

EN
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Answer given by Mr Potočník
on behalf of the Commission
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Articles 15 and 19 of Directive 86/609/EEC on the protection of animals used for experimental and scientific purposes¹ provide that all breeding, supplying and user establishments shall be approved by or registered with, the relevant national authority. It further describes a number of obligations concerning the personnel, care and treatment of the animals. Article 19 also requires that user establishments shall be subject to periodic inspection.

Directive 86/609/EEC will be replaced by Directive 2010/63/EU on the protection of animals used for scientific purposes from 1 January 2013².

During the transposition phase, the Commission is working closely with the Member States to help ensure correct implementation of the provisions.

Article 34 of the new Directive lays down more stringent requirements for regular, risk-based inspections to verify compliance with the directive. However, the national competent authorities are responsible for enforcing EU law in their respective territories and thus controlling the correct application and compliance of the provisions of the Directive.

Concerning criminal prosecution against animal rights activists, the Commission has no competence to intervene in the day-to-day administration of the justice systems of individual Member States. In the absence of European legislation in this area, the administration of justice comes within the exclusive competence of Member State's authorities. If citizens are prosecuted, they are entitled to the benefit of the protection of fundamental rights enshrined by the Charter and the European Court of Human Rights.

¹ OJ L 358, 18.12.1986

² OJ L 276, 20.10.2010