



ANIMA

Legal Framework on Animal Protection

France

France recognized animals as “**living beings endowed with sensitivity**” in the Civil Code (Art. 515-14, introduced by Law n°2015-177 of 16 February 2015). However, animals still remain subject to property law in certain contexts.

Civil liability (Code civil, Art. 1243):

The owner (or guardian) is strictly liable for damages caused by the animal, regardless of negligence, even if the animal was leashed or apparently under control. No physical contact is required: fright, sudden movements, or indirect causes (e.g. barking causing a fall) can establish liability.

Criminal liability (Code pénal, Art. 521-1 and following):

- Mistreatment: up to 3 years’ imprisonment and €45,000 fine.
- If the mistreatment results in the animal’s death: up to 5 years’ imprisonment and €75,000 fine.
- Neglect (failure to provide food, veterinary care, or shelter) is also a punishable offence.

Law of 30 November 2021 (“maltraitance animale”, Law n°2021-1539):

- **Ban on the sale of dogs and cats in pet shops** since 1 January 2024 (Code rural et de la pêche maritime, Art. L.214-6-1). Shops may only organize adoption days with recognized NGOs.
- **Mandatory “certificate of commitment and knowledge”** for adopters (Art. L.214-8-1).
- **Ban on wild animals in circuses**, phased out by 2028.
- **Reinforced sanctions for abandonment**: up to 3 years’ imprisonment and €45,000 fine.
- **Control of online advertisements**: only verified ads with breeder ID/registration are permitted.

👉 France thus has one of the most advanced frameworks in Europe, though enforcement (especially for online sales and NAC – “nouveaux animaux de compagnie”) remains uneven.

References: Code civil, Art. 515-14, 1243; Code pénal, Art. 521-1; Loi n°2021-1539; Code rural L.214-6-1, L.214-8-1.

Italy

Italy took a **historic step** with the “**Legge Brambilla**” (**Law No. 82/2025, Gazzetta Ufficiale Serie Generale n.155, 4 July 2025**), in force since 1 July 2025. This builds upon earlier milestones such as the **Framework Law No. 281/1991**(companion animals and stray management) and **Law No. 189/2004** (first criminal provisions against cruelty).

Key features of the 2025 reform:

- **Recognition of animals as subjects of rights:** no longer defined as “objects” of human sentiment.
- **Killing of animals (Codice Penale, Art. 544-bis):** imprisonment from 6 months to 3 years, extended to 4 years in cases of cruelty or torture, plus mandatory fines.
- **Mistreatment (Art. 544-ter):** imprisonment from 6 months to 2 years plus fines from €5,000 to €60,000 (previously judges could choose one or the other; now penalties are cumulative).
- **Cruel spectacles (Art. 544-quater):** administrative fines of €15,000–€30,000.
- **Animal fighting (Art. 544-quinquies):** prison 2–4 years for organizers + fines; participation and betting also punishable.
- **Aggravating circumstances:** penalties increased by one third if in front of minors, involving multiple animals, or if acts are recorded and shared online.
- **Ban on chaining dogs permanently:** fines €500–€5,000, except in certified exceptional circumstances.
- **Seizure and custody:** mistreated animals can be seized immediately and entrusted to recognized NGOs.

👉 This reform represents a **cultural and legal revolution**, aligning Italy with EU recognition of sentience, while explicitly granting animals the status of rights-bearing beings.

References: Codice Penale, Artt. 544-bis, 544-ter, 544-quater, 544-quinquies; Legge n. 82/2025 (GU Serie Generale n.155).



Spain

Spain adopted the **Law 7/2023, de Protección de los Derechos y el Bienestar de los Animales** (BOE-A-2023-7935, 29 March 2023), creating for the first time a **national framework** harmonizing diverse regional legislations.

Main provisions:

- Recognition of animals as sentient beings (2021 reform of Civil Code, reinforced by Law 7/2023).
- Companion animals: mandatory training course for adopters; compulsory microchip and national registry; prohibition on leaving dogs alone >24h or cats >3 days; obligation of veterinary care and preventive treatments.
- Ban on sales in pet shops: animals may only be acquired via adoption from registered shelters or NGOs.
- Prohibited practices: permanent chaining, mutilations (except medical reasons), use of animals in circuses or cruel spectacles.
- Sanctions: fines up to €10,000 (minor), €50,000 (serious), €200,000 (very serious).

👉 Spain now has one of the strictest frameworks in Europe, combining prevention, education, and deterrent sanctions.

References: Ley 7/2023 (BOE-A-2023-7935); Código Civil reform 2021.



European Union

At EU level, the **Treaty of Lisbon (Art. 13 TFEU, 2009)** recognized animals as sentient beings, requiring Member States to “pay full regard to the welfare of animals” in policymaking.

Key frameworks:

- **Transport Regulation (EC No. 1/2005):** welfare rules during animal transport (criticized for weak enforcement).
- **Slaughter Regulation (EC No. 1099/2009):** mandatory stunning before killing, with exceptions (e.g. religious rites).
- **Directive 2010/63/EU:** protection of animals used for scientific purposes (3Rs principle: Reduce, Refine, Replace).
- **Common Agricultural Policy (CAP):** conditionality standards linked to animal welfare.

Strategic frameworks:

- **EU Animal Welfare Strategy 2021–2027.**
- **Animal Welfare Package (2024 revision):** introduction of animal welfare labelling, phase-out of cages in farming (ECI “End the Cage Age”), harmonized standards for companion animals.

👉 The EU provides the overarching framework, but ambition and enforcement vary significantly between Member States.

References: Treaty on the Functioning of the EU, Art. 13; Reg. (EC) No. 1/2005; Reg. (EC) No. 1099/2009; Directive 2010/63/EU; EU Commission COM(2024) Animal Welfare Package.



Summary

- **Italy (2025):** landmark reform → recognition of animals as **subjects of rights**, harsher penalties, bans on cruel practices.
- **France (2015–2021):** recognition of sensitivity, progressive bans (circuses, pet shops for cats & dogs), reinforced sanctions.
- **Spain (2023):** strict national framework, combining prevention, citizen education, and heavy sanctions.
- **EU (2009 → 2024):** foundational recognition of sentience, ongoing reforms (labelling, cage bans, harmonization).

👉 This evolution shows a clear European trend: from symbolic recognition of animal sentience to **effective legal protection**, with stronger sanctions and preventive measures, though enforcement still remains a challenge.

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