



Presidenza del Consiglio dei Ministri
NATIONAL BIOETHICS COMMITTEE

CAUDECTOMY AND CONCHECTOMY

5th of May 2006

CAUDECTOMY AND CONCHECTOMY

The National Bioethics Committee received from accountant Alberto Veronesi, President of the Italian Dog Breeders, the request for an opinion on "whether cutting the tail and the ears (*caudectomy* and *conchectomy*) of breeds whose breed standards require it, traditionally, is to be considered legitimate, considered the new legislation on animal welfare, as well as laws regarding animal abuse".

The NBC has considered the question from different bioethical perspectives in order to define the proper man/animal relationship. These perspectives, however different, have never prevented the Committee from reaching widely shared, if not unanimous, conclusions, when, on other occasions, it has offered its opinion on bioethical issues of great importance as those addressed in the documents: *Animal Testing and Health of living beings* (17th of April, 1997), *Bioethics and veterinary science. Animal welfare and human health* (30th of November, 2001), *Ritual slaughtering and animal suffering* (19th of September 2003) and *Bioethical problems concerning the use of animals in activities linked to human health and well-being* (21st of October, 2005). NBC members have in fact always shared the view that animals deserve respect and attention from man and that the *eventual* subordination of their *interests* to human ones should not be trivially and hastily taken for granted, but carefully and conscientiously reasoned. The Committee has always been and is unanimous in condemning as bioethically unjustifiable any form of *cruelty* towards all animal life.

The NBC considers caudectomy and conchectomy as *prima facie* ethically illicit in the name of the bioethical principle of *nonmaleficence*, which establishes a moral obligation to avoid suffering and not to harm any living being that can feel pain. With regards to dogs, the cutting of the tail and ears for purely aesthetic reasons is to be considered harm in the proper sense, as it is not justified either by giving them a significant benefit (as they would, for example, in the case of an operation, such as the amputation of a limb, therapeutically necessary for survival) or by maintaining a tradition, which (even though it may seem to some extent consolidated) is related to extrinsic aesthetic norms that today certainly questionable, in any case devoid of any relevance from a bioethical point of view and widely disputed even within the only healthcare profession that is directly involved in animal welfare, namely, the veterinary profession¹.

In some cases, these interventions are justified to prevent health related problems mainly linked to the need to correct, in some specific dog breeds, certain defects or pathologies. Nor does it seem devoid of meaning the observation that caudectomy may, in some cases, eliminate the risk of accidents, quite common among the elderly and children, caused by the very mobile and powerful tails of the Molossoids. These circumstances, however, merely shift the bioethical problem and force us to reflect on several issues: the appropriateness of acquiring as pets dog breeds that are not suitable to a relationship with children or the elderly, or of selecting – maybe to meet questionable requests widespread in the community - dog breeds that require drastic therapeutic interventions in order to guarantee to them reasonable

¹ Keep also in mind that, for example, the *Fédération Cynologique Internationale* admits an aesthetic double-standard in consideration of those member states where caudectomy and conchectomy are banned.

conditions of well-being. With regards to this, the NBC believes that the problem of the *suffering breeds*, namely those breeds that live or are more likely to live their whole life with physical alterations that significantly affect their well-being, is a big issue, worthy of a more in depth study, which the Committee intends to carry out as soon as *ex professo*. We however reiterate that, from a healthcare point of view, avoiding amputations would preserve the dogs from the traumas of surgery.

According to the NBC, in any case a key element is represented by the figure of the veterinary surgeon, who should have a role of mediation and protection of the interests of the animals, and this especially in the presence of a conflict between animal welfare and human interests, which may appear unavoidable. As already stated in the document *Bioethics and veterinary science. Animal welfare and human health* the veterinary doctor is the guarantor of the laws safeguarding animal welfare, and is a spokesman for their needs and point of reference for all those who deal with animals, either for love or gain. The evaluation of those exceptional cases where caudectomy and conchectomy may be morally justified, therefore always requires the advice of the veterinary doctor who, by virtue of his/her professionalism and the scientific knowledge gained, acts promoting an overall project of "partnership" between man and animal.

Although the NBC is not the body responsible for formulating legal opinions, but only ethical opinions, it is worth mentioning here, in terms of legislation, the *European Convention for the Protection of Pet Animals*, approved by the Council of Europe in 1987 and signed even if not ratified by our country. Essentially acknowledging the abovementioned "harm principle", art. 10 strictly forbids such interventions².

Finally, the request of opinion raises the issue of animal sterilization also in the sense of looking at the negative consequences and the significant bioethical relevance compared to caudectomy and conchectomy. The NBC recognizes that sterilization involves without a doubt a much more severe mutilation than caudectomy and conchectomy: an act that is not only invasive, but likely to lead to behavioral changes, which therefore must be considered extremely carefully for each individual animal involved, and carried out only after examining each case, the advantages and disadvantages of the intervention, always seeking the advice of the veterinary doctor also to assess the possible risk of breast or uterine pathologies³. This mutilation however, can

² Article 10 – Surgical operations

1. Surgical operations for the purpose of modifying the appearance of a pet animal or for other non-curative purposes shall be prohibited and, in particular:

- a. the docking of tails;
- b. the cropping of ears;
- c. devocalisation;
- d. declawing and defanging;

2. Exceptions to these prohibitions shall be permitted only:

- a. if a veterinarian considers non-curative procedures necessary either for veterinary medical reasons or for the benefit of any particular animal;
- b. to prevent reproduction.

3.a) Operations in which the animal will or is likely to experience severe pain shall be carried out under anaesthesia only by a veterinarian or under his supervision.

b) Operations for which no anaesthesia is required may be carried out by a person competent under national legislation.

³ For the same reasons already expressed with regards to caudectomy and conchectomy, steralisation can never be justified by trivial reasons.

be considered justifiable in several respects, especially when dogs don't have an owner⁴. Within an ethics of responsibility, it is important that man takes into account the complex problems raised from living with animals and prevent the health and social harm caused by animal overpopulation. Nor should we forget, from a social perspective, the severity of the phenomenon of *stray dogs*, which causes damage to human health, a potential increase in animal suffering and higher costs which could affect the living conditions which society can and must ensure to stray and/or abandoned dogs.

Compulsory sterilization for stray dogs under law 281/1991 and subsequent regional laws, was born from the need to develop a policy of birth control and better distribution of resources. The stray dog phenomenon should also induce dog owners to carefully manage their animals' reproductive life, in order not to increase the number of abandoned dogs due to litters that are unwanted and difficult to place.

These bioethical and social justifications regarding sterilization - except in the abovementioned exceptional circumstances – do not exist, instead, with regards to cutting the tail and ears, practices that cause unnecessary suffering and are mostly determined by fashion and customs that are no longer tolerable for those who are attentive to animal welfare and, according to the Committee, not justifiable also in light of the developing legal-sensitivity on this matter.

⁴ In the case of owned animals, there are in fact also further considerations regarding wider issues relative to the man/animal relationship of affection and the issue of the informed consent to the veterinary doctor.