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The Honourable Minister of Agriculture  
Prof. dr.sc. Davor Romić  
Ministry of Agriculture  
Ulica grada Vukovara 78  
10000 Zagreb  
Croatia

Amsterdam, 15 March 2016

Dear Minister,

I am writing you on behalf of the Fur Free Alliance, an international coalition of 41 animal protection organisations representing millions of supporters worldwide.

An increasing number of countries around the world are legislating against fur farming. The ethical concerns of a large majority of the population and the inherent cruelty of fur farming have led more and more countries to close down fur farms in recent years. We are very pleased that Croatia has been part of the forefront of a Europe that respects animal welfare by passing the Animal Protection Act in 2007 and banning the cruel practice of fur farming.

**As the Fur Free Alliance we urge the Croatian government to stay committed to a Europe that values animal welfare and maintain the Croatian fur farming ban.**

Fur is a non-essential luxury item. An increasing majority of the population finds it unjustifiable to subject animals to prolonged suffering for trivial ends, such as fur coats or fashion accessories. In a democratic society, the public's long-standing opposition to fur farming and our changed ethical perception of animals should be properly reflected by law.

**A fur farming ban is in line with scientific research, the public interest and political and legislative developments around the world.**



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## Worldwide countries are legislating against fur farming

Over a decade ago the UK was the first country in Europe to ban fur farming on the grounds of 'public morality'. Other European countries that have since decided to ban fur farming are Austria, The Netherlands, Bosnia and Herzegovina, Switzerland, the Republic of Macedonia, Slovenia and Croatia.<sup>1</sup>

In 2015 the Brazilian State of São Paulo, which accounts for nearly a quarter of the country's population, banned the production and sales of fur. Brazil was one of the largest chinchilla fur producers in the world, accounting for 42% of global chinchilla fur farming together with Argentina. The large size of the industry and the deep recession of Brazil's economy were not considered a factor in the decision to ban the industry.

### **Fur farming bans are high upon the current political agenda in a number of countries.**

In the past year we saw several countries taking significant steps towards legislation against fur farming:

- In Belgium the Government of Walloon and Brussels outright banned fur farming in 2015 and the Government of Flanders is currently discussing a fur farming ban.
- In Germany legislative drafts to ban fur farming have been proposed by the German government and the Bundesrat in 2015 to be voted on by the Bundestag.<sup>2</sup>
- Most recently, in the beginning of March 20 MPs from 6 political parties proposed a bill to a ban fur farming in the Czech Republic.

### **Fur farming bans do not depend upon the size of the industry.**

- When fur farming was banned in 2014 in the State of Sao Paulo, 600 chinchilla fur farms were forced to close down.<sup>3</sup>
- The mink ban in The Netherlands, which was voted on in 2013 and recently justified by the National Court of Appeals in The Hague, concerns world's third largest mink industry of 6 million mink bred annually.<sup>4</sup>

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<sup>1</sup> <http://www.furfreealliance.com/fur-bans/>

<sup>2</sup> <http://www.spiegel.de/panorama/gesellschaft/tierschutz-landwirtschaftsminister-schmidt-will-pelztierhaltung-verbieten-a-1065586.html>

<sup>3</sup> <http://sao-paulo.estadao.com.br/noticias/geral,chinchilas-nao-poderao-ser-criadas-para-extracao-de-pele-em-sp,1584458>

<sup>4</sup> <http://www.furfreealliance.com/wp-content/uploads/2016/02/Verdict-Mink-ban-The-Netherlands.pdf>



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### **Stricter welfare regulations have led several countries to end chinchilla fur farming.**

- In 2014 new regulations regarding space requirements, based on the *Recommendations Concerning Fur Animals* (1999) of the Council of Europe, caused chinchilla fur farms in Sweden to be closed down.<sup>5</sup>
- In 2012 the last chinchilla fur farm in Germany was forced to close down after new regulations concerning housing requirements came into force.<sup>6</sup>

### **The mink ban and the court ruling in The Netherlands**

In 2013 the Dutch Government passed a ban on fur farming based on ethical grounds. Next to a phase-out period of 11 years, the law includes accompanying measures to offer fur farmers compensation for financial damage resulted from the ban.

### **Recent legal developments show the Dutch mink ban will highly likely be upheld.**

#### **Verdict of the District Court of The Hague (May 2014)**

After a legal challenge of the Dutch mink farmers the judge dismissed the ban stating the law infringes upon the right of property, as set out in the ECHR, since the fur farmers were said to endure future income loss during the phase-out period. Besides that, the court did not consider the accompanying measures as a form of compensation since they were not sufficiently specified.

#### **Verdict of the Dutch National Court of Appeals (November 2015)**

Based on newly submitted clarifying documents, the Court of Appeals concluded the phase-out period and the accompanying measures should be considered as proper compensation. And since jurisprudence shows the loss of future income is not protected by the ECHR, the court stated that the law does not infringe upon the right of property.

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<sup>5</sup> Council of Europe (1999) Recommendation Concerning Fur Animals, adopted by the Standing Committee of the European Convention for the Protection of Animals kept for Farming Purposes on 22 June. [http://www.coe.int/t/e/legal\\_affairs/legal\\_co-operation/biological\\_safety\\_and\\_use\\_of\\_animals/farming/Rec%20fur%20animals%20E%201999.asp](http://www.coe.int/t/e/legal_affairs/legal_co-operation/biological_safety_and_use_of_animals/farming/Rec%20fur%20animals%20E%201999.asp)

<sup>6</sup> Ordonnance on the protection of animals and the keeping of production animals of 25.10.2001 (in the version published on August 22, 2006) (Tierschutz-Nutztierhaltungsverordnung). Consulted on <http://www.gesetze-im-internet.de/tierschnutztv/BJNR275800001.html>



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### **Appeal in cassation to the Supreme Court**

Dutch mink farmers appealed in cassation to the Supreme Court, which may only overrule the lower court in case it finds the law has been applied incorrectly. Since the ruling of the Court of Appeals is based on ECHR jurisprudence, it is unlikely the verdict will be overruled in cassation.

### **Can the ruling of the Supreme Court be challenged to the ECHR?**

It is unlikely the Dutch mink farmers can issue a complaint to the European Court of Human Rights. A crucial condition of the applicant to lodge a complaint to the ECHR is to have suffered 'significant disadvantage'. Since the Court of Appeals considers the transitional period and accompanying measures as fair compensation, the claim for 'significant disadvantage' is not plausible.

### **The ethical case against fur farming**

There is an overwhelming case for the abolition of fur farming based on ethical grounds. The public awareness that there must be legal constraints on the uses to which animals can be put is growing worldwide. There is an increasingly wide range of measures regulating, or prohibiting, the use of animals in commercial trade, in research, in entertainment and in farming. These developments are widely supported as being conducive to a civilised society.

### **Legislation on the ground of public morality is becoming widespread.**

The Parliamentary Secretary to the (then) Ministry of Agriculture, Fisheries and Food, Elliot Morley, gave the following account of the Government's position when deciding for a fur farming ban in the UK in 2000:

“Fur farming is not consistent with a proper value and respect for animal life. Animal life should not be destroyed in the absence of a sufficient justification in terms of public benefit. Nor should animals be bred for such destruction in the absence of sufficient justification.”



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In 2014 the Government's statement on the fur farming ban in the State of São Paulo reads:

“The cruelty of fur farming makes fashion that contains animal fur immoral and unjustifiable.”

In the Dutch court verdict that justified the mink ban in 2015 the National Court of Appeals in The Hague writes:

“The mink farmers had to take into consideration that there would come a time when their activities would be prohibited. (...) This motion did not concern animal welfare as such, but the notion that it is ethically not acceptable to keep animals for the production of fur.”

### **Animal welfare problems on chinchilla fur farms**

The serious animal welfare problems that result from keeping of what are essentially wild animals in small barren enclosures are confirmed by numerous, extensive scientific research studies.<sup>7</sup>

- The small cage size in which chinchillas are kept on fur farms is restricting the animals from performing their natural behaviors, such as running and jumping. The cage height on chinchilla fur farms is usually around 35 cm, while animal welfare experts have frequently recommended a height of at least 1.00m<sup>8</sup>.

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<sup>7</sup> Pickett, H. and Harris, S. (2015) The Case Against Fur Factory Farming: A Scientific Review of Animal Welfare Standards and WelFur.

<sup>8</sup> Council of Europe (1999)



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- Chinchillas on fur farms are killed with gas, which causes the animals to suffocate slowly. Gassing is reported by numerous veterinary experts to be a highly painful and inhumane killing method.<sup>9</sup>
- There is a high level of infant mortality on chinchilla fur farms, which is likely caused by the unnatural living conditions according to animal welfare experts.<sup>10</sup>
- Dental problems result in poor welfare in chinchillas and these are widespread on fur farms.<sup>11</sup>

Based on scientific knowledge concerning chinchillas the Council of Europe has stipulated a number of recommendations for the breeding of chinchillas for fur, such as a minimal cage height of 1.00 meter.<sup>12</sup> The implementation of these recommendations has led Germany and Sweden to make an end to chinchilla fur farming.

**Fur bans are the only legitimate solution to the serious animal welfare problems in the fur industry.**

## The environmental impact of fur factory farming

The production of fur is associated with high environmental costs. Far from being natural, sustainable resources, fur production is an intensely polluting and energy-consuming process. Animal skin, once removed, will rot, unless it is treated with toxic chemicals. Even then, it must be kept cool and guarded against insects. It takes at least 4 times more energy to produce a real fur coat than to produce a synthetic fur coat, mostly due to animal feed and emissions of manure.<sup>13</sup>

## Health risks of heavy chemicals in fur

Recent scientific *Toxic Fur* studies<sup>14</sup> in Italy, The Netherlands, Germany and the Czech Republic have detected significant harmful amounts of toxic substances in fur trims on

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<sup>9</sup> Pickett, H. and Harris, S. (2015). p.27

<sup>10</sup> Schuurman, T. (1996). Gedragsreacties van chinchilla's op toenadering van mensen: een onderzoek op drie chinchillafarms in Nederland. p.4

<sup>11</sup> Broom DM, Fraser AF (2007) Domestic Animal Behaviour and Welfare. CAB International. p.312

<sup>12</sup> Council of Europe (1999)

<sup>13</sup> Bijleveld, M. (2013) Natural mink fur and faux fur products, an environmental comparison. CE Delft p.34

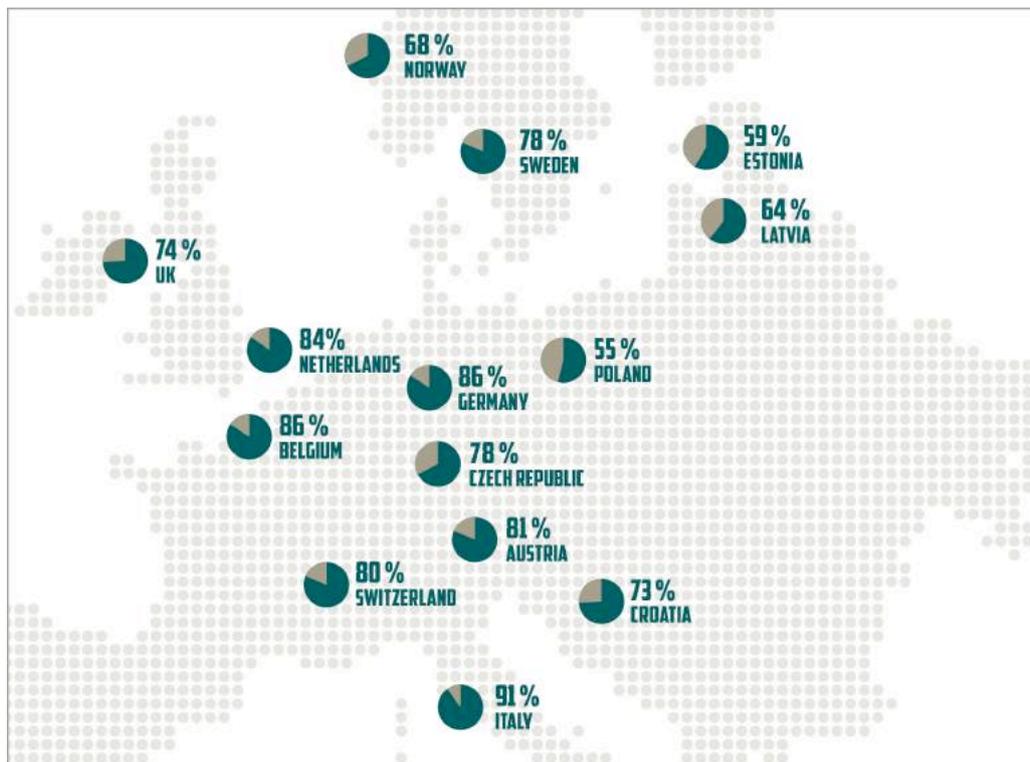
<sup>14</sup> <http://www.furfreealliance.com/environment-and-health/>

children fashion wear by common brands as D&G, Woolrich, Canada Goose and Nickelson. Toxics in fur are absorbed through air or skin and can remain in the body for over twenty years, causing chronic health effects. Most fur trims that were tested contained hazardous levels of chemicals as formaldehyde and ethoxylates, which can cause allergies, cancer and hormonal imbalance. The *Toxic Fur* studies of Fur Free Alliance members recently resulted in a Rapex procedure when the European Commission decided to retract fur jackets from the European market.<sup>15</sup>

### The majority of Croatian citizens supports a fur farming ban

Closing down fur farms on moral grounds is widely supported by the Croatian population. A large majority of 73 percent of the Croatian citizens considers that the breeding of animals for fur should not be allowed, regardless the circumstances.

Most fur farming bans around Europe, as in the UK and the Netherlands, are based upon public morality. The percentages of EU member state populations that find fur farming unacceptable are considerably high and ever increasing:



<sup>15</sup> <http://www.lav.it/news/pellicce-tossiche-rapex>



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**Fur farming is an increasingly unstable industry, both economically and politically.**

The ethical perception of animals is changing worldwide and, as shown, lawmakers are increasingly acknowledging the ethical concerns of the public. Consequently, fur farming is an instable industry posing an increasingly risky investment.

**Fur farming bans are in line with scientific data, the public interest and political and legislative developments worldwide**

The world continues to look at the Croatian government to fulfill its commitment to end fur farming particularly as actions are increasingly being taken around the world to legislate against fur farming.

We look forward to your reply and providing assistance to your government in this matter.

Yours sincerely,

Joh Vinding  
Chairman of the Fur Free Alliance



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