



Strathmore University

Law School

**PET OWNERSHIP AND HEALTHCARE IN KENYA: EVALUATING THE
NATIONAL LEGISLATIVE FRAMEWORK AGAINST THE AUTHORITATIVE
GUIDELINES OF THE WORLD ORGANISATION FOR ANIMAL HEALTH (OIE)**

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Declaration

I, KINYANJUI WENDY WANJIRU, do hereby declare that this research is my original work and that to the best of my knowledge and belief, it has not been previously, in its entirety or in part, been submitted to any other university for a degree or diploma. Other works cited or referred to are accordingly acknowledged.

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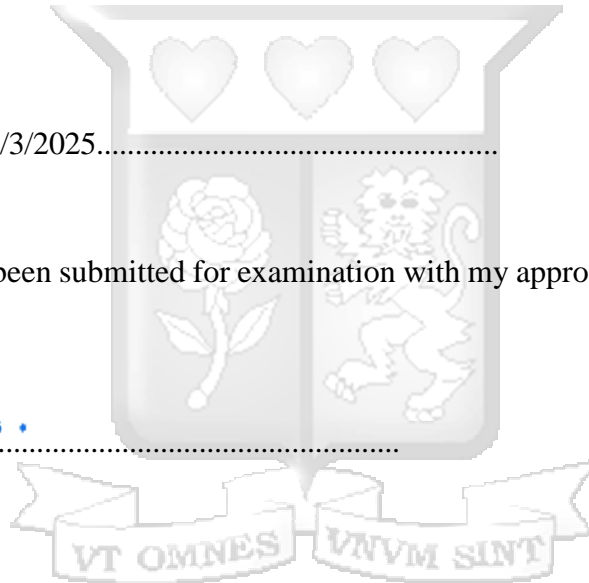
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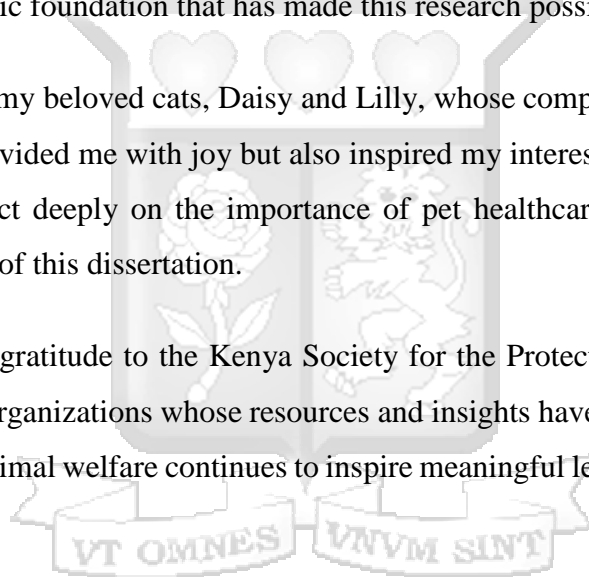
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LIST OF LEGAL INSTRUMENTS

INTERNATIONAL INSTRUMENTS

Swedish Animal Welfare Act, 2018:1192.

Swedish Board of Agriculture's Code of Statutes, 2020:8.

European Convention for the Protection of Pet Animals, 1 May 1992,125.

Switzerland Animal Welfare Act, 2005.

Animal Protection Ordinance, 2020.

REGIONAL INSTRUMENTS

Laws. Africa, 'Keeping and Treatment of Dogs and Cats' Hessequa Municipality, 7 May 2021 STAR.

DOMESTIC LAWS

Prevention of Cruelty to Animals Act (Act of 1962).

Veterinary Surgeons and Veterinary Paraprofessionals Act, (Act of 2012).

Animal Diseases Act (Act No 4 of 1965).

Rabies Act (Act No 33 of 1962).

The Nairobi City County Dog Control and Welfare Act, (Act no. 10 of 2015).

LIST OF CASES

Nicholas Kipnetich & 2 Others v Republic [2021] eKLR

Musyoka Nguli v Republic [2016] eKLR

Joseph Wanjogu Kungu v Republic [2005] eKLR



LIST OF ABBREVIATIONS

- OIE World Organisation for Animal Health
UDAW Universal Declaration on Animal Welfare
KSPCA Kenya Society for the Protection and Care of Animals
IAD Institutional Analysis and Development Framework



ABSTRACT

In Kenya, the healthcare and welfare of pets are inadequately addressed within the existing legal framework. Laws such as the Prevention of Cruelty to Animals Act of 1962 focus primarily on addressing acts of cruelty but lack depth in regulating modern pet healthcare and ownership. While institutions like the Kenya Society for the Protection and Care of Animals (KSPCA) advocate for animal welfare, enforcement mechanisms remain weak, and the legislative framework largely prioritizes wildlife conservation and livestock management. Kenya's pet healthcare system also falls short of aligning with international standards set by the World Organisation for Animal Health (OIE), which emphasize comprehensive welfare and veterinary practices.

This study critically evaluates Kenya's legislative framework for pet healthcare and ownership, with a focus on its alignment to OIE standards and comparisons with jurisdictions like the United Kingdom and South Africa, which have advanced systems of animal welfare. Using a doctrinal research approach, the study identifies gaps in the existing legal provisions and proposes actionable reforms to strengthen Kenya's pet healthcare laws. By addressing these shortcomings, the research aims to provide a robust legal framework for safeguarding pets' healthcare and welfare, ensuring alignment with international best practices.

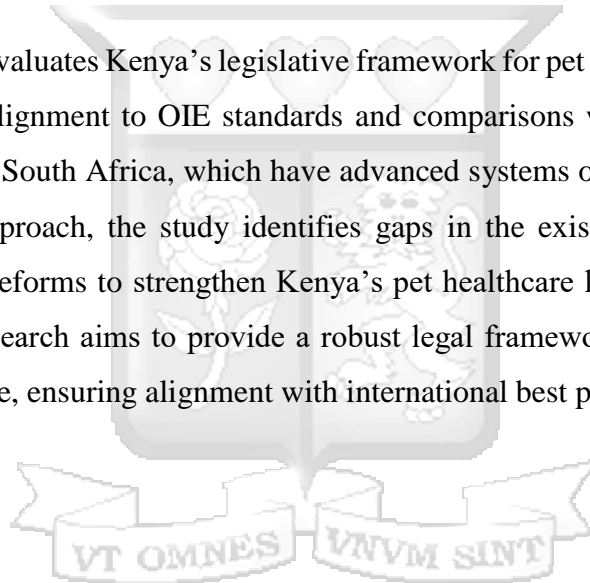


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CHAPTER 1

INTRODUCTION TO PET OWNERSHIP AND HEALTHCARE IN KENYA

1.1 BACKGROUND

The term “pet” means a domesticated animal, such as a dog, cat, bird, rodent, fish, turtle, or other animal that is kept for pleasure rather than for commercial purposes.¹ Over the centuries, domesticated animals have provided companionship, with advancements in science and medicine further expanding their roles. For instance, some animals, especially dogs, are now trained as emotional support or medical response animals in various countries, particularly in the West, where these services are more prevalent.² In contrast, Africa, and specifically Kenya, has seen less development in recognizing the legal status of such animals.

The recognition of pets as important beings deserving of care and protection has evolved significantly due to historic animal rights movements. In 1822, the United Kingdom's Martin's Act became the first legal instrument aimed at protecting animals from cruelty, marking the start of a global shift toward animal welfare.³ Such instruments laid the groundwork for legal frameworks recognizing the rights and healthcare of domesticated animals, especially pets. These early legal frameworks paved the way for more comprehensive animal welfare laws, which expanded beyond just livestock to include household pets. In the following centuries, the recognition of animals as sentient beings deserving of protection and care grew stronger, culminating in the formation of various animal rights organizations globally. This growing recognition has led to the development of internationally recognized standards for animal welfare, such as those established by the World Organisation for Animal Health (OIE).⁴

¹ Cornell Law School, Legal Information Institute, 18 U.S. Code § 2266(11), Definitions.

² American Veterinary Medical Association, ‘Assistance Animals: Rights of Access and the Problem of Fraud’ 2022,7.

³ Wise, S.M. "animal rights." Encyclopedia Britannica, <https://www.britannica.com/topic/animal-rights> 7 October, 2022.

⁴ World Organisation for animal health, ‘Who we are’ <https://www.woah.org/en/who-we-are/> on 1st Dec 2024.

The World Organisation for Animal Health (OIE) criteria have become worldwide recognized norms for animal welfare. The OIE's authoritative guidelines underscore the important relationship between animal health and welfare, advocating for a science-based approach to ensuring humane treatment and care.⁵ These standards serve as a guide for member countries, including Kenya, to match their policies with international best practices for animal care, particularly in the areas of pet ownership and healthcare.

The OIE emphasizes proper housing, nutrition, and regular veterinary care as essential aspects of responsible pet ownership. It advocates for vaccination programs to control zoonotic diseases such as rabies, biosecurity measures to prevent the spread of infections, and parasite control to ensure the overall health of pets.⁶ These measures not only protect pets but also reduce public health risks associated with disease transmission. The standards also stress the importance of creating environments where pets can exhibit natural behaviors, safeguarding their emotional and psychological well-being.⁷ Additionally, the OIE promotes public education and awareness campaigns to encourage responsible pet ownership. It highlights the need for proper training for pet owners, veterinarians, and animal welfare officers to ensure the effective implementation of these standards.⁸ This focus on education aims to foster a culture of accountability, where pets are treated with care and their welfare needs are consistently met. While the OIE emphasizes comprehensive standards for pet care, Kenya's legal framework shows significant gaps in aligning with these international norms.

In Kenya, the legal framework concerning animal welfare includes various laws and policies, such as the Prevention of Cruelty to Animals Act of 1962, the Kenyan Constitution of 2010, the Nairobi County Dog Control and Welfare Act of 2015, the Animal Disease Act of 1968, the Rabies Act (Cap 356) and the Universal Declaration on Animal Welfare (UDAW). The Kenya Society for the Protection and Care of Animals (KSPCA) also plays a significant role in promoting the welfare of domesticated animals. However, despite the existence of these

⁵ World Organisation for animal health, 'What we do', <https://www.woah.org/en/what-we-do/> on 1st Dec 2024.

⁶ T. Fujita, 'Organization, Roles and Functions of the OIE', OIE Regional Workshop for Newly Assigned Delegates Conference by OIE, Bangkok, 13- 14 May 2008, 4.

⁷ T. Fujita, 'Organization, Roles and Functions of the OIE', 8.

⁸ T. Fujita, 'Organization, Roles and Functions of the OIE', 28.

laws, the healthcare and treatment of domestic animals, particularly pets, receive little legal attention and enforcement.

Despite these measures, the enforcement of laws and prioritization of pet healthcare in Kenya remains minimal compared to wildlife protection, which benefits from stricter laws and penalties due to its role in the country's economy, particularly tourism. For instance, the case of *Nicholas Kipnetich & 2 Others v Republic* demonstrates the strict enforcement of wildlife protection laws under the Wildlife Conservation and Management Act (WC&MA) of 2013.⁹ In this case, the appellants were accused of possessing five pieces of elephant tusks weighing 44.5 kilograms and valued at Ksh. 45 million. The tusks were discovered in their joint custody in Rumuruti Township, Laikipia County, on October 22, 2014. The court convicted the appellants and sentenced each to a fine of Ksh. 5 million or, in default, 10 years' imprisonment from January 10, 2017.

In contrast, domestic animal cruelty cases receive significantly lighter penalties, as seen in *Musyoka Nguli v Republic*.¹⁰ In this case, the appellant was charged under Section 338 of the Penal Code for maiming a camel owned by Mohamed Yussuf Dimbil and valued at Ksh. 150,000. The offense occurred on October 10, 2016, in Kyamututa Village, Kitui County, where the camel was willfully and unlawfully maimed.¹¹ The appellant initially received a 10-year custodial sentence, which was later reduced to a non-custodial sentence of three years' probation upon appeal. This disparity highlights the prioritization of wildlife conservation over domesticated animal welfare in Kenya's legal framework.

Furthermore, Section 3(1)(f) of the Prevention of Cruelty to Animals Act (1962) outlines that neglect of an animal's healthcare amounts to cruelty.¹² Yet, this provision is rarely enforced, and the healthcare of pets is given little attention in Kenyan households. This discrepancy in legal treatment raises concerns about the adequacy of the current legal framework for pet healthcare and welfare in Kenya.

⁹ (2021) eKLR.

¹⁰ (2016) eKLR.

¹¹ (2016) eKLR.

¹² Section 3(1)(f), *Prevention of Cruelty to Animals Act* (Act of 1962).

The case of *Joseph Wanjogu Kungu v. Republic* highlights challenges in enforcing legal protections for animals.¹³ In this case, the appellant was charged with cruelty to a dog under the Prevention of Cruelty to Animals Act (Cap 360) for killing the animal. He was initially convicted, fined Ksh. 300 and sentenced to one month's imprisonment if the fine is not paid. However, the Court of Appeal overturned the conviction, set aside the sentence, and refunded the fine. This outcome highlights inconsistencies in addressing animal cruelty and enforcing legal protections, further underscoring the gap between the treatment of wildlife and domestic animals under Kenyan law.

The standards set by the World Organisation for Animal Health (OIE) offer an internationally recognized benchmark for animal welfare, health, and veterinary services. Although not legally binding, these standards play a critical role in shaping national policies and laws, as they are seen as best practices for safeguarding animal welfare globally. Comparing Kenya's legislative framework to OIE standards reveals significant areas for improvement, particularly in addressing gaps in enforcement, prioritizing pet healthcare, and ensuring that domestic animals receive protections comparable to those for wildlife. Given these challenges, aligning Kenya's laws with the World Organisation for Animal standards would not only enhance the country's legal framework but also provide a structured and authoritative approach to advancing animal welfare and pet healthcare, ensuring Kenya meets internationally recognized norms for the protection of animals.

1.2 STATEMENT OF THE PROBLEM

This study aims to evaluate the extent to which Kenya's legal framework for pet ownership and healthcare aligns with the OIE standards, identifying gaps and offering recommendations for improvement. It will explore whether Kenya's laws are adequate in protecting pets and ensuring their healthcare, while examining how international guidelines can guide reform in this area.

¹³ (2005) eKLR.

The health and welfare of domestic animals in Kenya are often jeopardized by various forms of neglect and mistreatment, including inhumane breeding practices, poor grooming, failure to vaccinate, and general abuse, such as caging and torture.¹⁴ These harmful practices are largely the result of gaps in Kenya's legal framework, where pet ownership is not subject to strict regulations. Except for adoptions through organizations like the Kenya Society for the Protection and Care of Animals (KSPCA), there are no formal legal requirements for acquiring a pet, and no comprehensive regulations governing pet care and healthcare.

Kenya's existing animal welfare legislation, which includes the Prevention of Cruelty to Animals Act of 1962, the Kenyan Constitution of 2010, the Kenya Veterinary Policy, and the National Livestock Policy (Session Paper No. 2 of 2008), primarily focuses on wildlife conservation and livestock management, while leaving significant gaps in the protection of domestic animals, particularly pets. Despite the Prevention of Cruelty to Animals Act of 1962 being the most relevant legal provision addressing domestic animal welfare, it lacks the depth needed to regulate modern pet healthcare and ownership practices effectively.

1.3 RESEARCH OBJECTIVES

The study is guided by the following research objectives;

1. To evaluate the role of the Kenya Society for the Protection and Care of Animals (KSPCA) in advocating for and implementing pet ownership and healthcare standards, while investigating the legal, social, and institutional challenges it faces in enforcing pet healthcare laws in Kenya.
2. To analyze the specific provisions of the Prevention of Cruelty to Animals Act of 1962 and other relevant Kenyan laws, assessing their effectiveness in regulating pet ownership and ensuring proper pet healthcare.

¹⁴ Section 3, *Prevention of Cruelty to Animals Act* (Act of 1962).

3. To compare Kenya's legislative framework for pet ownership and healthcare with that of selected countries Sweden and Switzerland with more advanced animal welfare systems that align to the OIE standards.

1.4 RESEARCH QUESTIONS

The research was conducted to answer the following research questions;

1. How does the Kenya Society for the Protection and Care of Animals (KSPCA) advocate for and implement pet ownership and healthcare standards, and what legal, social, and institutional challenges does it face in enforcing pet healthcare laws in Kenya?
2. What are the provisions of the Prevention of Cruelty to Animals Act and other Kenyan laws, and how effective are they in regulating pet ownership and healthcare?
3. How does Kenya's legislative framework for pet ownership and healthcare compare to those of Sweden and Switzerland, particularly in terms of adherence to OIE guidelines and advanced animal welfare standards?

1.5 JUSTIFICATION FOR THIS STUDY

This study is necessary due to the significant gaps in Kenya's legislative framework concerning pet healthcare and ownership. While laws like the Prevention of Cruelty to Animals Act of 1962 exist, they primarily focus on wildlife and livestock, leaving pets under-protected. Cases such as *Nicholas Kipngetich & 2 others v Republic and Musyoka Nguli v Republic* illustrate the disparity in penalties between wildlife offenses and those involving pets, highlighting the need for legal reform to protect domestic animals more effectively.¹⁵

The findings from this study will benefit policymakers by offering well-founded recommendations to enhance legal protection for pets. Veterinary professionals and institutions like the Kenya Society for the Protection and Care of Animals (KSPCA) will also benefit from clearer legal guidelines, improving the standards of care for pets. Additionally, aligning Kenya's pet healthcare laws with World Organisation for Animal Health (OIE)

¹⁵ (2021) eKLR.

standards will enhance Kenya's standing in international animal welfare practices, ultimately improving the welfare of pets across the country.

This research would benefit pet owners and communities by advocating for clear legal standards and improved access to veterinary services. Stronger pet healthcare regulations will improve animal health, reduce zoonotic disease risks, and promote responsible pet ownership. By fostering empathy and better treatment of pets, the study supports healthier human-animal relationships, enhancing community well-being and the emotional health of households where pets provide companionship, support, and functional roles.

1.6 THEORETICAL FRAMEWORK

This research will adopt the institutional analysis framework to evaluate how various institutions in Kenya influence the implementation and enforcement of pet healthcare laws. The Institutional Analysis Framework is appropriate for this research because it allows for a structured evaluation of both formal and informal institutions in shaping the enforcement and impact of Kenya's pet healthcare regulations. By analyzing the roles of different stakeholders, including government bodies, private organizations, and community groups, the framework facilitates an understanding of the complexities surrounding pet healthcare laws in Kenya. A detailed analysis of the Institutional Analysis Framework will be conducted in Chapter 2, where the key components and their applicability to this research will be explored in greater depth.

1.7 LITERATURE REVIEW

This section highlights key studies on animal welfare and pet healthcare systems in Kenya and other jurisdictions.

1.7.1 The Kenyan Context

Valentine Nyambura Karanja critiques Kenya's animal welfare framework, noting significant gaps in protecting and enforcing the rights of domestic animals. She highlights the lack of comprehensive legislation addressing pet healthcare and calls for amendments to the

Prevention of Cruelty to Animals Act of 1962 to align it with current animal welfare needs.¹⁶ She notes that while Kenya has ratified some international treaties, such as the Treaty for the Establishment of the East African Community (2000), its local legislative response, particularly through the Prevention of Cruelty to Animals Act of 1962, has been critiqued for being outdated and lacking enforcement mechanisms.¹⁷ The Act focuses on preventing cruelty but does not fully embrace modern principles of animal welfare, such as recognizing animals as sentient beings.

Additionally, she states the significance of the World Organisation for Animal Health (OIE) standards in enhancing animal welfare globally and highlights their relevance to Kenya. The OIE, an intergovernmental body, sets comprehensive guidelines aimed at improving animal health and welfare. These include principles for the humane treatment of animals during transport, humane slaughter practices, and protection from unnecessary suffering.¹⁸

1.7.2 Comparative Perspectives

The legal frameworks of countries like the United Kingdom, South Africa, Sweden and Switzerland, which have more developed systems based on extensive animal welfare regulations and enforcement procedures, greatly differ from Kenya's legislative framework for animal welfare, including pet healthcare. These parallels draw attention to significant findings and reform prospects for the gaps present in the Kenyan legal system. Valentine Nyambura Karanja points to the Animal Welfare Act 2006 in the United Kingdom as a model for modern legislation. She acknowledges its clear provisions for pet healthcare, including requirements for adequate nutrition, suitable living conditions, and access to

¹⁶ Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi, 2019, 4.

¹⁷ Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi, 2019, 26.

¹⁸ Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi, 2019, 23.

veterinary care.¹⁹ Additionally, she emphasizes the effectiveness of the UK's enforcement mechanisms, which impose strict penalties for violations, thereby ensuring compliance.²⁰

Similarly, South Africa has taken significant strides in addressing animal welfare issues, particularly at the municipal level, including in Hessequa Municipality.²¹ Hessequa Municipality's by-laws regulate key aspects of pet ownership, such as licensing, limiting the number of pets per household, and promoting sterilization to control stray animal populations.²² These measures aim to prevent neglect and overcrowding while promoting responsible pet ownership. Enforcement mechanisms include penalties for violations and the authority for municipalities to remove animals from abusive or unsafe environments, highlighting the role of local governments in ensuring compliance.²³

Helena Striwing's analysis of Sweden's animal welfare system offers further insights into effective legislative and enforcement practices. The Protection Act of Sweden is a notable example of a comprehensive framework that requires that sick or injured animals receive prompt veterinarian care, suitable shelter, and proper nutrition. In order to ensure a broad application of welfare standards, Striwing emphasizes that the Act provides protection for farm animals and wild animals kept in captivity in addition to household pets.²⁴ A key strength of Sweden's approach lies in its enforcement mechanisms. Local inspectors, supported by the police and veterinarians, are empowered to seize animals from substandard living conditions and ban individuals from owning animals if they demonstrate repeated neglect or abuse.²⁵ For example, animals suffering from malnutrition, lack of veterinary care, or living in overcrowded and unsanitary conditions can be taken into protective custody to prevent further harm. Individuals who are proven to have repeatedly neglected or abused animals may also be banned

¹⁹ Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi, 2019, 36.

²⁰ Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi, 2019, 36.

²¹ Laws. Africa, 'Keeping and Treatment of Dogs and Cats' Hessequa Municipality, 7 May 2021, i.

²² Laws. Africa, 'Keeping and Treatment of Dogs and Cats' Hessequa Municipality, 7 May 2021, 3-6.

²³ Laws. Africa, 'Keeping and Treatment of Dogs and Cats' Hessequa Municipality, 7 May 2021, 7.

²⁴ Helena Striwing, 'Animal Law and Animal Rights on the move in Sweden', 98.

²⁵ Helena Striwing, 'Animal Law and Animal Rights on the move in Sweden', 100.

by Swedish authorities from owning or caring for animals.²⁶ The severity of the violations and the probability of recurrence determine whether such bans are temporary or permanent.²⁷ This preemptive strategy acts as a deterrent for possible breaches in addition to protecting animals from known offenders.

A distinctive perspective on animal welfare comes from Gieri Bolliger's exploration of Switzerland's pioneering approach, which enshrines animal dignity as a constitutional principle.²⁸ This concept recognizes animals as possessing inherent worth beyond their utility to humans and he further explains that animal dignity involves protecting animals from suffering, humiliation, and excessive instrumentalization, representing a paradigm shift in how human-animal relationships are understood.²⁹ The idea of animal dignity reframes animal welfare by focusing not just on preventing harm but on upholding the inherent worth of animals as sentient beings. This legal framework has translated into concrete measures such as criminal provisions that explicitly penalize violations of animal dignity, which serves both as a deterrent against abuse and as a statement about the ethical standards governing human-animal interactions.³⁰ In effect, it creates a societal obligation to consider the moral implications of how we treat animals, extending protection to them beyond their economic or utilitarian roles. This approach encourages a broader conversation about how society may go forward to ensure more humane, just, and dignified treatment of animals in all facets of life.

The comparison between the Kenyan framework and these international examples underscores the need for Kenya to modernize its legal and institutional structures. Kenya's Prevention of Cruelty to Animals Act of 1962, although an important historical milestone, lacks the comprehensive scope and enforcement mechanisms evident in the UK, South African, Swedish and Swiss systems. While Kenya has made some strides by ratifying international treaties and adopting basic animal protection laws, there remain critical gaps in legislation, enforcement,

²⁶ Helena Striwing, 'Animal Law and Animal Rights on the move in Sweden', 100.

²⁷ Helena Striwing, 'Animal Law and Animal Rights on the move in Sweden', 100.

²⁸ Gieri Bolliger, 'Legal Protection of Animal Dignity in Switzerland: Status Quo and Future Perspectives', 22, *Animal Law Review* 2, 2016, 313.

²⁹ Gieri Bolliger, 'Legal Protection of Animal Dignity in Switzerland: Status Quo and Future Perspectives', 338-342.

³⁰ Gieri Bolliger, 'Legal Protection of Animal Dignity in Switzerland: Status Quo and Future Perspectives', 359.

and public awareness. For example, Kenya's legal framework does not adequately address the growing needs of domestic animal welfare, particularly in areas such as pet healthcare, veterinarian care, and humane treatment guidelines. Furthermore, enforcement remains a major challenge, as existing laws lack the necessary means to ensure compliance or adequately punish offenders. Kenya may use these global best practices to bridge the existing gaps.

1.8 METHODOLOGY

This study will adopt a doctrinal research approach, which is appropriate for evaluating the legal frameworks governing pet healthcare in Kenya. A key reason for choosing this approach is the limited time frame for the research. The methodology will involve a detailed analysis of primary legal sources such as statutes, regulations, and case law, as well as secondary sources including academic journals, policy papers, and reports. The research will primarily involve reviewing the relevant legal provisions and comparing them to international standards. The research will be organized into chapters, each corresponding to the specific research objectives, ensuring a logical flow of analysis.

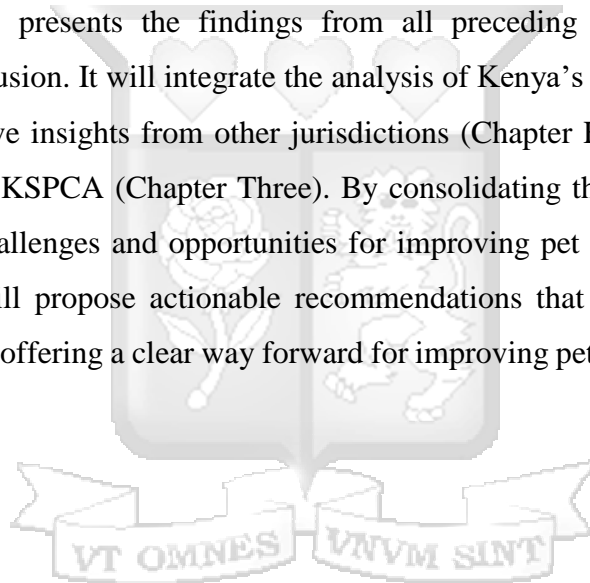
The study also incorporates a comparative analysis, examining Kenya's legal provisions alongside those of Sweden and Switzerland. These jurisdictions were selected specifically due to their exemplary legal systems in pet ownership and healthcare. Sweden's Animal Welfare Act emphasizes preventive care and ethical treatment, while Switzerland's Animal Protection Act includes innovative measures like mandatory pet care training. By comparing Kenya's framework to these benchmarks, the research aims to identify best practices and recommend strategies to enhance the governance of pet healthcare in Kenya. This dual approach ensures the study is both contextually relevant and informed by global standards.

1.9 CHAPTER BREAKDOWN

The dissertation is organized into five chapters. Chapter One introduces the research problem and objectives, emphasizing the shortcomings of Kenya's legal framework for pet healthcare and the importance of aligning these laws with international standards set by the World Organisation for Animal Health (OIE). Chapter Two presents the theoretical framework of this study. Chapter Three addresses the first research objective by evaluating the role of the Kenya

Society for the Protection and Care of Animals (KSPCA) in advocating for and implementing pet ownership and healthcare standards, examining its statutory responsibilities, advocacy efforts, and collaborations with policymakers to enhance pet welfare as well as the challenges it faces. Chapter Four analyzes the provisions of the Prevention of Cruelty to Animals Act of 1962 and other relevant laws, assessing their effectiveness in regulating pet ownership and ensuring animal welfare as well as their relation to the OIE standards. Chapter five conducts a comparative analysis of Kenya's pet healthcare legislation with those of countries such as Sweden and Switzerland, identifying proven methods for implementing and enforcing standards for pet ownership and healthcare to support reforms in Kenya.

Finally, Chapter Six presents the findings from all preceding chapters and presents a comprehensive conclusion. It will integrate the analysis of Kenya's legal framework (Chapter Four), the comparative insights from other jurisdictions (Chapter Five), and the role of key stakeholders like the KSPCA (Chapter Three). By consolidating these insights, Chapter Six will highlight key challenges and opportunities for improving pet healthcare and welfare in Kenya. Finally, it will propose actionable recommendations that draw on lessons learned throughout the study, offering a clear way forward for improving pet healthcare and welfare in Kenya.



CHAPTER 2

THEORETICAL FRAMEWORK

2.1 INTRODUCTION

The theoretical framework provides the foundation for understanding and analyzing Kenya's legislative framework for pet ownership and healthcare, with a focusing on the Institutional Analysis and Development (IAD) Framework under which formal and informal institutions will be discussed. The IAD Framework is a widely recognized model developed by Elinor Ostrom to examine how institutions both formal (laws, regulations, and enforcement agencies) and informal (social norms, cultural practices, and community governance), shape policy implementation and outcomes.³¹ The IAD Framework offers a structured approach to evaluating the effectiveness of legal and policy frameworks by assessing the roles of different actors, the rules governing their interactions, and the broader socio-political context in which they operate.³² It also examines how institutional arrangements influence decision-making, how power dynamics shape policy outcomes, and how adaptive mechanisms within legal frameworks respond to emerging challenges.³³

Additionally, scholars such as Blomquist and deLeon have emphasized the IAD Framework's value in policy evaluation and institutional reform, particularly in assessing how institutional structures impact governance, stakeholder interactions, and the long-term sustainability of regulatory frameworks.³⁴ Their work highlights how the IAD Framework provides a systematic method for analyzing policy interventions across multiple levels, from local governance to national decision-making.³⁵ By identifying gaps in policy implementation, the

³¹ Ostrom, E 'Background on the Institutional Analysis and Development Framework' 39 *The Policy Studies Journal*, 1, 2011, 9.

³² Ostrom, E 'Background on the Institutional Analysis and Development Framework' 39 *The Policy Studies Journal*, 1, 2011, 11.

³³ Ostrom, E 'Background on the Institutional Analysis and Development Framework' 39 *The Policy Studies Journal*, 1, 2011, 15.

³⁴ Blomquist, W., & deLeon, P. 'The Design and Promise of the Institutional Analysis and Development Framework' 39 *Policy Studies Journal*, 1, 6.

³⁵ Blomquist, W., & deLeon, P. 'The Design and Promise of the Institutional Analysis and Development Framework' 39 *Policy Studies Journal*, 1, 6.

framework offers insights into addressing institutional constraints and enhancing regulatory effectiveness.

In the context of pet healthcare in Kenya, both formal institutions and informal institutions play a critical role in influencing the implementation of policies and regulations. This chapter will evaluate how various institutions in Kenya influence the implementation and enforcement of pet healthcare laws. Through identifying key institutional actors, this framework will help in explaining the barriers and facilitators to effective pet healthcare, thus contributing to the design of more effective policies and interventions.

2.2 THEORETICAL FRAMEWORK

2.2.1 The Formal Institutions

In Kenya, the major formal institutions shape the operation and structure of the pet healthcare system. These include government agencies, legal statutes, regulatory bodies, and professional organizations, each playing a crucial role in establishing and enforcing healthcare standards for pets. This section will discuss some of these key institutions in detail, highlighting their roles and contributions to advancing pet healthcare in the country.

The Prevention of Cruelty to Animals Act serves as a cornerstone of Kenya's legal framework for animal welfare. It is structured into four distinct sections, each addressing critical aspects of animal protection. Section 1 outlines the preliminary provisions, defining key terms and establishing the scope of the Act.³⁶ Section 2 details offenses related to cruelty against animals, such as neglect, abuse, and mistreatment, and prescribes penalties for such acts.³⁷ Section 3 regulates experiments on animals, ensuring ethical standards and oversight in scientific research involving animals.³⁸ Lastly, section 4 covers miscellaneous and supplementary provisions, addressing areas such as enforcement mechanisms and procedural guidelines.³⁹ Collectively, these sections form a comprehensive framework aimed at safeguarding the

³⁶ Section 1, *Prevention of Cruelty to Animals Act* (Act of 1962).

³⁷ Section 3-12, *Prevention of Cruelty to Animals Act* (Act of 1962).

³⁸ Section 13- 23, *Prevention of Cruelty to Animals Act* (Act of 1962).

³⁹ Section 24- 31, *Prevention of Cruelty to Animals Act* (Act of 1962).

welfare of animals, though the Act has been criticized for its limited focus on modern pet healthcare needs and enforcement challenges.

The Ministry of Agriculture and Livestock Development, through its State Department for Livestock Management, plays a pivotal role in overseeing animal welfare in Kenya, including the implementation and enforcement of pet healthcare laws.⁴⁰ The department's mission is to promote the sustainable development of the livestock sector by fostering an enabling environment through policy and legislative interventions. Its efforts aim to enhance productivity, value addition, market access, and income generation within the livestock industry.⁴¹ As part of its mandate, the Ministry ensures compliance with animal welfare laws, such as the Prevention of Cruelty to Animals Act of 1962, by implementing and monitoring adherence to these regulations. Additionally, the Ministry is responsible for licensing and regulating animal welfare organizations, ensuring they operate within the established legal framework and uphold the highest standards of animal care and protection.

The Veterinary Surgeons and Veterinary Paraprofessionals Board established under the Veterinary Surgeons and Veterinary Paraprofessionals Act of 2011 regulates the veterinary services in Kenya.⁴² It is through this board that the licensing of professionals is monitored as well as their compliance with the ethical and professional standards in the veterinary field is conducted.⁴³

The Kenya Society for the Protection and Care of Animals (KSPCA) also plays an important role in pet welfare. While it is not a statutory body established by law, it operates as a registered charitable organization under the Societies Act and works alongside government agencies to enforce animal welfare laws. This organization plays a vital role in preventing cruelty to animals by rescuing and rehoming neglected animals. Additionally, it conducts community

⁴⁰ Ministry of Agriculture and Livestock Department, 'About Us', <https://kilimo.go.ke/about-us/> on 30 October 2024.

⁴¹ Ministry of Agriculture and Livestock Department, 'State Department for Livestock Management' <https://kilimo.go.ke/state-department-for-livestock-development/> 30 October 2024.

⁴² Section 10, *Veterinary Surgeons and Veterinary Paraprofessionals Act*, (Act of 2012).

⁴³ Section 6(2), *Veterinary Surgeons and Veterinary Paraprofessionals Act*, (Act of 2012).

education initiatives to promote responsible pet ownership and raise awareness about proper pet healthcare practices.⁴⁴

2.2.2 Social Institutions and Norms

In addition to formal legal structures, the enforcement of pet healthcare laws in Kenya is also heavily influenced by social institutions and norms. These include societal perceptions of animals, community attitudes towards pet ownership, and cultural practices regarding animal care. Understanding how these social norms impact the behavior of pet owners, veterinarians, and policymakers is crucial for determining the effectiveness of regulations.

In Kenya, societal beliefs surrounding pets can vary significantly across different ethnic and cultural groups, influencing how animals are treated and the extent to which pet healthcare is prioritized. For example, some communities may view pets more as companions, while others may regard them as working animals, such as herders or guard dogs, which may influence their attitude towards healthcare needs. Most Kenyans are primarily aware of veterinary services for dogs, largely due to the associated risk of rabies. As a result, other domesticated animals often receive inadequate attention and healthcare, leaving their needs unchecked. Furthermore, traditional healing practices or informal networks within communities could either complement or undermine formal veterinary services and regulations.⁴⁵

The role of social institutions also extends to the media, educational systems, and civil society organizations, which can shape public awareness and behavior concerning pet health. The involvement of animal rights groups, for instance, might influence both policy and public attitudes toward the humane treatment of animals. Understanding these dynamics will help to assess the gap between the formal legal frameworks for pet healthcare and the informal practices that may hinder or support effective enforcement.

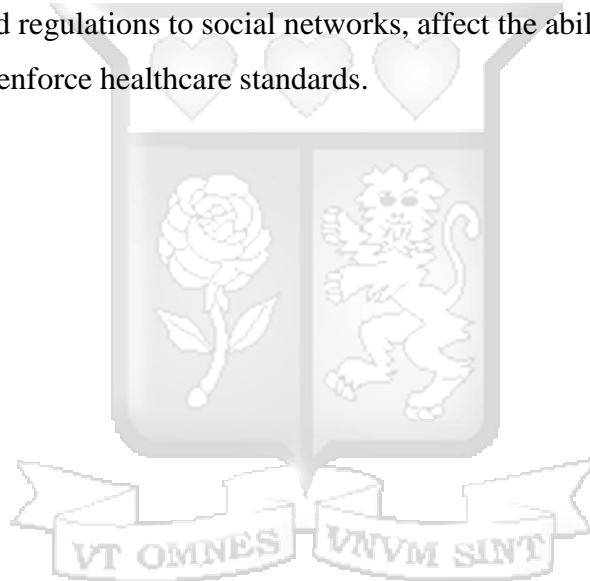
⁴⁴ Kenya Society for Protection and Care for Animals, *Challenges in Building Cultures for Natural Care of Animals in Kenya: KSPCA Experiences*, 2007.

⁴⁵ Kenya Society for Protection and Care for Animals, *Challenges in Building Cultures for Natural Care of Animals in Kenya: KSPCA Experiences*, 2007.

2.3 CONCLUSION

In conclusion, the Institutional Analysis Development Framework provides a multifaceted approach to exploring how both formal legal structures and informal structures such as social norms contribute to the enforcement and impact of pet healthcare laws in Kenya. This theoretical framework will guide the analysis of institutional interactions, helping to identify challenges and opportunities for improving pet healthcare regulation in the country.

The interaction between these institutions allows for a comprehensive analysis of how well pet healthcare laws are enforced and the challenges that may arise due to institutional dynamics. The Institutional Analysis Framework examines how different institutional arrangements, ranging from laws and regulations to social networks, affect the ability of the government and other stakeholders to enforce healthcare standards.



CHAPTER 3

ASSESSING THE ROLE OF THE KENYA SOCIETY FOR THE PROTECTION AND CARE OF ANIMALS (KSPCA) IN ADVANCING PET OWNERSHIP AND HEALTHCARE STANDARDS: CHALLENGES IN LEGAL, SOCIAL, AND INSTITUTIONAL ENFORCEMENT IN KENYA

3.1 INTRODUCTION

The Kenya Society for the Protection and Care of Animals (KSPCA) was founded in 1910 and has been operating in Kenya for more than a century.⁴⁶ The organization was founded by a group of persons who were worried about the condition of the oxen that brought cartloads of vegetables into Mombasa.⁴⁷ After raising money, water well troughs were erected at key locations to cater for these oxen. The East African Society for Prevention of Cruelty to Animals was first registered as a charity in the early 1970s, but its name was changed to the Kenya Society of Protection and Care of Animals as awareness of animal welfare increased.⁴⁸ Its main objective is promoting the protection of all kinds of animals, preventing cruelty to them by rescuing and receiving animals from all manner of suffering.⁴⁹

3.2 ROLE OF KSPCA IN ADVANCING PET OWNERSHIP AND HEALTHCARE STANDARDS

The KSPCA plays a pivotal role in advancing pet ownership and healthcare standards in Kenya through its mission of caring for animals and protecting them from stress and cruelty. This mission is achieved through a combination of rescue and rehoming operations, community education initiatives, and the enforcement of animal welfare laws.

⁴⁶ Netzkraft Movement, 'Kenya Society for Protection and Care of Animals (KSPCA) <https://www.netzkraft.net/profil.php?teilnehmer=17414&lg=en> on 15 November 2024.

⁴⁷ Netzkraft Movement, 'Kenya Society for Protection and Care of Animals (KSPCA) <https://www.netzkraft.net/profil.php?teilnehmer=17414&lg=en> on 15 November 2024.

⁴⁸ KSPCA, 'About us' <https://ke.linkedin.com/company/kspca> on 15 November 2024.

⁴⁹ Pauline Mumbi, 'Factors influencing the effectiveness of animal welfare programmes in Kenya: A case of Kenya Society for the Protection and Care of Animals (KSPCA)', Unpublished LLM, University of Nairobi, Nairobi, 2013,13.

Through its rescue and rehoming efforts, the KSPCA has made a significant contribution to improving pet ownership and healthcare in Kenya. These efforts address critical gaps in the care and treatment of pets that are abandoned, neglected, or abused. Upon rescue, the KSPCA provides immediate medical interventions, including vaccinations, treatment for injuries, and preventive healthcare measures such as deworming and pest control. The rehoming procedure guarantees that animals are given to caring individuals who are dedicated to providing for their medical requirements. Potential adopters go through a screening procedure to ensure they can offer suitable living circumstances, frequent veterinarian examinations, and adequate nutrition.

In October 2022, the Kenya Society for the Protection and Care of Animals (KSPCA) demonstrated its commitment to improving pet healthcare and welfare through the successful rehoming of 12 dogs and 13 cats in Mombasa.⁵⁰ As part of this initiative, the animals received essential deworming treatment, and the dogs were vaccinated against rabies and tetanus, aligning with standard veterinary care practices.⁵¹ This practical example of the KSPCA's efforts highlights its role in integrating healthcare measures into responsible pet ownership, ensuring the wellbeing of rescued animals before they transition to new homes.

Additionally, KSPCA partners with veterinary professionals to provide essential healthcare services to pets, including vaccination drives, spaying/neutering campaigns, and treatment for common ailments. Through this, pet owners are able to easily access pet health care services and hence reduce barriers to maintaining their pets' health. Furthermore, these partnerships ensure that the rescue and rehoming processes are seamless, as rescued animals receive comprehensive medical attention before being placed in new homes, as demonstrated by the rehoming of 12 dogs and 13 cats in Mombasa in October 2022.

⁵⁰ KSPCA, 'KSPCA Mombasa (October)' KSPCA, <https://kspca-kenya.org/kspca-mombasa-october/> on 16 November, 2024.

⁵¹ KSPCA, 'KSPCA Mombasa (October)' KSPCA, <https://kspca-kenya.org/kspca-mombasa-october/> on 16 November, 2024.

KSPCA's advocacy work plays a vital role in linking pet ownership with healthcare through the enforcement of animal welfare laws. The organization collaborates with authorities to address cases of neglect or cruelty, emphasizing the healthcare needs of pets as a critical component of legal compliance. For instance, under the Prevention of Cruelty to Animals Act of 1962, neglecting pet healthcare is categorized as cruelty.⁵³ By pushing for stricter enforcement of such provisions, the KSPCA ensures that pet owners are held accountable for failing to meet their animals' healthcare needs.

3.3 CHALLENGES FACED BY THE KSPCA IN LEGAL, SOCIAL, AND INSTITUTIONAL FRAMEWORKS FOR PET WELFARE IN KENYA

Despite making an impact in promoting proper pet ownership and healthcare in Kenya, the institution faces several challenges on the legal and social aspects as well as institutionally too. In the legal aspect, the enforcement of welfare laws remains inconsistent due to lack of resources and weak coordination between authorities and welfare organizations. Many cases of neglect and abuse go unreported due to the lack of effectiveness of the existing laws.

The existing laws themselves are inadequate to address specific cases. An example of this is the generality of the provisions of the Prevention of Cruelty to Animals Act. While the

⁵² KSPCA, 'Mass Rabies Vaccination Wednesday', <https://www.instagram.com/kspca/p/DAkoYwptqvA/> on 1 October 2024.

⁵³ Section 3, *Prevention of Cruelty to Animals Act* (Act of 1962).

act addresses cruelty and neglect, it lacks detailed guidelines on what constitutes proper care and healthcare for pets. As a result, it becomes challenging to handle cases where inadequate care or failure to meet an animal's basic needs may not constitute outright cruelty but still compromise its overall well-being. The Nairobi County Dog Control and Welfare act illustrates the same due to its limitation in applicability as it specifically applies to Nairobi. This leads to dog welfare regulation across the rest of Kenya to be inconsistent and largely unregulated due to the lack of a standardized framework to ensure the same level of accountability, care and management of dogs. As a result, other counties lack the legal infrastructure to address issues such as stray populations, vaccination compliance, and the overall welfare of dogs, leaving significant gaps in animal protection and public health measures.

A lack of widespread awareness about the importance of animal welfare needs poses a major obstacle and this can be attributed to the societal perception of animals. In many communities, cultural attitudes toward pets often prioritize their utility over their well-being, leading to neglect or inadequate care for the animals physical, emotional, and healthcare needs. This is contributed by the limited access to education programs in rural and underserved areas, which restricts the KSPCA's ability to foster a shift toward more responsible pet ownership practices. Without proper knowledge of responsible pet ownership, many individuals are unaware of the standards required to ensure a pet's health and welfare. For example, basic preventative measures such as regular vaccinations, deworming, and the provision of appropriate shelter are often overlooked.

Institutionally, the KSPCA faces resource constraints, including insufficient funding, limited personnel, and inadequate infrastructure, which hinder its ability to expand its outreach and rescue efforts. These challenges are primarily due to the lack of government support and formal partnerships with key institutions. This further limits the organization's capacity to implement large-scale initiatives or advocate for comprehensive legislative reforms. Limited funding additionally impacts critical areas such as the maintenance of rescue shelters, provision of medical supplies, and the organization of community education initiatives, making it difficult to sustain operations or scale up efforts.

3.4 CONCLUSION

The Kenya Society for the Protection and Care of Animals (KSPCA) has proven to play an important role in ensuring that gaps within pet ownership and healthcare in Kenya are addressed. The rescue and rehoming initiatives also contribute to the overall improvement of animal welfare by ensuring that rescued pets receive comprehensive medical attention, including vaccinations, deworming, and treatment for injuries, before being placed in suitable homes. Additionally, these initiatives help reduce the number of stray and neglected animals, mitigating the risks of disease transmission and overpopulation, which are significant challenges in Kenya's pet healthcare system.

The emphasis on the importance of quality health care for pets that is accomplished through partnerships with veterinary professionals to offer services such as the free rabies vaccination for dogs, proves the importance and impact the organization has on pet welfare. Pet owners are hence equipped with knowledge on how to maintain proper health care practices for their pets. The KSPCA's education initiatives and support for more stringent enforcement of animal welfare rules have a significant effect on how the public views pet healthcare, which strengthens responsibility and adherence to the existing legislation.

However, despite their significant efforts to enhance pet welfare, there remains substantial work to be done. As previously stated, obstacles such as limited legal enforcement, insufficient financial resources, and insufficient infrastructure remain, restricting the organization's ability to increase its reach, conduct large-scale projects, and promote legislative reform.

Overall, the KSPCA's initiatives are a model for raising the standard for animal welfare in Kenya and demonstrate how pet healthcare may be incorporated into responsible ownership. Improving on the challenges faced by the institution is crucial to ensuring the sustainability and effectiveness of the organization's efforts. The organization continues to play a crucial role in influencing a more compassionate and health-conscious approach to pet care nationwide by fusing partnerships, education, legal advocacy, and rescue.

CHAPTER 4

ANALYZING THE EFFECTIVENESS OF THE PREVENTION OF CRUELTY TO ANIMALS ACT (1962) AND KENYAN LAWS IN REGULATING PET OWNERSHIP AND HEALTHCARE

4.1 INTRODUCTION

This chapter explores Kenya's legal framework for pet ownership and animal welfare, focusing on the second research objective which is, analyzing the specific provisions of the Prevention of Cruelty to Animals Act of 1962 and other relevant Kenyan laws and assessing their effectiveness in regulating pet ownership and ensuring proper pet healthcare. It critically examines the provisions of the Prevention of Cruelty to Animals Act of 1962, alongside other relevant legislation such as the Animal Disease Act of 1968, the Rabies Act (Cap 356), and the Nairobi County Dog Control and Welfare Act of 2015. The chapter assesses the effectiveness of these laws in regulating pet ownership and safeguarding animal welfare, highlighting their strengths, weaknesses, and areas for potential improvement. By evaluating the scope and limitations of these laws, this chapter aims to provide a comprehensive understanding of how well Kenya's legal system supports animal welfare and where improvements may be needed to better align with global standards.

4.2 THE PREVENTION OF CRUELTY TO ANIMALS ACT OF 1962

The Prevention of Cruelty to Animals Act is the primary legal framework governing animal welfare in Kenya. Enacted in 1962, the Act addresses various offenses related to the mistreatment of animals, regulates the use of animals in experiments, and includes supplementary provisions aimed at enhancing their protection and well-being.⁵⁴ It serves as the cornerstone of Kenya's efforts to safeguard animal welfare. However, the Act has not been updated to reflect contemporary understandings of animal welfare, particularly in the context of companion animals.⁵⁵ Consequently, it does not adequately address modern pet care needs or the growing necessity of acknowledging animals' psychological and emotional well-being.

⁵⁴ Prevention of Cruelty to Animals Act (Act of 1962).

⁵⁵ Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi, 2019, 4.

The Act defines the meaning of an animal which it indicates as a living vertebrate animal including any mammal, bird, reptile, amphibian and fish.⁵⁶ It then highlights offences in relation to animals such as neglect, abuse, and abandonment of animals, ensuring that those who harm animals face legal consequences.⁵⁷ While these provisions are critical in protecting animals from cruelty, they are more focused on the punishment of wrongdoers rather than establishing proactive, comprehensive care standards for pets and other animals. Additionally, the Act's failure to define what constitutes a pet or companion animal represents a significant gap. This lack of specificity creates ambiguity, leaving room for inconsistent interpretations and potential negligence in addressing the unique needs and welfare considerations of these animals.

While it effectively addresses issues of cruelty, the Act does not provide detailed regulations for the care, housing, and training of pets. Unlike animal welfare laws in other countries like Switzerland, which mandate specific housing requirements, training certifications, and emotional well-being provisions, Kenya's legal framework focuses primarily on preventing cruelty without delving into the more nuanced aspects of pet care.⁵⁸ This results in inconsistent care practices among pet owners, especially in addressing the mental and emotional well-being of animals. Animal welfare officers or organizations consequently have no clear guidelines to assess whether an animal is receiving adequate care beyond the absence of outright cruelty.

The enforcement methods specified in the Act often prove ineffective due to systemic challenges.⁵⁹ The Act outlines various enforcement mechanisms, including the authority granted to authorized officers and police officers to enter and inspect premises or vehicles without a warrant under section 31, seize animals or vehicles involved in offences under section 32, and destroy severely injured animals without the owner's consent under certain conditions under section 25. Limited resources are allocated for supervising pet care on a national scale, and the regulatory framework lacks a centralized authority exclusively dedicated to animal welfare enforcement. Although the Act empowers police officers and

⁵⁶ Section 2, *Prevention of Cruelty to Animals Act* (Act of 1962).

⁵⁷ Section 3, *Prevention of Cruelty to Animals Act* (Act of 1962).

⁵⁸ Article 103, Chapter 5, *Animal Protection Ordinance*, 2020.

⁵⁹ Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi, 2019, 26.

authorized persons to act against cruelty, it does not provide a robust or accessible system for reporting and responding to breaches of animal welfare.

Currently, there is no streamlined process for individuals to report cases of animal cruelty or neglect, nor are there clearly defined mechanisms for timely investigation and resolution. The reliance on general law enforcement without specialized investigative structures further weakens the efficiency of enforcement efforts. While the Kenya Society for the Protection of Animals (KSPCA) plays a vital role, it is not a government institution and is not accessible to all citizens, particularly in rural areas where oversight is minimal. This creates a significant gap in accountability, as many violations go unnoticed or unpunished. The Act's success in guaranteeing animal welfare therefore relies heavily on individual efforts rather than a coordinated system of inspection. Further complicating enforcement is the absence of specialized training for law enforcement officers and inspectors tasked with implementing the Act. Many lack the technical expertise or knowledge necessary to assess whether animals are being adequately cared for or to recognize subtle signs of neglect or cruelty. This weakens the enforcement process further and allows substandard care practices to persist unchecked.

4.3 OTHER RELATED LEGISLATION IMPACTING PET OWNERSHIP AND ANIMAL WELFARE

Legal frameworks associated with pet ownership and welfare in Kenya include the Animal Diseases Act of 1968, the Rabies Act (Cap 365), and the Nairobi County Dog Control and Welfare Act of 2015. These laws collectively address various aspects of animal health, disease control, and the responsibilities of pet owners, forming the foundation of the regulatory environment for pet ownership and welfare in the country.

The Animal Diseases Act governs the prevention, control, and management of animal diseases. In the context of pet ownership and healthcare, the Act sets out several provisions that directly impact pet care practices and responsibilities in Kenya. It requires individuals to report animals suspected of being infected with notifiable diseases, such as rabies, to the nearest veterinary or administrative officer.⁶⁰ This reporting mechanism is vital in ensuring the rapid containment of outbreaks and preventing the spread of infectious diseases within

⁶⁰ Section 4, Animal Diseases Act (Act No 4 of 1965).

animal populations, which could pose significant public health risks. Through the enforcement of vaccination protocols to prevent the occurrence of diseases which are of significant concern in pet healthcare, there is effective control of diseases that may affect both animals and humans.⁶¹ However, its implementation faces challenges, particularly in rural areas where access to veterinary services may be limited, thus hindering effective disease control in some regions.

The Rabies Act (Cap 356) complements and reinforces the Animal Diseases Act by specifically targeting the prevention and control of rabies, a highly contagious and fatal disease that poses significant public health risks.⁶² One of the main provisions is the requirement for pet owners to vaccinate their dogs against rabies, which is a primary health concern in Kenya due to its potential to transmit to humans through bites.⁶³ Rabies vaccination programs, some of which are supported by KSPCA, are widely promoted and enforced through the Act, with clear penalties for non-compliance. In practice, the majority of pet owners live in urban areas, where these vaccination initiatives have played a significant role in lowering the number of rabies cases. However, there is still a big gap in reaching underserved and rural populations, where rabies transmission is still a concern and fewer pets get vaccinated.

The Nairobi County Dog Control and Welfare Act (2015) provides local-level regulation concerning the management and welfare of dogs in Nairobi. Although only applicable in Nairobi County, this Act is key as it is the only legislation that specifically targets the category of dogs as pets. It mandates that dog owners must obtain a license to keep a dog, ensuring that only responsible individuals are allowed to own pets.⁶⁴ Additionally, the Act requires that dogs wear an identification collar at all times, containing the owner's details, which plays a crucial role in promoting accountability and responsible pet ownership.⁶⁵ This provision is vital for tracking and identifying lost or stray dogs, further strengthening

⁶¹ Section 4 (2- 4), Animal Diseases Act (Act No 4 of 1965).

⁶² Section 3, Rabies Act (Act No 33 of 1962).

⁶³ Ifaw, 'Rabies vaccination campaign in Kenya safeguards people and animals'

<https://www.ifaw.org/journal/rabies-vaccination-campaign-kenya#:~:text=In%20Kenya%20alone%2C%20rabies%20is,other%20mammals%20through%20their%20saliva>, on 19 December 2024.

⁶⁴ Section 5(1), *The Nairobi City County Dog Control and Welfare Act*, (Act no. 10 of 2015).

⁶⁵ Section 8(1), *The Nairobi City County Dog Control and Welfare Act*, (Act no. 10 of 2015).

the owner's sense of responsibility. The Act also sets forth clear requirements for the welfare of dogs, ensuring that standards for their housing, feeding, and overall care are met.⁶⁶ These provisions contribute to a more structured and humane approach to pet ownership, underscoring the importance of ensuring the well-being of dogs in urban settings.

4.4 CONCLUSION

Although Kenya's laws regarding pet ownership and animal welfare provide a basis for animal protection, their effectiveness and reach remain limited. The Prevention of Cruelty to Animals Act, though pivotal in addressing abuse and neglect, falls short in providing specific care standards for pets and fails to keep pace with evolving global understandings of animal welfare. While the Animal Diseases and Rabies Acts provide vital provisions for controlling disease outbreaks and ensuring public health, their implementation struggles in rural areas where veterinary services are sparse, leaving gaps in disease management. Additionally, the Nairobi County Dog Control and Welfare Act, though progressive, is insufficient to meet the broader needs of animals nationwide.

A cohesive, national strategy that integrates aspects of the Prevention of Cruelty to Animals Act, the Animal Diseases Act, the Rabies Act, and the Nairobi County Dog Control and Welfare Act is required to guarantee consistency in public education, enforcement strategies, and animal welfare standards across the country. To effectively safeguard its animals and encourage responsible pet ownership, Kenya needs to reform its legal system to reflect contemporary standards and offer statewide coverage. Additionally, implementing mandatory training programs for pet owners on responsible care and animal welfare standards could enhance public awareness and compliance. Enhanced collaboration with NGOs and veterinary organizations would further strengthen outreach and support in underserved areas, addressing the gaps in enforcement and veterinary services highlighted in the existing legal framework.

⁶⁶ Section 8(1), *The Nairobi City County Dog Control and Welfare Act*, (Act no. 10 of 2015).

CHAPTER 5

COMPARATIVE ANALYSIS: KENYA'S LEGISLATIVE FRAMEWORK ON PET OWNERSHIP AND HEALTHCARE VERSUS GLOBAL STANDARDS IN ADVANCED ANIMAL WELFARE SYSTEMS

5.1 INTRODUCTION

Kenya's legislative framework on pet ownership and healthcare has evolved over time. However, while these laws aim to regulate pet welfare, they often fall short in addressing the comprehensive needs of pets in modern society. In contrast, countries like Sweden and Switzerland have developed advanced animal welfare systems that incorporate stringent laws and regulations to ensure the proper care, health, and well-being of pets. These nations adhere to international standards set by organizations such as the World Organisation for Animal Health, which promote higher levels of animal welfare. This chapter explores the key differences between Kenya's legislative approach and the more progressive frameworks of these global leaders in animal welfare, providing insights into areas where Kenya's policies may require reform to better align with international best practices.

5.2 ANIMAL WELFARE SYSTEMS: AN OVERVIEW AND COMPARATIVE ANALYSIS

5.2.1 *Sweden*

Domestic animal welfare laws in Sweden are governed by the Animal Welfare Act of 2018, which is complemented by regulations set by the Swedish Board of Agriculture (such as the Animal Welfare Ordinance) and additional provisions in the Penal Code. Additionally, as a member of the European Union, Sweden has ratified the European Convention for the Protection of Pet Animals. These laws provide for the treatment, care and protection of animals, specifically pets. Having highlighted Sweden's legal framework, this section will delve into the various provisions of Switzerland's animal welfare laws, highlighting their unique contributions to the comprehensive care and protection of companion animals.

The Animal Welfare Act ensures good animal welfare and promotes respect for animals, mandating that their physical and behavioral needs are met.⁶⁷ A key provision in this Act that relates to pet ownership is chapter 2, section 8 that states animals of domestic species must not be abandoned.⁶⁸ For individuals or entities engaging in professional pet-related activities, the Act requires permits for keeping pets intended for breeding, supply, sale, or those received for boarding or feeding.⁶⁹ The issuance of these permits is dependent upon a thorough evaluation of the applicant's suitability and the compliance of the premises with established animal welfare standards, including proper housing and care.⁷⁰

The Swedish Board of Agriculture's regulations provide further specified details on the care and housing requirements for pets, particularly dogs and cats.⁷¹ These regulations are exceptionally detailed, addressing both the basic and more intimate needs of pets that pet owners may take for granted. Some of these provisions include the proper placement and maintenance of a litter box for cats, the required dimensions for housing spaces based on the size of the animal, and the necessity of adequate daylight in housing areas.⁷²

The regulations specify precise requirements for the provision of a litter box for cats.⁷³ These guidelines cover aspects such as the proper placement, dimensions, and maintenance of the litter box, ensuring hygiene and comfort for the animal and in turn ensuring prevention of spread of diseases.⁷⁴ In addition, the regulations establish standards for housing dimensions, ensuring that pets have enough space to move comfortably and engage in natural behaviors, which supports their physical well-being.⁷⁵

Furthermore, the regulations emphasize on the importance of natural light by requiring housing spaces for both dogs and cats to receive adequate daylight.⁷⁶ This ensures that pets have the proper exposure to light, which is vital for their overall health and mental well-

⁶⁷ Section 1, Chapter 1, *Animal Welfare Act*, 2018:1192.

⁶⁸ Section 8, Chapter 2, *Animal Welfare Act*, 2018:1192.

⁶⁹ Section 4, Chapter 6, *Animal Welfare Act*, 2018:1192.

⁷⁰ Section 4, Chapter 6, *Animal Welfare Act*, 2018:1192.

⁷¹ Section 1, Chapter 1, *Swedish Board of Agriculture's Code of Statutes*, 2020:8.

⁷² Section 19, Chapter 3, *Swedish Board of Agriculture's Code of Statutes*, 2020:8, Section 4-10, Chapter 10, *Swedish Board of Agriculture's Code of Statutes*, 2020:8, Section 9, Chapter 3, *Swedish Board of Agriculture's Code of Statutes*, 2020:8.

⁷³ Section 19, Chapter 3, *Swedish Board of Agriculture's Code of Statutes*, 2020:8.

⁷⁴ Section 19, Chapter 3, *Swedish Board of Agriculture's Code of Statutes*, 2020:8.

⁷⁵ Section 4-10, Chapter 10, *Swedish Board of Agriculture's Code of Statutes*, 2020:8.

⁷⁶ Section 9, Chapter 3, *Swedish Board of Agriculture's Code of Statutes*, 2020:8.

being. These detailed provisions reflect a comprehensive approach to animal welfare, prioritizing every aspect of a pet's environment. These micro details are what ensure that pets receive proper attention and care.

The European Convention for the Protection of Pet Animals also includes specific provisions that supplement the extensive requirements for ensuring proper pet ownership and healthcare in Sweden.⁷⁷ Article 6 of the convention establishes an age limit for acquiring pet animals, stating that no pet should be sold to individuals under the age of sixteen without the express consent of their parents or guardians, ensuring that pets are entrusted to those capable of responsible care.⁷⁸ Another important provision is Chapter 4 that emphasizes the importance of information and education programs aimed at raising awareness about responsible pet ownership.⁷⁹ These programs focus on promoting proper training, discouraging the gifting of pets without consent, preventing unplanned breeding, and addressing the risks of acquiring wild animals as pets and the negative consequences of irresponsible pet acquisition.⁸⁰ As a result, pet ownership is seen as a serious responsibility, ensuring that pets are cared for properly, are less likely to be abandoned, and contribute to a healthier and more sustainable environment for both animals and humans.

While Kenya's current framework on pet ownership, primarily governed by the Prevention of Cruelty to Animals Act, provides a foundation for the protection of animals, it lacks the level of specificity and detail seen in Sweden's animal welfare system. Kenya's laws generally focus on broad principles, with some provisions addressing the general treatment of animals and the responsibilities of pet owners. For instance, the absence of detailed provisions on the size and maintenance of pet housing spaces, such as those found in Sweden's regulations, means that pet owners in Kenya may not be fully aware of the proper environmental conditions needed to ensure their pets' well-being. Additionally, while Kenya's laws prohibit cruelty to animals, they do not mandate the same level of responsibility in terms of professional pet-related activities, such as breeding which are subject to thorough vetting in Sweden.⁸¹

⁷⁷ Article 1, *European Convention for the Protection of Pet Animals*, 1 May 1992,125.

⁷⁸ Article 6, *European Convention for the Protection of Pet Animals*, 1 May 1992,125.

⁷⁹ Article 14, *European Convention for the Protection of Pet Animals*, 1 May 1992,125.

⁸⁰ Article 14(b, c, d), *European Convention for the Protection of Pet Animals*, 1 May 1992,125.

⁸¹ Prevention of Cruelty to Animals Act (Act of 1962), Animal Diseases Act (Act No 4 of 1965), Section 4, Chapter 2, *Swedish Board of Agriculture's Code of Statutes*, 2020:8,

Moreover, Kenya's legal framework does not specify an age limit for pet acquisition or require parental consent for minors to own pets, which leaves room for irresponsible ownership. Educational programs on pet welfare and responsible ownership, like those promoted by the European Convention, are also not a significant part of Kenya's approach. By introducing detailed regulations for pet care, including provisions for housing, breeding permits, and responsible acquisition, Kenya could significantly improve its animal welfare standards. The incorporation of age limits for pet acquisition and mandatory educational programs would help reduce pet abandonment and ensure that pets are cared for in a way that supports their physical, mental, and emotional well-being. Such reforms would align Kenya with international best practices and contribute to a healthier and more sustainable environment for both animals and humans.

5.2.3 Switzerland

Animal welfare laws in Switzerland are governed by the Swiss Animal Welfare Act of 2005 and the Animal Protection Ordinance of 2020. These laws encompass the welfare, maintenance, and preservation of animals, particularly companion animals. The Swiss Animal Welfare Act recognizes the dignity of an animal.⁸² It defines the dignity of the animal as its inherent worth, which must be respected when handling it. If any strain imposed on the animal cannot be justified by overriding interests, this constitutes a disregard for the animal's dignity. Strain is deemed to be present in particular if pain, suffering or harm is inflicted on the animal, if it is exposed to anxiety or humiliation, if there is major interference with its appearance or its abilities or if it is excessively instrumentalized.⁸³

The recognition of the dignity of an animal is a groundbreaking principle that elevates the treatment of animals beyond mere utility to a position of intrinsic worth. Pet owners are

⁸² Article 1, Chapter 1, *Animal Welfare Act*, 2005.

⁸³ Article 3, Chapter 1, *Animal Welfare Act*, 2005.

required to actively consider their pets' physical, emotional, and psychological needs, ensuring that their actions do not cause unnecessary stress, pain, or suffering under the Swiss Welfare Act.⁸⁴ Consequently, daily interactions and care practices align more closely with humane and ethical standards. Veterinary interventions as well are guided by the principle that the animal's well-being must remain paramount. This approach recognizes the importance of mental and emotional health, prompting the adoption of pet-friendly facilities, stress-free handling methods, and considerate treatment practices.

The Animal Protection Ordinance is another key component of animal welfare legislation in Switzerland, detailing specific requirements that must be met to ensure responsible and ethical pet ownership. One key provision is that it addresses the trade and advertisement of animals. According to Article 103, individuals responsible for the care of pets involved in trade and advertising must meet specific qualifications to ensure their proper welfare. For example, in pet shops, those handling animals must either be trained as animal attendants or possess a federal certificate of proficiency in pet retail, as outlined by the Vocational and Professional Education and Training Act, along with additional specialized training.⁸⁵ This provision is crucial for ensuring that pets sold or advertised in commercial settings are treated with care and respect by qualified professionals, preventing mistreatment and promoting ethical standards in the pet trade.

In addition, just like in Sweden, the Animal Protection Ordinance of Switzerland provides for detailed housing requirements for pets as well. These requirements encompass not only the dimensions and structure of enclosures but also specifications for flooring, ventilation, lighting, and materials to ensure the comfort and safety of the pets.⁸⁶ For example, enclosures must allow pets to exhibit natural behaviors, provide opportunities for exercise, and protect them from excessive noise or stressful environments.⁸⁷ Such standards also establish a clear framework for pet owners, breeders, and care facilities, creating accountability and consistency in how animals are treated.

⁸⁴ Article 4, Chapter 1, *Animal Welfare Act*, 2005.

⁸⁵ Article 103, Chapter 5, *Animal Protection Ordinance*, 2020.

⁸⁶ Article 10, Chapter 2, *Animal Welfare Act*, 2005.

⁸⁷ Article 10, Chapter 2, *Animal Welfare Act*, 2005.

By setting high expectations, these regulations encourage a cultural shift toward more ethical and humane treatment of animals, aligning with evolving societal values. Importantly, they also created a foundation for harmonizing local laws with international animal welfare standards, such as those established by the World Organisation for Animal Health (OIE), promoting global collaboration and improving the status of animal welfare worldwide.

In comparison, Kenya's legal framework for pet ownership and animal welfare is less developed. A critical element of Switzerland's approach is the recognition of animal dignity, which stands as a cornerstone of its animal welfare laws. The Kenyan legal framework does not explicitly recognize the animal's intrinsic worth. Without a clear acknowledgment of animal dignity, Kenya's pet welfare regulations remain focused largely on physical care and the prevention of cruelty, rather than creating an environment where animals' mental and emotional health is actively prioritized. This is evident in how Kenya's laws prohibit animal cruelty, they do not go as far as Switzerland's regulations, which detail specific housing requirements, training certifications for those handling animals, and provisions to ensure the mental and emotional well-being of companion animals.⁸⁸

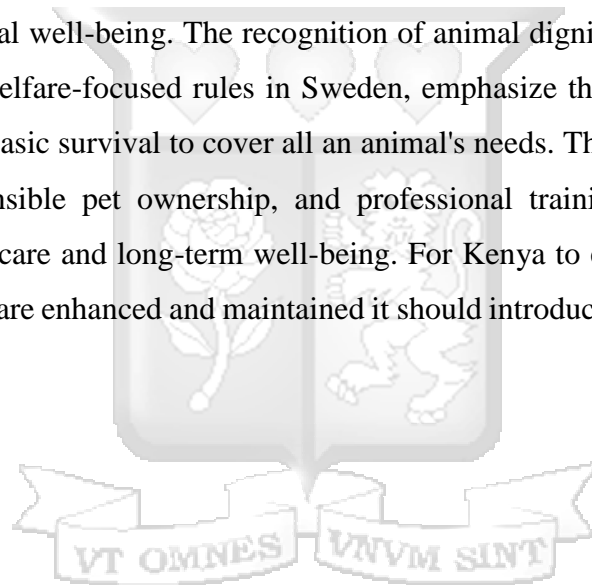
The concept of animal dignity has profound implications for how pet owners and caregivers interact with their animals. Integrating a recognition of animal dignity into Kenya's legal framework would be a significant step toward elevating the ethical standards of pet ownership and animal welfare in the country. It would encourage a cultural shift that goes beyond compliance with basic legal requirements to a more holistic approach to animal care that considers not only physical needs but also the emotional and psychological aspects of pet ownership. It could lead to changes in public awareness, the introduction of professional education programs for pet owners, and a stronger partnership with international organizations like the World Organisation for Animal Health (OIE). Incorporating animal dignity into Kenyan law would foster a deeper societal respect for animals and encourage pet owners to go beyond basic legal compliance.

⁸⁸ Article 3-12, Chapter 2, *Animal Welfare Act*, 2005.

5.3 CONCLUSION

This chapter compares Kenya's legislative framework for pet ownership and animal care to international standards, focusing on advanced systems in Sweden and Switzerland. While Kenya's legislative framework serves as a basis for animal care, it falls short of enacting specific and comprehensive legislation that address pets' physical, emotional, and psychological needs. The lack of laws such as precise housing conditions, animal dignity recognition, and requisite professional qualifications for pet-related activities illustrates Kenya's current framework's inconsistency with global best practices.

However, Sweden and Switzerland have strong legal frameworks that prioritize not only cruelty prevention but also animal well-being. The recognition of animal dignity in Switzerland, as well as the comprehensive, welfare-focused rules in Sweden, emphasize the significance of pet care systems that go beyond basic survival to cover all an animal's needs. These systems also promote public education, responsible pet ownership, and professional training, thereby setting high standards for ethical pet care and long-term well-being. For Kenya to ensure that pet ownership and healthcare standards are enhanced and maintained it should introduce reforms that incorporate these critical elements.



CHAPTER 6

CONCLUSION AND RECOMMENDATIONS

6.1 INTRODUCTION

This chapter summarizes the findings from the previous chapters, outlining the key issues and opportunities for improving pet healthcare and welfare in Kenya. Drawing on the KSPCA's role (Chapter 3), the effectiveness of Kenya's legal framework (Chapter 4), and comparative lessons from global animal welfare systems (Chapter 5), it makes specific recommendations to improve legislative, institutional, and societal approaches to pet ownership and healthcare.

6.2 FINDINGS FROM THE DISSERTATION

6.2.1 The role of KSPCA in Pet Healthcare and Welfare

The Kenya Society for the Protection and Care of Animals (KSPCA) has made significant contributions to animal welfare in Kenya. Through initiatives such as rescue and rehoming programs, the organization ensures that vulnerable pets receive necessary medical attention, including vaccinations, deworming, and treatment for injuries, before finding suitable homes. Their educational programs have also served to raise awareness about responsible pet ownership and healthcare practices. However, the KSPCA confronts numerous obstacles, including insufficient budget, a lack of institutional support from government, and limited personnel and infrastructural resources. These constraints hinder its ability to carry out large-scale programs and effectively advocate for significant legislative reforms. Furthermore, cultural attitudes, especially in rural areas, frequently impede pet welfare, complicating KSPCA's outreach efforts. Despite these challenges, the organization continues to play an important role in closing gaps in Kenya's pet healthcare and welfare systems.

6.2.2 The Effectiveness of the Kenyan Legal Framework

Kenya's legal framework for the welfare of animals, specifically the Prevention of Cruelty to Animals Act (1962), is out of date and inadequate to address contemporary concerns about pet treatment and welfare. Key sections, such as those addressing neglect, are broadly defined and open to interpretation, leading to inconsistent implementation. While the Nairobi County Dog

Control and Welfare Act represents a progressive approach to dog welfare within Nairobi, its limited geographical scope underscores the absence of a cohesive, nationwide legal strategy. This gap disproportionately affects rural and underserved areas, where animal welfare laws are often poorly understood or enforced. The lack of a standardized national framework results in disparities in enforcement, leaving many animals unprotected and exposing communities to risks associated with stray populations and disease outbreaks.

As discussed in Chapter 1, the case of *Joseph Wanjogu Kungu v. Republic* highlights the challenges in Kenya's jurisprudence on animal welfare enforcement.⁸⁹ The High Court's decision to overturn the conviction due to insufficient evidence and contradictions in witness testimonies underscores the difficulty of proving cruelty beyond a reasonable doubt. This case exemplifies the broader limitations of Kenya's legal framework, where jurisprudence remains underdeveloped, focusing more on punitive measures rather than proactive legal standards for animal welfare. Strengthening statutory guidelines and ensuring consistent judicial interpretation would enhance the effectiveness of legal protections for pets and improve enforcement outcomes.

6.2.3 The Comparative Insights from Global Standards

Comparative analysis of advanced animal welfare systems, such as those in Sweden and Switzerland, underscores the importance of adopting comprehensive and holistic frameworks. These countries have implemented legislation that incorporates the concept of animal dignity, establishing standards for housing and care, and encourages adequate public education initiatives to encourage responsible pet ownership. Public awareness initiatives in these countries ensure widespread adherence to animal welfare standards, which are strengthened by strict enforcement measures. Both countries align perfectly to the OIE standards for animal welfare. In contrast, Kenya's laws fail to meet these benchmarks, with limited emphasis on public education, insufficient detail on standards of care, and have weak enforcement structures that hinder the effective implementation of regulations. Aligning Kenya's legal framework with global best practices, specifically as those outlined by the World Organisation for Animal Health (OIE), could help bridge these gaps and elevate the standards of pet healthcare and welfare across the country.

⁸⁹ (2005) eKLR.

6.3 RECOMMENDATIONS

6.3.1 Legal and policy reforms

A fundamental step toward advancing animal welfare in Kenya is the recognition of animal dignity, acknowledging animals as sentient beings with inherent worth. This principle should be integrated into Kenya's legal framework to elevate the ethical standards of pet care and foster a cultural shift in attitudes toward animals. Following on this, Kenya should emphasize updating its animal welfare legislation, notably the Prevention of Cruelty to Animals Act (1962), to match current pet healthcare and welfare needs. These improvements must include specified rules for appropriate housing, nourishment, regular veterinary care, and animal mental health. Kenya could establish a comprehensive framework that ensures humane treatment and promotes responsible pet ownership by following World Organisation for Animal Health (OIE) principles.

6.3.2 Institutional Strengthening

Strengthening the Kenya Society for the Protection and Care of Animals (KSPCA) is essential for improving pet health and welfare in Kenya. This can be accomplished by enhancing government funding and partnering with private businesses and international organizations. Improved resources would allow KSPCA to expand its rescue, rehoming, and educational activities, filling existing gaps in pet welfare services. Furthermore, specialized training programs for KSPCA employees, veterinarians, and law enforcement officers should be developed to improve their ability to enforce animal welfare regulations and provide high-quality care.

These institutional enhancements establish the framework for expanding pet healthcare services into rural and underserved communities. Mobile veterinary clinics and subsidized healthcare services for low-income families could be established to ensure equitable access to care. Community participation programs, in collaboration with local leaders, would help to eliminate negative perceptions toward pets by promoting their emotional and health benefits. Finally, programs such as spaying/neutering and community-managed shelters would serve to reduce stray animal populations, lowering public health concerns and encouraging improved animal care standards across the country.

With these measures in place, the KSPCA and its partners can further build trust within communities, ensuring that individuals are more likely to report neglect and that cases are handled promptly and efficiently. This approach complements the broader institutional strengthening efforts and aligns with the goal of providing high-quality care and welfare for animals throughout Kenya.

6.3.3 Community education and awareness

Educating the public is essential for promoting responsible pet ownership. This could be accomplished by including animal welfare education into school programs, which can foster empathy and respect for animals among young students. Furthermore, using digital tools and social media platforms can help communicate information, engage communities, and encourage involvement in activities like pet adoption and vaccination programs.

6.3.4 Alignment with International standards

Kenya should adopt and internalize the OIE guidelines within its legal and institutional frameworks. These include comprehensive standards for disease prevention, biosecurity, and humane treatment. Implementation of regular audits and performance reviews to monitor compliance with these standards, identifying gaps and areas for improvement would also be necessary. These evaluations should involve key stakeholders, including government bodies, veterinary professionals, animal welfare organizations, and community representatives, to ensure a holistic approach. Benchmarking with countries like Sweden and Switzerland, where animal dignity and comprehensive care are central to legislation, would provide valuable insights for reforming Kenya's policies and practices. This collaboration will not only improve domestic animal welfare but will also position Kenya as a regional leader in promoting ethical and sustainable animal care practices. Furthermore, conforming to international standards will improve Kenya's global reputation, leading to more collaborations, funding, and investment opportunities to assist its animal welfare efforts.

6.4 CONCLUSION

Improving pet healthcare and welfare in Kenya is both an urgent need and a chance to build a more humane and sustainable society. Kenya may pave the way for genuine change by tackling systemic issues such as outdated laws, poor institutional capacity, and cultural impediments. Embracing international standards and learning from global best practices will strengthen Kenya's ability to fulfill these objectives while also placing it as a regional animal care leader. With these collaborative initiatives, Kenya can not only protect the dignity and well-being of its animals, but also improve public health, community participation, and national growth. Implementing these proposals will pave the path for a future in which animal welfare is a common communal value and a measure of progress.



BIBLIOGRAPHY

BOOK CHAPTERS

American Veterinary Medical Association, 'Assistance Animals: Rights of Access and The Problem of Fraud' 2022, 2-16.

JOURNAL ARTICLES

Helena Striwing 'Animal Law and Animal Rights on the move in Sweden', 8, *Animal Law Review* 1,2002.

Gieri Bolliger, 'Legal Protection of Animal Dignity in Switzerland: Status Quo and Future Perspectives', 22, *Animal Law Review* 2, 2016.

Ostrom, E 'Background on the Institutional Analysis and Development Framework' 39 *The Policy Studies Journal*,1, 2011.

Blomquist, W., & deLeon, P. 'The Design and Promise of the Institutional Analysis and Development Framework' 39 *Policy Studies Journal*.

DISSERTATION

Karanja Valentine, 'A Legal Analysis of Animal Rights in Kenya' Published LLB dissertation, Riara University, Nairobi,2019.

Pauline Mumbi, 'Factors influencing the effectiveness of animal welfare programmes in Kenya: A case of Kenya Society for the Protection and Care of Animals (KSPCA)', Unpublished LLM, University of Nairobi, Nairobi, 2013.

REPORT

Kenya Society for Protection and Care for Animals, *Challenges in Building Cultures for Natural Care of Animals in Kenya: KSPCA Experiences*, 2007.

ONLINE RESOURCES

World Organisation for animal health, 'Who we are' <https://www.woah.org/en/who-we-are/> on 1st Dec 2024.

Ministry of Agriculture and Livestock Department, 'About Us', <https://kilimo.go.ke/about-us/> on 30 October 2024.

Ministry of Agriculture and Livestock Department, 'State Department for Livestock Management' <https://kilimo.go.ke/state-department-for-livestock-development/> on 30 October 2024.

Netzkraft Movement, 'Kenya Society for Protection and Care of Animals (KSPCA) <https://www.netzkraft.net/profil.php?teilnehmer=17414&lg=en> on 15 November 2024.

KSPCA, 'About us' <https://ke.linkedin.com/company/kspca> on 15 November 2024.

KSPCA, 'KSPCA Mombasa (October)' KSPCA, <https://kspca-kenya.org/kspca-mombasa-october/> on 16 November, 2024.

KSPCA, 'Mass Rabies Vaccination Wednesday', <https://www.instagram.com/kspca/p/DAkoYwptqvA/> on 1 October.

Ifaw, 'Rabies vaccination campaign in Kenya safeguards people and animals' <https://www.ifaw.org/journal/rabies-vaccination-campaign-kenya#:~:text=In%20Kenya%20alone%2C%20rabies%20is,other%20mammals%20through%20their%20saliva>, on 19 December 2024.

DICTIONARY AND ENCYCLOPEDIAS

Cornell Law School, Legal Information Institute, 18 U.S. Code § 2266(11), Definitions.

Wise, S.M. "animal rights." Encyclopedia Britannica, 7 October, 2022. <https://www.britannica.com/topic/animal-rights>.

