

Stocker, U.S. (1979) FORTHCOMING ARTICLES

Socioeconomic Aspects of Anti-Hunting Activists Illegal. And with some success: since the group began its efforts in January 1982, eight states have enacted legislation containing some, or all, of the WLFA's suggested provisions. These states are Montana, New York, Washington, Vermont, Connecticut, Michigan, Minnesota, and California.

It all began when the Animal Defense Council initiated a campaign to disrupt the hunt of desert bighorn sheep in Arizona. Their efforts were sufficiently effective that the Arizona Fish and Game Department, working with the state Attorney General, Robert Rudd (himself a hunter), decided to take a closer look at the existing laws to see why anti-hunting activists illegal. And with some success: since the group began its efforts in January 1982, eight states have enacted legislation containing some, or all, of the WLFA's suggested provisions. These states are Montana, New York, Washington, Vermont, Connecticut, Michigan, Minnesota, and California.

Model Bill for Prohibiting Anti-Hunters Drafted by WLFA

The Wildlife Legislative Fund of America, whose letterhead asserts that its sole raison d'etre is "to protect the Heritage of the American Sportsman to hunt, to fish and to trap," has devised a model state statute for making the various tactics of anti-hunting activists illegal. And with some success: since the group began its efforts in January 1982, eight states have enacted legislation containing some, or all, of the WLFA's suggested provisions. These states are Montana, New York, Washington, Vermont, Connecticut, Michigan, Minnesota, and California.

As used in this Act:
A. "Wild animal" means any wild creature the taking of which is authorized by the fish and game laws of this state.
B. "Process of taking," in addition to any act directed at the taking of a wild animal, includes travel, camping, and other acts preparatory to taking which occur on lands or waters upon which the affected person has the right or privilege to take such wild animal.

Section 2. Harassment prohibited
A. No person shall interfere with the lawful taking of a wild animal by another, or the process of taking, with intent to prevent the taking.
B. No person shall disturb a wild animal, or engage in an activity or place any object or substance that will tend to disturb or otherwise affect the behavior of a wild animal, with intent to prevent or hinder its lawful taking.
C. No person shall disturb another person who is engaged in the lawful taking of a wild animal or who is engaged in the process of taking, with intent to dissuade or otherwise prevent the taking or to prevent such person's enjoyment of the outdoors.
D. No person shall enter or remain upon public lands, or upon private lands without permission of the owner or his agent, with intent to violate this section.
E. The maximum penalty for violation of this section is a fine of five hundred dollars and thirty days imprisonment, or both.

Section 3. Failure to obey order prohibited
A. No person shall fail to obey the order of a peace officer to desist from conduct in violation of Section 2 if the officer observes such conduct, or has reasonable grounds to believe that the person has engaged in such conduct that day or that the person plans or intends to engage

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Section 4. Injunction, damages

A. A court of general jurisdiction may enjoin conduct which would be violation of Section 2 upon petition by a person affected or who reasonably may be affected by such conduct, upon a showing that such conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

B. A court of general jurisdiction may award damages to any person adversely affected by a violation of Section 2, which may include an award for punitive damages. In addition to other items of special damage, measure of damages may include expenditures of the affected person for license and permit fees, travel, guides, special equipment and supplies, to the extent that such expenditures were rendered futile by prevention of taking of a wild animal.

Current Events

MEETING REPORTS

Farm Animals Between Production and Protection—Report on a European Conference

Introduction

Because of the success of the first European Conference on the Protection of Farm Animals, which was held in Amsterdam in April 1979, the Conference Steering Group, under the chairmanship of Mr. P.L. Brown, Chief Veterinary Officer of the Royal Society for the Prevention of Cruelty to Animals (RSPCA), was encouraged to organize a second conference on the same topic. This Second Conference on the Protection of Farm Animals was held on May 25-26, 1982 at the Palais de l'Europe in Strasbourg (France) under the auspices of the Council of Europe's Secretariat-General, Mr. Franz Ka-rasek. The Conference was attended by representatives of consumers and animal welfare interests, farm animal producers, and veterinarians from all over Europe, as well as the U.S. and Canada. The subjects discussed included (1) progress in animal protection in Europe, with reference to the work of the Council of Europe and the European Communities; (2) livestock farming, as this industry is likely to develop in Europe by the year 2000; and (3) transportation of animals, including horses, within and into Europe. The first conference session was opened by Gaetano Adinolfi, Deputy Secretary-General of the Council of Europe.

Message from the French Minister of Agriculture

During the first session of the conference, which was chaired by P.L. Brown, a message from Edith Cresson, French Minister of Agriculture, was read. Her letter related the development of intensive farming methods to the concentration of populations in urban areas, increasing economic competition, and attempts to satisfy ever-larger consumer demands. Also, high production costs, including real estate prices, had compelled producers to intensify their production methods, in order to maintain rentability. The resulting physical and physiological constraints under which animals were being kept in these kinds of industrial establishments had aroused the concern of animal protectors, who saw these conditions as constituting veritable acts of cruelty.

It was therefore essential that the various problems posed by these rearing methods be studied in an unemotional manner, utilizing a pragmatic approach. The message also reminded conference participants that the well-being of animals ought to be the subject of technical and scientific inquiry, to establish the real physiological and ethical needs of animals. Governments should be kept informed about the results obtained from these kinds of studies on the welfare of animals, but they must also bear in mind the economic constraints mentioned above, which led to the intensification and quasi-industrialization of farming in the first place.

Concerning the transportation of animals, her letter referred to the initiative of the Council of Europe, the result of whose efforts had been the European Convention for the Protection of Animals during International Transport. This Convention was subsequently adopted by the European Communities. She noted that this conference had set for itself the task of investigating the ramifications of the various modes of transportation; the scientific findings uncovered should be used to assist responsible governments in improving transport conditions for the animals in Europe.

The Role of the Commission of the European Communities

Maurice Barthelemy, Director of Agricultural Legislation for the Directorate-General of the Commission, made note of the work of the European Communities in the domain of animal welfare. These efforts have been initiated only recently, but they have already resulted in Direc­tives on slaughter and international transport, and have had an effect in the 10 European member states. Discussions on farm animals are now underway, in particular on laying hens kept in battery cages. Current methods of rearing pigs and calves will be covered next. However, uniform European legislation cannot be effective in protecting animals if the various national governments do not work seriously to implement the law.

The Council of Europe's Standing Committee on Farm Animal Protection

Ingvar Ekebo, Head of the Department of Agricultural Hygiene, Faculty of Veterinary Medicine, in Skara (Sweden) described the work of the Council of Europe's Standing Committee for the Prevention of Cruelty to Animals. On March 10, 1976 the European Convention for the Protection of Animals Kept for Farming Purposes was ready for signature by the 21 member states of the Council of Europe and by the European Communities. At this point, 12 countries have ratified the Convention, which went into force on September 10, 1978. A Standing Committee, provided for in the Convention, was made responsible for the elaboration and adoption of recommendations to the contracting parties. These recommendations are meant to contain detailed provisions for the implementation of the more general principles set out in the Convention, and they should be based on our current state of scientific knowledge on the various species of animals. Each contracting party was given the right to appoint a representative to the Standing Committee. The following international organizations were invited to appoint experts as potential consultants: the Society for Veterinary Ethology, the World Society for the Protection of Animals, the European Confederation of Agriculture, and the Federation of Veterinarians of the European Economic Community.