



Workshop on the legal framework of livestock guarding dogs in Portugal

Report

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Place and duration

Online, 26-03-2021 (09:00 – 17:00)

Organizing Committee (alphabetic order)

- Inês Barroso, Instituto da Conservação da Natureza e das Florestas (ICNF)
- Marta Cálix, Rewilding Portugal (LIFE WolFlux)
- Sara Aliácar, Rewilding Portugal (LIFE WolFlux)
- Sílvia Ribeiro, Grupo Lobo
- Virgínia Pimenta, Instituto da Conservação da Natureza e das Florestas (ICNF)

Speakers (alphabetic order)

- Alexandra Fernandes, Direção-Geral de Alimentação e Veterinária (DGAV)
- Felix Hahn, Agridea (Suíça)
- Francesca de Cristo, DifesaAttiva (Itália)
- Luisa Vielmi, DifesaAttiva (Itália)
- Rosário Cidadão, Direção-Geral de Alimentação e Veterinária (DGAV)
- Sílvia Ribeiro, Grupo Lobo
- Yolanda Cortés, WWF Espanha (LIFE EuroLargeCarnivores)

Participants (alphabetic order)

- Adolfo Macedo, Instituto da Conservação da Natureza e das Florestas (ICNF)
- Ana Silva, Gabinete de Planeamento, Políticas e Administração Geral (GPP)
- António Heitor, Confederação Nacional das Cooperativas Agrícolas e do Crédito Agrícola de Portugal CCRL (CONFAGRI)
- António Morgado, LIFE WolFlux
- António Soares, Associação Nacional de Proprietários Rurais Gestão Cinegética e Biodiversidade (ANPC)
- Carla Molinari, Clube Português de Canicultura (CPC)
- Catarina Lavrador, Direção-Geral de Alimentação e Veterinária (DGAV)
- Cristina Costa, Instituto da Conservação da Natureza e das Florestas (ICNF)
- Eliana Fonseca, Instituto da Conservação da Natureza e das Florestas (ICNF)
- Francisco Pettruci-Fonseca, Grupo Lobo
- Gonçalo Brotas, Associação de Conservação do Habitat do Lobo Ibérico (ACHLI)
- Hugo Pinto, Clube Português de Canicultura (CPC)
- João Silvino, Clube Português de Canicultura (CPC)
- Marta Barata, Associação Natureza Portugal (ANP-WWF)
- Marta Vieira, LIFE WolFlux
- Pedro Prata, Rewilding Portugal
- Rita Leandro, Direção-Geral de Alimentação e Veterinária (DGAV)
- Rui Matos, Conferência dos Agricultores de Portugal (CAP)
- Salvador Janeiro, Clube Português de Canicultura (CPC)

Workshop Agenda

1st Part

09:00 – Welcome session [*Marta Cálix, Rewilding Portugal, LIFE WolFlux*]

09:10 – Livestock guarding dogs and their important conservation role [*Silvia Ribeiro, Grupo Lobo*]

09:30 – Livestock protection dogs, a law and a right evaluation, what is the status in Italy? [*Luisa Vielmi, DifesaAttiva*]

09:50 – Legal context and obstacles to the use of livestock guarding dogs in Spain [*Yolanda Cortés, WWF Espanha, LIFE EuroLargeCarnivores*]

10:10 – The legal context of LGDs in Switzerland: problems and solutions [*Felix Hahn, Agridea*]

10:30 – Q&A session

10:45 – Coffee break

2nd Part

11:00 – Livestock guarding dogs under the law for the protection of the Iberian wolf and government measures with a view to its promotion [*Inês Barroso/Virgínia Pimenta, ICNF*]

11:20 – Companion Animal Information System (SIAC) [*Rosário Cidadão, DGAV*]

11:40 – Legal requisites for livestock guarding dogs [*Alexandra Fernandes, DGAV*]

12:00 – Q&A Session

12:20 – Discussion session: identification of problems and possible solutions to improve the legal framework of livestock guarding dogs in Portugal

13:00 – Lunch break

14:00 – Discussion session (continued)

16:30 – Conclusions

17:00 – End of the workshop

1. Introduction

The livestock guarding dog (LGD) is globally recognized as one of the best measures to prevent damages caused by large carnivores on livestock and thus to promote a positive coexistence between humans and these species. In the scope of several projects that have promoted the use of LGDs among livestock breeders, including the LIFE WolFlux project, coordinated by Rewilding Portugal, and the LGD Program (Programa Cão de Gado), developed by Grupo Lobo, questions have arisen about the framing of these animals in Portuguese legislation, that need to be clarified.

Aiming to shed some light on those issues and clarify and adapt the legal framework of LGDs in Portugal to the functions performed by these animals, [Rewilding Portugal](#), together with [Grupo Lobo](#) and the [Institute for the Conservation of Nature and Forests](#) (ICNF) organized an online workshop on this topic, which was attended by the relevant authorities.

The workshop consisted of two parts: the first in English, where LGDs and their importance in the field of wolf conservation, and beyond, was presented, and which included presentations by invited speakers from Spain, Italy and Switzerland that focused on the legal context of these dogs in their countries, the obstacles encountered and the proposed solutions; and a second part in Portuguese, that focused on the legal framework of LGDs in Portugal, namely in the wolf protection law and in veterinary legislation, such as the registration and identification system for pets. In the final part, a discussion session took place to help identify problems, possible solutions and actions to be implemented to improve the legal framework for LGDs in Portugal.

Below is a summary of the presentations, as well as the main points discussed in the final session and the steps needed to implement the identified solutions.

2. First Part

2.1. Welcome Session

Marta Cálix, Rewilding Portugal, LIFE WolFlux

The workshop began with a welcome session for invited speakers and participants, with reference to the organizing committee – Rewilding Portugal (as the coordinating entity of the LIFE WolFlux project), Grupo Lobo and the Institute for the Conservation of Nature and Forests. The event's agenda was presented, as well as the operating rules, and the participants were informed that the first part of the workshop would be recorded for later use by the organizing entities, to which no objections were raised.

Then, a brief presentation was given about the [LIFE WolFlux](#) project, ongoing since 2019, and whose objective is to remove the ecological and socioeconomic barriers to the connectivity of the Iberian wolf subpopulation south of the Douro River in Portugal. In this sense, a series of actions are being implemented to reduce the main threats to this carnivore. The project focuses on reducing conflicts with livestock breeders, reducing poaching and fires, and increasing the availability of wild prey for the wolf. The project also aims to develop a strategy to promote value-added products and services related to the wolf and increase tolerance and positive attitudes of local communities towards

the species. As part of the reduction of conflicts with livestock breeders, the project intends to place 100 dogs with flocks and herds, having delivered, so far, 22 Estrela Mountain Dog pups, and is monitoring their integration into farms throughout the wolf's distribution area south of the Douro River, in the districts of Guarda, Viseu and Aveiro.

2.2. Livestock guarding dogs and their important conservation role

Silvia Ribeiro, Grupo Lobo

Livestock Guarding Dogs

LGDs have been used by shepherds since ancient times, having been selected to protect livestock from attacks by predators such as the wolf, lynx or bear. The oldest associations between dogs and livestock in archaeological records dates back to around 3,600 years BC, and arose in the Middle East, where the domestication of all major livestock species occurred. These dogs have accompanied human migrations, spreading across the Mediterranean basin, where they were integrated into the traditional herding system.

In regions where livestock production acquired great economic importance, these dogs could be found accompanying the flocks on their daily grazing or during the long transhumant movements, in search of better pastures. These seasonal migrations, which could reach hundreds of kilometres and last for several months, involved the movement of thousands of animals along established routes that crossed countries, often crossing their borders. It was in Spain that transhumance reached its greatest exponent. Considering the average number of transhumant heads, it is estimated that there may have been at least between 7,000 and 16,000 mastiffs in transhumance. There were laws that defined various aspects related to the use and maintenance of these dogs (e.g., number per flock, feeding), as well as fines for those who stole and mistreated a mastiff, or took them without permission.

In Portugal, one of the oldest references to LGDs, dating back to the beginning of nationality, can be found in the laws of the city of Guarda published in 1199, where those who killed these dogs were penalized: "*Every man that kills a hunting or livestock guarding dog should pay two maravedis*"¹. Since the 19th century, several writings make reference to the use and importance of these dogs. In 1884, Emygdio Navarro² refers to the existence of magnificent dogs that accompany the large flocks he observed in the Estrela Mountain (center of the country) and protect them from wolves. António Lacerda (1908)³ and Fred Wachsmann (1949)⁴ mention the presence of several Estrela Mountain dogs with the flocks which they effectively protected against wolves. In Ribatejo and Alentejo (Centre and South of Portugal), Miranda do Vale (1949)⁵ refers that the guarding of the flocks is carried out by shepherds and "*their respective livestock guarding dogs.*"

¹ Braga, PD (2000) História dos cães em Portugal: das origens a 1800. Hugin, Lisboa.
Maravedi refers to an ancient coin.

² Navarro E (1884) Quatro dias na Serra da Estrela. Livraria Civilização, Porto.

³ Lacerda A (1908) Viagem à Serra da Estrela. Guia do excursionista, do alpinista e do tuberculoso. Livraria Central, Lisboa.

⁴ Wachsmann F (1949) Como eu vi a Serra da Estrela. Tipografia Alcobacense, Alcobaca.

⁵ Miranda do Vale J (1949) Gado Bissulco. A Terra e o Homem. Livraria Sá da Costa, Lisboa.

At the beginning of the XVIII century, the Priest António Carvalho da Costa⁶ mentions that in Lindoso (NW Portugal) they have “good mutts⁷,... very brave against wolves and other animals.” In the community flocks of the Montemuro Mountain, the dog was owned by the village, being designated as the People’s Dog or Flock’s Dog⁸. Its maintenance was carried out by all shepherds, proportionately to the number of heads they had in the flock.

In different countries and regions, groups of dogs have differentiated, adapting to local conditions as well as to the preferences of the shepherds. These groups were later identified as distinct breeds, with about 50 breeds being recognized. In Portugal there are four breeds: the Estrela Mountain Dog, in the short and long-hair varieties, the Castro Laboreiro Dog, the Alentejo Mastiff, and the Transmontano Mastiff.

LGDs are usually large dogs, with massive, rounded heads and generally flat ears (dropping close to the head). It is this morphology and a characteristic behaviour, which resulted from functional selection over thousands of years, that make them very effective in protecting livestock from predator attacks. Despite the various recognized breeds, these have a great morphological similarity. Indeed, the type and pattern of the coat is the most obvious distinguishing characteristic between the different breeds: the hair can be short or long, with a whole range of colours, which can vary from white to black.

LGDs work independently, accompanying the livestock in their daily grazing movements and staying close to them, without disturbing their activity, alerting to any strange situation and keeping away potential predators. Unlike the LGD, the herding dog (or sheepdog) works under the orders of the shepherd, helping to regroup and herd the livestock from one place to another, by chasing or barking at the animals. These dogs are usually small- to medium-sized and therefore very agile and active. Thus the two types of dogs have very different functions in the flock or herd and are often used together.

As a protection method, LGDs stand out for their ability to adapt to different contexts, whether in terms of pasture characteristics, types of livestock, grazing systems or livestock management. For this reason, they are one of the most used measures of livestock protection, having spread to all continents. Through their use it is possible to reduce the damage caused by wolves to livestock, mitigate conflicts with livestock producers and rural communities, and thus increase tolerance for the wolf, contributing to the conservation of this predator, which is still threatened in Portugal.

Furthermore, by allowing the use of more pastures (even those where the risk of predation would be greater), by reducing attacks on livestock and the resulting economic damage, it contributes to increase the profitability of livestock production and to maintaining grazing and livestock production in extensive regimes. On the other hand, the use of LGDs allows for the maintenance of the important role of grazing in the

⁶ Carvalho da Costa (1707) *Corografia Portuguesa, e descripçam Topografica do Famoso Reyno de Portugal...* Tomo I, Lisboa.

⁷ In *Vocabulário Português e Latino (1712-1728)*, by Rafael Bluetau, the designation of mutt refers to a “large dog, heavy as a livestock guarding dog or farm dog” (Braga, 2000).

⁸ Ribeiro O (1948) *Notícia do pastoreio na serra de Montemuro. Miscelânea de Estudos à Memória de Cláudio Basto.* Imprensa Portuguesa, Porto, p. 333-339.

conservation of landscapes and habitats that depend on it, and the associated diversity of flora and fauna, and preventing fires by reducing combustible vegetation.

At the same time, it contributes to increase the value of the autochthonous breeds of livestock, which are well adapted to mountain ecosystems, and to their conservation as well as of the national breeds of LGDs, and their important genetic and cultural heritage. Many of these breeds are also at risk, and it is important to promote their use and functionality. Other advantages often associated with the use of these dogs include: 1) keeping away wild ungulates (e.g., wild boar) from pastures and livestock, reducing competition for food and the possible transmission of diseases to the livestock; 2) protecting from stray dogs and smaller predators (e.g., foxes); 3) preventing theft of animals and material from the farms.

Thus, the use of LGDs provides a series of services, contributing to a more ecological, sustainable and economically viable grazing activity, with obvious benefits for the conservation of the wolf and for the well-being of rural populations, adding value to autochthonous breeds (of livestock and dogs) and of this economic activity of great importance in mountain ecosystems.

Livestock Guarding Dog Programme

In order to contribute to the conservation of the wolf in Portugal, in 1987 Grupo Lobo outlined a line of action that aimed to recover the use of national breeds of LGDs as a way to reduce conflicts between rural communities and the wolf and increase tolerance for this predator. However, only in 1996 was it possible to implement the [LGD Program](#) and since then more than 370 livestock producers have been supported throughout the wolf distribution range, and more than 650 dogs of the four national LGD breeds have been placed in flocks and herds. After a first phase, in which the selection of the livestock producers is carried out, regular monitoring of the dogs is conducted until they reach adulthood, at which time an assessment of their performance is carried out. The results obtained confirm a high efficacy, with a general decrease in damages (in the number of attacks and of animals affected), and a positive assessment of the dog's performance by the technicians and producers involved, who also reveal a great satisfaction with their dogs. One of the aspects that characterizes this Program is the support provided to livestock producers, at various levels (e.g., veterinary support and dog food, technical and legal aspects, breeding management and registries), as well as the monitoring of physical and behavioural development of the dogs. This makes it possible to ensure a higher efficacy, correcting any behavioural problems that may appear, adapting management systems and reducing dog mortality. A relationship of trust is also established with livestock producers, which has proven to be fundamental for boosting the Program's success and expansion and contributing to a better coexistence with the wolf.

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2.3. Livestock protection dogs, a law and a right evaluation, what is the status in Italy?

Luisa Vielmi, DifesAttiva

The second presentation was provided by Luisa Vielmi from the Italian organization [DifesAttiva](#), an association formed by livestock producers who use and promote damage preventive measures, such as LGDs or fences. The association was created in 2016 under the [LIFE MedWolf](#) project, with the aim of enhancing the work developed by livestock producers who are committed to the use of damage preventive measures to reduce attacks caused by wolves.

The presentation focused on the importance of native Italian dog breeds and their role in the livestock sector in Italy. The livestock system in Italy takes different forms, from transhumance to the grazing of small ruminants in fenced pastures. There is no national or regional legal framework for LGDs, as well as no official guidelines regarding the management of these animals, although there are several manuals on good practices.

It was mentioned that there are several essential characteristics for a dog to be a good LGD, including exhibiting protective behaviours from cattle, not being aggressive towards people or other domestic animals and knowing how to work in a pack. These characteristics will emerge and be enhanced at their best when these animals are raised from an early age with livestock, so it's crucial to include pastoral bloodlines in the selection process.

In Italy, many livestock breeders do not use these dogs due to high maintenance costs or problems with local populations associated with a lack of knowledge about these dogs. There is no support for keeping LGDs, but some European programmes, such as rural development programmes, LIFE projects and other funding sources at regional level have provided technical and veterinary support and supported the costs of feeding these dogs. However, this piecemeal approach does not allow for the use of livestock dogs in a more standardized way at the national level.

Despite the challenges, the livestock farmers that DifesAttiva works with express satisfaction with their dogs, as their use leads to a reduction in both the number of

attacks and the number of animals killed, and consequently to a reduction in the level of conflict between livestock producers and the wolf.

Nationally, all dogs need to be microchipped and registered. LGDs are mentioned in the legal diploma that regulates the keeping of dogs (Ordinanza 13 July 2016, G.U. Serie Generale n.209), which excludes these animals from the obligation of walking with a leash and muzzle while in the exercise of their functions. The distance a LGD can move away from the livestock is specified for each region.

In 2020, DifesAttiva presented a new legal bill focused on these dogs. This proposal includes an official definition of what a LGD is, the recognition that these are working and not companion dogs and defines the main requirements for raising and educating LGDs, in addition to providing for the creation of an official registry at the national level.

Additionally, the proposal defines tests to certify LGDs, the creation of a national centre for the certification of these dogs, the rights and duties of livestock producers who use them and provides for technical and economic assistance through appropriate financing mechanisms.

2.4. Legal context and obstacles to the use of livestock guarding dogs in Spain

Yolanda Cortés, WWF Espanha, LIFE EuroLargeCarnivores

This presentation was given by Yolanda Cortés of [WWF Spain](#), the largest independent international organization dedicated to the defence of nature and the environment. WWF Spain is an apolitical, science-based civil society organization that works to conserve and restore biodiversity, reduce humanity's ecological footprint and ensure the sustainable use of resources to support current and future generations.

WWF Spain is also one of the partners of the [LIFE EuroLargeCarnivores](#) project, which aims to improve coexistence with large carnivores in Europe through communication, cross-border cooperation and knowledge exchange.

According to the speaker, this presentation was based on a technical and legal report from 2019 that identified the legislative barriers to the use of LGDs and the necessary legislative changes to overcome them. In this presentation on Spanish legislation concerning LGDs, three main problems were identified:

- Abandonment and oversight: it is not legal for dogs to accompany livestock without a shepherd present, something that is a common practice in Spain. Dogs that are not accompanied by someone are considered by law to have been abandoned;
- Inaccurate definition of potentially dangerous dogs: The physical characteristics of potentially dangerous dogs included in the legislation are applicable to many LGDs. Rules for potentially dangerous dogs include the use of a muzzle and a leash, and prohibit one person from using more than one of these dogs;
- Prohibition of the use of protective collars, such as spike collars: this puts LGDs at greater risk in situations of confrontation with wolves.

WWF Spain is working to create a specific regulation that recognizes LGD and defines in legislation the specificities associated with these dogs. Requests have already been

submitted to amend some royal decrees so that they incorporate the necessary exceptions to the performance of the function of LGDS in Spain.

2.5. The legal context of LGDs in Switzerland: problems and solutions

Felix Hahn, Agridea

The following presentation was given by Felix Hahn of [AGRIDEA](#), a Swiss agricultural centre for cantonal extension services and any organization active in agriculture and home economics. This competence centre ensures the preparation, exchange and dissemination of practices and knowledge.

In Switzerland, the habits of coexistence with large carnivores have been lost and the country does not have the tradition of using LGDs, so this measure to prevent damage has been adopted more recently. In Switzerland there is already a national legislative framework for LGDs. Dogs are allowed to keep guard over livestock independently and outside of fenced areas. The use of appropriate breeds for the protection of herds is promoted and dogs are required to be bred, educated and maintained for professional use.

There is also an obligation to register animals as LGDs in the national registry, and there is a national LGD program. To be considered as LGDs, dogs must undergo a test that assesses three aspects of their socialization: interaction with livestock, with people and with other dogs. There are guidelines that define what is proper behaviour (e.g., not moving more than 300 metres away from the livestock for more than 15 minutes).

It is recognized that if tourists (and their dogs) do not respect the rules and get too close to a herd, they are responsible in the event of an accident with a LGD. The biggest problem identified in Switzerland at the moment is the existence of multiple regional laws that do not contemplate the specificities of LGDs and which it has not yet been possible to standardize.

3. Second Part

3.1. Livestock guarding dogs under the law for the protection of the Iberian wolf and government measures to promote its use

Inês Barroso e Virgínia Pimenta, ICNF

In order to halt the regression that the wolf population suffered throughout the 20th century, in 1988 was published the Law No. 90/88, of 13 August – Law for the Protection of the Iberian Wolf, which was later regulated by the Decree-Law nº139/90, of April 27th.

Since one of the main reasons for the observed regression originated in the existing conflict with Man, as a result of the damage caused by the wolf on domestic animals, the State assumed to compensate the livestock owners for the damages attributed to the wolf, provided that some protection measures were ensured, namely the presence

of a shepherd and a dog for every 50 livestock heads (nº 6 of Article 9 of Law- Decree nº 139/90).⁹

After more than 20 years of application of this legislation, it was felt the need to clarify the concept of the figure of the dog, in the spirit of the legislator at the time, as a demonstrative requirement of good management practices for livestock protection against wolf attacks. It should be noted that in many inspections carried out by the ICNF on animals supposedly killed by the wolf, the use, by shepherds, of dogs whose typology did not correspond to those necessary for the exercise of the function of protecting livestock against wolf attacks was verified.

Thus, in 2016, the publication of a new regulation of the Iberian Wolf Protection Law (Law-Decree 54/2016) included the definition of *“Flock protection dog against wolf attacks, hereinafter referred to as a flock protection dog, a mastiff-type mountain dog whose characteristics correspond, in the historical origin of the breed, to the function of protecting flocks against wolf attacks, namely those belonging to the Castro Laboreiro Dog, Transmontano Mastiff and Estrela Mountain Dog breeds.”*

Although in legal terms this concept has been innovative, in practice, ICNF, Grupo Lobo and the Portuguese Kennel Club (CPC) have been for many years developing initiatives to promote Portuguese breeds that have evolved with the function of protecting livestock.

The ICNF, through Montesinho Natural Park, started in 1994 a program to promote the use of dogs for the protection of livestock in the region of Trás-os-Montes, through the identification and reproduction of good specimens and the distribution of dogs to shepherds, revitalizing an ancestral practice that was being forgotten. A protocol was then established with the CPC, which culminated in the recognition, in 2004, of a new canine breed, the Transmontano Mastiff.

In 1996, Grupo Lobo started a program for the distribution of LGDs to breeders who carried out their livestock-raising activity in wolf territory, as mentioned above. In the two programs together, around 1,500 dogs have already been distributed, which is certainly a decisive factor for better protection against wolf attacks.

Aiming to support livestock breeders in wolf territory, in 1999 ICNF proposed that, the 2000-2006 Rural Development Program (RDP), under the 1st Community Support Framework (CSF), should integrate Agro-Environmental Measures to promote more effective protection of livestock against wolf attacks. This proposal aimed to encourage practices that ensure effective protection of flocks/herds, in wolf territory, through monetary aids for their implementation. The proposal included an additional aid for

⁹ In current legislation (Law-Decree 54/2016, Portaria 335/2017) the criterion is 1 LGD per 50 Livestock Units (LU), which is the standard unit used to compare and aggregate numbers of animals of different species, taking also into account the animal's age.

each LGD of a breed considered to be native. This proposal was not accepted, as well as a similar proposal presented under the 2nd CSF, to integrate the 2007-2013 RDP.

Within the scope of the 3rd CSF, ICNF reiterated the importance of livestock farmers having supporting aids for the implementation of measures to prevent damages caused by wolves on livestock, and in the RDP 2014-2020 it was finally included a support measure, to livestock breeders in wolf areas, for the maintenance of LGDs: Measure 7.7.3 – Extensive grazing – Support for the Protection of the Iberian Wolf. Although the integration of a measure to support livestock farmers to better protect their animals from wolf attacks is welcomed, the way in which it was published was, in several points, different from the proposal presented by the ICNF. Therefore, it needs improvements to achieve the intended objective – to support the maintenance of dogs that, due to their breed and characteristics, accompany livestock on their movements and in a more appropriate proportion between sheep/goats and cattle.

Within the scope of the Strategic Plan for the Common Agricultural Policy (PAC) after 2020, the ICNF once again referred to the importance of integrating measures to support the prevention of damages attributed to the wolf, specifically for the acquisition and maintenance of dogs belonging to breeds with the function for livestock protection and for the installation of protective structures.

3.2. Companion Animal Information System (SIAC)

Rosário Cidadão, DGAV

The following presentation was given by Dr. Rosário Cidadão from the [Directorate-General for Food and Veterinary Matters](#) (DGAV). According to current legislation, there is an obligation to identify dogs, cats and ferrets born in national territory (marking and registration with SIAC) or that remain there for a period equal to or greater than 120 days (registration with SIAC). Identification is optional for other species.

In terms of registration, this must be done up to 120 days of age of the animal and always before leaving the premises (Official Collection Centres, profit or non-profit installations); animals that remain in Portugal for more than 120 days; and whenever a mandatory medical prophylaxis is declared, it can only be carried out on an identified animal (marked and registered with the SIAC).

As for marking methods, the legislation prescribes the implantation of a transponder (microchip) with marketing authorization in Portugal, by a veterinarian and in the centre of the left lateral face of the animal's neck. Transponders can be placed on the market after prior notification to DGAV, in order to obtain a Marketing Authorization (AIM). Companies with AIM have access to the SIAC to register the transponders they have sold to each Veterinarian or authorized entity, ensuring traceability. When this module is operational, implantation can only be done with a transponder that has been previously registered in the SIAC. Exceptions are made for registrations of animals from abroad, which will be subject to validation by the database.

Registration at the SIAC must be done by the Veterinarian, immediately after the implantation, and the microchip number must be under the name of the animal's owner. If there is no access to the SIAC, registration can be done within a maximum period of

15 consecutive days, using a provisional registration form. Proof of the marking must be delivered at the time of transponder implantation, valid for 30 consecutive days, during which the owner is provided with the Identification Document of the Companion Animal (DIAC).

Regarding the registration of mandatory medical prophylaxis, the rabies vaccine or interventions required for the purpose of health certification must be registered with the SIAC by the Veterinary Doctor. Sterilizations and amputations must also be recorded. The duties of the Veterinary Doctor include the marking of animals and registration in the SIAC, registration of medical prophylaxis or interventions, updates in the SIAC, issuance of DIAC, issuance of a Pet Passport (when applicable) and reporting to DGAV any detected irregularities.

As for the duties of the pet owner, these include: presenting the animal for identification and registration within the stipulated deadlines; requesting an update of the registration whenever there are changes, within the stipulated deadlines; requesting the issuance of the DIAC; requesting the Veterinary Doctor to issue a Companion Animal Passport, when necessary; and submitting any dog of a potentially dangerous breed, which has been introduced into the national territory with a view to breeding, for registration at the SIAC, within 10 days.

At present, there are a total of 2,930,467 animals registered with the SIAC, of which 2,584,330 are dogs, 344,700 are cats and 1,437 are ferrets.

3.3. Legal requisites for livestock guarding dogs

Alexandra Fernandes, DGAV

According to Decree-Law No. 314/2003 of December 17, which approves the National Program for the Fight and Epidemiological Surveillance of Animal Rabies and Other Zoonoses (PNLVERAZ), consisting of a set of medical and sanitary prophylaxis actions designed to maintain the country's immunity statute from rabies and the development of sanitary surveillance actions with a view to epidemiological study and combating other zoonoses, also establishing the rules on ownership and detention, trade, exhibitions and entry of animals susceptible to rabies in the territory national.

According to Article 7 (Obligation to wear a collar or breastplate and muzzle or leash):

“1 — It is mandatory for all dogs and cats that circulate on the road or public place to wear a collar or breastplate, in which the name and address or telephone number of the holder must be placed in some form.

2 — It is prohibited for dogs to be present on the road or in public places without being accompanied by the keeper, and without a functional muzzle¹⁰, except when carried on a leash, in competitions and training or, in the case of animals used in hunting, during hunting activities.

3 —

¹⁰ “ The utensil that, applied to the animal without hindering its respiratory function, does not allow it to eat or bite.”

4 - City councils, within the scope of their competences, may create zones or places of their own for the permanence and movement of dogs and cats, establishing the conditions under which this can be done without the means of containment provided for in this article.”

Pursuant to Article 14 (Offences): “1 — It constitutes an offence, punishable by the president of the parish council in the area of the offense, with a fine of a minimum amount of €25 and a maximum of €3740 or € 44 890, depending on whether the agent is a natural or legal person, unless a more serious sanction is not applicable by special legislation:

- a) The lack of license to detain, possess and move dogs provided for in the Regulation for the Registration, Classification and Licensing of Dogs and Cats;
- b) The lack of a muzzle or leash, pursuant to the provisions of paragraph 2 of article 7;
- c) The movement of dogs and cats on public roads or other public places without a collar or breastplate, pursuant to the provisions of paragraph 1 of article 7.”

Decree-Law No. 276/2001, republished in Decree-Law No. 260/2012, defines the general rules for:

- Detention (article 6, 6th, 7th)
- Accommodation (article 8 to 11)
- Management (article 12, 13)
- Surgical Interventions (Article 17 and 18)
- Capture and Slaughter of Companion Animals (Article 19)

Article 1 (Scope of application) states:

“1 - This diploma establishes the complementary measures of the provisions of the European Convention for the Protection of Companion Animals, approved by Decree No. 13/93, of April 13, hereinafter referred to as the Convention, regulating the exercise of the exploration activity of accommodation, regardless of its purpose, and the sale of pets.

2 — Species of native and exotic wild fauna and their descendants raised in captivity, subject to specific regulation, and fighting bulls are excluded from the scope of this diploma.”

Pursuant to Article 68 (Offences):

“1 - The following constitute administrative offenses punishable by the General Director of Food and Veterinary Medicine with a fine of a minimum amount of €25 and a maximum of €3740:

- a) The lack of mere prior communication or administrative permission provided for in paragraph 1 of article 3;

3.4. Discussion session: identification of problems and potential solutions to improve the legal framework of livestock guarding dogs in Portugal

The discussion session began with the presentation of the problems identified during the presentations of the national speakers, which were registered by an element of Rewilding Portugal.

3.4.1. Identified problems

Lack of recognition in the legislation of the figure of the livestock guarding dog and its function

The main problem identified is the lack of recognition of the figure of the LGD in the Portuguese veterinary legislation. In fact, under the current legislation, these dogs are considered as pets, i.e., *“any animal held or intended to be held by man, namely in his home, for his entertainment and company”* (Law-Decree 314/2003). However, considering their function, LGDs can hardly fit into this definition. As such, LGDs are not allowed to be unaccompanied by the owner, nor to be in public spaces without a functional muzzle or leash (Law-Decree 314/2003, article 7).

The only exception to this rule refers to dogs in competitions and trainings, or used during hunting activities.

Naturally, the use of a leash or muzzle does not allow LGDs to perform their function of protecting livestock against attacks by predators such as the wolf. In addition, these dogs are increasingly used to protect flocks and herds without the presence of the shepherd, a trend that is also verified in other countries, namely in Italy, Spain and Switzerland, where the legislation (or the proposals made) also take this issue into account.

Law-Decree 314/2003 defines what is a guide or hunting dog, but not what is a LGD, including it in the category of *“animals with economic purposes”*, which refers to *“animals with utilitarian aims and purposes, such as guarding flocks, including also guarding buildings, land, boats or other goods, or even used as a breeder in selection and multiplication sites.”*

The concept of LGD only appears in the legislation regarding the protection of the Iberian wolf (Law-Decree 54/2016), which defines the *“flock protection dog against wolf attacks”*, or flock protection dog, as a *“mastiff-type mountain dog whose characteristics have corresponded, in the historical origin of the breed, to the function of protecting flocks against wolf attacks, namely those belonging to the breeds Castro Laboreiro Dog, Transmontano Mastiff and Estrela Mountain Dog.”*

Lack of registration and certification mechanisms for livestock guarding dogs

Another problem mentioned was the fact that the identification of the typology (or functions) of dogs is not foreseen in terms of their registration in the current Companion

Animal Information System (SIAC), contrary to what happened in the previous systems (SIRA and SICAFE), which considered the categories defined in Law-Decree 314/2003 (e.g., guide dog, hunting dog or animals with economic purposes, where LGDs were included). In fact, in Law-Decree 82/2019, which creates the SIAC, these categories are not mentioned, so that all dogs (except those belonging to breeds considered potentially dangerous) are registered by default as Companion animals, which as mentioned before, does not suit the function of LGDs.

On the other hand, an amendment to this diploma (Article 27, of LD 82/2019) clarifies the obligation of the owners of the dogs registered in the SIAC to get an annual license in their parish, with the possibility of registering dogs within the category of a guarding dog (which presumably includes the guarding of flocks, i.e., of livestock), provided that this is confirmed by a proper declaration ("*canids whose owners do not present a hunter's license or declaration of guarding goods, or evidence of a guide dog are licensed as companion dogs*").

The lack of a certification mechanism for LGDs was also mentioned, as the one that exists, for example, in Switzerland. This issue is also relevant with regard to the attribution of financial support for the maintenance of LGDs, under the RDP, given the need to certify that the dogs for which livestock producers receive this support are performing the function of livestock protection and have adequate characteristics for this purpose. In the RDP 2014-2020 for a livestock breeder to be entitled to such support a simple declaration by a veterinarian was required to certify that the dog was guarding livestock, but such declarations did not always correspond to dogs considered suitable for livestock protection¹¹.

Problems between livestock guarding dogs and tourists

In addition to issues related to the legal framework for LGDs, the increasingly more frequent interaction between these dogs and tourists was also identified as an issue. Lack of information and knowledge about how to behave in the presence of a LGD may lead to problematic situations. In this context, the importance of livestock producers having liability insurance for their dogs was mentioned, which could cover any human or material damage they may cause.

3.4.2. Possible Solutions

In the following session different possible solutions to the various problems identified in the previous session were discussed.

Legislation

¹¹ Flock guarding dog: heavy dog with a minimum weight of 35 kg (males) or 30 kg (females), and a minimum height at the withers of 60 cm (males) or 57 cm (females), such as Estrela Mountain Dog, Castro Laboreiro Dog, Alentejo Mastiff or Transmontano Mastiff, as referred to in paragraph g) of Article 2 of Ordinance 50/2015 of 25 February.

Regarding the legislative aspects, the possibility of proposing the necessary changes to the existing legislation was discussed, while at the same time considering the creation of specific legislation for LGDs, similarly to what happens for guide and hunting dogs.

Among the legislative changes to ensure, in the short term, a better legal framework for the LGD, the following were listed:

- Amendment of Law-Decree 314/2003, introducing an exception for LGDs, similar to the exception that exists in this diploma for hunting dogs;
- Integration in the concept of LGD contained in Law-Decree 54/2016, of some aspects associated with their functions, such as the possibility of staying away from the livestock during their protective work, and of being able to use spike collars (for protection during confrontations with wolves);
- Amendment of the legislation on potentially dangerous and dangerous dogs, including the necessary exceptions for LGDs in the exercise of their functions, i.e., when they are watching/protecting the flocks or herds;
- Proposal to include in one of these diplomas the need for liability insurance for these dogs.

It was also mentioned the possibility that "*municipal councils, within the scope of their competences, may create specific areas or places for the permanence and movement of dogs and cats, establishing the conditions in which this can be done without the means of containment foreseen*", as referred to in the last point of article 7 of Law-Decree-Law 314/2003. In this regard, it is worth mentioning the example of a stance taken by the municipality of Sabugal, dated 1948, which in its article 98 prohibits "*the wandering of canids, which can only transit properly muzzled and with collars bearing the municipal license number*", but makes an exception for dogs that accompany flocks, as it says in point 1: "*guarding dogs, classified as such, in the respective license, may only travel on the public road when accompanying flocks or taken on a leash.*"

It was mentioned that a proposal for amendments to the veterinary legislation would be in progress, in which the above-mentioned amendments should be integrated.

In addition to these occasional changes to the existing legislation, it was consensual that a specific regulation should be proposed for LGDs, similar to that for guide dogs and similarly to what is being proposed by DifesAttiva in Italy. In this new legislation, different aspects could be considered, such as the functional parameters of a LGD, that is, what is reasonable to be the behaviour of a good LGD (e.g., how far the dog can move away from the livestock and for how long).

This legislation should not be limited to the wolf range and to the function of protecting livestock from wolf attacks, since there are other threats to livestock, such as small and medium-sized carnivores or stray and feral dogs, for which reason the use of dogs for livestock protection extends nationwide.

It was mentioned that in any change in legislation or proposal for new legislation, the definition of a LGD should be mainly associated with its function (livestock protection), and not just to its breed, in a similar way to what is done with hunting dogs.

Certification of livestock guarding dogs and agri-environmental measures

The creation of a certification to accredit the functionality of LGDs was proposed, and it was discussed how this certification could work.

Several parameters would have to be defined to certify the type and functional behaviour of these dogs, including the recognition that they belong to a LGD breed (national or other) and that, in fact, they are used for protecting livestock. It was suggested that the way the certification system works in Switzerland could be explored to adapt it to the local context. In terms of the certification process, it was proposed that it could be developed by the [Portuguese Kennel Club](#) or Grupo Lobo, or jointly by the two entities, considering their area of expertise and experience.

The need for certification is also related to the support measures to be proposed for the next CSF, in order to ensure that the available funds are allocated to owners of dogs that effectively exercise the function of protecting livestock against wolf attacks.

The age at which a dog can be accepted to be the object of the support measure was discussed, and the age of 6 months, used so far, was considered adequate, and a reassessment at two years should be foreseen. The need for technical monitoring mechanisms for the raising and training of the dogs was mentioned, for example, through qualified technicians (as in the case of guide dogs), since often livestock breeders may not have the necessary knowledge, which decreases the likelihood of dogs becoming effective. Also, regarding the support measures to be proposed for the next CSF, the importance of requiring a liability insurance from livestock producers was mentioned as a requirement for eligibility to access the support for the maintenance of LGDs. In the case of creating a certification for LGDs, the importance of ensuring the existence of a category for LGDs in the SIAC was mentioned, in order to operationalize the registration and access to such certification. To better explore the issue of LGD certification, it was proposed that another workshop on this topic be held, inviting other relevant entities, including the LGD Breed Clubs and entities that certify guide dogs and dogs of the armed forces.

As part of the support measures to be proposed for the next community framework, it was mentioned that all aspects related to them (e.g., new legislation, certification mechanism) need to be operational by 2022, when the proposals will have to be presented.

Livestock guarding dogs and nature tourism/sports

Regarding the interactions between LGDs and tourists, it was mentioned that it is urgent to find operational solutions to minimize conflicts, such as the mapping of areas where this type of dog is likely to be found and their dissemination to the nature tourism and sports sectors.

It was also proposed to contact the Tourism North and Centre of Portugal to promote the dissemination of information to tourists about the rules of conduct they should adopt in areas with LGDs. In this context, it was mentioned that Grupo Lobo has already started actions in this direction, producing informative materials that are available on the Portal of the [LGD Program](#). Rewilding Portugal has also started placing informational panels on the farms where it is placing LGDs, as part of the LIFE WolFlux project.

3.4.3. Next steps to implement the identified solutions

DGAV and ICNF undertake to work together to propose the changes identified above in the veterinary legislation in force, in particular the Law-Decree 314/2003. DGAV stressed that this diploma will be reviewed during 2021, and therefore there is an opportunity to introduce the discussed changes.

With regards to the proposal for new legislation, a new workshop is foreseen to discuss the technical aspects that will serve as a basis for it.

ICNF and the [Office of Planning, Policy and General Administration](#) (GPP) will also keep in touch regarding the definition of measures to support the protection of the Iberian wolf to be proposed for the next CSF.

The Organizing Committee of the workshop will follow up on the issue of certification of LGDs, with the organization of a specific workshop on this topic being planned.