



Romania

Animal Protection Index 2014 ranking: D

Animal Protection Index Indicators

Goal 1: Recognition of animal sentience and the importance of animal protection as a societal value

1. Animal sentience is formally recognised in legislation and/or policy

Ranking: C

Part 1: Verification
<p><i>There is legislation with partial application</i></p> <p>There is no domestic legislation formally recognising animal sentience in Romania. Article 6 of Law 205/2004 concerning the protection of animals makes references to psychological suffering of animals as distinct from physical suffering and Article 5 requires owners to keep animals in conditions that meet their ethological needs. This provides a partial recognition of sentience. Both Articles were recently reviewed by Law 255 of 2013 which came into effect in April 2014. At a European Union level, Article 13 of the Treaty on the Functioning of the European Union requires that in formulating policy Member States pay regard to animals' welfare requirements as sentient beings.</p>
Part 2: Assessment
<p><i>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</i></p> <p>The Treaty on the Functioning of the European Union has a mandate for European Union Member States to pay full regard to the welfare requirement of animals as sentient beings, when formulating policies in different sectors. Romania would benefit from the formal inclusion of this in national policy instruments and legislation.</p>
<p><i>Are there economic and societal barriers to improving this aspect of animal welfare?</i></p>

The existing recognition of the capacity of animals to suffer both physically and psychological provides a good foundation and, together with European Union recognition of sentience, suggests that barriers may be relatively low with respect to formal recognition of animal sentience.
Are enforcement mechanisms in place in policy and legislation?
Articles 23 to 28 of Law 205/2004 contain sanctions for contraventions of the provisions that arise out of the partial recognition of sentience: fines varying depending on the conduct, and confiscation of animals for repeat offenders.

2. The government has pledged in principle support for the Universal Declaration on Animal Welfare

Ranking: E

Part 1: Verification
There is partial government support
In 2009 the 27 Agriculture Ministers of the European Council, including from Romania, unanimously approved a statement on the UDAW encouraging the European Commission to support and initiate further international initiatives to raise awareness and create a greater consensus on animal welfare, and inviting the Member States and the Commission to support the UDAW initiative. ¹ Beyond this European Union support the government does not appear to have made any independent commitments with respect to the UDAW. <u>Note:</u> The Universal Declaration on Animal Welfare is a proposed formal international acknowledgment of a set of principles giving animal welfare due recognition among governments and the international community. An expression of support for the UDAW demonstrates a government’s commitment to working with the international community to improve animal welfare.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
There are no developments directly related to the UDAW in the policy and legislation individually produced by the government. While UDAW can have a significant role in making the concept of animal welfare a mainstream concern of society, there was no evidence found that the European Union support for UDAW had a direct consequence on the country’s discussions on animal welfare.
Are there economic and societal barriers to improving this aspect of animal welfare?
There do not appear to be significant barriers to the government pledging in principle support for the UDAW, although there appears to be low momentum for this.
Are enforcement mechanisms in place in policy and legislation?
There are no enforcement mechanisms relevant to this indicator.

¹ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/agricult/106877.pdf

3. There are animal protection laws that prohibit causing animal suffering either by a deliberate act of cruelty or by a failure to act

Ranking: B

Part 1: Verification
There is legislation
<p>Law 205/2004 includes basic anti-cruelty provisions. Article 5(2) prohibits bad treatment of animals. Article 6(1) defines this as violent behaviour, abuse, maltreatment, overwork and failure to provide minimum requirements for life and welfare. Article 6(2) lists specific conducts that are prohibited under the definition of maltreatment. Article 5 also includes provisions for food and access to water, shelter, space, care and attention, and medical assistance. The legislation does not appear to define which animals are covered so it is not clear whether it includes all vertebrates (including fish) and/or any invertebrates.</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The legislation recognises animal welfare as an independent issue and addresses some key cruelty concerns, but some descriptions are not sufficiently detailed and may be open to interpretation.
Are there economic and societal barriers to improving this aspect of animal welfare?
Under the Worldwide Governance Indicators for Romania for the last decade, the country has improved its score for the Rule of Law and Control of Corruption indicators, although this has meant achieving overall marks that are just above 50%. In addition, the law does not have a clear mandate or provisions to allocate human resource or budget to the implementation of animal protection basic anti-cruelty legislation. There is no evidence of government efforts to introduce elements of protection improvement, via secondary legislation or similar approaches. It therefore appears that there remain barriers to improvement in this area.
Are enforcement mechanisms in place in policy and legislation?
Articles 25 to 28 of Law 205/2004 contain sanctions for contraventions of the law, consisting of fines and confiscation of animals for relapse offenders.

4. a. There are laws that apply to animals used in farming including rearing, transport and slaughter

Ranking: B

Part 1: Verification

There is legislation

The anti-cruelty provisions of Law 205/2004 apply to this category of animals. There are also more detailed legislative provisions incorporating the requirements of European Union legislation. In relation to transport, Article 15 of Law 205/2004 states that transporters are obliged to transport animals in adequate conditions to avoid harm and exhaustion. Article 13 makes provision for specific conditions to be imposed by the National Sanitary-Veterinary and Food Safety Authority, which has been done by secondary legislation Order 83/2006. European Union Regulation 1/2005 also has direct effect in the country.

In relation to slaughter, Article 19 of Law 205/2004 requires that animals are not subjected to unnecessary suffering. Article 20 provides for slaughter to comply with relevant laws. Secondary legislation Order 180/2006 and Order 74/2009 provide further detail.

The government has also confirmed that European Union Regulation 1099/2009 on the protection of animals at the time of killing has direct effect in the country.

The National Sanitary-Veterinary and Food Safety Authority has also produced secondary legislation on the rearing conditions and minimum standards for different animals including pigs, hens (poultry, laying hens, turkeys and heavy breeds of hens) and cattle and calves. The European Union general farm animals Directive is implemented by Order 75/2005.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Potential welfare challenges faced by animals used for farming are recognised as an independent issue in the country and there are guidelines, policies and legislation evidencing that this is an issue for which the government has a concern. The legislation appears to be informed by international standards (such as the OIE's animal welfare standards) or to refer to internationally accepted principles such as the Five Freedoms.

European Union legislation applicable to animal welfare is applicable in Romania, mostly transposed in the country by Orders produced by the National Sanitary-Veterinary and Food Safety Authority.

The Authority has also produced complementary guidelines on welfare issues, covering specifically the welfare of calves, pigs, hens (poultry meat and laying hens) and on transport and slaughtering. These guidelines highlight issues specific to animal welfare, promoting a view that aligns production needs with protection of the health and well-being of the animals used in this sector.

Are there economic and societal barriers to improving this aspect of animal welfare?

Romania's agriculture and animal farming are very important in terms of employment, employing 30% of the occupied population in 2010 (compared with only 4% in the Euro Area).² This has a direct relationship with production systems in the country and the difficulties of full regulation. A report of the National Sanitary-Veterinary and Food Safety Authority for 2010, for instance, points out that most of the guidance and regulation on pig farming was produced in an attempt to tackle illegal pork trade, which at the time of the report had yet to be quantified and controlled.³ Therefore it appears that the country's particular economic conditions may present an obstacle for the

² The Economist Newspaper 202, 244

³ The National Sanitary Veterinary and Food Safety Authority, Activity Report 2010, p.21

improvement of animal welfare measures with regard to farmed animals.
Are enforcement mechanisms in place in policy and legislation?
Articles 25 to 28 of Law 205/2004 contain sanctions for contraventions of the law, consisting of fines and confiscation of animals for relapse offenders. Enforcement mechanisms for secondary legislation (Orders made by the National Sanitary-Veterinary and Food Safety Authority) are not clear in the legislation.

4. b. There are laws that apply to animals in captivity

Ranking: C

Part 1: Verification
There is legislation
The anti-cruelty provisions of Law 205/2004 apply to this category of animals; particularly relevant is the prohibition on using animals for shows that cause physical or psychological suffering, disease or injury. Article 5(1) of Law 205/2004 makes reference to the Five Freedoms in requiring that animal owners have obligations to provide, according to species and age, shelter, sufficient food and water, space to move, care and attention, and medical assistance. The law also restricts the ability to keep wild animals to regulated authorised institutions, such as zoos and aquaria (Article 9), incorporating European Union legislative requirements in regulation of these institutions in Law 191/2002 and Order 1798/2007.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The government has produced regulations that limit the ability to keep animals in captivity, requiring that specific conditions must be met, which in turn are linked to compliance with environmental requirements. This could present an opportunity for the government to include animal welfare provisions in the future. The country could benefit greatly from being more explicit about the kind of activities concerning animals in captivity that would benefit from regulation. Following international standards, a more robust system could be achieved by introducing restrictions on the use of animals that are kept in captivity (for instance, banning or restricting the use of wild animals in circuses). The EU Zoo Inquiry 2011 reported considerable issues with respect to enforcement of the law in Romania and expressed concern about the welfare of animals held captive in zoos that were inspected. The majority of inspected animal enclosures did not comply with the law. The Inquiry found that on average three-quarters of the enclosures were not sufficiently complex for the animals contained within them and on average four out of five enclosures failed to meet the species-specific needs of animals. ⁴ The more permissive the legislation, the more problematic it becomes to allocate human and

⁴ <http://www.bornfree.org.uk/zooreports/romania/>

financial resource that can effectively promote animal welfare. As it stands today, in Romania wild animals can be used in circuses, entertainment industries and private breeding. There appear to be significant barriers to improvement in this area.

Therefore the current legislation does not appear to be effective to make the welfare of captive animals a mainstream concern of society.

Are there economic and societal barriers to improving this aspect of animal welfare?

Regulation of activities and issues in relation with the use of animals in captivity in Romania needs to be considered in a perspective according to which national authorities have a preeminent role and more preventive measures are considered for individual protection of animals. It appears that there may be human or financial resource constraints to improvement in this area given the current poor enforcement and poor compliance with the legislation.

Are enforcement mechanisms in place in policy and legislation?

There are potential fines for breaches of the anti-cruelty provisions in Article 23 alin. 1.1 of Law 204/2005, and imprisonment for keeping wild animals captive without a licence.

Legislation on animals in captivity seems to focus on administrative issues in relation to licencing, which means that enforcement is limited to actions outside the realm of licensed activities, limiting the options for authorities to take steps to improve animal welfare in this category.

4. c. There are laws that apply to companion animals

Ranking: C

Part 1: Verification

There is legislation

The anti-cruelty provisions of Law 205/2004 apply to this category of animals; particularly relevant are the prohibitions on abandoning animals and on removing puppies from their mother before eight weeks of age. Article 5(1) makes reference to some of the Five Freedoms in requiring that animal owners have obligations to provide, according to species and age, shelter, sufficient food and water, space to move, care and attention, and medical assistance.

Article 1(2) of Law 205/2004 states that management of stray dogs is dealt with by separate legislation, which appears to create an exemption from the provisions of that law for this activity. There have been some legislative developments with regard to stray dog population control, which seems to be one of the most problematic issues with regard to companion animals in Romania.⁵ A first attempt to legislate this issue appeared in 2001 with the Government's Urgent Resolution No. 155/2001 regarding management of stray dogs, complemented a year after by the Government's Urgent Resolution No. 60/2003 on aggressive dogs and dog fights. A Governmental Decision (955/2004) made a commitment for the government to follow the European Convention for the Protection of Pet Animals and also to limit or restrict culling. Legislation passed in 2008 (Law 9/2008) reiterated the ban on culling. In consultation the government also confirmed that recently in 2013, Law 258 amended Emergency Ordinance 155 of 2001 and approved a programme of

⁵ <http://www.bbc.co.uk/news/world-europe-24015166>

management of stray dogs.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
--

It appears that stray population control remains a significant issue despite several iterations of legislation to address this issue. The government has made it clear that its preferred method of control is culling, even though this does not comply with international recommendations concerning humane population management of stray animals. ⁶ In 2011 the Romanian parliament voted to reintroduce stray dog culling, despite mounting pressure from other European Union Member States, including calls from MEPs for action by the Romanian Parliament and President. ⁷ The law was passed, but declared unconstitutional in January 2012. On September 25th, 2013, the Constitutional Court authorised the mass killing of Romania's stray dogs, a decision which has caused great international concern. ⁸ However, it is reported that some Romanian mayors have decided against mass dog culls in their cities. ⁹

Are there economic and societal barriers to improving this aspect of animal welfare?
--

The country clearly has problems with stray dog population which negatively affect the perception of animal protection nationally and internationally. In this particular regard, one of the greatest constraints in Romania is the failure to address this issue from the perspective of international animal welfare recommendations. The issue of stray population control is one of the issues in which the recommended course of action is the same from both political decision-makers in the European Union and NGOs dedicated to animal welfare promotion. Romania could benefit greatly from trialling mass neutering and education campaigns in lieu of culling. The current law against abandonment, punishable only by a fine, does not appear to be a sufficient deterrent. In spite of the above, the government has confirmed in consultation that it is taking some further steps to work on issues in relation to the management of stray dogs by engaging with international organisations and hosting regional workshops with OIE, promoting work beyond the national border.
--

Are enforcement mechanisms in place in policy and legislation?
--

There are potential fines for breaches of the anti-cruelty provisions in Article 6 of Law 204/2005, and imprisonment for some breaches such as organising animal fighting.
--

4. d. There are laws that apply to animals used for draught or recreational purposes

Ranking: C

⁶ http://www.icam-coalition.org/downloads/Humane_Dog_Population_Management_Guidance_English.pdf

⁷ <http://www.animalwelfareintergroup.eu/2011/11/24/romanian-parliament-adoption-of-law-on-stray-dogs-hopefully-not-a-license-for-deliberate-killings/>

⁸ <http://www.ibtimes.com/romanian-stray-dogs-slaughtered-streets-red-card-romania-spreads-facebook-1505630>

⁹ <http://www.vier-pfoten.org/en/projects/stray-animals/sac-romania/overview-of-the-stray-dogs-situation-in-romania/>

Part 1: Verification**There is legislation with partial application**

The anti-cruelty provisions of Law 205/2004 apply to this category of animals; particularly relevant are the prohibitions on organising animal fights and on using animals for shows that cause physical or psychological suffering, disease or injury. Article 5(1) states that animal owners have obligations to provide, according to species and age, shelter, sufficient food and water, space to move, care and attention, and medical assistance. Article 15 allows that “animals can be used in publicity, shows, exhibitions, competitions or other similar events” provided that the general conditions established in that law are complied with.

It is reported that legislation was introduced in 2007 banning horse-drawn carts from public roads.¹⁰ No further detailed legal provisions have been made relating to the welfare of animals used for draught and recreation purposes, as confirmed by the government.

Part 2: Assessment**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

Traditionally draught animal power, primarily by horses but also by donkeys, has been of great importance to Romania. However, the ban on horse-drawn carts from public roads in 2007, at a time when there were an estimated 750,000 carts in use, is reported to have resulted in serious welfare issues for horses that continue today, including roaming, abandoned horses and ill-treatment.¹¹ This has also led to an increase in the transport of horses for slaughter, which also causes welfare concerns, nationally and internationally.¹²

The law establishes an authorisation for the use of animals in entertainment, without further consideration for the type of activity in which the animal is involved. This does not follow international and regional trends by which some activities are limited (such as the use of animals in circuses). There are no additional considerations reflecting the fact that the use of animals in entertainment generally is not limited to citizens, but to corporations, which could potentially undermine the capacity of the government to introduce welfare elements in wider decision-making processes. However, the government has partnered with animal protection organisations to end the cruel practice of dancing bears in the country and has supported the confiscation of dancing bears and their movement to sanctuaries.¹³ The government has also supported the enforcement of a law banning the keeping of bears by private keepers resulting in the rescue of bears from private keepers, for example, roadside restaurants.¹⁴

Are there economic and societal barriers to improving this aspect of animal welfare?

The main obstacle for developing animal welfare protection for animals that are used for recreational purposes is the lack of limits on the activities in which animals can be used. Under such

¹⁰ http://news.bbc.co.uk/1/hi/programmes/from_our_own_correspondent/7098896.stm

¹¹ <http://www.esdaw.eu/horses-donkeys-romania.html>

¹² <http://www.dailymail.co.uk/news/article-2276747/Horsemeat-scandal-Thousands-horses-slaughtered-meat-Romania-100-time.html>

¹³ <http://www.itnsource.com/en/shotlist//RTV/2014/05/14/RTV140514004/?v=1>

¹⁴ <http://issuu.com/wspauk/docs/wspanewswinter2012/6>

conditions, human and financial resources are very likely to be insufficient to effect improvement in this area. There are also serious issues to address with respect to Romania's draught animals with the desire to modernise bringing about the abandonment and devaluation of animals, leading to poor welfare and animal suffering. However, there has been action with respect to bears, in particular, demonstrating that there may be room for progress to be made.

Are enforcement mechanisms in place in policy and legislation?

There are potential fines for breaches of the anti-cruelty provisions in Article 5 of Law 204/2005, and imprisonment for some breaches such as organising animal fighting.

4. e. There are laws that apply to animals used for scientific research

Ranking: B

Part 1: Verification

There is legislation

It appears that the anti-cruelty provisions of Law 205/2004 apply to animals used for scientific research, as there is no exclusion of this category of animals from the law.

Article 24 provides that animals can be used for scientific research, diagnosing illness, producing medicines or other biological products, as well as similar aims, when the purpose of the activity cannot be reached by other methods.

Ordinance 37/2002 (approved by Law 471/2003) established the National Sanitary-Veterinary and Food Safety Authority, focusing on administrative procedures and a general record-keeping mandate. This Ordinance contains a list of regulated species and established a prohibition on performing experiments on wild animals. A further Order produced in the same year (400/2002) made basic conditions on the housing and care of animals used in scientific research.

Law 305/2006 ratified in the country the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes (1986), which is based on the principle of animal sentience.

Provisions of Council Directive 2010/63 / EC on the protection of animals used for scientific purposes have been transposed recently into national law by Law no. 43/2014 on the protection of animals used for scientific purposes. Due to its complexity and the fact that many institutions have responsibilities in this area, the government has confirmed that supplementary national legislation is currently considered. It will consist in common orders ANSVSA (National Sanitary Veterinary and Food Safety Authority - MS (Ministry of Health)-MMSC (Ministry of Environment) - MEN (Ministry of National Education) and orders of the President ANSVSA.

Finally, European Union Regulation 1223/2009, which bans the testing of cosmetic products, has direct effect in the country.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

This is an issue that the country has developed in accordance with animal welfare considerations in the European Union and international standards, which shows
Are there economic and societal barriers to improving this aspect of animal welfare?
The existing legislation on this area and reference to the European Convention suggests that there are relatively low barriers to improvement in this area. However, it is noted that according to recent Law 43 of 2014, the National Sanitary-Veterinary and Food Safety Authority was given a mandate to produce authorisation procedures, rules and systems for notification of experiments and other key elements of legal implementation of general legislation in specific deadlines. Also, other institutions like the Ministry of Health and Ministry of Environment and Ministry of National Education are involved in those issues, as confirmed by the government in consultation.
Are enforcement mechanisms in place in policy and legislation?
Enforcement mechanisms appear in Law 43 of 2014 and will be further developed in national orders from this legislation.

4. f. There are laws that apply to wild animals

Ranking: D

Part 1: Verification
There is legislation with partial application
It appears that the anti-cruelty provisions of Law 205/2004 apply to wild animals (once under the possession or control of humans), as there is no exclusion of this category of animals from the law. Article 9 specifically allows the keeping of wild animals under licence. Furthermore, Order 31 of March 2008 establishes in Article 12 the conditions for owning wild animals and approves the Methodological Norms for applying Law 205 of 2004 to this activity.
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
It is positive that the government regulates some issues that have an impact on the welfare on animals, but there does not appear to be legislation relating to conservation or hunting of wild animals and addressing the welfare issues associated with such activities.
Are there economic and societal barriers to improving this aspect of animal welfare?
Due to the fact that activities or circumstances under which particulars can keep wild animals are not very restricted, control and development of protection and welfare measures through policy and legislation is very difficult. This does not appear to be a priority area for government.
Are enforcement mechanisms in place in policy and legislation?
Although Law 205/2004 contains specific enforcement mechanisms, these enforcement mechanisms mostly consist of fines and do not have a supporting structure of guidance and regulation for preventive measures.

Goal 2: Presence of effective governance structures and systems

5. The government has assigned responsibility and accountability for improving animal protection at a high government level and has provided resources

Ranking: C

Part 1: Verification
There is legislation
Responsibility is assigned to the National Sanitary Veterinary and Food Safety Authority, which is part of the Ministry of Agriculture, Forests and Rural Development (Article 8(1), 8(2) Law 205/004). Throughout Law 205/2004, tasks are allocated to this body, mainly including the provision of standards and settings by which the law is to be implemented. In addition, Article 26 establishes that the supervision and application of this Law falls to this body, along with the Ministry of Administration and Internal Affairs.
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The assignment of responsibility at ministerial level to produce measures to promote animal welfare is very important and shows a clear intention to introduce animal welfare into main policy discussions. In addition, the legislation gives responsibility for complementary activities to this same authority, with a special emphasis on animal health, which is a very important component of animal welfare and animal protection. Furthermore, the authority has powers to make secondary legislation and the legislation has provided for supervision and enforcement to be undertaken, although a more straightforward procedure for implementation and more deterrent enforcement mechanisms would be of great benefit to the existing structure. However, on key animal protection issues such as stray dogs, it appears that the government's activities to date have not been fully effective to make animal welfare a mainstream concern of society.
Are there economic and societal barriers to improving this aspect of animal welfare?
There appear to be structural, financial and attitude barriers that limit progress on animal welfare issues. The government appears to focus its efforts on issues relating to animal health. For example, the National Sanitary-Veterinary and Food Safety Authority reported in 2010 that 100% of cooperation activities with the European Union (missions, programmes and budget cooperation agreements) were exclusively dedicated to animal health. ¹⁵ The government has also confirmed that the ANSVSA was involved in projects, missions, study tours, and other programs in cooperation with the European Union on the welfare of animals.

¹⁵ The National Sanitary Veterinary and Food Safety Authority, Activity Report 2010, p.53-58

Are enforcement mechanisms in place in policy and legislation?

The legislation identifies responsible government bodies and gives powers of enforcement and powers to make secondary regulations. However in most cases the legislation does not require those bodies to take any particular steps, thus making accountability for lack of action difficult.

Goal 3: Implementation of animal protection standards

6. The government is actively engaged with the OIE to improve animal welfare internationally, regionally and nationally

Ranking: E

Part 1: Verification

Policy is being discussed or developed

There is no legislation mandating engagement with the OIE. In 2005 an OIE Regional Commission for Europe seminar took place in Romania to discuss issues including animal welfare.¹⁶ Although the government has demonstrated some level of engagement with the OIE, primarily in the field of animal health, there has been no active engagement for a number of years. It is positive that the country has been the subject of an OIE PVS assessment, but the government did not agree to make the results of that assessment public.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Although recent evidence suggests that the government has participated in regional workshops specifically to address issues in the Balkan region in relation to OIE, evidence of regular engagement appears to be low and in most instances is not focused on animal welfare issues. There is no evidence of activity resulting specifically from the PVS assessment. Further interaction and commitment is encouraged.

Are there economic and societal barriers to improving this aspect of animal welfare?

There appears to be a lack of momentum to build on past engagement with the OIE. It appears that there may be either resource or attitude barriers.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

¹⁶ <http://www.oie.int/for-the-media/press-releases/detail/article/new-capacity-building-activities-of-the-oie-regional-commission-for-europe/>

7. The government has incorporated the OIE’s guiding principles for animal welfare and its animal welfare standards into policy and legislation

Ranking: C

Part 1: Verification
There is legislation with partial application
The existing legislation contains the basic mandates of the OIE’s standards, including legislation and policy on farmed animals, stray animal control and the use of animals in scientific research. However there is no development of initiatives to cover other of the standards such as those in the Aquatic Animal Health Code, and the stray population issue remains problematic.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The inclusion of some of the content of the OIE’s animal welfare standards is positive; however the penalties for contravention do not appear to be strong in many areas.
Are there economic and societal barriers to improving this aspect of animal welfare?
The existing legislation incorporates many of the OIE’s guiding principles and standards, although this is mostly through incorporation of European Union legislative requirements, although it appears that there may be low priority for improvement in areas not mandated by the European Union.
Are enforcement mechanisms in place in policy and legislation?
There are enforcement mechanisms, mostly consisting of administrative fines, for those of the OIE’s standards that are reflected in legislation.

8. The government publishes reports on progress towards goals set to monitor and improve standards of animal welfare

Ranking: D

Part 1: Verification
There is policy
The National Sanitary Veterinary and Food Safety Authority produces annual reports on its activities and makes these publicly available on its website. These include statistics on the number of animal health and welfare inspections, fines and business suspension orders. Although activity reported is mostly concerned with animal health and food safety, animal welfare is mentioned in these reports as one of the issues that are monitored.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The publication of reports demonstrating areas of government activity and also giving details of infringements and penalties is a positive step to promoting animal welfare concepts in the country. The reports would benefit from dedicated animal welfare content that highlights specific welfare issues rather than merely mentioning them as part of larger health concerns.
Are there economic and societal barriers to improving this aspect of animal welfare?
There appear to be low barriers to improvement in this area, as the government already has a reporting structure in place that is capable of encompassing animal welfare issues in greater detail. The government is encouraged to build on this.
Are enforcement mechanisms in place in policy and legislation?
The production of reports by the National Sanitary-Veterinary and Food Safety Authority does not appear to be based on legal mandate and thus has no enforcement mechanism.

Goal 4: Provision of humane education

9. Animal care and protection are included in the national education system

Ranking: D

Part 1: Verification
There is legislation with partial application
Law 84/1995 is the main piece of legislation that regulates national education in Romania. This does not contain animal protection consideration. Law 205/2004, as modified by Law 9/2008, introduced Article 33 by which there is a general mandate to the Ministry of Education, Research and Youth to promote issues of animal protection within civic education classes. However no evidence has been found of such activities.
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
Reports by the National Sanitary Veterinary and Food Safety Authority show that the government has a record of education campaigns and awareness events, in particular in relation to animal disease prevention and human interaction with animals at particular events such as Christmas. The mandate in Law 205/2004 Article 33 could become a powerful instrument to raise awareness of the concept of animal welfare in the country by introducing it into the educational framework of younger generations. This is a demonstration of intention to strengthen the idea of animal protection

as an independent concept in the country.
Are there economic and societal barriers to improving this aspect of animal welfare?
The main obstacle for full realisation of the aims of this indicator is that it appears to still be necessary for the Ministry of Education, Research and Youth to transform the mandate into formal policy or legislation.
Are enforcement mechanisms in place in policy and legislation?
The legislation creates a requirement for the Ministry of Education, Research and Youth to take action in this area, however it does not require any particular steps to be taken within any particular timeframe, thus making accountability for lack of action difficult.

Goal 5: Communication and awareness

10. The government works with others to improve animal protection by consulting and engaging relevant stakeholders, including NGOs

Ranking: D

Part 1: Verification
There is legislation with partial application
Law 205/2004 includes some requirements to include wider participation of the third sector in certain activities in which animals are used. For instance, Article 30 establishes an obligation for representatives of animal protection organisations to be part of a commission formed for the organisation of animal competition events, although the scope and operation of such commission is not explained in the legislation. Similarly, the National Sanitary Veterinary and Food Safety Authority has produced some regulations with regard to advisory committees for animal welfare with regard to animal experimentation (Order 84/2005). Art. 47 of Law 43/2014 on the protection of animals used for scientific purposes establishes organization and functioning of the national committee for the protection of animals used for scientific or educational purposes.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
It is important that the government has taken some legislative steps to introduce a wider network of participation for civil society to be included in discussions on the use of animals and animal welfare. The country would benefit from establishing a uniform measure of participation for the discussion of different issues affecting different categories of animals in Romania. The lack of uniformity, whether on the legal source by which such structures are established (some of them appear in the general

animal legislation and some others in Orders produced by the National Authority) or on the topics on which different levels of participation are decreed, undermines the reach of what has been achieved in the legislation.

Are there economic and societal barriers to improving this aspect of animal welfare?

The main obstacle for achieving the aims traced by this indicator is the lack of uniform structures for stakeholder consultation. There are no indications from the legislation that the existing structures have a specifically assigned budget and it is evident that not all of them have government representatives and/or relevant stakeholders in a position to provide advice or expertise in the decision-making process of policy and legislation production.

Are enforcement mechanisms in place in policy and legislation?

The existing requirements for stakeholder engagement are mandated by legislation.

Publication: November 2014

Romania: Socioeconomic information

Politics

Where not otherwise noted, information for this section has been sourced from the Economist Intelligence Unit's (EIU) country profiles.

Government type

Republic

Capital

Bucharest

International law organisation^{17 18}

Accepts ICC jurisdiction; has not submitted an ICJ jurisdiction declaration

Suffrage¹⁹

18

Legal system

Civil law system²⁰

Executive branch

Head of state: President Traian Basescu

Prime minister: Victor Ponta

Judicial branch

The highest judicial authority is the High Court of Cassation and Justice followed by the Courts of Appeals²¹. The High Court of Cassation and Justice has a panel of 9 judges²². The Superior Council of the Magistracy nominates civilian judges and public prosecutors, who are then appointed by the president²³.

Legislative branch

Romania's bicameral parliament is composed of an upper house, the Senate, with 176 seats, and a lower house, the Chamber of Deputies, with 412 seats. Members are elected for a term of four years²⁴.

Political parties

Social Liberal Union (USL), Alliance of the Romania Right (ARD), People's Party - Dan Diaconescu (PP-DD)

¹⁷

http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&midsg_no=XVIII-10&chapter=18&lang=en#11

¹⁸ <http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3>

¹⁹ <http://aceproject.org/epic-en/CDTable?question=VR001#g>

²⁰ http://www.nyulawglobal.org/globalex/Romania1.htm#_1.3_The_Judicial

²¹ <http://www.csm-just.ro/csm/index.php?cmd=9401&lb=en>

²² <http://www.romanianlawoffice.com/courts-romania.htm>

²³ http://www.nyulawglobal.org/globalex/Romania1.htm#_1.3_The_Judicial

²⁴ <http://www.osce.org/odihr/98757>, pp.4

Economics

Where not otherwise noted, information for this section has been sourced from the World Bank.

The BMI predicts real GDP to increase by 2.8% in 2014, the main driver of that growth being private consumption²⁵. A further boost to household spending power is expected to come from a drop in food prices, due to a good harvest in 2013, and a “planned rise in the minimum wage in 2014”²⁶. Public investment is also set to improve, especially as “the European support to sector programme” continues²⁷. The EIU predict that, in the longer term, Romania’s productivity will increase at a rate of 3.3% a year for the period 2012-20, and real GDP will grow by 3.8% a year for the period 2013-20²⁸.

Main trading partners (2012)²⁹

Import

Germany - 17.4%

Italy - 10.9%

Hungary - 9.0%

Export

Germany - 18.7%

Italy - 12.1%

France - 7.0%

Commodities (2012)³⁰

²⁵ <http://www.businessmonitor.com/romania###>

²⁶ <http://coface.com/Economic-Studies-and-Country-Risks/Romania>

²⁷ <http://coface.com/Economic-Studies-and-Country-Risks/Romania>

²⁸ <http://country.eiu.com/article.aspx?articleid=1190873303&Country=Romania&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

²⁹ <http://country.eiu.com/article.aspx?articleid=831399467&Country=Romania&topic=Summary&subtopic=Fact+sheet>

Imports

Machinery & equipment - 27.3%

Minerals & fuels - 12.1%

Chemicals & products - 9.9%

Exports

Machinery & equipment - 26.9%

Base metals & products - 12.2%

Textiles & products - 8.0%

GDP (current USD, 2012)

\$169,396,055,591

GDP per capita, PPP (2012)

\$16,518

Labour force, total (2012)

10,248,388.00

Currency

Leu

Equivalence to 1 USD

3.3332

Central government debt, total, (% of GDP, 2011)

NA

Manufacturing, value added (% of GDP, 2012)

NA

Agriculture, value added (% of GDP, 2012)

7

Industry, value added (% of GDP, 2012)

25

Exports (% of GDP) (2012)

³⁰ <http://country.eiu.com/article.aspx?articleid=831399467&Country=Romania&topic=Summary&subtopic=Fact+sheet>

40

Imports (% of GDP) (2012)

45

Services, etc., value added (% of GDP)
(2012)

68

Unemployment rate, (% , 2011)

7.4

Education expenditure (% of GDP, 2012)

4.2 (2009)

Adjusted savings: Education expenditure
USD (2011)

6,288,627,814

Population: ages 0-14 (% of total) (2012)
15

Population: ages 15-64 (% of total) (2012)
70

Population: ages 65 and over (% of total)
(2012)
15

Population living in rural areas (% of total)
(2012)
47

Population living in urban areas (% of total)
(2012)
53

Society

Where not otherwise noted, information for this section has been sourced from the World Bank.

Total population (2012)

21,326,905

Religion³¹

Christian (99.0%), Muslim (0.3%), Unaffiliated (0.1%)

Languages

Romanian³²

Population growth, annual % (2012)

-0.3

³¹ <http://features.pewforum.org/grl/population-percentage.php>

³² <http://country.eiu.com/article.aspx?articleid=1740903358&Country=Romania&topic=Summary&subtopic=Basic+data>

