

Summary of the doctoral dissertation Evolution of veterinary law

The formation of mutual relations between man and animal has a history as long as the existence of humanity. Since the beginning of time, the closeness of animals around human settlements has forced them to enter into various types of interaction. The choice of the subject of this doctoral thesis has its justification in the non-legal sphere. The unprecedented scale of exploitation of animal resources, caused by the development of economy and technology, causing a threat to the biological existence of entire fauna populations, has stimulated the development of legal regulations providing for the regulation of human behavior in relation to animals. The factor stimulating this process was undoubtedly the spreading in the societies of the European cultural ethical environment that postulated the need to express concern for the natural environment and the fate of animals. For a veterinary surgeon, care for animal welfare is fundamental, determining his professional ethos.

This work outlines the veterinary protection of animals as the oldest, the most comprehensive and independent category of animal protection. It has been presented in a dualistic approach, resulting on the one hand from showing the framework outlined by the provisions of the law, in combination with its medical-veterinary aspect.

This dualism, rarely presented in the literature of the subject, allows for a proper presentation of the specific character of veterinary protection of animals.

The concept and scope of veterinary protection in legal and legal language poses numerous problems. The lack of a legal definition results in the persistence of seeking answers, taking into account the achievements of legal sciences, in particular the science of administrative law as regards the very concept of protection, protected goods, protection authorities and the public nature of protective measures taken. Only on this background

will it be possible to resolve and assess the scope of the subject veterinary protection, authorities and the specificity of protective measures. Nowadays, the notion of veterinary protection is determined by the laws remaining at the interface between four separate areas of regulation: veterinary law, animal protection law, environmental law (nature) law and food law. Each of the specified areas of regulation performs other functions and purposes, recognized as a legitimate subject of protection. Another feature that specifies veterinary protection is the organization of the security service. The administrative nature of veterinary protection is sometimes seen as one of the so-called administrative police.

The term means a set of public functions in the field of broadly understood public security.

Police understood in this way uses tools of imperial interference in the sphere of economic activity, first of all through the possibility of its regulation or regulation, and in the scope of applying the law, through control, supervision, management and imposing sanctions. Diversified tasks carried out within the framework of veterinary protection were entrusted to veterinary authorities defined in the regulations as official veterinarians of various degrees appropriate due to the levels of administrative division in the country and cooperation with competent bodies at the level of the European Union.

At the same time, veterinary doctors simultaneously perform: healing, sanitary and protective functions in relation to all animals, guarantee functions due to health safety of food and functions of public administration bodies, taking actions for public health safety. They are also classified as a profession of public trust.

This is a special combination of functions and competences that enable imperious intervention in numerous areas of economic, public and even private life and the possibility of activities of existential importance for people and animals, as well as the extent of protective activities covering

the entire EU, shape the status of veterinary authorities, recognized as an example of modern imperious and rendering administration.

The basic thesis of the work boils down to the assumption that veterinary protection included in the provisions of veterinary law as the main goal is to protect life, health and animal welfare. Veterinary protection covers the protection of animals and humans as living creatures that coexist in the same natural environment. Although the scope and purpose of protection are different for animals and people, they are the implementation of the principle of sustainable development, in which all elements of the ecosystem are equivalent. The main goal is to protect public safety - people and animals.

Veterinary protection is the oldest and the widest protection. Shapes and implements the terms of humanitarian, utility and species protection. It limits the human expansion towards animals and creates mechanisms of control and counteracting irregularities. It has administrative character - administrative police.

The research methods that have been applied in this work are a method of dogmatic analysis of the provisions of national and European law and in the scope resulting from the conducted research, international law. Due to the evolutionary approach to the issues of veterinary law, the historical method was of particular importance, which allowed to track further factors determining the shape and functions of the adopted legal regulations. Incidentally, the legal and comparative method has also found application in the scope resulting from references to provisions of international law. To the extent necessary, the achievements of veterinary science were used.

This work consists of six substantive chapters and final conclusions.

On the basis of the conducted research, a general final conclusion was formulated, according to which the veterinary law evolves in such a way that it widens the scope of protection, develops legal instruments for animal protection, and also shapes principles and standards of human and animal

health protection. It also increasingly recognizes the life and well-being of animals as a legally protected good. However, he does not - for now - lead to a change of opinion, according to which we are dealing with animal protection law, not with animal rights.