

Секция «Английский язык и право (на английском языке) только студенты
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To the issue about the toughening the punishment for ill-treatment to animals

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Cruelty to animals and, as a consequence, to the people becomes a large-scale threat to the existence of the society, because it remains completely unpunished due to the gap in the legislation.

We want to start with a specific example, which motivated us to write this article.

After the death of 9-year-old girl on February 19, 2017 in Makhachkala, who was presumably bitten by dogs to death, residents of Makhachkala and other Dagestan towns began the uncontrolled shooting of animals. They shot all defenseless dogs, and then left their bloodied corpses on the streets: near the kindergartens, schools, hospitals, etc. So is this the solution? Kill all the defenseless homeless animals rather than provide them with shelters? Why have people decided that they can do this? They haven't even thought about the responsibility for their actions. We also believe some of them didn't even know that in fact they committed a crime.

Let's recall the sensational case of the flayers of Khabarovsk. Two 17-year-old girls Alina Orlova and Alena Savchenko cruelly killed the animals taken from the shelters.

This is a huge gap in the law, which cannot be ignored anymore.

Protection of animals in the legislation of the Russian Federation is governed by a single article in the Criminal Code. On December 20, 2017 this article (245) was changed by the Federal Law N 412 "On Amending Articles 245 and 258.1 of the Criminal Code of the Russian Federation and Articles 150 and 151 of the Code of Criminal Procedure of the Russian Federation", which toughened the punishment for cruel treatment of animals. In the new edition Article 245 establishes responsibility for ill-treatment, if the act is committed in order to inflict pain and (or) suffering on an animal, as well as from hooligan motives or from mercenary motives, which caused its death or injury.

The maximum penalty for the offense is imprisonment for up to five years and only in cases where the act was committed by a group of individuals, group of persons by prior collusion or an organized group; in the presence of minors; with the use of sadistic methods; with a public demonstration, including in the media or information and telecommunications networks (including the Internet) or in relation to several animals. [1]

But there is still the question: Is this one article in the whole legislation is enough to control the problem that is gaining momentum nowadays?

For example, let's consider the laws of foreign countries about the animals.

Since 2016 animal cruelty has belonged to felony crimes in the United States of America. The new amendment entered into force in January 2016, and allowed the FBI to consider the cases of animal cruelty as a crime-class "A". This category includes the most serious crimes - murder and arson. The penalty for such an offense is imprisonment. Until that moment, the FBI had included the cases of cruelty to animals in the category of "other crimes". [3]

Germany has become the first country in the world where the rights of animals are protected by the Constitution since 2002. Under the new law the use of animal testing for cosmetics, household chemicals and medicines are prohibited and in some cases limited to. Pets in Germany

are protected by the Law on the Protection of Animals. There is also the Order on the content of the dogs. There is even the profession "Defender of animals" in Germany.

Switzerland is Europe's leading country in the field of animal rights. In 2007, the canton of Zurich as an experiment first introduced the post of "animal advocate". And the main event in 2008 in Switzerland was the entry into force of the law on animal rights.

In Italy, a few years ago the law was adopted that designed to protect the animals from maltreatment by the people.

According to this law, anyone who leaves a cat or dog will be prosecuted. Anyone who is found guilty can be jailed for one year and it will be obliged to pay a fine of 10 thousand euro's. [4]

In all developed (and not only) countries, animal rights get much attention. For these purposes, many states have special laws.

But what about our country?

Since 1999, there has been the draft of the federal law "On protection of animals from cruelty" in the State Duma. However, currently the law is not adopted. Why? We think it's necessary in our country. It is actually necessary in every country.

There is also the bill "On Responsible Treatment of Animals", which was submitted to the State Duma in the autumn of 2010 and adopted in the first reading in March of 2011. The document "walks" around the offices for about 7 years. Animal defenders got tired of waiting and started a protest. Two activists of the "Animal Protectors Alliance" Yuri Koretskikh and Vera Stepanova announced an indefinite hunger strike around the building of the State Duma, demanding to pass the bill finally. The hunger strike started on November, 7 and ended on November 23, but, unfortunately, didn't lead to any significant results. [2]

Cases of cruelty to animals seriously injure people; demoralize those who, convinced of its justification, commit antisocial acts against society. Cruelty to animals is not compatible with raising children, a revival of public morality, strengthening the legal foundations of the state; so that all violent crimes should be disclosed, and the perpetrators should be punished. That's why we consider that our country needs to toughen the punishment for animal cruelty and adopt the federal laws. By putting today a flayer in a jail on a serious sentence, we will save tomorrow a child from the abuse or a woman from the next monster.

Источники и литература

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