



**“Georgian Society for the Protection and Safety of Animals” – GSPSA**

**To**

**The Chairman of the Parliament of Georgia – Mr. Irakli Kobakhidze**

Tbilisi, Georgia, October 4, 2017

## **Petition**

**of “Georgian Society for the Protection and Safety of Animals” – GSPSA**

**on Tightening Article 259 of the Criminal Code of Georgia regarding Animal Abuse**

The below petition is signed on October 4, 2017 (<http://www.worldanimalday.org.uk/>). All animal welfare activists and animal lovers join forces on this day to contribute to animal welfare. World animal day – is well known throughout the world and appreciated notwithstanding nationality, religion, belief or political allegiance.

We, “Georgian Society for the Protection and Safety of Animals” - GSPSA, intellectuals in Georgia and other countries, for whom the interests and the values of the world’s civilized countries’ people are common, appeal to you, the Chairman of the Parliament of Georgia, to set in motion animal defense mechanisms, that will undoubtedly have great significance in humane control of our ecosystem.

Georgia has not signed the international animal rights conventions and other acts. Issues of animal defense and animal cruelty preventions are not regulated within the country, there

are no state laws in the field of animal protection, except for the Article 259 of the Georgian Criminal Code, which is “dead” and has not been used except for very rare cases, in spite of mass animal abuse facts. No reasonable and strict measures are taken against people aggressive towards animals, which has resulted not only from legislative “tolerance”, but from nihilistic attitude of the law enforcing bodies.

Unfortunately, animal abuse has become common in Georgia. State does not offer any program to improve public awareness. The violation of rules of caring for companion animals (dogs, cats) occur very often resulting in psychological and physical damage to the animal and frequently ending in suffering and death of the animal. In villages the majority of dogs are constantly tied, often without shelter, food or water. Many animals in cities are hostages to basements and garages. Animal breeding is not controlled and chaotic. Puppies and kittens – results of such breeding – are disposed of into the water and drowned, otherwise killed, thrown into the streets or otherwise abused. Veterinary service is almost unavailable in regions. Hence, animals who have owners get sick and the owners throw them out or kill using inhumane methods.

The tradition of sacrifice is widespread in Georgia. People sacrifice animals and birds in monastery yards or other places sacred for them. This is followed by feast and often ends up in struggle and crime. Such places are covered in sacrificed animals’ blood, cut off heads and other parts. This cruelty to animals occurs in front of children. Unfortunately, the church does not demand abolishment of this tradition, while the state bodies have never responded to such facts.

Dog fighting is regarded as extreme felony against animals in developed countries. In Georgia dog fighting has many followers and nobody has ever been punished for organization of this “sport” or participating in it. Legislation should be developed and executed in this field too.

Cruelty against animals is regulated by Administrative Violation Code and Criminal Code, namely, according to Article 259 of the Criminal Code, “cruelty towards animal, which resulted in the death or disability of the animal as well as animal abuse is punished with penalty or social works up to one year, while the same deed performed in group, more than once, in the presence of minors is punished with penalty or imprisonment for up to two years.” According to Article 104 of the Administrative Violation Code of Georgia, “cruelty to animal or bird, which resulted in their death or disability or animal or bird abuse results in penalty up to the amount of one minimal wage.”

The regulation of the same deed by two Codes complicates the situation even more. Animal abuse should be criminal deed regulated only by the Criminal Code and the deed should be duly explained.

The legislation does not define forms of cruelty, which results in questions and law enforcing and investigating bodies often cannot assign exact qualification to a deed. The law should clearly define cruelty, abuse and suffering. Often the violation of rules of caring after animals results in suffering of an animal and even its death. Hence, the forms of cruelty should be applied and first decided upon with respective professionals – i.e. psychological trauma is considered a form of abuse according to international practice.

In addition, Article 259 of the Criminal Code is not strict enough and does not facilitate protection of animals. Intended abuse or killing of an animal should result in imprisonment for no less than 5 years. The experience of other countries should be studied and incorporated in this regard.

IDFI (institute for the development of free information – <https://idfi.ge>) published the statistics of animal abuse in Georgia in 2017. IDFI survey and assessment document reads: “Unfortunately, the situation in Georgia has not been evaluated based on global rating of animal welfare. Despite the fact that proceeding from the information from the ministry of internal affairs of Georgia and the Supreme Court very few cases of animal abuse have been recorded in Georgia, in our opinion, this information does not reflect the reality. Public awareness should be first improved to facilitate animal welfare in Georgia. It is important that respective bodies (ministry of internal affairs, prosecutor general office, Supreme Court of Georgia), proactively inform the general public on the situation regarding animal welfare in the country.”

We think that national strategy of animal welfare should be adopted. The aim of the strategy should be identification of state attitude towards domesticated animals (both farm animals and partner, companion animals). It is especially important for Georgia, because it serves the goals of integration in Europe and western partners.

The strategy should be based on human principles, which are against unreasonable suffering and stress to animals. The strategy should also cover elaboration of standards for living of the animals and humane management of overpopulation of animals.

We, NGO “Georgian Society for the Protection and Safety of Animals” and intellectual part of citizens, are worried by animal abuse and urge the state authorities to solve this issue in a

civilized and humane form, harmonize legislation. Legislative body and authorities should take this problem in consideration and actually do something to implement humane strategy and elaborate state program on animal welfare based on international standards.

With this petition we demand to make Article 259 of the Criminal Code of Georgia regarding animal abuse stricter.

We demand that legislative body of the country take on correct direction to facilitate introduction of effective tools against animal abuse. Georgia should become internationally positioned and ready to protect animals and sign European conventions on domesticated animal welfare.

Regards,

***Teimuraz Tsikoridze***

Chairman of NGO “Georgian Society for the Protection and Safety of Animals” - GSPSA

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