



# Ukraine

Animal Protection Index 2014 ranking: E

## 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: E**

<b>Part 1: Verification</b>
<p>There is legislation with partial application</p> <p>The Law of Ukraine On the Protection of Animals from Cruelty No. 3447-IV was adopted in 2006 and provides a national legislative framework on this subject. The law's stated aim is to protect animals from suffering and death as a consequence of being cruelly treated, to protect their natural rights, and to reinforce morality and compassionate behaviour in society.</p> <p>Whilst not directly referring to animal sentience, the legislation does provide in Article 4 for animals to be kept in conditions that are in accordance with their biological, species-specific and individual needs. Additionally the law defines humane treatment of animals in Article 1 as including actions that will bring about benefit to or improve the quality of their lives. There is also recognition of negative psychological states: the definition of cruel killing of animals in Article 1 is killing animals without analgesics capable of precluding sensations of pain and fear.</p> <p>The protection of this law includes farm animals, domestic animals, wild animals including domestic and wild birds, fur-bearing animals, laboratory animals and animals in zoos in circuses (Article 1). Fishing is also covered by the scope of the law.</p>
<b>Part 2: Assessment</b>
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p>

The partial recognition of sentience in the Law of Ukraine on the Protection of Animals from Cruelty covers all categories of animals. Activities covered by the law include the rearing of farm animals; the treatment of animals in nature reserves and other protected areas; hunting and fishing; ownership and breeding of companion animals; circuses and zoos; sport, leisure and entertainment; scientific research; and production, including the production of biological preparations.

However, implementation of this framework law is dependent on the creation of secondary legislation by various different government bodies depending on the category of animals involved. Articles 27 to 32 of the law specify the various responsible authorities. Despite the positive aims of the law, it appears that to date the responsible competent authorities have introduced insufficient secondary legislation to meet their obligations under the law and few animal welfare advances have been made.

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

Animal protection campaigners and politicians in Ukraine have cited corruption as being a barrier to improving animal welfare.<sup>1</sup> According to Transparency International's 2013 Corruption Perceptions Index<sup>2</sup>, Ukraine has a low ranking showing that the country's public sector is perceived to have one of the biggest corruption problems in Europe.

Whilst the government has passed framework legislation aimed at protecting animals, the current weaknesses in Ukraine's governance and law enforcement procedures present significant barriers to improving animal welfare. These barriers have been commented upon in other reviews of the country, for example, by the European Union's European Neighbourhood Policy with respect to progress being made in implementing and enforcing legislation and other measures to protect the environment.<sup>3</sup> A low level of environmental awareness and consciousness of the population is another potential barrier to progress with respect to animal welfare, although this is being addressed as reported on by the United Nations Economic Commission for Europe in 2013.<sup>4</sup>

The current unstable political situation in Ukraine represents a significant barrier to progress on many legislative and governance fronts, including animal welfare.

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

Article 35 of the Law of Ukraine on the Protection of Animals from Cruelty provides that any person infringing the requirements of the law bears criminal, administrative and civil legal responsibility in accordance with the law; however it does not appear that any specific enforcement bodies have been established under the law.

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

**Ranking: G**

<sup>1</sup> [http://www.epu.in.ua/eng/news\\_view.php?id=789](http://www.epu.in.ua/eng/news_view.php?id=789)

<sup>2</sup> [http://www.transparency.org/country/#UKR\\_DataResearch\\_Reports](http://www.transparency.org/country/#UKR_DataResearch_Reports)

<sup>3</sup> [http://eeas.europa.eu/delegations/ukraine/press\\_corner/all\\_news/news/2014/2014\\_03\\_27\\_03\\_en.htm](http://eeas.europa.eu/delegations/ukraine/press_corner/all_news/news/2014/2014_03_27_03_en.htm)

<sup>4</sup> <http://www.unece.org/fileadmin/DAM/env/esd/8thMeetSC/Ukraine.pdf>

<b>Part 1: Verification</b>
<b>There is no government support</b>
<p>The government has not pledged in principle support for the Universal Declaration on Animal Welfare.</p> <p><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.</p>
<b>Part 2: Assessment</b>
<b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b>
<p>There is no support for the UDAW. Support for the UDAW would be a first step into integrating animal protection considerations into different discussion tables, becoming a soft law source for decision makers interested in improving animal protection in the country. An in principle pledge in support of the UDAW would be in line with the current Law of Ukraine on the Protection of Animals from Cruelty.</p>
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
<p>The government has in the past demonstrated willingness to work towards compliance with international conventions and has obtained compliance in certain areas, for example, areas related to animal health necessary for trade with the European Union. However at present the political instability in Ukraine accompanied by economic problems present very significant barriers to progress in many areas.</p>
<b>Are enforcement mechanisms in place in policy and legislation?</b>
<p>There is no policy or legislation relevant to this indicator.</p>

### 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: D**

<b>Part 1: Verification</b>
<b>There is legislation with partial application</b>
<p>Legislation prohibits causing suffering by deliberate acts: Article 89 on the Cruel Treatment of Animals in the Code on Administrative Offences prohibits the cruel treatment of animals, their victimisation or other actions which cause animal suffering. Article 299 of the Criminal Code also creates an offence of abuse to vertebrate animals.</p> <p>The 2006 Law of Ukraine on the Protection of Animals from Cruelty provides for animals to be treated according to humane principles, and prohibits certain conducts including using equipment or implements that could cause injury, forcing animals to carry out unnatural actions that could lead to injury, beating or injuring animals to force them to carry out an act, and using animals in such a way</p>

as to cause excessive physical strain (Article 18). Article 25 prohibits causing injury, pain, mutilation or death during sporting and entertainment activities. The law also makes some provision for the needs of animals to be met: animals must have provision of their biological, species-specific and individual needs including food, water, social contact, natural movement and activity (Article 7). However, implementation of much of this law is dependent on secondary legislation being enacted by a number of different competent authorities at national, municipal and province level.

## Part 2: Assessment

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

The activities of Ukrainian and international animal protection organisations are establishing animal welfare as an issue in the country.<sup>5</sup> However at present the current legislation does not appear to be effective to make animal welfare a mainstream concern in the country and to prevent and punish acts of cruelty.

In June 2012 a 19-year-old student was the first person in Ukrainian history to be imprisoned for animal cruelty. Legal action was taken following a campaign by animal protection advocates, who protested to the authorities when the student posted videos on the internet of his torture and killing of more than 100 dogs.<sup>6</sup> In 2013 the Prime Minister called for humane treatment of homeless animals in the wake of continued national and international media coverage of cruelty.<sup>7</sup> These inhumane actions took place despite the provisions of the 2006 Law of Ukraine on the Protection of Animals from Cruelty that prohibits the cruel killing of animals and makes provision for the establishment of animal shelters.

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

The lack of a national approach to establishing procedures to implement and enforce laws aimed at protecting animals is a barrier to improving animal welfare. Although it is positive that in 2013 the Prime Minister of Ukraine acknowledged that cruel treatment of stray animals in Ukraine continued to be an issue of international and national concern requiring action,<sup>8</sup> the current political situation, governance and judicial problems<sup>9</sup> present significant barriers to enforcing animal protection legislation and to improvement in this area.

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

Article 89 on the Cruel Treatment of Animals in the Code on Administrative Offences provides that cruel treatment of animals, their victimisation or other actions which cause animal suffering, mutilation or death will be punished by a fine of between nine and twenty one times the non-taxable minimum income of citizens.

Article 299 of the Criminal Code of Ukraine provides for a fine or up to six months imprisonment for abuse of vertebrate animals and also for setting vertebrate animals against one another when such actions are based on hooligan or mercenary motives. The punishment for committing such offences in

<sup>5</sup> [http://animalprotect.org/library/movement\\_info/1055](http://animalprotect.org/library/movement_info/1055)

<sup>6</sup> [http://animalprotect.org/library/movement\\_info/1055](http://animalprotect.org/library/movement_info/1055)

<sup>7</sup> <http://observers.france24.com/content/20120113-ukraine-stray-dogs-sacrificed-euro-2012-football-championship-despite-killing-ban>; <http://www.thesun.co.uk/sol/homepage/news/4296093/Pamela-Anderson-to-Euro-2012-football-chief-Michel-Platini-stop-the-dogs-slaughter.html>

<sup>8</sup> [http://www.kmu.gov.ua/control/en/publish/article?art\\_id=246120829](http://www.kmu.gov.ua/control/en/publish/article?art_id=246120829)

<sup>9</sup> <http://www.reuters.com/article/2012/04/09/us-ukraine-justice-idUSBRE83809L20120409>

the presence of a young child is increased to a higher fine or imprisonment for a term of up to two years.

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

**Ranking: D**

<b>Part 1: Verification</b>
<i>There is legislation with partial application</i>
<p>The 2006 Law of Ukraine on the Protection of Animals from Cruelty is applicable to farm animals. Article 21 also specifically provides that painful and injurious methods to obtain animal products should not be used, and prohibits the use of biotechnological and genetic engineering breeding methods that alter the breed and external appearance of animals when this could lead to suffering. However Articles 21 and 28 provide that specific requirements relating to the use of animals in agriculture should be established by the central organ of executive power on matters of agricultural policy, currently the Ministry of Agrarian Policy and Food.</p> <p>The website of the Ministry of Agrarian Policy and Food shows an Order "On approval of the use of animals in agriculture" published in August 2012,<sup>10</sup> but it is not clear whether this remains in draft form or whether it has entered into force. The general provisions of the Order refer to the need for individuals and legal entities involved in the use of animals to observe the Law of Ukraine on the Protection of Animals from Cruelty, and Article 2.1 of the Order contains specific provisions for the use of animals in agriculture. These require the meeting of the physiological, species and individual needs of animals; for example, provision of food, water, contact with their own kind, and ability to perform natural activity. The Order also provides for humane slaughter of farm animals by requiring loss of consciousness before slaughter and separation of facilities for keeping animals before slaughter from areas where stunning and slaughter take place.</p> <p>Transport of farm animals is governed by the Resolution of the Cabinet of Ministers No 1402 of 16 November 2011 "On the approval of rules for animal transportation" which stipulates that animals should be provided with food every 24 hours and water every 12 hours and protected from harmful external influences. Vehicles should be designed to prevent the injury or death of animals. Devices and techniques used for loading and unloading should also eliminate the injury and death of animals. The law applies to a number of different categories of animals, including farm animals, poultry and fish.</p>

<b>Part 2: Assessment</b>
<i>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</i>
The wording of the Order (it relation to which it is not clear whether enactment has taken place)

<sup>10</sup> <http://minagro.gov.ua/regulatory?nid=1265>

shown on the website of the Ministry of Agrarian Policy and Food acknowledges the 2006 Law of Ukraine on the Protection of Animals from Cruelty and states that there are no procedures in place in the country concerning the welfare of animals used in agriculture. The regulatory impact analysis component of the draft order suggests conducting outreach to industry regarding requirements and recommendations for the proper treatment of agricultural animals. Indicators of success proposed include processing and analysing the number of calls regarding individuals, businesses and community organisations violating the requirements of the legislation should it be adopted. Ukraine farm production currently uses some of the most extreme animal confinement systems, for example, the laying hen battery cage (which is banned in the European Union). The European Commission has been criticised for omitting animal welfare provisions from the bilateral trade deal with Ukraine.<sup>11</sup>

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

Weak governance and the current political situation present significant barriers to improving animal welfare, and at present there is a lack of systems for implementing farm animal welfare legislation. Some impetus to improving farm animal welfare could be expected to arise from the Ukraine's desire to access European Union markets with its agricultural produce.

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

The general anti-cruelty law enforcement mechanisms apply to this category of animals, but there do not appear to be any enforcement mechanisms specifically relating to the welfare of farm animals.

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

**Ranking: C**

##### Part 1: Verification

**There is legislation**

The 2006 Law of Ukraine on the Protection of Animals from Cruelty applies to the keeping of wild animals in captivity, including the use of animals in zoos and circuses. Article 8 establishes special requirements for keeping wild animals in captivity including a requirement for a permit to be obtained and for animals to be kept in conditions corresponding to their biological requirements in relation to their species. Secondary legislation has been introduced by way of Order No. 429 of the Ministry of the Environment of 30 September 2010 on Keeping and Breeding Wild Animals in Captivity or Semi-Free Conditions and also Order No. 622 of 6 December 2012 on Rules and Standards for Keeping Dolphins in Captivity. Following international complaints about taking dolphins from the wild for captive purposes, the government banned this activity for three years from 2008, currently extended until 2014 by Order No. 328 registered in the Ministry of Justice of Ukraine on 04.10.2011 No. 1142/19880.

Some secondary legislation has also been introduced at regional level. For example, in 2007 the Kiev City State Administration introduced Decree No. 678 "On measures for keeping wild animals in Kiev" guided by articles 7, 25, 28, of the 2006 Law. The Decree called for records to be kept on

<sup>11</sup> [http://www.farminguk.com/news/Trade-agreement-that-allows-battery-eggs-into-the-UK-morally-wrong\\_26610.html](http://www.farminguk.com/news/Trade-agreement-that-allows-battery-eggs-into-the-UK-morally-wrong_26610.html)

owners of wild animals, for a permit system governing the use of wild animals in commercial services and for facilities to be provided for confiscated wild animals.

## Part 2: Assessment

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

In recent years Ukraine has received international attention for the poor conditions in which animals are confined in zoos<sup>12</sup>, despite the aspiration of the 2006 Law of Ukraine on the Protection of Animals from Cruelty that wild animals should be kept in conditions that satisfy their needs. Within Europe, Ukraine has the second largest number of facilities in which marine mammals are held captive.<sup>13</sup> Ukraine has received international criticism for taking dolphins from the wild from endangered Black Sea populations for its dolphinariums.<sup>14</sup> However, in 2012 the Ukraine government advised the Council of Europe that it had introduced legislation to prevent the taking of dolphins from the wild and that since 2008 no permits had been issued<sup>15</sup>; the government banned this activity for three years from 2008, currently extended until 2014 by Order No. 328 registered in the Ministry of Justice of Ukraine on 04.10.2011 No. 1142/19880.

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

A lack of co-ordinated action by competent authorities to implement the 2006 framework legislation to protect animals from cruelty by providing for their needs in captivity presents a barrier to improving animal welfare. However, the existence of working groups that are considering issues relating to animals in captivity and the fact that action has been taken regionally is encouraging. The website of the Ministry of Ecology and Resources contains reports in 2013 of a meeting of a working group focusing on the preservation of wild animals. Much of the meeting was reported as being dedicated to discussion of humane treatment of large carnivores held in captivity and proposals for amending Order No. 429 to improve living conditions for such animals.<sup>16</sup> This is a positive sign that improvement may be possible.

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

The general anti-cruelty law enforcement mechanisms apply to this category of animals. In 2012 the government advised the Council of Europe that with respect to dolphinariums the State Ecological Inspection of Ukraine carries out regular checks to ensure compliance with legal requirements in cooperation with other relevant authorities such as the Veterinary Inspection and the Public Prosecutor's office.<sup>17</sup>

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

<sup>12</sup> <http://www.cbc.ca/news/world/kiev-zoo-a-concentration-camp-for-animals-1.1106751>

<sup>13</sup> <http://www.bornfree.org.uk/campaigns/zoo-check/captive-whales-dolphins/europe/>

<sup>14</sup> <http://www.shiftingvalues.com/dolphinaria-continue-to-threaten-black-sea-dolphins/>

<sup>15</sup> <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2063752&SeMode=1&DocId=1877058&Usage=2>

<sup>16</sup> <http://www.menr.gov.ua/index.php/press-center/news/150-news28/1515-vidbulosia-zasidannia-robochoi-hrupy-za-uchastiu-providnykh-fakhivtsiv-ta-hromadskykh-zoozakhysnykh-orhanizatsii>

<sup>17</sup> <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2063752&SeMode=1&DocId=1877058&Usage=2>

**Ranking: E**

<b>Part 1: Verification</b>
<b>There is legislation with partial application</b>
<p>The provisions of the 2006 Law of Ukraine on the Protection of Animals from Cruelty encompass the keeping of companion animals. The law requires an owner or keeper ensures the animal is kept in a way that corresponds to its biological, species and individual needs (Article 9). Article 22 covers provision of adequate food, water, prompt veterinary treatment and the opportunity for the animal to carry out all necessary movement and to have contact with animals of the same species. The law also outlines aspects of responsible pet ownership, including prevention of uncontrolled breeding and observation of health, hygiene and veterinary standards.</p> <p>Articles 15, 23 and 24 relate to the issue of stray animals providing for the establishment of shelters, for humane catching methods and for isolation, quarantine, and disposal of captured strays. Organs of the local government are empowered to set up communal services or enterprises to capture stray dogs, cats and other domestic animals. Individual citizens are prohibited from capturing animals unless they present a danger to those in the vicinity.</p> <p>Although the law outlines welfare specific requirements it also states that Regulations regarding the keeping of pets are to be laid down by local government authorities. Some local government authorities have implemented relevant secondary legislation. For example, Decree No. 106 of February 2007 by the Kiev City State Administration on additional measures related to the treatment of animals prohibits the City Veterinary Hospital from using inhumane methods to kill animals<sup>18</sup>, and in 2007 the Kiev City State Administration established a programme for humane regulation of strays in the city. This included collaboration of numerous experts, animal shelter and protection organisations.<sup>19</sup></p> <p>Secondary legislation has also been introduced regarding humane methods of killing animals under Order No. 365 of the State Committee of Veterinary Medicine of 7 September 2010 "On the approval of methodical recommendations of the conducting of euthanasia of animals".</p> <p>In September 2013 the Parliament (Verhovna Rada) approved a law to ratify the European Convention for the Protection of Pet Animals<sup>20</sup>, which promotes the protection and humane treatment of pet animals.</p>

<b>Part 2: Assessment</b>
<b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b>
<p>In June 2012 a 19-year-old student became the first person in Ukrainian history to be imprisoned for animal cruelty as previously noted. He was imprisoned for torturing more than 100 dogs and posting</p>

<sup>18</sup> [http://animalprotect.org/library/law\\_info/51](http://animalprotect.org/library/law_info/51)

<sup>19</sup> 25.10.2007 No 1080/3913 on the Kiev city program regulating the number of homeless animals by humane methods <http://cipets.kiev.ua/ua/laws/kmr/laws.php?ID=1941>

<sup>20</sup> <http://eng.menr.gov.ua/index.php/press-center/news/854-verhovna-rada-of-ukraine-approves-the-law-on-ratification-of-european-convention-for-the-protection-of-pet-animals>



images of the torture and killing on the Internet. However, animal protectionists reported that they had to campaign before the police took any action.<sup>21</sup>

Since 2006 Ukraine has been the focus of intermittent international media coverage and calls for action regarding cruelty to strays<sup>22</sup>. In 2011 Members of the European Parliament and others around the world once again called for action when city authorities across Ukraine were found to have been commissioning or carrying out cruel killing of stray dogs in the run-up to Euro 2012.<sup>23</sup> In response to the international outcry Ukraine's environment minister issued a statement in November 2011 banning the killings and calling upon mayors across the country to build animal shelters.<sup>24</sup> The Ukrainian Government responded to international concerns about the treatment of strays by entering into agreements and partnerships with, for example, international animal protection organisations establishing programmes for free neutering and vaccination of strays, and in 2012 it was reported that progress had been made in several regions, including in Volyn, Lutsk, Kharkov, Odessa and Kiev.<sup>25</sup>

However, despite action by the national government and by some city authorities, reports of the cruel killing and poisoning of stray animals persist. For example, in 2013 it was reported that citizens of Kiev were taking the control of killing dogs into their own hands with dogs being poisoned and beaten.<sup>26</sup> It appears therefore that to date legislative efforts to make the welfare of companion animals a mainstream concern of society have not been effective.

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

2013 saw the then Prime Minister Mykola Azarov announce that he had given a commission to various competent authorities within the government to find a civilised solution to the issue of strays, acknowledging concerns about cruelty to stray animals expressed in national and international media<sup>27</sup>, and a spokesperson for the European Party of Ukraine stated that a "society that demonstrates cruelty to animals will never be humane to people", pledging to work to promote adherence to the 2006 law to protect animals from cruelty.<sup>28</sup>

Efforts by national, provincial and municipal authorities to deal with issues involving stray animals appear to struggle, perhaps because of weak governance. Opposition from some parts of the population to programmes to neuter stray animals is another barrier to progress. For example, in 2013 the NGO Vier Pfothen reported that it had to stop its programme in Kiev to spay and neuter strays after staff received death threats and the authorities and police in Kiev took no action.<sup>29</sup>

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

Enforcement mechanisms exist in the Criminal and Administrative Codes, but whilst there have been many reports relating to the cruel killing of dogs in Ukraine there does not appear to have been a

<sup>21</sup> [http://animalprotect.org/library/movement\\_info/1055](http://animalprotect.org/library/movement_info/1055)

<sup>22</sup> <http://www.carolinelucasmep.org.uk/2006/03/06/lucas-calls-on-yushchenko-to-act-on-footage-of-widespread-cruelty-to-stray-dogs-in-ukraine/>

<sup>23</sup> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2011-010503+0+DOC+XML+V0//EN>

<sup>24</sup> <http://www.kyivpost.com/content/ukraine/ukraine-calls-for-end-to-killing-of-stray-dogs-upd-117121.html?flavour=mobile>

<sup>25</sup> <http://naturewatch.org/blog/article/ukrainian-stray-dogs-enjoy-better-welfare>

<sup>26</sup> <http://www.theguardian.com/world/2013/aug/11/kiev-dog-hunters-rid-city-strays/print>

<sup>27</sup> [http://www.kmu.gov.ua/control/en/publish/article?art\\_id=246120829](http://www.kmu.gov.ua/control/en/publish/article?art_id=246120829)

<sup>28</sup> [http://www.epu.in.ua/eng/news\\_view.php?id=856](http://www.epu.in.ua/eng/news_view.php?id=856)

<sup>29</sup> <http://www.theguardian.com/world/2013/aug/11/kiev-dog-hunters-rid-city-strays/print>

strong response by way of implementation and enforcement of the legislation.

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

**Ranking: E**

##### Part 1: Verification

There is legislation with partial application

The 2006 Law of Ukraine on the Protection of Animals from Cruelty applies to animals in this category and has provisions specifically addressing the use of animals in circuses and zoos, at exhibitions and other spectacles and to the use of animals for sport, leisure and entertainment. Article 5 bans the propagation of cruelty to animals, incitement to cruelty and the depiction of animal cruelty in entertainment or commerce. Video and photo-shoots using animals must ensure that animals are not injured, mutilated or killed. Article 18 sets out general requirements prohibiting the use of equipment or implements that could injure animals; forcing animals to carry out unnatural actions that could lead to injury; beating or injuring an animal in order to force it to carry out any act; and using animals in such a way as to put excessive physical strain on them. When training animals it is prohibited to beat or frighten them and to remove teeth or claws. Travelling menageries are prohibited. Conducting fights between animals is forbidden, as is the conduct of sporting or entertainment activities involving the hunting down and death of an animal. The law also prohibits using animals to kill each other. However, there are exceptions related to the use of dogs in hunting other animals and birds.

Implementation of much of this law requires secondary legislation. The law states that the executive power responsible for veterinary medicine for is responsible for licensing entertainment, sport and leisure activities and that zoos require a license from the central organ of executive power responsible for conservation of the natural environment.

Some secondary legislation to implement the requirements of the 2006 law has been introduced, for example, Order No 643 of the Ministry of Agrarian Policy of 13 October 2010 "On the approval of the use of animals in entertainment events", and Resolution of the Cabinet of Ministers No. 1175 of 22 December 2010 "On the approval of the Procedure of Issuance of Permits for Conducting Events Involving Animals".

##### Part 2: Assessment

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

It appears that there is a widespread lack of awareness of the provisions of the law. For example, in 2013 Ukraine became the focus of international publicity when it was revealed that illegal bear

<p>baiting competitions were taking place in the country with the sponsorship of a major international company.<sup>30</sup> The current legal framework is not effective to make the welfare of this category of animals a mainstream concern of society.</p>
<p><b>Are there economic and societal barriers to improving this aspect of animal welfare?</b></p>
<p>The lack of systems to effectively implement animal protection legislation, to raise awareness of legislative measures to protect animals and to ensure that laws are enforced is a barrier to improving animal welfare in Ukraine. The lack of national co-ordination of action by the various executive powers at national, provincial and municipal level is also a barrier to progress.</p>
<p><b>Are enforcement mechanisms in place in policy and legislation?</b></p>
<p>There are enforcement mechanisms relating to the 2006 Law of Ukraine on the Protection of Animals from Cruelty. Article 300 of the Criminal Code includes penalties for importing, making or distributing works that promote cruelty to animals. Penalties include a fine of up to 300 times the tax-free minimum income of citizens and imprisonment for up to five years.</p>

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

**Ranking: D**

<p><b>Part 1: Verification</b></p>
<p><b>There is legislation</b></p>
<p>The 2006 Law of Ukraine on the Protection of Animals from Cruelty applies to the use of animals for the purposes of scientific research, education and testing. Article 26 of the law makes regulations for the treatment of animals used in scientific experiments, testing, education or the production of biological preparations. The use of animals in scientific experiments, biological testing and education is permitted only if there are no alternative non- animal methods. The law states that a list of alternative methods and objects to use instead of animals is to be developed and confirmed by the central organ of executive power responsible for science and education. Experiments on animals may be carried out under a license to be granted by the ethical committee of the central organ of executive power responsible for science and education. Procedures on experimental animals, irrespective of their purpose, that risk causing injury to animals or extreme or prolonged pain are to be conducted using analgesics. Other provisions of the law involve prohibitions on using animals that suffer in captivity or enclosed spaces. Experiments on animals involving surgical or other harmful procedures cannot be conducted in the presence of or with the participation of children of school age. In 2012 the Minister of Education and Science signed an order prohibiting the use of animals in laboratories in universities.<sup>31</sup></p>

<sup>30</sup> <http://www.theguardian.com/world/2013/jul/27/pet-food-firm-sponsored-bear-baiting>

<sup>31</sup> <http://delo.ua/ukraine/tabachnik-zapretilispolzovat-podopytnyh-zhivotnyh-v-uchebnyh-lab-171065/>

<b>Part 2: Assessment</b>
<b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b>
<p>The website of the Ministry of Education and Science does not feature any prominent information concerning the use of animals in science and the promotion of alternatives to the use of animals by the government.<sup>32</sup> The website of the National Scientific Center for Medical and Biotechnical Research has information on work it carried out to develop general ethical standards for experiments on animals but there is no link to the standards.</p> <p>Although the current legislation has taken positive steps in this area, it does not appear to be effective to make the welfare of this category of animals a mainstream concern of society.</p>
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
<p>The lack of visibility given to the use of animals in scientific research by the Ministry of Education and Science appears to be a barrier to improving welfare. The lack of implementation of the framework provided by the 2006 law through the production of secondary legislation and the introduction of procedures for implementation and enforcement also demonstrates that there are barriers to improving animal welfare.</p>
<b>Are enforcement mechanisms in place in policy and legislation?</b>
<p>The general anti-cruelty law enforcement mechanisms apply to this category of animals, but there do not appear to be any enforcement mechanisms specifically relating to the welfare of animals used in research.</p>

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

**Ranking: C**

<b>Part 1: Verification</b>
<b>There is legislation</b>
<p>The 2006 Law of Ukraine on the Protection of Animals from Cruelty applies to wild animals, and to hunting and fishing activities. Article 20 sets out rules for the treatment of hunted animals requiring the use of equipment to bring about a quick death without suffering. It is prohibited to hunt using methods that cause mass destruction of animals, such as poisons or explosive substances. It is forbidden to hunt or capture certain categories of animals, for example, those with young incapable of living independently and out of season. The law also prohibits using animals as live bait.</p> <p>Specific legislation was also introduced in 2000 to regulate game management and hunting, the Law of Ukraine on hunting grounds and hunting, 1478 N-III. Hunting may take place under permit. A variety of hunting methods is permitted, some of which will result in poor welfare for individual animals, including hunting with dogs, hunting involving firearms, and netting and trapping of live animals.</p> <p>Ukraine has several laws relating to the conservation and protection of wild animals, for example, the Law on Environmental Protection (1991), the Law on Fauna (1993), the Law "On the Animal</p>

<sup>32</sup> National Scientific Center for Medical and Biotechnical Research

World" (2001), "On the Red Data Book of Ukraine" (2002), "On Natural Reserves Fund of Ukraine" (1992), on "On Ecological Network of Ukraine" (2004).

Ukraine is a Party to international conventions including the Bern Convention and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The Council of Ministers of Ukraine adopted decision No. 1822 of 13 December 2000 regarding implementation of obligations arising from the country's accession to the Convention on International Trade in Endangered Species.

## Part 2: Assessment

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

The government has introduced legislation aimed at conserving animals and protecting endangered species. The history of the devastation created by the 1986 Chernobyl nuclear plant disaster has meant the government has given some priority to environmental protection, which includes protecting wild animals. With respect to conservation measures the Ministry for Environmental Protection and Nuclear Safety of Ukraine, the primary agency responsible for implementing environmental policy and preserving biodiversity, reports that it works with a range of institutions including other government departments, scientific research institutions and NGOs.<sup>33</sup>

Ukraine acts to support CITES and to prevent illegal trade in animals. The government reports that it cooperates with other countries and participates in international activities related to CITES.<sup>34</sup>

Ukrainian hunters do appear to be aware of the regulations related to hunting and game management as these appear on some websites relating to hunting in the country.<sup>35</sup>

The government is encouraged to build on its conservation and environmental protection efforts by moving to protect individual wild animals from being caused suffering.

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

The lack of systems to effectively implement animal protection legislation, to raise awareness of legislative measures to protect animals and to ensure that laws are enforced present barriers to improving animal welfare in Ukraine. The lack of national co-ordination of action by the various executive powers at national, provincial and municipal level is also a barrier to progress.

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

Article 248 and 249 of the Criminal Code contain enforcement mechanisms relating to illegal hunting and fishing including fines, imprisonment and confiscation of equipment.<sup>36</sup>

Article 88 of the Administrative Code details penalties for illegal import and export of certain species.

The general anti-cruelty law enforcement mechanisms also apply to this category of animals.

## Goal 2: Presence of effective governance structures and systems

<sup>33</sup> [http://enrin.grida.no/biodiv/biodiv/nrcbd/ukraine/en\\_23.htm](http://enrin.grida.no/biodiv/biodiv/nrcbd/ukraine/en_23.htm)

<sup>34</sup> [http://www.kmu.gov.ua/control/en/publish/article?art\\_id=245774774](http://www.kmu.gov.ua/control/en/publish/article?art_id=245774774)

<sup>35</sup> [http://uoor.com.ua/eng/legislation/about\\_hunting](http://uoor.com.ua/eng/legislation/about_hunting)

<sup>36</sup> <http://www.legislationline.org/documents/action/popup/id/16257>

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

Ranking: D

<b>Part 1: Verification</b>
<p>There is legislation</p> <p>Articles 27 to 32 of the 2006 Law of Ukraine on the Protection of Animals from Cruelty specify the executive powers responsible for implementation of the law.</p> <p>Article 27 makes the Cabinet of Ministers responsible for ensuring fulfilment of state policy in the sphere of animal protection including checking that legislation on the protection of animals from cruelty is observed, establishing national norms in the sphere of animal protection, propagating humane treatment of animals and developing educational programmes on conservation and the protection of animals from cruelty. Article 27 also provides that regulating the sphere of animal protection is to be carried out by the executive powers regarding protection of the natural environment, agricultural policy, veterinary medicine and science and education.</p> <p>Article 29 to 31 relate to the responsibilities of the executive powers designated in Article 27, for example, the central organ for the natural environment is responsible for granting licenses for setting up zoos and facilitating the work of voluntary organisations in the sphere of protecting animals from cruelty, and responsibilities of the central organ for science and education include establishing procedures for carrying out experiments on animals.</p> <p>No individual within the Cabinet of Ministers appears to be responsible for a national strategy to improve animal welfare. However, a former Minister of Ecology and Natural Resources refers on the Ministry website to completion of a task to restructure a working group to develop a regulatory framework for implementation of the 2006 law.</p>
<b>Part 2: Assessment</b>
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p> <p>Although legislation exists to assign responsibility for improving animal welfare there do not appear to be any mechanisms to make any of the executive powers accountable for implementing the law, for example, there is no timetable.</p> <p>Some progress in introducing subordinate legislation to implement aspects of the 2006 law has been made. For example, in July 2010 the Cabinet of Ministers approved a list of nine legal acts on the protection of animals from cruelty developed by various responsible Ministries since 2006, for example, an Order of the Ministry of the Environment "On approval of the keeping and breeding of wild animals in a state of captivity or semi-captivity". In 2013 the Prime Minister made a public announcement calling for humane treatment of animals and advising that a number of ministries were</p>

being ordered to work together to develop a solution to the issue of stray animals and to report monthly on progress. <sup>37</sup>
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
With respect to resources, there is evidence that the government has made some resources available in the past, for example, legislation produced by Kiev on a stray control programme includes a detailed budget. <sup>38</sup> Press reports also refer to resources having been made available for initiatives. <sup>39</sup> However it is disappointing that the investment of government funding in animal protection appears to date to have yielded low results. For example, animal protection organisations have criticised the government for its failure to solve the problem of stray animals and dangerous dogs despite very significant spending in this area. <sup>40 41</sup> The current unstable political situation in Ukraine represents a significant barrier to progress on many legislative and governance fronts, including animal welfare. According to Transparency International's 2013 Corruption Perceptions Index <sup>42</sup> , Ukraine has a low ranking showing that the country's public sector is perceived to be one of the most corrupt in Europe, which also suggests that there are significant structural barriers to improvement here.
<b>Are enforcement mechanisms in place in policy and legislation?</b>
There are no enforcement mechanisms relevant to this indicator.

### 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: F**

<b>Part 1: Verification</b>
<b>There is legislation with partial application</b>
The Ukraine is a member of the OIE and participates in OIE activities. There is legislation regarding the Ukraine's commitments to the OIE in the sphere of animal health, for example, Order No. 464/2011 of the President of Ukraine "On Approval of Regulation on the

<sup>37</sup> Ministry Portal, Government News, Mykola Azarov demands civilised and humane treatment of homeless animals, 5 March, 2-13: [http://www.kmu.gov.ua/control/en/publish/article?art\\_id=246120829](http://www.kmu.gov.ua/control/en/publish/article?art_id=246120829)

<sup>38</sup> 25.10.2007 No 1080/3913 on the Kiev city program regulating the number of homeless animals by humane methods: <http://cipets.kiev.ua/ua/laws/kmr/laws.php?ID=1941>

<sup>39</sup> <http://www.animalpeoplenews.org/anp/2012/01/01/ukrainian-government-agrees-to-a-six-month-moratorium-on-animal-control-killing/>

<sup>40</sup> [http://animalprotect.org/library/movement\\_info/1031](http://animalprotect.org/library/movement_info/1031)

<sup>41</sup> [http://animalprotect.org/library/movement\\_info/1031](http://animalprotect.org/library/movement_info/1031)

<sup>42</sup> [http://www.transparency.org/country/#UKR\\_DataResearch\\_Reports](http://www.transparency.org/country/#UKR_DataResearch_Reports)

State Veterinary and Phytosanitary Service of Ukraine" dated 13 April 2011. Ukraine's actions with respect to phytosanitary measures have been acknowledged, for example, by the European Union.<sup>43</sup>

In February 2009 the Cabinet of Ministers issued a press release regarding a meeting between the First Vice Prime Minister of Ukraine and the President of the OIE Regional Commission for Europe. The latter was reported as saying "Ukraine has done more for the OIE than the majority of the members of our organisation, which are full-fledged members of the European Union".<sup>44</sup>

## Part 2: Assessment

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

Although there is history of good levels of involvement with the OIE in the area of animal health, to date this does not appear to have translated into engagement specifically on animal welfare.

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

Whilst Ukraine does not have a comprehensive programme to implement the OIE standards, its cooperation with the OIE and membership of the OIE Regional platform on animal welfare for Europe could represent an opportunity to do so. The regional collaboration has potential to offer opportunities for Ukraine to develop effective governance procedures to implement the OIE's animal welfare standards and to benefit from the experience of other European countries.

However the lack of effective governance and national leadership and accountability for animal welfare is a barrier to improving animal welfare, and it has been noted that the Ukraine struggles with its international obligations, for example, some sources advise that the Ukraine could be considered to be partially non-compliant with provisions of the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures, and the SPS Agreement and/or with the standards established by international standards setting bodies, as well as with internationally accepted trade practices.<sup>45</sup>

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

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

Ranking: E

### Part 1: Verification

There is legislation with partial application

The 2006 Law of Ukraine on the Protection of Animals from Cruelty highlights the importance of

<sup>43</sup> [http://eeas.europa.eu/enp/pdf/pdf/progress2009/sec09\\_522\\_en.pdf](http://eeas.europa.eu/enp/pdf/pdf/progress2009/sec09_522_en.pdf)

<sup>44</sup> [http://www.kmu.gov.ua/control/en/publish/article?art\\_id=194910400](http://www.kmu.gov.ua/control/en/publish/article?art_id=194910400)

<sup>45</sup> [http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative\\_Kiev\\_Ukraine\\_12-17-2013.pdf](http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative_Kiev_Ukraine_12-17-2013.pdf)



meeting the biological and species-specific needs of animals and is therefore reflective of the guiding principles of the OIE. The 2006 law also states that experiments should not be carried out on animals if alternatives are available and therefore reflects the principles of the Three Rs. With respect to the OIE's animal welfare standards, Ukraine has introduced framework legislation that encompasses some of the standards within its 2006 framework law, for example, with respect to transport of animals.

The current legislation does not cover some other areas addressed by the OIE's standards, for example with respect to the welfare of beef cattle.

## Part 2: Assessment

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

The government has introduced legislation at various levels in an effort to fulfil its commitments as an OIE member to incorporate the OIE's guiding principles and animal welfare standards. However, much more needs to be done to implement the OIE's standards, both those which have been incorporated into legislation and those which still remain to be incorporated. For example, in 2012 the Ministry of Agriculture advised that there were no procedures in place in the country to assure the welfare of farm animals.<sup>46</sup>

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

The lack of effective governance and national leadership and accountability for animal welfare presents a barrier to improvement. However, the country's participation in OIE events may assist in overcoming some of these. In March 2012 the Ukraine hosted an OIE regional seminar for National Focal Points for Animal Welfare in Kiev at which discussions took place regarding the establishment of an OIE Regional Commission for Europe to improve the implementation of animal welfare standards in Eastern Europe.<sup>47</sup> This Regional Commission has now been established and presents a potential opportunity for Ukraine and other countries in the region to take steps to improve animal welfare.<sup>48 49</sup>

The desire to access more trade markets should also provide some motivation to comply with good international animal welfare standards in particular with respect to farm animal welfare. The country has illustrated ability to comply with some animal health standards demanded by trade partners, for example, with respect to salmonella and eggs.<sup>50</sup>

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

There are no enforcement mechanisms relevant to this indicator.

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

<sup>46</sup> <http://minagro.gov.ua/regulatory?nid=1265%20accessed%20on%2013%20April%202014>

<sup>47</sup> [http://web.oie.int/RR-Europe/eng/events/en\\_events%20kiev2012.htm](http://web.oie.int/RR-Europe/eng/events/en_events%20kiev2012.htm)

<sup>48</sup> <http://www.oie.int/doc/ged/D12989.PDF>

<sup>49</sup> [http://web.oie.int/RR-Europe/eng/aw\\_platform/doc/CN%20Platform%20for%20AW%20\(Final%20version\).pdf](http://web.oie.int/RR-Europe/eng/aw_platform/doc/CN%20Platform%20for%20AW%20(Final%20version).pdf)

<sup>50</sup> European Commission "Final Report of an Audit carried out in Ukraine from 13 to 17 May 2013 in order to evaluate the Salmonella National Control Programme for Laying Hens"

**Ranking: G**

<b>Part 1: Verification</b>
<i>Policy is being discussed or developed</i>
The Ministry of Ecology and Natural Resources has published some reports on its website regarding activities on some animal protection issues, but these are not published regularly. There is also some information on animal protection activities on the websites of other Ministries. For example, in 2013 the government issued a press release advising that the Prime Minister of Ukraine had requested monthly updates from Ministries tasked with collaborating to find a solution to the issue of stray animals. <sup>51</sup>
<b>Part 2: Assessment</b>
<i>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</i>
Although some animal protection legislation has been introduced, a national strategy for improving animal welfare has not been agreed. With the exception of the Prime Minister's 2013 announcement regarding reports on solving problems with stray animals in the country, no measures have been put into place against which progress in improving animal welfare could be reported.
<i>Are there economic and societal barriers to improving this aspect of animal welfare?</i>
The lack of effective governance and national leadership and accountability for improving animal welfare is a barrier to improving animal welfare. It is suggested that as a first step towards strategic reporting that the government could consider putting into place measures to report on progress towards implementing the OIE animal welfare standards. According to Transparency International's 2013 Corruption Perceptions Index <sup>52</sup> , Ukraine has a low ranking showing that the country's public sector is perceived to be one of the most corrupt in Europe, which presents a significant barrier to improvement here.
<i>Are enforcement mechanisms in place in policy and legislation?</i>
There is no legislation or policy relevant to this indicator.

**Goal 4: Provision of humane education****9. Animal care and protection are included in the national education system****Ranking: D**

<sup>51</sup> [http://www.kmu.gov.ua/control/en/publish/article?art\\_id=246120829](http://www.kmu.gov.ua/control/en/publish/article?art_id=246120829)

<sup>52</sup> [http://www.transparency.org/country/#UKR\\_DataResearch\\_Reports](http://www.transparency.org/country/#UKR_DataResearch_Reports)

<b>Part 1: Verification</b>
<b>There is legislation</b>
<p>Under the Law of Ukraine On Environmental Protection No. 1264-XII dated 25 June 1995 all citizens have the right to an environmental education. Article 7 states that the upgrading of society's ecological culture and the professional training of specialists shall be ensured by general compulsory and comprehensive education and upbringing in the field of environmental protection, including in preschool establishments, within the system of general secondary, vocational and higher education, refreshers courses and advanced training.</p> <p>Article 6 of the 2006 Law of Ukraine on the Protection of Animals from Cruelty is entitled "Teaching compassionate attitudes to animals" and acknowledges that this is an important component of ethical, cultural and ecological education of citizens. Humane attitudes to animals are to be developed through teaching in kindergartens, schools, colleges and higher education. Article 27 emphasises the responsibility of the government to propagate humane treatment of animals, by developing and to develop educational programmes on conservation and the protection of animals from cruelty.</p>
<b>Part 2: Assessment</b>
<b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b>
<p>The United Nations Economic Commission has reported on a 2010 court case in Ukraine, NGOs v. the Ministry of Education and Science, case No3/238 (2a-2767/08), regarding the Ministry of Education and Science's alleged failure to provide environmental education at various educational levels and to meet its obligations under the 2006 Law of Ukraine on the Protection of Animals from Cruelty.<sup>53</sup> The Kiev Administrative Court of Appeal found that the government had failed to perform all necessary actions to implement its obligations under the 2006 law, which in turn had led to the violation of the rights of NGOs to protect the environmental rights of citizens. The Court found that the Ministry had not developed a relevant curriculum, did not recommend any textbooks on environmental ethics, and had not provided any courses on environmental ethics and animal welfare to be taught at preschool, primary, secondary, vocational and higher education institutions. The Court of Appeal did not accept the Ministry's argument that education on environmental ethics and animal welfare was integrated into other subjects on the curriculum. It is not clear whether further implementation action has been undertaken since that date.</p> <p>Some NGOs undertake education programmes in the country. There are also positive moves regarding sustainable development education in Ukraine.<sup>54</sup></p> <p>The current legal provisions regarding education on animal protection are not effective to make animal welfare a mainstream concern in education in the country.</p>
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
<p>The lack of action by the Ministry of Education and Science with respect to provision of animal welfare education, despite a legal mandate to do so, demonstrates that this is not a priority and that</p>

<sup>53</sup>[http://www.unece.org/fileadmin/DAM/env/pp/a.to.j/Jurisprudence\\_prij/UKRAINE/Env\\_edu/Ukraine\\_2010\\_EnvEducation\\_Eng\\_final.pdf](http://www.unece.org/fileadmin/DAM/env/pp/a.to.j/Jurisprudence_prij/UKRAINE/Env_edu/Ukraine_2010_EnvEducation_Eng_final.pdf)

<sup>54</sup> <http://www.unece.org/fileadmin/DAM/env/esd/8thMeetSC/Ukraine.pdf>

barriers to improvement exist. Academics reporting on environmental education in Ukraine have expressed concerns that environmental education has stopped in Ukrainian secondary schools, high schools and colleges owing to time being devoted to other subjects on the curriculum.<sup>55</sup>

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

## Goal 5: Communication and awareness

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

Ranking: C

#### Part 1: Verification

There is legislation

Under Article 33 of the 2006 Law of Ukraine on the Protection of Animals from Cruelty, members of the public may play a role in animal protection. Members of the public may apply to become voluntary inspectors for conservation of the natural environment giving them the right to compile reports on the facts of cases of cruelty to animals. These reports are to be examined by appropriate organs of executive authority responsible for environmental protection. Voluntary inspectors may join employees of state institutions of veterinary medicine, in carrying out raids and checks on observation of legislation on animal protection by businesses, institutions, organisations and private citizens. Article 34 highlights the role of voluntary organizations in matters of animal protection. Such organisations may join the authorities in conducting checks to see that businesses, institutions and organizations have in place and are carrying out programmes and measures to protect animals from cruelty. They may also raise with the appropriate organs of state authority questions of confiscating animals and the responsibility of the individuals who keep them, in accordance with legislation in force, where cases of cruelty to animals come to their knowledge. They may also pursue legal action to claim compensation for harm caused as a consequence of infringement of legislation on animal protection, including harm caused to the health of citizens and the property of voluntary organizations. Voluntary organisations also have the right to obtain information essential for the fulfilment of their Constitutional aims and tasks from organs of state or local authority. There are wider laws providing for involvement of NGOs in the development of policy and legislation, for example the Law of Ukraine "On Ratification of Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters" No. 832-XIV

<sup>55</sup> [http://yadda.icm.edu.pl/yadda/element/bwmeta1.element.desklight-7a545d5f461b4b1e-a49e-ff60d64a3841/c/056\\_MUDRAK\\_Aleksandr\\_\\_NAGORNIUK\\_Oksana.pdf](http://yadda.icm.edu.pl/yadda/element/bwmeta1.element.desklight-7a545d5f461b4b1e-a49e-ff60d64a3841/c/056_MUDRAK_Aleksandr__NAGORNIUK_Oksana.pdf)

dated 6 June 1999 and the Resolution of the Cabinet of Ministers of Ukraine "On Ensuring of Public Participation in Formation and Realization of State Policy" No. 996 dated 3 November 2010. The Resolution of the Cabinet of Ministers of Ukraine "On Ensuring of Public Participation in Formation and Realization of State Policy" provides for formation of public councils within each ministry. For example, the public council within the Ministry of Ecology and Natural Resources of Ukraine includes representatives from environmental NGOs in order to ensure third sector participation in the formation of state environmental policy.

## Part 2: Assessment

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

Application forms for citizens to apply to become public inspectors are available on government websites and the Ministry of Ecology and Natural Resources advises on its website mechanisms that can be used by the public to influence the Ministry including participation in meetings of the Public Council and participation in public discussions of draft regulations.

There are a number of NGOs working in the field of animal protection in the country. However, despite the mechanisms available for public and NGO involvement in investigating animal cruelty and assisting government authorities in implementing animal protection legislation, there appears to have been only one case in Ukraine where an individual has been convicted for cruelty to animals<sup>56</sup>, despite many reports in the media of cruelty to animals<sup>57</sup>. The current provisions therefore do not appear to be effective in bringing animal welfare to public attention in the country.

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

There are some past examples of collaboration between government authorities and NGOs. For example, Kiev's programme on stray dog control involved a range of organisations.<sup>58</sup> Although it appears that collaboration with relevant stakeholders has not yet yielded significant improvements to animal welfare, the provision for stakeholder engagement in the framework legislation and the previous examples of collaboration suggest that some improvement may be possible in the future.

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

NGOs have legal rights to work to protect animals and the successful court action against the Ministry of Education and Science<sup>59</sup> demonstrates that these rights may be upheld.

**Publication: November 2014**

<sup>56</sup> [http://animalprotect.org/library/movement\\_info/1055](http://animalprotect.org/library/movement_info/1055)

<sup>57</sup> <http://observers.france24.com/content/20120113ukraine-stray-dogs-sacrificed-euro-2012-football-championship-despite-killing-ban>; <http://www.thesun.co.uk/sol/homepage/news/4296093/Pamela-Anderson-to-Euro-2012-football-chief-Michel-Platini-stop-the-dogs-slaughter.html>

<sup>58</sup> <http://naturewatch.org/blog/article/ukrainian-stray-dogs-enjoy-better-welfare>

<sup>59</sup> [http://www.unece.org/fileadmin/DAM/env/pp/a.to.i/Jurisprudence\\_prj/UKRAINE/Env\\_edu/Ukraine\\_2010\\_EnvEducation\\_Eng\\_final.pdf](http://www.unece.org/fileadmin/DAM/env/pp/a.to.i/Jurisprudence_prj/UKRAINE/Env_edu/Ukraine_2010_EnvEducation_Eng_final.pdf)

## Ukraine: 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

Kiev

### International law organisation<sup>60 61</sup>

Non-party state to the ICC and has not submitted an ICJ jurisdiction declaration

### Suffrage<sup>62</sup>

18

### Legal system

Civil law<sup>63</sup>

### Executive branch

Head of state: President Viktor Yanukovich

Prime minister: Mykola Azarov

### Judicial branch

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<sup>60</sup>

[http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&midsg\\_no=XVIII-10&chapter=18&lang=en#111](http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&midsg_no=XVIII-10&chapter=18&lang=en#111)

<sup>61</sup> <http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3>

<sup>62</sup> <http://aceproject.org/epic-en/CDTable?question=VR001#g>

<sup>63</sup>

<http://www.nyulawglobal.org/globalex/Ukraine1.htm>

<sup>64</sup>

<http://www.nyulawglobal.org/globalex/Ukraine1.htm>

The highest judicial body is the Supreme Court consisting of 48 judges<sup>64 65</sup>. The Constitutional Court, provides "the official interpretation of the Constitution and laws"<sup>66</sup> and consists of 18 judges; the President of Ukraine, the Assembly and the Congress of Judges of Ukraine, each appointing 6 judges.

### Legislative branch

Ukraine has a unicameral assembly (Verkhovna Rada) with 450 deputies, serving a term of five years.

### Political parties

Party of Regions (PoR), Fatherland, UDAR

### Economics

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

Ukraine was in recession in 2013 with GDP contracting by 1.5%<sup>67</sup>. However, a slight recovery is expected in 2014, with a very small growth rate of 0.4% in 2014<sup>68</sup>. Exports

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<sup>64</sup>

[http://www.scourt.gov.ua/clients/vsu/vsu.nsf/\(documents\)/183E20947C3F5F67C2257ADB0031F80A](http://www.scourt.gov.ua/clients/vsu/vsu.nsf/(documents)/183E20947C3F5F67C2257ADB0031F80A)

<sup>65</sup>

<http://www.nyulawglobal.org/globalex/Ukraine1.htm>

<sup>66</sup>

<http://www.nyulawglobal.org/globalex/Ukraine1.htm>

<sup>67</sup> <http://www.businessmonitor.com/ukraine##>

<sup>68</sup> <http://www.businessmonitor.com/ukraine##>

are also expected to increase in 2014, especially due to Ukraine suspending "negotiations over signing an agreement of association with the EU in November 2013"<sup>69</sup>, and therefore improving relation with its main trade partner, Russia. In the longer term, the EIU forecasts real GDP will grow 3% annually on average, for the period 2012-30<sup>70</sup>.

### Main trading partners (2012)<sup>71</sup>

#### Import

Russia - 30.6%  
China - 8.8%  
Germany - 7.6

#### Export

Russia - 25.7%  
Turkey - 5.4%  
Egypt - 4.2%

### Commodities (2012)<sup>72</sup>

#### Imports

Fuel & energy, incl ore - 36.4%  
Machinery & equipment - 24.3%  
Chemicals - 9.7%

#### Exports

Non-precious metals - 32.3%  
Food, beverages & agricultural products  
- 18.7%  
Machinery & equipment - 17.4%

### GDP (current USD, 2012)

<sup>69</sup> <http://coface.com/Economic-Studies-and-Country-Risks/Ukraine>

<sup>70</sup> <http://country.eiu.com/article.aspx?articleid=1390665723&Country=Ukraine&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

<sup>71</sup> <http://country.eiu.com/article.aspx?articleid=301460414&Country=Ukraine&topic=Summary&subtopic=Fact+sheet>

<sup>72</sup> <http://country.eiu.com/article.aspx?articleid=301460414&Country=Ukraine&topic=Summary&subtopic=Fact+sheet>

\$176,310,202,238

### GDP per capita, PPP (2012)

\$7,418

### Labour force, total (2012)

23,309,215.00

### Currency

Hryvna

### Equivalence to 1 USD

8.1325

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

27.4

### Manufacturing, value added (% of GDP, 2012)

16

### Agriculture, value added (% of GDP, 2012)

9

### Industry, value added (% of GDP, 2012)

31

### Exports (% of GDP) (2012)

51

### Imports (% of GDP) (2012)

59

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

59

### Unemployment rate, (% , 2011)

7.9

### Education expenditure (% of GDP, 2012)

NA

Adjusted savings: Education expenditure  
USD (2011)  
9,465,206,529

31

Population living in urban areas (% of total)  
(2012)  
69

## Society

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

Total population (2012)  
45,593,300

Religion<sup>73</sup>  
Christian (83.8%), Unaffiliated (14.7%),  
Muslim (1.2%), Jewish (0.1%)

## Languages

Ukrainian, a member of the East Slavonic group, is the official language; however, Russian is equally widely spoken in eastern Ukraine, Kiev and parts of the countryside<sup>74</sup>

Population growth, annual % (2012)  
-0.2

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

Population: ages 15-64 (% of total) (2012)  
71

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

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

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<sup>73</sup> <http://features.pewforum.org/grl/population-percentage.php>

<sup>74</sup> <http://country.eiu.com/article.aspx?articleid=571040441&Country=Ukraine&topic=Summary&subtopic=Basic+data>



