

EUROPEAN DECLARATION OF ANIMAL RIGHTS (EDAR)

WRITTEN BY A COLLECTIVE OF FRENCH RESEARCHERS IN ANIMAL LAW
COORDINATED by Professor Jean-Pierre MARGUÉNAUD

PREAMBLE

Considering the fundamental continuity between all forms of life, from the simplest to the most complex, their differentiation being the result of a gradual and progressive evolution;

Underlining that sensitivity as well as cognitive capacity give rise to interests that are the very foundation of the inalienable rights that are already recognised and protected for the benefit of human beings;

Asserting that the strict protection of the interests of all living beings, whether human or non-human, is necessary, even if they do not possess the same abilities or possess them to the same degree;

Considering that the lack of knowledge of or contempt for the interests of animals and the rights derived from these have led to the routinisation of both the violence and atrocities committed against them and their abusive exploitation as well as to the indifference to the consequences of climate upheavals with regard to fauna and their interdependent relations with flora;

Taking into account the moral characteristics of the human species, the place it occupies in this world, and the responsibility it bears towards life;

Building on the strong belief that the welfare of animals can and must improve without weakening the safeguarding of human dignity and integrity;

Noting the development of animal protection standards within the European Union, the Council of Europe and in the legal systems of the Member States of these international organisations;

Asserting the need to strengthen this European heritage of ideals and values, and to highlight the existence of a shared European commitment to steadily improving animal protection;

It is hereby proclaimed as follows:

TITLE I – PROHIBITIONS

ACTS OF CRUELTY

ARTICLE 1

No animal may be subjected to or exposed to an act of cruelty.

An act of cruelty to an animal refers either to the pleasure of making it suffer, or to indifference to the extreme intensity of the suffering, pain or anguish inflicted on it.

ARTICLE 2

The following shall be deemed to be acts of cruelty:

- any voluntary abandonment of a domesticated, tamed or captive animal;
- any act of slaughter without stunning prior the bleeding;
- any act intended to take life that does not cause the immediate death of the animal;
- any suffering voluntarily inflicted on an animal used in shows intended to entertain; and
- refusal to seek, develop or use alternative methods to the killing of invasive animals, animals suspected of having contagious diseases, or animals used for experimental purposes.

MISTREATMENT

ARTICLE 3

No animal totally or partially deprived of natural freedom may be placed in conditions incompatible with the biological and behavioural requirements of its species, particularly as regards hygiene, health, food and water, shelter, movement and social needs.

The placement and maintenance of an animal in conditions incompatible with the biological and behavioural requirements of its species is an act of mistreatment.

ARTICLE 4

Animals chosen by humans as companions, to work for them, or to deepen their knowledge or improve their safety, must have a lifespan in line with their natural longevity and be kept in conditions necessary for their welfare.

ARTICLE 5

The emotional bond established between a human being and an animal shall be maintained in the animal's best interest under conditions compatible with the biological and behavioural requirements of its species.

PERMANENT INSENSITIVITY

ARTICLE 6

All scientific research and experiments aimed at or resulting in the permanent insensitivity of animals are prohibited.

TITLE II – CONSERVATION

ARTICLE 7

No animal shall be removed from its natural habitat except for the purpose of providing care or transferring it to a sanctuary, reserve, or any other location intended to promote its survival and that of its species.

ARTICLE 8

Wild animal species must be able to freely undergo their biological cycles, processes and interactions, both between populations and between individuals.

They must be able to benefit from the ecological connectivity necessary for their mobility.

They must be able to live in a balanced natural environment, unpolluted and uncontaminated by human activities.

ARTICLE 9

States have the obligation to prevent the extinction of animal species living in a state of natural freedom.

Restoration in kind should take priority in the event of harm to a wild species and the resulting loss of biological diversity.

TITLE III – LEGAL CONDITION

ARTICLE 10

The legal protection of animals must not only be punitive and administrative, but also civil and constitutional.

Animals must be represented in court on their own behalf.

ARTICLE 11

The recognition of an animal as a legal person endowed with specific rights that will gradually be invested in them must be regarded as an instrumental means of attaining the objectives set out in this Declaration.

This *sui generis* status of legal person does not entail obligations or duties on the animal in return for the rights which would be conferred on them.

ARTICLE 12

Wild animals living in natural freedom, as elements of nature or as totemic species, may be granted legal personhood with rights specific to them.

ARTICLE 13

It is desirable that the legal protection of animals be implemented by an independent administrative authority called ‘Animal Defender’.

TITLE IV – EDUCATION

ARTICLE 14

Respect for animals must be instilled in children from an early age and be included in a meaningful way in curricula from primary school to university.

Training modules on animal sentience and the specific needs of the species concerned should be provided in all educational – university or occupational – courses for people who are to work directly or indirectly with animals.

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Development process:

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