

Petitioner: Johanna Wasström

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Petition on the depopulation methods of stray dogs in Romania constituting a breach of Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing

The methods of depopulation of stray dogs in Romania are in flagrant breach with the Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing. All (or at least almost all) rules of the Regulation are ignored by the Romanian authorities. For instance, the Regulation emphasizes the importance of humane killing methods where the animals are "spared any avoidable pain, distress or suffering", whereas stray dogs in Romania are generally killed by illegal, cheapest and painful methods. The dogs are commonly beaten, poisoned, starved, strangled, burned or frozen to death. The persons who kill the dogs lack the appropriate level of competence and they don't care about the animals' suffering. It is also uncertain that the Romanian authorities have any action plans to ensure compliance with the rules of the Regulation, or that they submit a report to the Commission on the depopulation operations carried out each year. Moreover, the Romanian authorities don't want to permanently put a stop to the overpopulation of stray dogs, because the "stray dog management" is a very lucrative business. Also this intentional mass-production of animals for the purpose of torturously killing them and financially benefitting from their suffering is against the spirit of the Regulation.

I petition you to take immediate measures against the Romanian authorities forcing them to comply with all rules laid down in the said Regulation.

More information is provided in the enclosed document.

EXCERPTS FROM THE COUNCIL REGULATION (EC) NO 1099/2009 OF 24 SEPTEMBER 2009 ON THE PROTECTION OF ANIMALS AT THE TIME OF KILLING <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:303:0001:0030:EN:PDF>:

CHAPTER I, SUBJECT MATTER, SCOPE AND DEFINITIONS

Subject matter and scope:

"1. This Regulation lays down rules for the killing of animals bred or kept for the production of food, wool, skin, fur or other products as well as the killing of animals for the purpose of depopulation and for related operations."

Article 2, Definitions:

"(n) 'depopulation' means the process of killing animals for public health, animal health, animal welfare or environmental reasons under the supervision of the competent authority;"

CHAPTER II, GENERAL REQUIREMENTS, Article 3:

"General requirements for killing and related operations

1. Animals shall be spared any avoidable pain, distress or suffering during their killing and related operations.

2. For the purposes of paragraph 1, business operators shall, in particular, take the necessary measures to ensure that animals:

(a) are provided with physical comfort and protection, in particular by being kept clean in adequate thermal conditions and prevented from falling or slipping;

(b) are protected from injury;

(c) are handled and housed taking into consideration their normal behaviour;

(d) do not show signs of avoidable pain or fear or exhibit abnormal behaviour;

(e) do not suffer from prolonged withdrawal of feed or water;

(f) are prevented from avoidable interaction with other animals that could harm their welfare.

3. Facilities used for killing and related operations shall be designed, constructed, maintained and operated so as to ensure compliance with the obligations set out in paragraphs 1 and 2 under the expected conditions of activity of the facility throughout the year."

Article 4, Stunning methods

"1. Animals shall only be killed after stunning in accordance with the methods and specific requirements related to the application of those methods set out in Annex I. The loss of consciousness and sensibility shall be maintained until the death of the animal."

Article 6, Standard operating procedures:

"1. Business operators shall plan in advance the killing of animals and related operations and shall carry them out in accordance with standard operating procedures.

2. Business operators shall draw up and implement such standard operating procedures to ensure that killing and related operations are carried out in accordance with Article 3(1)."

Article 7, Level and certificate of competence:

"1. Killing and related operations shall only be carried out by persons with the appropriate level of competence to do so without causing the animals any avoidable pain, distress or suffering."

CHAPTER IV, DEPOPULATION AND EMERGENCY KILLING, Article 18:

"Depopulation

1. The competent authority responsible for a depopulation operation shall establish an action plan to ensure compliance with the rules laid down in this Regulation, before the commencement of the operation.

In particular, the stunning and killing methods planned and the corresponding standard operating procedures for ensuring compliance with the rules laid down in this Regulation shall be included in the contingency plans required under Community law on animal health, on the basis of the hypothesis established in the contingency plan concerning the size and the location of suspected outbreaks.

2. The competent authority shall:

(a) ensure that such operations are carried out in accordance with the action plan referred to in paragraph 1;

(b) take any appropriate action to safeguard the welfare of the animals in the best available conditions.

3. For the purposes of this Article and in exceptional circumstances, the competent authority may grant derogations from one or more of the provisions of this Regulation where it considers that compliance is likely to affect human health or significantly slow down the process of eradication of a disease.

4. By 30 June each year, the competent authority referred to in paragraph 1 shall transmit to the Commission a report on the depopulation operations carried out during the previous year and make it publicly available via the Internet. With regards to each depopulation operation, that report shall include, in particular:

(a) the reasons for the depopulation;

(b) the number and the species of animals killed;

(c) the stunning and killing methods used;

(d) a description of the difficulties encountered and, where appropriate, solutions found to alleviate or minimise the suffering of the animals concerned;

(e) any derogation granted in accordance with paragraph 3."

Article 23, Penalties:

The Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission by 1 January 2013 and shall notify it without delay of any subsequent amendment affecting them."

EXAMPLES AND EVIDENCE OF KILLING AND DEPOPULATION METHODS USED BY THE ROMANIAN AUTHORITIES:

- Interview with Janusz Wojciechowski, President of the European Parliament's Intergroup on the Welfare and Conservation of Animals, and his veterinarian assistant Caroline Tomaszewski who both visited Romania at the beginning of 2014 and observed the situation of the stray dogs
(<https://www.youtube.com/watch?v=rNf9nJA4C7c>)

In the video Ms. Tomaszewski says, among other things: "The killing of the dogs is not being done properly, like by being carried out by a veterinarian with medical injections, which would be more humane." "The dogs are actually being killed with toxic injections like ante-freeze fluids, liquids for cars, or with gas, because this is cheaper, because all the medical injections of course they cost more." Interviewer: "Aren't they even said to be beaten to death?" Veterinarian: "Of course, yes, in the streets if they don't have the time to catch them, there are dog-catchers who just beat the dogs to death. "

- Mr. Wojciechowski has visited Romania three times, and after his last visit at the beginning of 2015 he says in the following video that the situation of the stray dogs has not improved, on the contrary it's even worse than before.
www.youtube.com/watch?v=TdJ7uaRKHc03.2.2014
- Round-table discussion in July 2014 with MEPs Janusz Wojciechowski, Jörg Leichtfried, Anja Hazekamp and Stefan Bernhard Eck, veterinarian Caroline Tomaszewski and moderator Peter von Kohl
<https://www.youtube.com/watch?v=gmNmbGgEKjY>

Excerpts from the discussion:

Peter von Kohl: "What's in your opinion the worst thing about this kind of getting rid of stray dogs?" Anja Hazekamp: "Well, of course the methods, it's absolutely cruel, inhumane and unacceptable. According to me it's also a violation of the Lisbon treaty which says that animals are sentient beings. But what struck me also is that it's not effective, it doesn't have effect on the population as a total, and therefore animals should not be killed. If you have an alternative, it's not effective, and it's also very cruel, you have to use other methods, alternative prevention methods, like neutering the animals and placing back. That's effective, that's proved. Why kill them?"

Caroline Tomaszewski about the conditions in a shelter she visited in January 2014 in Slatina: "The dogs were in a very bad condition. I can say it as a veterinarian. They were almost starved to death. They were sick, most of them would not live for another week in those conditions." "There was no food, no water. We saw some cages outside. There was a dog sitting inside it with big wounds on the skin. And around it's cage there were no signs of footprints (in the snow). That means this dog was not fed for at least a week or two weeks. It was also almost starved to death.

- Carmen Arsene's, President of the National Federation for Animal Protection/Federatia Nationala pentru Protectia Animalelor (FNPA), description of the killings of stray dogs in Romania, July 2014
<http://www.fnpa.ro/stray-dog-situation>

Ms. Arsene says about **capturing and transport of dogs to the city halls' dog pounds**: "The dogs are hunted, tortured, beaten to death, stabbed, strangled, being dragged through the streets often bleeding. Many dogs die during their capture because they are strangulated, or they die during capturing because the brutality of the way they are handled causes a heart attack." "The dogs are transported crowded in common cages, in unventilated vans, some die during transport because they are suffocated."

About **sheltering dogs in the city halls' dog pounds** she says: "Generally the dogs are kept without water, food or room to move. Puppies are kept together with adults, ill dogs with healthy dogs, in urine and excrement. No medical assistance is provided for injured or ill dogs. Sometimes the dogs are eating the cadavers of other dogs."

Ms. Arsene tells about the **killing dogs in the city halls' dog pounds**: "The dogs are killed generally by illegal, cheapest and painful methods. Within the stray dog management program "euthanasia" in practice means starvation, poisoning, strangulation, and/or injection with illegal substances. The Sanitary Veterinary National Authority and the College of Veterinarians from Romania (CMV) – institutions which in any other country would fight for and defend the welfare and life of the animals – have introduced in the law the fact that euthanasia must be done in compliance with the Euthanasia Code which was drafted and issued by the the College of Veterinarians from Romania!

[http://media.wix.com/ugd/7baf9f_1a7ea7b424a892e9d823ebda070c19ef.pdf?dn=Ghidul%2BCMV%2Bde%2Beutanasie%2Bal%2Banimalelor%2B\(2\).pdf](http://media.wix.com/ugd/7baf9f_1a7ea7b424a892e9d823ebda070c19ef.pdf?dn=Ghidul%2BCMV%2Bde%2Beutanasie%2Bal%2Banimalelor%2B(2).pdf) Thus, according the law no.258/2013, the dogs may be "euthanased" with carbon dioxide, carbon oxide, potassium chloride, nitrogen, electric shocks, penetrating captive gun – cruel methods non-acceptable in EU."

- Presentation by Carmen Arsene, President of the National Federation for Animal Protection/Federatia Nationala pentru Protectia Animalelor (FNPA) dated 24 January 2013 <https://www.youtube.com/watch?v=FoQiEoRU49o>
- Article by Daily Mail dated 25 January 2015 about starving dogs in Romanian shelter forced to Eat each other to stay alive <http://www.dailymail.co.uk/news/article-2925853/Starving-dogs-Romanian-shelter-forced-EAT-stay-alive-rescued-animal-lover.html>

Videos and photos of the depopulation of stray dogs in Romania:

- Video by Vier Pfoten reveals appalling conditions in Romanian dog shelters, filmed between March and May 2014 <https://www.youtube.com/watch?v=yeJmXscDYdY>
- Photos by Protectia si Drepturile animalelor show dogs poisoned at Braila dog pound http://www.protectiaanimalelor.ro/dogs/dogs_braila.html
- Video showing how dogs are beaten to death in Navodari <https://www.youtube.com/watch?v=y2YHSqBTzFk>
- Video showing dogs poisoned and left to die on the street in Barbesti https://www.youtube.com/watch?v=Wu6q6_I0d0I