

A Dire Situation for Serbian animals – as it has been for many years.

Overview - APRIL 2015

And now are we to witness one of the biggest crimes of the decade ?

<http://serbiananimalsvoice.com/2015/03/31/dear-friends/>

As of the end of March 2015 – the Serbian government now appear to be happily making up new regulations under the blinkered eyes of the EU Enlargement Commission and others which will allow them to kill yet more stray animals !!

A draft version of Ministry of Agriculture working group's proposals for the amendments to the existing Animal Welfare Act in Serbia has leaked to welfare groups who have concerns - It introduced the concept of "quarantine for a lost and abandoned animals," which lasts ONLY 15 days, after which the animals can be "killed humanely", if there is such a thing as humane killing.

We at SAV believe that the newly proposed amendments to the existing Serbian Law - which were never fully implemented by the Serbian government and regional authorities in the first place, and which has not been adhered to for the last 10 years; are both counter-productive and unacceptable; and that in no way it will solve the problem of abandoned animals whilst killing thousands of healthy animals so 'humanely'.

Any process, such as the way positively forward should include representatives of civil society from the beginning, as enforced by the "Guidelines for the involvement of civil society in the process of adopting regulations" allegedly adopted by the Government of the Republic of Serbia on 26 August 2014. Why are they not enforcing the rule of Serbian law ?

If these proposed government only policy amendments do get accepted; it would allow dog catchers to kill all dogs that have no individual owner within 15 days of catching them. This will include all dogs and cats in PRIVATE shelters, even those who have been offered homes. This legislation being proposed is a complete and utter farce.

We, along with many others within the animal welfare movement, believe the Government of Serbia is using these proposed amendments to literally try and quickly 'clean-up' the streets of Serbia to make them look more favorable as candidates for EU membership.

To suit their own benefit, they (the government) keep conveniently forgetting that they have other globally proven methods of actually successful stray animal population management that is NOT detrimental to animals. The government will not take any advice from those that know better than them – animal welfare organisations – we wonder why ? – is money the root of all evil in this case ?.

What could be the reasons for more and quicker killing times you might ask yourselves – well the obvious reason for this newly proposed '**kill policy**' being presented by the government is because dogcatchers, local government officials, veterinarians and many politicians, all currently take money from the public purse by being involved with an animal killing strategy.

They do not want to enter into anything that will gradually and effectively reduce stray animal numbers over time. This proposed (and big money making) amendment is yet a further, long term future guarantee of additional income for them that will continue to take money; putting it higher up the pyramid than ensuring effective animal welfare and a strategy plan that effectively deals with strays.

Existing EU citizens do not want this kind of mafia government in the EU. The EU Enlargement Commission should be representing the people of the EU, ie. those who are financially supporting Serbia via their taxes being paid (nationally) into the EU club. But the EU Enlargement Commission; through its lack of information to welfare groups; combined with its failing to address the animal welfare requirements of existing and concerned EU citizens; makes it seem as if the whole system is very biased in one direction – to get Serbia into the EU come what may ! .

**Letters and supportive information to the EU Enlargement Commission
– and the complete lack of response to date.**

Link - <http://serbiananimalsvoice.com/2015/04/09/9415-the-eu-enlargement-commission-appears-to-be-failing-serbian-animals-we-have-still-had-no-response-to-our-letter-of-february-according-to-the-commission-today-so-now-we-respond-by-askin/>

- **19 February** 2015 - Keith Taylor – MEP for South East England, writes to Commissioner Hahn at EU Enlargement Commission re concerns regarding abuse of animals in Serbia – a copy of the letter is as follows-
<https://serbiananimalsvoice.files.wordpress.com/2015/02/letter-to-commissioner-hahn-serbia-and-bosnia-stray-animal-welfare-19-feb-2015-1.pdf>

Keith was provided subsequently with a written response to his letter which can be viewed via the following link:

https://serbiananimalsvoice.files.wordpress.com/2015/04/stray-dogs-in-serbia-and-bosnia-and-herzegovina_response-from-commission_20-03-2015.pdf

- **22 February** 2015 – SAV (Mark Johnson) does follow up letter to Commissioner Hahn regarding and supporting that original from Keith of 19th, again expressing current concerns regarding Serbian animal 'welfare'. Copy of letter -
<https://serbiananimalsvoice.files.wordpress.com/2015/02/commissioner-hahn-sav-post-version.doc>

- Many video links are included in this letter from SAV on the 22nd; a few of which are copied here below; regarding issues on which the Serbian government and police have taken NO action; despite the clear evidence and information provided. The Serbian government and police are NOT enforcing the (Serbian) rule of law.

https://www.youtube.com/watch?v=OmAljUem_8g
<https://www.youtube.com/watch?v=wAPAzp8E6S0>
<https://www.youtube.com/watch?v=WCIFzA-mK4o>
<https://www.youtube.com/watch?v=mE9l-cm64hU>

Questions which should be addressed by the Serbian government and the EU Enlargement Commission

- So the following question has to be asked of the Serbian government / authorities:

Why are the above animal abuses (the 4 youtube video links given above) still not being addressed by the Serbian government and police ? – all the links to people and their names are provided – why are things not happening ?

As of 2/10/2005; some TEN (10) earlier, the Constitutional Court of Serbia says the **killing of stray dogs and cats in Serbia is forbidden from 02/10/2005**.

Unfortunately, the Serbian government appears to be doing nothing to address the resolutions expressed by the Constitutional Court in 2005; or making any attempt to investigate and take action on those who promote animal suffering as per the above videos, for example. We repeat, the Serbian government is NOT enforcing the Serbian rule of law. It appears happy to take very large sums of money from the EU w at the same time NOT enforcing the 'rules of law' which are very much promoted and said to be 'a fundamental requirement of the EU Enlargement Commission for Serbia and any other nation seeking EU Accession !!

Constitutional Court link - <http://serbiananimalsvoice.com/2010/01/25/serbia-constitutional-court-of-serbia-says-that-the-killing-of-stray-dogs-and-cats-in-serbia-is-forbidden-from-02102005/>

Questions in the SAV letter of 22nd February asked of EU Enlargement Commission / Commissioner Hanh, as to why:

- the EU is investing millions of Euros into pre – accession funding for Serbia – for example – €208.3 million for the year 2013 alone; and yet very little appears to be being done for animal welfare within Serbia using all this money and despite a Serbian (Constitutional) court ruling in favor of animals made some 10 (ten) years ago which is still being ignored

Source: http://ec.europa.eu/enlargement/instruments/funding-by-country/serbia/index_en.htm

- Does the existing EU citizen not have any say in how all 'their' money (taxes) are being spent by EU Enlargement Commission / Commissioner Hahn with regard to alleged 'improvements' in Serbia ?
- What exactly are the 'improvements' that we are supposed to be witnessing in Serbia for the stray animals of Serbia as a result of all this EU funding to the Serbian government ?

EU Document – Reference - INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II)

This details where, and on what, the EU money provided to (pre-accession) Serbia should be spent:

http://ec.europa.eu/enlargement/pdf/key_documents/2014/20140919-csp-serbia.pdf

It includes the statements:

“8.2. Objectives, results, actions and indicators

The objective of EU assistance is to support gradual alignment of the Serbian agricultural policy with the (EU) Common Agricultural Policy (CAP),.

*The expected **results** are the following:*

*Veterinary and phytosanitary services and controls **are implemented in line with the EU requirements**; and,*

- **Animal health is improved**

So we ask the simple question once again - why is the issue of stray (Serbian) animal welfare being ignored by both the EU Enlargement Commission and also the Serbian government when animal health is supposed to be ‘improved’ ? – is a proposal to quicken animal killing times as being presented by the government of Serbia a situation where animal health is being improved ! – maybe someone can inform us where we have misinterpreted what is meant in this statement within the EU documentation ?

Do the Serbian government insist that ‘improved’ (animal health) actually means ‘killed’ as per their new proposals currently being put forward by them ?

Is the EU Enlargement Commission going to come out of what appears to be animal welfare hibernation and actually raise concerns with the Serbian government about what the EU says in its own document and what is actually being proposed for improvements to animal health by killing them all ?

In reality - the Serbian Constitutional Court establishes a national (Serbian) ‘rule of law’ protecting stray animals 10 years ago back in 2005; and now the EU is currently pumping endless millions of Euros into Serbia to ensure the much needed EU pre-accession requirement of new member states seeking membership is nothing but the application of ‘the rule of law’, when it is blatantly clear to all (except the EU Commission possibly) that Serbia is completely ignoring the requirements of the ‘rules of law’ in its EU accession when related to animal welfare improvements.

- For SAV, this is further supported by the fact that:

No response has ever been provided to SAV by the EU Enlargement Commission regarding the SAV letter of 22nd February which is referenced earlier. By 9th April 2015, Brussels was contacted by telephone by MJ (SAV) to ask if response to the SAV letter of 22nd February is ever going to be supplied by the Enlargement Commission. He is verbally informed that it is being prepared and will be sent shortly.

By 21st April, there is still no response in any format supplied directly to SAV. Hence as of 21st April; another phone call is made to EU Enlargement Commission (Emma Udwin - emma.udwin@ec.europa.eu+32 (0) 2 29 59577) to ask what is happening; if anything. She verbally informs SAV that ‘Serbia’ is responsibility of Kyriacos Charalambous – a member of the EU Enlargement cabinet; who to date has never taken any of the many attempted phone calls made to him re Serbian animal welfare. kyriacos.charalambous@ec.europa.eu+32 (0) 2 29 97712

Whilst on the phone to SAV on 21/4; Emma Udwin sends e mail to Kyriacos Charalambous to ask him to telephone SAV and inform 'what is going on'. Confirmed by SAV as the mail was dictated on the telephone; although any such e mail not seen or copied to SAV as a consequence. By end of 21/4; SAV had still not been contacted.

From the experiences of SAV with the EU Enlargement Commission to date, it would appear that those at the EU Enlargement Commission regard themselves much higher above the 'normal' EU citizen who is providing all the EU pre-accession funding to Serbia. This was very apparent with the way in which SAV were dealt with during their phone call of 21st April. Despite supposedly working for us, the existing EU citizen; the Commission does not seem able to provide responses to letters asking them to justify their actions or inactions. They certainly never provide updates to anyone (the normal EU man – NGO's); of what is going on. It appears to be a very closed 'cash cow' loop with one and one only eventual aim – to get Serbia into the EU regardless of evidence to the contrary being provided by NGO's; and also regardless of the cost to the EU citizen who is CURRENTLY funding the entire process and thus really should have a right to an answer !!.

EU citizens deserve answers from 'their' EU Commissions, and they deserve them now despite the catastrophic failures of the EU Enlargement Commission regarding Serbian animal welfare issues for Serbian strays.

If there is one thing that the EU should have learned about from the fairly recent past; then it is regarding Romania and what their ignorance of stray animal welfare by the EU has done there to drag itself into the gutter. Many EU citizens now consider the un-elected EU Commissions with utter contempt because they only do what they want – they say one thing on the 'europa' web site, whilst turning blind eyes to such 'essential' EU membership requirements as applying 'the rule of law'; which it is claimed is a fundamental requirement. If it is being done, why has Serbia NOT acted to enforce the pro-animal legislation of its own Constitutional Court for the LAST 10 YEARS ? – somebody, somewhere, answer us and explain what we misunderstand, please !!

WHY IS THE EU ENLARGEMENT COMMISSION NOT MAKING A REAL ISSUE OF SERBIAN ANIMAL WELFARE LAWS (especially for stray animals) AND ENSURING THE SERBIAN GOVERNMENT ACTUALLY ENFORCES THE 'RULE OF LAW' as supposedly required so much by the EU for future member states ?

- And why does the EU Enlargement Commission simply ignore its own EU citizens who ask them to justify their actions / inactions, yet whilst expecting them to pump endless amounts of EU cash into Serbia ?

As we have made clear in our post:

<http://serbiananimalsvoice.com/2015/04/09/9415-the-eu-enlargement-commission-appears-to-be-failing-serbian-animals-we-have-still-had-no-response-to-our-letter-of-february-according-to-the-commission-today-so-now-we-respond-by-askin/>

Does the Serbian government and EU Enlargement Commission actually know the law ? – with their failures relating to the Constitutional Court; it would appear not.

<http://serbiananimalsvoice.com/2015/04/01/serbia-campaigners-know-the-law-it-seems-the-serbian-government-regional-authorities-and-possibly-eu-enlargement-commission-dont-why/>

Conclusion

Serbia will most probably be allowed to join the EU despite the EU Enlargement Commission not taking the hard stance it should be taking with the Serbian government regarding stray animal welfare controls and management. One therefore has to ask - Does the EU dog wag the Serbian tail; or the tail wag the dog one has to ask ?

Guaranteed and one very much to remember and quote to the EU for the future - Serbia will become 'Romania 2' when it is allowed to join the EU without taking positive action for animals; which should include a stray animal 'no kill' management policy. That is probably the only thing that can be guaranteed regarding current EU Enlargement / Serbian government policy for animal 'welfare'. Thus the Serbian tail probably wags the EU dog.

Where is the 'welfare' in Serbian animal 'welfare' ? – and where is the EU Enlargement Commission that the good EU citizen is supposed to have faith in to ensure / guarantee that all the EU standards and requirements are being met ! ? !

Other links and petitions re Serbian animal issues

- **Petition** - Serbia is currently undertaking the process of applying for EU membership (called 'accession'). Existing animal welfare legislation in Serbia is good, but in the vast majority of cases it is not regularly / ever being enforced by:

- Serbian government, regional authorities or the national police.

By the EU Commission's own admission; 'there is legislation in place (Serbian Animal Welfare Laws), but this is not fully implemented'.

By not implementing its own existing national laws; which include those relating to animal welfare; Serbia is NOT upholding a fundamental principle required by any nation to gain EU accession; which include:

- ensuring the implementation of all the nation's own "Rules of Law" national legislations
- "paying full regard to the welfare requirements of animals" in accordance with the key principles required for all EU member states as defined in Article 13 of the EU Lisbon Treaty (TFEU).

Serbia is currently failing in this and its own national animal welfare legislations. As a consequence, it should NOT currently be considered for EU accession until it fully implements and proves to the EU Commissions, EU animal welfare NGO's and the EU Animal Welfare Intergroup / Eurogroup, that it IS actually fully implementing ALL existing Serbian animal welfare legislations. It is not time for the government to change the rules to their advantage when they cannot even enforce the rules which were set some 10 years ago in Serbia !!

EU Commissioner J. Hahn is allegedly responsible for EU Enlargement Negotiations which at this current time include Serbian accession. Within his responsibilities, he must ensure that a PRE- EU membership Serbia enforces the rules of law. Currently it does not.:

<http://www.thepetitionsite.com/758/710/260/serbia-must-fully-enforce-its-own-national-animal-welfare-legislation-prior-to-membership-of-the-eu/>

- **Petition** - After examining the working version of the Amendment of the Animal Welfare Act of the Republic of Serbia, it introduced the concept of "quarantine for a lost and abandoned animals," which lasts 15 days, after which the animals can be "killed humanely." We want a solution to the problem of abandoned animals in a humane and sustainable manner.

https://www.change.org/p/ministarstvo-poljoprivrede-i-za%C5%A1tite-%C5%BEivotine-sredine-republike-srbije-protiv-izmena-zakona-o-dobrobiti-%C5%BEivotinja-u-delu-o-napu%C5%A1tenim-%C5%BEivotinjama?recruiter=31203990&utm_source=share_petition&utm_medium=facebook&utm_campaign=autopublish&utm_term=des-lg-share_petition-no_msg&fb_ref=Default

- **Petition** - 4/3/15 – Where have all the Svilajnac City dogs gone ?

https://www.change.org/p/mayor-of-svilajnac-predrag-milanovic-predsednik-svilajnac-rs-stoppt-die-hundef%C3%A4nger-stop-dog-catcher?recruiter=7882471&utm_source=share_petition&utm_medium=facebook&utm_campaign=share_facebook_responsive&utm_term=des-lg-no_src-no_msg

- **Petition** – I invite all who are against euthanasia and animal cruelty to be involved in this action and support this petition in order to prevent violence against animals because of animal cruelty is often an indicator of violence towards people, psychologists think. Anyone who abuses animals, abusers and people so it is important to exclude any form of violence in society to the violence that often ends in death minimize the society. Applying your comment and we want to be the President of the Republic of Serbia to the attention of all of us as citizens of the Republic of Serbia, because we all have the right to protect and defend our order and animal rights and what guarantees us the Constitution of the Republic of Serbia.

<http://serbiananimalsvoice.com/2015/02/23/serbia-petition-i-invite-all-who-are-against-euthanasia-and-animal-cruelty/>

- Keith Taylor MEP (for SE England) who has now helped us as always by writing to the current EU Commissioner Johannes Hahn, the top man who is responsible for the enlargement of the EU by application (accession) nations, such as Serbia.

In his letter, Keith has helped us by generally dealing with the issue of the terrible treatment of strays in both Serbia and Bosnia – Herzegovina.

As we have pointed out several times on our posts in the past, Keith has again backed us and stated that as EU Accession countries, both Serbia and B-H **are NOT currently upholding the EU principle of the rule of law**, as well as the need that accession countries are required to fully implement EU laws into their national laws as a requirement of membership.

<http://serbiananimalsvoice.com/2015/02/19/england-serbia-vice-president-of-the-eu-animal-welfare-intergroup-writes-to-eu-enlargement-commissioner-regarding-sav-concerns-about-the-non-implementation-of-animal-welfare-legislation-in-both-se/>

<http://serbiananimalsvoice.com/2015/01/28/england-serbia-28115-update-news-on-serbian-animal-fighting-videos-sav-work-with-mep-to-inform-enlargement-commissioner-of-failures-in-the-rule-of-law-enforcement/>

Note – the following videos may be removed at source, but hard copies have already been taken and are now being held as evidence where required. We call on the Serbian government and police to actually take some positive action concerning these.

https://www.youtube.com/watch?v=OmAljUem_8g

<https://www.youtube.com/watch?v=cuuozxWKyzk>

<https://www.youtube.com/watch?v=wAPAZp8E6S0>

<https://www.youtube.com/watch?v=WCIFzA-mK4o>

<https://www.youtube.com/watch?v=mE9l-cm64hU>

<https://www.youtube.com/watch?v=WCIFzA-mK4o>

https://www.youtube.com/watch?v=OmAljUem_8g

<https://www.youtube.com/watch?v=KnAATwQL7OM>

<https://www.youtube.com/watch?v=cuuozxWKyzk>

<https://www.youtube.com/watch?v=udH12guL5IM>

<https://www.youtube.com/watch?v=t6MfVXA0t3I>

<https://www.youtube.com/watch?v=diiJvVTdPP0>

<https://www.youtube.com/watch?v=NO9wtBaSqm4>

https://www.youtube.com/watch?v=zovhCkxO_80

And so, as far as we are concerned as an EU animal welfare NGO, **Serbia is NOT enforcing its own rules of law**. We see the EU Enlargement Commission making it clear that it has responsibilities for ensuring that new member states **DO** uphold the rule of law; whilst we, a simple EU animal welfare NGO, continue yet again to provide the clear evidence to everyone at the EU Enlargement regarding animal abuse and cruelty within Serbia; for which very little seems to be happening as a result !

Mark Johnson
Founder SAV – Kent England (UK / EU)

21st April 2015.