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### **CHILDREN'S RIGHTS AND ANIMAL WELFARE\*\***

**Abstract:** *In light of the 30<sup>th</sup> anniversary of the Convention on the Rights of the Child (CRC) and the ever-changing social, economic, cultural and natural environments at the global level, animal welfare should be addressed as an emerging topic which may broaden the understanding of the CRC application. Animal welfare can be understood as a mechanism to directly affect and ensure the following children's rights envisaged in the CRC: the right to life, survival and development (Article 6); the right to the enjoyment of the highest attainable standard of health (Article 24); the right to food (Articles 27 and 24); the right to protection against all forms of violence (Articles 19, 24(3), 28(2)), 37(a) and 32-36); the right to physical and psychological recovery of victims (Article 39); the rights related to the aims of education (Article 29); the right to leisure and play (Article 31); and the right to a healthy environment. The paper elaborates how the provision of a good state of animal welfare affects the exercise of selected children's rights: the right to the enjoyment of the highest attainable standard of health and the right to protection against all forms of violence. There is a growing body of evidence for positive effects of good state of animal welfare on the exercise of children's rights on a global level. It is of broader social importance to recognize this interconnection and understand mechanism by which treating animals with care is reflected on the welfare of the child and the exercise of children's rights.*

**Keywords:** *children's rights, animal welfare, right to the enjoyment of the highest attainable standard of health, right to protection against all forms of violence.*

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## 1. Introduction

On the occasion of marking the 30<sup>th</sup> anniversary of the Convention on the Rights of the Child (CRC),<sup>1</sup> a significant focus is placed on the level of implementation of that international Treaty. However, due to societal and global changes, special attention is given to the rights of the child in the face of scientific and technological advancements and consequential changes, such as climate change, use of renewable energies, bioengineering, genetical research, use and impact of information and communication technologies and others. The CRC Committee, the monitoring body established by the CRC, recognized the need to address such emerging topics and, thus, broaden the understanding of the CRC application in view of the ever-changing nature of the economic, social, legal and cultural environments in which children's rights should be exercised.

However, there are areas of the rights of the child that are not "new" but have not been identified as relevant yet, such as those stemming from seemingly disparate connections between children's rights and areas of life such as human relation with nature. The correlation between children's rights and animal welfare is a good example of such seemingly irrelevant yet very important connection; it is one of the important but insufficiently recognized understandings, circumstances and phenomena that directly and indirectly affect the exercise of the rights of the child. Animal welfare is a concept of recent date which has evolved considering the relationship between humans and animals, or our impact on the life of animals whose survival depends directly on humans.

Entering the phrases "children's rights" followed by "animal welfare" in the search engines of academic publications and international human rights jurisprudence yields poor results. Could we consequently infer that these two terms are not related, that there is no connection? Is this the reason why academic and professional public is not paying attention to this multidisciplinary field? For that reason, the starting question is *whether there is an interrelation between enjoyment of children's rights and animal welfare*, and whether animal welfare is an important factor in the full realization of children's rights. What are the practical dimensions and mechanisms of their relatedness? The authors believe the answer to these questions is positive.

This article aims to underly the relation between the two concepts, important enough to hopefully attract the attention of the children's rights community. Drawing on particular rights acknowledged in the CRC, the article further aims to encourage the CRC Committee, the monitoring body established by the CRC

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1 *Convention on the Rights of the Child* (adopted 20 November 1989, entered into force 2 September 1990), UN General Assembly, Resolution 44/25.

(Art. 43), to recognize in its work the value of animal welfare in exercise of children's rights and regularly raise the issue with States parties.

To reach its aim, the paper examines animal welfare through the prism of exercising children's rights and proposes the hypothesis that undivided attention to animal welfare is a mechanism for exercising the child's right to health and the right to protection from violence. Therefore, a more detailed analysis of the impact of animal welfare on the exercise of children's rights within the education system, the right to play, or the right to a healthy environment remain outside the scope of this paper. They are just briefly mentioned to indicate the extent of potential impacts and interdependence between children's rights and animal welfare.

It should be noted that the authors, for the purpose of this text, adopt a view of the "instrumental", extrinsic values of the animal and consider from the anthropocentric perspective how the provision of a good state of animal welfare affects the exercise of selected children's rights mentioned in this paper. Given this premise and the subject matter of the paper, animals are perceived in light of benefits they provide to children, both tangible (utility animals) and intangible (companion animals) ones. Wild animals' welfare and their contribution to the realization of children's rights are not covered herein.

## **2. Legal frameworks and relatedness between children's rights and animal welfare**

The CRC is the most comprehensive and the most ratified international treaty. When adopted in 1989, it was the first international Treaty to acknowledge that children have rights. It encompasses a wide catalog of children's rights ranging from political and civil rights to economic, social and cultural rights. However, there is a strong evolutionary element to the CRC. There are rights of the child not covered by the CRC, such as: the right of the child to a healthy environment, the rights of the child with HIV, rights in relation to digital media, rights of LGBT child, rights of migrant children, or the right to protection from child marriage; however, it is widely acknowledged that the CRC applies to the listed areas. No human rights' treaty is all-encompassing in the sense that their catalogues include all current and future understanding and acknowledgement of human needs. Therefore, interpretation (for example, through General Comments<sup>2</sup>) is vital to a broad understanding of the application of international human rights norms, so, it may be argued that children do have the right to enjoy benefits from

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<sup>2</sup> See: UN Human Rights Office of the High Commissioner, accessed on 07 September 2019, available at [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&DocTypeID=11](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&DocTypeID=11)

animals that are treated with love and care. The crucial element of the child's right to environment is the natural life, plants and animals, and how the child and society relate to it<sup>3</sup>.

Recognizing the importance of animal welfare for economic development and the quality of people's lives, an increasing number of international organizations are devoting attention to the improvement of animal welfare, or its legal formulation.<sup>4</sup> The World Organization for Animal Health (OIE)<sup>5</sup> defines animal welfare in relation to the way in which an animal is coping with the conditions in which it lives.<sup>6</sup> To date, a number of standards have been adopted concerning production, transport, slaughter and killing of farm animals, stray dog population control, use of animals for scientific purposes and education, or production, transport and killing of fish<sup>7</sup>. International organizations that stand out in the

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3 In the CRC Committee's Day of General Discussion Report on Children's Rights and the Environment (2016), discussing the meaning of environment in the context of children's rights, the natural world is described as including plants and animals and people. Further, the Committee states that "*environmental degradation affects plants, animals and the weather, therefore, ultimately impacts the livelihoods of families and communities in which children grow up, and their ways of living.*" (CRC Report, 2016:11), Retrieved 4 September 2019 from <https://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2016/DGDoutcomereport-May2017.pdf>

4 See, for example: the United Nations Food and Agriculture Organisation (FAO) [http://www.fao.org/ag/againfo/themes/animal-welfare/aw-awhome/en/?no\\_cache=1](http://www.fao.org/ag/againfo/themes/animal-welfare/aw-awhome/en/?no_cache=1); the World Health Organization (WHO) [https://www.who.int/foodsafety/zoonoses/final\\_concept\\_note\\_Hanoi.pdf](https://www.who.int/foodsafety/zoonoses/final_concept_note_Hanoi.pdf); the World Organization for Animal Health (OIE) <https://www.oie.int/en/animal-welfare/animal-welfare-at-a-glance/>; the European Union (EU) [https://ec.europa.eu/food/animals/welfare\\_en](https://ec.europa.eu/food/animals/welfare_en) and others.

5 The OIE is an intergovernmental organization responsible for improving animal health worldwide and has 180 member States. The International Office for Epizootics was established by an international agreement signed on 25 January 1924. In May 2003, it was renamed the World Organization for Animal Health, retaining its acronym OIE.

6 «Animal welfare means how an animal is coping with the conditions in which it lives. An animal is in a good state of welfare if (as indicated by scientific evidence) it is healthy, comfortable, well nourished, safe, able to express innate behavior, and if it is not suffering from unpleasant states such as pain, fear, and distress. Good animal welfare requires disease prevention and veterinary treatment, appropriate shelter, management, nutrition, humane handling and humane slaughter/killing. Animal welfare refers to the state of the animal; the treatment that an animal receives is covered by other terms such as animal care, animal husbandry, and humane treatment. OIE: *A new definition for the Terrestrial Animal Health Code: 'animal welfare'*, App. 3.7.1 of the Terrestrial Animal Health Code, OIE, 2018. Retrieved on 04 September 2019 from <https://www.oie.int/doc/ged/D5517.PDF>

7 World Organization for Animal Health: *OIE Standards on Animal Health*, Retrieved on 04 September 2019 from <https://www.oie.int/en/animal-welfare/an-international-network-of-expertise/>

field of animal welfare in Europe are the Council of Europe and the European Union, which recognized the importance of standardizing animal welfare. The Council of Europe recognized the importance of animal welfare for human health and quality of life, and stressed that “respect for animals counts among the ideals and principles that are the common heritage of State Members as one of the obligations upon which human dignity is based.” (Pritchard, 2006:4) As early as in the 1960s, the Council of Europe started to work in the field of animal welfare adopting five conventions and a number of recommendations. The conventions relate to the welfare of farm animals in breeding, transport and slaughtering, the welfare of animals used for experimental and other scientific purposes, and the welfare of companion animals (pets)<sup>8</sup>.

The relatedness and interdependence of humans and animals is reflected in many aspects of life. The way in which animals are kept and used, or their welfare, directly affects the welfare of family dependent on animals. In this way, exercising children’s rights is related to the care for the welfare of animals whose survival depends on people’s care.<sup>9</sup> In terms of the relationships we have with them, all animals can be classified into three groups: companion animals, utility animals and wild animals living in natural habitats.<sup>10</sup>

Considering that children’s rights must be approached in a holistic manner, that is, that all rights are interrelated and conditioned, animal welfare *indirectly* affects the exercise of practically all the rights contained in the Convention. The indirect impact mechanism is primarily evident in the fact that animal welfare affects the most important basic principle of the Convention - the right

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8 Council of Europe: *Biological safety - use of animals by humans*, Council of Europe, Retrieved on 04 September 2019, from [http://www.coe.int/t/e/legal\\_affairs/legal\\_co-operation/biological\\_safety\\_and\\_use\\_of\\_animals](http://www.coe.int/t/e/legal_affairs/legal_co-operation/biological_safety_and_use_of_animals)

9 «The FAO and other global organizations could proactively include animal welfare as a basic element of their projects, integrated with, and contributing to, other goals such as food safety and security, human and animal health, environmental sustainability, worker safety, rural development, gender equality, and social justice.» Food and Agriculture Organization of the United Nations (FAO). *Capacity building to implement good animal welfare practices: Report of the FAO Expert Meeting*, p. xvii, (2009)

10 *Companion animals* are kept within the household, primarily for socializing, and have a social and emotional role. *Utility animals* are farm animals (sometimes they can also be wild animals in captivity, such as elephants in some countries of Asia), which are primarily held for commercial purposes: for food production (pigs, cattle, sheep, poultry, etc.), for conducting experiments (mice, rats, various primates, etc), as working animals (e.g. horses, donkeys, elephants, rescue and search dogs, etc.) and for sports (race horses, greyhounds etc.). There are significant overlaps between utility animals and companion animals. Animals used for therapeutic purposes (e.g. in children’s hospitals) are primarily utility animals, but their utility is reflected precisely in the socializing and emotional support they provide (Burazerović, 2017).

to life, survival, and development, without which no children's right could be fully enjoyed.

Animal welfare *directly* affects the exercise of different children's rights listed in the Convention: the right to life, survival and development (Article 6); the right to the enjoyment of the highest attainable standard of health (Article 24); the right to food (Articles 27 and 24); the right to hygiene (Article 24); the right to protection against all forms of violence (Articles 19, 24(3), 28(2)), 37(a) and 32-36); the right to physical and psychological recovery of victims (Article 39); the rights related to the aims of education (Article 29); the right to leisure and play (Article 31); and the right to a healthy environment. Animals have significant positive effects within child justice systems, by being included in child offender treatment, supporting children victims of crime and even "assisting" in court sessions in which children are offenders, victims or witnesses. Positive effects are also well noted in treatment of children with disabilities through the use of animals to help these children and provide emotional support, which contributes to improving their health and development. Positive effects on emotional and social development through contact with animals can be particularly significant and prominent in state care and penitentiary institutions where children stay for long periods and lack emotional connection.

### 3. The child's health and animal welfare

Every individual has the right to enjoy the highest available standard of physical and mental health is the guarantee contained in the International Covenant on Economic, Social and Cultural Rights (Article 12). This particularly refers to reducing infectious and other diseases leading to higher mortality rates of people, especially children - through prevention and curative care. According to the definition of the WHO, "health is a State of complete physical, mental and social well-being." (WHO, 2014: 1). The child is entitled to the highest possible standard of health and health care. The CRC requests special attention of the States parties to prevention, health education and reduction of infant and child mortality rates.

Due to the inadequate keeping of animals and the poor state of their welfare, populations of abandoned animals and wildlife trade have been recognized as some of the major causes of public health problems. Improved animal health concurrently reduces the risk to human health, especially in developing economies (FAO, 2009: xvii).<sup>11</sup> On the other hand, positive interaction with animals

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11 FAO: *Capacity building to implement good animal welfare practices: Report of the FAO Expert Meeting* (2009: xvii), [https://ec.europa.eu/food/sites/food/files/animals/docs/aw\\_arch\\_report\\_09-102008\\_rome\\_en.pdf](https://ec.europa.eu/food/sites/food/files/animals/docs/aw_arch_report_09-102008_rome_en.pdf)



contributes to improved human health. Presence of a pet has helped the recovery of many patients and reduced the use of medications (Havey, Vlasses, Vlasses, Ludwig-Beymer, Hackbarth, 2014: 366). A companion dog or cat contributes to a better mood of the elderly, while having a pet in the family positively influences the development of the personality of children and young people (World Society for the Protection of Animals/WSPA, 2007: 7).<sup>12</sup> The presence of a pet helps with emotional recovery and stability of people with emotional disorders (Matchock, 2015: 388).

It is possible to identify numerous aspects of relatedness between the child's rights to health and animal welfare, but let's look into transmission of infectious diseases (zoonoses) that are common to certain animal species and humans and into production of healthy and safe food of animal origin.

When people and animals share a living space, they are very often susceptible to common diseases - zoonoses. About 60% of the infectious diseases of humans originate from animals (RSPCA, 2010: 6)<sup>13</sup>, while according to the WHO information, some 75% of the new infectious diseases that have appeared over the past 10 years and that can be transmitted to humans, are caused by pathogens originating from animals or animal origin products<sup>14</sup>. Some of these diseases have long been known, such as rabies, while others have recently emerged, such as bovine spongiform encephalopathy, more commonly known as "mad cow disease" (Appleby, 2003: 150). Bird flu has caused the deaths of hundreds of people and millions of animals. In each of these cases, better protection and care provided to animals significantly reduce the risk of infectious diseases in both animals and humans<sup>15</sup>. Good public health largely depends on the prevention of infectious diseases and zoonoses, which can be achieved by proper animal care.<sup>16</sup>

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12 World Society for the Protection of Animals (WSPA). *Animal welfare matters – the case for a Universal Declaration on Animal Welfare*. (2007) Retrieved 04 September 2019 from [https://www.worldanimalprotection.ca/sites/default/files/ca\\_-\\_en\\_files/case\\_for\\_a\\_udaw\\_tcm22-8305.pdf](https://www.worldanimalprotection.ca/sites/default/files/ca_-_en_files/case_for_a_udaw_tcm22-8305.pdf)

13 Royal Society for Prevention of Cruelty to Animals (RSPCA). *Animals and people*, 2010

14 World Health Organization: *Neglected zoonotic diseases*. Retrieved 04 September 2019 from [https://www.who.int/neglected\\_diseases/diseases/zoonoses/en/](https://www.who.int/neglected_diseases/diseases/zoonoses/en/)

15 World Society for the Protection of Animals. *Animal welfare matters– the case for a Universal Declaration on Animal Welfare*. (2007). Retrieved 04 September 2019 from [https://www.worldanimalprotection.ca/sites/default/files/ca\\_-\\_en\\_files/case\\_for\\_a\\_udaw\\_tcm22-8305.pdf](https://www.worldanimalprotection.ca/sites/default/files/ca_-_en_files/case_for_a_udaw_tcm22-8305.pdf)

16 Compassion in World Farming and World Society for Protection of Animals. *Zoonotic diseases, human health and animal welfare*. (2013). Retrieved 04 September 2019 from <https://www.ciwf.org.uk/media/3756123/Zoonotic-diseases-human-health-and-farm-animal-welfare-16-page-report.pdf>

Healthy, safe and good quality food depends on animal breeding, veterinary care, and animal feed. Meat, milk, and eggs produced in systems that meet animal welfare standards ensure high quality and safety of food products. A balanced diet of dairy animals contributes to maintaining the nutritional value of milk, while careful treatment of animals before and during slaughtering contributes to preventing a decrease in meat quality. Recognizing the importance of animal welfare for the quality and safety of food of animal origin, consumers set high animal welfare requirements before food manufacturers. Manufacturers in countries that want to export cannot ignore consumers' concerns about food safety in importing countries if they want to maintain their economic prosperity and trade. Appropriate food labeling is another requirement of consumers who want to be better informed about the specific production process of the products they buy, especially about the welfare of the animals from which the particular product originates (OIE, 2004: 95).<sup>17</sup>

In the last fifty years, meat production and consumption in emerging economies has risen drastically, and estimates say that today these countries produce more than half of the world's meat production<sup>18</sup>. Such massive increases in production involve the use of different production systems in both small-scale production and large-scale industrial production used by developed industrialized countries. Demand for products of animal origin continues to grow, resulting in numerous ethical and sustainability issues, environmental problems and growing concern about animal welfare. As noted by the European Commission, "A relative majority of Europeans understand animal welfare to refer to "the duty to respect all animals" and secondly to 'concern the way farmer animals are treated, providing them with a better quality of life'. More than nine in ten EU citizens believe it is important to protect the welfare of farmed animals (94%). Europeans believe the welfare of farmed animals should be better protected than it is now (82%) and similarly for companion animals (74%)" (European Commission, 2016: 4).

Caring for animal welfare is a key factor in the production of safe and good quality food. Food poisoning is a major problem for most countries. Animal products are a major source of these infections, which are caused by the way of treating

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17 World Organization for Animal Health (OIE): *Proceedings of the Global conference on animal welfare: and OIE initiative, Paris 23-25 February 2004*, Office for Official Publications of the European Communities, Luxembourg (2004), [https://www.oie.int/fileadmin/Home/eng/Conferences\\_Events/docs/pdf/proceedings.pdf](https://www.oie.int/fileadmin/Home/eng/Conferences_Events/docs/pdf/proceedings.pdf)

18 Food and Agriculture Organisation of the United Nations (FAO). *World agriculture: towards 2015/2030: a FAO perspective*. (2003). Retrieved 04 September 2019, from <http://www.fao.org/3/a-y4252e.pdf>



animals - the methods of breeding, transport and slaughtering<sup>19</sup>. The main path of *E.coli* infection to the human body is meat contamination with animal feces, which occurs as a result of keeping cattle in conditions of overpopulation. Similarly, *Salmonella* infection that is transferred from poultry and eggs to humans is associated with poor animal breeding practices, such as forced molting (the process of starving poultry in order to cause continuous egg production). This practice, which is illegal in some countries, negatively affects the welfare of these birds and endangers their immune system to the extent that their eggs can pose a serious risk to public health (WSPA, 2007: 7)<sup>20</sup>.

#### 4. Right of the child to protection from violence

Even though general research into the correlation between the rights of the child and animal welfare does not show significant results, it is becoming increasingly evident; the last decades have witnessed intensified scientific research on the connection of violence against animals and interpersonal violence. Although most of the research is of a recent date, the phenomenon of violence against animals and its connection to interpersonal violence have been found in literature for a much longer period. Even English philosopher John Locke said in the early 18<sup>th</sup> century that “the custom of tormenting and killing of beasts will, by degrees, harden [their] minds even towards men” (Lock, 1705, cited in: Ascione, Arkow, 1999: 197).<sup>21</sup> In the 1960s, anthropologist Margaret Mead noted that aggressive behavior of children against animals can be an indicator of antisocial and violent behavior in adulthood (Becker, French, 2004: 399). Her work marked the beginning of a more intense study of the connection phenomenon between violence against animals and interpersonal violence. According to Becker and French, all previous research can be grouped in four main interrelated fields: (1) Animal abuse as an indicator of domestic violence; (2) Animal abuse as an indicator of child abuse; (3) Animal abuse by children who later show aggressive and deviant behavior; and (4) The therapeutic potential of animals in child development and within rehabilitation (Becker, French, 2004: 401). The results of some of the research on these issues are summarized below.

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19 World Society for the Protection of Animals. *Animal welfare matters– the case for a Universal Declaration on Animal Welfare*. (2007). Retrieved 04 September 2019, from [https://www.worldanimalprotection.ca/sites/default/files/ca\\_-\\_en\\_files/case\\_for\\_a\\_udaw\\_tcm22-8305.pdf](https://www.worldanimalprotection.ca/sites/default/files/ca_-_en_files/case_for_a_udaw_tcm22-8305.pdf)

20 World Society for the Protection of Animals (WSPA). *Animal welfare matters– the case for a Universal Declaration on Animal Welfare*. (2007). Retrieved 04 September 2019, from [https://www.worldanimalprotection.ca/sites/default/files/ca\\_-\\_en\\_files/case\\_for\\_a\\_udaw\\_tcm22-8305.pdf](https://www.worldanimalprotection.ca/sites/default/files/ca_-_en_files/case_for_a_udaw_tcm22-8305.pdf).

21 cited after: John Locke, *Some Thoughts Concerning Education*, 1705.

#### ***4.1 Animal Abuse as an Indicator of Domestic Violence and Child Abuse***

The research results obtained from interviewing women who sought help and protection in cases of domestic violence have highlighted the obvious link between violence between spouses and animal violence.<sup>22</sup> These studies showed that between 46.5% and 71% of respondents experienced their partner threatening, injuring or killing a pet, of which between 25.5% and 57% of respondents reported that their pet was abused or killed by the partner. Professor Frank Ascione and others compared the experiences of women from the battered women's shelter and women who were not victims of domestic violence and found that injuries or killings of animals by the partners were reported 11 times more in the case of women from the shelter (54% vs. 5%) (Ascione, Weber, Thomposn, Heath, Maruyama, Hayashi, 2007: 361). One in four women victims of violence did not want to or delayed their leaving the house and the abuser because of the fear that something would happen to the pet, while in 62% of cases children were directly exposed to pet abuse (Ascione et al., 2007: 363). As the level of domestic violence was growing, the reported cases of violence against animals were becoming more serious. Thus, it has been found that violent men who abuse the animal in their family use animal violence to establish control over their victims much more than violent men who do not abuse animals (Simmons, Lechmann, 2007: 1216-1217).

As is the case with the abusers who abuse pets to control women-victims, children abusers threaten, hurt, or kill the animal, using it as a means of "covering up" child abuse, getting consent, or directly threatening the child (Boat, 1999: 83-84). These circumstances may also affect the reduction in the number of cases of violence reported to competent state authorities.

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22 A lot of articles have been written on this topic. See, for example: Ascione, F. R. (1998). Battered women's reports of their partners' and their children's cruelty to animals. *Journal of Emotional Abuse*. 1. 119-133; Carlisle-Frank, P., Frank, J. M., Nielsen, L. (2004). Selective battering of the family pet. *Anthrozoos*. 17. 26-41; Faver, C.A., Strand, E.B. (2003). Domestic violence and animal cruelty. *Journal of Social Work Education*. 39 (2). 237-253; Flynn, C. P. (2008). Why family professionals can no longer ignore violence toward animals. *Family Relations*. 49. 87-95; Flynn, C.P. (2011). Examining the links between animal abuse and human violence. *Crime, Law and Social Change*. 55(5). 453-468; DeGrue, S., DiLillo, D. (2009). Is animal cruelty a "red flag" for family violence? Investigating co-occurring violence toward children, partners and pets. *Journal of Interpersonal Violence*. 24(6). 1036-1056; McPhedran, S. (2009). Animal abuse, family violence and child wellbeing: A review. *Journal of Family Violence*. 24(1). 41-52; Febres, J., Brasfeld, H., Shorey, R., Elmquist, J., Ninneman, A., Schonbrun, Y., Temple, J., Recupero, P. Stuart, G. (2014). Adulthood animal abuse among men arrested for domestic violence. *Violence against women*. 20(9). 1059-1077.

#### ***4.2 Animal Abuse by Children***

Exposing children and adolescents to animal abuse can make them insensitive to violence, and children's aggressive behavior toward animals can be an early diagnostic indicator of future behavioral disorders. Research on the phenomenon of animal abuse by children and adolescents suggests that animal abuse can, in fact, be a form of "testing" human-oriented violence, therefore it must be treated as a serious disorder. Such violent forms of behavior must never be ignored and overlooked, as they can escalate in scope and intensity (Kellert, Felthous, 1985: 1127). Merc-Perez and associates conclude that compared to non-violent convicts, violent convicts committed significantly more acts of pet abuse when they were children (Merc-Perez, Heide, Silverman, 2001: 570).

The roots of cruel behavior of children and adolescents towards animals can be sought in the environment in which children live and grow up. Thus, the research results of animal abuse by children who are exposed to domestic violence or who are abused themselves provide additional explanations and etiological connections between different types of domestic violence. One study (Baldry, 2003: 272-275) reports that young people who abuse animals are more exposed as eyewitnesses to animal violence committed by their peers or parents and that they are generally more exposed to violence committed by their parents than their peers who are not aggressive towards animals. Thomson and Gullone found that long-standing witnessing and watching of animal abuse in the family or friend circle is significantly associated with an increased level of animal abuse among adolescents, with the frequency of these events also being a significant factor affecting the violent behavior of adolescents towards animals (Thomson, Gullone, 2006: 236). Animal abuse is significantly correlated with direct presence during acts of animal abuse within the family or friend circle, where 67.6% of animal abusers were eyewitnesses of abuse, as opposed to 19.4% of respondents who were not (DeGrue, DiLillo, 2009: 1049). Such findings indicate that social learning can play an important role in animal abuse, especially if such patterns of behavior are taken over when a child is observing persons who are important in the child's life.

#### ***4.3 Therapeutic potential of animals and the effects on the rights of the child***

People are social and emotional beings with a pronounced need for communication with others. Animals that socially interact, such as dogs and cats, provide their owners with a strong sense of friendship (Sable, 1995:335). Their loyal behavior, affection, and playfulness can be especially important for the perceptual, cognitive, social and emotional development of the child (Melson, 2003:

33-36) as a form of emotional support for children who are in any way isolated from their natural environment or placed in appropriate institutions (Lowe, 2011: 34). The right of the child to psychological and social development has been raised to the level of the principle of the Convention (Article 6), given its fundamental importance for the exercise of all other rights of the child. At the same time, Article 39 of the Convention obliges the State to provide appropriate physical and psychological recovery and social reintegration of children who are victims of torture, neglect, exploitation or abuse.

Studies of the relationship between people and animals, particularly the effects companion animals can have on human health, social and psychological development, have been particularly present in recent years. Research has shown that socializing with animals helps children develop their personality and strengthens them when it comes to negative life experiences and challenges they may face (Gilligan, 2000: 43; Dietz, Davis, Pennings, 2012: 678-679). Interaction of children with pets helps children to develop their social skills or empathy towards other living beings. The social effects of keeping companion animals can also be important: by keeping company and contributing to building social relationships between people. Caring for a pet gives the child the ability to be responsible for another living being, and in turn, receive the warmth and attention it has been previously deprived of. Today, animals are largely used to improve the lives of sick and disabled children by providing both tangible physical assistance and emotional support (Krškova, Talarovičova, Olexova, 2010; Walters Esteves, Stokes, 2008; Goddard, 2015).

## **5. Conclusions**

It is of broader social importance to recognize the interdependence of animal welfare and the rights of the child as proclaimed in the Convention on the Rights of the Child (CRC) as a legally binding international Treaty, and understand the mechanism by which treating animals is reflected on the welfare of the child and the exercise of children's rights. The attitude of the individual, society and the state towards animals should also be seen as one of the ways of contributing to economic development, social well-being, and environmental protection.

Whether used for obtaining food, for research or therapeutic purposes, or as companions, animals are an integral and inseparable part of people's lives; thus, the achievement of a good state of animal welfare can be crucial for millions of people across the globe as contact with animals has a beneficial impact on their physical and mental health, economic and social status, education or security. The full exercise and implementation of the rights of the child, especially in developing countries, is directly aided by improvements in animal welfare,

conditioning the survival and well-being of millions of people and their families around the world.

Thus, animal welfare positively affects the achievement of most of the Sustainable Development Goals<sup>23</sup> that directly or indirectly relate to the rights of the child, such as: *no poverty* (goal 1), *zero hunger and ensuring food safety* and promoting sustainable agriculture (goal 2), ensuring *healthy lives* and promoting the *well-being* for all (goal 3), *gender equality* and empowering women and girls (goal 5) and ensuring *responsible production and consumption* (goal 12). Sustainable agriculture and animal husbandry practices and the use of products originating from healthy and productive animals with good state of animal welfare can significantly contribute to meeting these goals. Animal welfare can help secure the livelihoods of people around the world in managing emergencies, as well as in the fight against poverty or the implementation of the sustainable agriculture principle. At the same time, recognizing the correlation between animal abuse and interpersonal violence will contribute to attaining the Sustainable Development Goal relating to the promotion of *peaceful and inclusive societies* for sustainable development (goal 16) (United Nations, 2015).

Considering the arguments presented in this paper, it is realistic to expect that these two fields (children's rights and animal welfare) will meet in times ahead of us. In order to achieve this as soon as possible, it is necessary to recognize that connection in international documents relevant for the rights of the child, as well as to accelerate the process of improving the welfare of animals at the global level. At the national level, it is important to supplement existing laws with respective provisions on animal welfare and to recognize the correlation between children's rights and animal welfare in the future. Acceleration and quality of the process of recognizing the connection between children's rights and animal welfare can be significantly improved by scientific research in this field. Guided by the principle that the goal can be achieved only if a phenomenon and challenge is approached comprehensively - from all sides, we hope that this paper can also present a modest contribution to this process.

There remains an open question as to the reasons for the lack of consideration of animal welfare through the dimension of human rights, that is, the right of the child. Could the answer be discerned in the barriers existing between social sciences that primarily focus on the rights of the child and natural sciences concerned with animal welfare? The discovery of the reasons that hindered the identification of the connection between the rights of the child and the welfare

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23 UN Resolution A/RES/70/1, adopted by the General Assembly on 25 September 2015: Transforming our world: the 2030 Agenda for Sustainable Development; available at [https://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E) (accessed on 4. 11.2019)

of animals was as interesting as the search for the link that is the subject matter of this paper. We feel that we may find them if we dare to cross the lines drawn between different fields, that is, natural and social sciences.

In order to recognize the interconnectedness of the living world and the sensibility of animals which we are so dependent on, the CRC Committee should be encouraged to recognize the value of welfare of animals to the exercise of the rights of the child by taking steps in the course of the review of the process of the Treaty's implementation, recommending the States parties to undertake all measures to protect all life, including to enable animal welfare for the ultimate benefit of the child.

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## **ПРАВА ДЕТЕТА И ДОБРОБИТ ЖИВОТИЊА**

### **Резиме**

У светлу глобалних друштвених и економских промена, и промена у животної средини, јавља се растућа потреба за проширењем разумевања и примене Конвенције о правима детета и на области какве су: климатске промене, употреба обновљивих извора енергије, биоинжињеринг, генетичка истраживања, употреба и утицаја информационах и комуникацијских технологија, и друго. Аутори овог рада пружају аргументе да је добробит животиња такав механизам који директно обезбеђује остваривање бројних дечјих права као што су право на: живот, опстанак и развој (члан 6); здравље (члан 24); храну (чл. 27 и 24); хигијену (чл. 27 и 24); заштиту од свих видова насиља (чл. 19 и 31); опоравак жртви (члан 39), циљеве образовања (члан 29); слободно време и игру (члан 31), и здраву животну средину. Аутори објашњавају међусобну повезаност и пружају литературни преглед на тему како обезбеђивање доброг стања добробити животиња утиче на остваривање, за ову сврху одабраних, дечјих права на: здравље и заштиту од свих видова насиља. Унапређено здравље и добробит животиња директно смањују ризик по људско здравље кроз производњу здраве и квалитетне хране и смањењу вероватноће за пренос заразних болести заједничких за одређене животноске врсте и људе. Све већи број научних доказа говори у прилог постојању везе између насиља према животињама и насиља међу људима. Злостављање животиња може бити индикатор насиља у породици и злостављања деце, или ако деца злостављају животиње, индикатор каснијег агресивног и девијантног понашања. Са друге стране, животиње имају значајан терапеутски потенцијал у процесу развоја детета и његове рехабилитације. С тога је од ширег друштвеног значаја важно препознати међусобну зависност добробити животиња и дечјих права, јер, као што је у овом раду доказано, добробит животиња директно позитивно утиче на добробит деце и остваривање њихових права.

**Кључне речи:** права детета, добробит животиња, право на здравље, право на заштиту од свих видова насиља.

