

Questionnaire

Country: Serbia
The Country is: not EU Member State, but possible Candidate State
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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)?	–	There are no official numbers of stray cats in Serbia.
Does the country have a specific animal welfare legislation?	Službeni glasnik RS, No. 41/09	Serbia has adopted the first Animal Welfare Law in 2009 (Službeni glasnik RS, 41/09), which comprehensively regulates animal welfare, rights, obligations and responsibilities of legal and natural persons, handling and protection of animals from abuse, animal welfare requirements applicable to keeping, breeding, training, transportation and killing of, trade and experiments on animals as well as other issues of importance to the protection of animal welfare – foundation and work of boarding kennels for companion animals, shelters for stray animals, pet shops, breeding establishments, zoos.
Which other laws and ordinances refer to animal welfare?	–	See above.
Are there any specific regulations concerning dogs/cats within the law?	–	In regards to specific legislation on dogs, based on this Law, subsidiary legislation about the way of keeping dogs which may pose danger to their environment has been adopted. Until July 2011, the Ministry of Agriculture has to adopt subsidiary legislation which is related to animal welfare conditions in shelters, pet shops, boarding kennels and breeding establishments, as well as catching, transport and providing shelter to abandoned animals.

II. GOVERNANCE

BASIC ETHICAL CONCEPT IN THE POLITICAL SYSTEM

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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?	Veterinary Law Art. 1	Yes. The Veterinary Law is based on animal welfare as its principal value, which is stated at the beginning of the Law within Article 1.
Do animals have a right to life?	–	Not known.
Which reasonable causes have to be met for an official permission to kill a healthy animal?	–	Cannot said exactly but it is obvious that a healthy dog/cat cannot be killed without any justifying causes.
CONSTITUTION		
Is animal welfare part of the constitution?	–	No.
ANIMAL WELFARE IN PARLIAMENT		
Is there an animal welfare committee in the parliament?	–	No.
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, Forestry and Water Management (Ministarstvo poljoprivrede, šumarstva i vodoprivrede)
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.
ANIMAL WELFARE STRATEGY, BIRTH CONTROL AND SCHOOL PROGRAMMES		
Does the country have a national animal welfare strategy?	–	Yes.

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Is there an obligation for the government to do and publish an annual or biannual animal welfare report?	–	Not known.
Are there legal or administrative measures which provide birth control of animals?	III Specific Animal Welfare, Article 55., Paragraph 3	Article 55 legislates general obligation of the owner to prevent birth of unwanted pet animals.
Are there (mandatory) school programmes on animal welfare?	Education Law, Article 4 Animal Welfare Law Article 3	Animal welfare has been integrated in the official education programmes for Nature education for III, IV and VI grade of elementary school, and biology for VI and VII grade of elementary school. Furthermore, it has become one of the official standards for the first education cycle (I-IV grade of elementary school), creating opportunities for further integration of animal welfare in official education programmes and textbooks.

III. DOGS/CATS IN LEGISLATION

DEFINITIONS

Does the law or another enactment include a definition of animals as “sentient beings”?	Article 2., Article 4, Paragraph 1, Point 1	Yes.
Are animals defined as goods (object/chattel)?	–	Animals are perceived as things in Serbian legislation - the fact which directly or indirectly derives from a number of regulations.
Does the law include definitions of companion animals, abandoned animals and/or stray animals?	Article 5 Paragraph 1 Point 26	Law on Confirmation European Convention on Protection of Pet Animals also includes a definition of pet animals: Chapter I General provisions, Article 1, Definitions: 1. By pet animal is meant any animal kept or intended to be kept by man in particular in his household for private enjoyment and companionship http://www.minpolj.gov.rs/postavljen/123/kucni%20ljubimci.pdf

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ETHICAL CONSIDERATION IN THE LEGISLATION

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?	–	Rules which are applied to mobile objects in this particular situation can be applied to animals as well.
Is winning of a bet or any other gain from an action which causes pain and/or suffering of an animal punishable?	Criminal Code Article 269 Paragraph 3	Yes.
May an animal be obtained as a prize?	Article 7 Paragraph 1 Points	No.

IDENTIFICATION AND REGISTRATION

Is identification and registration of animals mandatory and where are they registered and what is registered? What about costs?	Animal Welfare Law Article 55 Paragraph 1 Veterinary Law Article 6 Paragraph 1 Point 12	Yes.
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BREEDING

Are there any clauses on breeders and is there a national register for breeders?	Article 59	According to the Article 59 of the Animal Welfare Law, the subsidiary legislation on the breeding establishments should be adopted until July 2011 by the Ministry.
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Does the law proscribe the minimum care obligations for animals at breeders?	Article 5., Paragraph 1., Point 35., Article 6	Yes.
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.)	Article 14., Paragraph 1 Point 1)-3), 7) and 13) Paragraph 2 Article 13 Paragraph 3, 4 and 6	Yes.
Which reasonable causes have to be met for an official permission to kill a healthy animal by a breeder?	–	Cannot said exactly but it is obvious that a healthy dog/cat cannot be killed without any justifying causes.
<i>TRANSPORT, TRAVEL, SELL OF CATS (TRADE)</i>		
Is withholding of food and/or water from the animal(s) during a long transport punishable?	Article 25	Yes.
Must a companion animal be quarantined upon arriving in your country?	–	No. Companion animals must be registered and have a passport that has been issued by an authorized veterinarian, in accordance to this Law.
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?	Article 59., Paragraph 1	According to the Article 59 of the Animal Welfare Law, dogs can be sold only in breeding establishment.
Is there an age-limit for children to buy an animal?	Article 19	Yes, 18 years.

KEEPING AND LIMITS OF KEEPING

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Does the law proscribe the minimum care obligations for animals at keepers?	Article 5., Paragraph 1., Point 35., Article 6	Yes.
Is there a special regulation which rules keeping of companion animals?	–	More information on animal care and responsible pet ownership public campaigns and activities can be found at www.orca.rs http://orca.rs/briga-o-zivotinjama-
May a landlord forbid a renter to keep an animal?	–	Not known.
May neighbours file complain against an owner, e. g. if he/she does not inhibit his/her animal from (ceaseless) noises?	–	Neighbourhood relationships are regulated by regulation developed and adopted by every local authority in Serbia. These regulations also regulate keeping of dogs and cats in a way that they can be kept under conditions and in a way that they do not disturb third persons, security and hygiene.
Which reasonable causes have to be met for an official permission to kill a healthy animal by a private person?	–	Cannot said exactly but it is obvious that a healthy dog/cat cannot be killed without any justifying causes.

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)?	–	Cannot said exactly but it is obvious that a healthy dog/cat cannot be killed without any justifying causes.
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?	–	There is no explicit timeframe to euthanize animals kept in a shelter. Euthanasia is regulated under Article 15 of the Animal Welfare Law.

ABUSE OF ANIMALS

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Does the law address cruelty to animals? If so, does it provide for sanctions?	Article 5 Paragraph 1 Point 18 Article 7 Paragraph 1 Point 1	Yes.
Is sexual abuse of animals punishable?	–	Yes.
Is maltreatment and/or suffering of animals perceived as a criminal offense? If so, what sanctions are foreseen?	Criminal Code, Article 269 Paragraphs 1 and 2	Yes.
<i>UN-OWEND ANIMALS, SHELTERS, ABANDONED ANIMALS</i>		
Are there regulations on lost/found animals?	Articles 66-70	Yes.
Who is owner of an abandoned animal?	Article 5, Points 19-20; Articles 65, 66 (Para 2), 69 & 70	Ownership is proved by the registration number of animal. Local authorities are obliged to take care of abandoned and lost animals and they become owners of lost animals after 15 days, as referred by Article 65, Paragraph 2. For the damage caused by abandoned animal, the responsible is the owner of the animal. If the owner of an animal is unknown, then local authority is responsible according to general rules for compensation of damage.
May a private person establish an animal shelter?	–	Yes. There is no explicit statement in the Animal Welfare Law that private person may establish an animal shelter. In the Law expression “person” is related to both natural and 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?	–	There is no explicit timeframe to euthanize animals kept in a shelter. Euthanasia is regulated under Article 15 of the Animal Welfare Law.

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Is local community financing activities of collecting of abandoned and lost animals?	Article 66., Paragraph 2	Yes.
Must a finder of a stray and/or abandoned animal report the finding to a competent authority?	Article 68, Paragraph 1 Article 68	Yes.
Are there possibilities to adopt an abandoned animal?	Article 65 Paragraph 2	Yes.
Are there legal or administrative measures which provide birth control of stray animals?	III Specific Animal Welfare, Article 55., Paragraph 3	Article 55 legislates general obligation of the owner to prevent birth of unwanted pet animals.

VETERINARIANS

Is negligence (of a vet or a veterinary assistant) punishable?	Criminal Code, Article 271	Yes.
Does the law provide for limitations on animals mutilations? (e. g. tail docking, ear cropping, de-vocalization, declawing, obligation to use anaesthesia.)	Article 14., Paragraph 1 Point 1)-3), 7) and 13) Paragraph 2 Article 13 Paragraph 3, 4 and 6	Yes.

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Which reasonable causes have to be met for an official permission to kill a healthy animal by a veterinarian?	–	Cannot said exactly but it is obvious that a healthy dog/cat cannot be killed without any justifying causes.
POLICY OF BIRTH CONTROL FOR OWNED AND UN-OWNED ANIMALS		
Are there legal or administrative measures which provide birth control of animals?	III Specific Animal Welfare, Article 55., Paragraph 3	Article 55 legislates general obligation of the owner to prevent birth of unwanted pet animals.
IV. ENFORCEMENT		
List of case studies and / or relevant court decisions.	–	Not known.
V. PRACTICAL INFORMATION		
List of veterinary organisations in your country.	–	Veterinary Chamber of Serbia (Veterinarska komora Srbije, VKS)
List of animal welfare organisations in your country.	–	Zenka Cats Protection Sanctuary; Serrbian Animals Voice

(29th May 2013)