

Who we are

The UK Centre for Animal Law (A-LAW) exists to promote knowledge and education about the law relating to animal protection, and to encourage more effective enforcement of legislation relating to animals. We seek to be a source of objective, independent legal analysis on animal protection law issues. Whilst legal topics are often complex, we see it as our job to explain them as clearly as possible, so as to increase the effectiveness of UK animal protection organisations and to promote informed public debate. We are registered as a charity in England and Wales (1113462) and are politically neutral.

In addition to publishing legal analyses and resources to inform public debates, we provide animal protection organisations with access to high quality legal support to assist their work. We also promote the teaching of animal law in UK universities. For further information about us, visit alaw.org.uk or email info@alaw.org.uk.

Non-stun slaughter: Animal welfare issues

Without prior and effective stunning, the welfare of animals at the time of slaughter is severely compromised. In the absence of effective stunning, there is no immediate loss of consciousness, resulting in prolonged pain, distress, and suffering. For example, cattle can remain conscious for up to 2 minutes if they are not effectively stunned first.¹ This outcome directly conflicts with the overarching legislative objective to minimise avoidable pain, fear, distress and suffering during slaughter.

The most recent slaughter sector survey by the Food Standards Agency (FSA)² (“the Report”) records an increase in the number of animals not stunned prior to slaughter by approximately 18.5%³ since 2022. It also reports significant percentages of slaughterhouses exporting meat from animals who have not been stunned prior to slaughter. For example, 40% of slaughterhouses export meat from hens, 29% export meat from cattle and 21% export meat from sheep and chickens.⁴ The Report also highlights significant numbers of slaughterhouses distributing meat from animals not stunned prior to slaughter to unknown domestic locations. For example, 69% distributed meat from cattle, 50% from sheep and 46% from goats.⁵

Legal position

Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing (“PATOK”) is implemented by the Welfare of Animals at the Time of Killing (England) Regulations 2015 (“WATOK”) and is assimilated EU legislation. Similar regulations apply in Wales, Scotland and Northern Ireland. PATOK provides that animals must be stunned prior to slaughter (article 4(1)). However, a derogation is set out in article 4(4), which provides that where an animal is slaughtered in accordance with religious rites, the animal does not have to be stunned. The applicable provisions from article 4 are set out below:

- 1. Animals shall only be killed after stunning in accordance with the methods and specific requirements related to the application of those methods set out in Annex I. The loss of consciousness and sensibility shall be maintained until the death of the animal.*

¹ [Religious Slaughter - Animal Welfare | RSPCA - RSPCA - rspca.org.uk](https://www.rspca.org.uk/religious-slaughter) (accessed 1 June 2025).

² Department for Environment, Food and Rural Affairs, *Results of the 2024 FSA Slaughter Sector Survey in England and Wales* (November 2024), [25-02-14 Slaughter Sector Survey 2024 \(REVISED\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/125000/25-02-14_Slaughter_Sector_Survey_2024_(REVISED).pdf) (accessed 1 June 2025).

³ FarmingUK Team, ‘RSPCA calls for non-stun slaughter ban as numbers rise nearly 20%’, 2 December 2024 (accessed 8 June 2025).

⁴ Department for Environment, Food and Rural Affairs, *Results of the 2024 FSA Slaughter Sector Survey in England and Wales* (November 2024), [25-02-14 Slaughter Sector Survey 2024 \(REVISED\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/125000/25-02-14_Slaughter_Sector_Survey_2024_(REVISED).pdf), p 17.

⁵ Department for Environment, Food and Rural Affairs, *Results of the 2024 FSA Slaughter Sector Survey in England and Wales* (November 2024), [25-02-14 Slaughter Sector Survey 2024 \(REVISED\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/125000/25-02-14_Slaughter_Sector_Survey_2024_(REVISED).pdf), p 15 (accessed 1 June 2025).

The methods referred to in Annex I which do not result in instantaneous death (hereinafter referred to as simple stunning) shall be followed as quickly as possible by a procedure ensuring death such as bleeding, pithing, electrocution or prolonged exposure to anoxia.

...

4. *In the case of animals subject to particular methods of slaughter prescribed by religious rites, the requirements of paragraph 1 shall not apply provided that the slaughter takes place in a slaughterhouse.*

Article 26(2) of PATOK allows countries to adopt stricter rules in relation to the derogation to ensure more extensive protection to animals at the time of killing.

1. *This Regulation shall not prevent the Appropriate Minister from maintaining any rules aimed at ensuring more extensive protection of animals at the time of killing in force at the time of entry into force of this Regulation.*
2. *The Appropriate Minister may adopt rules aimed at ensuring more extensive protection of animals at the time of killing than those contained in this Regulation in relation to the following fields:*

...

(c) the slaughtering and related operations of animals in accordance with Article 4(4).

This is interpreted at regulation 27(2) of WATOK, which states the following:

No person may kill an animal in accordance with religious rites without prior stunning unless it is a sheep, goat, bovine animal or bird killed in a slaughterhouse in accordance with this Schedule.

Sch 3 of WATOK outlines additional requirements for killing animals in accordance with religious rites.

The Petitioners cite the case of *Executief van de Moslims van België and Others v Belgium*⁶, which was heard by the European Court of Human Rights ("ECtHR") in 2024. The focus of the case was on two decrees issued in the Walloon and Flanders regions of Belgium in 2017 and 2018. The decrees placed a ban on non-stun slaughter, whilst providing for reversible stunning of animals killed in accordance with religious rites. An application had previously been made to the Constitutional Court to have the decrees set aside. The Constitutional Court made a preliminary reference to the Court of Justice of the European Union, which found that reversible stunning was compatible with Article 10, paragraph 1 of the Charter of Fundamental Rights (the freedom of thought, conscience and religion).

The case was brought before the ECtHR on the alleged basis that the decrees infringed article 9 (freedom of thought, conscience and religion) and article 14 (prohibition of discrimination) of the European Convention on Human Rights. The ECtHR handed down its judgment in February 2024, ultimately holding that the decrees did not violate either article. A summary from the associated press release is copied below for further information, with a full copy available at Annex 1 to this briefing.

*The Court found in particular that by adopting the decrees in question, which had had the effect of banning the slaughter of animals without prior stunning in the Flemish and Walloon Regions, while allowing reversible stunning for ritual slaughter, **the national authorities had not exceeded their discretion ("margin of appreciation") in the case. They had taken a measure which was justified as a matter of principle and could be regarded as proportionate to the aim pursued, namely the protection of animal welfare as an element of "public morals".** The Court pointed*

⁶ App nos. 16760/22 and 10 others (ECtHR, 13 February 2024).

out that this was the first time that it had addressed the question whether the protection of animal welfare could be linked to one of the aims under Article 9 of the Convention. [Emphasis added]

Our position

We recommend that the Government consider implementing stricter legislation to reduce, and ideally eliminate, incidences of non-stun slaughter. There are several countries that have already achieved this, including: Norway, Switzerland, Iceland, Slovenia, Denmark, Austria, Estonia, Latvia, Slovakia, Finland, Germany, and the Wallonia and Flanders regions of Denmark.⁷ These jurisdictions have implemented different measures, which broadly fit into one of four categories:

1. Full ban on non-stun slaughter;
2. Reversible stunning methods;
3. Simultaneous stunning and slaughter;
4. Post-cut stunning.

If the Government does not wish to impose a full ban on non-stun slaughter in accordance with option 1 above, or any of the alternative options listed at points 2-4 above, we recommend the following:

1. A ban on the export of meat from animals who have not been stunned should be considered. The aim here would be to reduce the number of animals who are not stunned prior to slaughter and to meet domestic demand only; and
2. The introduction of a mandatory multi-labelling system to include the method of slaughter so that the public can make better-informed decisions about the food they consume.

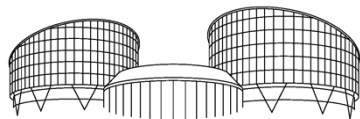
Whilst current available stunning methods can also raise animal welfare concerns, these are separate from those relating to the suffering caused by non-stun slaughter and are outside the scope of this short briefing.

June 2025

⁷ Eurogroup for Animals, *Slaughter Without Stunning: Position Paper* (May 2021), 6 (accessed 1 June 2025).

Annex 1

Press release: 'Ban on ritual slaughter of animals without prior stunning in Flemish and Walloon Regions does not breach Convention'



Ban on ritual slaughter of animals without prior stunning in Flemish and Walloon Regions does not breach Convention

The case [Executief van de Moslims van België and Others v. Belgium](#) (applications nos. 16760/22 and 10 others) concerned a ban on the ritual slaughter of animals without prior stunning in the Flemish and Walloon Regions of Belgium.

In today's **Chamber** judgment¹ in this case the European Court of Human Rights held, unanimously, that there had been:

no violation of Article 9 (freedom of religion) of the European Convention on Human Rights, and no violation of Article 14 (prohibition of discrimination) taken together with Article 9.

The Court found in particular that by adopting the decrees in question, which had had the effect of banning the slaughter of animals without prior stunning in the Flemish and Walloon Regions, while allowing reversible stunning for ritual slaughter, the national authorities had not exceeded their discretion ("margin of appreciation") in the case. They had taken a measure which was justified as a matter of principle and could be regarded as proportionate to the aim pursued, namely the protection of animal welfare as an element of "public morals". The Court pointed out that this was the first time that it had addressed the question whether the protection of animal welfare could be linked to one of the aims under Article 9 of the Convention.

A legal summary of this case will be available in the Court's database HUDOC ([link](#))

Principal facts

The applicants are 13 Belgian nationals and seven non-governmental organisations based in Belgium. The applicants are organisations purporting to represent Belgium's Muslim communities as well as national and local religious authorities from Belgium's Turkish and Moroccan Muslim communities, Belgian nationals of Muslim faith and Belgian nationals of Jewish faith residing in Belgium.

In Belgium the Law of 14 August 1986 on animal protection and welfare provides that, except in cases of force majeure or necessity, vertebrates cannot be slaughtered without being anaesthetised or stunned (section 15 of the Law). This requirement did not apply, however, to slaughter prescribed by religious rite (former section 16).

In 2014, after a reform of the State, animal welfare – which had hitherto fallen under the remit of the Federal State – became a regional competence.

Following that reform, two regions adopted decrees (17 July 2017 for the Flemish Region and 4 October 2018 for the Walloon Region) putting an end to the exception which permitted the ritual slaughter of animals without stunning.

1. Under Articles 43 and 44 of the Convention, this Chamber judgment is not final. During the three-month period following its delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution.

The exception provided for by the Law of 14 August 1986 remained in force in the Bruxelles-Capitale Region, as the Brussels Parliament had, in June 2022, rejected a proposed amendment to the law of 1986.

Some of the applicants in the present case sought the judicial review of the Flemish and Walloon decrees in the Constitutional Court, which in 2019 submitted a number of preliminary questions to the Court of Justice of the European Union (CJEU), in particular as to whether slaughter without stunning was compatible with EU law in the light of the freedom of religion provided for in the EU Charter of Fundamental Rights.

In 2020 the CJEU delivered a judgment² in which it found that EU law did not preclude legislation of a member State which required, in the context of ritual slaughter, a reversible stunning procedure which could not result in the animal's death. Then in 2021 the Constitutional Court dismissed the judicial review applications of the applicants concerned.

The applicants complained before the Court that their right to freedom of religion had been violated on account of the ban on the ritual slaughter of animals without prior stunning under the relevant decrees in the Flemish and Walloon Regions. They argued that it would be hard, if not impossible, for Jewish and Muslim believers to slaughter animals in accordance with the precepts of their religion or to obtain meat from such animals.

Complaints, procedure and composition of the Court

Relying on Article 9 (freedom of thought, conscience and religion), the applicants complained that the ban in question constituted an unjustified interference with their right to respect for their freedom of religion.

Relying on Article 14 (prohibition of discrimination) taken together with Article 9, they complained that they had been discriminated against in terms of their freedom of religion.

The 11 applications, listed in an annex to the judgment, were lodged with the European Court of Human Rights on 28 and 30 March 2022.

Judgment was given by a Chamber of seven judges, composed as follows:

Arnfinn **Bårdsen** (Norway), *President*,
Egidijus **Kūris** (Lithuania),
Pauliine **Koskelo** (Finland),
Saadet **Yüksel** (Türkiye),
Lorraine **Schembri Orland** (Malta),
Frédéric **Krenc** (Belgium),
Diana **Sârcu** (the Republic of Moldova),

and also Hasan **Bakırcı**, *Section Registrar*.

Decision of the Court

Admissibility

The Court rejected two applications (nos. 16871/22 and 17314/22) lodged by two individuals living in the Bruxelles-Capitale region where slaughter without stunning was not prohibited, as those

² Judgment of 17 December 2020, *Centraal Israëlitisch Consistorie van België and others*, C-336/19, EU:C:2020:1031.

applicants were not part of a group that would directly be affected by the Flemish and Walloon decrees.

Right to freedom of religion

The Court found that there had been an interference with the applicants' freedom of religion and that this was prescribed by legislation, namely the Flemish and Walloon decrees.

As to whether the interference pursued a legitimate aim, the Court observed that this was the first time that it had had to rule on the question whether the protection of animal welfare could be linked to one of the aims referred to in Article 9 of the Convention.

Article 9 of the Convention did not contain an explicit reference to the protection of animal welfare in the exhaustive list of legitimate aims that might justify an interference with the freedom to manifest one's religion.

However, the Court considered that the protection of public morals, to which Article 9 of the Convention referred, could not be understood as being intended solely to protect human dignity in the sphere of inter-personal relations. The Convention was not indifferent to the living environment of individuals covered by its protection and in particular to animals, whose protection had already been considered by the Court. Accordingly, the Convention could not be interpreted as promoting the absolute upholding of the rights and freedoms it enshrined without regard to animal suffering.

Emphasising that the concept of "morals" was inherently evolutive, the Court did not see any reason to contradict the CJEU and the Constitutional Court, which had both found that the protection of animal welfare was an ethical value to which contemporary democratic societies attached growing importance.

It followed that the Court could take that fact into consideration when examining, as in the present case, the legitimacy of the aim pursued by a restriction on the freedom to manifest one's religion. Consequently, the Court considered that the protection of animal welfare could be linked to the concept of public morals, which constituted a legitimate aim within the meaning of Article 9 of the Convention.

As to whether the interference was necessary in a democratic society, the Court considered that in circumstances such as those of the present case, which, on the one hand, concerned relations between the State and religions and, on the other, did not disclose a clear consensus within the member States but nevertheless showed a gradual evolution in favour of greater protection of animal welfare, the national authorities certainly had to be afforded a margin of appreciation which could not be a narrow one. In this connection, the quality of the parliamentary and judicial scrutiny of the necessity of the measure carried out at national level was of particular importance, in particular in determining the application of the relevant margin of appreciation.

As regards the quality of the parliamentary scrutiny, the Court noted that the decrees had been adopted following extensive consultation with representatives of various religious groups, veterinarians and animal protection associations and that considerable efforts had been made over a long period by the federal, Flemish and Walloon legislatures, in turn, in order to reconcile the objectives of promoting animal welfare and respect for freedom of religion as effectively as possible. The regional legislatures had sought to weigh up the competing rights and interests in a duly analytical legislative process. It was also apparent from the drafting history of the decrees that the decisions of the Flemish and Walloon legislatures had been expressly reasoned in the light of the requirements of freedom of religion, as they had examined the impact of the measure on that freedom and, in particular, had carried out a lengthy proportionality analysis.

As regards the judicial scrutiny of the interference, the Court observed that a two-tier review had preceded its own examination under the Convention. The CJEU had held that the imposition of a reversible and non-lethal stunning method was compatible with Article 10 of the Charter of

Fundamental Rights. Secondly, the Constitutional Court had upheld the constitutionality of the two decrees on the basis of reasoning which, in the Court's view, could clearly not be regarded as superficial in the light of the requirements of Article 9 of the Convention.

The Court noted that both decrees were based on a scientific consensus that prior stunning was the optimum means of reducing the animal's suffering at the time of slaughter. It saw no serious reason to call this finding into question.

The Court further observed that the Flemish and Walloon legislatures had sought a proportionate alternative to the obligation of prior stunning, as the decrees provided that, if the animals were slaughtered according to special methods required by religious rites, the stunning process used would be reversible, without causing the animal's death. On the basis of scientific studies and extensive consultation with interested parties, the parliamentary work concluded that no less radical measure could sufficiently achieve the objective of reducing the harm to animal welfare at the time of slaughter.

It considered that the authorities concerned had thereby endeavoured to weigh up the rights and interests at stake and to strike a fair balance between them, and that the measure complained of fell within the margin of appreciation afforded to the national authorities in this area.

As regards the applicants' complaint that it would be difficult, if not impossible, to obtain meat in conformity with their religious beliefs, the Court noted that the Flemish and Walloon Regions did not prohibit the consumption of meat from other regions or countries in which stunning prior to the killing of the animals was not a legal requirement and that the applicants had not shown that access to such meat had become more difficult.

The Court concluded that, in adopting the decrees which had had the effect of prohibiting the slaughter of animals without prior stunning in the Flemish and Walloon Regions, while prescribing reversible stunning for ritual slaughter, the national authorities had not exceeded the margin of appreciation afforded to them in the present case. They had taken a measure which was justified in principle and which could be considered proportionate to the aim pursued, namely the protection of animal welfare as an aspect of "public morals". There had therefore been no violation of Article 9 of the Convention.

Prohibition of discrimination

As regards the applicants' situation as Jewish and Muslim believers compared to that of hunters and fishermen, the Court noted that they had not shown that they were in an analogous or relevantly similar situation to that of hunters and fishermen. As noted by the CJEU, since ritual slaughter was carried out on farmed animals, their killing took place in a context distinct from that of wild animals which were slaughtered in the context of hunting and recreational fishing.

As regards the applicants' situation as Jewish and Muslim believers compared with that of the general population – who were not subject to religious dietary precepts – the Court noted that the decrees specifically provided for an alternative stunning process in the case of special methods of slaughter prescribed by religious rites: the decrees provided for reversible and non-lethal stunning. There was therefore no question in the present case of a lack of distinction in the way in which the different situations were treated.

As regards the situation of those applicants who were Jewish, as compared with Muslims, the Court considered, like the Constitutional Court, that the mere fact that the dietary precepts of the Jewish religious community and those of the Muslim religious community were of a different nature was not sufficient for it to find that persons of Jewish and Muslim faiths were in relevantly different situations in relation to the measure at issue in terms of religious freedom.

The Court found that there had been no violation of Article 14 of the Convention taken together with Article 9.

Separate Opinions

Judge Koskelo, joined by Judge Kūris, expressed a concurring opinion, as did Judge Yüksel. These opinions are annexed to the judgment.

The judgment is available only in French.

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Press contacts

echrpess@echr.coe.int | tel.: +33 3 90 21 42 08

We would encourage journalists to send their enquiries via email.

Inci Ertekin (tel.: + 33 3 90 21 55 30)

Tracey Turner-Tretz (tel.: + 33 3 88 41 35 30)

Denis Lambert (tel.: + 33 3 90 21 41 09)

Neil Connolly (tel.: + 33 3 90 21 48 05)

Jane Swift (tel.: + 33 3 88 41 29 04)

The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.