

Activity 1.3 “Proposal with recommendations resulting from the assessment and the internships”
within CARDS Twinning Project BA05 IB AG 01
- Animal welfare workshop –
Sarajevo, 7th of May –9th of May2008

Report of the visit

1. Summary

In collaboration with experts from the State Veterinary Office (SVO) of Bosnia and Herzegovina (BiH) three veterinary experts from Germany drafted an animal welfare law and also a regulation for welfare of dogs. The working group meeting took place between 7 and 9 May 2008. The current issue of animal welfare in BiH was discussed and taken into consideration.

2. Objectives:

The objectives of the working group were:

To draft an animal welfare law, which, after control and adaption by the constitutional lawyer, could be presented to parliament for voting.

To create by-laws, priority had a regulation for the welfare of dogs.

3. Status Quo:

At present there is no animal welfare law existing in BiH. However there are some special requirements existing within the requirements for ritual slaughtering.

4. Current Issue of Animal Welfare in BiH

The current issue of animal welfare in BiH was outlined by staff members of SVO and participants of the meeting:

- the absence of efficient requirements for the transport of animals hinder trading and transporting of animals from the European Union (EU) into BiH
- corridas and dogfights are still arranged in BiH, corridas are forbidden in the Federation of Herzegovina
- stray and abandoned dogs are captured and brought to waste disposal sites, if not retrieved by an owner, they will be killed after 72 hours. The method of killing is unknown

- at present there are no public animal shelters existing, very few people get involved in animal welfare, co-operation between public and private activities are missing
- most of the animals are slaughtered in small facilities up to five animals a week, there are no checked conditions about housing, stunning and slaughtering
- there are only a few bigger abattoirs where adequate stunning is available
- it has to be assumed that most of the animals are slaughtered without stunning
- ritual slaughtering is regulated by a bylaw, it is allowed in abattoirs under controlled conditions
- the responsibility for the enforcement of animal welfare is unclear, in consequence there are mostly neither regular controls nor controls due to occurrence
- the sensibility for animal welfare within the population of BiH is low

5. Relevant EU Legislation

Table 1 shows how the relevant EU legislation was implemented into the draft of animal welfare law of BiH.

The listed legal acts of the EU are named by the FVO (mission reference number DG(SANCO) 7718/2008,) only as the main Community legislation in the field of animal welfare.

The column "German legislation" has been added to facilitate a comparison.

Table 1:

EU Legislation	Description	Germany Legislation	Bosnia and Herzegovina Legislation
Council Directive 98/58/EC	(protection of animals kept for farming purposes)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art. 5 (duties of animal keeper), Art. 9 (Relations towards animal health) Art. 10 (Intervention in animals, anaesthesia), Art. 11 (Amputation) Art. 35 (1) (Bylaw for farm animals)
Commission Directive 2002/4/EC	(protection of laying hens)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art. 10, Nr. 10 (Interventions in animals) Art 35 (1) (Bylaw for farm animals)
Council Directive 1999/74/EC	(protection of laying hens)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art 35 (1) (Bylaw for farm animals)

EU Legislation	Description	Germany Legislation	Bosnia and Herzegovina Legislation
Regulation (EC) 2092/91	(protection of laying hens)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art 35 (1) (Bylaw for farm animals)
Council Directive 2007/43	(protection of broilers)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art 35 (1) (Bylaw for farm animals)
Council Directive 91/629/EEC	(protection of calves)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art 35 (1) (Bylaw for farm animals)
Council Directive 91/630/EEC	(protection of pigs)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art 35 (1) (Bylaw for farm animals)
Council Directive 2001/ 88	(Protection of pigs)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art 35 (1) (Bylaw for farm animals)
Council Directive 2001/93	(Protection of pigs)	German Animal Welfare Law; Regulation for the protection of animals kept for farming purposes	Art 5 (duties of animal keeper) Art 35 (1) (Bylaw for farm animals)
Regulation (EC) 1/2005	(animal welfare during transport)	Regulation (EC) 1/2005	Art. 16 (transportation of animals) Art. 35 (4)(bylaw for transport)
Regulation (EC) 1255/1997	(controll points)	Regulation (EC) 1255/1997	Art. 16 (transportation of animals) Art. 35 (4) (bylaw for transport)
Council Directive 93/119/EC	(protection of animals during slaughter or killing)	German Animal Welfare Law; Regulation for the protection of animals at slaughter	Art 15 (stunning and slaughtering) Art. 35 (3) (bylaw for slaughtering)
Council Directive 609/86	(protection of laboratory animals)	German Animal Welfare Law	Art. 26 – 30 (experiments on animals) Art. 35 (8) – (10) (bylaws for laboratory animals)

6. Results

Draft Animal Welfare Law

Consulting the veterinarians of the SVO it was decided to use the existing BIH draft of animal welfare law as basis for writing the new one. The main task was to give a real frame which can be completed with by-laws. The German and the Austrian animal welfare law are used for reference.

The new draft consists of 15 chapters with the following themes (the complete text is available in Annex 1)

- I General Provisions
- II Protection of Animals during Keeping and Breeding
- III Protection of Animals in Health Protection and Zootechnical Interventions
- IV Killing of Animals
- V Protection of Animals at Slaughter
- VI Protection of Animals in Transportation
- VII Protection of Wild Animals
- VIII Protection of Animals in Zoos, Circuses and on Fairs
- IX Protection of Lost and Abandoned Animals
- X Protection of Laboratory Animals and other Scientific Research Processes
- XI Expert Council on Animal Protection
- XII Supervision
- XIII Responsibilities of the Authorities
- XIV Penal Provisions
- XV Final and Transitory Provisions

Draft Regulation for dogs

The draft contains articles with (the complete text is available in Annex 2)

- Requirements for Keeping
- Requirements for Professional Breeding
- Requirements for Keeping Dogs Outside
- Requirements for Box Holding
- Requirements for Keeping Dogs Tethered
- Feeding and Care
- Offences

7. Recommendations

- BIH has membership in the Council of Europe. It should be clarified, if the Recommendations of European Convention for the Protection of Animals are accepted or transposed into legislation. If not, the documents
 - o Protection of animals kept for farming purposes
 - o Protection of pet animals
 - o Protection of animals for slaughter
 - o Protection of animals during transport
 - o Protection of animals used for experimentation

could be used until the animal welfare of BIH and its bylaws are in force.

- To improve efficiency of the enforcement of animal welfare (law). It is necessary to establish clear structures for competent authorities
- Basic and advanced training for official veterinary staff has to be established
- Public and private activities should be joint, for example in workshops or networking
- To develop vs. improve sensibility for animal protection the following measures might be helpful:
 - o Inclusion of animal welfare into education at school
 - o Information of animal keepers by media coverage
 - o Information of animal keepers by professional presentation

8. Conclusion

The working group presents a draft for animal welfare law in BIH. If it will be adopted by parliament, the relevant authorities in BIH will have the task to implement the new law on several levels.

Dr. Sylvia Heesen
District Veterinary Office of Kreis Kleve
Official Veterinarian

Dr. Heinz-Walter Leßmann
District Veterinary Office of Landkreis Cloppenburg
Official Veterinarian

Dr. Michael Marahrens
Institute of Animal Welfare and Animal Husbandry
Federal Research Institute for Animal Health of Celle
Scientific Veterinarian

Annex 1:

According to the Constitution of Bosnia and Herzegovina, Article IV, 4.a) at the session of the House of Peoples held on _____ and the session of the House of Representatives held on _____, the Parliamentary Assembly of Bosnia and Herzegovina passes the following

**LAW
ON ANIMAL PROTECTION AND WELFARE**

I. GENERAL PROVISIONS

Article 1

Subject

This Law regulates the responsibility of humans for the protection and welfare of animals, specifically protection from torture and distress during transportation, keeping, accommodation and feeding, protection during killing or slaughtering, protection of wild animals, treatment of stray animals, pets and laboratory animals, establishment of an ethical committee and an expert council, as well as monitoring of enforcement of this law and relevant penal sanctions against perpetrators of the provisions of this law.

The provisions of this Law are related to all animals that have a sense of feeling and developed nervous system that registers feelings that can lead to pain.

The provisions of this Law will be applicable to other organisms for which it is not sure whether they have features of animals or not.

Article 2

Vocabulary

The vocabulary this Law uses is as follows:

- 1) analgesia is the procedure that reduces or excludes the feeling of pain in animals, without making them unconscious;
- 2) anesthesia is the procedure that excludes loss of consciousness and sensitivity in animals;
- 3) euthanasia is killing by means of special purpose, with a minimum of *pain and suffering* depending on the species;
- 4) hygienic service is the agency that collects lost and abandoned animals, established by legal entities in accordance with the provisions of this Law; (*Umsetzung nicht geklärt!*)
- 5) animal keeper is a legal entity or individual that owns animals, and any other person who, whether on a permanent or temporary basis,
 - a) has possession of the animal
 - b) is responsible for or is in charge of the animal, or
 - c) is responsible for or has actual care or control of a child under the age of 16 years who owns the animal or has possession of it.

This includes any legal entity or individual who is active in animal breeding, protection, use, managing, training, transportation or sale;

- 6) lost animal is an animal that left the keeper, without the keeper's will, and the keeper is looking for it;
- 7) hunting-ground user is the organization that manages hunting-ground;
- 8) pets are dogs, domestic cats, domestic birds, small rodents, terrarium, aquarium and other animals, kept or bred for company, recreation, protection or assistance;
- 9) authority in charge of enforcement of this law is the Ministry of Foreign Trade and Economic Relations (hereinafter: competent Ministry);
- 10) competent minister is the Minister of Foreign Trade and Economic Relations;
- 11) abandoned animal is an animal that was intentionally abandoned by its keeper;
- 12) experiment means any use of an animal for experimental or other scientific purposes which may cause it pain, suffering, distress or lasting harm, including any course of action intended, or liable, to result in the birth of an animal in any such condition, but excluding the least painful methods accepted in modern practice (i.e. 'humane' methods) of killing or marking an animal; an experiment starts when an animal is first prepared for use and ends when no further observations are to be made for that experiment; the elimination of pain, suffering, distress or lasting harm by the successful use of anaesthesia or analgesia or other methods does not place the use of an animal outside the scope of this definition. Non experimental, agricultural or clinical veterinary practices are excluded;
- 13) stunning is 'any process which, when applied to an animal, causes immediate loss of consciousness and sensitivity which lasts until death
- 13a) *stunning/killing* is 'any process which, when applied to an animal, causes immediate loss of consciousness and sensitivity without chance of recovery
- 14) transporter is a legal entity or person that transports living animals;
- 15) animal shelters are facilities where found (lost and abandoned) animals are accommodated and offered further care and where a new home will possibly be found for them;
- 16) veterinarian is a doctor of veterinary medicine or graduated veterinarian with veterinary license;
- 17) veterinary assistant is an individual that performs veterinary duties under supervision of a veterinarian; (veterinary technician is an individual that performs technical activities in veterinary medicine in accordance with the law on veterinary practice in BiH) note: ZOVBiH uses both terms, article 3 and article 10);
- 18) farm animals are livestock-animals kept or bred for production of food, wool, leather, fur or other economic purposes;
- 19) zoo animals are animals that live freely and that are placed in permanent facilities for at least seven days a week, with exception of circuses and pet stores.

Article 3

Prohibition of cruelty to animals

It is prohibited to inflict unjustified pain, suffering or injury to an animal or to kill it.

II PROTECTION OF ANIMALS DURING KEEPING AND BREEDING

Article 4

Protection of kept animals

It is forbidden:

- 1) to force animals to make efforts that they, due to their age or condition, cannot endure, or that exceed their strength;
- 2) to abandon pets and other kept animals;
- 3) to expose a bred and kept wild animal to free nature or to settle it there if it is not prepared for survival in natural habitat;
- 4) to inflict pain and suffering, or to maim animals in training;
- 5) to inflict pain, suffering, injury or kill animals while making films, advertisements, public shows or in other similar purposes;
- 6) to test the strength of an animal on another, to incite one animal to attack another or to organize animal fights;
- 7) to incite an animal to attack humans, except in the training of dogs of the Ministry of Internal Affairs and the military;
- 8) to breed animals which either directly themselves or their descendants will suffer from heavy pain, suffering, injury (inhumane breeding practices); or imports, purchases or passes on such animals with features resulting from inhumane breeding practices
- 9) to feed living animals to other animals except those kinds of animals, which don't eat other food;
- 10) to use living vertebrate animals as bait for hunting;
- 11) to prevent movements of animals by inflicting pain and suffering, or by maiming;
- 12) to use sick, hurt or disabled animals in team or under saddle;
- 13) to make animals grow faster by adding growth hormones to their food;
- 14) to remove vocal cords of poultry or dogs;
- 15) to painfully shoe hoofed animals;
- 16) to de-claw cats;
- 17) to sexually abuse animals;
- 18) to eat pets;
- 19) to test ammunition on animals;
- 20) to force-feed an animal save for essential health reasons;
- 21) to give an animal food causing the animal severe pain, suffering or harm;

- 22) to apply measures on animals during trainings, other sport events or shows that can cause pain, suffering or injuries, or which can on any way have influence on the animal abilities, as well as the administering of doping substances

Article 5

Duties of animal keepers

Animal keepers must have all the necessary competence and depending on breed, age and physiological needs of the animal, they have the following obligations:

- 1) to feed and water the animal according to its physiological needs;
- 2) to foster and to offer health protection to the animal;
- 3) to make sure it has enough space and appropriate movement conditions if it is tied or closed;
- 4) to ensure enough light, warmth, humidity, fresh air and hygiene to animals that are kept in closed facilities;
- 5) in case of animals that are kept in closed facilities, to ensure a system of monitoring that would allow appropriate reaction in case of adverse events or accidents.
- 6) detailed zootechnical conditions, as well as the conditions concerning professional (training) enabling of the animal keepers will be issued by the Office.

Article 6

Protection of pets

Pets shall have all conditions for life in accordance to their needs.

Animals protected by the Law on the Protection of Nature (Official Gazette RS, 50/02 and Official Gazette FBiH, 33/03), wild animals and breeds that pose danger to the lives of humans cannot be kept as pets, which is stipulated by a separate by-law.

List of animals specified in the second paragraph of this article is made by the minister in charge, with consent of the authorities in charge of the protection of environment in Republika Srpska and the Federation of Bosnia and Herzegovina.

The list mentioned in the paragraph 4 of this article is published at least once a year in the Official Gazette of BiH.

Article 7

Registration of pets

Keepers of cats and dogs shall register their cats and dogs within seven days of acquiring ownership, to the veterinary organization.

For the purposes of identification **all animals should be marked** by microchip . The microchips cannot be removed unless medically justified.

Article 8

Sale of animals

Animals cannot be sold to persons younger than 16 years of age without presence and consent of their parents/ guardians.

Detailed provisions on protection and welfare of pets and home animals, including provisions concerning means of identification will be drafted by the Ministry on proposal of the Office.

III. PROTECTION OF ANIMALS IN HEALTH PROTECTION AND ZOO-TECHNICAL INTERVENTIONS

Article 9

Relations towards animal health

It is the obligation and the duty of animal keepers to seek veterinary assistance in case animals are hurt or sick, at delivery or in any other condition that requires medical attention.

Veterinarians have the obligation to provide emergency medical assistance.

Article 10

Application of anesthesia

- (1) All surgical and zoo-technical interventions on animals shall be implemented with application of anesthesia , performed by the doctor of veterinary medicine. In case the pain cannot be removed by local anesthesia, total anesthesia is applied. Interventions that inflict pain performed without anesthesia will be considered animal torture and measures stipulated in articles 36 and 37 of this law will be instituted.
- (2) Anesthesia is not applied:
 1. when there is risk of death, suffocation, exsanguination, etc;
 2. when the pain caused by anesthesia exceeds pain that will be caused by the intervention on the animal or if comparable procedures are performed to humans without anaesthesia
 3. for the identification of pigs, sheep, goats and rabbits by ear tattooing, for the identification of other mammals during the first two weeks of life by ear and thigh tattooing as well as the identification of farm animals, including horses, by ear tags, wing tags, injected microchips, except for poultry, by slap marks in the case of pigs and the branding of horses' thighs
 4. for diagnostic procedures;
- (3) In addition, no anaesthetization shall be required for:
 1. for the dehorning or preventing horn growth at under six weeks old cattle,
 2. for shortening the tail of under eight days old lambs by means of flexible rings,
 3. for shortening the tail of under four days old piglets as well as of under eight days old lambs,
 4. for sanding the molars off of under eight days old piglets, if this is essential for the protection of the mother of the animal or brothers and sisters,
 5. for removal of the last toe joint of the chickens which are intended for use as breed cocks, during the first life daily,

6. for shortening of the beaks of poultry in the intensive breeding, of under 10 days old chicken.
7. surgical castration of piglets before the 7th day of live

Article 11

Amputation

Partial or total amputation of animal body parts is forbidden, unless:

- 1) there are medical indications for certain surgical interventions;
- 2) neutering is necessary to prevent bearing unwanted animals;
- 3) tail docking, unless the intervention is for the clear medical benefit of the animal;
- 4) in cases of Art. 10 (3);
- 5) for experiments on animals performed in scientific purposes in accordance with this Law.

IV KILLING OF ANIMALS

Article 12

Killing

Vertebrates may be killed only under anaesthetic or painlessly where reasonable under the circumstances. Where killing of a vertebrate without anaesthetic is authorized, either as part of hunting or pursuant to other provisions, or forms part of a permissible pest control campaign, the killing may be carried out only if it causes no more than unavoidable pain. Only persons with the requisite expertise and skills may kill a vertebrate

Article 13

Euthanasia

Euthanasia is allowed in following cases:

- 1) the healing process takes too long and causes suffering, and outcome is uncertain;
- 2) the animal is very old and its vital functions are failing;
- 3) the animal suffers from a terminal and/or communicable disease, especially when it poses danger for humans;
- 4) the animal is dangerous to the environment;
- 5) the animal is in agony;
- 6) euthanasia is necessary for keeping natural balance in a hunting-ground, in accordance with the Law on Hunting;

7) it is a part of the vermin control action, and there is no other way to perform it.

In cases defined in the first paragraph of this article, item 1 and 2, the decision on the euthanasia is made by the keeper with recommendation of a veterinarian and in cases from items 3, 4 and 5, by the veterinarian.

Article 14

Procedure of Euthanasia

- (1) Euthanasia must be performed without avoidable pain or suffering by a trained professional, doctor of veterinary medicine. It is performed in the way that ensures instantaneous death of the animal.
- (2) Vermin control (rat poisoning) may be performed by registered and trained professional veterinary organizations, in the way that will inflict as little pain and suffering to the animals as possible.
- (3) Killing animals contrary to this article will be considered animal torture and measures stipulated in articles 36 and 37 of this law will be instituted.

V PROTECTION OF ANIMALS AT SLAUGHTER

Article 15

Stunning and Slaughtering

Animals can be slaughtered provided they were stunned before exsanguination, unless in case of special procedures defined by religious rituals, or if the animal is in agony. .

Stunning is done in a professional manner:

- 1) mechanically;
- 2) electrically, or
- 3) by gas.

Stunning must be conducted by persons trained and licenced by the State Veterinary Administration/ Office /Ministry and cannot be performed by means that would inflict unnecessary pain to the animal.

VI PROTECTION OF ANIMALS IN TRANSPORTATION

Article 16

Transportation of animals

For transportation of animals, including loading and unloading, it is to ensure that the animals are given adequate space with sufficient ventilation, protected against unfavourable weather conditions and are provided with sufficient water and food. For transportation of water animals the amount of water

available must be sufficient for the number of animals transported, increase in temperature and decrease of oxygen content of the water is to be avoided and they must not be fed.

VII PROTECTION OF WILD ANIMALS

Article 17

Wild animals

Activities that expose animals in their natural habitats, both as population and as individuals, to torture or that prevent them from meeting their physiological needs (feeding, watering, breeding) , for example:

- 1) preventing animals to get to water by putting up fences, causing pollution, chasing them away, etc;
- 2) destruction of habitats or parts of habitats crucial for the survival of some species;
- 3) introduction of alien species in a habitat;
- 4) catching or killing animals in a manner that causes suffering;
- 5) other interventions with harmful consequences.

Article 18

Natural habitats

Users of hunting grounds shall provide:

- 1) all conditions necessary for the biological survival of the natural population within environmental balance;
- 2) rehabilitation of possibly present or newly occurred disturbances in the habitat;
- 3) veterinary health protection.

Article 19

Hunting

Separate regulations passed by the relevant ministry (of environmental protection) will regulate numbers and hunting modes, species that can be hunted or fished, as well as other activities relevant for the protection and welfare of wild animal species.

Article 20

Wild animal breeding

It is forbidden to breed wild animals, except:

- 1) when breeding is done in a zoo;
- 2) when breeding is done to protect certain species.

VIII PROTECTION OF ANIMALS IN ZOOS, CIRCUSES AND ON FAIRS

Article 21

Duties of zoo and circus owners

Keepers of animals in zoos, circuses and on fairs, besides abiding this Law, have to provide:

- 1) accommodation facilities with space and equipment satisfactory to the needs of all animal species, and, besides closed accommodation facilities, open space where animals can move;
- 2) sufficient daily quantity of appropriate food and water;
- 3) necessary veterinary protection and care;
- 4) humane treatment of all employees to all animals;
- 5) protection of animals against visitors;
- 6) protection of visitors against animals.

Article 22

Zoo

A zoo can be established provided that, besides general conditions, the provisions from the article 21 of this Law are met.

Approval to establish a Zoo is issued by the entity competent Authorities and Competent Authority of Brčko District.

Circus animal shows and animal fairs can be organized subject to the permit on fairs and shows issued by responsible authorities of entity (and Brčko District) level based on application and enclosed documentation on origin and health of animals.

The conditions for establishment and activities of a zoo, and the conditions for organization of circus animal shows and animal fairs are defined by the Office.

Article 23

Animal binding

It is forbidden to organize shows with animals restrained in special ways (e.g. "dancing" bears) and with animals with physical disabilities.

IX PROTECTION OF LOST AND ABANDONED ANIMALS

Article 24

Lost and abandoned animals

Lost and abandoned animals shall be provided adequate accommodation and veterinary health care.

Finder of an abandoned or lost animal has the obligation to inform the competent authority

If the animal is sick or hurt, and cannot be cured, it is necessary to take its life in a manner that minimizes pain, suffering and distress (euthanasia).

It is forbidden to use abandoned or lost animals in experiments.

Article 25

Animal shelters

- (1) Animal shelter owners have the obligation to:
 1. provide sufficient quantity of food and water for the animals;
 2. ensure veterinary health protection for the animals;
 3. provide sufficient space for every animal;
 4. keep record on every animal in custody of the shelter;
 5. keep record on every animal that was placed in a new home.
- (2) Animal keeper has the right to claim the animal that was found and placed in the shelter within eight days after placement, otherwise the animal can be re-homed to another interested person.
- (3) The person who adopts a found animal shall sign a statement on taking the animal under custody.
- (4) Competent Authority of the Canton, city or the municipality issues approval to establish a shelter in accordance with the conditions laid down by the Ministry on proposal of the SVO B&H.

X PROTECTION OF LABORATORY ANIMALS AND OTHER SCIENTIFIC RESEARCH PROCESSES

Article 26

Experiments on animals

- (1) Experiments on animals can only be performed by legal entities registered for that type of activity that have a valid permit issued by the responsible ministry.
- (2) Experiments on animals according to the first paragraph of this article can be allowed only if anticipated pain, suffering or wound on the animal can be ethically justified by anticipated results of importance for humans or animals, or of scientific relevance.
- (3) The decision on the conditions that have to be met by legal entities that perform experiments on animals is made by the competent ministry.
- (4) Permit needed for experiments on live animals is issued when:
 1. it is impossible to get cells or tissues for the experiment;

2. the available technology does not meet the requirements of the research.

Article 27

Legal entities registered for experiments

- (1) Experiments on animals can be performed by higher education and research institutions, and expert legal entities registered for performing experiments on animals, provided that they meet the provisions of the article 26 of this Law..
- (2) The legal entity that performs experiments on animals shall have employed an expert for animal protection with necessary knowledge in this field. This expert is in charge of the preparation of explanation of the necessity to perform experiments on animals and is responsible of the process.
- (3) Experiments on animals only can be performed by veterinarians. Persons who carry out experiments or take part in them and persons who take care of animals used for experiments, including duties of a supervisory nature, shall have appropriate education and training. In particular, persons carrying out or supervising the conduct of experiments shall have received instruction in a scientific discipline relevant to the experimental work being undertaken and be capable of handling and taking care of laboratory animals; they shall also have satisfied the authority that they have attained a level of training sufficient for carrying out their tasks.

Article 28

Experiments for educational purposes

Experiments on animals performed for educational purposes are allowed only if it is not possible to achieve adequate results with other teaching aids (e.g. pictures, models, preparations, computer programmes, clinical observation),.

Article 29

Committee on ethics

- (1) The committee on ethics is formed by the responsible minister, in cooperation with the minister for environmental protection and minister of science and technology, composed of **7** members, including representatives of natural, medical, veterinary and arts sciences and representatives of non-governmental organizations that have animal protection as their statutory objective.
- (2) The committee on ethics gives advice on issues of ethics and welfare of animals used for experiments.
- (3) Persons concerned with the respect to the opinion in question are not entitled to participate with the right to vote in the sessions of the Ethical Committee.
- (4) It is forbidden to perform experiments and test on animals without obtaining positive opinion from the ethical committee.
- (5) Detailed provisions on protection and welfare of laboratory animals, experiments, record-keeping, establishment of committee on ethics, etc., are met by the competent ministry, at the proposal of the State Veterinary Administration of BiH.

XI EXPERT COUNCIL ON ANIMAL PROTECTION

Article 30

Expert council

- (1) Expert council for animal protection and welfare is consisted of renowned experts in the field of veterinary medicine, medicine, biology, pharmacology, and other similar professions, active in animal protection and welfare.
- (2) Expert council is an advisory body that gives opinion and proposals on issues related to the animal protection and welfare.
- (3) Activities of the expert council include:
 1. evaluation of the situation in the field of animal protection and welfare;
 2. animal protection and welfare strategy development;
 3. monitoring and evaluation of the implementation of this Law;
 4. giving advice on animal protection and welfare;
 5. giving opinion and drafting regulations on animal protection and welfare.
- (4) Number of the expert council members is defined and members are appointed by the competent minister at the proposal of the Veterinary Administration. The expert council acts according to its rules of procedure. The members have the right to be remunerated for their work. The activities of the expert council are financed from the budget of the competent ministry.

XII SUPERVISION

Article 31

Supervision of the law enforcement

Enforcement of this law and relevant bylaws is performed by the State Veterinary Administration of BiH, relevant bodies of entity and Brčko District level, through veterinary inspectors.

Article 32

Rights of official veterinarians

The law on animal protection and welfare shall be subject to supervision by the competent authority. For inspection, performed in accordance with the rights and obligations stipulated by this Law and relevant bylaws, official veterinarians have the right to:

- 1) free access to all premises where animals are accommodated or used, in case of a doubt that animals are treated in a way contrary to the provisions of this Law
- 2) regular inspection of all premises where animals are accommodated or used, fairs, shows, animal trade and transportation companies, etc.

Article 33

Obligations and measures of the official veterinarian

The competent authority shall issue the orders necessary to end any infringement detected and to prevent any future infringement. In particular they may:

1. order measures necessary to meet the requirements of Article 5 in individual cases.
2. permanently or temporarily dispossess the animal from the keeper in case of that provisions of this Law are being violated
3. order euthanasia or slaughtering of the animal if there are justified veterinary health reasons for such a step;
4. order unloading and rest of animals in case of overload or longer routes of transport.
5. prohibit surgical and other interventions of animals that are not under analgesia or anesthesia;
6. to prohibit operations of animal shelter if it does not meet the conditions stipulated by this law and other relevant bylaws.
7. to prohibit experiments with animals without permission

Article 34

Police and custom service assistance

If the police or custom service, while performing their duties, find that some provisions of this Law or relevant bylaws are being violated, they shall inform the closest veterinary inspector.

XIII RESPONSIBILITIES OF STATE AUTHORITIES

Article 35

Passing of relevant bylaws

At the proposal of the State Veterinary Administration of BiH, the competent ministry passes the following bylaws:

- 1) Decision on protection of livestock animals and conditions to be met by the facilities for keeping livestock animals;
- 2) Decision on protection of pets;
- 3) Decision on protection of animals at slaughtering;
- 4) Decision on protection of animals during transport;
- 5) Decision on conditions for keeping animals in zoos, circuses, and pet-shops;
- 6) Decision on opening and conditions to be met by animal shelters;
- 7) Decision on opening and conditions to be met by hygienic services;
- 8) Decision on conditions to be met by organizations involved in experiments on animals;
- 9) Decision on protection of laboratory animals;

- 10) Decision on forming the Committee on Ethics and Expert Council for Animal Protection and Welfare.

XIV PENAL PROVISIONS

Article 36

Animal keeper offences

A fine in amount of 30.00 to 10,000.00 KM will be instituted against animal keepers for the following offences:

- 1) performing actions described by the article 4 of this Law;
- 2) not meeting obligations stipulated by the article 5 of this Law;
- 3) performing actions contrary to the article 6 of this Law;
- 4) keeping wild animals as pets (article 7 of this Law);
- 5) keeping unregistered pets (article 8 of this Law);
- 6) having dogs without muzzle in public places (article 9 of this Law);
- 7) breaching article 11 of this Law;
- 8) allowing for surgical and zoo-technical interventions without anesthesia (article 12 of this Law);
- 9) allowing for amputation (paragraph 1, article 13 of this Law);
- 10) killing animals contrary to paragraphs 1 and 2, article 14 of this Law;
- 11) breaching article 27 of this Law;
- 12) restraining animals (article 29 of this Law);
- 13) breaching article 37 of this Law;
- 14) obstructing the work of veterinary inspectors performing inspection paragraphs 1, 2, 3 and 4, article 43 of this Law.

Article 37

Offences committed by legal entities and individuals

A fine in amount of 200.00 to 200,000.00 KM will be instituted against legal entities for the following offences:

- 1) performing actions described by the article 4 of this Law;
- 2) performing actions contrary to the article 6 of this Law;
- 3) not keeping register for each individual animal (article 8 of this Law);
- 4) selling pets contrary to the article 10 of this Law;
- 5) not giving emergency veterinary assistance (paragraph 2, article 11 of this Law);

- 6) performing surgical and zoo-technical interventions without anesthesia (paragraph 1, article 12 of this Law);
- 7) killing animals contrary to the paragraphs 1, items 3, 4, and 7, of article 14 and the article 15 of this Law;
- 8) slaughtering animals contrary to the article 16 of this Law;
- 9) treatment of animals for butchering contrary to the article 17 of this Law;
- 10) treatment of animals in transportation contrary to the articles 19 and 20 of this Law;
- 11) not meeting the obligations of transporting parties defined by the article 21 of this Law;
- 12) utilization of pain-inflicting steering devices (article 22 of this Law);
- 13) treatment of wild animals contrary to the article 23 of this Law;
- 14) breeding wild animals contrary to the article 26 of this Law;
- 15) breeching article 28 of this Law;
- 16) breeching article 31 of this Law;
- 17) breeching article 32 of this Law;
- 18) performs experiments on animals contrary to the articles 34 and 35 of this Law;
- 19) not meeting the conditions in the article 36 of this Law;
- 20) obstructing the work of veterinary inspectors performing inspection paragraphs 1, 2, 3 and 4, article 43 of this Law.

For offences defined in the first paragraph of this article, a fine in amount of 200.00 to 20,000.00 KM will be instituted against the responsible individual in the legal entity.

XV FINAL AND TRANSITORY PROVISIONS

Article 38

Deadline for passing of bylaws

Bylaws related to this law will be passed within one year upon entering of this Law into force.

Article 39

Entering into force

This Law shall enter into force within eight days upon publishing in the "Official Gazette of BiH".

PA BiH nr: _____

Date: _____ 200

Sarajevo

Chair
House of Representatives
Parliamentary Assembly BiH
Nikola Špirić Ph.D

Chair
House of Peoples
Parliamentary Assembly BiH
Mustafa Pamuk

Annex 2:

Regulation for Protection and Welfare of Dogs

§ 1 Coverage

- (1) This regulation is for keeping and breeding of dogs (*Canis lupus f. familiaris*).
- (2) This regulation is not applicable
 1. during transport and
 2. during veterinary treatment.

§ 2 General requirements for keeping

- (1) Each dog kept in kennel or on a leash should have adequate movement outside and social contact to its keeper.
- (2) If more than one dog is kept in the same facility, the animals should live in a group. Not adapted dogs should come together under supervision only.
- (3) Puppies have to stay with their mother for at least up to an age of eight weeks.

§ 3 Requirements for professional breeding

- (1) For professional breeding the breeder has to provide, that qualified persons look after his dogs; at least one person for 10 breeding dogs and their puppies required

§ 4 Requirements for keeping dogs outside

- (1) If dogs are kept outside, the keeper has to ensure the following provisions:
 1. a thermally isolated hut, which gives shelter and can be warmed up by the dog's own body heat and
 2. a place to lay down outside of the hut, which protects against bad weather conditions.

§ 5 Requirements for box-holding

- (1)
 1. The box must have at least 6 m² available for one dog, each side must have at least 2 m.
 2. If more than one dog is kept in a box, in addition the next dog needs at least 3m²
- (2)
 1. The enclosure of the box must be made of material harmless for health, insuperable and do not cause injuries.
 2. The floor have to be sure-footed, not inducing injury and pain, easy to keep dry and clean.
 3. Separating walls have to be fitted such excluding biting of the dogs.
 4. At least one site of the box must give free range of vision,
 5. If the box is within a building, the dog needs free range of vision towards outside.
- (3) If several dogs are kept in boxes, the boxes should be positioned so that the dogs may have intervisibility.
- (4) It is not allowed to tether dogs in boxes.

§ 6 Requirements for keeping dogs tethered

- (1) Dogs are only allowed to keep tethered, if the requirements of para 2 to 5 are fulfilled.
- (2) The tether
 1. needs an equipment, which allows free gliding for at least 6m
 2. needs a dimension, that gives lateral movement for at least 5m
 3. have to be fitted that the dog is able to enter his kennel, to lay down and to turn around unhindered.
- (3)
 1. In the dogs area of movement should be no objects that restrain movement or causes injury.
 2. The floor have to be sure-footed, not inducing injury and pain, easy to keep dry and clean.
- (4) Neckbands and harnesses have to be used not confining and not causing injuries.
- (5) Tethers are allowed only if fitted with rotatable curl, have low weight and not causing injury.
- (6) It is forbidden to tether
 1. dogs with an age up to twelve month
 2. a bitch during last third of pregnancy
 3. a bitch during lactation
 4. a sick dog if causes pain, suffering or injury

§ 7 Feeding and Care

- (1) The keeper has to ensure that in his common area the dog has access to water in adequate volume and quantity anytime. The keeper has to supply feed of adequate quantity and quality to the dog.
- (2) The keeper has
 1. to foster and to offer health protection to the animal
 2. to control the accomodation daily and to remedy deficiencies immediately
 3. to ensure fresh air and adequate temperature if the dog is left in a vehicle.
 4. to keep the common area of the dog clean and free of vermin. Excrements have to be removed daily.

§ 8 Offences committed by legal entities and individuals

A fine in amount ofwill be instituted against for the following offences:

1. separating a puppy against § 2 (3) from its mother
2. against § 3 (1) not ensuring that one person keeps for maximal 10 breeding dogs and their puppies
3. against § 4 (1) No. 1 or No. 2 not ensuring that the dog has a kennel or a laying place available,
4. keeping a dog against § 5 (1) – (4), § 6 (1) – (6), § 7 (1) a. (2)
5. against § 7 (2) not remedeing deficiencies early enough.

§ 9 Temporary provisions

§ 10 Entering into force