

Canine overpopulation and animal health in the EU, the future EU Animal Health Law

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Animal health impacts on all European citizens because of its public health and food safety aspects, the economic costs that animal disease outbreaks can trigger, the animal welfare considerations, and also the implications of disease control.

The EU animal health policy has been focussed primarily on animals used in agriculture and on the control of major animal diseases and their impact on the internal market. In this framework significant advances in animal health have been made, and national approaches to disease control have been replaced by harmonised animal health measures, systems of disease surveillance, diagnosis, control and trade. The added value of this policy is evident, as it has contributed greatly to the eradication of many serious diseases and has enabled the single market in animals and animal products to function properly and safely and allowed disease outbreaks to be dealt with swiftly and decisively.

Dogs are not agricultural animals and EU intervention has thus far been limited to zoonotic diseases such as rabies. Significant improvements in the European rabies situation have been achieved, with the number of rabies cases (both animal and human) steadily decreasing. This trend continues today. This has been mainly with the combination of national eradication programmes implemented by Member States, co-funded by the EC (especially for oral vaccination of foxes). Rabies related legislation at EU level is limited to the movement of dogs (including pet animals) within and into the

EU. The disease situation in the EU has never required the adoption of specific measures on stray dogs.

The New Animal Health Strategy of the EU for 2007-2013 confirms that EU intervention for animal health should be prioritised. It should focus on major animal diseases which have high impact on public health and on the economy and for which a harmonised legal framework is necessary to ensure their effective and swift control. A key deliverable under the new Strategy, the future EU Animal Health Law is expected to provide the basic framework and also mechanisms to ensure proper implementation of the principles enshrined within the strategy.

Among other provisions, the new Law should clarify the obligations of animal keepers from the animal health point of view. These can include e.g. notification of diseases, identification and registration of animals (for certain species) and so on. Soft law (self regulation, guides etc); working with the stakeholders; taking a collaborative approach are all important elements of the new strategy and should be promoted.

The same principles apply when it comes to the handling of stray dogs and their overpopulation in certain parts of Europe. As with any possible EU legal intervention, it must always be viewed according to relevant legal bases in the Treaty. In addition, proportionality, subsidiarity, the EU added value and likely impacts must be fully considered when any new legislation is proposed or adopted.