (30 June 1999). URL <https://www.legislation.gov.uk/ukpga/1999/11/introduction/enacted?view=plain>

143 ARK Newsletter. *Seeking an end to puppy /kitten farming; Lucy's Law*. ARK: A Voice For Animals, Autumn 2020, number 117.

there are so many breeds.¹⁴⁴ In more recent times a different type of manipulation came to be, primarily aimed at modifying the physical aspect of dogs.¹⁴⁵

Pet stores in every country deal only in pure-breed animals, which, unlike mutts, have their own characteristic, behaviour and sometimes also genetic issues, according to their breed.¹⁴⁶ Aside from these, some genetic diseases or deformities are consequences of irresponsible breeding and, thus, highly unethical.

As already pointed out, small breeds are most popular in Japan, due to the small available space of apartments and the general conception that smaller breeds are easier to handle.¹⁴⁷ Furthermore, the *kawaii* culture in Japan also affects the breeding industry, as typical *kawaii* features are being pushed into the physical aspect of the animals. Through genetic manipulation, breeders try to embody the *kawaii* features in the animal they produce. Mattes compares this to the practice of keeping bonsai in Japan, as pets are bred and modified through time to reflect the *kawaii* characteristics that would entice the potential customer to buy them.¹⁴⁸ However, if done without knowledge and conscience, genetic manipulation and unethical breeding, could produce disastrous results.

Therefore, animals belonging to popular small breeds such as chihuahuas and dapple dachshund, face a multitude of genetic problems. During the so-called "pet boom" in the early years of the 21st century, inbreeding was the main reason for the high number of genetic defects in Japanese companion animals, even higher than those in America and Europe.¹⁴⁹ Harrison argues that the reason why Japanese keep almost exclusively pure-bred dogs, is because companion animals are a source of status for the owner. The money spent on the pet and its commodities gives value to

144 Dr. Grandin Temple; Johnson Catherine (2009). *Animals Make Us Humans: Creating the Best Life for Animals*. Houghton Mifflin Harcourt.

145 Yordy, Jennifer et al. (2020). *Body size, inbreeding, and lifespan in domestic dogs*. *Conservation Genetics*, 21, 137–148.

146 Mattes, *Multispecies*, 122.

147 Sceaphierde, Connie. *Japan's Problem With Puppy Farms*. *Japan Today*. (13-07-2020). URL <https://japantoday.com/category/features/opinions/japan%E2%80%99s-problem-with-puppy-farms>

148 Mattes, *Multispecies*.

149 Fackler, Martin. *Japan, Home of the Cute and Inbred Dog*. *The New York Times*. (28-12-2006). URL <https://www.nytimes.com/2006/12/28/business/28dogs.html>

the animal itself and consequently to their owners.¹⁵⁰ The second reason is that Japanese are obsessed with fads. A certain breed has its moment of glory when they appear on television, although it is an issue noticeable all around the world. However, the Japan Kennel Club found that the phenomenon is sharper in Japan and claims that irresponsible breeders thrive with these "booms" as they try to get the maximum number of puppies from a small number of parents in a short amount of time before the fads passes. Fackler also cites the declining childbirth as a factor for the popularity of dogs and smaller breeds. As people come to replace children with dogs they want them to be unique in order to show them off, which is also the reason why dogs, which can be taken out for a walk, are more popular than cats, which rarely leave the house.¹⁵¹ However, this uniqueness is achieved through inbreeding which is the quickest way to bring up recessive traits and therefore the method preferred by unethical breeders. By mating specimens with the desired genetic trait, usually with the same genetic code, meaning that parent-offspring or sibling crosses are carried out, the genetic traits become quickly fixed in the next generations.¹⁵² Doing so results in a very low percentage of success in gaining the wanted traits, which usually come with their set of issues in any case, while the other puppies of the litters are born with physical deformities. Furthermore, this request for smaller dogs can cause issues also for breeding adults, for example chihuahuas are one of the favourite breeds since they are small, but breeding them smaller and smaller results in females not being able to give birth normally. As a matter of fact, it was estimated that a caesarean section is conducted on average up to 80% of the total number of pregnancies.¹⁵³

As already pointed out, monitoring of the industry is lagging behind the advancement of the Law, in 2006 the MoE had only four officials in charge of monitoring the 25.000 pet shops, breeders and kennels.¹⁵⁴

150 Harrison, 2008.

151 Fackler, Home, 2006.

152 Yordy, *Body Size*, 138.

153 *Results of a Survey Regarding the Actual Situation of Animal Handling Businesses*, 2020, 5.

154 Fackler, Home, 2006.

3.3.3 Behavioural Problems

The third issue caused by irresponsible breeding is the presence of behavioural problems in the puppies. Behaviours that the owner finds unacceptable, for example biting or destroying furniture and house appliances, are the first cause of dog abandonment.¹⁵⁵ A great number of animals that are relinquished by the owner at *hokensho* end up there for a variety of reasons, but the more common are behavioural issues such as barking or biting.¹⁵⁶ In an adult dog these behaviours are usually a direct consequence of the way they are raised in the first weeks of their life.

A 2003 survey of the MoE found that the majority of puppies exhibited in pet stores are between 40 and 50 days old,¹⁵⁷ and they have to, in order to attract the customers with their cuteness. However, keeping puppies so young inside boxes in a pet shop instead of with their mother could cause issues that will present themselves when they grow up. Breeders and veterinarians unanimously convene that a puppy should not be taken away from the litter previous to eight weeks of age. Some breeders prefer to keep them up to twelve weeks in order to grasp the behaviour of the puppy and give some basic training to prepare them for the adoptive family. The reason for this is that the first thirteen weeks are crucial for the behaviour development of a young dog or cat: by playing with littermates they learn basic socialization skills proper of their species such as body language, bite inhibition, and the mother teaches them to be submissive and control their impulses. This is called the “socialization period” which is the learning process that all animals must undertake in order to gain key life skills and ensure confident engagement with their environment and effective communication within their social group, in other words, they learn how to be dogs and cats.¹⁵⁸ Generally, the first eight weeks are

155 c (2017). *Improving Puppy Behavior Using a New Standardized Socialization Program*. *Applied Animal Behaviour Science* 197, 55–61.

156 Mattes, *Multispecies*, 199.

157 Petto dōbutsu ryūtsū hanbai jittai chōsa ペット動物流通販売実態調査 (*Survey of Pet Animals Distribution and Sales*). Ministry of the Environment of Japan. 2003. URL https://www.env.go.jp/nature/dobutsu/aigo/2_data/pamph/rep_h1503.html

158 Lunchick, Paisley. *What Is the Best Age to Send Puppies to Their New Homes?*. American Kennel Club Website. (10-01-2018). URL <https://www.akc.org/expert-advice/dog-breeding/best-age-send-puppies-to-new-homes/>

acknowledged as the minimum period to stay with their mother because the introduction in the new family, and the new environment should be included in the remaining five weeks of the "socialization period". During this time the puppy learns how to adapt to new environments building resiliency for future fears and is usually the best period for the owner to start basic training.

According to a survey conducted by the MoE, for puppies sold directly to the owner from the breeder are transferred at an average of 60-70 days, followed by 34% between 50 or 60 days. However, if they were to be transferred to an auctioneer, 67% is transferred between 40-50 days, with only 25% transferred between 50-60 days from birth. The same can be said for wholesale businesses, and retail. In the document it is stated that the fact that puppies were sold very young was attributable to the desire of the buyer, the owner, to get the puppy as young as possible and also because the seller could profit more, so the decision regarding the age at which puppies were sold was left to the seller. Here there is an allusion to the issue of the possibility of behavioural issue for dogs sold too young and according to a hearing survey there were requests to insert regulations regarding the selling of young animals in the administrative and monitoring system.¹⁵⁹

Puppy mills and the current pet industry do not respect the "socialization period" causing behavioural issues in the dogs that could eventually undermine the dog-owner relationship. For example, if the puppies did not learn bite inhibition they are more likely to bite the owner, if the mother did not teach them how to be submissive, they will not listen to the owner's commands, which as said before, are the main reasons for abandonment. Furthermore, separating the puppies from the mother can cause abnormal fear responses, increased aggression and separation anxiety. All of these behaviours will be more difficult to eliminate when the dog is an adult.¹⁶⁰

In 2012, the Ministry of the Environment of Japan introduced for the first time the "8 weeks rule" in the amendment in the *Law on Protection and Management of Animals* with Article 22-5.¹⁶¹ However, the Special Provisions of the Act stipulated the rule to

159 *Survey of Pet Animals Distribution and Sales, 2003.*

160 Vaterlaws-Whiteside; Hartmann, *Puppy Behaviour*, 56.

161 *Law to Partially Revise the Act on Protection and Management of Animals, 2012. Article 22-5.*

be implemented gradually, set at 45 days for three years, then 49 until the revision of the Law. It became official with the 2019 revision and is expected to enter into force in 2021.

3.4 Conclusions

Pet stores have been the main source for companion animals acquisition since the "pet boom" in the final years of the 20th century and, although there seems to have been a drop in the number of pet keeping in Japan, the pet industry is still thriving. Every year it produces a huge number of animals intended for sale and exhibition in Japan but what arrives at pet stores is not the whole number, many puppies and kittens die in the process from diseases, stress and injuries. In pet shops they are exhibited in plexiglass cages with no stimulus and, as the survey carried out by the Ministry point out, with low care from the staff. The main improvements in the pet industry were made in 2012 with the introduction of the drafting of a *Health and Safety Plans* for animals kept by breeders and pet stores, however the mortality of puppies and kittens is still a troublesome matter. Regulations to further improve the practices and strengthen the monitoring of the industry, such as the mandatory microchipping and the "numerical regulations" have been drafted with the 2019 amendment of the Law and are going to enter into force in the next two years. However, a Ministry of the Environment survey pointed out that the numbers devised for pet stores and breeders in regard to the number of animals per person might still not be completely adequate.

Impulse buying is the consequence of the industry and also the cause for the high number of abandonment, while the kawaii factor is both a consequence and a decisive factor in the pet industry system as it is the consequence and the reason why puppies are taken too young from their mother. Even though they are two separate phenomena, the facile emotional elicitor triggered by the cute appearance of the puppy is at the base of the consequent "impulse buying". However, as Ahonen claims, the responsibility does not reside entirely in the industry but also in the customers. Those who buy pets only as an accessory or a status symbol, according to Atherton, are committing an abuse on their animals. Future pet owners should understand the responsibility that comes with owning an animal before purchasing

one. The regulations about the explanation that animal buyers must give to the future owners, introduced with the 2012 were done to increase customer attention in regard to animal welfare and to reduce the impulse buying. However, as the Pet Food Association survey points out, consciousness is still low.

Until 2012, the decision of at which age to sell the puppies and kittens was left in the hands of breeders and pet stores, which were trying to exploit the animals' best selling features to gain the highest profit. With recent amendments, in particular the 2012 one, regulations to restrict the sale of puppies younger than 8 week and online sales have been set. However, customer awareness on their rights when dealing with these businesses are crucial to monitor the industry. Ahonen claims that those who buy animals at pet stores should actively find out all the information concerning the background and the care of the animal when purchasing one. The staff of the animal welfare organization claims that to stop the issue caused by the pet industry it would be necessary to stop large scale breeding, but also stricter regulations for buying pets would also change attitudes of pet shop buyers. According to the staff of animal welfare organizations interviewed by Ahonen, if customers do not understand that this kind of industry is not appropriate to ensure the welfare of animals, the pet shop practices will not change. That is the reason why many organizations concentrate their efforts on educating possible customers on pet shop practices and what should be acceptable as animal welfare, encouraging them to notice the difference and not just think "*kawaii*" as soon as they see a puppy.

To revise the standards for breeders and animal dealers, Japan has studied European Law and is trying to uniform their regulations to the western one. The new "numerical regulations", as they are called, are expected to bring more consciousness to governmental officials on what should be considered abuse in breeders' matters. It could be said that the measures implemented with the last amendment of the regulations could be seen as a proof of goodwill of the Japanese government to improve animal welfare. Of course, to see if these measures will be effective we will have to wait some years, but the efforts to conform to international animal welfare standards is proof enough that there is a rising interest in these topics.

In conclusion, pet shops that sell puppies are unethical both because of the way they handle the animals and both because they support a shady industry behind them. In many European countries such as Britain and Germany, pet shops have been outlawed to stop unethical breeders from exploiting animals into producing puppies in deplorable conditions. Japan also needs stricter regulations for pet shops, and purchasing practices.

Chapter Four: Animal Management Centres

4.1 Introduction

This chapter will be about Japanese animal management centres, or *hokensho*, their management and related figures. By examining abandonment, culling and adoption rates we will analyse the main issues with shelters and their practices, explaining how the situation changed and how it is still improving.

Animal Management Centres were created with the introduction of the *Rabies Prevention Law* as a first step to detain captured dogs and cats. Nowadays there exist various types of centres but, although they have different names, their practices are, for the major part, the same. In the past years, under the pretext of Rabies prevention, *hokensho* served mainly as killing facilities for stray animals, or as dumping places for unwanted litters. Nowadays, the main reasons that could be cited for the high number of shelters intake are the low rate of neutering and spaying by the owner, especially for cats, the ageing populations and the pet industry. Furthermore, the procedure to relinquish pets to local *hokensho* is too simple and it has not been modified throughout the years. The return rate is also low, especially for cats, and is attributable to the lack of microchipping in Japan. Adoption has never been popular in Japan, and, since pet stores are in every shopping district and easily accessible, future owners do not even consider the possibility of adopting an animal from a shelter. Both because the government has yet to introduce substantial measures to promote adoption from the public, and also because of the general attitude towards abandoned animals.

Culling rate, on the other hand, is high in Japanese shelters and the main reason is though to be the high prices charged by veterinary clinics and the general aversion of Japanese toward euthanasia. In his study, Sugita explored the correlation between Japanese cultural and religious influences and veterinarian attitude towards euthanasia. Virtually every veterinarian, and owner, agrees that performing euthanasia on a suffering animal should be done to prevent the suffering of the animal, however, as volunteers interviewed by Ahonen claims, it is difficult to find a

veterinarian willing to perform it.¹⁶² That is why many owners chose the alternative of relinquishing them to an *hokensho* where it would be culled. Mattes, gives a comprehensive and clear picture of the procedure for culling animals in shelters and it is endorsed by the testimony of a Tokyo lawmaker that visited one of the facilities and described the procedure. The method implemented in Japanese shelters is inhalation of carbon dioxide which has been deemed as "non acceptable" by the World Society for the Protection of Animals (WSPA), among many animal welfare advocates, because of the pain it causes to the animals. Against this practice, the Kumamoto Aigo Centre is considered to be the first *hokensho* to have changed its policy on animal treatment and is kept in high regards by animal welfare associations. For example, Elizabeth Oliver of ARK in 2010, defined the Kumamoto Centre as a "beacon of hope" in the grim world of Japanese governmental shelters. It must be acknowledged that thanks to various campaigns implemented by the government and animal welfare associations, animal intake and culling rates have been steadily declining. Budget allocated to the MoE has been steadily increasing to promote animal welfare with new projects to include the public and to study international practices of animal welfare.

4.2 Animal Management Centres

First of all, there are four types of facilities for animal management in Japan:

- 1- Health Centres 保健所 (*hokensho*)
- 2- Animal Management Centres 動物管理センター (*dōbutsu kanri senta*)
- 3- Animal Aigo Centres 動物愛護センター (*dōbutsu aigo senta*)
- 4- Animal Protection Centres 動物保護センター (*dōbutsu hogo senta*)

Although there is no clear difference in regard to what the duties and practices carried out in each type are, the name usually indicates small differences in the management of the animals kept in the facility. Originally, the *hokensho* were established with the emission of the *Rabies Prevention Law*¹⁶³, as the first step to inspect the conditions of the captured animals. After that the animals were moved to

¹⁶² Ahonen, *Animal Lovers*.

¹⁶³ *Kyōkenbyō yobōhō* 狂犬病予防法 (*Rabies Prevention Law*). Government of Japan, 1950

Management Centres to store them for a limited period of time, usually five days, in the event the owner would reclaim the animal. If that did not happen, the animals were transferred to another facility where they would be culled or relinquished to research laboratories.¹⁶⁴ These facilities were built for the purpose of storing animals that would eventually be killed, for a limited amount of time, therefore the space is limited and not apt to store animals in an appropriate way. However, even if cases of Rabies have not been registered in Japan since 1957,¹⁶⁵ the number of culling remains high because of the limited amount of space and the high rate of animal abandonment. The *aigo* and *hogo* types of centre, have been created in more recent years, to present a more animal friendly approach and are usually facilities where the staff promotes adoption. However, animal welfare associations that are critical of the official management of animals, condemn the fact that already existing facilities changed their name in *aigo* without changing their practices or the facility structure.¹⁶⁶

According to the *Rabies Prevention Law*, a shelter official can dispose of the dog if the owner does not pick it up the next day after receiving the notice of custody, or after the public notice period of two days has expired.¹⁶⁷ In more recent times, thanks to campaigns aiming for zero culling of pets, many shelters extended the time of storage as much as possible to give the time to the staff to find foster families for the animals. However, since there are no clear guidelines from the government, the management of the animals is mostly at the discretion of each shelter's manager. The standard procedure would be to post the photos and profile of the animal thought to have an owner, and those judged suited for adoption, on the shelter and on the prefecture website. The period of time an animal is kept at the facility is decided by each shelter, but it is usually between five and ten days. If the animal is suitable for adoption the period could be extended until it is transferred, on the contrary, if the

164 Hart, Lynette A; Takayanagi, Tomoko; Yamaguchi, Chizuko (1998). *Dogs And Cats in Animal Shelters in Japan*. *Anthrozoos A Multidisciplinary Journal of The Interactions of People & Animals*, 11(3), 157-163.

165 Daisanji Kumamotoken Dōbutsu Aigo Suishin Keikaku 第3次熊本県動物愛護推進計画 (*Kumamoto Prefecture Animal Welfare Third Promotion Plan*). Kumamoto Prefecture. 2018

166 Ahonen, *Animal Lovers*, 33, 59.

167 *Rabies Prevention Law*, 1950. Articles 6-8; 6-9.

animal is relinquished by the owner the time is usually shorter, especially if the animal is old.¹⁶⁸

4.2.1 Budget

Figure 7. Yearly Budget

Year	2015	2016	2017	2018	2019	2020	2021
Amount (thousand ¥)	203.934	207.442	258.779	285.186	352.177	517.887	493.157

Source: Saishutsu gaisan yōkyūsho 歳出概算要求書 (Yearly Expenditure Budget Request). Ministry of the Environment of Japan. 2015-2020

The fact that the budget the MoE allocates for the promotion of animal welfare has been increasing every year could be considered a clear signal that the government is giving more attention to animal welfare in shelters. Subsidies for the maintenance and renovation of shelters are stipulated to be within half of the total yearly budget, while the rest is expected to be allocated for implementation of new standards, surveys and the promotion of activities to improve animal welfare among the public.

In the past years, budget expenses have been concentrated mainly on:

- Improving awareness on microchip attachment for both dogs and cats. With the new regulations on the mandatory attachment at the time of selling, the government plans the implementation of a registration system for both the animal and the owner in a national database.
- Improving awareness of owners about proper management of their pet in case of a natural disaster, creation and implementation of guidelines for animal rescue activities and cooperation with local governments for strengthening the acceptance system of animals in emergency shelters and temporary housing and animals retrieving activities.

¹⁶⁸ Inu-neko no hikitori nado no gyōmu 犬・猫の引取り等の業務 (Dogs and Cats Picking-up Duties). Ministry of the Environment of Japan. 2018.

- Investigating and examining the handling of pets by elders, collaborating with local governments and ministries to implement new measures to promote relations between older owners and shelter pets.
- Improving animal welfare through researching and implementing international standards for animal welfare to better monitor the animal industry and reduce the abandonment and culling rates.¹⁶⁹

4.2.2 Abandonment Rate

The main issue with Japanese shelters is that the abandonment rate is high and the adoption rate is low, resulting in a high number of animals being culled. The reasons behind this are thought to be many. First of all the pet industry, discussed in chapter three, that produces a high number of animals, some of which develop behavioural and genetic issues which results in them to be abandoned or relinquished directly to the animal management centres by their owner. The oversimple system for animal relinquishment and the inadequacy of the existing facility to properly store animals for an extended period of time, other than the general attitude of Japanese towards adoption and euthanasia also contribute to increase the abandonment and culling rates. In the past years, the number of animals brought to the shelters has diminished, and, in combination with an implementation of a cooperation network with animal welfare associations, it resulted in a decrease of abandonment-culling ratio.

169 Dōbutsu aigo kanri suishinhi 動物愛護管理推進費 (*Expenses for Promoting Animal Protection and Management*). Ministry of the Environment of Japan. 2017-2019

Figure 8. Figures of dogs and cats accepted in shelters, with percentage of young individuals and relinquished by owners

	DOGS			CATS		
	Accepted	Puppies	By Owner	Accepted	Kittens	By owner
2009	93,807	19,510	-	177,785	133,220	-
2010	85,166	17,886	25%	164,308	121,401	26%
2011	77,805	16,117	22%	143,195	104,781	24%
2012	71,643	13,204	23%	137,745	99,253	23%
2013	60,811	10,989	19%	115,484	80,416	22%
2014	53,173	9,791	15%	97,922	69,322	17%
2015	46,649	8,376	12%	90,075	64,427	16%
2016	41,175	6,944	11%	72,624	50,132	15%
2017	38,511	6,558	11%	62,137	40,895	18%
2018	35,535	6,604	10%	56,404	37,545	19%

Source: Inu neko no hikitori oyobi fushō dōbutsu nado no shūyō narabini shobun no jōkyō (Zenkoku tōkei) 犬・猫の引取り及び負傷動物等の収容並びに処分の状況 (全国統計) (*Status of Collection and Disposal of Dogs and Cats and Injured Animals (National Statistics)*). Ministry of the Environment of Japan. 2009-2018

As can be seen from Figure 8, the numbers of animals accepted by governmental management centres, meaning those who are relinquished by the owners and those picked up from the street, have been steadily decreasing in the span of ten years, especially in regards of cats. The figures show clearly that the number of cats brought to shelters is fairly superior to that of dogs, both for adult and young individuals, which are yet to be weaned and are usually brought in by people who find them after the mother gave birth. That is mainly because cats have a higher reproduction rate than dogs and this explains the substantial number of kittens picked up which has been steady at 70%. These high numbers also reflect the reluctance of Japanese to neuter their animals, especially in recent years when it has become more common to keep pets inside the house. However, when abandoned, animals naturally reproduce, resulting in a high number of strays.

To overcome this issue, many shelters started offering subsidies to desex the animals at lower prices than veterinary clinics, where a desexing surgical operation can cost an average of 20.000¥ for a cat and 30.000¥ for a dog (around 300€). According to a

survey of the Pet Food Association, in 2019, owners who neutered their pets were 50,1% for dogs and 81,2% for cats, and the main reasons for not neutering them were that the animal was kept inside or that the procedure was too expensive.¹⁷⁰

Until recent years the main reasons for owners bringing their dogs to the shelters were that the owner could not take care of it properly, complaints from the neighbours due to barking or the dog's aggressive personality, especially biting habits.¹⁷¹ Until 2012 governmental shelters were bound by the Law to accept animals from the owner and even had collection spots, where owners could relinquish their animal to a shelter truck. However, *hokensho* staff can now refuse animals brought by owners for futile reasons and animal handlers, breeders and pet stores are banned from relinquishing the "leftover" puppies.¹⁷² Some examples of the reasons to not accept pets brought from the owners are specified in the *Enforcement Regulations of the Law on Protection and Management of Animals*, like owners who did not neuter their animals ending up having unwanted litters or those who want to get rid of an old and sick animal.¹⁷³ The Law leaves a certain amount of liberty to each prefecture to set their own standards, and it is undoubtedly thanks to these new regulations that animal intake from shelters has diminished. As reported by the data from the MoE, the percentage of dogs brought to the shelters directly by owners has more than halved, while for cats it decreased by a mere 5%, and it actually raised in the last three years, which could be a downside of the increase of cats as companion pets in the past years. In any case, the figures provided by the Ministry show only animals accepted by governmental shelters and do not include those of private associations shelters. Therefore, it can be presumed that the numbers are higher.

In the past years, a new factor has influenced the abandonment rate of dogs and cats in Japan: the ageing population. Shelters receive many pets from elders that have decided to move into a retirement house or from family members that after the death of the relative do not want to take care of the animal left behind. Many shelters

170 Pet Food Association, *National Survey*. 2019.

171 *Kumamoto Prefecture Animal Welfare Third Promotion Plan*, 2018.

172 *Law on Protection and Management of Animals*, 2019. Article 35.

173 *Enforcement Regulations of the Law on Protection and Management of Animals*, 2013. Article 21-2

and private animal welfare associations report that a large number of dogs and puppies are brought to them by elders that bought it from a pet shop and found themselves suddenly unable to provide for them. Mattes cites the case of puppies belonging to commonly known active breeds and hence requiring a lot of movement and exercise brought to shelters from older owners. This is just one example of why associations denounce the lack of standards for getting a dog at a pet store and are asking for stricter regulations on dog selling.¹⁷⁴ Clearly, it is not possible to forbid the purchase of an animal. However, just like shelters have strict standards when it comes to transferring an animal and require detailed information about the owner's residence and lifestyle, in the same way, pet stores should not sell indiscriminately but advise customers on the type of animals best suited for them, explaining the breeds' needs and other basic information. Furthermore, if the pet itself is old it is more at risk of being abandoned. Ascione argues that the issue of ageing pets may increase the number of abandoned pets in the future. The increase of pet's lifespan resulted in them living longer and therefore requiring medical attention, that is the reason why older pets may be abandoned because they survive their owners or they create too much financial strain.¹⁷⁵

Another factor is the system implemented by the government that facilitates the relinquishment of a pet to public shelters. The *Law on Protection and Management of Animals* states that in case an owner desires to relinquish their dog to a shelter, the prefecture should establish a place where the animals can be picked up.¹⁷⁶ Basically this regulation allowed the creation of drop-off locations, where the owner could bring the animal at the designated place on the pick-up day and the shelter staff would come to collect them and bring them to the facility. In the past years many prefectures abolished this method, also thanks to effort of animal welfare associations like JAWS,¹⁷⁷ because they realized it made it too easy for owners to abandon dogs.¹⁷⁸ Furthermore, the cost for relinquishing an animal to the shelter is

174 Mattes, *Multispecies*.

175 Ascione, *The International Handbook*, 286.

176 *Law on Protection and Management of Animals*. 2019. Article 35-2

177 Ahonen, *Animal Lovers*, 80.

178 ARK News. URL <http://www.arkbark.net/en/about/news/arknews/6194/>

about 2.000¥ (the equivalent of 15€), and it is even less expensive for puppies and kittens younger than 90 days.¹⁷⁹ This is an irrelevant price to pay, and it is difficult to imagine it could serve as a deterrent. This system is ethically wrong, because it de-responsibilize the owner by passing the idea that there will be an easy and legal way to dispose of the animal. Also the fact that the owner does not see the place where the pet will be sent, do not let the owner fully understand what happens to the animal after it is entrusted to the shelter staff.

As already pointed out in the previous chapters, the actual system of the pet industry also contributes to the high abandonment rate in Japan, mainly stemming from breeders and pet stores' improper practices. Although animal sellers can no longer relinquish their unsold puppies to *hokensho* thanks to the introduction of the *Health and Safety Plan for Dogs and Cats*¹⁸⁰ in 2012, the indirect consequence of the management of young puppies and kittens are still visible. Bad practices in the breeding industry, such as early separation from the mother or stress caused by being moved from place to place are the cause of behavioural issues difficult to eradicate. The barking and biting behaviours at the origin of relinquishment from the owner, could be a consequence of bad handling and management during the selling process. The “impulse buying” at pet stores also has a big role in this, because when the puppy loses all the cute features and starts showing its normal biological needs it loses all the appeal.

4.2.3 Return Rate

Figure 9. Figures of dogs and cats returned to the owner

	DOGS	CATS
2010	17%	0.1%
2011	21%	0.2%
2012	23%	0.2%
2013	25%	0.2%

179 Inuneko no hikitoriri nado tetsuryō oyobi funin kyosei shujutsu josei-kin 犬・猫の引取り等手数料及び不妊・去勢手術助成金 (*Fees for Collecting Dogs and Cats and Subsidies for Infertility and Castration Surgery*). Ministry of the Environment of Japan. 2019

180 *Health and Safety Plan for Dogs and Cats (Form)*.

2014	27%	0.4%
2015	28%	0.4%
2016	31%	0.3%
2017	32%	0.5%
2018	32%	0.5%

Source: Inuneko no hikitori oyobi fushō dōbutsu nado no shūyō narabi ni shobun no jōkyō (zenkoku tōkei) 犬・猫の引取り及び負傷動物等の収容並びに処分の状況（全国統計） (*Status of Collection and Disposal of Dogs and Cats and Injured Animals (National Statistics)*). Ministry of the Environment of Japan. 2010-2018

The figures of the MoE in regard to the number of animals reclaimed and returned to their owner shows that, although the percentage has been increasing in the past years, it is still low. The difference between dogs and cats return rate is clear, and could be ascribed to microchip attachment practices, which is more common for dogs than for cats. In 2019 the percentage of owners that attached a microchip on the animal was 18% for dogs and 5,4% on cats.¹⁸¹ The main reason brought about when asked why the owner did not attach the microchip was because the animal was kept inside or because the practice was expensive. However, compared to 2016, the percentage has risen slightly, which, combined with the efforts from shelter staff to return the animals, could have resulted in an increase in the return rate of dogs. On the other hand, attaching a microchip to cats is still not common and the return rate is still lower than 1%. It will be interesting to see if these numbers will rise after the introduction of the mandatory microchipping rule when selling an animal, from 2022. The other factor for the increase of the return rate might be the network implemented between shelters and prefectures of posting notes of retrieved animals on their websites and the increased use of technologies and social media.

4.2.4 Adoption Rate

Similar to the return rate, the adoption rate from shelters is very low in Japan, both from *hokensho* and private shelters run by animal protection groups.

¹⁸¹ Pet Food Association, *National Survey*. 2019

Figure 10. Figures of Dogs and Cats Adoption Rates Between 2015 and 2019

	DOGS	CATS
2015	3,8%	5,7%
2016	3,7%	7,4%
2017	1,8%	1,9%
2018	1,8%	1,9%
2019	2,7%	3,6%

Source: Pet Food Association, *National Survey*. 2015-2019.

Figures taken from surveys carried out by the Pet Food Association, shows that the percentage of adoption has been decreasing since 2015. These numbers reflect only the adoptions from public shelters, but private animal welfare associations also run private shelters that foster adoption. However, the numbers are not so different: only 15% of people considered, but eventually did not, adopting an animal from a welfare association, while the remaining 85% either did not consider it or did not know it was possible to adopt from them.¹⁸²

Figure 11. Figures of Transferred Dogs and Cats Between 2010 and 2018

	DOGS	CATS
2010	20%	7%
2011	23%	9%
2012	24%	11%
2013	28%	14%
2014	33%	19%
2015	35%	25%
2016	43%	37%
2017	46%	43%
2018	47%	45%

Source: *Status of Collection and Disposal of Dogs and Cats and Injured Animals (National Statistics)*. 2010-2018

¹⁸² Pet Food Association, *National Survey*. 2019

The number of transferred animals doubled for dogs and grew in greater measure for cats, which has a good impact in lowering the culling rate. However, the Ministry of the Environment does not specify what “transferred” means, and together with the big gap between the rate of transferred animals and the rate of adoptions it could be presumed that the numbers include both animals adopted directly from the shelter and those entrusted to private associations’ care. In any case, the improvement in the transferring rate could be ascribed to the network implemented by the government between public shelters and animal welfare associations. This cooperation between the government and private associations is set forth by Article 35-6 of the *Law on Protection and Management of Animals* stating that the prefecture could organize the collection or transfer of cats and dogs to an animal protection agency or person.¹⁸³

Elizabeth Oliver, founder of ARK, one of the biggest animal protection organizations in Japan, claims that the majority of adoptions from their centre is thanks to foreigners, that adopt an animal in Japan and then bring it home to their own country. She also asserts that in comparison to other countries Japanese people do not consider adoption when thinking of buying a pet. The reasons for this hesitancy in adopting an animal among Japanese are mainly two: the long adoption procedure and the general opinion on adoption. The process to adopt a dog from a shelter run by a welfare association could be complicated. At ARK, for example, people are required to complete a questionnaire, bring pictures of the house and a copy of their housing contract. In the case of elderly people they ask if they have someone who could take care of the pet in their place in the eventuality of an emergency, and they would recommend adopting an older animal instead of a puppy.¹⁸⁴ Governmental shelters follow more or less the same procedure, some of them also hold informative classes on the proper way to manage a pet, explaining what happens to the animals when they are brought to the shelters. The difficulty of the adoption procedure is the first cause for renouncing adopting from the shelter, and subsequently the first

¹⁸³ *Law on Protection and Management of Animals*, 2019. Article 35-6

¹⁸⁴ McInnes, Paul. *Adopt—Don’t Shop: Why buying pets from pet shops in Japan is inhumane and how you can adopt*. *Metropolis*. (17-08-2018). URL <https://metropolisjapan.com/pet-adoption-in->

method of acquiring a pet, after dismissing the shelter option, is the pet store.¹⁸⁵ The system of pet stores is at the origin of both the high number of abandonment and the low rate of adoption, because the lack of procedure and the oversimplified method of selling an animal make it preferable to buy from a store rather than a shelter.

The other reason for the low adoption rate is the general opinion of Japanese about adopting from a shelter. According to the volunteers interviewed by Mattes, Japanese believe shelter animals to still be part of the family they lived with up until that moment and therefore are seen as “used items”, while puppies from pet stores are “brand new” and lacking a history with a family.¹⁸⁶ This view of “used animal” is also influenced from the concept of animal ownership, the property of the animal is kept in higher regard than the welfare of the animal itself even when the owner should have relinquished the ownership right when they left the animal at the shelter.¹⁸⁷ Also, buying at a pet store makes people think that a new puppy would cause less issues than a dog already trained by someone else, which is not a guarantee given the practices of the pet industry.

4.3 Animal Culling in Shelters

The term used in the *Law on Protection and Management of Animals'* to refer to the act of killing animals which are dangerous to humans or have been relinquished to public shelters is *satsushobun* which can be translated as “culling” or “slaughtering”. This term is used officially to refer to the act of killing many animals at once in shelters, in contrast to the term *anrakushi* which is the official translation of “euthanasia”, that is used to refer to the act of killing a single suffering animal performed by a veterinarian.¹⁸⁸ As stated by a survey of the Japanese Medical Veterinary Associations, euthanasia prices range from 7.000¥ to 13.000¥ (around

japan/

185 Pet Food Association, *National Survey*. 2017.

186 Mattes, *Multispecies*.

187 Mattes, *Multispecies*, 120.

188 Ahonen, *Animal Lovers*, 33.

70€-130€) and can be performed only by a licensed veterinarian, usually with an injection of a Pentobarbitone solution (the same method used for humans).¹⁸⁹

The term euthanasia comes from Greek and is the combination of two words meaning “good” and “death”. To ensure that the death caused by euthanasia is “good” the WSPA (World Society for the Protection on Animals) devised four criteria. According to their standards, the method must:

- 1- Be painless;
- 2- Achieve rapid unconsciousness followed by death;
- 3- Minimise animal fear and distress;
- 4- Be reliable and irreversible.

In the choice of the method one must consider the species and age of the animal, as well as the safety for the human operator, including the state of mind and it is acceptable only when the animal is suffering from incurable illnesses or poses a danger for other animals or humans.¹⁹⁰ The regulations related to the implementation of animal culling in Japan are specified in Article 40 of the Animal Law stating that the method should be as painless as possible. A little more detailed explanation is given in the *Guidelines on Methods for Animal Culling* which states that death should be accomplished through a chemical or physical method that induces loss of consciousness and stops heart or lung functions.¹⁹¹

Currently, the most used method during culling procedures in Japanese shelters is asphyxiation by carbon dioxide, which does not observe all the criteria set by the WSPA, in particular, it is neither painless nor it minimises fear or distress and it is not used exclusively on sick or suffering animals. Therefore, the procedure carried out in Japanese shelters cannot be defined as euthanasia. Ayaka Shiomura, a Tokyo law

189 Katei shiiku dōbutsu (inu neko) no shinryō ryōkin jittai chōsa (Heisei 27-nendo) 家庭飼育動物 (犬・猫) の診療料金実態調査 (平成 27 年度) (*Survey About Medical Fees for Domestic Animals (Dogs and Cats) (2015)*). Japan Veterinary Medical Association. 2015.

190 World Society for the Protection of Animals. *Methods for the Euthanasia of Dogs and Cats: Comparison and Recommendations*. 2007. URL <http://www.icam-coalition.org/downloads/Methods>

191 Dōbutsu no sasshobun hōhō ni kansuru shishin 動物の殺処分方法に関する指針 (*Guidelines on Methods for Animal Culling*). Ministry of the Environment of Japan. 2007

maker in the Tokyo Metropolitan Assembly and now a member of the *Parliamentary League of the Constitutional Democratic Party for Animal Protection*, in 2015 visited a shelter where they performed “euthanasia” and denounced the cruelty of the culling method, making it clear that it was a distressful and painful procedure for the animals involved.¹⁹² Carbon Dioxide (CO₂) is a non-flammable, non-explosive gas present in the air in small concentrations (0.004%). Inhalation of CO₂ above a 70% concentration rate depresses the central nervous system leading to respiratory arrest and death from asphyxia. The intake of this gas causes a loss of consciousness followed by death, but the period between these two phases varies from subject to subject, especially in relation with age.¹⁹³ In 2007 the WSPA compiled a list of methods generally used for animal culling, labelling Carbon Dioxide inhalation as “non acceptable”¹⁹⁴. Although studies about the effects of CO₂ inhalation in animals are still unclear, studies on humans prove that inhalation of CO₂ is painful and distressful. Volunteers claimed that inhalation of any concentration of CO₂ caused burning, tingling or prickling sensations, while a 100% concentration was described as piercing, stabbing, painful or causing the eyes to burn or water, and 90% of the subjects were unable to take a full breath of it.¹⁹⁵ Since the airway system of humans and animals is similar it can be deduced that the same effects could be believed to occur in animals. However, even if studies cannot yet demonstrate the theory of what happens to the animals subjected to this practice, the behaviour of the dogs and cats inside the gas chamber should be proof enough of their distress. Studies record that the main behaviours shown by animals exposed to increasing concentrations of CO₂ are attempting to escape, licking, sneezing and agitation in cats, and severe struggling and hyperventilation in dogs. The CO₂ dissolves in the moisture of the animal's airways producing carbonic acid that causes irritation and pain in the nose. When the gas enters the chamber dogs are seen writhing, gasping for air and finally falling still trying to breath, just by looking at the process one can understand is not a

192 Xie, Qin. *Cruelty of the Tokyo 'euthanasia centre' for stray dogs where animals suffer for fifteen minutes before they die from suffocation in canine 'gas chamber'*. Mailonline. (25-11-2015)

193 World Society for the Protection of Animals, *Methods*.

194 In a scale of “recommended”, “acceptable”, “conditionally acceptable”, “not acceptable”

195 Conlee, K. M et al, (2005). *Carbon Dioxide for Euthanasia: Concerns Regarding Pain and Distress, with Special Reference to Mice and Rats*. *Laboratory Animals*, 39(2), 137-161.

“good death”. Furthermore, the fact that dogs are transferred from the shelter room to the gas chamber by moving walls that push them in a small steel box where they find themselves constricted with other dogs, is expected to be very stressful for them.

According to the MoE's data, carbon dioxide is used by governmental shelters in 83% of cases for dogs and 91% for cats. Shelters that carry out culling by carbon dioxide are 38%, while those who use Pentobarbitone injection are 25%. Some shelters use both but they do not specify the criteria to decide which one, allegedly, they use the CO₂ for culling more than one animal and the injection when the numbers are relatively low.¹⁹⁶

The reason why it is still used is because CO₂ is relatively less expensive (less than a 100¥ a dog), safe to store and poses minimal hazard to personnel since it is non-explosive and can be used to kill large numbers of animals at once.¹⁹⁷ Also because it prevents the staff from entering in contact with the animals which is thought to be less stressful for the former.

Animals brought to the facility are kept for a period that varies from seven days to a month, depending on the shelter policy and if they have been labelled as suitable for adoption. After the period has ended and they have been registered by the staff as “impossible to take care of”, they are moved to the room adjacent to the disposal chamber. The room has an automated back wall that opens, while the bars of the cage pull back to lead the dogs towards the corridor leading to the gassing chamber. After confirming that all the dogs are inside through a monitor or the box window, the operator closes the door and pushes the button that commences the releasing of the gas. After the procedure is completed, in an average of fifteen minutes, the staff remove the collars from the animals and the bodies are automatically dumped in an incinerator for final disposal. For cats the culling method is the same but, from the moment they arrive at the shelter they are handled in a different way than dogs. Usually they are put individually, or together in the case of kittens, in cages, when it is time for the procedure they are moved to metal cages, the size of a shoe box, and stacked inside a smaller gassing machine. After the process, the boxes are emptied

¹⁹⁶ *Dogs and Cats Picking-up Duties*, 2018.

¹⁹⁷ Royal Society for the Prevention of Cruelty to Animals Australia (RSPCA Australia). *Use of Carbon Dioxide for Euthanasia*. 2007.

in a push-cart and the bodies are brought to the incinerator. Mattes talks about cats kept for days in the metal shoe boxes that developed irreversible physical disabilities given the cramped space they were put into. A variation of the “traditional” gassing chamber, are trucks equipped with the gassing machine, that drive around the area while the procedure is carried out. This system was implemented because residents of some areas were against having a “killing facility” in the neighbourhood.¹⁹⁸

As a matter of fact the high culling rate also affects humans that work in shelters. Studies have demonstrated that shelter staff members are prone to develop somatic and emotional stress called Euthanasia-Related Strain (ERS) when they have to perform many euthanasia procedures. Usually a person that works in a shelter chooses to do so in order to help animals, hoping to make the difference in improving their life, saving them from abandonment or abuse. However, this duality of having to care for and at the same time kill animals causes what is called a “caring-killing paradox”, the moral conflict that personnel experience when they feel the need to care for the animals, but are forced to kill them. As previously explained, in Japanese shelters the process is completely automated so as to keep personnel’s contact with the animals to the minimum, because it is believed that handling the animals or performing euthanasia on every single animal could have a negative impact on the mental health of those who have to perform it. However, it is the act of killing itself that causes problems to the staff, and seeing the distress of the animals during the procedure with the gas could aggravate the feeling of guilt. Furthermore, the fact that the culled animals are, for the most part, healthy and they have to be killed for management reasons, mainly because the space of the shelter is limited could have a bigger impact because it is not done for the animals. The WSPA advise to emotionally support and help the personnel in charge of euthanasia procedures to cope with the stress, also to prevent them to get accustomed to the procedure that could result in a lack of care. So far, none of the Japanese shelters have implemented a system to help the staff cope with this kind of stress.¹⁹⁹

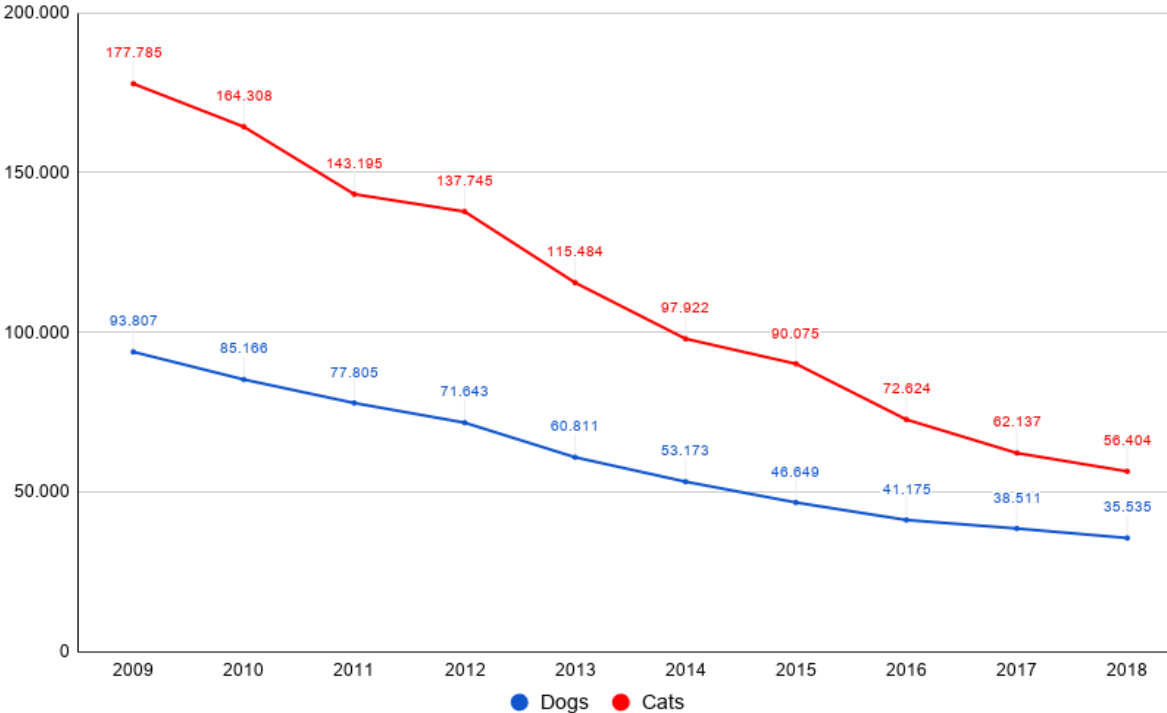
However, improvement should be expected, given the diminishing rates of animal culling and the introduction of Article 40(3), with the amendment of the Law in 2019,

¹⁹⁸ Mattes, *Multispecies*, 124.

¹⁹⁹ Cavalier, Maho (2016). *Exploring Attitudes Toward Euthanasia Among Shelter Workers and Volunteers in Japan and the U.S.*

stating that efforts will be made to consider international trends regarding the methods for animal culling.²⁰⁰ Another element towards improvement is the effort of both animal rights associations and local governments to reduce to zero the number of animal culling with campaigns aiming at dismantling gas chambers and convert the current shelters in facilities to host animals for a longer time.

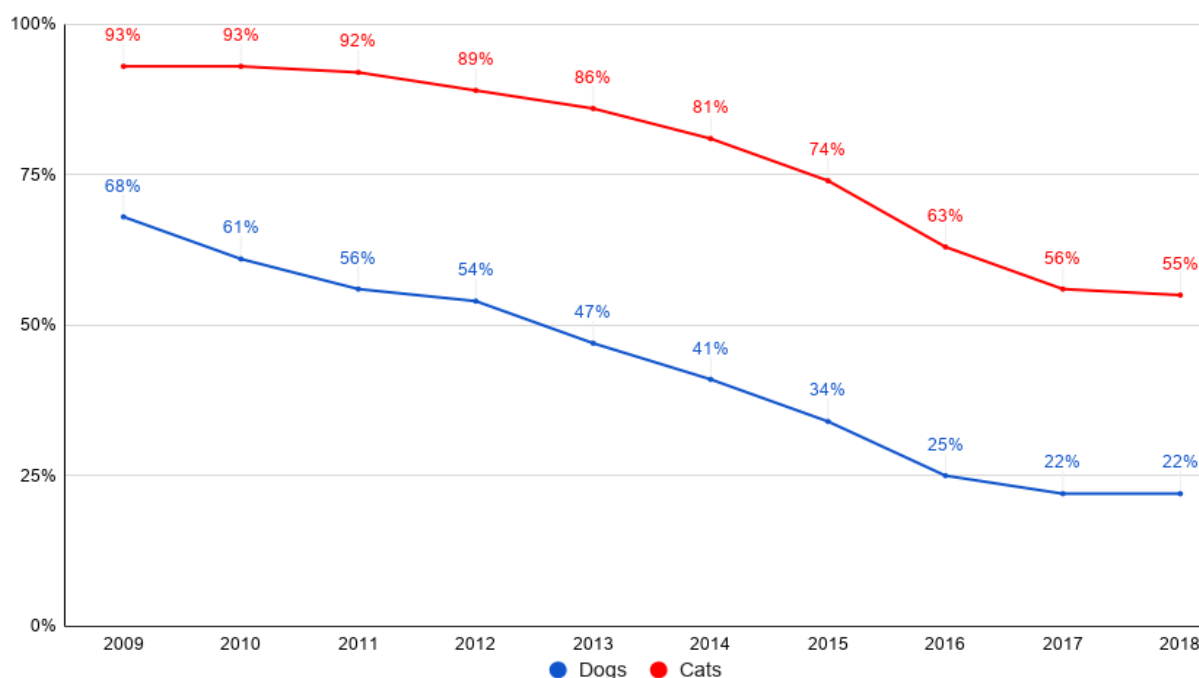
Figure 12. Figures of Dogs and Cats Accepted by Shelters



Source: *Status of Collection and Disposal of Dogs and Cats and Injured Animals (National Statistics)*.

²⁰⁰ *Law on Protection and Management of Animals*, 2019. Article 40.3.

Figure 13. Percentage of Dogs and Cats Culled in Shelters



Source: *Status of Collection and Disposal of Dogs and Cats and Injured Animals (National Statistics)*.

As can be deduced from Figure 13, the culling rate in Japanese shelters dropped considerably in the span of ten years, however the rate of culled young individuals is stable at 20% for dogs and over 60% for kittens. The main reasons are that puppies and kittens fall under the category of “animals difficult to raise because they cannot be fed properly” and are more susceptible to infectious disease that spreads quickly and results in the animals having to be culled. However the real numbers of culled puppies and kittens also lowered in time thanks to a system of volunteers that help feeding them at shelters or thanks to the implementation of adoption fairs on the shelter premises that put up the animals for adoption.

According to the *Classification of “Number of Culling” in the Outlines of the Animal Welfare Management Office* by the MoE, stray animal collected by the centre could be culled if they suffer from incurable injury or disease, that poses risk to human safety (like dogs trained for fighting) or are judged inappropriate for adoption due to illnesses or disability. On the other hand, for those who were recognised as pets those who are labelled as unsuited for adoption, or a foster family could not be found

(probably within the amount of time decided by the shelter), animals that are difficult to manage (for example large dogs or animals too young that require special care to feed) are all candidates for culling. In the document it is also specified that animals kept in the facility could be killed if the shelter reached maximum capacity and they needed to free some space.²⁰¹ Therefore, according to the standards set by the MoE, virtually every animal that enters an animal management centre could be culled. In 2019, a survey conducted by the Ministry of the Environment found that 41% of people were favourable at euthanising an animal suffering from an illness with no possibility of recovery. Of the interviewed, 29% were favourable to culling if the shelter could not find a new owner, or it was deemed aggressive, while 25% thought that humans should not decide to take the life of an animal, no matter the reason.²⁰²

One important factor that contributes to the high number of pet relinquishment to *hokensho* is the complicated attitude that Japanese people and also veterinarians have towards euthanasia. Sugita finds that veterinarians generally agree with the theory of euthanising a suffering or a terminally ill animal, but are reluctant when it comes to performing it. In general, the two main reasons for veterinarians to recommend euthanising companion animals are that the animal is terminally ill with no chance of recovery or the owner requests it, with particular focus on the latter. However, even when these two conditions are met, the numbers fall when the animals are puppies or kittens.²⁰³ On the practical side, some veterinarians tend not to perform euthanasia on animals, when they believe that the pet's life could be sustained with medical techniques and methods to reduce physical suffering. In his study, Sugita explored the correlation between Japanese cultural and religious influences and veterinarian attitude towards euthanasia. The killing of any living creature is considered an act of impurity in Buddhism and euthanasia is still seen as an act of killing even if it is performed to prevent suffering to an animal. Even though

201 Dōbutsu aigo kanri gyōsei jimu teiyō no 「satsuhobunsū」 no bunrui 動物愛護管理行政事務提要の「殺処分数」の分類 (*Classification of "Number of Cullings" of the Animal Welfare Management Administrative Office*). 2018.

202 Kankyō mondai ni kansuru seronchōsa' no gaiyō 「環境問題に関する世論調査」の概要 (*Overview of "Public Opinion Survey Regarding Environmental Issues"*). Government of Japan. 2019.

203 Sugita, Hizuru; Irimajiri, Mami (2016). *A Survey of Veterinarians' Attitudes toward Euthanasia of Companion Animals in Japan*. *Anthrozoös*, 29(2), 297-310.

his study does not prove any correlation between Buddhism and attitude towards euthanasia, he believes that the cultural heritage of Buddhism still remains in the mindset of both veterinarians and owners alike. That is why many pet owners relinquish their pet to the shelter instead of going to a veterinary clinic.²⁰⁴

The other factor that affects the carrying out of euthanasia practices in Japan is the ownership rights that Japanese have on their pets. A survey conducted among Japanese veterinarians shows that 97% of veterinarians would not perform euthanasia on any sick animal, even if it was suffering, if the owner would not give the consent. This is because the animal is seen as a property of the owner and veterinarians agree that the former should be the one to decide. On the contrary, 76% of the veterinarians claimed they would not recommend euthanasia on a healthy animal, even under request from the owner and 63% of them would not perform it.²⁰⁵ Thus, for many veterinarians the will of the owner takes precedence over the condition of the animal. The issue is that even among the veterinary community there is not a clear stance regarding euthanasia. The Japan Veterinary Medical Association (JVMA) has never published clear guidelines regarding euthanasia decision and procedures for Japanese veterinarian to follow, leaving the decision at discretion of each veterinarian.

4.4 The Kumamoto Effect

The *Kumamoto Prefecture Animal Management Center* was established in 1979 as a government facility for storing and killing dogs and cats collected by health centres in the prefecture. It is famous among animal rescuers in Japan, and even abroad, because it was the first shelter in Japan to implement a “non culling policy” in 2002. When the management of the shelter changed, they decided to reduce the number of animals taken in by the centre by trying to convince the owner not to abandon their pet. For example, by advising them to find a new owner before relinquishing it or trying to train it to eliminate bad behaviours.²⁰⁶ They created a system of cooperation

204 Sugita; Irimajiri, *Veterinarian's Attitude*.

205 Sugita; Irimajiri, *Veterinarian's Attitude*.

206 Clegg, Cara. *500 Cats & Dogs Legally Killed in Japan Each Day*. *Japan Today*. (4-08-2013)

with the community, explaining the actual condition of the animals in the shelters, the reality of animal culling, which up until now was kept hidden from the general public. They implemented adoption processes on the shelter premises, including a brief guidance course explaining how to take care of an animal and what happens to the dogs that are brought to shelters, including the method of animal culling. With their management, different from the one carried out up until that point, they set an example for other animal management centres on different, and more acceptable treatment of abandoned animals.

After the Kumamoto earthquake in 2016, the centre engaged in pets rescuing activities helping pet owners who could not keep their animals at the refugee centre to store their pets in the shelter facility or by reuniting owners with their lost pets. At the time of the Fukushima disaster, owners were forced to evacuate without their pets and many of them were refused the opportunity to keep them at the evacuation centre, after that the government, under pressure from animal associations, started devising plans for rescuing animals during natural disasters. The efforts of the Kumamoto Centre staff and many animal welfare associations helped many pets and owners, improving the management of animals during a disaster. At the same time, the centre decided to implement a “Zero Dogs and Cats Killing” policy and in 2017 changed its name to *Kumamoto Prefecture Animal Aigo Center*. Thanks to the decrease in the number of animals taken and the subsequent decrease in animal culling, from 2016 the centre has changed the culling method from Carbon dioxide inhalation to anaesthetic injection.²⁰⁷

4.5 Conclusions

In the past years, thanks to campaigns implemented by the government, the rate of spaying and neutering of animals have been increasing, and shelters started to hold adoption events on their premises, although they are mainly for puppies and kittens. Thanks also to the news regulations for relinquishing the animals to *hokensho*, intake rates have been steadily declining. New measures are being implemented to resolve

²⁰⁷ *Kumamoto Prefecture Animal Welfare Third Promotion Plan*, 2018.

the issue of animal keeping by older people, by also promoting adoption of older pets.

The simple method for relinquishing the animal to the shelter, and the irrelevant price that the owner must pay for the collection of their animals is thought not to function as a deterrent for owners who want to relinquish their animals. Aoki suggested to increase to fees to relinquish a pet to the *hokensho*, make the owner prove that they cannot keep the animal any longer, and make the owner attend the euthanasia process so as to sensitize them on what happens to their pets after they relinquish them.²⁰⁸ On the other hand, improvements in the pet industry to reduce abandonment were made, like banning animal sellers from relinquishing the surplus puppies to shelter, breeding practices are still causing issues for animals that reflects badly on their owner relationship and which cause them to be abandoned.

The return rate has been increasing in the past years in response to efforts of the shelter staff to return the animals, and also because of the increasing attention to microchipping dogs, while for cats it is still uncommon, therefore the return rate is set at less than 1%. Adoption from private associations' shelters is mainly thanks to foreigners, showing that in the west there is more attention to the matters and that could suggest that the government should implement more measures towards adoption fairs. The number of reduced culling is also thanks to cooperation with local private shelters run by pro-animal organizations that collect dogs and cats from shelters to put them up for adoption in their facilities. Adoption is still not seen as a method to acquire a pet, mainly because pet stores are more accessible and provide "new" puppies and kittens, while shelter animals are seen as "used" items. That could suggest that developing an "adoption culture" should be one of the next aims of the Japanese government in terms of animal welfare.

As a result of the high abandonment rate, the culling rate is equally high and that is thought to be because of the high cost of veterinary clinics and the aversion of veterinarians toward euthanasia. What is carried out in Japanese shelters, according to the WSPA is not euthanasia since it does not respect the standards. This was made clear by the description of the procedure presented by Mattes and Shiomura,

208 In Ascione, *The International Handbook*. 286

who visited a shelter and described the method implemented.²⁰⁹ Asphyxiation by Carbon dioxide has been labelled as "non acceptable" by the WSPA and it has been banned in many Countries, however in Japan it is still used because it is cheap and allows the killing of many animals at once. Animal welfare advocates claim that this method should be banned because it is clearly not a method that considers animal welfare, not to forget the mental strain killing an animal poses to the staff that has to perform it. According to the standards set by the MoE, virtually any animal that enters an animal management centre could be culled. Luckily, thanks to the efforts to reduce animal culling implemented by prefecture authorities, the requirements to cull an animal have been reduced in the past years, but it is still mainly left at each shelter's discretion. The rate of animals culled in management centres nationwide has diminished, showing that the measures implemented by the government and the effort of singular shelters have borne fruit. An example of this is the Kumamoto *Aigo* Center which was representative of the realizations of various shelter's employees that animal management carried out up until that moment was not adequate. Their efforts helped create a new conscience among government officials that animals could be treated differently encouraging other animal management centres to do the same. However, according to ARK, many *hokensho* changed only in the name, renaming themselves as *aigo* centres but retaining all their former characteristics and management. Ascione argues that what Japan needs now is the promotion of people's morality towards the treatment of abandoned animals so as to start a change from outside of government boundaries.²¹⁰ In conclusion, the management of Japanese Animal Management Centres has undergone various positive changes in the past decade and, even if not for purely animal welfare related reasons, they helped improve animal treatment in Japan. The work of animal welfare associations, and their cooperation with *hokensho* has been significant to reduce the number of intake and culling rates. As Ascione claims, what Japan needs now is to increase people's morality towards animal abandonment and promote adoptions campaigns.

209 Mattes, *Multispecies*; Xie, *Cruelty*.

210 Ascione, *The International Handbook*.

Chapter Five: Campaigns and Pro-Animal Organizations

5.1 Introduction

In this chapter we will examine the campaigns implemented by the government and from various Japanese organizations involved in animal welfare examining how they could improve pet welfare. By doing so we will also present the main Non-Profit Organizations (NPOs) active in the Japanese area.

The history of NPOs in Japan started at the end of the 20th century when the Japanese State loosened the grip of the bureaucracy on volunteer associations, resulting in many NPOs related to animal welfare to rise. Literature and studies regarding NPOs involved in animal welfare in Japan is scarce, if non-existent. However, Ahonen and her work with NPOs in the Kansai and Tokyo area was crucial to explore the different activities and ideology behind the most well-known volunteer associations. By interviewing the main actors of these NPOs, Ahonen provides us with an insight view on each organization's practices and of the relations between them. Although they employ different terms to present themselves to the public, their scope of action could be said to be similar, promoting animal welfare nationwide.

In more recent years, even the Japanese Government started advocating campaigns to reduce the number of abandoned and culled animals. In 2014, it launched the “*Project to Realize a Society Where Humans and Animals Can Live Happily*” (*Hito to dōbutsu ga shiawase ni kurasu shakai no jitsugen purojekuto*), as part of a zero-kill campaign nationwide, with the objective of reaching the zero culling rate in Japan, before the 2020 Tokyo Olympics. The main points of the campaign are aimed at improving those aspects of the pet industry and animal management that animal welfare groups have been trying to improve for years. A Parliamentary League was formed with the aim of drafting a proposition for the next amendment of the Enforcement Regulations of the Law, by studying foreign, mainly European, standards for animal welfare.

From abroad, more specifically from the USA, came one of the other important campaigns implemented in Japan, the Trap-Neuter-Return Campaign (TNR). Controlling the free-roaming cat population has been a global challenge for years and TNR has been implemented internationally, proving to have consistent results in reducing the cat population in the long term. In Japan it is even more important given that more than half of the cats culled in *hokensho* are kittens. Mitsui et al. examine the effectiveness of the "*Community Cats Program*" implemented in Tokyo, proving that TNR can effectively improve animal welfare and reduce the cat's population. TNR programs have been gaining increased support worldwide and even in Japan it has been advocated by the *Dōbutsu Kikin* association since 2005. The association was involved, among others campaigns, in two big TNR campaigns implemented in two islands famous for their population of free-roaming cats.

The third campaign will be the one, implemented by the MoE and implemented, for example, by *Dog Duca*, an association that promotes adoption of older pets by the so-called "silver generation". In the past years, thanks to a better lifestyle, both humans and animals increased their lifespan and their vigour. For as many advantages this brought about, the risk of an older owner of leaving behind a pet is becoming a reality in Japanese society, not to mention that many of those owners still acquire their puppies at pet stores. The MoE have launched a campaign to promote adoption of older and abandoned pets from shelters or private associations by older adults. In line with this, the association *Dog Duca* in 2019 started a program to favour adoption of old dogs by senior citizens promoting the benefits that both could have from this cohabitation. The positive effects that this campaign could have on both pets and the owner is supported by Sleger and Hediger, who explored human-animal relationships between older adults and pets finding that keeping a pet improves health.

Lastly, we will introduce *Animal Refuge Kansai*, ARK for short, one of the oldest and more active animal welfare related NPO in Japan. Thanks to their efforts to promote adoption and their activities during two of the greatest disasters of the 20th and 21st century they were able to gain crescent support from the Japanese public.

5.2 “A Project to Realize a Society Where Humans and Animals Can Live Happily”

In order to reduce the figures of animal culling and promote adoption, in 2014 the Ministry of the Environment launched the campaign “A Project to Realize a Society Where Humans and Animals Can Live Happily”.²¹¹ With the Olympics Games scheduled in Tokyo in 2020, Japan, and the capital city in particular, came to be in the spotlight. That was the reason that brought to the launch of the “Tokyo Zero” Campaign²¹² in 2014 to promote animal welfare and lower the high rate of culling in Japanese shelters.

The main goals of the campaign are to raise public and pet owners' awareness on proper animal treatment through educational and promotional activities, lower the number of animals taken in by shelters and increase the return rate of animals to their owners or find them new families by promoting cooperation with local NPOs and volunteers to transfer animals. To reach these goals, the campaign devised three main scope of actions. First it was the introduction of the “8 weeks rule” for animal sellers, meaning the prohibition of taking a puppy or a kitten away from the mother before the eight weeks of age. Animal welfare advocates had been pressing for this measure to be enacted for years and this was achieved with the latest amendments of the Law in 2019 and is expected to be enforced in 2021. Since it is proven that separation issues are at the base of behavioural problems in adult dogs and cats, it is expected to lower the rate of abandoned animals, especially dogs, by the owner because of behavioural issues such as barking and biting. The second goal is to convert current animal shelters in facilities modelled on the German *Tierheim* to both reduce to zero the number of animals culled and, at the same time, promote adoption. *Tierheim*, literally “animal” and “house” in German, are facilities where abandoned dogs and cats are kept and where the public can freely enter to meet and

211 Hito to dōbutsu ga shiawase ni kurasu shakai no jitsugen purojekuto 人と動物が幸せに暮らす社会の実現プロジェクト (A Project to Realize a Society Where Humans and Animals Can Live Happily). URL <https://www.env.go.jp/nature/dobutsu/aigo/project/index.html>

212 Tokyo Zero Campaign (TOKYO ZERO キャンペーン). URL <http://tokyozero.jp/>

eventually adopt them. Unlike shelters they do not involve animal culling but only adoption. These facilities differ greatly from the actual appearance of Japanese shelters, with their big rooms made of concrete and steel and mainly inaccessible to the general public. The third objective is the implementation of a nation-wide network to make it easier for dogs and cats to find foster parents nationwide. Since the abandonment and culling rates are still much higher than the adoption rate, Japan is in need of campaigns to promote and implement animal adoption. To do this, cooperation with associations and among prefecture authorities is needed to guarantee safe transferring methods for the animals.

In 2019, the Tokyo Government declared to have reached the goal of "zero-culling" in fiscal year 2018, specifying that the number does not include animals that died after being transferred to the pound and those euthanised for "animal welfare reasons".²¹³ However, according to the figures of the MoE, in 2018, animals that were killed under the motivation of being unsuitable for transfer were higher than those declared by the municipality. In particular, the number of culled kittens was higher than the rest.²¹⁴ Another example is Nara, a city that used to have the highest numbers of animals culled, in 2020 the city announced to have reached the goal of zero culling of healthy animals in the previous fiscal year. This was achieved by reducing the number of animals accepted by shelters, mainly by refusing litters of kittens and trying to find them foster homes by cooperating with volunteers.²¹⁵

213 Tokyo Metropolitan Government Website. URL <https://www.metro.tokyo.lg.jp/tosei/hodohappyo/press/2019/04/05/03.html>

214 Inuneko no hikitori oyobi fushō dōbutsu nado no shūyō narabini shobun no jōkyō (todōfuken shitei toshi chūkakushi) 犬・猫の引取り及び負傷動物等の収容並びに処分の状況（都道府県・指定都市・中核市） (*Status of Collection and Disposal of Dogs and Cats and Injured Animals (Prefectures, Designated Cities, Core Cities)*). Ministry of the Environment of Japan. 2018

215 Inoh, Akira. *West Japan City Achieves 'Zero Euthanasia' Goal for Public Shelter Animals in FY 2019. Mainichi Shinbun*, (22-05-2020). URL <https://mainichi.jp/english/articles/20200521/p2a/00m/0na/004000c>

5.2.1 Parliamentary League for Animal Protection Aiming at Zero-culling of Dogs and Cats

These campaigns promoted the creation of a coalition of parliamentary members called *Parliamentary League for Animal Protection aiming at Zero-culling of Dogs and Cats*. It is a group formed by members from both Houses of the Diet and of different parties, whose primary aim is to eliminate dogs and cats culling nationwide, while engaging in other matters of animal welfare. After the last amendment of the Law in 2019, they have been working on a proposal named *Request for Dogs and Cats Breeding and Management Standards for First Class Animal Handlers* that was submitted to the Ministry of the Environment.²¹⁶ In the document, they included their proposals for acceptable size for cages and age limitations for breeding animals and the "8 weeks rule" for puppies that animal sellers should respect. To draft this proposition they studied international standards of animal welfare, taking European Countries as models, mainly Germany and Sweden. The document was then used by the MoE to prepare the amendments of the Enforcement Regulations that are expected to enter into force next year.

5.3 TNR Campaign

Trap-Neuter-Return (TNR), also called *Community Cats Program* (CCP) is a method promoted to effectively reduce the number of free-roaming cats in a certain area. The standard procedure would be to trap the animals, desex them and return them to their original area after they have recovered from the surgery. It is a practice employed mainly on cats because of their ability to live as strays for a long time and because of their high reproduction capacity.

In Japan, the TNR campaign is included in the *Community Cats Program* (CCP), which has been promoted in order to reduce the population of free-roaming cats

216 Daiichi dōbutsu toriatsukai gyōsha ni okeru inu neko no shiyō kanri kijun ni kansuru yōbōsho 第一種動物取扱業者における犬猫の飼養管理基準に関する要望書 (*Request for Dog and Cat Breeding Management Standards in First-class Animal Dealers*). Parliamentary League for Animal Protection Aiming at Zero-Culling of Dogs and Cats. 2020

without harmful effects on their welfare. Stray cats, especially in urban and densely populated areas are often fed and cared for by people of the neighbourhood, therefore, it could be said that they obtained recognition and agreement from the community, thus becoming “community cats”. However, unowned stray cats and free-roaming cats are said to cause hygiene, public health or biodiversity conservation problems and, especially in urban city areas, complaints by the residents about the noise or the presence of excrements are common and usually leads to the capture and transfer of these cats to animal management centres.²¹⁷ The other main issue with stray cats is that they reproduce at a high rate resulting in a large number of kittens brought to animal management centres every year. Although with the new regulations and policies of *hokensho*, the number of animals taken in by the staff has diminished, in 2019 cats accepted by shelters nationwide were 56,404, of these, 67% were kittens and more than a half of them were culled. Thus, it is considered necessary to reduce the population of stray cats and the number of new-born kittens and to introduce measures to increase the adoption of unowned cats in order to reduce the number of cats euthanised in shelters. In 2010, the Ministry of the Environment published a document called *Guidelines for Proper Keeping of Dogs and Cats in Dense Residential Areas* to encourage local residents to manage community cats by neutering and returning or adopting them, to control the population of free-roaming cats.²¹⁸

Although help from people from the neighbourhood is important, it is necessary to implement proven and scientific methods to solve the issue of stray cats breeding. Mitsui and her colleagues conducted one of the first studies in this field in Tokyo, finding that the number of roaming cats was smaller, both for adults and kittens, in the area where the CCP was being implemented. Simulations and studies demonstrated that to effectively reduce the stray cat population in the long term, TNR programs would require to neuter between 51% and 94% of the fertile population for

217 Mitsui, Kana; Sato, Shusuke; Kakuma, Yoshie (2020). *Effects of the Community Cats Program on Population Control, Migration and Welfare Status of Free-Roaming Cats in Tokyo, Japan*. *Animals*, 10(3).

218 Jūtaku misshū-chi ni okeru inuneko no tekisei shiyō gaidorain 住宅密集地における犬猫の適正飼養ガイドライン (*Guidelines for Proper Keeping of Dogs and Cats in Dense Residential Areas*). Ministry of the Environment of Japan. 2010.

several years, which could be difficult to achieve. The reason for this is because the definition of "closed-colony" is not completely accurate. In almost every study regarding TNR programs, even those carried out in enclosed environments, there have been reports of new cats joining the target colony. Some individuals were possibly abandoned by the owner while others immigrated from another group and were accepted in the new one, meaning that colonies are rarely closed to outsiders.²¹⁹ This is one of the aspects that is believed to undermine the effectiveness of the program because new cats are generally not spayed and could reproduce.²²⁰ However, Mitsui et al. found that, despite all, the number of cats may decrease even if the neutering rate is not very high.²²¹

TNR is also favourable to other methods also because it resolves the issue of the "vacuum effect", which is caused by the current method of capturing and culling the animals. When cats are taken away from their colony, the empty place they leave is soon replaced by another individual, thus the number of the cats in the colony does not drop. TNR is supposed to prevent this effect because the cat will be reinstated in its original colony, preventing other cats from taking its place.²²² The vacuum effect must not be confused with the natural immigration and emigration process of cats between colonies.

TNR does not prove efficient only in limiting the cat's population growth, but it also has a positive effect on the animals' welfare. Mitsui noticed that cats living in CCP areas were generally healthier than stray cats living outside of the zone, possibly because desexing also reduces the risk of fighting among cats for territory control. Furthermore, TNR programs also include veterinary care, vaccination against infectious disease, immediate treatment of injuries and illnesses, and euthanasia for

219 Mitsui; Sato; Kakuma, *Effects*.

220 Crawford, Heather M; Calver, Michael C; Fleming, Patricia A. (2019). *A Case of Letting the Cat out of the Bag: Why Trap-Neuter-Return Is Not an Ethical Solution for Stray Cat (Felis Catus) Management*. *Animals*, 9(4).

221 Mitsui; Sato; Kakuma, *Effects*.

222 Wolf, Peter J; Rand, Jacquie; Swarbrick, Helen; Spehar, Daniel D; Norris, Jade (2019). *Reply to Crawford et Al.: Why Trap-Neuter-Return (TNR) Is an Ethical Solution for Stray Cat Management*. *Animals*, 9(9).

animals found to be suffering.²²³ In many cases the animals brought to the facilities undergo a complete health check and in case of young individuals or those who are recognised as "domestic" may be put up for adoption.²²⁴ Finally, Mitsui found that the CCP may increase locals' awareness of animal welfare issues, making it more easy for residents to accept and care for cats which are known to be desexed.²²⁵

To prove that a cat has undergone the desexing operation, in Japan it is common to take a V-shaped cut out of the cat's ear and, since it resembles the shape of a cherry blossom's petal, these cats are known as *sakura-neko*, literally "cherry blossom cats".²²⁶

As already pointed out in the previous chapters, cats brought to *hokensho* and management centres are for the major part culled, especially if they have been on the street for a long period of time or they were born as stray.²²⁷ Although some may advocate that TNR practices do not immediately reduce the number of free-roaming cats, if implemented with intensity and combined with adoption efforts TNR has proved to significantly reduce the number of unowned stray cats in urban areas. This also contributes to reducing the number of cats intake in shelters and consequently, the number of culling.²²⁸

5.3.1 Tokunoshima Island

The island of Tokunoshima is famous among Japanese and tourists for its large population of cats freely roaming the island. However, the population of both cats and dogs have grown exponentially over the years due to animal abandonment and the uncontrolled reproduction of the animals. Until 2015, the whole island lacked an

223 Kreisler, Rachael E; Cornell, Heather N; Levy, Julie K (2019). *Decrease in Population and Increase in Welfare of Community Cats in a Twenty-Three Year Trap-Neuter-Return Program in Key Largo, FL: The ORCAT Program. Frontiers in Veterinary Science*, 6(7).

224 Crawford; Calver; Fleming, *Letting*.

225 Mitsui; Sato; Kakuma, *Effects*.

226 *Project Report of Sakura-Neko (Spayed/Neutered Cats) TNR in the Tokunoshima Island*. Dōbutsu Kikin. 2016

227 Wolf, Schaffner, *The Road to TNR*.

228 Wolf, Schaffner, *The Road to TNR*.

animal clinic, therefore spay and neuter operations could not be carried out, resulting in the increase of the stray animals population.

The spark for the implementation of the campaign was the desire of the local government to register the island as a candidate for gaining the status of World Natural Heritage Site since it is the natural habitat of the *Amami* wild black rabbits, *Amami no Kurousagi* in Japanese. This particular species of rabbits is designated as a special natural treasure, and designated as an endangered species, because rabbits have been hunted by the large population of wild and stray cats. Cats are not native to the island but their number grew from the uncontrolled reproduction of cats abandoned by owners which eventually trespassed in the *Amami* rabbit territory.

The initial plan of the public administration was to capture the cats and implement a policy of adoption and culling, as usual, however the *Dōbutsu Kikin Association* proposed a plan to implement the TNR Campaign on the island premises. The association carried out Trap-Neuter-Return activities for the major parts of the cats on the island, while also carrying out other medical operations on cats that needed medical attention. Cats captured in the Amami prefecture were re-homed in order to remove them from the rabbits' habitat. The estimated number of cats living on the island was 3.000, the association collaborated with the local government in bearing the expenses with the association covering the medical expense for the operations and the veterinarians and the government for the costs of trapping and returning operations. The plan was carried out in 6 rounds in a span of two years, between 2014 and 2016, desexing almost 2.000 stray cats and also domestic animals at a more convenient price than a clinic. Furthermore, the government took the chance to build an animal hospital on the island in 2015 to continue the desexing operations in the following years without the help of the association. All in all, the policy was considered a success when it was announced that the rate of rabbits' predation by stray cats was reduced at 10% of the initial.²²⁹

229 Dōbutsu Kikin, 2016.

5.3.2 Aoshima Island

The island of Aoshima, in the Ehime Prefecture is one of the most famous island in Japan that attracts many tourists, both foreigners and locals, because of the vast cat population that roams freely. Although the cats might be the most appealing feature of the island and their only source of tourism revenues, the growing cat population poses serious hygiene issues and the ageing of the island population puts in jeopardy the survival of the cats in the near future. That was the starting point, in 2017, for the *Aoshima Cat Protection Society*, the main association taking care of the island's cats, to start a neutering and spaying campaign on the island's cats, to let the cat population gradually reduce in the following years. Working in cooperation with *Dōbutsu Kikin*, the plan had veterinarians travel to Aoshima and remain on the island to carry out the procedures.²³⁰ The campaign started in October 2018 with association's and volunteer veterinarians spaying cats at a rhythm of almost 200 individuals a day.²³¹

5.3.3 Dōbutsu Kikin

The two campaigns mentioned above have been carried out by *Dōbutsu Kikin*, one of the first associations that started advocating the need for TNR campaigns in Japan, believing it to be the solution for reducing the high intake rate of *hokensho* of cats and subsequently the number of killings. Founded in 1988 as *Yokohama Animal Welfare Association*, in 2006 it changed its name in *Dōbutsu Kikin* and primarily engaged, among other efforts, in TNR campaigns nationwide.

On their website, the association claims that the decrease of the number of culled animals in management centres is the results, among other campaigns, of the

230 Baseel, Casey. *Japan's most famous cat island moving towards plan to spay, neuter all of its kitty inhabitants*. *Japan Today*. (26-02-2018). URL <https://japantoday.com/category/national/japan%E2%80%99s-most-famous-cat-island-moving-towards-plan-to-spay-neuter-all-of-its-kitty-inhabitants>

231 Kono mamade wa genkai! Ehime no sekai-tekina kankō-chi `neko no rakuen' de nani ga? Tōmin ga kudashita aru "ketsudan" このままでは限界！愛媛の世界的な観光地「ネコの楽園」で何が？島民が下したある“決断” (This Is The Limit! What's Happening In Ehime's World-Famous Tourist Destination, "Cat's Paradise"? A Certain "Decision" Made By The Islanders). *FNN Prime Online*. (19-10-2018). URL <https://www.fnn.jp/articles/-/502>

implementation of TNR programs nationwide. In 2005, the association launched the "sakura-neko free sterilization surgery" campaign, asking all the association's members to perform TNR on stray cats at the association's expenses. As of 2020 they have desexed 141.510 cats.²³²

The two examples of Tokunoshima and Aoshima proved that TNR practices are essentials to limit the uncontrolled breeding of cats, although they had the advantage of having been carried out in closed areas where immigration of new cats in the colony was limited. In any event, it must be noted that *Dōbutsu Kikin* is not the only association promoting TNR practices in Japan, and especially in the aftermath of a disaster some veterinarians opened clinics to spay animals left behind in the disaster zones. This will be treated in the next chapter but their example was promptly followed by various municipalities that implemented TNR activities contributing to diminishing the culling rate of cats in *hokensho*.²³³ The importance of spaying and neutering animals to reduce the number of killings at management centres is also related to the "zero-culling" campaign. Although, in general, shelters do not perform desexing operations before transferring animals, many of them offer subsidies for neutering both for owners who take their animals at the clinics, but also for private citizens that bring strays, as described in the pamphlet released by the MoE.²³⁴

5.4 Silver Generation Campaign

The ageing population is becoming a social issue worldwide and Japan is the first country with the population over 65 years old at almost 30%.²³⁵ Nuclear families are becoming more common worldwide, single households are increasing and family members live apart and often distant. In 2019 the Ministry of the Environment of

232 Dōbutsu Kikin Official Website. URL <https://www.doubutukikin.or.jp/>

233 Kikuchi, Daisuke. *Campaign Targets Japan's Stray Cat Problem*. *The Japan Times* (23-11-2016). URL <https://www.japantimes.co.jp/news/2016/11/23/national/social-issues/campaign-targets-japans-stray-cat-problem/>

234 *Fees for Collecting Dogs and Cats and Subsidies for Infertility and Castration Surgery*, 2019.

235 The World Bank. *Percentage of population ages 65 and above, Japan*. URL <https://data.worldbank.org/indicator/SP.POP.65UP.TO.ZS?end=2019&locations=JP&start=1960&view=chart>

Japan published a pamphlet titled *Living together, old pets and the silver-generation*. Principally addressed to the so-called "silver-generation", meaning that portion of population around 70 years of age or older, the pamphlet was released as part of the campaign to encourage older people to adopt senior dogs and cats from private associations or *aigo* centres. It contains various information on how to choose a suitable pet and how to properly take care of it, covering almost every aspect of life with a pet, from the upsides of having an older animal, to the average monthly expenses. As a response to the main issues of older people adopting a pet the pamphlet stresses the importance of considering what to do in case of an emergency, such as sudden hospitalization or moving into a retirement house. The options given by the MoE are to ask in advance to family members or neighbours to take care of the animal or to send it to pet hotels that will take care of it for a fee. For those who cannot keep an animal permanently, the pamphlet suggests, for example, volunteering at local shelters to help feed kittens or walk the dogs.²³⁶

Contact between older people and animals have proved to have positive results on both and therefore should be encouraged. Slegers and Hediger examined the relationship between older adults and older pets finding that pets motivate older owners to engage in more active and healthy lifestyles, resulting in increased physical activity. Moreover pets help creating a structured daily life, promoting self-care activities, and since in Japan they are seen as family members, they give the owner an opportunity to care for someone else, promoting a sense of being needed. Dogs, in particular, give a sense of security when at home and help the owner engage in social interactions outside of the house with people of different backgrounds. However, Slegers and Hediger also warn of the risks that come with pet ownership in advanced age. For example the fact that older pets require advanced medical care that could become an additional financial burden for the owner, or also, like their owner, could have restricted mobility and might need help to perform some movements. Another issue is that owners sometimes refuse to be hospitalized or move into retirement homes because they are afraid of the consequences this would have on their pets. To resolve this matter, the authors

236 Tomo ni ikiru. Kōrei petto to shirubā sedai 共に生きる。高齢ペットとシルバー世代 (*Living Together, Old Pets And The Silver-Generation*). Ministry of the Environment of Japan. 2019.

propose the creation of pet-friendly structures where older adults could stay without having to renounce their companion animals. They bring forward some models of human-animal interactions that have been implemented in the past years, such as daycare run by older adults for pets while the owner is at work. In Switzerland for example 82% of nursing homes had animal residents, mainly cats, encouraging human-animal relationship, although the authors acknowledge that regulations in this sense are still in development and are much needed, both from an animal welfare perspective and also for human safety.²³⁷ Taniguchi brought these general concepts to the Japanese context proving them to be relevant as well. His study showed that Japanese pet owners had better interaction with neighbours and were less socially isolated than their non-owner counterparts which were found to suffer from loneliness twice as much in comparison to pet owners. Dog ownership, in particular, resulted in increased motor activity, mainly thanks to walking time that increased older people's motor fitness.²³⁸

Some shelters and private associations offer a trial period when adopting an animal, during which the owner can get a picture of the scope of the commitment and to consider if the dog is suitable for their lifestyle. Among other things, the pamphlet stresses out the importance of basic procedures for dogs and cats, such as microchipping and neutering. According to the Pet Food Association, people aged 70 and above are more conscious of these matters, in comparison to younger owners. The same survey shows that, in comparison to 5 years ago, cats have gained popularity among older owners, but dogs are still the most common pets. Unlike the general trend of keeping small breeds such as toy poodles and chihuahuas, older people show a clear preference for shiba inu, the traditional Japanese dog.²³⁹

In the past years, the average lifespan of cats and dogs have increased thanks to better living conditions and diet. Therefore, the risk of an animal outliving their older owner has become an issue in Japanese society, even more, as pet stores are the

237 José Enders-Slegers, Marie; Hediger, Karin (2019). *Pet Ownership and Human–Animal Interaction in an Aging Population: Rewards and Challenges*. *Anthrozoös*, 32(2), 255-265.

238 Taniguchi, Yu; Seino, Satoshi et al. (2018). *Physical, Social, and Psychological Characteristics of Community-Dwelling Elderly Japanese Dog and Cat Owners*. PLOS ONE.

239 Pet Food Association, *National Survey*. 2019.

main source of puppies, even for people over 60 years old. Many associations, and *aigo* centres, discourage older people from getting a dog, even an adult one, for fear that it would be returned to them after a short time. In response to this, the *Dog Duca* association has launched a new program to connect older people and older pets, in line with the government campaign.

5.4.1 Dog Duca

Dog Duca is a recognised NPO located in Aichi Prefecture involved in animal protection that provides services such as dog training and dog daily school. In 2019 the association launched the program "Senior Dog Supporter", a system that connects senior dogs with older adults that desire to become pet owners. The idea sparked from the fact that both senior dogs and owners are often excluded from the world of animal adoption since many elders are refused to be entrusted with a pet by private association shelters. This is done mainly for practical reasons, elder people are more at risk of being hospitalized or moved into a retirement house and in that case the animal would be returned to the shelter again. This is a scenario that should be avoided when it comes to animals that have been abandoned by their owners before. However, given the simple system for acquiring a pet in Japan, if refused to be given an animal by an association or an animal centre, there is always the option of pet stores. A 2019 survey showed that people around 60 years old tend to get dogs from shelters rather than from pet stores, but among people over 70 years old almost 50% of them bought a dog at a pet store.²⁴⁰ This is what Elizabeth Oliver of ARK points out as the main issue with pet stores and the older generation. Every year her association receives many dogs that are left behind by their senior owners being hospitalized or moving to retirement houses. The numbers are only a small part, since many others are directly brought to hokensho, usually by relatives that do not want to take care of them. That is the reason why at ARK, they have a strict adoption policy, requiring to meet the whole family, even if they do not live together, to make sure they will be able to take care of the animal in the future, and

240 Pet Food Association, *National Survey*. 2019

recommend the adoption of an older dog instead of a puppy.²⁴¹

A similar approach, but more "senior-friendly" is being pursued by *Dog Duca* and its program. The association will transfer a dog and provide the new owner with a membership card that could be used in case of an emergency to contact the association. In case of dogs that require constant medical attention, and therefore could be too much to handle for the owner, the associations offer to share the veterinary expenses.²⁴²

Dog Duca promotes this program saying that older dogs are generally easier to manage since they do not require training or a big amount of exercise, therefore they would adapt better to a "senior" lifestyle. Furthermore, even though the numbers of culled animals are decreasing every year, shelters still cull dogs which are "old", generally at eight years old, because they are difficult to transfer. Enterprises like the one implemented by *Dog Duca* are in agreement with the government campaign to connect the "silver generation" with "senior" dogs. Initiatives like this could prevent older people from buying puppies from pet stores that would probably be brought to management centres afterwards, and at the same time provide older dogs, that would be otherwise culled, with a new family.

5.5 Non-Profit Organizations In Japan

The institutional history of Non-Profit Organizations in Japan begins in 1998, with the enactment of the first law to regulate NPOs' activities, the *Special Non-profit Activities Promotion Law*.²⁴³

Up until that moment the non-profit sector was not very well known in Japan but gained popularity thanks to the positive effort of many volunteers helping in the aftermath of the Great Hanshin Earthquake in 1995. A vast number of volunteers rushed to the scene to help and did a remarkable job in helping the victims, but the lack of an organized network to supervise the rescuing operations made the rescuing

241 Ark Newsletter. *Seniors for Seniors*. ARK: A Voice For Animals, Spring 2009, number 73.

242 DOG DUCA Official Website. URL <http://dogduca.sunnyday.jp/>

243 Tokutei hieiri katsudō sokushin hō 特定非営利活動促進法 (*Special Nonprofit Activities Promotion Law*). Cabinet Office, Government of Japan. 1998.

operations difficult. The fragility of the volunteer coordination and supervision by the government during the Kobe Earthquake, made those involved in volunteer activities step up and demand a change. At the same time there was a sudden increase in conferences, seminars and research reports discussing the need to develop a volunteering sector. As a result, a committee was established to draft a document about NPOs regulations and the final result was the passing of the *Special Non-profit Activities Law*, known as NPO Law, in 1998.²⁴⁴ That year could be said to be the beginning of the institutional history of the Non-Profit sector in Japan. This does not imply that before 1998 NPOs did not exist, but the process to apply to officially receive the status was long and filled with bureaucracy so the number of recognised NPOs was scant. The law brought about a great shift in the state-society power balance since these groups were granted for the first time some level of tax benefits and unprecedented freedom from the heavy bureaucracy that characterized Japan as a "strong-state" country.²⁴⁵ According to the Law, to be considered as such, a NPO must meet the following criteria:

- must carry out activities that contributes to advancement of the interests of many and unspecified persons;
- not being established with the aim of making profit;
- not conduct religious or political activities;
- the number of members receiving remuneration must be one-third of the total members²⁴⁶

In the world of animal protection NPOs, according to Ahonen's interviews, Japanese organizations seem to choose one of the following terms to describe themselves: "love and protection" (*aigo*), welfare (*fukushi*) or rights (*kenri*). The main differences between these terms have already been explained in the first chapter but here we will understand why they are used by animal welfare NPOs. The majority of pro-animal

244 Kawashima, Nobuko (2001). *The Emerging Nonprofit Sector in Japan: Recent Changes and Prospects*. *The Nonprofit Review*, 1(1), 5-14.

245 Pekkanen, Robert (2000). *Japan's New Politics: The Case of the NPO Law*. *The Journal of Japanese Studies*, 26(1), 111-148.

246 *Special Nonprofit Activities Promotion Law*, 1998.

organizations choose the term *fukushi* to describe themselves, while others use *aigo* and only a few employ *kenri*. As reported by Ahonen's sources, organizations promoting *kenri* are usually seen as "fundamentalist", which sometimes brings about negative connotation in Japan because associated with radical activism or terrorism. *Fukushi* and *aigo*, on the other hand, propose a more moderate approach, concentrating on gradual improvement of the relation between humans and animals. However, *aigo* is often seen as problematic because of its affective component that, according to those association that employ *fukushi*, hinder the rational management of animal and promote activities that do not fulfil the requirement for animal welfare, such as not performing euthanasia to keep the animal alive as long as possible. Furthermore, since it is based on the idea of liking or disliking an animal, it is seen as a limitation to the idea of promoting animal welfare for all categories of animals, not only pets. However, as the official name of the animal law employs the word *aigo*, some associations believe it to be more difficult to promote the idea of *fukushi* in the meaning of taking care of an animal while treating them as equals.²⁴⁷

In general, the main scope of action of pro-animal associations in Japan is educating the public on the correct way of handling pets, preventing abandonment and abuse and re-homing abandoned animals. The majority of their campaigns are oriented towards those that are considered the biggest challenges for animal welfare in Japan, meaning the pet industry, which is at the base of the high abandonment and culling rates.²⁴⁸

Although animal welfare organizations have started to raise up after the emission of the NPO Law and have slowly gained popularity within the Japanese public, Mattes claims that they do not possess the lobbying power that, for example, organizations such as *People for the Ethical Treatment of Animals* (PETA) or the *Human Society of the United States* (HSUS) possess in America.²⁴⁹ However, Ahonen asserts that, despite the centralized and rigid structure of Japanese policymaking and its limited openness to citizen organizations' influence, various animal welfare organizations are actively engaged in political activism. An example of this is the role that many

247 Ahonen, *Animal Lovers*.

248 Ahonen, *Animal Lovers*.

249 Mattes, *Multispecies*.

associations have played in the various revisions of the animal welfare law and the pressure they create with citizen activism under the form of petitions, citizen comments and public campaigns to influence the policymaking process from the outside.²⁵⁰

5.5.1 Animal Refuge Kansai (ARK)

ARK is a non-profit, non-governmental private organization established in 1990 by Elizabeth Oliver, a British citizen. It is one of the oldest animal welfare associations in Japan, established before the NPO Law, and officially recognized as an NPO in 1999. In 2008, ARK was accepted as an International Associate Member of the *Royal Society for the Prevention of Cruelty to Animals* (RSPCA), thus it maintains its relationship with the British world of animal welfare. According to Mattes, ARK and the activities carried out by its founder, served as an example, directly and not, for other similar organizations to arise and get involved in animal welfare.²⁵¹ Being a NPO, ARK employs thirty staff members and relies mainly on donations and volunteer's help to run their shelters and campaigns. Their main scope of activity focuses on re-homing animals relinquished to them by their owners, through adoption fairs held periodically, educating pet owners on proper pet keeping practices and promoting animal welfare in Japan. Their main efforts are spent to fight bad breeders and the current pet industry system, but ARK also collaborates with educational institutions to promote animal welfare and proper handling of pets to children bringing their dogs to classes.

According to Oliver the most recent issue regarding pets would be the consequences of the ageing population. Many owners are required to leave their pets when they are hospitalized and, since the animal itself could also be old, it means that it would require more veterinary attention and there is less chance to find a new accommodation. She also points out that over 60% of adopters in Tokyo are foreigners, which are more prone to consider adoption from shelters rather than buying from pet shops in comparison to their Japanese counterparts. She is also very

²⁵⁰ Ahonen, *Animal Lovers*.

²⁵¹ Mattes, *Multispecies*.

critical of the current animal welfare policy and its enforcement, comparing the cases of prosecution for animal cruelty in Britain which in a year were over a thousand and those in Japan, only thirteen a year. She claims this to be because authorities still are not grasping the true meaning of cruelty, especially neglect and the more subtle form of abuses, which are, for the major part, the result of ignorance in regard to animal welfare.²⁵²

From the moment it was founded ARK started promoting adoption of dogs and cats, however, it was only with the Great Hanshin-Awaji Earthquake in 1995 that the association gained popularity thanks to their efforts in rescuing and re-homing lost and abandoned animals. In 1995 their adoption numbers skyrocketed from 59 animals in 1994 to 197 in 1995 and remained steady above hundred since the beginning of 2000. In 2005 they opened a new branch in Tokyo, renamed Tokyo ARK which uses foster homes to accommodate the animals before finding them a permanent home. Their adoption process is very strict compared to the instant buying at pet shops. It requires the completion of a questionnaire and after that, the association requires pictures of the house and a copy of the housing contract to make sure the apartment is pet friendly and, in some cases they also ask to meet all family members. Unlike adoption from shelters, the transferred animal is already vaccinated, spayed and microchipped.

ARK officially opened a new facility in 2014, in Sasayama, Hyogo Prefecture. Designed and operated by the association, it was built with materials imported directly from Britain and consists of twenty-two kennels and also spaces for double and family occupancy. There are also areas for food preparation, trimming and bathing other than four fenced areas where dogs can exercise and play outdoors every day. Some of the first animals to occupy the new kennels were dogs rescued after the 2011 earthquake and tsunami in Tohoku and could not be provided for by their owners.²⁵³ This space offers a different vision of the grim animal management centres in Japan, and is also a facility that the supporters of the zero-culling

252 McInnes, 2018.

253 Gordenker, Alice. *State-of-the-art dog shelter opens in Kansai*. *The Japan Times*. (15-06-2014). URL <https://www.japantimes.co.jp/community/2014/06/15/our-lives/state-art-dog-shelter-opens->

campaign should aspire to build in Japan.²⁵⁴

5.6 Conclusions

Since the promulgation of the Non-profit Law in 1998, animal welfare associations have been rising nationwide, mainly in the Tokyo and Kansai area. Since they advocate different levels of animal welfare, they offer various approaches to the main issues of animal welfare in Japan, some advocate animal rights, while others are more measured and ask for constant improvement. Even though, as Mattes states, Japanese animal welfare NPOs do not possess the lobbyists power of other associations throughout the world, Ahonen finds that they can, and have, successfully engaged in civic activism, influencing the policy making process of animal welfare laws.

The work of associations seems to have been successful in promoting animal welfare and induce the government to launch campaigns in this sense. The zero-kill campaign launched by the government is aiming at what animal welfare groups have been advocating for decades. Various measures, such as the strengthening of criteria for shelters to refuse an animal brought by the owner and new regulations for the pet industry, have been implemented with the 2012 amendment of the Law. Others are going to enter into force in the next few years, like the microchipping rule, and the introduction of age restrictions for breeding and transferring of animals, introduced in 2019. The other two goals will require more efforts, and the conversion of governmental shelters, in particular, is seen as problematic, given the actual conditions of shelters and *hokensho*. According to the ARK newsletter, even basic improvement of *aigo* centres and *hokensho* in more animal-friendly facilities is still lagging behind. ARK staff who visited two newly opened *aigo* centres in Osaka Prefecture speaks of dogs kept on a short leash or muzzles even in their kennels, and even a box labelled "experimental animals".²⁵⁵ Although, in the wake of the zero-

kansai/

254 ARK Official Website. URL <http://www.arkbark.net/>

255 Ark Newsletter. *Visit to new Osaka Prefecture Aigo Centre Habikino and Kyoto Aigo Centre 24th April 2019*. ARK: A Voice For Animals, Summer 2019, number 113.

culling campaign, many cities such as Tokyo and Nara, are announcing to have reached the goal of zero-culling in recent years. However, as for example in the case of Tokyo, it seems that the goal was prematurely announced, probably because the deadline of the Olympic Games was drawing near, rather than because it was effectively reached.

Although the figures of cats accepted by animal management centres are steadily diminishing, the rate of cats and kittens culled is still high showing that the current method of capturing cats and bringing them to animal management centres or culling them does not effectively reduce the numbers of individuals in a colony, because of the "vacuum effect". On the other hand, TNR prevents this issue by returning the spayed cats to their previous colony, preventing other cats from taking their place. Furthermore, as Mitsui proved, the TNR campaign can effectively improve the well-being of the cats and the cohabitation of cats and humans while improving attention to animal welfare issues. Although it might be true that CCP does not immediately resolve the issue of free-roaming cats, it proves efficient in reducing the number of the cat population without jeopardizing animal welfare.²⁵⁶ It consequently reduces the intake of shelters and the subsequent number of kittens culled, which, as Crawford claims, it could prove beneficial for shelter staff which will not have to kill healthy cats and kittens.²⁵⁷ To achieve this, associations like *Dōbutsu Kikin* advocate the need of implementing TNR campaigns systematically, nationwide as a way of managing stray cats by taking into consideration animal welfare. The two examples of Aoshima and Tokunoshima proved that this campaign is much needed in Japan, especially in rural areas. In general CCP programs are gaining momentum in Japan, affecting also the policies of shelters that started to perform desexing operations on their premises.

The campaign launched by the MoE in regard to adoption of older animals by the silver generation is being implemented to promote human-animal relations between older people and abandoned animals. Sleger and Hediger, among others, found that pets can add meaningfulness and purpose in life, therefore they play an important role in older people's care. Bringing about examples of successful human-animal

²⁵⁶ Mitsui; Sato; Kakuma, *Effects*.

²⁵⁷ Crawford; Calver; Fleming, *Letting*.

relations in Europe they proved it is possible and desirable to promote this relation in different contexts. Taniguchi's study proved Slegers and Hediger right by finding the same facts in Japanese older pet owners. Adopting an older pet could be beneficial for both the animal and the future owners, since the lifestyle of an older animal better adapts to the one of an older person. In the case of dogs, they do not have to be walked often and usually do not have to undergo any basic training. There is also the advantage that they have already developed their personality and might be easier to choose the most suitable.²⁵⁸ Campaigns like the one implemented by *Dog Duca* are much more important in an ageing society such as the Japanese one with almost 30% of people belonging to the "silver generation" and with a high number of animal culling. Moreover, the fact that many elders live alone, away from their families the companionship of a pet is not to be underestimated. Other than providing companions for the silver generation, this campaign could prove effective to reduce the numbers of "elder" animals culled in animal management centres and *hokensho*. Adoption at *aigo* centres are generally limited to puppies and kittens, older dogs are usually labelled as non adoptable and while some are transferred to private shelters, the remaining are usually culled.

Among the various associations existing in Japan, ARK is one of the most active, which has been given and is still giving an example to other associations and the government on proper animal treatment methods. The association has strict connections to the world of British animal welfare and therefore presents Japan with European standards of animal treatment. Their management of animals has strong western welfare influences and therefore has been an example to similar associations in promoting new standards of animal treatment. Their activities focus primarily on promoting adoption and promoting proper animal treatment in schools.

In conclusion, all the campaigns discussed in this chapter, if implemented in the right way could prove useful in reaching the zero-culling that animal welfare associations and the government so fervently desire. As many of these campaigns require, directly or indirectly, the cooperation of the public, an extended promotional campaign should be implemented to spread awareness regarding these matters.

258 Taniguchi; Seino, *Effect of Pets*.

Chapter Six: Pets During Disaster

6.1 Introduction

This chapter will be about the management of companion animals in time of a disaster, and how it has evolved in time by taking into consideration three main disasters. We will examine the work of the government and local NPOs to ensure safety of both pets and their owners.

Literature regarding the way pets are affected by natural disasters and the way they are treated during emergencies is very scarce and relatively recent. The most important contributions to the topic are given by Mattes and Ahonen.²⁵⁹ Their work is the results of first person experience as volunteers at the most known animal related NPOs in Japan, mainly in the Kantō and Kansai area. The organization's directors and staff members' testimony about their work during disasters and their efforts combined with the difficulties encountered, draw a good picture of what the situation was like during that time.

The three main disasters that will be mentioned in this chapter are the Great Hanshin Earthquake in 1995, the Tōhoku Earthquake and the consequent Fukushima nuclear disaster in 2011 and the Kumamoto Earthquake in 2016. These three natural disasters are the best described by various authors and usually brought as examples when discussing the weak response and management of the Japanese Government in dealing with animal rescuing activities.

In the aftermath of the Great Hanshin Earthquake the government struggled to deal both in humans and pet rescuing activities, volunteer activities were badly managed and the lack of an organization system among volunteers caused various problems both to the victims and the volunteers themselves. This lack of a non-profit sector made the public understand the importance of it and started a movement to create one. In 1998 the "*Special Non-profit Activities Law*" was devised, creating new

²⁵⁹ Ahonen, *Animal Lovers*; Mattes, *Multispecies*.

possibilities for non profit organization and sparking the origin of countless NPOs in various sectors.

The Fukushima disaster was better managed in terms of humans rescuing operations, but the government contribution in the pet relief activities was basically non-existent and harshly criticized by the other participants. The work of Itoh in describing the disaster and the government, as well as NPOs activities in pet rescue operations is one of the most detailed accounts of the disaster.²⁶⁰ The Government stopped the rescuing operations inside the exclusion zone only a year later and after saving less than a thousand animals. After ordering citizens to evacuate without their companion animals, the prefecture authorities denied entrance of pets in most emergency shelters and temporary housing. The governmental organizations created for the purpose of managing the participants in the rescuing activities and the funds were accused of lack of transparency in managing the money deriving from donations by allocating it to favourite organizations. The main of the work was carried out by local NPOs, mainly from the Kansai and Kantō area, that engaged in on-site rescuing operations in the contaminated areas and managed the rescued animals in shelters. Even though the majority of the animals died in the disaster or were left behind, those that could be retrieved had to be taken care of physically and psychologically. On one hand adoption became more popular for a while and many animals were transferred to new families in Japan or even abroad, on the other hand, returning rescued animals to their owners was not simple because of the lack of a microchipping culture in Japan.

After the response to the Tōhoku disaster was deemed as a failure, the Ministry of the Environment released a document containing guidelines for pet rescuing measures in time of a disaster, in 2013. However, when in 2016, the Kumamoto Earthquake happened, the local government was still not ready to deal efficiently with pet rescuing operations. Some improvements were made, but only on a local level and the issues that emerged were the same as the ones encountered in the two previous disasters. Recognising this, the Ministry of the Environment, reviewed the guidelines in 2018. However, the result is still strongly anthropocentric and still allows

²⁶⁰ Itoh, Mayumi (2018). *Animals and the Fukushima Nuclear Disaster. The Palgrave Macmillan Animal Ethics Series*, 1(23). Palgrave Macmillan.

a big margin of independence to local prefectures in dealing with animal allowance in shelters and temporary housing.

Campaigns for pet relief activities are particularly important in a country like Japan, the key points should be educating the government in dealing efficiently with pet related issues, but also owners that should always be prepared in case of an emergency. In recent times, the relationship between humans and pets have been shifting; dogs are no longer seen as mere guard dogs, but as members of the family, and losing them is like losing a dear one. This new relationship is what pro-animal organizations are relying on to create a more animal friendly approach to disaster management. Even though it could be argued that this approach is still strongly anthropocentric, as the life of the animal should be saved because it would otherwise be detrimental for the human, it is still a first step in dealing with this issue.

In this chapter we will realize that natural disasters and calamities bring to the surface the pre-existing issues in a society, and domesticated animals are one of the most vulnerable categories in a disaster situation as they rely entirely on their human caretakers for basic needs and are rarely legally and politically protected. The Japanese government response to these emergencies has been in all three cases strongly anthropocentric, focusing only on humans' relief operations and ignoring the needs of pets during and after the disaster.²⁶¹

6.2 Great Hanshin Earthquake (1995)

In 1995, an earthquake of magnitude 7.2 was registered in the area around Kobe City, Awaji Island and the southern part of Hyogo Prefecture, it was later named the Great Hanshin-Awaji Earthquake, commonly known outside of Japan as the Kobe Earthquake. The worst damage was taken by the city of Kobe and the total human toll was registered at around 6.400 lives.

As of now, there is little literature concerning the way animals were managed during this disaster as interest toward the issue of the safety of companion animals during

²⁶¹ Companion, Michele; Chaiken, Miriam S (edited by) (2016). *Responses to Disasters and Climate Change: Understanding Vulnerability and Fostering Resilience*. CRC Press.

natural calamities sparked from this experience. The main source of information regarding pet animals rescue operations are the testimonies, gathered by Ahonen, of the directors and staff members of the animal welfare organizations that participated in the relief operations. The general idea that shows through the records is that the government was unprepared to deal with the emergency, both in the case of human relief activities and, even more so, for animals. Yet, the government's inefficiency was replaced by a great number of volunteers that helped with rescue and relief activities.²⁶² However, the lack of an infrastructure that could supervise volunteer activities brought about a chaotic and ill-organized situation that reflected badly on the relief operations.

Initially, companion animals were not permitted entrance either in emergency shelters nor in the temporary housing facilities built in the Hyogo Prefecture and in Kobe City. However, after receiving letters from pro-animal associations, the governor of Hyogo Prefecture allowed pets to enter public housing together with their owners, although the space was limited and these houses were built years after the disaster.²⁶³ Three days after the earthquake, the *Tokyo Headquarters of the Great Hanshin Earthquake Animal Rescue* was established by the *Veterinary Association of Hyogo Prefecture*, the *Veterinary Association of Kobe City*, and the Hanshin branch of *Japan Animal Welfare Society (JAWS)*. Their main activities were to collect donations and allocate them between the various organizations and facilities for animal rescue. In February, the Headquarters built two additional shelters in order to accommodate the animals: the *Sanda Animal Rescue Centre* and the *Kobe Animal Rescue Centre*. The two shelters were closed respectively in November 1995 and in May of the next year. The Headquarters would serve as a prototype for the *Headquarters for Animal Relief in Emergency*, established in 2011.²⁶⁴

262 Ahonen, *Animal Lovers*.

263 Mattes, *Multispecies*.

264 Yamaguchi, Chizuko. Nihon ni okeru kako 20-nen amari ni okotta kinkyūsaigaiji no dōbutsu kyūen katsudō no hensen 日本における過去 20 年余りに起こった緊急災害時の動物救援活動の変遷 (*Changes in Japan's Animal Rescue Activities during Crises over the Past 20 Years*). 2013

6.2.1 NPOs' Work

Due to the lack of aid from the government, support from volunteers was crucial in helping animals and their owners. The first organization to arrive on the scene was *Animal Refuge Kansai* (ARK). Being headquartered in Osaka, they were closer to the zone of the disaster and they immediately started the animal rescuing operations, as the government was already struggling with rescuing humans. At the time of the disaster the organization did not have the status of NPO, but their activities, and those of other animal welfare organizations laid the foundations for the enactment of the first Law concerning Non-profit Organizations. The staff at ARK unanimously agree that their work during the Kobe disaster was crucial in spreading the name of the organization and their ideologies, and brought them acknowledgement both from Japanese and foreigner public.²⁶⁵ Eventually, ARK was incorporated as an NPO in 1999 and is now an international member of *The Royal Society for Preventing Cruelty to Animals* (RSPCA).

The second organization involved in the rescue operations was ARSF (*Animal Rescue System Fund*), founded by Hiro Yamasaki, a veterinarian located in Kobe that built and ran evacuation shelters for animals in the first months after the earthquake. After realizing the importance of performing neutering surgeries on the abandoned animals to prevent uncontrolled reproduction, he concentrated his effort on carrying out TNR practices on the animals to reduce the growing of the stray population. He opened the *No More Homeless Animal Clinic* in Kobe, still run nowadays by ARSF that performs low cost neutering and spaying operations on stray cats. It is also open to any pet owner that wishes to perform desexing operations at lower costs than normal clinics.²⁶⁶

6.2.2 Difficulty of the Situation

The general situation at the time was described by volunteers of different associations as "chaotic". Government and NPOs alike lacked organization and a

²⁶⁵ Mattes, *Multispecies*.

²⁶⁶ Ahonen, *Animal Lovers*.

network to control volunteers during operations, the poor management of the government in human rescue activities affected also the non-human animals rescuing operations. Evacuation shelters did not allow animals, and many owners had to decide between refusing the shelter and living in their car and abandoning or putting down their animals. At the time of the Kobe Earthquake, the concept of "no-kill" shelters had yet to gain popularity in Japan, and the only facilities designated to host dogs and cats were the *hokensho*, which were geared for keeping a low number of animals and killing rather than keeping them. In the aftermath of this earthquake, the relinquishment of pets to *hokensho* and the "culling" became a popular way to deal with abandoned and lost animals. The work of ARK in this event was crucial in making pet owners realize that there was an alternative to the relinquishment by leaving the pets in their temporary care.

For those pets that were never claimed or were relinquished permanently by their owner, adoption was the only way and, surprisingly, pro-animals organization staff found that these "disaster" animals were adopted much faster than their non-earthquake counterparts. Even though adoption was, and still is, not popular in Japan as shelter dogs are seen as "used" items, "disaster" pets are seen differently than abandoned animals, which briefly made adoption of disaster stricken animals more popular among Japanese for a while.

6.3 Tōhoku Earthquake and Fukushima Disaster (2011)

On March 11th, 2011 an earthquake of magnitude 9.0 occurred not far off the northern coast of Japan, causing damages in the three Prefectures of Miyagi, Fukushima and Iwate. The immediate damages caused by the earthquake were enormous but not long after, a tsunami struck the coast causing, in the following three days, the meltdown and explosion of three reactors in the Fukushima Daiichi Nuclear Power Station. The earthquake was considered one of the strongest ever registered and the consequent Fukushima Nuclear disaster has been recorded to be the same level as the Chernobyl disaster in 1986. The death toll of the earthquake and the nuclear disaster was higher than 15.000 people, and in Fukushima Prefecture almost

130.000 people were evacuated from their homes and moved to emergency shelters for fear of radioactive contamination.²⁶⁷

6.3.1 Evacuation

Initially, the Japanese government tried to conceal the scale of the nuclear disaster evacuating only people living in the immediate vicinity of the nuclear plant. However, in April, the government expanded the exclusion zone to a 20-kilometres radius around Fukushima and the area between the 20-kilometres and 30-kilometres radius was labelled as a "semi-warning zone". All the residents of the "exclusion zone" were forcibly and hastily evacuated to the shelters and the area was sealed off, prohibiting entrance to anyone.²⁶⁸

According to figures published by the government, the number of companion animals living in the exclusion zone at the time of the earthquake was around 12.000, however, the number was more likely twice as much the one provided by the government. This is because official figures only considered the number of companion animals registered at the prefecture health offices. However, as values and perceptions of animals are highly regional in Japan, in the Tōhoku region dogs were mainly regarded as *banken*, guard dogs, that rarely enter the family home and consequently rarely microchipped or registered. Therefore, it is believed that almost 25.000 companion animals were living in the exclusion zone before the earthquake.²⁶⁹ Of those, it is estimated that the disaster contributed to the deaths of 16.000 dogs and more than 23.000 cats. The majority of these deaths were in the Miyagi prefecture, accounting for more than 60% of the deaths in dogs and 90% in cats.²⁷⁰

267 Itoh, *Nuclear Disaster*.

268 Itoh, *Nuclear Disaster*.

269 Itoh, *Nuclear Disaster*.

270 Tanaka, A; Saeki, J; Hayama, S; Kass, P.H. (2019). *Effect of Pets on Human Behavior and Stress in Disaster*. *Frontiers in Veterinary Science*, 6(113).

During the evacuation operations the Fukushima Prefecture Government did not allow residents to move to the shelters with their companion animals and, as a result, many were left behind in the contaminated areas. Curiously, Itoh found that the only area of the exclusion zone where animals have not been found was the district where the employees of TEPCO, the company operating the plant and their families lived. She assumed that the company knew about the seriousness of the situation and preventively evacuated all the employees and their families together with their companion animals. At the moment of the evacuation people were not only prohibited to take their companion animals with them, they were also left in the dark on how long the evacuation would last. Some left their pets as if they were to return after a few days: tied up in the yard or inside the house, in their kennels so they would not escape, with a little amount of food and water. The majority of them died in the first months of dehydration and starvation; those who were not restricted managed to survive alone in the streets scavenging on cattle and poultry, also left behind by farmers. The estimated total number of companion animals that died in the exclusion zone is thought to be about 22.000, almost 90% of the total.²⁷¹

6.3.2 Government Action

For the clean-up operations in the struck zone, the government mobilized the Japan Self Defence Force (JSDF), and a member of the army assigned to the exclusion zone stated that if only the government had ordered them to save the countless companion animals on the streets, they could have done it without any effort.²⁷² However, the government did not engage in any comprehensive animal relief operations in the exclusion zone, carrying out only the bare minimum.

Months after the disaster, the government permitted residents to return home, but only for a few times a year and for a limited period of time, still prohibiting taking companion animals with them. Then, the government engaged in pet relief activities, mainly at prefecture level. In April, the *Fukushima Prefecture Animal Relief*

²⁷¹ Itoh, *Nuclear Disaster*.

²⁷² Itoh, *Nuclear Disaster*.

Headquarters (Fukushimaken Doubutsu Kyuugo Honbu) was established by the Fukushima Prefectural government with the cooperation of the *Fukushima Prefectural Veterinary Medical Association* and various volunteer associations. At the same time they opened an account for donations, to be used for investigating the pet situation and engaging in pet rescue operations in the exclusion zone. In May, the Ministry of the Environment sent a team of veterinarians, named *Veterinarians Association For Fukushima Animals (VAFFA)* to accompany residents of a few selected zones, distant from the power plant, and assist them in capturing their animals. However, Itoh argues that the zones where the retrieval took place were limited and the number of rescued animals was dainty in comparison to the total number of animals. In July, the second attempt of the Japanese government to save companion animals in the exclusion zone took place. The VAFFA collaborated with the *Fukushima Prefecture Animal Relief Headquarters* and the rescuing activities lasted for two days. In August, the VAFFA was dismembered and the MoE delegated the rescuing activities to the Fukushima Headquarters. Between August and September, residents were allowed temporary home visits but still not allowed to take their animals with them. Instead the prefecture implemented a "request" system according to which the owner had to submit a formal protection request to the prefecture that would lately accept the animal rescue. According to the figures, the success rate in 2011 of the pet relief operations carried out by the government was 4%.²⁷³

The Fukushima Headquarters built two shelters, in Iino and Miharu, to bring the animals rescued in the exclusion zone, using the money collected by the disaster fund. Thanks to the efforts to return the animals to their guardians and the adoption campaign implemented right after the disaster, the first shelter closed down in 2013 and the remaining animals were transferred to the second. Most of the dogs and cats kept in the Miharu structure were those of owners who could not retrieve them, due to the strict regulations at evacuations shelters. Eventually, the second shelter was closed in 2015 after the Fukushima Headquarter director announced that all the animals had been either returned or adopted. At the end of fiscal year 2015, the

273 Itoh, *Nuclear Disaster*.

Fukushima Prefecture Animal Relief Headquarter ceased to exist, officially marking the end of the Fukushima prefecture's rescue operations.²⁷⁴

According to Itoh, both the prefecture and national government have been under heavy criticism regarding the way they handled the rescuing operations and the evacuation policy adopted in Fukushima that excluded companion animals. Headquarters and their operations were criticized by the associations that participated in the rescue regarding the way they spent and allocated the donation money.²⁷⁵ Everyone agrees that the numbers of animals rescued by the government is irrelevant to the total and that if they had engaged in serious rescuing activities from the start many more animals would have been saved.

6.3.3 Headquarters for Animal Relief in Emergency

The *Headquarters for Animal Relief in Emergency* was established in 2011 in Tokyo, as an offspring of the local animal relief headquarters that was created after the Great Hanshin Earthquake in 1995. The founding members were four big pro-animal organizations: the *Japan Society for the Prevention of Cruelty to Animals* (JSPCA), the *Japan Animal Welfare Society* (JAWS), the *Japan Pet Care Association* (JPCA) and the *Japan Veterinary Medical Association* (JVMA). These associations inherited all the remaining funding and assets of the original organization and founded this new Headquarters. However, Itoh focuses on the fact that the executive positions of each one of these organizations were former government officials, as part of a very common practice in Japan called "golden parachute", thus the ties with the government were close.²⁷⁶

Officially, the Headquarter ceased the animal retrieving operation at Fukushima in 2012, with still a considerable budget in the account. Their withdrawal from the searching operations was heavily criticized by both volunteer organizations and those

274 Itoh, *Nuclear Disaster*.

275 Itoh, *Nuclear Disaster*.

276 Itoh, *Nuclear Disaster*.

who donated to the fund. Then they were accused of having concentrated their spending on managing the animals in the shelters, but mainly on non-essential procedures like dog trimming and nail-clipping just for the sake of using up the budget. The Headquarters was also accused of favouring affiliated groups with conspicuous allocation of the funds and lack of transparency on the total accounts. This escalated in a lawsuit filed against the Headquarter by private citizens and associations together, demanding disclosure of the accounts. The plaintiffs in the lawsuit claimed that the mismanagement of the funds dated back to the Kobe earthquake and bad investment led to the loss of a great amount of the donations money pointing out that the Headquarters did not disclose the accounts until 2013, after the statute of limitation had expired. After all these accusations and loss of credibility the Headquarters reorganized itself and in 2015 changed its name to *Council on the Promotion of Disaster Measures for Pets* but the substance of the organization did not change.²⁷⁷

6.3.4 Evacuation at Shelters

Even with the strict prefecture policy, some of the owners actually managed to evacuate with their pets, or had them returned by volunteers. Similar to the policy implemented after the Kobe Earthquake, companion animals were refused entrance by the majority of evacuation shelters. In some cases pets were allowed only outside of the premises of the shelter, therefore some evacuees decided to live in their car so as not to be forced to relinquish them to Animal Management Centres. In addition to the official banning of animals from evacuation shelters, another factor against keeping companion animals in shelters and public housing were the complaints and disapproval from other evacuees that forced animal owners to find alternative accommodations for their pets.

One example of pet friendly shelter was the one set up in the city Gymnasium in Niigata Prefecture. One corner of the gym was designated for keeping companion animals, equipped with cages covered by blankets and pet food brought by animal-friendly organizations. Volunteers veterinarians visited the animals giving

²⁷⁷ Itoh, *Nuclear Disaster*.

vaccinations and treatment free of charge. After the period spent in the emergency shelter, refugees could move into temporary housing or room provided by the prefecture government, bringing their pets with them. This was a perfect example of how humans and pets struck by disaster could coexist in the same place.²⁷⁸

6.3.5 Shelters and Adoption

However, these pet friendly shelters were only a few compared to the total, thus many owners were forced to relinquish their pets to animal management centres or to animal welfare associations that assisted in the animals rescue operations. For some of the animals the relinquishment was only temporary, to give owners the time to find new accommodations, while for others it was permanent. Some of the animals were kept in governmental and NPOs' facilities for years as, even if the owners could not retrieve or economically provide for them, they did not allow the animal to be rehomed. In this situation, both governmental and private shelters became overcrowded with animals as some of them could not be adopted or transferred so new shelters were established thanks to the cooperation of animal welfare associations. These newly constructed structures were managed primarily by volunteer staff and by the animals' owners, according to the principle of "self-help" and "mutual-help" advocated by the government.

To find a new home for the rescued animals and free some space in the overcrowded shelters, both *aigo* centres and shelters run by NPOs hosted adoption fairs resulting in many "disaster" pets being adopted both in Japan and abroad. Like the increase in adoptions after the Great Hanshin Earthquake, the desire to help animals in need made adoption become more popular for a brief period.²⁷⁹ In Sendai City, for example, an adoption event held at the local Animal Care Center was held early after the earthquake, attracting attention from people all over the country. As a result, it was possible to transfer animals to individuals and animal protection groups nationwide, preventing the centre from becoming overcrowded.²⁸⁰

278 Itoh, *Nuclear Disaster*.

279 Mattes, *Multispecies*.

However, even in normal cases adoption could take years and in this special situation it certainly was not an easy feat. Animals rescued from the exclusion zone and brought to rescue facilities often brought with them behavioural issues deriving from Post Traumatic Stress Syndrome (PTSD). The traumatic experience of the earthquake, the separation from their humans and the hardship they had to deal with on their own, took their toll on the mental well-being of these animals. Some of them had become semi-feral after living on their own for so long and fighting for survival, others developed illnesses and required medical attention, not to mention that many of them suffered from PTSD. The lack of socialization for a long period made them need social rehabilitation to start living around humans again, and that could be achieved only by animal behaviour experts over a period of time. The same happened to dogs kept by their owners at the shelters, being confined in cages or small rooms for a long time in a chaotic environment with strangers coming back and forth was not suitable for the animals' mental well being.²⁸¹ ARK staff that dealt with these animals, claim that some animals would stop eating or become aggressive when previously friendly or had issues with other dogs in the vicinity.²⁸²

Returning pets to their owners was not easy either. Some of the refugees had to live in shelters and temporary housing facilities provided by the government for years, and some of them could not retrieve their animals. Furthermore, volunteers struggled to retrieve information about the owners because of the low rate of microchipped animals. Being mainly a rural area dogs were treated as *banken*, kept chained outside or inside the garden, owners did not usually microchip them since it was not compulsory. The lack of microchipping impacted not only the returning procedures, but also performing health checks on the captured animals. Some of them required medical attention due to diseases or injuries and for those not microchipped it was difficult to retrieve medical records.

280 Hito to petto no saigai taisaku gaidorain 人とペットの災害対策ガイドライン (*Disaster Countermeasure Guidelines for People and Pets*). Ministry of the Environment of Japan. 2018

281 Itoh, *Nuclear Disaster*.

282 Mattes, *Multispecies*.

6.3.6 NPOs Activity

The absence of the government in animal rescuing operations was filled by countless animal protection organizations and countless volunteers that entered the exclusion zone on their own. To participate in the rescuing operations the existing animal welfare NPOs had to receive permission from the government to enter the exclusion zone and start their animal relief activities. That is why the majority of them focused on sheltering the animals rescued by the government rather than engage in on-field rescuing activities. Paradoxically, those NPO that engaged in relief activities inside the exclusion zone did not receive any substantial financial or logistic help from the Headquarters.²⁸³ Many staff members of the NPO who also participated in the animal rescuing operation after the Kobe Earthquake, were very critical of the government's efforts and convened that the situation surrounding animal rescue had not improved since 1995. On one hand, the government improved the coordination system creating a functioning network between volunteers and the state, for what concerns human aids. On the other hand, the volunteer infrastructure for animal rescue lacked order, general standards and a hierarchy.

Given their tight resources, to strengthen their impact many associations joined forces to create collaborative groups. For example, Isabella Gallaon, director of *Animal Friends Niigata* (AFN), partnered with *Heart Tokushima* and *Japan Cat Network* in a coalition called the *Japan Earthquake Animal Rescue and Support* (JEARS). The organization collected plentiful donations in the months following the disaster, however, as each had a different management, there was inner conflict on how to deal with the animals and they took different approaches. *Animal Friends Niigata* kept rescuing animals even when their shelter capacity was at its fullest and the other members of the coalition deaf to the warnings about the danger of rescuing too many. When the donations started declining, as it was to be expected, the organization found itself struggling financially, and the small number of staff members and the high number of animals made it difficult to care for each one of them properly. *Heart Tokushima* was also in the coalition. They acquired prefabricated temporary housing to host the high number of animals coming from the disaster

²⁸³ Itoh, *Nuclear Disaster*.

zone. They accepted animals sent down from Tōhoku, despite their involvement in on-field operations, a relatively low number of permanent staff and lack of regular volunteers. Even though that situation would only be temporary, four years later they were still in the same predicament with too many animals and too little resources. The third organization in JEARS, *Japan Cat Network*, worked primarily with cats and was the one out of the three that fared better. They also built a shelter in the Fukushima Prefecture to handle the animals. Unlike the other two, they set limits on the number of animals they would take in. After four years the shelter was still financially struggling, but could still count on a regular stream of volunteers. More so, instead of unilateral taking in animals they provide information and resources to the individual or the community on the proper way to handle the animals.

The problems of these three NPO are illustrative and common to all the pro-animal organizations in Japan: they are always low on funds as they rely almost entirely on donations and memberships, and lack permanent staff, counting on seasonal volunteers. Given the small amount of funds at hand, a difficult task for the various NPOs was to use foresight and rationality during the rescuing operations and having to consider the long-term efforts that are needed to care for the animals. Organizations shelters have a given capacity and overdoing it could become problematic for the staff but also for the animals kept in the facilities. As strange as it could sound, Oliver claims that even pro-animal organizations have to avoid overcommitment and sometimes turn down animals in distress.²⁸⁴ Nonetheless, even with small or big conflicts and without receiving the proper amount of funding from the government, it is undeniable that without the work of Japanese NPOs many more animals would have died. Thanks to their effort many dogs and cats were returned to their humans, and some others were adopted nationwide and abroad.

6.3.7 Importance of TNR Campaign During a Disaster

One of the many issues in the aftermath of a disaster where animals are free to roam the streets is that the stray population increases in the following months, especially

²⁸⁴ Mattes, *Multispecies*.

for cats. The situation during Fukushima was particularly serious because animals were left behind in an enclosed zone in total freedom. Moreover, the reproduction of the animals ended up making the work of those engaged in rescuing operations even harder. Feral cats pose the greatest challenge, given their reproduction rate. Hiro Yamasaki, of ARSF, explained that forcing spay and neuter practices before a disaster is the best method to enhance disaster resiliency by preventively decreasing the number of animals that need rescue afterwards. As already done after the Kobe Earthquake, Yamazaki started a TNR campaign on the animals left behind in Fukushima. He also offered to desex those retrieved by the Headquarters and kept in their shelters but he was refused since the animals were still property of their owners, and they would have needed the owner's permission. Consequently, Yamazaki opened a second clinic in Fukushima to spay and neuter animals at moderate prices.²⁸⁵

Years after the disaster animals left behind are still roaming the deserted zone looking for food and trying to survive, and in the meantime they reproduce, worsening the situation. Local NPOs set up feeding stations inside the exclusion zone, leaving traps to try to collect the animals and bring them to the shelters.

6.4 Guidelines for Pet Rescue Measures in the Event of a Disaster

The government acknowledged that prefectures and the national government were not prepared to deal with pet rescuing procedures after the Tōhoku Earthquake. Complaints from refugees and animal welfare associations made clear that the policies regarding acceptance of pets inside temporary shelters and housing were not adequate for the scale of the emergency. After acknowledging the poor response of the Government during the Fukushima Rescue operations, in 2013, the Ministry of the Environment published the *Guidelines for Pet Rescue Measures in the Event of a Disaster (Saigai-ji ni okeru petto no kyūgo taisaku gaidorain)*, Japan's first disaster

²⁸⁵ Itoh, *Nuclear Disaster*.

guidelines for pets.²⁸⁶ Although it was not an official legislation, local governments were expected to publish their own local disaster management plans following the general rules contained in the guidelines of the ministry.

The main principle stipulated by the guidelines is the *dōkō hinan*, “evacuation with pets” which is considered important, not only from the perspective of animal welfare, but also because saving the animal means peace of mind for the owner, as we will see in the next pages. The document was drafted in order to provide local governments with some basic rules to include in their own Regional Disaster Prevention Plan.

However, the newly devised guidelines did not function well in the operations after the Kumamoto earthquake three years later.

6.5 Kumamoto Earthquake (2016)

What is known as the Kumamoto Earthquake was a series of earthquakes, the strongest of which of magnitude 7.0, that occurred on the island of Kyūshū a little east of Kumamoto, in 2016. Following the guidelines provided by the Government, the Kumamoto prefecture government had drawn up the guidelines for evacuation procedures with pets the month before the earthquake but it still had to distribute it to the various municipalities.

Originally, companion animals were allowed only at the Mashiki Town Comprehensive Gym that was turned into an evacuation shelter in the days after the earthquake. Here, the space was divided between those who had an animal and those who did not. However, animals were said to cause nuisances to other refugees inside the gym and the ones kept in the tents set up by local NPOs, outside the gym, were suffering from the heat. Finally, the township built prefabricated sheds equipped with air conditioning that could contain up to twenty animal cages.

286 Saigai-ji ni okeru petto no kyūgo taisaku gaidorain 災害時におけるペットの救護対策ガイドライン (*Guidelines for Pet Rescue Measures in the Event of a Disaster*). Ministry of the Environment of Japan. 2013.

In general, as after Fukushima, even though some shelters did not explicitly prohibit evacuees from keeping their companion animals with them, many hesitated to bring their animals to the crowded evacuation shelter for fear of causing troubles to other refugees. Some shelters initially permitted animal keeping on the shelter premises but after troubles among refugees and some complaints about the animals not being vaccinated or not being treated against fleas, raised concerns about health safety and they were prohibited afterwards. Therefore, as Itoh claims, owners did not only have to endure the government's lack of support, but also of other refugees, that would feel inconvenienced by animals in the shelter.²⁸⁷

Shelters policy was clearly the same as in the Tōhoku and Hanshin Earthquake and rescued animals and those not accepted in shelters had to be handed over to prefecture animal management centres. As already explained in the previous chapters, governmental facilities are not designed to host a big number of animals, and over capacities issues are usually solved by operating the gassing machine. From the moment animals arrive at the centre, they have a limited number of days before they are disposed of, but in this exceptional situation, the prefecture government extended the period for the rescued dogs, in order to try to return them to their owners. At the same time, the Kumamoto Prefecture Animal Management Centre, with the cooperation of various NPOs, engaged in an adoption campaign for the rescued animals.²⁸⁸

In this emergency as well, a *Kumamoto Earthquake Pet Relief Headquarters* was established by the *Kumamoto Prefecture Veterinary Medical Association* in collaboration with the Prefecture and the city authorities. Thanks to donations, the Headquarters established the *Kumamoto Pet Relief Centre* to keep animals that were refused entrance in shelters or under the owner's request for the period of time while they stayed in the evacuation centre. Veterinary support for wounded pets and some psychological care for the animals was provided by the *Kumamoto Prefecture Veterinary Medical Association* and the *Japanese Veterinary Medical Association* to

287 Itoh, *Nuclear Disaster*.

288 Itoh, *Nuclear Disaster*.

help animals, and their owners, coping with stress and PTSD issues.²⁸⁹ In some areas temporary houses were divided between those who kept a pet and those who did not, to let the owners live with their pets, however many owners reported that the space was not adequate and there were other minor problems.

To foster mutual understanding between owners and non-owners, in Kumamoto, some volunteers established the *Volunteer Association of Dogs and Cats Owners*. They hold classes about the proper management of animals in shelters and temporary housing so as not to cause inconvenience to other refugees. It was mainly a project to help pet owners to manage their pets in an appropriate way and also try to solve the issues between owner and non-owners. With his research conducted among the refugees of Kumamoto, Kato offers some examples on how it is possible, with some efforts, to solve the "troubles" caused by pets in emergency shelters and temporary housing. According to him, the key would be "participation" of both those who keep pets and those who do not, creating a community of which pets can be part of. Kato is one of those that advocates the need of keeping companion animals in the same structure with their owners stressing the idea of pets being a support in time of a disaster, when one has to rebuild its whole life. In conclusion, according to him, among others, supporting companion animals would be the same as supporting their humans.²⁹⁰

289 Kumamoto jishin petto kyūgo honbu wo secchi shimashita 熊本地震ペット救護本部を設置しました (*Establishment of the Kumamoto Earthquake Pet Relief Headquarters*). Ministry of the Environment of Japan. 2016

290 Kato, Kensuke 謙介 加藤 (2018). Heisei 28nen Kumamoto jishin hisaichi ni okeru "hito to petto no < gen wazawai >" ni kansuru jissenteki kenkyū. Kumamoto ken Mashiki-chō no kasetsu danchi no jirei o chūshin 平成 28 年熊本地震被災地における『人とペットの<減災>』に関する実践的研究——熊本県益城町の仮設団地の事例を中心 (*Practical Research On "Disaster Mitigation Of People And Pets" In The Area Affected By the 2016 Kumamoto Earthquake. Focusing On The Case Of A Temporary Housing Complex In Mashiki Town, Kumamoto Prefecture*). Kyūshū University of Health and Welfare.

6.6 Disaster Countermeasure Guidelines for People and Pets

After acknowledging that the measures contained in the guidelines were not adequate, in 2017, the Ministry of the Environment appointed an investigative commission to revise the guidelines and, the next year, the *Disaster Countermeasures Guideline for Humans and Pets* was released.

The documents define a "disaster stricken pet" as an animal who has an owner, and it is found in an area that was declared as stricken by a disaster, and also states that "human life is to be prioritized above all else", therefore, legal superiority is to be attributable to humans, not animals. Rescuing activities for both animals and their owners are divided in two main parts. The first, concerns the prevention of the disaster and lists all the procedures that must be carried out by the owner, in order to prepare for an eventual disaster such as desexing the animal and preparing pet food and pet cages. In this phase is included the *dōkō hinan* principle, according to which refugees can evacuate with their companion animals to the emergency shelter. The establishment of the Animal Rescue Headquarters and pet rescue activities by associations and appointed authorities also belong to this phase. The second part is about the "disaster emergency measures" which concern the accommodation of domestic animals, procurement and distribution of pet supplies by the designated organizations and explanations about the proper keeping of pets in temporary shelters and housing. This document is also based on the two principles of *dōkō hinan*, already stated in the first version, and the "self-help". This means that owners are responsible for protecting themselves and managing their pets by "self-help" efforts or by "mutual-help" by cooperating with other refugees. According to the document, the owners are responsible for securing pet food and educating their animals in order not to cause disturbance to other refugees. Also, it is clearly stated that "evacuating with pets" only refers to moving from one's home to the evacuation shelters, it does not imply that the pet will be kept in the same place as the owner afterwards. According to the extracts of the meetings, anonymous bureaucrats were worried that the information contained in these guidelines would be used by pets' owners to reclaim some rights to keep the animals with them in the shelters. The

general rule is that humans and pets should be separated so as not to cause problems to non-owners and to ensure a healthy environment for humans. The prefecture and various associations would provide some food and cages to store the animals but the owners will have to take care of their pets themselves.²⁹¹ In her work, Kajiwara argues that, according to this document, the government would not be helping the animals directly but rather, help the owners as disaster victims expecting them to take care of their pets themselves. It has to be specified that the above mentioned regulations about dogs having to live separately from their owners and pet managing issues do not pertain to guide or assistance dogs, since they do not fall under the "pet" category.

6.7 Effects of Pets on Humans During Disasters

After Fukushima, public attention toward the welfare of affected animals in this disaster increased awareness of the importance of caring for their needs. However, research on human behaviour toward pets or effect of pets on humans during disasters remains sparse. The general opinion is that pets should evacuate with people, but less than half of non-pet owners agreed with having animals at evacuation centres. That is because pets are usually regarded as risk factors for human health and safety during a disaster and pet-friendly shelters accounted for a very low percentage of the total. Others initially allowed animals in the early days of the evacuations, but then ceased accommodating them as the evacuation and sheltering continued due to complaints from some evacuees. However, pets may play an important positive and protective role for disaster victims. Pets are considered one of the main reasons for evacuation failure and prematurely re-entering of disaster areas during or after a disaster, like it happened in Fukushima, where owners tried to return to their homes to retrieve their animals.

According to a 2019 study, dog owners had significantly higher PTSD scores compared to non-pet owners after one month since the disaster. Tanaka et al. attributed this to the fact that victims, already distressed by the situation, might have perceived having to care for the animal in addition to themselves as an additional

²⁹¹ Kajiwara, *Surviving*.

burden. Furthermore, many pet owners were prohibited from accommodating animals at emergency evacuation centres, and struggled to find alternatives by themselves. However, after four years, PTSD scores were significantly higher for non-pet owners compared to pet owners. Pet ownership may have had a positive effect on recovery by helping victims overcome their distress thanks to pro-social behaviours with animals that helps prevent loneliness and enhance social interaction with other refugees.²⁹² Therefore, they proved that animals could play an important role in increasing disaster resilience by facilitating better communication and social behaviours with other refugees; providing better motivation for preparing and resisting the disaster and facilitating recovery by avoiding animal loss.

"Pet loss" is another factor that influences the resilience of humans during and after a disaster. The term is used to refer to the loss of a companion animal, in any circumstances, and is usually compared to the loss of a dear one. However, as the "dear one" in this case, is an animal it is still not institutionally or socially recognised, especially in dire situations where there have been human losses. Losing a pet is not viewed as significant as losing a person and that is proved by the fact that the loss of a pet during a catastrophe is seen as a "secondary pain".²⁹³

6.8 Companion Animals in Disaster

According to a 2019 survey, 95.6% of pet owners expressed the opinion that pets should be evacuated with people in case of a disaster, in contrast to 72.5% of non-pet owners. 73.1% of pet owners considered that pets should be co-located with people in the evacuation centre, in contrast to 45.6% of non-pet owners. 37.0% of pet owners and 32.5% of non-pet owners answered that they would feel nervous if animals stayed in proximity to them at the evacuation shelter. The reasons for their nervousness toward animals included allergy, dog barking, odour and fear of infectious disease.²⁹⁴ However, according to these figures, people would seem to be more favourable to coexisting with pets for a short amount of time than the

²⁹² Tanaka, *Human Behavior*.

²⁹³ Mattes, *Multispecies*.

²⁹⁴ Tanaka, *Human Behavior*.

government would think. Both Kajiwara and the volunteers interviewed by Mattes stress that the solution to this issue would be dividing shelters between animal-friendly facilities and for humans-only shelters.²⁹⁵ It has been done during Fukushima, although shelters that accepted pets accounted only for 3% of the total,²⁹⁶ and it was repeated during the Kumamoto earthquake. However, given that animal ownership has been growing in Japan, the decision of creating pet friendly shelters should not be left at the discretion of every prefecture but institutionalized and applied in large-scale. In this regard, the *Center for Human and Animal Symbiosis* proposed a project to establish evacuation centres for pets in all of Japan. This project stemmed from the idea that accommodating pets and humans separately could ensure a safe environment for both. By asking the cooperation of pet hotels and other animal-related business facilities to become temporary evacuation shelters for animals they aim at creating a website with a map of the shelters available for pets.²⁹⁷

In disasters, the role of the owner is also important, in particular in the period before the emergency. In all three earthquakes the rate of neutered and spayed animals was very low, causing animal reproduction issues that had to be resolved with either capturing from animal management centres and TNR campaigns implemented by volunteers. This issue was particularly significant after the Fukushima disaster when animals were left roaming unchecked in the exclusion zone, reproducing and increasing the amount of work for volunteers. Microchipping was not compulsory and therefore not largely implemented by owners. Returning animals to their owners or obtaining the pet's medical record was not an easy feat. After the Kumamoto Earthquake, pet owner's preparedness in case of a disaster became more relevant and in Figure 14 are explained the main area of concern regarding factors for animal's resilience during disaster.

295 Kajiwara, *Surviving*; Mattes, *Multispecies*.

296 Tanaka, *Human Behavior*.

297 Kawase, Shinichiro. 'Zenkoku dōbutsu hinansho mappu' kaisetsu mezashite CF sutāto Gifu no npo `petto to hito no inochi wo mamoritai' 「全国動物避難所マップ」開設目指してCFスタート 岐阜のNPO「ペットと人の命を守りたい」 (*Project Launched To Set Up Evacuation Shelters For Pets In Japan During Disasters*). *Mainichi Shinbun*. (18-10-2020). URL <https://mainichi.jp/articles/20201011/k00/00m/040/054000c>

Figure 14. Figures of pet's owners disaster preparedness

	2017	2018	2019
Not taking measures	48.3%	38.2%	32.4%
Preparing evacuation equipment	32.0%	39.5%	42.8%
Pet food and medicine	25.5%	33.5%	40.2%
Attach tag and microchip	14.4%	17.6%	19.0%
Training on the use of the cage and reduce barking	7.8%	8.4%	11.0%
Checking in advance which shelters allow pets	5.5%	6.3%	8.4%

Source: Pet Food Association, *National Survey*. 2017-2019

As can be seen in Figure 14, owner's awareness of preparation procedures in time of an emergency have increased, but still remains low in relation to the risk of a natural disaster in Japan. The main actions regard preparing food and cages to use in time of the emergency, however, the rate of neutering and microchip attachment remains low, as well as checking which shelters allow animals on their premises.

6.9 Conclusions

The Great Hanshin Earthquake was maybe the first big disaster that drew attention and efforts of associations related to animal welfare in regard to management of animals during natural calamities. According to the authors examined, the management of the government of companion animals relief activities, was generally acknowledged to be lacking in all three disasters. Both in the Kobe and Tōhoku Earthquakes, owners were told to leave their animals behind and consequent pet rescuing operations were kept to a minimum. The Headquarters, established to manage pet rescuing operations, stopped saving animals from the stricken zone too soon and mainly concentrated their efforts in maintaining the animals in newly built shelters, which were closed soon after. The situation after Fukushima was particularly severe when the Headquarters was accused by various volunteer associations of

mismanaging the funds. Companion animals were officially refused entrance in evacuation shelters and temporary housing and even the two Guidelines created by the MoE established that the principle of "evacuating with pets" refers only to the moment right after the emergency and does not allow keeping pets in evacuations centres. Aside from the official ban, which was not applied for the Kumamoto disaster, owners had also to face the aversion of other refugees to have a pet in the shelter. However, as the example of Niigata Prefecture showed, creation of pet-friendly shelters is possible and should be implemented as pet ownership has been increasing in the past years and human-animal relations have been improving. Furthermore, even if an official ban of pets had not been issued, pet presence in shelters might cause disturbances for other refugees, therefore the government should strive to create pet-friendly shelters to prevent owners from feeling compelled to leave their animals behind. Overall, the marginal role of the government and its strongly anthropocentric response should be clear, many volunteers claim that the rescuing operations were only pro-forma and achieved almost nothing. In general, at Fukushima the government and some NPOs focused mainly on taking care of the animals already rescued and kept in the shelters, leaving the majority of those left behind to die because of human neglect. Furthermore, the lack of a clear policy about keeping companion animals in the shelters with their owner is another serious issue that must be mentioned. In conclusion, the way the government managed animal related issues during the Fukushima disaster was hardly different from the policies implemented after the Tōhoku earthquake.

On the other hand, the work of pro-animal organizations was crucial to supply the lack of governmental action. At the time of the Fukushima disaster, various NPO had risen thanks to the Non-Profit Law, therefore, their presence was more conspicuous and they were better organized than fifteen years before. However, support from the government was lacking, and the fact that NPOs rescuing lost cats and dogs inside the exclusion zone, received less resources than those engaging only in safekeeping of animals could be proof enough of what these associations claim about mismanaging of the funds. Animals were refused shelter with their owner and many had to abandon them or relinquish them to local animal management centres where they were eventually culled because of the lack of space. NPOs engaged in rescuing

operations built temporary shelters to host the big number of animals that were brought to them, while also surpassing the number of animals hosted. In all three earthquakes, adoption fairs were held and many dogs and cats were successfully adopted out, although the biggest rate of adoption was registered in the Fukushima disaster, as the news became international and foreigners adopted "disaster" animals as well. However, many animals were discarded from adoption fairs because of aggressive behaviours caused mainly by PTSD. Aside from private shelters, given the management policy of *hokensho* it could be thought that many of the dogs and cats that showed aggressive behaviours were deemed unsuitable for adoption and subsequently culled. Many animals were left in the care of NPOs for a long time, as their owners could not retrieve them until they found an accommodation that allowed pet keeping. In that situation, NPOs found themselves overwhelmed with a big number of animals and no help from either the government or the owner themselves. The other factor that impacted the return to the owner of the animals saved was the low rate of microchipping. During the Kobe earthquake microchipping was not a popular method of claiming the ownership of dogs, and in Fukushima, as the strike zones were mainly rural the majority of dogs were *banken* and therefore not microchipped. During the Kumamoto earthquake, a microchipping campaign had been implemented and awareness in regards to attaching an identification method and performing desexing operations had been built.

It could also be said that with the Kobe earthquake, the fragility of animal management in Japan came to light, but a real animal welfare conscience was yet to be built. On the other hand, after Fukushima animal welfare organizations which had gained attention during Kobe had contributed in the past years to create an awareness in regard to animal welfare issues. It could also be possible that, as the scope of the disaster reached other Countries as well, there might have been a more international approach to the way animals were managed. It must be acknowledged that during the Kumamoto earthquake the principle of *dōkō hinan* was carried out from the beginning for the first time and owners were effectively evacuated with their pets. Furthermore, after Fukushima a new conscience was born in the owners about how their animals should be managed and, compared to the Kobe and Tōhoku Earthquake, the victims of the Kumamoto Earthquake took more active actions to

take care of their animals. For example, by asking associations to take care of their dogs and cats, or live with them in the cars rather than to abandon them. On the other hand it should also be noted that between 1995 and 2018 the approach of some animal management shelters changed, the "non-kill" policy helped in putting more effort to return and adopt out pets instead of killing them.

In conclusion, it can be said that even the newly devised guidelines for pets in emergency are still strongly anthropocentric, even more so in light of the fact that they clearly state the superiority of humans compared to animals. Furthermore, as they do not take any official stance on pet-friendly shelters, they hardly respect the bond between owners and their animals. As companion animals during a disaster are completely dependent on humans, their fate is decided by the regulations that the government draws and implements in the face of a disaster. The two Guidelines devised by the MoE were, and are meant to be guidance for each prefecture to devise their own plans for pet relief activities. However, as in the example of Kumamoto, after five years from the publication of the first guidelines, Kumamoto Prefecture had yet to officially publish their plan, although it was ready. In both, the fundamental principle is the one based on "self-help", meaning that owners shall take care of their own animals, and not expect immediate help from the government. Furthermore, the principle of *dōkō hinan* only allows evacuation to the emergency shelters in the first stage of evacuation, therefore it does not guarantee that the owner will be able to keep the pet in the same accommodation. This approach, as studied proved, could be detrimental to the well-being of both the animal and the owner, as separation from one's pet could add to the distress of having lost everything. Therefore, implementing measures that would allow owners to keep their companion animals close to them during the "reconstruction period" will bring benefit both to the animals and to their humans.

In order to enhance safety and security of both humans and animals at evacuation centres, it is important to proactively address animal issues in disaster preparedness planning. As the role of pets is becoming less and less marginal in human society, failing to save and care for companion animals creates additional emotional and physical problems for the owner and for those who engage in rescuing operations.

Basic prevention strategies could be planning pet-friendly emergency shelters, distinct from the ones that do not allow pets, and normal policies to build disaster resilience should be promoting microchipping of the animals and of spaying and neutering programs before the disaster. Allowing pets to follow their humans to the shelter during an evacuation should be first and foremost for the safety of the animals, but it is being used as a factor to ensure the emotional well-being of their owners. This is particularly true in the case of older people who are more prone to depression and solitude. Many are certain that the best solution would be to create a type of evacuation shelter where owners can live with their pets and others where pets are not allowed. This would also solve the issue of non-owners and pet owners conflict.

Conclusions

Between the final years of the 20th century and now, the conception of companion animals in Japan has undergone rapid changes in various fields. Although the introduction of the concept of animal welfare came to Japan from Europe where it was first devised in the second half of the 20th century, many agree that the true beginning of a conscience centred round the well-being of animals started to rise with the first changes made to the *Law on Protection and Management of Animals* in 1999. Here, a new and original conception of animal welfare expressed by the word of *aigo* began to take shape and spread among the public.

The Animal Law initially devised to pacify the foreign media and public opinion was revised, for the first time, in the wake of the 21st century, although for purely anthropocentric reasons. From that moment on it was revised every five years, thanks to NPOs and public opinion pressure that have been pushing for a more international approach to the matter. Associations such as ARK, with its close ties with the British world of animal welfare have been supporting adaptation to the norms in force in Europe. In general, step forward in this sense have been achieved as more subtle forms of abuses such as neglect, have been institutionally recognised and included in regulations. However, given the background of the conception of animal abuse in Japan, it can be said that they concentrated centuries of debates in the span of a few decades, in comparison to the west. Nonetheless, much work has yet to be done to educate both the public and the competent authorities on what constitutes abuses and how to stop these kinds of practices.

An example of a new form of abuse is the practice of pet cafes of keeping animals confined in small spaces where they are forced to be in contact with humans for long periods of time. On one hand, if there are some examples of virtuous cafes, run by private associations that foster adoption, providing animals with an alternative accommodation in contrast to the shelter, and a more welcoming environment for customers to interact with animals. Others exploit animals, and their positive effect on humans, of different species to make profit without considering their well-being. In particular, cafes employing animals belonging to wild species such as owls should be

considered unethical as they do not respect animal welfare standards since they prevent animals from expressing their natural behaviours. This is still possible because regulations regarding the specific industry of pet cafes are still lacking, although these businesses have existed for almost twenty years. However, given their popularity among the Japanese public, and foreigners as well, combined with the lack of action from local NPOs, the situation is hardly expected to change. This is mainly because, as the two examples of pet cafes opened in Europe, the attention of the Japanese public towards their welfare is lower than the European one. In this regard much work has yet to be done, however, there seems to be a lack of action from Japanese NPOs which up until now restricted themselves to condemn the practice rather than taking action to improve it.

Animal welfare associations' efforts are mainly focused on the most pressing matter in regard to animal well-being: the pet industry. With the spark of the "pet boom", the request for companion animals skyrocketed, opening new space for unethical breeders to make quick money by exploiting animals. Puppy mills are a direct consequence of this and have been kept unsupervised for too long in the past. Many puppies and kittens, as well as breeding dogs, die every year because of unethical practices of the pet industry. As explained in chapter three, breeders and pet stores alike have been poorly regulated and even more poorly supervised. That is the main critic addressed to the government by Japanese animal welfare NPOs, and that is the reason why they concentrate their efforts in educating the public and the lawmakers about the correct practices of animal treatment. Although, as Mattes²⁹⁸ claims, Japanese NPOs do not possess the lobbying power of other associations in other countries, they are still able, and have, influenced the lawmaking process engaging actively in civic activism and by educating the public in doing the same. Much of the improvements of the Law, listed in the previous chapters, and in public opinion in the past 20 years can be attributed to the work of these organizations, some of which, for example ARK, have close ties with foreign organizations and therefore led the way to improvement based on their home countries welfare policies. That is why, even the Government recognized that cooperation between local

298 Mattes, *Multispecies*.

authorities and these associations is much needed to solve the current animal welfare issues and is being fostered also by the new amendment of the law.

Thanks to the effort of NPOs and the growing attention of the government to pet related matters, new, and possibly decisive, regulations are going to be implemented between 2021 and 2022. Although some measures, like the "numerical regulations" are still a work in progress, it will be interesting to see how the regulations introduced with the 2019 amendments will impact the current pet industry. The regulations implemented until now, and the new one have a distinct European influence, as the Parliamentary Commission openly studied German and Swedish law to devise the new "numerical standards". Therefore, the foreign conception and management of animal welfare has been a clear influence in the development of the animal welfare conception in Japan throughout its history. However, aside from regulations and laws, as Ascione claims, Japan is in need of a better education of the public in regard to animal welfare and animal abuse.²⁹⁹ Pet owners and future pet owners should get more involved in animal issues and in the correct practices of pet breeding before visiting a pet shop.

Even more so because the bad practices of the pet industry badly reflect in the consequent pet abandonment rate and the culling rate in governmental shelters. At the beginning of the 21st century the inheritance of the previous century's culling rate was heavy, with an average of more than 700.000 dogs and cats culled every year. Nonetheless, with a newly built sensibility and conscience of animal welfare Japan was able to reduce that number to 30.000 animals in 2019. The budget allocated to governmental shelters has been increasing in time to give more space to the improvement of the existing facilities towards more animal-friendly shelters. The rising number of campaigns that have been implemented in the past years, such as management of animals during disasters or promoting adoption of older dogs by older adults, have been discussed in chapter five. What Japan still lacks in this sense, is a conscience toward adoption from shelters, both from governmental and private, not only by older adults. What impact adoptions are both the general attitude towards shelter animals seen as "used items" or stray and problematic animals, and

299 Ascione, *The International Handbook*.

the system of pet stores. These businesses are strategically positioned in the busiest zones of a city to entice customers in buying a puppy tempted by their cute appearance. However, from the survey of the Pet Food Association could be inferred that a considerable portion of the population does not consider adoption because they do not know it is possible to adopt from *hokensho*. What is needed in this case are campaigns to spread a culture about adoption and the practices that goes on in Animal Management Centres behind closed doors.

One of the main issues that has not been properly addressed is the microchipping and spaying of animals. Both rates, although growing, remain low, impacting the return rate and the culling rate in shelters, not to mention the inconvenience they cause in times of disaster. Animals separated from their owners in time of a disaster tend to reproduce in big numbers, that is why one of the most important campaigns in time of a disaster is the TNR campaign. In all three disasters taken into examination in chapter six, this campaign was carried out by volunteer veterinarians that collaborated with local NPOs. Volunteers had to take the place of the government in rescuing animals, and their owners, in the aftermath of the disasters. The lack of clear guidelines and regulations made it difficult to organize rescuing activities and the placement of animals in the emergency shelters and facilities. In all three disasters the permanence of dogs and cats in emergency shelters was an unresolved issue, either because of an explicit ban from the authorities or because of problems between the refugees. Pet friendly shelters were a small percentage of the total, resulting in many pet owners finding themselves forced to abandon or relinquish their animal to local animal protection associations. It must be acknowledged that the principle of *dōkō hinan* (evacuation with pets) was devised and implemented only after the Kumamoto Earthquake in order to manage, at least in a first stage, pets and owners alike. Although it might be for anthropocentric reasons, saving and caring for animals in times of a disaster is also convenient for their humans, therefore caring for the pets is the same as caring for the refugees.

As Atherton claims, Japan has the cultural background to potentially be a leader in animal welfare and it has done much to improve its legal and ethical attitude towards

animal welfare issues.³⁰⁰ However, there is still much to improve before a truly complete conscience regarding the well being of animals is created. I believe this work could help in doing this, as it examined both from internal and external source the improvement made by Japan in regard of animal welfare and the proper way to treat pets. Furthermore, as Europe is usually seen as more advanced in terms of animal welfare, comparisons with the West could help improve the situation in a short time.

300 Atherton, *Speaking to Animals*.

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