

July 4<sup>th</sup> 2012

To Knesset Member  
Israel Katz  
Minister of Transportation  
Jerusalem

In the Matter of Amending the Traffic Directive (New Version) for a Change of the Definition of  
Animal-Drawn Carts as Vehicles

Dear Sir,

1. The “Hakol Chai” nonprofit organization was established in 2001 and has been active since then in helping animals and preventing their suffering. The organization acts, among other things, for the horse and donkey populations in Israel, which are many times “out of the spotlight” and do not receive any protection for their lives and their well-being.

THE NATURE OF THIS REQUEST

2. The matter of this request is to ask the minister to order a change of basic definition in the traffic directive, which clearly recognizes today an animal-drawn cart to be a mean of transportation. This basic change of definition would make it possible to outlaw the phenomenon of using animals (mostly horses and donkeys) for carrying loads in cities. The horse-drawn cart phenomenon does not belong in our time and today, in many cities around the world, among which are Paris and London, various laws have been legislated that have successfully made this phenomenon illegal, for animal cruelty reasons as well as for the safety of all others who are using the road.

BACKGROUND

3. The phenomenon of horse drawn carts, which some tend to consider a phenomenon past its time, has regrettably not yet ended in our country. Within its framework, many horses are being exploited for the purpose of transferring heavy loads on urban roads, under stressful conditions, in heavy traffic and under environmental conditions inappropriate for animals (the mental condition of a horse required to walk in the midst of traffic, surrounded by pedestrians, is defined by veterinarians as a condition of permanent stress). Moreover, it is apparent from their appearance that the horses are not properly being taken care of by their owners and are suffering from continuous neglect.
4. The existence of this phenomenon on the roads of Israel creates a significant danger for the rest who are using the road (motorized vehicles, drivers, passengers, pedestrians), causes

traffic delays and traffic congestion just as a vehicle with a speed unregulated as required by the law is a significant danger to the rest as well as to its own safety.

5. Most of the time, these horses are leased by the peddlers for the small amount of tens of shekels a day, being, for that reason, a cheap substitute for the peddlers to use instead of a motorized vehicle for moving in the city . To avoid financial expenses, the horses do not get necessary medical treatment, the right food, and adequate living conditions until their cruel death, caused by fatigue, diseases, and hunger.
6. The organization is getting many calls from the public at large, on a daily basis, regarding horse-drawn cart horses that have been watched while being enslaved under harsh conditions. The sight of the skinny and/or wounded horses, carrying behind them heavily loaded carts in the middle of town is disturbing, and we've been asked countless times how it can be possible to eradicate this cruel phenomenon. Such inquiries are coming from residents in large, central cities such as Tel-Aviv, Ramat-Gan, Giv'ataim, Kfar-Saba, Netanya, and others. The gathered evidence shows this to be a comprehensive problem that is widespread in large parts of the country.

#### THE LEGAL SITUATION AS OF TODAY

7. According to the traffic directive definitions today, an animal-drawn cart is recognized as a "vehicle," for all intents and purposes, which means that it is allowed to be on the road, surrounded by motorized vehicles. Regretfully, this definition gives full validity to this phenomenon, which is actually not a necessity nowadays, as it was in the past.
8. Regretfully, in the situation as it is today, the local authorities are unable to bypass the existing legislation and they find themselves helpless as they face this phenomenon.
9. Two laws are relevant to this matter: the first, municipal bylaws that rule that an owner of a horse/donkey is required to ask for a permit to keep it; however, they are disregarded rulings because some of them don't set any preconditions for receiving the permit. As a matter of fact, the horses' owners do not ask for such a permit and the law (which lacks the essential content) is not enforced by the authorities. The second law is the Animal Protection Law of 2009, which does include the owners' obligations (a veterinarian's examination, a microchip marking, a suitable holding place, age and weight specifications, but their enforcement, unlike the bylaws regarding supervision of dogs and cats, for example, is at the hands of the Israeli police and the Israeli Ministry of Agriculture only, and not at the hands of the local authorities. Therefore, as a matter of fact, because of the difficult problem of enforcement on the ground, all the horses and donkeys wandering around in the cities have never been vaccinated for rabies (a situation that is liable to endanger human life), have never been examined by a veterinarian, are in a shameful state of health, and are being held in extremely severe conditions.
10. Furthermore, the Animal Protection Law of 2009, which is supposed to deal with the subject of enslaving and confining of animals, do not specifically deal with enslaving animals in urban areas. Thence, they do not distinguish between breeds which are fit for carrying loads and breeds which are not, do not set a shoeing requirement that is fit for walking on asphalt (rubber horseshoes without which the horse is experiencing severe pain), and do not address the mental agony the animal suffers on a heavily trafficked road. As of today, the horses in

the cities are not of a breed that's fit for carrying loads and they are not shod with the right shoeing.

11. Moreover, a cart slowly progressing between cars, which are significantly faster, is causing severe transportation ramifications. Not only does it cause traffic delays, it endangers the lives of all who are using the road – drivers, passengers, pedestrians, and the animals.

#### THE REQUIRED SOLUTION

12. There is no doubt that a suitable legislative agreement is needed for this matter, as the place of horses and donkeys is not on urban roads. Bringing them to the cities endangers people's lives and is an obvious abuse for all to see. The only answer for this is a comprehensive ban on their use on urban roads. It should not be possible that at the height of the year 2012, the sights of exploited, neglected, and wounded horses would still be an inseparable part of the urban landscape of the reality in Israel.
13. A change of this legal definition is not tied to resources or a budget and is merely a question of policy.
14. We would be happy to share with you the comprehensive knowledge we have gathered on this matter throughout many years of observation and care, and to cooperate with the Ministry of Transportation regarding everything that has to do with this matter.

Thank you sincerely in advance,

Michal Volansky-Atias

Professional Director | "Hakol Chai"