

Questionnaire

Country: Croatia
The Country is: EU Member State by 1 July 2013
Author of the Questionnaire: Vier Pfofen, Mag. Lamija Muzurovic
Note: –

Question	Article	Note
I. DATA AND DOCUMENTS		
What is the number of companion animals and/or stray animals in your country? Do you have any other data (e. g. rate of companion animals per inhabitant)?	–	Not known.
Does the country have a specific animal welfare legislation?	–	<ul style="list-style-type: none"> - Veterinary Law, NN 41/07 - Animal Protection Act, 135/2006 - Bylaw on Conditions which Asylums for Animals and Hygienic Services Must Comply With, NN 110/2004 - Bylaw on Dog Identification, NN 162/03, 114/04 i 26/05 - Bylaw on Dangerous Dogs, NN 117/08 - Bylaw on Veterinary Requirements for Non-commercial Movement of Pets, NN 72/07 - Bylaw on Dog Breeding intended for Sale, NN 56/09 - Bylaw on Passport for Pets, NN 72/07 - - Bylaw on Veterinary Health Requirements that Must Be Fulfilled for Non-commercial Movement of Pets, NN 72/07
Which other laws and ordinances refer to animal welfare?	–	<ul style="list-style-type: none"> - Decision on keeping of companion animals and dealing with abandoned and lost animals, City of Zagreb, 2008 - o Decision on Conditions and Modalities on Keeping Dogs and Cats, and Handling Unregistered Dogs, Lost and Abandoned Animals, City of Bjelovar, 2010
Are there any specific regulations concerning dogs/cats within the law?	–	See above.

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II. GOVERNANCE

BASIC ETHICAL CONCEPT IN THE POLITICAL SYSTEM

What is the basic ethical concept in your political system concerning animal welfare?	–	Not known.
Is the animal welfare act based on animal welfare as the principle value of the legislation?	–	No.
Do animals have a right to life?	Art. 1	Yes, but only for live vertebrate animals. All others are excluded by Art. 2 AWA.
Which reasonable causes have to be met for an official permission to kill a healthy animal?	Art. 9	An animal may be humanely killed when: 1. medical treatment of the animal is likely to be long lasting and cause suffering, and the outcome of the treatment is uncertain, 2. the animal has reached an advanced age and its vital functions are failing, 3. the animal is suffering from an incurable disease, 4. such procedure is necessary because of the implementation of disease control measures in accordance with the veterinary legislation, in particular for those diseases that can threaten humans or cause great economic damage, 5. the animal constitutes a danger to the community, 6. the time period referred to in Article 57, paragraph 4 has elapsed, and in the case referred to in Article 55, paragraph 5 and Article 65, paragraph 2 of this Act, 7. it is done for the purpose of pest control, 8. the animal kept or bred for production purposes is sick or injured, and slaughter or humane killing under the veterinarian's supervision is not possible, 9. it is necessary for the purpose of performing an experiment on the animal or producing biological preparations or after the completion of the experiment or after using the animal for the production of biological preparations.

CONSTITUTION

Is animal welfare part of the constitution?	–	No.
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ANIMAL WELFARE IN PARLIAMENT

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Is there an animal welfare committee in the parliament?	–	The Committee establishes policies and monitors their implementation. It enacts legislation and other regulations. Its rights and duties fall within matters pertaining to agriculture, sea and freshwater fishing, mariculture, veterinary medicine, village, rural communities and rural development.
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ANIMAL WELFARE IN GOVERNMENT

Are there any official animal welfare bodies in the government? (e. g. Ombudsman, Commissioner)	–	No.
Which ministry/ministries is/are responsible for animal welfare?	–	Ministry of Agriculture, Fisheries and Rural Development.

ANIMAL WELFARE IN AUTHORITIES

How is the status of competent authorities for animal welfare legislation and are they/is it linked to a ministry and which ministry is it?	–	Not known.
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ANIMAL WELFARE STRATEGY, BIRTH CONTROL AND SCHOOL PROGRAMMES

Does the country have a national animal welfare strategy?	–	No.
Is there an obligation for the government to do and publish an annual or biannual animal welfare report?	–	Yes, annual.
Are there legal or administrative measures which provide birth control of animals?	–	Only for dogs.
Are there (mandatory) school programmes on animal welfare?	Art. 58	The competent state administration bodies and bodies of local and regional self-government units have an obligation to raise the awareness of the public, in particular of young people, about the protection of animals.

III. DOGS/CATS IN LEGISLATION

DEFINITIONS

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Does the law or another enactment include a definition of animals as “sentient beings”?	–	No.
Are animals defined as goods (object/chattel)?	–	Animals are perceived as things within the Croatian Civil Obligation Act.
Does the law include definitions of companion animals, abandoned animals and/or stray animals?	Art. 3	For the purposes of this Act, the following terms shall have the following meanings: (...) 9. Companion animal - any animal kept by man for companionship, protection, assistance or interest.
<i>ETHICAL CONSIDERATION IN THE LEGISLATION</i>		
Can an animal be treated like an asset (e. g. in insolvency, confiscation, divorce, separation)? May an animal be used as an evidence in a court procedure?	–	Not mentioned.
Is winning of a bet or any other gain from an action which causes pain and/or suffering of an animal punishable?	Torturing Animals, Art. 260, para 2	Whoever commits the criminal offense (...)so as to win a bet or otherwise procure a pecuniary gainshall be punished by a fine or by imprisonment not exceeding one year.
May an animal be obtained as a prize?	Art. 4	It is prohibited to give animals as a prize in games of chance.
<i>IDENTIFICATION AND REGISTRATION</i>		
Is identification and registration of animals mandatory and where are they registered and what is registered? What about costs?	–	Compulsory chipping since 1 October 2003.
<i>BREEDING</i>		
Are there any clauses on breeders and is there a national register for breeders?	Art. 49	Yes. And there is a register made by the competent authorities.

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Does the law proscribe the minimum care obligations for animals at breeders?	–	<p>Art. 5 (1) The owner of an animal must not (...) abandon a domestic animal, companion animal or raised wild animal or other animal kept under his control</p> <p>Art. 6 Any person who injures an animal must render assistance to the animal as may be necessary and if he/she is not able to do it himself/herself he/she must arrange for assistance to be provided.</p> <p>Art. 7 All surgical or zootechnical interventions on animals, with the exception of those referred to in Article 8, paragraph 5 of this Act, must be carried out using anaesthesia, in compliance with the provisions of the veterinary legislation and the rules of the profession.</p> <p>Art. 10 The owner of an animal that suffers from severe and incurable pain must, without delay, have the animal humanely killed.</p>
Is breeding of defects punishable?	–	Yes.
Does the law provide for limitations on animals mutilations? (e. g. tail docking, ear cropping, devocalization, declawing, obligation to use anaesthesia.)	Art. 8	(1) The partial or total amputation of a sensitive part of the body of an animal shall be prohibited, including: (...) 2. ear cropping and tail docking in dogs, declawing of cats, devocalisation and other interventions aimed at changing the phenotypic appearance of the animal.
TRANSPORT, TRAVEL, SELL OF CATS (TRADE)		
Is withholding of food and/or water from the animal(s) during a long transport punishable?	Regulation on Conditions and modalities of transportation of animals, Art. 12, para 1 para 2, Art. 25, para 1	<p>Art. 12 (1) Upon confirmation that serious and/or several infringements of provisions of the regulation have been committed during import to or transfer through territory of the Republic of Croatia by an operator, he/she will be suspended from transporting animals at and through the territory of the Republic of Croatia. (2) If confirmed that during import in or transfer through territory of the Republic of Croatia an operator has not complied with provisions of the regulation, a competent authority must inform the state, which had issued a license to the operator, about the committed infringement.</p> <p>Art. 25 (1) Penal provisions, which are applied when acting contrary to provision of this regulation, are designated by the Animal Welfare Act. A competent body must ensure that fines, which have been imposed upon non-appliance of provisions of the regulation, are efficient, proportionate and preventive.</p>

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Must a companion animal be quarantined upon arriving in your country?	–	No.
Is it allowed to sell dogs/cats at a pet shop?	–	Yes.
Is there a ban on markets, shows, exhibitions or other events where one can buy an animal?	Art. 53-54	The Minister shall prescribe the requirements for the keeping and use of animals in circus performances, shows involving animals and animal exhibitions, as well as the training requirements for staff taking care of animals. Animals may be used in film and television productions and in animal exhibitions and competitions provided such use is notified to the competent authority.
Is there an age-limit for children to buy an animal?	Art. 48	The sale of companion animals to underage persons is prohibited.
KEEPING AND LIMITS OF KEEPING		
Does the law proscribe the minimum care obligations for animals at keepers?	–	<p>Art. 5 (1) The owner of an animal must not (...) abandon a domestic animal, companion animal or raised wild animal or other animal kept under his control</p> <p>Art. 6 Any person who injures an animal must render assistance to the animal as may be necessary and if he/she is not able to do it himself/herself he/she must arrange for assistance to be provided.</p> <p>Art. 7 All surgical or zootechnical interventions on animals, with the exception of those referred to in Article 8, paragraph 5 of this Act, must be carried out using anaesthesia, in compliance with the provisions of the veterinary legislation and the rules of the profession.</p> <p>Art. 10 The owner of an animal that suffers from severe and incurable pain must, without delay, have the animal humanely killed.</p>
Is there a special regulation which rules keeping of companion animals?	Art. 48	Companion animals must be kept in conditions appropriate to their needs. It is prohibited to keep and handle a companion animal, or allow it to move, in a way that poses a risk to the health and safety of other animals and people, in particular children.
May a landlord forbid a renter to keep an animal?	–	Not known.

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May neighbours file complain against an owner, e. g. if he/she dies not inhibit his/her animal from (ceaseless) noises?	–	Yes, according to Civil Law.

KILLING

Which reasonable causes have to be met for an official permission to kill a healthy animal (also to get products of animal origin, e. g. for animal testing purposes or food supply)?	Art. 9	An animal may be humanely killed when: 1. medical treatment of the animal is likely to be long lasting and cause suffering, and the outcome of the treatment is uncertain, 2. the animal has reached an advanced age and its vital functions are failing, 3. the animal is suffering from an incurable disease, 4. such procedure is necessary because of the implementation of disease control measures in accordance with the veterinary legislation, in particular for those diseases that can threaten humans or cause great economic damage, 5. the animal constitutes a danger to the community, 6. the time period referred to in Article 57, paragraph 4 has elapsed, and in the case referred to in Article 55, paragraph 5 and Article 65, paragraph 2 of this Act, 7. it is done for the purpose of pest control, 8. the animal kept or bred for production purposes is sick or injured, and slaughter or humane killing under the veterinarian’s supervision is not possible, 9. it is necessary for the purpose of performing an experiment on the animal or producing biological preparations or after the completion of the experiment or after using the animal for the production of biological preparations.
Can animals be kept in shelters indefinitely? If not, is there specific time frame (for a vet) to kill an animal kept in a shelter?	Art. 57	Length to keep animals in shelters may vary among local communities, as well as whether killing of animals is foreseen at all in legislation at the local level.

ABUSE OF ANIMALS

Does the law address cruelty to animals? If so, does it provide for sanctions?	Art. 4 AWA, Art. 66 Penal Code	If at all, fines are never applied to the full extent.
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Is sexual abuse of animals punishable?	CC, Torturing Animals, Art. 260, para 1	Whoever severely maltreats an animal or exposes it to unnecessary sufferance or causes it unnecessary pain or exposes it to suffering by giving vent to base instincts ... shall be punished by a fine of up to one hundred and fifty daily incomes or by imprisonment not exceeding six months.
Is maltreatment and/or suffering of animals perceived as a criminal offense? If so, what sanctions are foreseen?	CC, Torturing Animals, Art. 260, para 1	Whoever severely maltreats an animal or exposes it to unnecessary sufferance or causes it unnecessary pain or exposes it to suffering by giving vent to base instincts ... shall be punished by a fine of up to one hundred and fifty daily incomes or by imprisonment not exceeding six months.
<i>UN-OWEND ANIMALS, SHELTERS, ABANDONED ANIMALS</i>		
Are there regulations on lost/found animals?	Art. 56	No. Animal Protection Act provisions are applied.
Who is owner of an abandoned animal?	Art. 56	If an animal shelter is not established in accordance with paragraph 1 of this Article [by a natural or legal person], its establishment and operation shall be financed by one or more units of local or regional self-government in accordance with their needs, or the City of Zagreb. The activities of collecting abandoned and lost animals shall be financed by units of local self-government.
May a private person establish an animal shelter?	Art. 56	An animal shelter may be established by a natural or legal person.
Can animals be kept in shelters indefinitely? If not, is there specific time frame (for a vet) to kill an animal kept in a shelter?	Art. 57	Length to keep animals in shelters may vary among local communities, as well as whether killing of animals is foreseen at all in legislation at the local level.
Is local community financing activities of collecting of abandoned and lost animals?	Art. 56	The activities of collecting abandoned and lost animals shall be financed by units of local self-government.
Must a finder of a stray and/or abandoned animal report the finding to a competent authority?	Art. 55	A person finding an abandoned or lost animal is obliged to inform thereof an animal shelter.
Are there possibilities to adopt an abandoned animal?	Art. 57	Yes.

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Are there legal or administrative measures which provide birth control of stray animals?	–	The Ministry of Agriculture, Fisheries and Rural Development has published “Stray-dog Population Control Program in the Republic of Croatia” in March 2010
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VETERINARIANS

Is negligence (of a vet or a veterinary assistant) punishable?	Veterinary Malpractice, Art. 257, para 2	The veterinarian or veterinary assistant who commits the criminal offense referred to in paragraph 1 of this Article by negligenceshall be punished by a fine of up to one hundred and fifty daily incomes or by imprisonment not exceeding six months.
Does the law provide for limitations on animals mutilations? (e. g. tail docking, ear cropping, devocalization, declawing, obligation to use anaesthesia.)	Art. 8	(1) The partial or total amputation of a sensitive part of the body of an animal shall be prohibited, including: (...) 2. ear cropping and tail docking in dogs, declawing of cats, devocalisation and other interventions aimed at changing the phenotypic appearance of the animal.
Which reasonable causes have to be met for an official permission to kill a healthy animal by a veterinarian?	Art. 9	An animal may be humanely killed when: 1. medical treatment of the animal is likely to be long lasting and cause suffering, and the outcome of the treatment is uncertain, 2. the animal has reached an advanced age and its vital functions are failing, 3. the animal is suffering from an incurable disease, 4. such procedure is necessary because of the implementation of disease control measures in accordance with the veterinary legislation, in particular for those diseases that can threaten humans or cause great economic damage, 5. the animal constitutes a danger to the community, 6. the time period referred to in Article 57, paragraph 4 has elapsed, and in the case referred to in Article 55, paragraph 5 and Article 65, paragraph 2 of this Act, 7. it is done for the purpose of pest control, 8. the animal kept or bred for production purposes is sick or injured, and slaughter or humane killing under the veterinarian’s supervision is not possible, 9. it is necessary for the purpose of performing an experiment on the animal or producing biological preparations or after the completion of the experiment or after using the animal for the production of biological preparations.

POLICY OF BIRTH CONTROL FOR OWNED AND UN-OWNED ANIMALS

Are there legal or administrative measures which provide birth control of animals?	–	Only for dogs.
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IV. ENFORCEMENT

List of case studies and / or relevant court decisions.	–	Not known.
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V. PRACTICAL INFORMATION

List of veterinary organisations in your country.	–	Hrvatska Veterinarska Komora (Croatian Veterinary Chamber) Planinska 2b, 10000 Zagreb, Croatia
List of animal welfare organisations in your country.	–	Animal Friends Croatia

(29th May 2013)