

# World Animal Justice: Towards the Legal Protection of Fundamental Animal Rights and the Abolition of Crimes against Animality

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## Abstract

This paper presents the mission statement of World Animal Justice (WAJ), a pioneering initiative dedicated to establishing fundamental animal rights and eradicating crimes against animality on a global scale. Building on decades of progress in animal law, WAJ envisions a transformative legal framework that moves beyond welfare to recognize animals as rights-bearing individuals, fundamentally challenging the legality of institutionalized cruelty and exploitation. Central to this vision is the recognition of “crimes against animality”—systematic acts of harm, including mass killing, zoocide, enslavement, and inhumane treatment—as international crimes prosecutable under a new legal paradigm.

The mission statement explores WAJ's objectives, including proposing an amendment to the Rome Statute of the International Criminal Court (ICC) to include crimes against animality and zoocide. This would align with global efforts to uphold sentient beings' rights to life, freedom, and humane treatment. By addressing the immense scale of animal suffering and proposing enforceable legal mechanisms, WAJ lays the foundation for a future where animals are no longer treated as mere commodities.

This paper articulates WAJ's long-term goals and the moral imperatives driving them, rather than the strategic aspects and methodologies for achieving these objectives. Instead, the purpose of this paper is to set the mission and focus on the need for a new collective vision of a world where justice extends to all sentient beings, advocating a profound shift in

global legal and ethical norms as to end systemic animal exploitation.

## Introduction

Despite progress in recognising animals as sentient beings, existing legal frameworks fall drastically short of protecting animals from industrial-scale exploitation and suffering. World Animal Justice (WAJ) proposes a transformative global framework that establishes crimes against animality as an international crime, akin to crimes against humanity. This legal shift is essential to protect animals' fundamental rights to life, freedom, and humane treatment, and to end practices that cause avoidable suffering. WAJ's vision advocates a paradigm shift to legally recognise animals as rights-bearing individuals and to end the widely legal animal abuses and crimes perpetrated worldwide.

## I. The Evolution of Animal Law: Expanding Beyond Welfare

Over centuries, animal law has evolved from basic anti-cruelty measures to recognising animals as sentient beings. Milestones such as Martin's Act of 1822 and the Cruelty to Animals Act of 1835 in England marked early advances. Today, bodies such as the European Union and the World Organization for Animal Health (WOAH) set welfare standards to reduce suffering in farming, transport, and slaughter. However, these laws are often limited by an anthropocentric basis, which prioritizes human interests and permits institutionalized cruelty on a massive scale.

WAJ advocates for a non-anthropocentric legal framework that moves beyond welfare to recognize animals as rights-bearing individ-

uals. This paradigm shift is essential for protecting animals from systemic abuse by condemning, rather than regulating, exploitation. Recognizing crimes against animality and zoocide—the deliberate extermination of animal populations—is central to WAJ's vision, laying the groundwork for ending widespread cruelty.

## II. Defining Crimes Against Animality: A New Category in International Law

WAJ defines crimes against animality as systematic and large-scale cruelty inflicted on animal populations by individuals, corporations, or states. Similar to crimes against humanity under Article 7 of the Rome Statute of the International Criminal Court (ICC), these would include mass killings, torture, enslavement, forced breeding, and other inhumane treatment. Just as crimes against humanity protect human rights, crimes against animality would safeguard animals' rights to life, freedom, and humane treatment.

This concept builds on international law principles, addressing what scholars Anne Peters and Jérôme de Hemptinne call the “vanishing point” of animal protections within humanitarian law<sup>1</sup>. WAJ seeks to close this gap by making crimes against animality prosecutable under international criminal law, creating a legal foundation to recognize and condemn extreme abuses against animals<sup>2</sup>.

### Legal Precedents and Analogies

WAJ's proposal aligns with international legal principles that address systematic abuses against animals who should be recognized, like humans, as victims deserving justice.

**Systematic Nature of the Crimes:** Crimes against animality apply to acts that are widespread or systematic, such as factory farming and wildlife trafficking, where animals are systematically harmed for human gain.

**Intrinsic Rights of Animals:** WAJ emphasizes

1 Anne Peters, Jérôme de Hemptinne and Robert Kolb (eds), *Animals in the International Law of Armed Conflict* (Cambridge University Press 2022).

2 World Animal Justice, 'Blog Series' (World Animal Justice) <https://worldanimaljustice.org/info/>.

animals' fundamental rights to live, be free, and be well-treated. Recognizing crimes against animality would formalize protections against severe cruelty, advancing animal law from welfare to rights-based protections.

**The Concept of Zoocide:** Introduced by Matthieu Ricard, zoocide—the extermination of animal species and populations — is comparable to genocide in its systematic destruction. The universal recognition of Zoocide would contribute to criminalize practices that drive species to extinction, reinforcing WAJ's aim to end actions that devastate animal populations and infringe their right to exist<sup>3</sup>.

## III. The Scale of Animal Suffering and the Urgency of Crimes Against Animality

The suffering inflicted on animals is immense. Over 200 billion farm animals and millions of wild animals are exploited and killed yearly through factory farming<sup>4</sup>, laboratory testing, and other practices<sup>5</sup>. This number rises to the trillions when including aquatic life, such as fish and invertebrates<sup>6</sup>. Factory farming—marked by confinement, mutilations, harsh transport, and slaughter—demonstrates the legal and ethical severity of institutional cruelty<sup>7</sup>.

WAJ notes that if the current rate of animal killing were applied to humans, humanity would be eradicated within days. By advocating for the international recognition of crimes

3 Matthieu Ricard, *A Plea for the Animals: The Moral, Philosophical, and Evolutionary Imperative to Treat All Beings with Compassion* (Shambhala Publications 2016)

4 Max Roser, 'How Many Animals Get Slaughtered Every Day?' (26 September 2023) *Our World in Data* <https://ourworldindata.org/how-many-animals-get-slaughtered-every-day>.

5 Buesen R and others, 'Trends in the Use of Animals and Non-Animal Methods over the Last 20 Years' (2023) *ALTEX - Alternatives to Animal Experimentation* <https://www.altex.org/index.php/altex/article/view/2874>

6 Compassion in World Farming, 'A shocking number of fishes are caught from the wild and around half are fed to farmed animals rather than people, new study reveals' (Compassion in World Farming, February 2024) <https://www.ciwf.org/media-news/press-releases-and-media-statements/2024/02/a-shocking-number-of-fishes-are-caught-from-the-wild-and-around-half-are-fed-to-farmed-animals-rather-than-people-new-study-reveals>.

7 Rimona Afana, 'From Speciesism to Theriocide: Wildlife Trade and Industrial Animal Farming as Embodiments of the Genocide–Ecocide Continuum' in Wendy Wiseman and Burak Kesgin (eds), *Lost Kingdom: Animal Death in the Anthropocene* (Vernon Press 2024).

against animality, WAJ seeks to ultimately end practices that reduce animals to mere commodities, affirming their rights to live free from avoidable suffering.

#### IV. Legal Foundations for Recognizing Crimes Against Animality

The case for international recognition of animal rights and criminalizing animal crimes rests on a strong legal foundation. Animal sentience—the capacity to experience pain, suffering, and pleasure—is widely acknowledged, with approximately four out of five countries having animal welfare and anti-cruelty laws<sup>8</sup>, with some countries having recognized animals as 'non-things', but still subjected to the property regime, and other countries having set some constitutional provisions<sup>9</sup>.

Yet these laws allow significant loopholes, permitting systemic exploitation in the name of "business as usual" or cultural "traditions," legally harming billions of animals globally. Despite some progressive examples of protection, current laws mostly permit harmful activities, such as factory farming, which would be mostly illegal if applied to companion animals with regards to the content of current anti-cruelty laws. This mirrors the historical acceptance of human slavery, which was once justified as economic necessity, but which is now universally condemned. Just as the abolition of slavery required a reevaluation of entrenched norms, the movement for animal rights demands the abolition of institutional exploitation of animals<sup>10</sup>.

Court decisions in Argentina, Ecuador, Peru, India, and Pakistan reflect a growing recognition of animal rights. Courts in Argentina,

8 See Breles S, *Animal Welfare Law in the World: Evolution and Globalization* (L'Harmattan, 2017), also published with English abstract online in the *Global Journal of Animal Law* GJAL 1/2016.

9 Austria Civil Code, § 285a; Germany Civil Code, s 90b; Switzerland Civil Code, Art 641a; Moldova Civil Code, Art 287; Netherlands Civil Code, Book 3, Title 1, s 1, Art 2a; Animal Welfare (Sentience) Act 2022; French Civil Code Art 515-14; Spanish Civil Code Art 333 bis; Danish Animal Welfare Law §1; Sweden Animal Protection Bill; Slovakia Civil Code s 119; Slovenia Civil Code Art 15.a; Columbia Law 1774 Art 1; Animal Welfare Act 1999 (NZ).

10 Giroux V, *Contre l'exploitation animale: Un argument pour les droits fondamentaux de tous les êtres sensibles* (Éditions L'Âge d'Homme, 2017).

Ecuador and Peru have upheld the rights of certain animals, particularly great apes and elephants, to live free from mistreatment<sup>11</sup>. India has affirmed cetaceans' rights<sup>12</sup>, and Pakistan's judiciary recently recognized an elephant's right to live free from captivity<sup>13</sup>. Such precedents suggest a legal shift toward recognizing animals as rights-bearing beings, especially regarding freedom from cruelty.

#### V. Establishing an International Framework for Crimes Against Animality

To address systematic harm against animals, WAJ envisions an amendment to the Rome Statute of the ICC to enshrine crimes against animality as a new category of international crime, creating a mechanism to protect animals from large-scale exploitation. This amendment would introduce for instance an Article 7 bis on Crimes Against Animality, establishing animal protection as a global concern. Just as genocide protects human groups, zoocide — the extermination of animal species and populations — would be recognized, affirming animals' right to exist free from human-induced annihilation.

#### Proposed Amendment to the Rome Statute: Article 7 bis on Crimes Against Animality

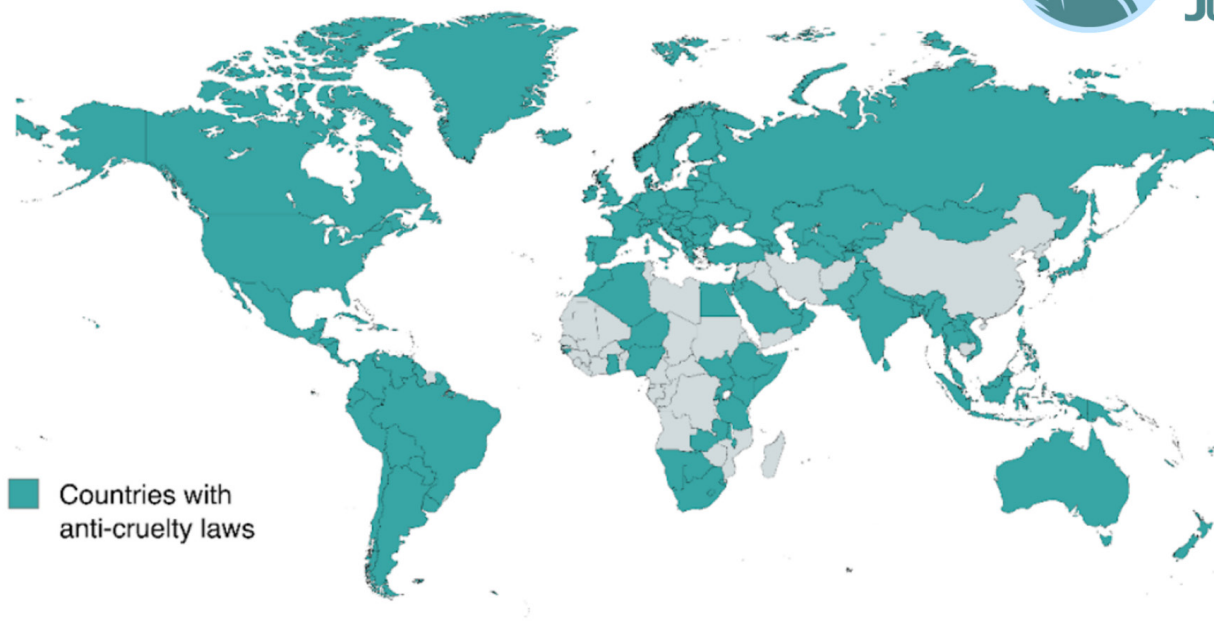
Definition: "Crimes against animality" refer to acts committed as part of a widespread or systematic practice, directed at animal individuals, populations, with knowledge of their impact on the welfare of sentient beings and survival:

- Mass Killing: Large-scale killing of animals with aims of suppression or exploitation, including factory farming, industrial

11 Case of Cecilia the Chimpanzee [2019] Argentina Court <https://www.bbc.com/news/world-latin-america-50038392> accessed 12 November 2024; Estrellita Case [2021] Ecuador Constitutional Court <https://www.national-geographic.com/environment/article/ecuador-recognizes-rights-of-wild-animals>; Marcia Condoy Truyenque, 'La Sentencia Run Run y los Animales como Sujetos de Derechos en Perú' (29 July 2024) Blog Derecho Animal en Perú <https://www.derechoanimalenperu.org/sentencia-run-run>.

12 Supreme Court of India Decisions Recognizing Animal Rights <https://www.thehindu.com/news/national/other-states/supreme-court-recognizes-rights-of-animals-including-elephants/article31930750.ece>.

13 Case of Kaavan the Elephant [2020] Pakistani Court <https://www.bbc.com/news/world-asia-55138691>.



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slaughter, and trophy hunting.

- **Zoocide:** Acts intended to destroy, in whole or part, animal populations or species, leading to extinction or danger of extinction, whether through direct poaching, trafficking, habitat destruction, pollutions, or other means.
- **Enslavement:** Commodification and exploitation of animals as property, depriving them of autonomy, well-being, and natural behaviors, including forced breeding, confinement, captivity and labor exploitation.
- **Torture and Inhumane Treatment:** Inflicting severe pain or suffering, especially in contexts like laboratory testing, factory farming, and confinement systems, including practices such as live mutilations and painful methods.
- **Forced Deportation and Trafficking:** Transport or trafficking of animals under inhumane conditions, exposing them to suffering, injury, or death, including wildlife trafficking and live transport violating wel-

fare standards.

- **Scope and Jurisdiction:** Crimes against animality would be prosecuted as core international crimes under the ICC's jurisdiction or a specialized International Animal Justice Tribunal. This tribunal would prosecute individuals, corporations, and states complicit in systematic animal exploitation, ensuring accountability.
- **Inclusion of Zoocide:** Zoocide, as a subset of crimes against animality, recognizes the severity of efforts to exterminate animal species and populations, underscoring the right of animals to live free from human extermination.
- **Non-Discrimination Among Species:** Crimes against animality apply to all sentient species, acknowledging that all sentient beings have a right to life, freedom, and humane treatment.
- **Exemptions and oppositions:** No exemptions based on cultural or economic practices are allowed when actions constitute

cruelty within crimes against animality. Arguments based on tradition shall not be admissible when they result in unnecessary suffering or deliberate extermination.

### **Envisioned Impact and Mechanism of Enforcement**

WAJ envisions this amendment as a catalyst for a legal framework to protect animals from systematic abuse. Article 7 bis would serve as the foundation for prosecuting international crimes against animals, creating global standards. As a prospective proposal, a new International Animal Justice Tribunal could work alongside the ICC or operate as a dedicated body for prosecuting crimes against animality, ensuring accountability for mass cruelty, exploitation, and zoocide.

This framework would target large-scale violations by industries, organizations, and individuals whose actions harm animals and ecosystems, enforcing standards that prioritize animal rights and ecological balance.

### **VI. The Broader Implications of Crimes Against Animality**

While WAJ's mission is to protect animals' fundamental rights, addressing crimes against animality also supports human and environmental safety. Industrial animal exploitation \*WAJ emphasizes that animal protection aligns with the current major global goals, fostering sustainability as a triple win that benefits humans, animals, and the planet.

Recognizing zoocide in international law underscores the urgency to protect animal populations from extermination and extinction. Although WAJ's primary objective is to end animal crimes, protecting animal population also supports individual protection, affirming the interconnectedness of human, animal, and environmental well-being.

### **Conclusion**

World Animal Justice envisions a world where animals are protected from systematic legal cruel and criminal acts. By advocating for crimes against animality and zoocide to be

recognized in international criminal law, WAJ aims to propose a new legal framework that respects animals as sentient beings holding protected rights. This framework marks a shift from welfare-based laws to a paradigm that question institutionalized exploitation.

WAJ's mission is not only a call for compassion but also for an enforceable global framework for animal protection. The global prohibition of crimes against animality provides a foundation for a better legal future for animals, protecting their rights as sentient beings. Just as slavery's abolition required reevaluating norms, animal rights demand a similar commitment to end practices causing avoidable suffering to animals. In sum, World Animal Justice envisions a world of universal justice where animals are not left aside anymore, from the moral and legal protection due to all the victims of the worst crimes, that are still lawfully, massively and globally perpetrated against them worldwide. A new legal paradigm of justice for all is needed. It is our responsibility to make it become reality.