



# Filling the Gap for Animals in International Criminal Law- World Animal Justice Experts Proposals

**WAJ Experts Contributors<sup>1</sup>:** Dr Rimona AFANA, Pr Deborah CAO, Marine LERCIER, Dr Marina LOSTAL, Vanessa MAN-YI WONG, Dr Saba PIPIA.

**Coordinator:** Dr Sabine BRELS, WAJ Founding Director

**WAJ Expert Report - 19 December 2024**

## Abstract

This report examines the critical need to address current gaps in International Criminal Law concerning animal protection. It explores the fundamental rights of animals, the inconsistencies in existing legal frameworks, and the necessity for a legal paradigm as to include animal rights protection and ban mass animal crimes. Introducing a novel criminal concept of "crimes against animality", this report emphasises the interconnectedness of animal, human, and environmental protections. Additionally, it synthesises and critically analyses existing legal protections for animals under International Criminal Law and International Humanitarian Law, particularly in conflict zones. This report explores ways to amend the Rome Statute of the International Criminal Court to include animal protection. Finally, it outlines a roadmap for legal reforms aimed at bridging the accountability gap and promoting explicit legal protections for animals as sentient beings in various criminal contexts.

## Keywords

International Criminal Law, International Humanitarian Law, Armed Conflicts, Ecocide, Zoocide, Crimes Against Humanity, Crimes Against Animality, Animal Law, Animal Rights.

## Premises

**“As with transnational environmental crimes, crimes against animals also require an international response. Today, a great deal of such violence, crimes and other inhumane acts may originate in one country, but their impact is not limited to one nation.”**

Pr Deborah CAO<sup>2</sup>

---

<sup>1</sup> By alphabetical order. More on WAJ Experts at: <https://worldanimaljustice.org/experts>

<sup>2</sup> Deborah Cao, 'Crimes against Animality in International Law' (2018) 45 UN Observer 174, 183.



## Vision and Mission of World Animal Justice

World Animal Justice (WAJ) (<https://worldanimaljustice.org>) is a non-profit NGO advocating to effectively advance animal protection law worldwide. Its double objectives are: to legally protect the fundamental rights of animals; and globally prohibit the crimes against animals. WAJ's vision is to establish a new legal paradigm where justice is extended to all animals.

WAJ collaborates with international animal law experts, NGOs, and civil society to advocate for the legal recognition of animal rights and the global prohibition of animal crimes.

WAJ advocates for the legal recognition of the **animals' fundamental rights**<sup>3</sup> as follows:

- **Right to Life:** Protection against unnecessary killings across all categories of animals and human activities, including farm animals, animals used in scientific research, wild animals in nature and captivity, stray animals etc.
- **Right to Freedom:** Opposition to the confinement of animals, including caged environments, extreme restrictions in factory farming and transportation, and captivity of wild animals.
- **Right to Integrity:** Advocacy against practices that harm the physical integrity of animals, including live mutilations commonly conducted in factory farming (e.g., piglet castration, chicken debeaking), vivisection in laboratories, and aesthetic mutilations of companion animals.
- **Right to Well-being:** Generally advocating for prohibiting practices causing avoidable harm to animals and protecting them from human-induced suffering.

## A Global Vision for Animal Justice

WAJ envisions a world where the fundamental rights of animals are universally acknowledged and legally protected, paralleling the foundational principles of human rights. Just as human rights frameworks prohibit murder (right to Life), arbitrary detention (right to freedom), and torture (rights to integrity and well-being), WAJ seeks to establish similar safeguards for animals. To achieve this vision, WAJ calls for national and international legal reform, including:

- **Amendments to the Rome Statute of the International Criminal Court** to include animal protection provisions.
- **Adoption of new international legal instruments** that explicitly address animal rights protection against animal crimes.
- **Creation of dedicated international institutions** to protect animals as sentient beings.

---

<sup>3</sup> The theory of the animal's fundamental rights we refer to here has been developed by Valéry Giroux in her doctoral thesis "*Contre l'exploitation animale*"(2017) ("Against Animal Exploitation").



## Introduction

This report underscores the urgency of filling existing gaps in International Criminal Law concerning animal protection, particularly within the framework of the Rome Statute of the International Criminal Court (ICC) and broader international legal instruments.

Animals have long been affected by human activities, including warfare, environmental destruction, industrial exploitation, and illegal and legal trade. While International Humanitarian Law (IHL) and International Criminal Law (ICL) provide robust protections for humans and civilian property, these frameworks remain inherently anthropocentric, offering only minimal and indirect legal protection of animals. This report explores the extent to which current international legal frameworks offer incidental protection for animals and proposes legal reforms to advance animal welfare as a fundamental legal concern.

### I- Why Advocating for Animal Protection in International Criminal Law?

#### 1. The Absence of Animal Protection in International Criminal Law

The purpose of international criminal law (ICL) is to condemn and prosecute individuals for committing the most serious crimes on a global scale. The core crimes in ICL, particularly as defined under the Rome Statute of the International Criminal Court (ICC) adopted in 1998 (in force since 2002), are the gravest offences of concern to the international community as a whole. These core crimes include Genocide, Crimes against Humanity, War Crimes and the Crime of Aggression<sup>4</sup>. The Rome Statute of the ICC only applies to its parties, with 124 member States to date<sup>5</sup>.

Currently, international law does not consider animals as sentient individuals, and they are not included in the scope of these international crimes<sup>6</sup>. To fill this gap, we argue that serious harm of an international character to animals should be addressed alongside crimes like

---

<sup>4</sup> The International Criminal Court's jurisdiction over the crime of aggression is limited due to two main factors: first, as of April 2023, only 45 States Parties have ratified the Kampala Amendments (adopted June 2010); and second, the crime was incorporated into the Court's jurisdiction on July 2018, thereby limiting its temporal applicability.

<sup>5</sup> 'The Rome Statute has 124 member States' (International Criminal Court, 1 September 2024) <https://asp.icc-cpi.int/states-parties>. 124 countries are States Parties to the Rome Statute of the International Criminal Court. Out of them 33 are African States, 19 are Asia-Pacific States, 19 are from Eastern Europe, 28 are from Latin American and Caribbean States, and 25 are from Western European and other States.

<sup>6</sup> Key sources on this topic: Anne Peters, Jérôme de Hemptinne and Robert Kolb (eds), *Animals in the International Law of Armed Conflict* (Cambridge University Press 2022); Saskia Stucki, 'Animal Warfare Law and the Need for an Animal Law of Peace: A Comparative Reconstruction' (2023) *American Journal of Comparative Law*.



genocide, crimes against humanity, and war crimes. We propose the classification of serious animal offences as international crimes, warranting scrutiny under the ICC.

The ICC Prosecutor announced earlier this year that it is currently “commencing a process that will culminate in a comprehensive policy paper on Environmental Crimes, aiming to ensure that it takes a systematic approach to dealing with crimes within the Court’s jurisdiction committed by means of, or that result in, environmental damage”.<sup>7</sup>

In the meantime, Pacific Island States (Vanuatu, Fiji, and Samoa) have just proposed amending the ICC Statute to include the crime of ecocide, relying on the Independent Expert Panel for the Legal Definition of Ecocide definition of 2021: “unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts”.<sup>8</sup> A similar strategy and approach to the proposed amendments to the Rome Statute could be explored while necessarily animal-centric, as the ecocide proposal lacks distinction and recognition of animal sentience, to encompass animal protection on the international plane. However, lessons can be learned from the work accomplished, the alliances formed, and the gaps in definition(s).

We argue that an additional core crime against animality would provide the ideal legal framework for holding perpetrators accountable for the most serious crimes against animals, such as large-scale poaching, factory farming, wildlife trafficking, and using or severely harming animals during armed conflicts. The current impunity for most of the crimes against animals has deleterious effects. This situation encourages even more cruelty against animals but also against humans, resulting in a cycle of violence. We believe that such serious crimes must be addressed at the international level, both against humans and non-human animals, as both warrant a resolute commitment by international justice to ensure lasting peace globally<sup>9</sup>.

---

<sup>7</sup> Office of the Prosecutor, 'The Office of the Prosecutor Launches Public Consultation on a New Policy Initiative to Advance Accountability for Environmental Crimes under the Rome Statute' (International Criminal Court, 16 February 2024), <https://www.icc-cpi.int/news/office-prosecutor-launches-public-consultation-new-policy-initiative-advance-accountability-0>.

<sup>8</sup> Stop Ecocide International, 'Mass Destruction of Nature Reaches International Criminal Court (ICC) as Pacific Island States Propose Recognition of Ecocide as International Crime' (1 August 2024) <https://www.stopecocide.earth/2024/mass-destruction-of-nature-reaches-international-criminal-court-icc-as-pacific-island-states-propose-recognition-of-ecocide-as-international-crime>; Stop Ecocide Foundation, 'Commentary and Core Text' (June 2021) <https://static1.squarespace.com/static/5ca2608ab914493c64ef1f6d/t/60d1e6e604fae2201d03407f/1624368879048/SE+Foundation+Commentary+and+core+text+rev+6.pdf>.

<sup>9</sup> Here we can mention the importance of the UN Sustainable Development Goal 16, 'Peace, Justice and Strong Institutions' (United Nations) <https://sdgs.un.org/goals/goal16>.



## 2. Global Situation of Animal Protection

It is estimated that daily, at least 500 million animals are killed worldwide for food<sup>10</sup>, ⅓ of countries still lack basic anti-cruelty laws<sup>11</sup>. Even in countries with supposedly progressive anti-cruelty laws, these laws are narrow in their definition of cruelty, mostly cover companion animals, and are only exceptionally enforced. This vast scale of exploitation and abuse underscores the need for robust international legal standards. Many acts that are still legal when committed against animals have long been prohibited when committed against humans. Legal systems around the world reflect a troubling inconsistency: while there is a growing consensus around the recognition of animal sentience and the rejection of cruelty, practices like factory farming are intensifying and expanding around the world, and the number of animals exploited continues to rise. Despite scientific and legal recognition of animal sentience, animals are victims of serious atrocities, and perpetrators remain widely unpunished. Such a situation of injustice to animals should be addressed by the international community.

## 3. Interconnectedness of Animal, Human, and Environmental Rights

Animal rights, human rights, and environmental rights are deeply interconnected<sup>12</sup>. The destruction of wildlife habitats contributes to environmental degradation, which, in turn, impacts human and animal populations<sup>13</sup>. Wildlife trafficking is often linked to broader organised criminal enterprises, including drug and weapons trafficking, while deforestation and environmental crimes directly threaten the survival of numerous animal species<sup>14</sup>.

Factory farming is responsible for the massive exploitation, suffering, and destruction of animal lives; major environmental degradation (pollution, greenhouse gases, biodiversity loss, etc.); and serious human health issues (zoonosis spillovers, antibiotic resistance, and even heart stroke and some cancers caused by overconsumption of meat and dairy)<sup>15</sup>. By recognizing these links, WAJ promotes comprehensive protection for all life forms and advocates for universal interspecies justice that encompasses animal, human, and environmental rights.

---

<sup>10</sup> Food and Agriculture Organization (FAO) and Our World in Data, 'How Many Animals Get Slaughtered Every Day?' <https://ourworldindata.org/how-many-animals-get-slaughtered-every-day>.

<sup>11</sup> See the map done out of WAJ's recent research on this topic <https://worldanimaljustice.org/projects/>.

<sup>12</sup> Saskia Stucki, Tom Sparks and Visa Kurki, 'Animal Rights: Interconnections with Human Rights and the Environment' (2020) 11(2) *Journal of Human Rights and the Environment* 149.

<sup>13</sup> Rob White, 'Animal Abuse Resulting from Wildlife Habitat Destruction' in Jennifer Maher, Harriet Pierpoint and Piers Beirne (eds), *The Palgrave International Handbook of Animal Abuse Studies* (Palgrave Macmillan 2017) 173.

<sup>14</sup> UN Office on Drugs and Crime (UNODC), 'World Wildlife Crime Report 2024' (2024) [https://www.unodc.org/documents/data-and-analysis/wildlife/2024/Wildlife2024\\_Final.pdf](https://www.unodc.org/documents/data-and-analysis/wildlife/2024/Wildlife2024_Final.pdf).

<sup>15</sup> See for instance: Marina Bolotnikova, 'How Factory Farming Ends' *Vox* (7 August 2024) <https://www.vox.com/future-perfect/364288/how-factory-farming-ends-animal-rights-vegans-climate-ethics>.



#### 4. The Genocide – Ecocide Continuum

Victimizing billions of sentient animals, industrial animal farming and wildlife trade are the main organized forms through which we confine, exploit, torture, and massacre animals. These two are treated as normal, necessary, legal economies. A critical analysis would instead qualify them as a continuum between genocide and ecocide.<sup>16</sup> Genocide designates murder perpetrated on identitarian grounds. Just as race, ethnicity, nationality and religion (criteria under the Genocide Convention<sup>17</sup>) are identity markers, so is species and arguably it is a more fundamental identity marker than others now considered under the legal definition of genocide. The mass murder of animals is not random: we do not kill and exploit all animals, we oppress specific species for specific reasons. Just as with current anthropocentric framing of genocide, specific people are oppressed for specific reasons. Also, when looking at the five types of actions considered under the legal definition of genocide, most apply to our current treatment of animals. The genocidal intent is also evident in some cases.

While looking at the mass killing of nonhuman animals as a form of genocide might be controversial, such thought experiments counter the reductionist legal and ethical frameworks we now operate in, which permit horrific crimes against animals. Besides causing immense suffering and death to billions of sentient animals, both industrial animal farming and wildlife trade come with major environmental harms, which in some cases could qualify as ecocide. While genocide still holds the title of “crime of all crimes” yet rests on a narrow conceptualization of annihilation which excludes nonhumans, ecocides remain non-criminalized though widespread. This genocide–ecocide continuum when it comes to industrial animal farming and wildlife trade shows how animal rights law and activism can draw on established crimes in international criminal law such as genocide and on emergent crimes like ecocide at the intersection of environmental law and criminal law.

---

<sup>16</sup> 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); Rimona Afana, 'The Genocide–Ecocide Continuum: Wildlife Trade and Industrial Animal Farming' (World Animal Justice, 2024) <https://www.youtube.com/watch?v=yg-eD-3UVgg>.

<sup>17</sup> Convention on the Prevention and Punishment of the Crime of Genocide (adopted 9 December 1948; entered into force 12 January 1951) 78 UNTS 277, online at: [www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf).



## II- Recognising and prohibiting ‘Crimes Against Animality’

To effectively address the massive scale of the harm and suffering inflicted on animals by humans globally, WAJ is advocating for the recognition of new criminal concepts concerning animals, such as “crimes against animality”<sup>18</sup> and “zoocide”.<sup>19</sup>

### 1. Preliminary elements for the definition of the “Crimes against Animality”

The following preliminary concepts and definitions represent the initial phase of our work. These concepts are subject to refinement and may evolve through ongoing research and development.

- **Crimes Against Animality:** Modelled on "crimes against humanity" under Article 7 of the Rome Statute of the ICC, this crime would cover situations of widespread and systematic attack against, or exploitation of animal populations, pursuant to or in furtherance of a state or organizational policy to commit such attack or exploit animal populations. Specific offences may include the following:
  - **Killings:** Especially mass killings and slaughters such as in factory farming, poaching, and animal sacrifice.
  - **Sequestration:** Enclosing domestic animals in cages and and wild animals in captivity for industrial or entertainment purposes.
  - **Enslavement:** Forced labour or exploitation of animals in sectors such as food, logging, and entertainment, using cruel methods to exert control.
  - **Inhumane transportations:** Transporting animals under painful conditions and long distances whether for slaughter, trade, or entertainment.
  - **Torture:** violent practices which cause severe physical and psychological harm, such as vivisection, live mutilations, blood shows, and other forms of cruelty.<sup>20</sup>
  - **Sexual Violence:** Practices such as the forced pregnancy of animals, particularly in the dairy industry while in other sectors forced sterilizations are routine.
  - **Other inhumane acts of a similar nature** causing severe suffering or serious injury to mental or physical health.

---

<sup>18</sup> Deborah Cao, 'Crimes against Animality: Animal Cruelty and Criminal Justice in a Globalized World' in Routledge Handbook of International Crime and Justice (2014) 169–190.

<sup>19</sup> Matthieu Ricard, A Plea for the Animals (2017) 147–157.

<sup>20</sup> Rimona Afana, 'Corporate Profit Rests on Torture: Animals Pay the Price' (World Animal Justice, 2024) <https://worldanimaljustice.org/corporate-profit-animal-torture>.



## 2. Crimes against Animality and the current Rome Statute of the ICC

### 1. *Animals and the status of victims before the ICC*

In her paper titled “De-objectifying Animals: Could they Qualify as Victims before the International Criminal Court?”, Dr Marina Lostal highlights the asymmetry of treatment between humans and animals, despite both being capable of meeting the criteria of *suffering harm as a result of the commission of a crime within the jurisdiction of the Court*.

According to Dr Marina Lostal, animals meet two of three criteria set out in the Rules of Procedure and Evidence of the Rome Statute, to be recognized as victims before the ICC<sup>21</sup>:

#### **1) *Natural Persons* - “Not yet”:**

Currently, animals are not recognized as “natural persons” under ICC jurisprudence<sup>22</sup>, as this category is reserved for human beings.

#### **2) *Suffering Harm* - “Yes”:**

The sentience of many animals is being increasingly proven. Therefore, when they fall prey to core crimes, they experience severe harm. This includes physical harm and psychological harm, too.

#### **3) *As a Result of International Crimes* - “Yes”:**

Animals indisputably suffer harm that arises from the commission of crimes within the jurisdiction of the Court. They may die in attacks, out of starvation campaigns, in fires provoked by the war, asphyxiated with gases, etc.

—

Overall, her analysis highlights the need to consider animals in international legal frameworks as something more than objects because “granting animals the same treatment as human beings is no more objectionable as a matter of legal principle than granting them the status of ‘things’”.<sup>23</sup>

As a result, animals are not considered victims before the ICC or in ICL more broadly.

---

<sup>21</sup> Marina Lostal, 'De-objectifying Animals: Could they Qualify as Victims before the International Criminal Court?' (2021) 19(3) *Journal of International Criminal Justice* 583; International Criminal Court, Rules of Procedure and Evidence (2nd ed, ICC 2013) rule 85 <https://www.icc-cpi.int/sites/default/files/RulesProcedureEvidenceEng.pdf>.

<sup>22</sup>Pre-Trial Chamber I, 'Decision on the Application for Participation in the Proceedings VPRS 1, VPRS 2, VPRS 3, VPRS 4, VPRS 5 and VPRS 6' (17 January 2006) ICC-01/04-101-tEN-Corr, § 80. See also, rule 85 of the Rules of Procedure and Evidence of the ICC.

<sup>23</sup> Ibid.





## 2. Ensuring Accountability on Crimes already in the Rome Statute

Animals have long suffered due to human warfare, whether as instruments of war, such as cavalry horses or bomb-detecting dogs, or as collateral victims, including livestock and wildlife caught in the crossfire. While International Humanitarian Law (IHL) and International Criminal Law (ICL) provide robust protections for humans and civilian property, these frameworks remain anthropocentric, treating animals primarily as property rather than as sentient beings whose welfare matters. As a result, animals only benefit from minimal and indirect legal protection, which is incidental to human-centric concerns. This section examines how current international law indirectly protects animals during wartime and how it might address crimes committed against animals or their exploitation in war crimes.

### 3. The Anthropocentric Focus of ICL and IHL

International law, particularly IHL and ICL, has been developed with a predominant focus on human welfare and prevention of suffering, relegating animals to the status of property or tools of war. This anthropocentric approach leaves significant gaps in legal accountability for crimes committed against animals during armed conflicts.

#### 1) *Indirect Protections Under IHL*

Animals may receive incidental protection under IHL through provisions that safeguard civilian property or, more recently, protect the environment. For example, Article 54(2) of Additional Protocol I to the Geneva Conventions prohibits the destruction of objects essential to the survival of the civilian population, including livestock, whatever the motive. Likewise, Article 35(3) prohibits methods or means of warfare that are intended, or may be expected, to cause widespread, long-term, and severe damage to the natural environment, indirectly protecting wildlife habitats and wild animals. However, these protections fall short of recognizing the intrinsic value of animals as sentient beings, treating them as components of the natural environment.

#### 2) *Incidental Protections Under ICL*

Animals are not included in the scope of ICL. Forced migrations, ethnic cleansing, or the destruction of property and ecosystems during conflicts can impact animal populations through starvation techniques or habitat destruction, typical of crimes of genocide or crimes against humanity, and prohibited methods of warfare constituting war crimes. However, since prosecutions are only triggered when animals are linked to human interests, their scope remains limited and indirect.



In *Bemba*<sup>24</sup>, the ICC noted the pillaging of livestock as part of the charges, while it addressed the destruction and pillaging of property, including livestock, in *Ntaganda*<sup>25</sup>. However, the court noted: “Even if inherently grave, and having the potential to cause severe consequences for the victims, crimes against property are generally of lesser gravity than crimes against the life and/or bodily integrity of persons.”<sup>26</sup> In *Lubanga*, finally, the ICC noted how civilians were forced to hand over cows in the context of child soldiers’ enlistment: “a cow or a child”.<sup>27</sup>

The absence of explicit legal recognition of animals as victims under ICL, along with the limited protections they receive under IHL, creates a significant accountability gap. Serious crimes are frequently committed both against animals and through their use as weapons during armed conflicts. Addressing these gaps through legal reform could help ensure that animals are afforded effective legal protection that prevents harm during armed conflicts and beyond, and triggers criminal prosecution in case of violations.

### 3) Proposed Legal Reforms

To bridge these gaps, legal reforms should aim to explicitly recognize animals as sentient beings deserving of protection under IHL and as victims under ICL. Reforms could include expanding the definition of protected persons or property to include animals, in addition to ensuring the protection of their welfare, or the creation of new legal instruments specifically designed to protect animals during armed conflict to prohibit their use and alleviate their suffering. Furthermore, addressing crimes committed against animals would strengthen accountability for such offences, particularly in cases where animals are exploited in the commission of war crimes.

## III- Preliminary Recommendations by WAJ Experts

### 1. Internationally Prohibiting the ‘Crimes against Animality’:

Amending the Rome Statute to explicitly criminalise crimes against animality, for instance, through a new Art 7 bis , or through an alternative option put forward by the working group.

### 2. Extending the Interpretation of ‘victims’ to Animals:

Current definitions under Rule 85(a) of the Rules of Procedure and Evidence of the ICC recognize only humans as “natural persons” among victims. One proposal consists of defining "victims" so as to include sentient beings, arguing that animals suffer harm and should be recognized as victims of serious international crimes.

---

<sup>24</sup> ICC, Prosecutor v. Jean-Pierre Bemba Gombo, decision on the confirmation of charges of 15 June 2009, ICC-01/05-01/08-424, paras. 322 and 324.

<sup>25</sup> ICC, Prosecutor v. Bosco Ntaganda, sentencing judgement of 7 November 2019, ICC-01/04-02/06-2442, para 139; ICC, Prosecutor v. Bosco Ntaganda, judgment of 8 July 2019, Trial Chamber VI, Decision, ICC-01/04-02/06-2359, paras 514, 526 and 569.

<sup>26</sup> *ibid*, para 136.

<sup>27</sup> ICC, Prosecutor v. Lubanga, decision on the confirmation of charges of 29 January 2007, ICC-01/04-01/06-803-tEN, para. 392, fn. 329.



### **3. Promoting the Expansion of IHL Protections to Animals:**

Promoting a dynamic judicial interpretation of existing provisions can allow the extension of IHL protections to animals, for instance, by considering their vulnerability and civilian status in armed conflicts to protect them.

### **4. Integrating Animal Protection into Environmental Crimes:**

Revising the definition of environmental crimes to include harm to animals as part of environmental degradation (Article 8(2)(b)(iv) of the ICC Statute) would strengthen legal accountability for crimes impacting animal populations.

### **5. Raise Global Awareness on Animal Crimes Worldwide:**

Partner with governments, NGOs, and legal scholars to highlight the necessity of animal protection under international criminal law, emphasising the ethical and environmental imperatives.

### **6. Support the International Recognition of Ecocide and Zoocide:**

Support the recognition of ecocide as an international crime, ensuring that the destruction of ecosystems and its impact on animals are adequately addressed within this framework<sup>28</sup>. Advocate for the recognition of zoocide to protect animal populations specifically<sup>29</sup>.

### **7. Leverage National Legal Precedents:**

Utilise national court rulings and legal frameworks that recognize animal personhood to support changes at the international level. In this sense, animals may be recognized as 'natural persons' alongside 'humans' under the ICC Rome Statute.

### **8. Promote Legal Reforms in Conflict Zones:**

Implement proposed legal reforms to enhance protections for animals in armed conflicts, including dynamic interpretations of existing ICL and IHL provisions, and the integration of animal welfare into environmental crimes<sup>30</sup>. A first step can consist in the adoption of a specific protocol prohibiting the use of animals in the conduct of hostilities and conducting experiments on animals for military purposes<sup>31</sup>.

### **9. Develop New Legal Instruments to Globally Protect Animals:**

Work towards creating and adopting new international treaties focused on animal protection during armed conflicts and other global crises, providing a comprehensive

---

<sup>28</sup> The emerging definition of ecocide proposed by independent experts focuses on the "biosphere" as a whole, encompassing the natural environment without explicitly addressing animals, but likely including wildlife. See Independent Expert Panel, 'Definition of Ecocide' <https://ecocidelaw.com/definition/>.

<sup>29</sup> On the notion of "zoocide", see Matthieu Ricard, A Plea for the Animals (2017) 147–157; Maya Pardo, 'Why Campaign Against Ecocide and Zoocide?' (World Animal Justice, 6 December 2024) <https://worldanimaljustice.org/why-campaign-against-ecocide-and-zoocide>.

<sup>30</sup> Dr Saba Pipia, 'WAJ Expert Event' (15 August 2024) <https://youtu.be/RbXxNy3FtRI>.

<sup>31</sup> Marine Lercier, 'WAJ Expert Event' (26 July 2024) <https://www.youtube.com/watch?v=9DhKP31p43w>; Marine Lercier, 'War Crimes against Animals: Exploring the Legal Protections of Animals in Armed Conflicts under International Law' World Animal Justice Webinar Series <http://dx.doi.org/10.13140/RG.2.2.11592.74241>.



framework for safeguarding animals as sentient beings. While politically challenging, this approach could mark a significant r-evolution for the international protection of animals.

### **10. Advance Legal Advocacy Work Against Animal Crimes:**

WAJ group of leading experts in international criminal law and animal protection aims at advancing this advocacy. Our group focuses on integrating animal protection into international criminal law, developing strategies for the inclusion of crimes against animality and zoocide, and promoting the necessary legal reforms, including the longer-term goal for a new international court in charge of the massive crimes against animals. globally.

By advancing these recommendations, the international community can move closer to the prosecution of the crimes against animality, thereby ensuring justice for all sentient beings.

## **Conclusion**

This report presents a compelling case for developing international criminal animal law, as a subset of international criminal law, extending legal protections to animals through a new legal framework.

The concept of ‘crimes against animality’ represents a crucial step toward recognizing and prosecuting the mass and serious harm legally inflicted onto animals. By analyzing existing frameworks and proposing enhancements for legal protections of animals, including in conflict zones, this report underscores the urgent need for comprehensive and transformative legal reforms.

Through sustained international advocacy and strategic reforms like the proposed amendments to the Rome Statute of the International Criminal Court, the international community can take decisive steps to address the widespread and systematic abuse of animals. This would not only mark a significant advancement in protecting animal rights globally, but also highlight the interconnectedness of animal, human, and environmental justice. Recognizing and addressing the extreme suffering animals endure daily is no longer optional; it is an ethical and legal imperative.

Internationally tackling crimes against animality is a crucial step toward building a just and humane world for all sentient beings.



# INDEX

Abstract .....	1
Keywords .....	1
Premises.....	1
Vision and Mission of World Animal Justice .....	2
A Global Vision for Animal Justice .....	2
<b>Introduction.....</b>	<b>3</b>
<b>I- Why Advocating for Animal Protection in International Criminal Law? .....</b>	<b>3</b>
1. The Absence of Animal Protection in International Criminal Law.....	3
2. Global Situation of Animal Protection .....	5
3. Interconnectedness of Animal, Human, and Environmental Rights.....	5
4. The Genocide – Ecocide Continuum .....	6
<b>II- Recognising and prohibiting ‘Crimes Against Animality’ .....</b>	<b>7</b>
1. Preliminary elements for the definition of the “Crimes against Animality” .....	7
2. Crimes against Animality and the current Rome Statute of the ICC.....	8
1. <i>Animals and the status of victims before the ICC</i> .....	8
2. <i>Ensuring Accountability on Crimes already in the Rome Statute</i> .....	9
3. The Anthropocentric Focus of ICL and IHL .....	9
1) <i>Indirect Protections Under IHL</i> .....	9
2) <i>Incidental Protections Under ICL</i> .....	9
3) <i>Proposed Legal Reforms</i> .....	10
<b>III- Preliminary Recommendations by WAJ Experts .....</b>	<b>10</b>
1. <b>Internationally Prohibiting the ‘Crimes against Animality’ .....</b>	<b>10</b>
2. <b>Extending the Interpretation of ‘victims’ to Animals .....</b>	<b>10</b>
3. <b>Promoting the Expansion of IHL Protections to Animals .....</b>	<b>11</b>
4. <b>Integrating Animal Protection into Environmental Crimes.....</b>	<b>11</b>
5. <b>Raise Global Awareness on Animal Crimes Worldwide.....</b>	<b>11</b>
6. <b>Support the International Recognition of Ecocide and Zoocide .....</b>	<b>11</b>
7. <b>Leverage National Legal Precedents.....</b>	<b>11</b>
8. <b>Promote Legal Reforms in Conflict Zones.....</b>	<b>11</b>
9. <b>Develop New Legal Instruments to Globally Protect Animals .....</b>	<b>11</b>
10. <b>Advance Legal Advocacy Work Against Animal Crimes .....</b>	<b>12</b>
<b>Conclusion .....</b>	<b>12</b>