

Legal eagles? Swiss to vote on law **For Evaluation Only.**

By ELIANE ENGELER (AP) – 17 hours ago

GENEVA — Lawyer Antoine F. Goetschel feels uncomfortable talking about one of his recent clients. And it isn't just because he lost the case.

"Fish don't get much sympathy," he explains.

That's doubly true for the unnamed dead pike whose cause Goetschel took up earlier this month, much to the amusement of Swiss anglers who couldn't understand why one of their own was being hauled into court for landing a big catch.

Goetschel is Europe's only animal lawyer and the figurehead for a movement that wants to expand Zurich's pioneering legal system across Switzerland.

Voters will decide in a March 7 poll whether every canton (state) should be required to appoint an animal lawyer to represent the interests of pets and farm animals in court — in effect a dedicated public prosecutor for dogs, cats and other vertebrates that have been abused by humans.

"Swiss law has taken a big step forward in recent years" particularly for animals that live in groups, Goetschel tells The Associated Press.

The country's constitution now prohibits keeping pigs in single pens and budgies alone in a cage — solitary confinement, as Goetschel calls it.

Dog owners have to take a training course and from 2013 it will be forbidden to tie horses in their stalls.

Campaign group Swiss Animal Protection, which launched the petition and gathered the necessary 100,000 signatures to force a nationwide vote, argues that abuses on pets are often not taken seriously by local authorities and don't make it up to court.

The Swiss government has recommended voters reject the proposal, saying animal lawyers are unnecessary and existing laws are sufficient.

Swiss Animal Protection's director Hansueli Huber says the group received 5,000 reports of alleged abuse in 2008. That's about 1,000 more than in 2007, he added.

"As long as you consider animal rights breaches a trivial offense we don't get anywhere," he says, noting that in many cases pet owners get away with a fine.

The debate took on a new dimension two weeks ago when prosecutors in the canton of Zurich accused an angler of having tortured a large pike, because the battle between man and beast took about 10 minutes.

Goetschel, in his capacity as the canton's animal lawyer, was in court to represent the dead fish. He regrets that the case, which isn't typical of his work, received so much attention.

"At least a lot of people who didn't know what an animal lawyer is discovered that the job is about representing the interests of animals in court," he says.

Asked why he represented the fish, Goetschel says, "It's the same reason why a prosecutor goes after a murderer: to make sure that people are suitably punished for their crimes."

Goetschel says he represents about 150-200 animals each year, mostly dogs, cows and cats. Since animals can't pay, the canton of Zurich picks up his 200 Swiss francs-an-hour (\$185-an-hour) bill.

"A commercial lawyer wouldn't touch a pencil for that kind of money," says Goetschel, who sports a distinctive silver mane and is vegetarian.

The Swiss Farming Association opposes the plan to appoint more animal lawyers, and pet breeders are divided.

Peter Rub, president of the Swiss dog breeding association, says he is in favor because "animals are not objects" to be paraded in fashion shows or to be brought up in crowded places without sufficient exercise.

Roger Bernet, president of the Swiss Budgerigar Society, says there's no need for special animal lawyers and it could lead to absurd situations such as the fish case.

Goetschel, who says he probably won't appeal on behalf of the pike, notes "it's not about making animals into humans."

But if Swiss voters accept the proposal, "it would really push the animal rights debate forward."

Associated Press Writer Frank Jordans contributed to this report.

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