

THE PRESIDENT, THE DIRECTOR AND THE VETERINARY OF GREEN HILL CONVICTED FOR ILLEGAL MISTREATMENT AND KILLING OF ANIMALS – AN HISTORIC SENTENCE FOR ANIMAL RIGHTS IN ITALY AND ALL EUROPE

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The 23rd January the Italian Penal Tribunal of Brescia on denunciation of LAV (Italian NGO which works for animal rights www.lav.it) has convicted 3 people: the president of Green Hill 2001 srl, a big factory of beagles addressed to vivisection and the veterinary of the structure at 1 year and half of detention, and the general director at 1 year of detention for mistreatment of the 2637 beagles they were breeding and for illegal killing of 44 beagles. The judge has also decided for the confiscation of all the animals that now are living in many families all over Italy and for the suspension of two years from the activity of farm animals.

What is Green Hill?

Green Hill was a very big international animal farm located in Brescia, in the north of Italy, that was breeding and selling beagles since 2001 for vivisection in all Europe, and was a branch of the American Marshall, a very big multinational which works in vivisection. The big farm had only 23 employees, 15 only of which had to take care of the almost 3000 dogs they were breeding and were divided in 5 big annexes. All the employees have been witnesses of the defense of Green Hill at the trial. In all the years

of his activity Green Hill was covered by public veterinary during their controls that were always telling that everything was ok inside.



The Italian legal framework about beagle of Green Hill

In Italy the protection of animals in vivisection was disciplined by the Legislative Decree nr. 116 of 1992 and the animal farms like Green Hill were disciplined by article 5 which was obliging the breeder to guarantee the welfare of the animals whilst the criminal code considers the crime of mistreatment according to art. 544 ter, which punishes anyone who hurts an animal or causes an injury (Italian jurisprudence has clarified that injury is both physical and psychophysical) or submits him at intolerable behavior for his ethological features. It also comprises the crime of killing of animals (art 544 bis criminal code) which punishes who kills illegally an animal. The big question is the relationship between the administrative law about vivisection and the general criminal law that punishes mistreatment. In a few words, when people violate the special discipline about animals in vivisection they may also

break criminal code, it is up to the judge to decide and this was the important issue of the trial.

The first step: 28th April 2012 the arrest of the animal activist

Since 2011 thousand of animal activist from all Italy were protesting against this structure asking the local mayor and the Italian government to close the farm for ever and save all the dog inside. The manifestations were weekly and people were coming from all Italy, almost every week-end to ask to stop the activity of Green Hill (<https://www.youtube.com/watch?v=rFTAuJEI96s> here the documentary of the story).

During this demonstration, on the 28th April 2012 some animal activist entered in the farm and took away about 80 beagles between puppies and adults. Some of them, 13 to be exact, were arrested for theft, robbery, damage and other crimes.



The second step: 18th July 2012 the sequestration of Green Hill

LAV, an Italian NGO for animal rights was assisting some of the activist in their trial against Green Hill, and during the defense their lawyer succeed to enter in the farm, authorized from the judge, to verify the damage that they were complaining about. During the visit the activists' lawyers could see for the first time the situation inside regarding the health of the dogs, and later they could write a detailed denunciation about Green Hill in relation of the ethological conditions of the thousands of dogs. The Public Prosecutor of Brescia decided let a specialized Italian police about animals crimes, NIRDA (Nucleo investigative reati in danno agli animali), enter the plant with a specialized veterinary on the health of dogs and after an inspection that lasted from 8 a.m. to 4 a.m. of the following day, the Public Prosecutor decided to sequestrate all the dogs for mistreatment. After some days all the animals were given in custody to LAV and Legambiente. The confiscation has been confirmed until the Supreme Court (Corte di Cassazione) in April 2013. The inquiry has focused on the welfare of the dogs, both physical and psychophysical, related to the environmental condition in which the animals were compelled. All these aspects have been verified by 5 expert veterinaries on dogs health. Furthermore the public prosecutor has decided to verify the cause of death of the animals in the farm, discovering that the management was deciding to kill animals that weren't saleable or that where sick, instead of taking care of them, because it was too expensive. The management was so summoned for the violation of art. 544 ter criminal code (mistreatment of animals) and art. 544 bis (killing of animals).



The trial and the sentence of condemn of 23 january

In the autumn of 2014, the 29th October, at the Brescia Tribunal the trial against the management of Green Hill began, the accused were two French citizens - the president of Green Hill and an external consultant - and the two Italian directors, the general director and the veterinary director. They were charged for mistreatment and killing of animals. The trial has lasted three months and the defense of Green Hill has involved 6 veterinary consultants, between university professors and veterinary to defend their activity inside the farm, while the prosecutor had only one veterinary consultant. During the trial the judge has wanted to verify the real condition of detention of the dogs, the temperature, the noise, the light, how they were cleaning the cages, and if the dogs were put away from the cage daily to have little walks outside. In fact the charges were related to the ethological needs of the dogs that were denied by the management who didn't care about that, considering the dogs only as objects to sell, not as sentient beings. The defense was supporting that, because Green Hill was a big animal farm for vivisection and they shouldn't care about animal rights as they

would have been companion animals, because they had another destination. Substantially the thesis was that, because of the vivisection scope, all the rules about health were facultative and so the accused were innocent.

Instead the Tribunal of Brescia with an historical sentence has condemned the accused for the mentioned crimes, establishing that even animals destined to vivisection need big guarantee for their welfare, which is important as the economical evaluation of the management. With the sentence the judge has also decide for the confiscation of all the 3000 dogs, which now live now in families all over Italy, and for the suspension from the activity of breeder for two years. We'll have to wait 60 days to know the motivation of that appear an historical sentence for animal rights, not only in Italy

Anyways Green Hill could not have opened anymore, because since the summer of 2014 in Italy there is a new law about the protection of animal in vivisection that forbids in all Italy dog, cat and monkey farms for vivisection. This ban is unique in Europe and derives from the implementation of the European directive about the protection of animals in vivisection (Directive 2010/63).

