Review of European and Comparative Law
https://doi.org/10.31743/recl.20065
Received: 6 March 2026 | Accepted: 11 April 2026 | Online First Published: 18 May 2026

Enforcement-Oriented Animal Welfare Reform in Slovakia: Comparative Lessons from Poland, Hungary, and Czechia

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Abstract: This article offers a systematic analysis of the legal protection of animals in Slovakia with targeted comparative reference points from Poland, Hungary, and Czechia. It first situates Slovak law within the international and EU framework, highlighting how animal welfare standards have progressively shaped national legislation. We then examine the main public and private law instruments governing animals, including the Veterinary Act and the dereification of animals in civil law. The core of the article analyzes two groups of animals: companion animals and farm animals. For each group, we outline the applicable welfare standards and illustrate typical problem areas, such as online trade in companion animals and intensive livestock production. A further section assesses the institutional and sanctioning framework, focusing on the interaction between administrative and criminal liability and the growing, but still uneven, role of civil society. The article concludes by identifying key enforcement deficits and proposing targeted reforms to strengthen outcome-oriented welfare enforcement and improve the regulation of breeding and online trade.

Keywords: animal welfare, Slovakia, companion animals, farm animals, enforcement

1. Introduction: Animals, Law, and Society in Slovakia

Animals sit at an awkward junction of legal categories: they are treated as property in many private-law operations, regulated as "objects" of administrative control in welfare legislation, and simultaneously framed as components of biodiversity in conservation law. Although animals also appear as components of biodiversity in conservation law, this article focuses on the welfare protection of kept animals and on the design of their enforcement. The Treaties acknowledge animals as sentient beings and require the Union and Member States to "pay full regard" to animal welfare in specified policy fields, while

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ISSN 2545-384X (Online)

also preserving space for national choices grounded in cultural and religious traditions.[1] Yet the operative protection of animals continues to depend far more on sectoral legislation (and the capacity of enforcement institutions) than on the Treaty clause itself.

This article examines Slovakia as a case study of a Central European system in which animal protection is formally multi-layered but, in practice, fragmented. Slovak law contains "welfare" rules (especially under veterinary legislation), partial de-reification in civil law, and criminal-law prohibitions of animal cruelty. At the same time, Slovak constitutional framing tends to approach animals indirectly, through environmental protection and public interests, rather than through an explicit constitutional value of animal welfare. This architecture is not unique to Slovakia; what is distinctive is how the layers interact (or fail to interact) in practice, particularly when companion-animal protection and farm-animal welfare pull in different institutional directions.

Research question and aim. We ask: "How does Slovak law protect companion and farm animals across private, administrative, and criminal-law tools, and how credible is the enforcement design in practice (using Poland, Hungary, and Czechia as targeted functional benchmarks)?". Our aim is not to compile a descriptive national "inventory." Instead, we test whether the Slovak model is normatively consistent (across legal branches) and institutionally credible (in terms of enforcement design), and we identify where EU law genuinely constrains Slovak choices and where it merely sets minimum standards.

We argue that Slovakia has moved towards a recognizable "animal-protection" framework, most visibly through (1) a civil-law clause that symbolically de-reifies living animals while largely preserving the property-law technique, (2) an expanded criminal-law toolkit targeting cruelty, and (3) welfare duties embedded in veterinary regulation. However, these elements operate as parallel tracks rather than a coordinated system. The result is predictable: legal status debates generate symbolic progress, while the practical protection of animals depends on enforcement capacity, institutional incentives, and procedural pathways, areas where fragmentation is most damaging. Methodologically, we use doctrinal legal analysis of Slovak legislation and selected practice-relevant instruments; the comparative references are deliberately selective and serve to identify transferable enforcement instruments rather than to provide a comprehensive country-by-country mapping.

2. Concept and Sources of Legal Protection of Animals in Slovak Law

This section proceeds from the international to the national level to clarify the main legal foundations of animal protection in Slovakia.

2.1. Core International and Council of Europe Framework

At the international level, animal protection is mostly pursued indirectly, through regimes primarily aimed at biodiversity conservation and the regulation of international trade

[1] Article 13 of the Consolidated version of the Treaty on the Functioning of the European Union (OJ C 202, 7 June 2016).

(such as CITES, CMS,[2] or CBD[3]). These instruments are not framed in terms of "animal welfare," yet they limit how animals may be used, hunted, traded, or killed, and thus form a first background layer of legal protection relevant to Slovak law. Within Europe, the most explicit and coherent international framework for animal welfare has been developed by the Council of Europe, which has adopted a series of conventions on animals kept for farming purposes, during international transport, at slaughter and as companion animals.

2.2. European Union Law on Animal Welfare

Animal protection within the EU has developed piecemeal, without a dedicated Treaty chapter on animal welfare. The key constitutional anchor is Article 13 TFEU, which recognizes animals as sentient beings and requires the EU and the Member States, in certain policy areas, to pay full regard to their welfare, while respecting national religious rites, cultural traditions, and regional heritage.[4] Within the competences conferred by specific Treaty bases (notably agriculture, the internal market, and transport) and guided by Article 13 TFEU as a horizontal welfare clause, the EU has developed a substantial body of secondary law on animal welfare, especially in the agricultural and food sectors. General rules for farm animals are laid down in Directive 98/58/EC concerning the protection of animals kept for farming purposes, complemented by species-specific directives and by regulations on the protection of animals during transport and at the time of killing, as well as directives dealing with animals used for scientific purposes.[3] These instruments establish minimum standards for housing, care, handling, transport, and slaughter, aimed at preventing unnecessary pain, suffering, or distress.

For Slovakia, this EU acquis shapes national law both directly and indirectly: regulations on transport and slaughter apply *ex lege* and must be enforced by Slovak authorities, while directives on farm animal welfare and experimental animals require transposition and institutional adaptation. This tension – animals as economic goods versus sentient beings – also permeates Slovak legislation and helps explain the fragmented national framework analyzed below.

2.3. Slovak Constitutional and Statutory Framework

From a constitutional perspective, animals in Slovakia are not recognized as right-holders in their own name. Their protection is embedded in the broader framework of environmental rights and duties under Article 44 of the Constitution of the Slovak Republic,[5] which guarantees everyone the right to a favorable environment and imposes duties not to endanger or damage the environment, natural resources, and cultural monuments beyond the limits laid down by statute.[6]

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2 Convention on the Conservation of Migratory Species of Wild Animals (CMS), adopted June 23, 1979 (entered into force November 1, 1983).

3 Convention on Biological Diversity (CBD), adopted June 5, 1992 (entered into force December 29, 1993).

4 Alice Di Concetto, "The Gradual Development of the EU's Competence in Animal Welfare Law and Policy," *Revista Catalana de Dret Públic* 70 (2025): 4, https://doi.org/10.58992/rcdp.i70.2025.4425.

5 Act No. 460/1992 Coll., the Constitution of the Slovak Republic, as amended (hereinafter: the Constitution).

6 Article 44(1)–(3) of the Constitution.

Legal scholarship has underlined that this construction links animal protection, at least indirectly, to the human right to a favorable environment and to the public interest in environmental protection.[7] Rather than granting animals subjective constitutional rights, Slovak law relies on human-centered environmental rights and duties which can be mobilized when animal welfare or biodiversity is threatened. This approach situates animals primarily as components of the environment. Still, it also opens space for using existing environmental-law instruments (such as participation rights under the Aarhus Convention framework) to contest decisions affecting animal welfare.[8]

At the level of ordinary legislation, the central act for animal welfare is the Act No. 39/2007 Coll. on Veterinary Care, as amended (hereinafter: Veterinary Act). It defines which behaviors constitute cruelty, prohibits specified forms of maltreatment, regulates the killing of animals, and sets out detailed obligations of owners, breeders, and keepers. Section 22, in particular, lays down duties to protect and promote the well-being of animals.[9] Animal protection is further developed through a dense network of sectoral acts.[10] Criminal-law protection is provided by the Criminal Code,[11] which includes specific offenses related to animals.[12]

In private law, an important qualitative shift occurred in 2018 with the amendment[13] of the Civil Code,[14] which introduced an explicit "dereification" of animals. The new wording states that a living animal has special importance and value as a living, sentient creature and enjoys a special position in civil-law relations; provisions on movable things apply to animals only to the extent that this does not contradict the nature of a living animal as a living creature.[15] Civil-law doctrine interprets this as creating a *sui generis* category oscillating between person and thing: animals are no longer treated as ordinary objects, yet they remain objects of property, possession, transfer, and inheritance, and are

7 Martin Dufala and Lenka Grešová, "Do Animals Have Any Rights in Slovakia?," *Studia Iuridica Lublinensia* 30, no. 3 (2021): 54, http://dx.doi.org/10.17951/sil.2021.30.3.47–65.

8 See, e.g., CJEU Judgment of 8 November 2016, Lesoochranárske zoskupenie VLK v. Obvodný úrad Trenčín, Case C-243/15, EU:C:2016:838.

9 Section 22(1) of the Veterinary Act.

10 For example, Wildlife and habitats are covered by the Act No. 543/2002 Coll. on Nature and Landscape Protection, as amended (hereinafter: Nature and Landscape Protection Act). Wild species are covered by the Act No. 15/2005 Coll. on the Protection of Species of Wild Fauna and Flora by Regulating Trade Therein and amending certain laws, as amended (hereinafter: the Act on Protection of Species). Sustainable use and protection of game and fish are covered by the Act No. 274/1990 Coll. on Hunting and on Amendments to Certain Acts, as amended (hereinafter: Hunting Act), and by the Act No. 216/2018 Coll. on Fisheries and on Amendments to Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended (hereinafter: Fishery Act).

11 Act No. 300/2005 Coll., Criminal Code, as amended (hereinafter: Criminal Code).

12 Under Slovak law, the following criminal offences against animals are regulated in the Criminal Code: Section (§) 305a – Cruelty to Animals; Section (§) 305a – Killing of a Companion Animal without Reasonable Cause; Section (§) 305b – Neglect of Animal Care; Section (§) 305c – Organising Animal Fights.

13 Act No. 184/2018 Coll. amending and supplementing Act No. 39/2007 Coll. on veterinary care, as amended, and amending and supplementing certain acts.

14 Act No. 40/1964 Coll. Civil Code, as amended (hereinafter: Civil Code).

15 Section 119(3) of the Civil Code.

not legal subjects in the strict sense.[16] The dereification clause should be understood to require that civil-law relations involving animals respect their integrity and the legislative animal-welfare standards laid down in public-law acts, notably the Veterinary Act.

At the same time, the Slovak framework exemplifies the selective way in which the law translates social perceptions of animals into differentiated legal categories. The distinction between "companion animals" (primarily dogs and cats, but also certain small mammals, birds, and ornamental fish) and other kept animals is not grounded in biology but in historically and culturally contingent views about which species are seen as emotionally significant and closely integrated into human households. Species such as horses, which in practice often combine economic functions with strong social and therapeutic roles, continue to be regulated predominantly through farm-animal[17] or general welfare rules rather than through a dedicated "companion-animal" regime. This anthropocentric and species-selective approach contributes to the fragmentation of protection: general welfare duties are formally universal, yet in practice the highest level of attention and regulatory detail is reserved for a narrow subset of animals with high social visibility, while others remain covered only by more generic standards.

3. Companion Animals (Pets)

Companion animals occupy a distinctive position at the intersection of private life, property, and public welfare. In Slovakia, the category formally covers not only dogs and cats, but also rabbits, small rodents, cage birds, non-indigenous species, and ornamental fish, that is, animals kept primarily for companionship or leisure rather than food production.[18] While emotionally they are often treated as family members, legally they remain objects of ownership subject to public-law constraints aimed at preventing cruelty and ensuring basic standards of welfare.[19] The regulatory framework for companion animals is therefore an instructive test of how far Slovak law is willing and able to protect animal interests within a human-centered legal order.

Against the background of the general veterinary and environmental framework outlined in section 2, this part first sketches the main rules on keeping and welfare of companion animals, and then highlights selected problem areas, in particular illegal pet

16 Olexij M. Meteňkanyč, "Dereifikácia zvierat v súkromnom práve (nielen) v podmienkach Slovenskej republiky," *Iurium Scriptum* 6, no. 2 (2022): 50.

17 Section 2 para. 4 of the Act No. 194/1998 Coll. Breeding and Breeding of Livestock and on Amendments to Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended defines farm animals as: "animals of the subfamily Bovinae, including the genus Aurochs and the genus Tur (hereinafter referred to as "cattle"), animals of the species horse and donkey and their crossbreeds (hereinafter referred to as "Equidae"), pigs, sheep, goats, rabbits, fur animals, poultry, birds, honey bees and species of freshwater fish, except ornamental fish, which are of economic importance. Economically important animals are those that are bred for the purpose of their economic exploitation."

18 Daniela Takáčová et al., "Companion Animals Welfare in the Slovak Republic," in *Proceedings of the XVII International Congress on Animal Hygiene* (Košice, Slovakia, 2015), 297.

19 Alena Nagyová et al., "How Are Animals Protected in the Slovak Republic Law?," *Derecho Animal (Animal Legal and Policy Studies)* 3 (2025): 639–40, https://doi.org/10.36151/DALPS.068.

breeding and trade, long-term tethering of dogs, and enforcement gaps, drawing on recent Slovak legal and veterinary scholarship.

3.1. Basic Rules on Keeping and Welfare

The basic public-law framework for companion animals is laid down in the Veterinary Act and in implementing legislation. The Veterinary Act defines cruelty, prohibits specified forms of maltreatment, regulates killing, and establishes general duties of owners and keepers to ensure the "protection and well-being" of animals, including the fulfillment of their physiological and ethological needs and sufficient freedom of movement.[20]

More specific standards for pet animals are laid down in secondary legislation,[21] which, *inter alia*, details obligations relating to housing, hygiene, feeding, watering, and care, and sets space, equipment, and staffing requirements for shelters and quarantine stations. Together with the Veterinary Act, it provides the main normative yardstick against which the conditions of pet animals in households, breeding establishments, shelters, and pet shops are assessed.

In addition, the Act which Regulates Certain Conditions for Keeping Dogs[22] regulates selected aspects of dog keeping, including rules for dogs labeled as dangerous and obligations on identification, registration, and supervision. At the municipal level, local ordinances (if a municipality decides to adopt one) further address issues such as dog movement in public spaces, leash, and muzzle requirements, and fees related to dog ownership. Experience shows, however, that attempts by municipalities to regulate the number or size of dogs kept in flats have occasionally been struck down as *ultra vires* or unconstitutional,[23] illustrating the limits of local regulation in this field.

Overall, the Slovak framework for companion animals combines a general veterinary-welfare duty (applicable to all vertebrates) with species and context-specific rules for pet animals and dogs, supplemented by municipal by-laws. This amounts to a relatively elaborate set of norms. The question, addressed in the following subsection, is how effectively these rules respond to the most pressing welfare problems in practice.

3.2. Typical Problem Areas and Selected Examples

The literature consistently identifies illegal pet breeding and trade as one of the most serious systemic problems concerning companion animals in Slovakia, pointing to "puppy mills" and the largely uncontrolled online pet trade as major sources of suffering, with animals kept in substandard conditions, transported over long distances, and sold without

20 Section 22 para. 1 of the Veterinary Act.

21 One notable ordinance is the Ordinance of the Ministry of Agriculture and Rural Development No. 283/2020 Coll., which sets out requirements for the protection of pet animals, rules on the capture of stray animals and minimum standards for quarantine facilities and animal shelters.

22 Act No. 282/2002 Coll., which Regulates Certain Conditions for Keeping Dogs, as amended (hereinafter: the Act which Regulates Certain Conditions for Keeping Dogs).

23 Constitutional Court of the Slovak Republic, Judgment of 13 May 1997, II. ÚS 19/97; Constitutional Court of the Slovak Republic, Judgment of 30 March 2004, I. ÚS 193/03.

adequate veterinary care or traceability.[24] Despite the adoption of the new Ordinance on the protection of pet animals in 2020, the number of registered commercial breeders remains extremely low relative to the volume of online advertisements, suggesting that a large proportion of breeding activity still takes place outside the registered and inspected sector. In the absence of effective registration and authorization duties backed by administrative or criminal sanctions, the legal framework has so far proved insufficient to curb these practices.

A second cluster of problems concerns the long-term tethering and inadequate housing of dogs. Recent veterinary-legal research on dog tethering in Slovakia shows that, although the law requires dogs to be kept under conditions that allow them to maintain good health and meet their physiological, ethological, and social needs, long-term tethering remains widespread.[25] Earlier provisions allowed extensive tethering using a sliding chain or cable system, and even under the current Veterinary Act, permanent or long-term tethering can still lead to situations of cruelty where dogs are exposed to pain, fear, behavioral disorders and social deprivation. The authors point to difficulties in enforcing the relevant rules in the field, given limited inspection capacity and the need to assess individual circumstances, and argue for clearer legislative restrictions, including an explicit ban on long-term tethering, to prevent circumvention and improve welfare outcomes.[26]

Finally, enforcement gaps are a recurrent theme more generally. Recent empirical research on the functioning of the Regional Veterinary and Food Administrations (hereinafter: RVPS) conducted by L. Grešová confirms numerous weaknesses: inspectors frequently fail to conduct control visits before registering new breeding establishments, lack competence to supervise online pet trade, and apply no uniform methodology for evaluating animal welfare; in many cases, large-scale dog breeding facilities with dozens or even hundreds of animals have been formally approved despite failing to meet basic physiological and ethological welfare needs.[27] These findings support the conclusion that the current legal framework does not provide sufficient protection for companion animals bred or sold online and that the practical performance of the state veterinary administration remains inadequate.

4. Farm Animals and Animals Used for Food Production

In line with other EU Member States, the regulation of farm-animal welfare in Slovakia is strongly shaped by EU minimum standards, yet – as comparative studies on Poland and Hungary show – national implementation and enforcement choices still make a tangible difference to the actual level of protection achieved. Farm animals constitute by far the

24 Takáčová et al., "Companion Animals Welfare in the Slovak Republic," 298; Nagyová et al., "How Are Animals Protected in the Slovak Republic Law?," 640.

25 Daniela Takáčová et al., "Dog Tethering in Slovakia: Legal, Ethical and Behavioral Aspects and Dog Welfare Implications," *Animals* 11, no. 3 (2021): 594, 599, https://doi.org/10.3390/ani11030594.

26 Ibid.

27 Lenka Grešová, "Ochrana spoločenských zvierat v online obchode, s dôrazom na ochranu psov a mačiek" (PhD diss., Comenius University in Bratislava, Faculty of Law, 2023), 193–95, accessed March 1, 2025, https://opac.crzp.sk/?fn=detailBiblioForm&sid=08878EB2E7E37CD0999673C0752B.

largest group kept under human control in Slovakia. Their protection is regulated primarily through public-law rules on animal health and welfare, agricultural production, and food safety. While the Slovak framework largely mirrors the EU farm-animal welfare acquis, its practical effectiveness depends on how general principles and minimum standards are implemented in everyday husbandry, transport, and slaughter. In this section, we first sketch the core welfare requirements and their transposition into Slovak law and then briefly discuss practice, official controls, and persistent challenges.

4.1. Core Welfare Requirements and Transposition of EU law

The EU farm-animal welfare acquis is built around a set of general and species-specific instruments. For animals kept for farming purposes in general, Directive 98/58/EC[28] lays down baseline requirements on housing, feeding, watering, freedom of movement, and inspections. These general standards are complemented by directives addressing specific categories of animals (calves, pigs, laying hens, and broilers) and by regulations on the protection of animals during transport[29] and at the time of killing.[30]

Slovakia has transposed this framework through a combination of the Veterinary Act and a set of implementing government regulations and ministerial decrees. The Veterinary Act establishes general duties for keepers of animals used for food production, *inter alia*, to ensure conditions corresponding to their species-specific needs, to prevent avoidable pain, suffering, and injury, and to comply with detailed requirements laid down in other secondary legislation.[31] These duties are further specified, for example, in regulations on the protection of farm animals,[32] pigs,[33] calves,[34] or poultry,[35] which transpose the respective EU directives almost verbatim and set parameters for stocking density, flooring, lighting, enrichment, weaning, mutilations, and record-keeping.

Slovak legislation also reflects the close link between welfare and production incentives. The conditions of breeding and care for farm animals are not only a matter of compliance with minimum welfare rules but also form part of the eligibility criteria for certain agricultural subsidies and rural-development support. In principle, this "conditionality" should encourage farmers to go beyond the bare minimum required by law, for example, by improving housing conditions, providing access to pasture, or adopting

28 Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8 August 1998), 23.

29 Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5 January 2005), 1.

30 Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ L 303, 18 November 2009), 1.

31 Section 22 paras 1–2 of the Veterinary Act.

32 Government Regulation of the Slovak Republic No. 322/2003 Coll. on the Protection of Animals Kept for Farming Purposes, as amended.

33 Government Regulation of the Slovak Republic No. 735/2002 Coll. laying down minimum standards for the protection of pigs, as amended.

34 Government Regulation of the Slovak Republic No. 730/2002 Coll. laying down minimum standards for the protection of calves, as amended.

35 Government Regulation of the Slovak Republic No. 736/2002 Coll. laying down minimum requirements for the protection of laying hens, as amended.

higher-welfare systems.[36] In practice, however, the extent to which subsidy schemes effectively reward above-standard welfare remains uneven and depends on the design of specific measures under the Common Agricultural Policy and their implementation by national authorities. Overall, the Slovak framework for farm animals can be described as a typical example of EU-driven harmonization: the key concepts, definitions, and welfare parameters are taken directly from EU directives and regulations, while national law plays a mainly implementing and coordinating role.

4.2. Practice, Controls and Main Challenges

From a practical perspective, the enforcement of welfare rules for farm animals in Slovakia is embedded in the general system of veterinary supervision. The SVFA and the RVPS are empowered to carry out official controls on farms during transport and at slaughter,[37] to enter premises,[38] to order corrective measures,[39] to confiscate animals,[40] and, in serious cases, to restrict or prohibit breeding or keeping activities.[41] Despite this relatively broad catalogue of powers, scholarly assessments suggest that they are not always used in a sufficiently timely or robust manner to prevent serious cases of cruelty or long-term neglect.[42]

Recent data from the SVFA's electronic "Register of Submissions" confirm both the growing prominence of animal-welfare concerns and the limits of current enforcement practice. Between March 2021 and September 2023, four animal protection-related complaint categories generated more than 1,200 submissions. For the category "welfare of farm animals," only about one quarter of complaints (25.48%) were assessed as justified, while more than 60% were considered unjustified.[43] This pattern indicates a complex mixture of genuine welfare problems and complainants' misinterpretations of the legal requirements, which can burden inspection authorities without necessarily translating into effective action in the most serious cases.

Building on these findings, J. Pajtášová and co-authors argue that improving the effectiveness of enforcement requires not only adequate staffing and training of veterinary inspectors, but also systematic education of civil-society actors and closer cooperation between citizens' associations and state authorities.[44] Better knowledge of welfare standards, administrative procedures, and basic legal concepts among those who lodge complaints should help focus administrative resources on cases where farm animals are at real risk, while also strengthening inspectors' capacity to identify and address structural welfare problems on holdings.

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36 Government Regulation of the Slovak Republic No. 3/2023 Coll. laying down rules for providing support for non-project measures under the Strategic Plan of the Common Agricultural Policy, as amended.

37 Section 14(1)(a), (c), (d), and (f) of the Veterinary Act.

38 Section 12(2)(a) of the Veterinary Act.

39 Section 12(2)(j) of the Veterinary Act.

40 Section 14(2)(a) of the Veterinary Act.

41 Section 40(8) of the Veterinary Act.

42 Dufala and Grešová, "Do Animals Have Any Rights in Slovakia?," 63.

43 Jana Pajtášová et al., "Enhancing Animal Welfare through Education of Representatives of Citizens Associations Aimed at Animal Rescue and Protection – A Review," *Acta Veterinaria Brno* 94, no. 2 (2025): 123, https://doi.org/10.2754/avb202594020119.

44 Ibid., 124–25.

Against this background, the main practical challenges in the farm-animal sector can be summarized as follows: the integration of welfare controls into broader veterinary and food-safety tasks, which may dilute their priority; the limited capacity of regional administrations to conduct frequent, unannounced, and outcome-oriented inspections; and persistent economic pressures on livestock producers that make investments in higher-welfare housing or management systems difficult. Together, these factors risk turning some of the detailed standards described above into largely "on paper" requirements, unless enforcement capacity and incentive structures are strengthened in parallel.

Recent disease events have also underlined how closely animal welfare, animal health, and trade regulation are connected. The detection of foot-and-mouth disease in cattle in 2025 led to the introduction of veterinary emergency measures in Slovakia, including movement restrictions, intensified surveillance, and, where necessary, culling and safe disposal of affected herds under the Veterinary Act and the EU Animal Health Law.[45] This episode illustrates that the protection of farm animals is not only about housing or handling conditions, but also about robust biosecurity, early detection, and transparent compensation mechanisms for farmers whose animals must be destroyed for disease-control purposes. Similar concerns have been raised in neighboring Hungary, where this disease alert in 2025 likewise triggered strict control zones and highlighted the need for close cross-border coordination of contingency plans. From a welfare-law perspective, such crises test whether emergency response measures are designed and implemented to minimize avoidable suffering while still achieving rapid eradication of the disease.

5. Enforcement, Institutions, and Sanctions

The Slovak system of animal protection is enforced through a combination of administrative supervision, criminal law, and, to a lesser extent, civil-law mechanisms. In line with the general architecture mentioned in Section 2, administrative law (in particular, the Veterinary Act) remains the primary tool for defining prohibited conduct, empowering authorities, and imposing fines and remedial measures. Criminal law provides a subsidiary "ultima ratio" response to the most serious cases of cruelty. The practical effectiveness of this framework depends not only on the design of offenses and sanctions, but also on the capacities, priorities, and cooperation of veterinary authorities, the police, prosecutors, courts, and civil society actors.

5.1. Institutional Framework

The enforcement of animal-protection rules in Slovakia is distributed across several levels of public administration and the criminal justice system. At the core of administrative enforcement stand the SVFA and the regional veterinary and food administrations, which the Veterinary Act entrusts with carrying out veterinary controls over compliance with animal-welfare requirements. When performing such controls, veterinary officers

[45] Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health (OJ L 84, 31 March 2016), 1.

are authorized to enter premises, buildings, and facilities, including, where the health and welfare of animals are at risk, the home of the person keeping animals, and to adopt measures such as the confiscation of animals or their placement in temporary care; the most recent amendments have also empowered the SVFA to restrict or prohibit breeding or keeping activities in cases of repeated non-compliance.[46] Municipalities constitute another important (complementary) layer. Under the Veterinary Act and related legislation, they are obliged to ensure the capture of stray animals within their territory and to participate, together with the Ministry of Agriculture and Rural Development of the Slovak Republic, in establishing shelters and quarantine facilities.[47]

Criminal law enforcement involves yet another set of actors. As described in a recent analysis, criminal law has gradually developed into a "secondary" layer of animal protection alongside administrative law, with cruelty to animals classified as an environmental offense and punishable by custodial sentences.[48] The effective operation of this layer requires close cooperation between veterinary authorities, which often detect or document problematic situations first, and the police, prosecutors, and courts, which assess whether conduct meets the threshold of criminal cruelty.

Finally, civil society organizations have become increasingly visible, both as service providers and as watchdogs. A recent review describes how several dozen citizens' associations now operate shelters, quarantine stations, or foster-care networks, and engage in rescue, awareness-raising, and complaint-lodging activities.[49] Taken together, these administrative, criminal, and civic actors form a multi-level institutional framework whose effectiveness ultimately depends on sufficient capacity, clear allocation of competences, and constructive cooperation.

5.2. Types of Liability and Sanctions

Under the Veterinary Act, two main forms of administrative liability can be distinguished. First, natural persons may commit offenses by violating specific animal-welfare duties, such as causing prohibited forms of cruelty, failing to provide adequate care, or breaching rules on transport and slaughter. These offenses may be sanctioned by fines typically ranging from 50 to 1,200 EUR for individuals.[50] Second, legal persons and entrepreneurs can be held liable for administrative delicts, for which the Veterinary Act provides for significantly higher fines, in serious cases up to tens of thousands of euros, reflecting the economic dimension of professional breeding, transport, or slaughter activities.[51] In both categories, veterinary authorities may, in addition to monetary penalties, impose remedial measures, including temporary or permanent bans on keeping or breeding animals, or on carrying out a regulated activity.

46 Dufala and Grešová, "Do Animals Have Any Rights in Slovakia?," 52.
47 Section 22(9)–(11) of the Veterinary Act.
48 Nagyová et al., "How Are Animals Protected in the Slovak Republic Law?," 658.
49 Pajtášová et al., "Enhancing Animal Welfare," 119–28.
50 See: Section 48 of the Veterinary Act.
51 See: Section 50 of the Veterinary Act.

Criminal liability is governed by the Criminal Code, which classifies cruelty to animals as an offense against the environment. Section 305a defines the basic offense of animal cruelty and provides for imprisonment of up to three years, with higher penalties (up to five years) where aggravating circumstances are present (for example, where cruelty is committed in a particularly brutal way, against multiple animals, in a public place, or against a specially protected animal).[52] The 2020 amendment tightened penalties for the basic offense, reducing the previous maximum of two years to the current range of six months to three years, signaling a clear legislative intention to prioritize animal protection more strongly within the hierarchy of protected values.[53]

By way of brief regional context, Slovak criminal penalties broadly align with neighboring Central European approaches, although legislative techniques differ. We provide the transferable enforcement instruments below. In Hungary, cruelty to animals is criminalized in Section 244 of Act C of 2012 on the Criminal Code, which (building on the earlier offense of animal torture introduced in 2004) punishes unjustified abuse or mistreatment of vertebrate animals resulting in permanent damage or death, as well as the abandonment or expulsion of domesticated or dangerous animals, as a misdemeanor punishable by imprisonment of up to two years, and in aggravated cases by imprisonment of up to three years.[54] Hungarian law thus combines this criminal provision with the administrative "animal protection fine" under Act XXVIII of 1998, creating a multilayered system in which serious cruelty is clearly reserved for criminal law. In the Czech Republic, Sections 302, 302a, and 303 of Act No. 40/2009 Coll., the Criminal Code, as amended, distinguish intentional cruelty, breeding of animals in unsuitable conditions to animals from negligent ill-treatment; intentional cruelty is punishable by up to one year's imprisonment, with higher penalties (up to five or even six years) where the act causes particular suffering, is committed in a publicly dangerous manner or affects a larger number of animals, while negligent cruelty is punishable by up to six months' imprisonment. Poland, finally, relies on Article 35 of the Act of 21 August 1997 on the Protection of Animals, which classifies the intentional commission of acts of cruelty listed in Article 6(2) as a criminal offence punishable by three months to three years' imprisonment, with aggravated forms (involving particular cruelty) attracting higher sanctions and accompanied by ancillary measures such as bans on keeping animals and forfeiture. Taken together, these examples show that animal cruelty is no longer treated as a marginal issue, but has become part of the mainstream of environmental and criminal policy, with Slovak reforms reflecting a broader Central European shift towards stronger penal responses to serious abuse. The interaction between administrative and criminal liability is particularly important. The criminal offense requires a certain threshold of seriousness

52 See: Section 305a of the Criminal Code.

53 Veronika Marková, "Stručný exkurz k aktuálnym otázkam trestného práva v kontexte zmien z roku 2020 (úvodný referát ku konferencii)," in *Aktuálne otázky trestného práva v teórii a praxi. Zborník príspevkov z 9. roč. interdisciplinárnej celoštátnej vedeckej konferencie s medzinárodnou účasťou* (Bratislava: Akadémia Policajného zboru v Bratislave, 2021), 7–30.

54 Krisztina Bányai, "Thoughts on the Principle of Ne Bis in Idem in the Light of Administrative and Criminal Sanctions for the Legal Protection of Animals," *Journal of Agricultural and Environmental Law* 16, no. 31 (2021): 11–12, https://doi.org/10.21029/JAEL.2021.31.7.

and, in some configurations, also prior sanctioning for similar conduct under veterinary law. This reflects the idea that many instances of neglect or inappropriate treatment should remain within the administrative sphere, while repeated or particularly severe cruelty should attract criminal consequences. In practice, however, the boundary between "mere" administrative cruelty and criminal cruelty is not always straightforward, and the quality of cooperation and information flow between veterinary authorities and law-enforcement bodies is crucial for ensuring consistent case classification.[55]

Civil law plays a more modest, but not negligible, role. As discussed in Section 2.3, the Civil Code now recognizes animals as living beings rather than merely as objects, while still applying the rules on movable things to them, mutatis mutandis. This status, combined with general liability provisions, enables owners to seek compensation for harm caused to their animals by third parties. At the same time, civil-law instruments such as ownership, possession, and neighborhood relations continue to shape conflicts over animal keeping (for example, noise, odor, or damage), which may indirectly influence welfare outcomes but rarely offer a direct avenue for public-interest animal protection.

5.3. Selected Enforcement Problems

Viewed from a systemic perspective, the authors identified several recurring problems in the enforcement of the existing framework. First, veterinary authorities face substantial caseloads and a broad portfolio of tasks, ranging from food safety and animal health controls to welfare inspections. This breadth, combined with constrained staffing and the need to respond to a high volume of complaints (including many that are ultimately assessed as unjustified), can make it difficult to prioritize proactive welfare inspections or complex cruelty cases.[56] Second, there is still no unified methodology for assessing animal welfare across different species and contexts; controls tend to focus on easily measurable parameters (e.g., documentation, housing conditions) rather than on the animals' actual physical and behavioral state.

Third, cooperation between veterinary and criminal-law authorities, though improving, is not always seamless. Doctrinal analyses point to situations where behavior that could arguably meet the threshold for criminal cruelty is handled exclusively as an administrative offense, or where criminal proceedings are discontinued for lack of evidence or low social harmfulness, even in cases of serious suffering. Against this background, scholars and practitioners alike have called for clearer guidance on the demarcation between administrative and criminal cruelty, enhanced training for police and prosecutors in handling animal cases, and better data collection on reported, investigated, and prosecuted incidents.[57]

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55 Nagyová et al., "How Are Animals Protected in the Slovak Republic Law?," 658.

56 Pajtášová et al., "Enhancing Animal Welfare," 127.

57 Nagyová et al., "How Are Animals Protected in the Slovak Republic Law?," 645–48; Dufala and Grešová, "Do Animals Have Any Rights in Slovakia?," 51–55.

5.4. Comparative Lessons for Enforcement-Oriented Reform

Comparative law is useful here only insofar as it identifies transferable enforcement instruments – tools that reduce delay, prevent repeat offending, and make welfare standards operational rather than merely declaratory. In that sense, Poland, Hungary, and Czechia provide three distinct yet compatible reference points for Slovak reform.

Poland demonstrates the importance of speed-first intervention. The comparative value of the Polish model lies less in declaratory language and more in procedural design: where statutory cruelty thresholds are met, local authorities can act quickly through temporary removal and placement mechanisms.[58] The practical lesson for Slovakia is that acute welfare harm is often a time-sensitive problem; credible protection requires a clear decision pathway that works before (and not only after) criminal qualification and prosecution.

Hungary illustrates a layered approach in which administrative enforcement functions as a real compliance engine. Criminal law draws a clear red line for serious cruelty,[59] but the distinctive added value is in the "middle layer": enforceable administrative consequences that sit between a warning and imprisonment, including escalation logic and mechanisms that make bans and restrictions monitorable in practice.[60] This design matters because a large share of welfare harm never reaches a criminal threshold, yet still requires effective, trackable state intervention.

Czechia is instructive primarily for its clean incapacitation tool. The Czech criminal-law structure distinguishes intentional cruelty, unsuitable conditions for large numbers of animals, and negligent neglect,[61] and it complements these offenses with an explicit penalty: a court-imposed ban on keeping and breeding animals for a defined period. For Slovakia, the key point is not harsher sentencing rhetoric, but the availability of a standardized instrument that directly targets repeat offending.

Against these benchmarks, Slovakia does not need a wholesale "import" of foreign systems. What follows is a targeted reform package aimed at closing predictable enforcement gaps:

(1) Speed-first administrative intervention – Slovakia should ensure a clear, rapid pathway for the temporary removal and placement of animals at risk, defined competencies, practical timeframes, and predictable placement options, so that urgent welfare cases are not functionally dependent on criminal proceedings.

(2) Monitorable bans and restrictions – Slovak veterinary law already allows restrictions and bans in cases of repeated non-compliance.[62] Moving forward, the priority should be to make these measures operational through systematic follow-up, information flow, and basic monitoring logic (so bans function as preventive instruments, not paper outcomes).

58 Article 7 of the Polish Act of 21 August 1997 on the Protection of Animals, as amended.
59 Section 244 of the Hungarian Act C of 2012 on the Criminal Code, as amended.
60 Section 43 of the Hungarian Act XXVIII of 1998 on the Protection and Welfare of Animals, as amended.
61 Sections 302, 302a and 303 of the Czech Act No. 40/2009 Coll., Criminal Code, as amended.
62 Section 51(3) of the Veterinary Act.

(3) A credible incapacitation toolkit for repeat and severe cases – where repetition risk is high, reforms should prioritize consistent use and enforceability of animal-keeping bans and related ancillary measures, rather than relying primarily on symbolic increases of custodial ranges.
(4) Targeted rules for high-frequency welfare harms – where recurring market-driven patterns (e.g., segments of online breeding and trade) are not adequately captured by general cruelty/neglect concepts, Slovakia should consider narrow, easily provable offenses or administrative-gatekeeping designs focused on the relevant fact patterns.
(5) Definitional clarity as an enforcement strategy – experience from comparative doctrine suggests that vague or incoherent definitional choices create enforcement uncertainty, which is why the Slovak reforms should aim for clarity that supports consistent classification, evidence collection and proportional escalation from administrative handling to criminal referral. Polish doctrine illustrates this point well: interpretative doubts about the material scope of the Polish Animal Protection Act have been traced to terminological ambiguity and internal inconsistency (including the absence of a statutory definition of "animal"), which in turn complicates unified law application and weakens "actual animal protection" in practice.[63]

6. Conclusions

This article has shown that the central weakness of animal protection in Slovakia is not the absence of legal norms, but the gap between formal regulation and credible enforcement. While administrative law, centered on the Veterinary Act, provides the primary welfare framework and criminal law has been strengthened as an *ultima ratio* response to serious cruelty, these mechanisms still operate in a fragmented and uneven manner. As a result, the practical level of protection depends less on the formal density of regulation than on institutional capacity, prioritization, and the consistent use of existing powers.

The analysis further indicates that the current Slovak model remains overly formalistic: enforcement still tends to prioritize compliance with visible or documentable requirements over the animal's actual condition and welfare outcomes. For that reason, any meaningful reform should be framed as a short set of enforceable deliverables that should be centered on outcome-oriented inspections, a clearer administrative–criminal escalation pathway, and credible tools to prevent repeat offending.

In practical terms, three priority reforms follow from this analysis. First, **Slovakia should introduce a traceability-and-gatekeeping package for the companion-animal market**, built around enforceable breeder registration and meaningful verification duties for online listings, so that high-volume breeding and trade cannot remain structurally under the radar. Second, **veterinary enforcement should be recalibrated towards an outcome-oriented inspection methodology**, using species- and context-specific indicators, minimum evidence standards, and structured training to reduce arbitrariness and improve consistency across regions. Third, the **administrative–criminal boundary**

63 Emil Kruk, "The Scope of the Subject Matter of the Polish Act on the Protection of Animals," *Przegląd Prawa Administracyjnego* 6 (2023): 121–39, http://dx.doi.org/10.17951/ppa.2023.6.121–139.

should be operationalized through joint guidance for veterinary authorities, police, and prosecutors on thresholds, evidence collection, and escalation, so that severe or repeat cases are neither under-classified as "mere" administrative matters nor lost in criminal proceedings due to avoidable evidentiary weaknesses.

These priorities should then be specified for the two sectors analyzed – companion animals and farm animals. In the companion-animal field, this translates into making market traceability and gatekeeping effective in practice, so that enforcement is not perpetually reactive to high-volume online trade. For farm animals, the main problem is not the lack of EU-based standards, but the limited ability of the enforcement and incentive system to move practice beyond minimum compliance. Agricultural-subsidy conditionality should therefore be used less as a formal cross-reference to legal obligations and more as a tool for rewarding demonstrably higher-welfare systems.

Finally, civil society and local authorities must be integrated more systematically into enforcement and prevention strategies. Recent research shows that citizens' associations operating shelters and rescue services play an irreplaceable role in dealing with stray and abused animals, but SVFA data indicate that many complaints about suspected cruelty are classified as unjustified or impossible to assess, which illustrates both the importance of their engagement and the risks arising from insufficient legal knowledge.[64] Systematic education of association representatives and municipal staff in welfare standards, administrative procedures, and basic legal concepts is therefore not a luxury, but a precondition for making their engagement effective. Ultimately, progress will depend less on further norm production than on delivering a small set of enforceable reforms that consistently convert welfare standards into outcomes.

Funding: This work was supported by the Slovak Research and Development Agency under the Contract no. APVV-23–0645.

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Education and Culture Executive Agency (EACEA). Neither the European Union nor EACEA can be held responsible for them.

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