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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

39th meeting
Strasbourg, 3-6 December 2019

Complaints on stand-by

**Presumed deliberate killing of birds
&
Alleged deliberate killing of birds of prey
in Serbia**

- REPORT BY THE COMPLAINANT -

*Document prepared by
EPAR-OIPA-Serbia / Alliance for Nature Protection, the rights of animals and people, Serbia*

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**UPDATED REPORT ON COMPLAINT NO. 2014/3 – ASSUMED DELIBERATE
KILLING OF BIRDS IN SERBIA AND
UPDATED REPORT ON COMPLAINT NO. 2016/3 –PRESUMED DELIBERATE
KILLING OF BIRDS IN SERBIA IN THE PERIOD 2014-2016**

First of all, we must adhere to the subject which initiated the submission of the complaint in 2014 and 2016, followed by additions to the complaints since the deliberate killing of wildlife species protected by the Bern Convention continued, with the absence of any reaction of the relevant government authorities, which should have included in uncovering and punishing the guilty responsible for these criminal acts. Many cases in which much wildlife suffered from poisoning, remained without court epilogues and due to the time that has passed, there is absolutely no chance for the guilty in these criminal activities to be punished. Besides, the possibility of punishment is outdated.

There are relevant authorized services and institutions which are required to tackle these problems, ie. services which have the authority of executive and judicial power (inspections, police, prosecution attorneys and courts), mention of NGOs is not relevant as they have no authority, except to report their findings, this being the duty of every citizen, thus requesting government legal services to further process each specific case.

In case there is no deliberate intention to poison or kill wild species in any other illegal way, for instance accidental victims of heavy traffic, it is possible to care for the animal victims if possible to save them, so these cases were not the subject of our complaints or further supplements to the complaints.

Due to such a relationship on the side of the Government of the Republic of Serbia, poisoning as a method for regulating the population of species which in some way annoy the public, became a regular practice, in urban areas, stray dogs and cats are poisoned while in the field, foxes and jackals are victims, resulting in the massive poisoning of all wild birds which feed on corpses on which poison has been placed as bait, the poisons most commonly used being Furadan ST or other poisons which in their components contain this substance.

One should honor the activities and efforts of NGOs in educating the public on the subject of poisoning, but the determination and clear intention of the government is absent in order to tackle the problem, although lawful framework exists.

Deliberate killing of wildlife protected by the Bern Convention is also a common activity in Serbia, the guilty are usually hunters who stroll with guns in the field and shoot at anything that passes by. We mention only one case of an Otter (*Lutra lutra*) deliberately killed and the case up to now has not been solved, although it was not difficult among the group of six hunters to find out who shot and killed the Otter. An identical case happened in the Special Nature Reserve »UVAC«, at the official feeding place for Griffon Vultures (*Gyps fulvus*), in January 2016, now being the year 2019, the case not being solved thanks to the relevant prosecutor in Prijepolje who does not want to send any information about the case, probably waiting for the process to be outdated, two years after we submitted a criminal complaint on the 9th of February 2016. Also, a small group of hunters entered the Reserve shooting at the feeding place and wounded a Vulture which died afterwards. These two flagrant examples of killing strictly protected wildlife species with hunting weapons, the guilty would have been easy to find by the investigators who had all the proof material, remained unsolved, clearly sending the message to the hunting population that it is permitted to kill strictly protected wildlife species. There are numerous similar cases and we submitted criminal complaints to the relevant government authorities but there was no epilogue.

These events repeat as well as the news on poisoned wildlife. The absence of news in the media that someone was punished for deliberate killing of wild species and that this is illegal and punishable, is the reason why identical acts are repeated since 2014. until present.

In our view, five years was enough time to seriously start tackling the problem according to laws and in coordination with relevant authorities, who have all legal background necessary. There is no need to hold endless meetings, discussions etc. As everything is legally supported already. This only serves to cover the inactivity and corruption of those required to act legally.

New facts

1. On the basis of what has been written, we completely agree with paragraph 1 from the letter of the relevant Ministry for Environmental Protection No: 337-00-00148/2018-04 from the 30th of January 2019, where everything has been described, this confirming our statements. We would add the Police Law, Law of the Judicial Prosecutor, Law of Criminal Procedure, Criminal Law of RS and others, which clearly define what are criminal acts towards strictly protected and protected wild species. Without doubt, there are professional institutions and professionally equipped veterinary institutions capable of processing forensic research and toxicological analyses. In this case, to include NGOs is not relevant since these have no authority nor equipment and expert knowledge for these scientific activities.
2. In this sense, the Provincial Institute for Nature Protection in its report from December 2018, elaborates means of regulating the population of urban pigeons, this again meaning poisoning. Only one individual of European sparrowhawk (*Accipiter nisus*) was subjected to analysis, showing typical symptoms of poisoning, this species being the target, while pigeons are of no interest to nobody, confirming that the practice of deliberate poisoning as a method of killing has not been eradicate.
3. It is not necessary to waste your precious time, on the harmful effects of pesticides on the environment, people and animals, all is known. In this sense, although not being the subject of complaint, we wish to honour the efforts of Minister Goran Trivan and his team in cleaning Serbia from dangerous waste. We have great hope in the new Minister of the Ministry for Environmental Protection, who is decisive and showed that things may be changed quickly, from the roots of the problem and in the right way. We hope that he will be so determined when problems concerning the Bern Convention are also in question.
4. In the previous letter of the Ministry, submitted to the Secretariat of the Bern Convention, in paragraph 2, we notice that only one case has been solved, there being no feedback for the remaining two cases. It is an important question of poisoning in the village Svilojevo, where poisoning is repeated for years back, remains of poison were found on corpses as bait (clear deliberate intention to do this), where many species of birds of prey were victims, about 40 White-tailed Eagles, unknown number of foxes, jackals and other wildlife, and the suspect not being found. It is not known the amount of poison he has in supply at home storage and it is only a question of days when mass poisoning will be repeated. The suspects are members of the local hunting association.
 - It is the problem of illegal killing of wildlife that we address you, again underlining that the government authorities do not execute their legal powers to tackle this problem.

Since it has also been written on individual wildlife species which have been taken over from people who caught them illegally and kept in captivity with the purpose of interbreeding and sale, mostly in the case of song birds, sentences were written (showing that when willing, authorities can act), but the punishment is very small, about 5,000 RSD (about 40 Euros), even when a number of birds are in question, although there is an official price list for financial compensation for each species, each individual is valued at a minimum of 10,000 RSD. The result is that the punished person is favoured and the budget for the fund for the protection of wildlife loses, which could otherwise be used for paying analyses and similar.
 - There is no mention of the fact that last year two griffon vultures died under suspicious circumstances after having been treated by the veterinarian. Birds in need must be tended in a more professional and responsible way.

We do not want to further take your time on all subjects which are not directly concerned with the currently described problems, as there is much material on which one could write on the elaborated problems up to now.

Please excuse us for sending this addition to our complaint slightly late and we thank you for understanding.

With great appreciation for all that the Secretariat of the Bern Convention has done and we hope will in the future concerning Nature protection and the protection of the Natural Heritage in Serbia, we greet you sincerely, hoping for better news during the forthcoming period.

Thank you in advance.

Kind Regards,

EPAR - OIPA SERBIA / Alliance for Nature Protection, the rights of animals and people

24000 Subotica, Matka Vukovića 9

President : MD Slavica Mazak Bešlić

epar@mts.rs epar-oipaserbia@hotmail.com

Save the nature!

Document prepared by
EPAR-OIPA-Serbia / Alliance for Nature Protection, the rights of animals and people
