Stunning in ritual slaughter in Slovenia

Amendment of Animal Protection Act 2013

- Ban on slaughter of animals without stunning **even for the purpose of ritual slaughter**

- Published 3 May 2013
- In force 18 May 2013

Animal Protection Act, Article 25

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„Notwithstanding provisions of art. 4 of Regulation 1099/09, stunning of animals must be performed in ritual slaughter, except in the case of slaughter of poultry, rabbits and hares, which takes place outside of a slaughterhouse for private domestic consumption.“

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Legal base

- Regulation 1099/09, art. 26(2)(c)
  - Stricter national rules concerning ritual slaughter

- Regulation 1099/09, art 10(1)
  - Private domestic consumption

Constitutional review

- One of the muslim associations triggered the constitutional review of the amended art. 25 of Animal protection Act (12.6.2014)
  - Limitation of freedom of practicing religion

Justification

Veterinary administration was in charge to prepare the justification for the amendment

- Strictly avoiding arguments against religious teachings
- Detailed Scientific justification and presentation of the science of slaughter

Deliberation of the Constitutional Court

- Acknowledging that freedom of practicing religion is the **constitutional right**
- Constitutional rights may be limited only based on another constitutional right/provision
- Protection of animals against cruelty is also mentioned in Slovenian constitution – constitutes a **public morality**

Deliberation of the Constitutional Court

- Limitation of freedom to manifest religion:

*„Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or **morals**, or for the protection of the rights and freedoms of others. „*

European convention on human rights, Art. 9

Decision

- Unanimous decision that the ban is NOT unconstitutional.
- 4 separate CONCURRING opinions of judges.

Agreeing on the final decision but some differences in the opinion on reasons for it.

Thank you for your attention