

BROAD SPIRIT, INTERSPERSED RULES: ANTI-CRUELTY IN CHINA'S LEGAL SYSTEM OF ANIMAL PROTECTION

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### *Abstract:*

*A common criticism of China's legal system of animal protection is that it does little to control cruelty to animals. However, this argument doesn't stand nowadays. At least, China's current Constitution provides a legal basis for anti-cruelty; laws also contain broad spirit of anti-cruelty, both inherently and directly. There are also specific anti-cruelty rules interspersed in laws, regulations and national standards. Some explicitly combat cruelty while some, though not frank enough, provide substantial protection. It has become a prominent trend of both China's legislation and law enforcement that the protection scope of animals is expanding. Guided by the pursuit of "ecological civilization" and the principle of "harmonious coexistence between man and nature", though probably with no "anti-cruelty to animals law" in the near future, if improved properly and executed strictly, current laws could effectively reduce cruelty to animals.*

*Keywords:* Anti-cruelty, Animal Protection, Ecological Civilization, Harmonious Coexistence

### I. INTRODUCTION

"China does not have a comprehensive law for ensuring the well-being of all animals or an anti-animal cruelty law."<sup>1</sup> Owing to this, China receives criticism at home and abroad, and is considered as a prominent exception to the global trend of animal welfare.<sup>2</sup> To reverse this condition, in 2009 and 2010, a campaign to draft Animal Protection Law and Anti-cruelty Law was carried out by scholars, but eventually failed.<sup>3</sup> Years after that campaign, even though the supportive voices from some people's representatives never fade,<sup>4</sup> still no specific schedule of such

<sup>1</sup> *Ministry sees need to stop animal cruelty*, THE STATE COUNCIL OF THE PEOPLE'S REPUBLIC OF CHINA, [https://english.www.gov.cn/statecouncil/ministries/201912/14/content\\_WS5df4573ac6d0bcf8c4c18d5e.html](https://english.www.gov.cn/statecouncil/ministries/201912/14/content_WS5df4573ac6d0bcf8c4c18d5e.html) (last updated Dec. 14, 2019).

<sup>2</sup> See Katie Sykes, *Sealing Animal Welfare into the GATT Exceptions: The International Dimension of Animal Welfare in WTO Disputes*, 13 *WORLD TRADE REV.* 471, 480 (2014).

<sup>3</sup> See CHANG JIWEN (常纪文) & GIL MACHAELS, *DONGWU BAOHU FA YU FAN NUEDAI DONGWU FA: ZHUANJIA JIANYI YU GEJIE ZHENG FENG (动物保护法与反虐待动物法：专家建议与各界争锋)* [ANIMAL PROTECTION LAW OF THE PRC AND PREVENTION OF CRUELTY TO ANIMALS LAW OF THE PRC—EXPERTS' PROPOSAL AND THE PUBLIC RESPONSE] 3–240 (2010).

<sup>4</sup> E.g., *Zhu Lieyu Daibiao Jianyi: Zhiding Fannuedai Dongwu Fa* (朱列玉代表建议：

legislation can be seen.<sup>5</sup>

In fact, China's authorities do not avoid this controversial issue. Once, the government gave a formal reply in 2020 to the people's representatives asking for anti-cruelty legislation: "Being against cruelty to animals and protecting animals, is an important sign of the development of civilization... Nowadays, most cruel behavior to animals is controlled by the current legal system. The police and other departments are strictly striking relevant illegal behavior. In society, cruelty to animals is rarely seen, and most citizens live with animals harmoniously. Therefore, there is no need for special legislation on such immoral, rare behavior. Remaining issues could be handled by improving the laws and regulations we already have."<sup>6</sup> It demonstrates clearly that China is officially opposed to cruelty rather than indulging it. The legislature and government just feel it unnecessary to draft a special law named "anti-cruelty law". The first reason for this stand is that the current legal system is deemed enough to control cruelty, a perspective different from many critics'.<sup>7</sup>

It is important that before criticizing a legal system, we should first obtain a comprehensive knowledge and understanding of it. This article does not deal with the issues of morality, local custom, and the severity of cruelty happening in China, but focuses only on the analysis of the legal system. Are there any stipulations indicating the spirit of anti-cruelty in China's laws? Are there specific rules in line with that spirit protecting animals from possible cruelty? What are the forms and characteristics?

Instead of judging whether the reply given by Ministry of Agriculture and Rural Affairs is right from every aspect, this article seeks to correct a common misunderstanding that China's legislation is negative on avoiding cruelty. It is found that the new development of Constitution of the People's Republic of China<sup>8</sup>,

制定反虐待动物法) [*Zhu Lieyu Representative Advises: Draft Anti-cruelty Law*], THE NATIONAL PEOPLE'S CONGRESS OF THE PEOPLE'S REPUBLIC OF CHINA (Mar. 8, 2022), [http://www.npc.gov.cn/npc/c2/c30834/202203/t20220308\\_316829.html](http://www.npc.gov.cn/npc/c2/c30834/202203/t20220308_316829.html).

<sup>5</sup> See Ma Leyuan, *How Long Will China's Animal Cruelty Laws Have to Wait?*, 2 P RIN.L.J.F. 13, 16 (2022); Song Wei, *China Animal Welfare Legislation: Current Situation and Trends—From Analysis of Three Cases in Recent Years* (Oct. 16, 2015) (unpublished manuscript at the Animal Law Conference), <https://animallawconference.org/wp-content/uploads/2015/09/China-Animal-Welfare-Legislation.pdf>.

<sup>6</sup> Dui Shisanjie Quanguo Renda Sancu Huiyi Di 2654 Hao Jianyi De Dafu (对十三届全国人大三次会议第 2654 号建议的答复) [Reply to Proposal No. 2654 of the Third Session of the 13th National People's Congress] (promulgated by the Ministry of Agriculture and Rural Affairs of the People's Republic of China, Sep. 11, 2020), [https://www.moa.gov.cn/govpublic/xmsyj/202009/t20200911\\_6351970.htm](https://www.moa.gov.cn/govpublic/xmsyj/202009/t20200911_6351970.htm).

<sup>7</sup> Some recognize that China's legal system has applied some principle of animal welfare, but are still highly pessimistic and calling for special legislation on anti-cruelty. ANIMAL PROTECTION INDEX, <https://api.worldanimalprotection.org/country/china> (last visited Dec. 8, 2025).

<sup>8</sup> Xian Fa (宪法) [Constitution] (promulgated by Nat'l People's Cong., Dec. 4, 1982; rev'd by Nat'l People's Cong., Apr. 12, 1988; rev'd by Nat'l People's Cong., Apr. 29, 1993; rev'd by Nat'l People's Cong., Mar. 15, 1999; rev'd by Nat'l People's Cong., Mar. 14, 2004; rev'd by

Wild Animal Protection Law<sup>9</sup>, and a number of biology and environment laws indicates the spirit and even applies the term of “anti-cruelty”. Although the specific and direct anti-cruelty rules mainly cover experimental animals, rules interspersed in a number of laws and regulations provide wide and substantial protection without naming themselves “anti-cruelty”. It is basically true that “most cruel behavior to animals are controlled by the current legal system”;<sup>10</sup> if the current laws could be properly improved and implemented, a special “anti-cruelty law” or “animal protection law” may not be necessarily needed.

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Nat'l People's Cong., Oct. 26, 2018; rev'd by Nat'l People's Cong., Mar. 11, 2018) (Chinalawinfo) [hereinafter 2018 Constitution].

<sup>9</sup> Yesheng Dongwu Baohu Fa (野生动物保护法) [Wild Animal Conservation Law] (promulgated by the Standing Comm. Nat'l People's Cong., Nov. 8, 1988; rev'd by the Standing Comm. Nat'l People's Cong., Aug. 28, 2004; rev'd by the Standing Comm. Nat'l People's Cong., Aug. 27, 2009; rev'd by the Standing Comm. Nat'l People's Cong., Jul. 2, 2016; rev'd by the Standing Comm. Nat'l People's Cong., Oct. 26, 2018; rev'd by the Standing Comm. Nat'l People's Cong., Oct. 30, 2022) (Chinalawinfo) [hereinafter 2022 Wild Animal Protection Law].

<sup>10</sup> *Supra* note 6.

## II. EXTRACTION OF THE BROAD SPIRIT OF ANTI-CRUELTY FROM CHINA'S CURRENT LAWS

After years of progress, anti-cruelty has indeed become one of the legal spirits in China. Broad as it may be, the fact that anti-cruelty is adopted by current laws, especially the upper ones, will provide a solid legal foundation for the enactment of specific protective rules, and act as a positive guidance for relevant law enforcement. In China's current legal system, the basis for anti-cruelty spirit is the pursuit of ecological civilization in Constitution. And in laws, anti-cruelty spirit exists in two forms: inherent and explicit.

### A. BASIS: THE PURSUIT OF ECOLOGICAL CIVILIZATION IN 2018 CONSTITUTION

Traditionally, when scholars are justifying the legislation on anti-cruelty law in China, or introducing China's environment of animal protection, the first legal document they would turn to would be Wild Animal Protection Law, the only law in China designating animals as the object of protection.<sup>11</sup> Besides, national policies, cultural resources and public voices are also popular reasons.<sup>12</sup> However, few researchers regard Constitution as an indispensable part of China's legal system of animal protection and a basis of anti-cruelty spirit.

Such an act of overlooking Constitution used to be understandable. In 1982, 1988, 1993, 1999 and 2004 Constitution, the only clause relevant is Article 9 Paragraph 2, which requires the state to protect "rare animals and plants", and Article 26 Paragraph 1, which requires the state to "protect and improve the living and biological environment". However, both are too narrow to be interpreted as a source of anti-cruelty. Article 9 Paragraph 2 seems to contain some spirit of animal protection, but the gist of this clause is "natural resources".<sup>13</sup> Therefore, Article 9 Paragraph 2 only focuses on the resource value of "rare animals", similar to the protection of minerals. For Article 26 Paragraph 1, one could say that animals are part of the environment, but in the latter part, Article 26 Paragraph 1 also stresses the state's obligation to prevent "pollution and other public hazards" other

<sup>11</sup> See Wang Qianhui (王倩慧), *Dongwu Fa Zai Quanqiu De Fazhan Ji Dui Zhongguo De Qishi* (动物法在全球的发展及对中国的启示) [*Developments in Animal Law and Its Enlightenment to China*], 2 GUOJI FA YANJIU (国际法研究) [CHINESE REVIEW OF INTERNATIONAL LAW] 88, 96 (2020).

<sup>12</sup> See Xu Yingchun (许迎春) et al., *Lun Woguo Fan Nüedai Dongwu De Lifa De Biyaoxing Yu Kexingxing* (论我国反虐待动物的立法的必要性与可行性) [*On the Necessity and Practicability of Anti-cruelty Legislation in China*], 3 QIU SHI (求实) [TRUTH SEEKING] 103, 103-04 (2006).

<sup>13</sup> "The state ensures the rational use of natural resources and protects rare animals and plants. Appropriation or damaging of natural resources by any organization or individual by whatever means is prohibited" (1982, 1988, 1993, 1999 and 2004 Constitution, art. 9, para. 2), CLI.1.51973(EN) (Lawinfochina).

than protecting an overall “nature”.<sup>14</sup> From an opposite angle, this expression limits the scope of the “environment” to only some elements of nature basic to the well-being of humans. If argued that the latter part of Article 26 Paragraph 1 does not limit the scope of “environment” in the former part, it is still hard to conclude that this “environment” absolutely includes all animals. Environment Protection Law<sup>15</sup> clearly defines what “environment” is by both summarizing its essence and listing its categories.<sup>16</sup> According to Article 2, “environment” means “the entirety of all natural elements, whether or not artificially transformed, that affect the survival and development of human beings”, and it specifically includes “air, water, seas, land, minerals, forests, grasslands, wetland, wildlife, natural and cultural relics, nature reserves, scenic spots, historical sites, and urban and rural areas”. Apparently, the tradition is that “wildlife” rather than “animals” is deemed as a part of “environment” in China’s Constitution and laws; mostly, “environment” is a sum of spatial elements, rather than individual creatures. To conclude, in the past versions of Constitution, there is no basis for anti-cruelty.

However, 2018 Constitution adopts a different and more progressive position by applying a new term of “ecological civilization”. Though in 2004 Constitution, “material civilization” “political civilization” and “spiritual civilization” are included in the preamble, it is in 2018 Constitution that “social civilization” and “ecological civilization” are added, which further enriches the meaning of “civilization”, leading to a more specific and well-rounded interpretation of what civilization China’s Constitution regards as ideal.<sup>17</sup> Besides, according to Article 89, the construction of ecological civilization is the power and mission of the State Council. It is a landmark that 2018 Constitution enlarges the state’s ecological aim from only focusing on environmental protection, to promoting the nation to be ecologically civilized.

The constitutional pursuit of “ecological civilization” provides a solid basis for justifying anti-cruelty. “Ecological civilization” is thought to be an ideal society chased by socialism. It is also a new form of cultural ethics, with harmonious coexistence between man and nature as a fundamental aim.<sup>18</sup> To specify, “ecological

<sup>14</sup> “The state protects and improves the environment in which people live and the ecological environment. It prevents and controls pollution and other public hazards” (1982, 1988, 1993, 1999 and 2004 Constitution, art. 26, para. 1), CLI.1.51973(EN) (Lawinfochina).

<sup>15</sup> Huanjing Baohu Fa (环境保护法) [Environmental Protection Law] (promulgated by the Standing Comm. Nat’l People’s Cong., Dec. 26, 1989; rev’d by the Standing Comm. Nat’l People’s Cong., Apr. 24, 2014) (Chinalawinfo).

<sup>16</sup> See DENG HAIFENG (邓海峰), HUANJING FA ZONGLUN (环境法总论) [THE ENVIRONMENTAL LAW] 3 (2020).

<sup>17</sup> Lin Laifan (林来梵), *Zhongguo Xianfa Zhong De “Wenming” Guojia Xiang* (中国宪法中的“文明”国家像) [*The National Image of “Civilization” in China’s Constitution*], 3 ZHONGGUO FAXUE (中国法学) [CHINA LEGAL SCIENCE] 165, 168 (2025).

<sup>18</sup> See Pan Yue (潘岳), *Lun Shehui Zhuyi Shengtai Wenming* (论社会主义生态文明) [*On Ecological Civilization of Socialism*], 10 LÜ YE (绿叶) [GREEN LEAF] 10, 16–18 (2006).

civilization” consists of three parts: ecological awareness, ecological institution and ecological behavior.<sup>19</sup> If the state wishes to build a nation ecologically civilized, it has to establish a legal system which promotes citizens’ respect and care for nature not only in their mind but also reflected upon their behavior. Although human society relies on the taking from nature which includes the consumption of animals, but it is never ecologically civilized if this consumption is unlimited and unrestrained. The limit of this consumption is not only in amount or in number, but also in the extent of approaches. Killing a chicken might be necessary and reasonable, but intentionally torturing it by no means contributes anything to the development of our civilization. That is, cruelty to animals is not needed by society. Instead, it is disrespectful and careless for nature, it results in an inharmonious and intense relation between man and nature, and it is against the constitutional pursuit of “ecological civilization”. Therefore, after 2018 Constitution comes into force, anti-cruelty ought to be an underlying spirit in China’s legal system. Otherwise, “ecological civilization” pursued by 2018 Constitution will be in danger or partially deserted as a vain concept.

Up till now, more than 15 laws have absorbed the term of “ecological civilization”, many of which are enacted or revised after 2018 Constitution came out, further indicating that “ecological civilization” is becoming a common value recognized by China’s legal system. Although before 2018, several laws like Water Pollution Prevention and Control Law<sup>20</sup> have adopted “ecological civilization”, but mostly, these laws control specific realms like water pollution, air pollution, wetland conservation and environment tax, which severely limits the imagination and interpretation of “ecological civilization” contained. In contrast, constitution is the fundamental legal document of a country, acting as a basis for legislation and legal construction in all areas. Therefore, the connotation and denotation of “ecological civilization” is much more expansive when 2018 Constitution raises it to the same height as the other four civilizations. After becoming a constitutional norm, “ecological civilization” would have a profound impact on the whole legal system: the complete system should regard nature and its elements (including animals) as a subject to respect and protect.<sup>21</sup> To sum, 2018 Constitution

<sup>19</sup> See WANG XUFENG (王旭烽), *SHENGTAI WENHUA CIDIAN (生态文化辞典)* [A CONCISE DICTIONARY OF ECO-CULTURE] 139–140 (2012).

<sup>20</sup> *Shui Wuran Fangzhi Fa (水污染防治法)* [Water Pollution Prevention and Control Law] (promulgated by the Standing Comm. Nat’l People’s Cong., May 11, 1984; rev’d by the Standing Comm. Nat’l People’s Cong., May 15, 1996; rev’d by the Standing Comm. Nat’l People’s Cong., Feb. 28, 2008; rev’d by the Standing Comm. Nat’l People’s Cong., Jun. 27, 2017) (Chinalawinfo).

<sup>21</sup> See Zhang Zhen (张震), *Shengtai Wenming Ruxian Jiqi Tixixing Xianfa Gongneng (生态文明入宪及其体系性宪法功能)* [Adding Ecological Civilization to Constitution and Its Systematic Constitutional Functions], 6 *DANGDAI FAXUE (当代法学)* [CONTEMPORARY LAW REVIEW] 50, 51–52, 54 (2018).

prepares a fertile soil for the growth of anti-cruelty in China's legal system.

#### B. INHERENT: THE "HARMONIOUS CLAUSES" IN BIOLOGY AND ENVIRONMENT LAWS

Apart from "ecological civilization", "harmonious coexistence between man and nature" has also become a popular concept in China's biology and environment laws. Clauses applying this concept are referred to as "Harmonious Clauses" in this article.

A Harmonious Clause is usually the first clause of the law, stating the legislative purpose. Besides, the expression of "harmonious coexistence between man and nature" often comes after "ecological civilization". For instance, in Wetland Conservation Law,<sup>22</sup> Article 1 writes, "This Law is enacted for the purposes of strengthening wetland protection, maintaining the ecological function and biodiversity of wetlands, ensuring ecological security, promoting the construction of ecological civilization, and realizing harmonious coexistence between man and nature." The phenomena are similar in Wild Animal Protection Law (2022 Revision), Forest Law (2019 Revision), Marine Environmental Protection Law (2023 Revision) and Ecological Protection of the Tibetan Plateau Law (2023).

Based on these findings, it could be argued that "harmonious coexistence between man and nature" is a specific and even ultimate expression of "ecological civilization". Culturally, a society ecologically civilized should be where man and nature coexist in harmony,<sup>23</sup> and according to the definition recognized by Ministry of Education, "harmony" is a peaceful and amicable relationship opposite to violence and conflict.<sup>24</sup> Cruelty to animals usually involves acts of violence, neglect, or mistreatment that causes unnecessary harm or suffering to animals. If animals suffer from cruelty, they are prone to conduct abnormal behavior, which may also cause harm to humans encountering them.<sup>25</sup> Therefore, cruelty is no harmony, and cruelty to animals is definitely an act resulting in inharmonious relation between man and nature. If cruelty to animals is indulged or largely tolerated, the Harmonious Clauses would stray away from its substance and purpose. Spirit of anti-cruelty should be what is inherent in these clauses. Even if the

<sup>22</sup> Shidi Baohu Fa (湿地保护法) [Wetland Conservation Law] (promulgated by the Standing Comm. Nat'l People's Cong., Dec. 24, 2021, effective Jun. 1, 2022) (Chinalawinfo).

<sup>23</sup> See Zhang Yunfei (张云飞), *Laogu Shuli Kexue De Shengtai Jiazhi Guannian* (牢固树立科学的生态价值观念) [*Firmly Establish Scientific Ecological Values*], MINISTRY OF ECOLOGY AND ENVIRONMENT OF THE PEOPLE'S REPUBLIC OF CHINA (Jun. 30, 2025), [https://www.mee.gov.cn/zcwj/zcjd/202506/t20250630\\_1122242.shtml](https://www.mee.gov.cn/zcwj/zcjd/202506/t20250630_1122242.shtml).

<sup>24</sup> *Wenzhi Binbin·Meiri Hao ciyu: Hexie* (文质彬彬·每日好词语 | 和谐) [*Cultured and Gentle Daily Fine Expressions: Harmony*], MINISTRY OF EDUCATION OF THE PEOPLE'S REPUBLIC OF CHINA (Aug. 14, 2025), [http://www.moe.gov.cn/jyb\\_xwfb/moe\\_2082/2025\\_zl02/202508/t20250814\\_1388429.html](http://www.moe.gov.cn/jyb_xwfb/moe_2082/2025_zl02/202508/t20250814_1388429.html) (last visited Nov. 1, 2025).

<sup>25</sup> See ZHAO XINGBO (赵兴波), DONGWU BAOHU XUE (动物保护学) [SCIENCE OF ANIMAL PROTECTION] 66-68 (2011).

narrowest interpretation is adopted, influenced by the constitutional norm of “ecological civilization”, at least in the respective regions or realms of the laws with Harmonious Clauses, any act of cruelty should be forbidden. However, systematically speaking, after 2018 Constitution, a broad spirit of anti-cruelty can be extracted from the commonly-applied Harmonious Clauses.

It should be noted that the spirit of anti-cruelty is “inherent” in the Harmonious Clauses rather than “indirect” or “implicit”. There is no intermediate concept connecting the Harmonious Clauses and anti-cruelty. Instead, anti-cruelty is an element contained in that clause, an indispensable spirit without which harmonious coexistence between man and nature is only a miracle. Besides, although the Harmonious Clauses does not apply the term of “anti-cruelty”, but even on the surface, it is easy to notice that “harmonious coexistence” itself excludes any justified existence of cruelty. In short, “harmonious coexistence” requires anti-cruelty.

#### C. EXPLICIT: THE “ANTI-CRUELTY CLAUSE” IN 2022 WILD ANIMAL PROTECTION LAW

In laws promulgated by the National People’s Congress and its Standing Committee, 2022 Wild Animal Protection Law directly applies the term of “cruelty” to animals. At the end of Article 26 Paragraph 1, it is written that “cruelty to animals is prohibited”, which will be referred to as the “Anti-cruelty Clause” in this article.

Tracing the history of China’s Wild Animal Protection Law, the Anti-cruelty Clause has already been added to 2016 Wild Animal Protection Law. However, 2022 Wild Animal Protection Law still makes an important but hard-to-notice progress. In the 2016 edition, the protected objects of Article 26 Paragraph 1 is “wild animals under the state’s prioritized conservation”; in comparison, the 2022 version modifies it to “wild animals”, with no other restrictions. An apparent result is that the protection scope of the Anti-cruelty Clause is expanded from some wild animals to all.

Though literally the Anti-cruelty Clause only controls the artificial breeding of wild animals, since Article 1 sets “promoting harmonious coexistence between man and nature” as a legislative purpose, it would be controversial if abuse to animals is legal in other conditions. Besides, the expansion of the protection scope indicates that the explicit Anti-cruelty Clause is possible to act as a direct source of anti-cruelty spirit applying to a wider range of animals. To citizens, not only distinguishing “wild animals under the state’s prioritized conservation” between other “wild animals” is hard, but it is also sometimes difficult to distinguish between “wild animals” and other “animals”. Moreover, the main legislative purpose of Wild Animal Protection Law since the 2016 version is protecting wild animals rather than making use of

them,<sup>26</sup> which shall be especially solid after 2018 Constitution. The Anti-cruelty Clause should not be construed to be largely aimed at better utilizing wild animals according to their genetical or populational peculiarities. Instead, the major purpose of the Anti-cruelty Clause is preventing the animals from unnecessary harm. And the needless harm cruel behavior causes to animals will not be different just because they are wild or not. Therefore, there may be few grounds for strictly applying the Anti-cruelty Clause only to “wild animals”. If citizens are free to make a counter-construction of the Anti-cruelty Clause that as long as they abuse non-wild animals no legal consequence will occur, it will be paradoxical and inconsistent.

It could be reasonable to criticize that the Anti-cruelty Clause is an incomplete stipulation, since there seem to be no punishment for violation and the content are too broad. These are exactly why the clause should be deemed as an explicit source of anti-cruelty, rather than a specific anti-cruelty rule. However, though it is difficult to find a relevant punishment within 2022 Wild Animal Protection Law, Crime of Endangering Rare and Endangered Wild Animals in Criminal Law<sup>27</sup> can be construed as a possible legal consequence: Article 341 Paragraph 1 of 2023 Criminal Law punishes such behavior as illegally hunting, killing, purchasing, selling and transporting wild animals. In judicial practices, if law offenders purchase wild animals as pets and have never conducted any cruel behavior or caused any injury or death, the court tend to sentence them to lighter punishment.<sup>28</sup> It is a sign that cruelty to animals will affect the specific sentences under Article 341 Paragraph 1: if there is, severer; if not, lighter. Nevertheless, whether Article 341 Paragraph 1 directly controls and punishes cruel behavior to wild animals is still a miracle. And, because analogy unfavorable for defendants is strictly forbidden in criminal law theory,<sup>29</sup> this article is surely incapable of dealing with cruelty to non-wild animals. That is, legal consequences of violation of the Anti-cruelty Clause in many circumstances are

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<sup>26</sup> See Wei Hua (魏华) & Liu Meichen (刘美辰), “Yesheng Dongwu Baohu Fa” Xiugai Shuping (《野生动物保护法》修改述评) [Review of the Amendment of Law on Protection of Wildlife], 12 HUANJING BAOHU (环境保护) [ENVIRONMENTAL PROTECTION] 52, 52–53 (2017).

<sup>27</sup> Xing Fa (刑法) [Criminal Law] (promulgated by Nat'l People's Cong., Jul. 1, 1979; rev'd by the Standing Comm. Nat'l People's Cong., Mar. 14, 1997; amended by Criminal Law Amendment from I to XII, the last passed by the Standing Comm. Nat'l People's Cong., Dec. 29, 2023) (Chinalawinfo) [hereinafter 2023 Criminal Law].

<sup>28</sup> See Wang Yuanhao, Hu Xiangfei Deng Feifa Shougou, Yunshu, Chushou Zhengui, Binwei Yesheng Dongwu, Zhengui, Binwei Yesheng Dongwu Zhipin An (王元浩、胡祥飞等非法收购、运输、出售珍贵、濒危野生动物、珍贵、濒危野生动物制品案) [Wang Yuanhao, Hu Xiangfei and others illegally Purchasing, Transporting, Selling Rare and Endangered Wild Animals and Their Manufactured Products] (Jiangsu Rugao People's Ct. June 9, 2019).

<sup>29</sup> See ZHANG MINGKAI (张明楷), ZUIXING FADING YU XINGFA JIESHI (罪刑法定与刑法解释) [THE PRINCIPLE OF LEGALITY AND INTERPRETATION OF CRIMINAL LAW] 94 (2009).

still unambiguous, which is certainly a legal loophole to resolve in future legislation. Different from other issues related to the public policy, this kind of loophole is a technical one that is easier to be fixed. The topic of improving the current legal system will be discussed later in the final chapter.

### III. INTERSPERSION OF SPECIFIC ANTI-CRUELTY RULES IN CHINA'S CURRENT LAWS

China's legal system of animal protection does not only contain broad anti-cruelty spirit but also has specific rules regulating cruel behavior. These rules are interspersed in a wide range of laws, regulations and national standards, which demonstrate and substantially promote animal welfare. Generally, these rules can be categorized according to their forms and width of protection: some are frank but the protection scope is narrow; others, which are more in number, are underlying but extensive. These specific anti-cruelty rules constitute a complicated system which though not covering all kinds of animals, still provides a decent number of legal reasons and tools to help combat cruelty.

#### A. NARROW BUT FRANK: RULES AGAINST CRUELTY TO EXPERIMENTAL ANIMALS

Among all animals, China has been paying particular attention to the anti-cruelty of experimental animals since almost forty years ago by making direct and practicable regulations. In 1988, the State Science and Technology Commission promulgated Regulation on the Administration of Experimental Animals<sup>30</sup>, Article 29 states that "personnel dealing with animal experiments shall take good care of the experimental animals and shall not tease or maltreat them". Regarding the punishment for violation, Article 32 grants the unit the personnel belong to the power to impose administrative sanctions in accordance with severity and based on pertinent provisions. These two articles together are a frank demonstration of anti-cruelty, ones that continue to remain in the later three editions of this regulation (2011, 2013 & 2017).

Though 1988, 2011, 2013 and 2017 Regulation on Experimental Animals does not stipulate specific legal tests and consequences of cruelty to experimental animals, the State Science and Technology Commission promulgated Guiding Opinions on Caring for Experimental Animals<sup>31</sup> to enhance the management and protection of experimental animals, which is far more detailed and practicable. It resolves the two problems left by each version of Regulation on the Administration of Experimental Animals: what is the legal test of "cruelty" and what is the punishment for cruelty. Article 27 lists seven types of cruel behavior which can be concluded as needless physically or chemically severe behavior to

<sup>30</sup> Shiyuan Dongwu Guanli Tiaoli (实验动物管理条例) [Regulation on the Administration of Experimental Animals] (approved by the State Council, Oct. 31, 1998, promulgated by the State Science and Technology Commission, Nov. 14, 1988; rev'd by the State Council, Jan. 8, 2011; rev'd by the State Council, Jul. 18, 2013; rev'd by the State Council, Mar. 1, 2017) (Chinalawinfo).

<sup>31</sup> Guanyu Shandai Shiyuan Dongwu De Zhidaoxing Yijian (关于善待实验动物的指导性意见) [Guiding Opinions on Caring for Experimental Animals] (promulgated by the State Science and Technology Commission, Sep. 30, 2006) (Chinalawinfo) (hereinafter 2006 Guiding Opinions).

animals, needless damage to animals' organs, dereliction of duty leading to deterioration of the laboratory environment causing serious harm or deaths to animals, operation on animals without due anesthesia, executing animals without euthanasia, causing serious injury or deaths to animals during transportation, and other behavior violating this regulation or its principles. According to this article, who conducts minor cruelty would receive from its unit disciplinary education and be ordered to rectify its behavior within a specified period; who conducts severe or multiple times of cruelty would be ordered to leave its experimental position. This article also punishes relevant units where cruelty happens at times out of improper management by revoking their licenses of producing or using experimental animals.

These rules are materially distinct from the clauses containing anti-cruelty spirit in 2018 Constitution and 2022 Wild Animal Protection Law. Although the protection scope is much narrower, 2006 Guiding Opinions for the first time categorizes the forms of cruel behavior and stipulates relevant punishment, making itself a practical tool for combating cruelty rather than a mere justification or source of anti-cruelty spirit.

It is still criticized that the rules against cruelty to experimental animals are too broad to be effective and the implementation is far from ideal.<sup>32</sup> However, the remark of "broadness" might be a common criticism of almost every law or regulation in China. This is because "General is better than specific" is a guiding principle proposed by Deng Xiaoping and it has become a long-standing legislative tradition since the start of Opening and Reform.<sup>33</sup> This principle attracts both support and objection.<sup>34</sup> The relevant criticism of the rules protecting experimental animals may just be a small embodiment of the overall debate over China's legislative styles. For a set of anti-cruelty rules much more detailed than other clauses, if the core of criticism has always been its "broadness", then the problems would need a fairly long period to solve, since there are already enough other broader rules waiting to be specified by the legislature and courts. This notion may immerse us in a habit of criticizing every rule we encounter rather

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<sup>32</sup> See Mo Fei (莫菲), *Bijiao Fa Shiye Zhong De Shiyen Dongwu Lunli Yu Anquan Fazhi Moshi—Jiantan Shiyen Dongwu Fa Yu Zhongguo Tese Dongwu Baohu Fa Tixi Jianshe De Guanxi* (比较法视野中的实验动物伦理与安全法治模式——兼谈实验动物法与中国特色动物保护法体系建设的关系) [*Rule of Law Model of Experimental Animal Ethics and Safety in Perspective of Comparative Law*], 6 FAXUE PINGLUN (法学评论) [LAW REVIEW] 148, 151 (2021).

<sup>33</sup> See Qiao Yi (乔艺), "Yi Cu Buyi Xi" Lifa De Lishi Shijian Yu Fali Fansi ("宜粗不宜细"立法的历史实践与法理反思) [*The Historical Practices of and Legal Reflections on the "General is Better than Specific"*], 1 DONGNAN DAXUE XUEBAO (ZHEXUE SHEHUI KEXUE BAN) (东南大学学报(哲学社会科学版)) [JOURNAL OF SOUTHEAST UNIVERSITY (PHILOSOPHY AND SOCIAL SCIENCE)] 83, 83 (2019).

<sup>34</sup> See Wan Qigang (万其刚), *Dui "Yi Cu Buyi Xi" De Xin Sikao* (对"宜粗不宜细"的新思考) [*New Thoughts on "General is Better than Specific"*], 6 FAXUE ZAZHI (法学杂志) [LAW SCIENCE MAGAZINE] 39, 39 (1997).

than understanding and interpreting it, which might be another form of academic laziness. Therefore, with the background of China's broad legislation, rules against cruelty to experimental animals are decently detailed and practicable. The more urgent issue might be its implementation and relevant supervision.

#### B. IMPLICIT BUT SUBSTANTIAL: RULES APPLIED TO A WIDER RANGE OF ANIMALS

Rules protecting experimental animals only constitute a small part of China's whole system of animal protection. In fact, most of the rules are not as frank but in fact provide substantial prevention of possible cruelty for a wider range of animals. We may divide the sources of most of these rules roughly into three categories: Animal Epidemic Prevention Law, industrial laws and regulations, and standards.

Firstly, Animal Epidemic Prevention Law<sup>35</sup>. Apart from Wild Animal Protection Law, it is the only other law using "animal" as part of its name. It should be noted that according to Article 3.1, in 2021 Animal Epidemic Prevention Law, "animals" means livestock, poultry and other animals that are raised or captured by humans, which covers almost all animals in close relation with humans and is complementary to the scope of "wild animals". There is no direct term of anti-cruelty, but stipulations on animal treatment and management of veterinarians are substantially conducive to preventing cruelty. For instance, Article 24 requires that places dealing with animal breeding, isolation, slaughtering or processing should be equipped with licensed veterinarians commensurate with their scales; Article 65 requires animal diagnosis and treatment to comply with instructions drafted by the State Council. Regulating medical care for animals would reduce unnecessary and second-time harm to animals during the treatment.

Secondly, industrial laws, regulations and standards. China promotes animal welfare of economic animals raised on farms and processed in industries. For example, Animal Husbandry Law<sup>36</sup> requires livestock or poultry breeders to provide its livestock or poultry with a proper reproduction, living and growth environment (Article 42), and when transporting them, measures shall be taken to provide necessary room and feeding and drinking conditions while ensuring their safety (Article 64). Regarding the slaughter of animals, 2022 Animal Husbandry Law adds it as a

<sup>35</sup> Dongwu Fangyi Fa (动物防疫法) [Animal Epidemic Prevention Law] (promulgated by the Standing Comm. Nat'l People's Cong., Jul. 3, 1997; rev'd by the Standing Comm. Nat'l People's Cong., Apr. 30, 2007; rev'd by the Standing Comm. Nat'l People's Cong., Jun. 29, 2013; rev'd by the Standing Comm. Nat'l People's Cong., Apr. 24, 2015; rev'd by the Standing Comm. Nat'l People's Cong., Jun. 22, 2021) (Chinalawinfo).

<sup>36</sup> Xumu Fa (畜牧法) [Animal Husbandry Law] (promulgated by the Standing Comm. Nat'l People's Cong., Dec. 29, 2005; rev'd by the Standing Comm. Nat'l People's Cong., Apr. 24, 2015; rev'd by the Standing Comm. Nat'l People's Cong., Oct. 30, 2022) (Chinalawinfo).

governmental duty in Article 6 to guide producers to improve the conditions and environment for slaughter, which is not included in the previous editions; Regulation on the Administration of Hog Slaughter<sup>37</sup> prohibits injection of water into hogs before slaughter (Article 20 Paragraph 1).

Thirdly, standards. National and industrial standards further specifies the requirements for slaughter which reduces unnecessary pain and promotes animal welfare at slaughter. Some standards even adopt the concept of “welfare” in their names, like Welfare Criteria for Animals to Be Slaughtered<sup>38</sup> and The Welfare Criteria of Broiler Chickens During Transport and Slaughter<sup>39</sup>, which indicates the permeation of the idea of animal welfare. Both of them demand that the animals be made unconscious of pain through electric shock or excessive carbon dioxide before slaughter, abating the animals’ stress, fear and pain. It could be argued that the purpose of promoting animal welfare at slaughter is improving the quality of meat products,<sup>40</sup> but it cannot be negated that these specific standards are beneficial to animals themselves as they actually reduce pain. It is also the reason why these rules are said to substantially combat animal cruelty without explicitly stating “anti-cruelty”. Besides, Welfare on Killing Animals for Disease Control Purposes<sup>41</sup>, promulgated as a supplement for Animal Epidemic Prevention Law, also implements the principle of reducing pain when executing infected animals. For this document, there may be few grounds for the argument that this kind of standard is not aimed at anti-cruelty, since if the sole purpose is to eliminate animal epidemic, burning the animals to death also works, which is not a justified approach allowed in this standard, however.

Outside the three categories, some rules in other fields might also act as a shield against animal cruelty. For example, as

<sup>37</sup> Shengzhu Tuzai Guanli Tiaoli (生猪屠宰管理条例) [Regulation on the Administration of Hog Slaughter] (promulgated by the State Council, Aug. 28, 2005; rev’d by the State Council, May 25, 2008; rev’d by the State Council, Jan. 18, 2011; rev’d by the State Council, Feb. 6, 2016; rev’d by the State Council, Jun. 25, 2021) (Chinalawinfo).

<sup>38</sup> Tuzai Dongwu Fuli Zhunze (屠宰动物福利准则) [Welfare Criteria for Animals to Be Slaughtered] (promulgated by Standardization Administration of the People’s Republic of China, Oct. 1, 2023, effective Oct. 1, 2023) (available at <https://openstd.samr.gov.cn/bz/gk/gb/index>).

<sup>39</sup> Baiyu Rouji Yunshu Tuzai Fuli Zhunze (白羽肉鸡运输屠宰福利准则) [The Welfare Criteria of Broiler Chickens During Transport and Slaughter] (promulgated by Ministry of Agriculture and Rural Affairs of the People’s Republic of China, promulgated by the St. Council, Dec. 15, 2021, effective Jun. 1, 2022) (available at <https://std.samr.gov.cn/>).

<sup>40</sup> See Yin Hongxuan (尹红轩) et al., *Tuzai Dongwu Fuli yu Roupin Zhiliang de Guanxi* (屠宰动物福利与肉品质量的关系) [*Relations Between Animal Welfare at Slaughter and the Quality of Meat Products*], 7 ZHONGGUO DONGWU JIANYI (中国动物检疫) [CHINA ANIMAL HEALTH INSPECTION] 5, 5–6 (2009).

<sup>41</sup> Jibing Kongzhi Zhong Pusha Dongwu De Fuli Zhunze (疫病控制中扑杀动物的福利准则) [Welfare on Killing Animals for Disease Control Purposes] (promulgated by Standardization Administration of the People’s Republic of China, Oct. 12, 2022, effective May. 1, 2023) (available at <https://openstd.samr.gov.cn/bz/gk/gb/index>).

mentioned before, Article 341 Paragraph 1 of 2023 Criminal Law also takes cruelty as an impact factor of the severity of punishments. Besides, if anyone circulates videos or photos containing cruel behavior to animals online, its behavior will be classified as “maliciously provoking negative emotions”, which might cause its account and the relevant online platform to be punished by departments responsible for cyberspace affairs.<sup>42</sup> Last but not least, such behavior may also be deemed as “picking quarrels and provoking troubles”, which is forbidden and punishable according to Article 30 of Public Security Administration Punishment Law<sup>43</sup>.

Though abundant in number, the rules from the three sources certainly have loopholes that it is difficult for some animals in some conditions to be protected. For instance, animals working on a farm, pets at home and stray animals on streets, usually those not so “economically valuable” and in close contact with humans. For the rules in other areas, they certainly demonstrate the spirit of anti-cruelty to a wide range of animals, but instead of direct control, they usually pivot on indirect restrictions of cruelty (cruelty might not violate Public Security Administration Punishments Law unless the videos or photos of it are circulated online) or promotion of humane behavior (if no cruelty has been committed to wild animals then the court may give milder sentences under Article 341 Paragraph 1 of 2023 Criminal Law).

However, it should be noted that although it is hard to seek specific protection for some animals in some occasions on the national level, following the advocacy for ecological civilization and harmonious coexistence between man and nature, relevant provincial and municipal regulations are mushrooming, especially those on pets and stray animals. For example, Article 28 of Regulations of the Shenzhen Municipality on Dog Keeping<sup>44</sup> requires the district responsible departments to establish dog shelters to accept stray dogs, abandoned dogs, and lost dogs, which is effective for protecting the dogs from unnecessary harm.

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<sup>42</sup> See *Zhongyang Wangxin Ban Bushu Kaizhan “Qinglang-Zhengzhi Eyi Tiaodong Fumian Qingxu Wenti” Zhuanxiang Xingdong* (中央网信办部署开展“清明·整治恶意挑动负面情绪问题”专项行动) [*Office of the Central Cyberspace Affairs Commission Deploys a Special Campaign to “Clean Up the Cyberspace and Rectify Issues Related to Malicious Incitement of Negative Emotions”*], OFFICE OF THE CENTRAL CYBERSPACE AFFAIRS COMMISSION (CYBERSPACE ADMINISTRATION OF CHINA) (Sep. 22, 2025), [https://www.cac.gov.cn/2025-09/22/c\\_1760258688713582.htm](https://www.cac.gov.cn/2025-09/22/c_1760258688713582.htm).

<sup>43</sup> *Zhian Guanli Chufa Fa* (治安管理处罚法) [Public Security Administration Punishment Law] (promulgated by the Standing Comm. Nat'l People's Cong., Aug. 28, 2005; rev'd by the Standing Comm. Nat'l People's Cong., Oct. 26, 2012; rev'd by the Standing Comm. Nat'l People's Cong., Jun. 27, 2025, effective Jan. 1, 2026) (Chinalawinfo).

<sup>44</sup> *Shenzhen Shi Yangquan Guanli Tiaoli* (深圳市养犬管理条例) [Regulations of the Shenzhen Municipality on Dog Keeping] (adopted by the Standing Comm. Shenzhen Municipal People's Cong., Jan. 20, 2006, approved by the Standing Comm. Guangdong Provincial People's Cong., Mar. 30, 2006, promulgated, April 18, 2006, and effective, Jul. 1, 2006; rev'd by the Standing Comm. Shenzhen Municipal People's Cong., Sep. 30, 2018; rev'd by the Standing Comm. Shenzhen Municipal People's Cong., Aug. 29, 2019) (Chinalawinfo).

Besides, according to Article 19 and Article 28 of Stipulations of the Shenzhen Municipality on Dog Keeping<sup>45</sup>, dog shelters and dog keepers are forbidden to abuse or abandon their dogs. Regulations of Shanghai Municipality on Dog Management<sup>46</sup> (Article 21), Provisions of Beijing Municipality on Administration of Dog-Raising<sup>47</sup> (Article 17), Regulations of Chongqing Municipality on Dog Keeping<sup>48</sup> (Article 25) and many other local regulations have also imposed the duty on dog keepers not to abuse dogs. It is a sign that local legislatures and governments have begun trying to expand the protection scope to cover pet animals. Although whether other kinds of pets like cats can receive the same protection as dogs is still in question, some new practices indicate that local governments are starting to manage and shelter stray cats.<sup>49</sup> It seems that on the district level, some animals omitted by laws can still enjoy some protection, and the expansion of the protection scope has already become a trend of both legislation and law enforcement. The new development of regulations of animal protection promulgated by China's local authorities is an area in lack of academic exploration, but due to the length limit and the abundance of such stipulations, this article won't give further analysis.

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<sup>45</sup> Guanyu Yanchang 〈Shenzhen Shi Yangquan Guanli Guiding〉 Youxiao Qi De Tongzhi (关于延长《深圳市养犬管理规定》有效期的通知) [Notice on Extending the Validity Period of the Shenzhen Municipal Regulations on Dog Keeping] (promulgated by Shenzhen Urban Management and Law Enforcement Bureau, Oct. 22, 2025, effective Nov. 1, 2025), [https://sf.sz.gov.cn/gfxwjcx/szfbmgfxwj/szbm/scghzhzfj/content/post\\_12448432.html](https://sf.sz.gov.cn/gfxwjcx/szfbmgfxwj/szbm/scghzhzfj/content/post_12448432.html) (last visited on Nov. 8, 2025).

<sup>46</sup> Shanghai Shi Yangquan Guanli Tiaoli (上海市养犬管理条例) [Regulations of Shanghai Municipality on Dog Management] (promulgated by the Standing Comm. Shanghai Municipal People's Cong., Feb. 23, 2011; rev'd by the Standing Comm. Shanghai Municipal People's Cong., Feb. 23, 2016) (Chinalawinfo).

<sup>47</sup> Beijing Shi Yangquan Guanli Guiding (北京市养犬管理规定) [Provisions of Beijing Municipality on Administration of Dog-Raising] (promulgated by the Standing Comm. Beijing Municipal People's Cong., Sep. 5, 2003, effective Oct. 15, 2003) (Chinalawinfo).

<sup>48</sup> Chongqing Shi Yangquan Guanli Tiaoli (重庆市养犬管理条例) [Regulations of Chongqing Municipality on Dog Keeping] (promulgated by the Standing Comm. Shanghai Municipal People's Cong., Dec. 14, 2022; rev'd by the Standing Comm. Chongqing Municipal People's Cong., Feb. 23, 2016, effective Jun. 1, 2023) (Chinalawinfo).

<sup>49</sup> FUTIAN GOVERNMENT ONLINE, available at <https://www.szft.gov.cn/hdjlpt>.

## IV. CONCLUSIONS AND PROSPECTS

After a careful analysis, we could conclude that anti-cruelty has already been adopted by China's legal system of animal protection. There is not only a spirit that anti-cruelty is legally encouraged, but also detailed rules that substantially promote it. The common criticism that China ignores animal welfare and does literally nothing to prevent cruelty does not stand, especially after the promulgation of 2018 Constitution which pursues "ecological civilization" and abundant laws aimed at promoting "harmonious coexistence between man and nature". These concepts, along with rules that silently contribute to animal welfare, are often overlooked by critics who stubbornly advocates for a law with "animal welfare" or "anti-cruelty" in its name. It seems to them that if there is no "animal welfare law" or "anti-cruelty to animals law" enacted by the National People's Congress or its Standing Committee, China's legislation is then blind to the necessity to contain cruelty to animals. It is a rude and biased judgement trying to erase China's endeavor to establish an eco-friendly society.

It is correct that the current legal system is not systematic and comprehensive enough as to the protection of animals. The loopholes appear to be: first, many rules only stipulate requirements for behavior, but omit legal consequences of violation; second, animals except experimental animals and wild animals are hard to receive clear legal protection on the national level. The first issue is a technical one, which is of course justified to resolve, but the second involves policy, which might be more complicated. The public opinion becoming more tolerant with animal protection, there still remain controversies over the scope and extent of anti-cruelty. Therefore, it is possible that the national legislative body is intentionally leaving this issue unsolved and waiting for the districts to "try first and test first" ("*xianxing xianshi*"), which is China's traditional methodology of reform.<sup>50</sup> As mentioned before, a number of cities have started to manage and protect pet animals. Nowadays, not only metropolises, but common cities and counties like Suqian and Pingyang are also proud that they are recognized as "pet-friendly cities".<sup>51</sup> The

<sup>50</sup> See Liu Zhiwei (刘志伟), *Zhongyang Yu Difang Hudongxing "Shiyan" Gaige Jiqi Fazhi Zhuanxiang* (中央与地方互动性“试验”改革及其法治转向) [*The Interactive "Experimental" Reform Between the Central and Local Governments and Its Turn to the Rule of Law*], 2 *FALU HE ZHENGZHI KEUXUE* (法律和政治科学) [LAW AND POLITICAL SCIENCE] 51, 53-59 (2021).

<sup>51</sup> See *Suqian Jiji Dazao Chongwu Youhaoxing Chengshi* (宿迁积极打造宠物友好型城市) [*Suqian Actively Builds a Pet-friendly City*], SUQIAN MUNICIPAL PEOPLE'S GOVERNMENT (Nov. 12, 2025), <https://suqian.gov.cn/cnsq/sqyw/202511/1e6b0f2885da437f8f28919f3e93b7f6.shtml>; *Quanguo Shouge "Chongwu Youhao Chengshi" Luohu Pingyang* (全国首个“宠物友好城市”落户平阳) [*The First "Pet-friendly City" Favors Pingyang*], WENZHOU MUNICIPAL PEOPLE'S GOVERNMENT (May 30, 2025), [https://www.wenzhou.gov.cn/art/2023/5/30/art\\_1217834\\_59206482.html](https://www.wenzhou.gov.cn/art/2023/5/30/art_1217834_59206482.html).

expansion of the scope of animal protection is now a prosperous trend in China, drawing a promising picture that anti-cruelty and welfare principles will cover more and more animals.

Therefore, with abundant rules in effect and flourishing experimental practices by districts, now the main and urgent issues may not be the drastic change of positive laws on the national level or speedy enactment of an “anti-cruelty law”, but some proper modifications and, more importantly, the execution of laws. During a visit to a city’s animal protection association in southwest China, the author was told that the local police are unconcerned about accusations of wrong treatments to animals even when the whistleblowers provide specific legal grounds. The common excuses for this ignorance is the heavy workload of police. However, being busy is never a justified reason for doing nothing when there exists a legal obligation of the authorities. It would be helpful to educate law enforcement departments about the principle of “harmonious coexistence between man and nature”, and the rules that impose a duty on them to avoid or punish cruelty to animals so that the realization of “ecological civilization” can be promoted. It is also hoped that future studies will pay more attention to the new developments of China’s legal system of animal protection, regarding them as probable legal grounds for anti-cruelty. In this way, academic research will help to discover more legal grounds for further legislation on anti-cruelty, and more legal tools at hand for the authorities and the public to fight against cruelty.