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On The 'Belgium Ruling': The Need To Establish The Status of Non-human Animals within The Human Rights Corpus and Law.

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ABSTRACT

In this article, I contextualise the recent European Court of Human Rights (ECtHR) ruling in Executief van de Moslims van België and Others v. Belgium (hereafter referred to as the 'Belgium ruling') within the broader cultural distinction between non-human animals and humans. In this case, the ECtHR was tasked with balancing the right to freedom of religion with a ban on the slaughter of non-human animals without prior stunning, as a measure intended to reduce animal suffering.

I contextualise the 'Belgium ruling' by tracing how the policing of the boundary between human and non-human animals has been perpetuated through colonialism and imperialism, which employed a racialised hierarchy of species to justify the dehumanisation of colonised peoples. With the emergence of human rights, the United Nations actively sought to establish the recognition of all peoples as belonging to a single species, unified by a shared biological foundation. Yet this effort also reveals that the concept of species is not a neutral biological category but a social and cultural construct, historically entangled with white supremacy and colonial domination. Such attempts have obscured human animality and denied dignity to non-human animals.

This is significant because attributing animal status to certain people has long served as a powerful means of undermining human dignity and rights. I undertake a review of legal cases concerning non-human animals, from Victorian England to the Belgium ruling, highlighting a persistent trend: the value of non-human animals is consistently assessed through the lens of 'public morals' or 'human interest', rather than their inherent worth. This has created significant ambiguity and a circular line of reasoning where the justification of animal suffering and exploitation is framed solely in terms of human morals or interests.

Ultimately, the ways in which humans treat the non-human world inevitably reflect back onto human societies, as history has shown, and as we are witnessing again in the face of the climate crisis. As powerful groups continue to draw on the language of dehumanisation, it becomes increasingly urgent to recognise that humans are animals. I therefore conclude by affirming that the dignity of all animals, human and non-human alike, is inviolable. Such an approach holds the potential to confront the very injustices and forms of oppression that the human rights framework was created to address.

Keywords:
Non-Human Dignity, Environmental Institutionalism, Intersectional Rights, Public Morality

INTRODUCTION

The European Court of Human Rights (ECtHR) is increasingly aggravating the boundary between moral concerns for non-human animals and human rights [1]. The ECtHR is both drawing on public moral concerns on the treatment of non-human animals and ruling on how such public morals are expressed (i.e., animal welfare campaigns) to make decisions on how animal welfare relates to restrictions on human rights. In particular, the margin of appreciation doctrine is used to frame non-human lives as an issue of 'public morality' (concerning animals) rather than a conflict between the value of animal lives and human rights [2]. As overlooking the inherent worth of non-human lives has led to this ambiguity, an approach recognising the inherent worth of non-human lives is required.

The European Court of Human Rights (ECtHR) considers applications on breaches of human rights established under the European Convention on Human Rights (ECHR). The ECtHR emerged to render the global aspirations set out in the Universal Declaration of Human Rights legally binding and enforceable through ruling on breaches of the Convention [3]. The term 'non-human animals' is used in philosophical debates regarding the moral status of animals, as well as in critical discussions on cultural norms [4]. These discussions often challenge the normative distinction between humans and non-human animals by examining the nature of 'human' status as distinct from animals [5]. Consequently, discussions about the status of non-human animals are increasingly becoming subject to consideration by the ECtHR [6].

This paper can be understood as divided into four parts. Firstly, I defined the human-animal boundary as a production of Western imperialism and colonialism. Secondly, I outline how the human-animal boundary serves to promote the definition of 'human' underpinning universal human rights, while 'animal' is mediated by legal and bureaucratic institutions through such terms as 'public morals' or 'human interest'. Thirdly, I outline the ambiguity of non-human animals in legal doctrines through analysing and comparing rulings by the ECtHR. Lastly, I outline the importance of dignifying the status of non-human animals, which can help reconcile the harmful legacy of hierarchy of species. The contribution of this paper highlights the detrimental historical trend of defining non-human animals in terms of human public morals or interests as opposed to their inherent worth. This will provide the necessary context for rethinking the concept of dignity within the human rights corpus and law.

THE HUMAN-ANIMAL BOUNDARY

In 1964, UNESCO published the Proposals on the Biological Aspects of Race, with the first article stating, 'men living today belong to a single species, Homo sapiens, and are derived from a common stock,' [7]. This statement followed a programme by UNESCO on the 'race question,' which aimed to challenge racist discord in society and prevent the re-emergence of fascist ideologies [8]. Drawing on the biological sciences of the time, in collaboration with anthropologists and social biologists, this influential programme was launched to promote unity within the human species by challenging racial hierarchy [9]. However, this example has been cited to illustrate how the perpetuation of the human-animal boundary served to promote the notion of universal humanity, which underpins human rights in a post-war world [10].

The concept of 'human,' in this case, is not a continuation of the homo sapiens tradition, as promoted by UNESCO, but rather a response to the legacy of racialisation and the prevalence of racial hierarchy [11]. In this example, the Western benchmark of race was replaced by a universal standard of the 'human' species, grounded in the exclusion of all non-human animals [12]. The patrolling the human-animal boundary is historically contingent, with deep roots in colonial contexts, where being 'human' represented a self-designated term signifying 'proper' or 'civilised' behaviour [13]. 'Human' behaviour of this kind is distinct from the language ascribed to colonised peoples, such as 'brutishness,' which implies inferiority by association with nature and animals, or 'swarming,' which implies the need for control and surveillance [14]. The term 'non-human animal' can acknowledge that every human is, in fact, an animal. From this definition, it follows that the human-animal boundary is socially and culturally constructed, especially by dominant discourses and groups [15].

Challenging the human-animal boundary has contributed to early rights movements, including the fight for women's moral status [16]. The practice of vivisection in Victorian England sparked major debate, particularly among feminist thinkers and others who feared that they would also become subjects of non-consensual medical procedures: 'the vivisected animal stood for the vivisected woman: the woman strapped to the gynaecologist's table,' [17]. Feminist thinkers, such as Anna Kingsford, visited the laboratories, viewing

the treatment of animals as an affront to their femininity and sense of moral responsibility. She stated, '[t]hese were no longer mere horses or dogs or rabbits; for in each I saw a human shape,' [18]. One criticism of vivisection followed that if animals significantly differ, then the findings cannot be accurately applied to humans and, conversely, if they do not significantly differ from humans, then they should be the subject of inhumane experiments [19]. Concerns of this kind juxtaposed the practice of vivisection with the 'civilised' behaviour underpinning 'human' status, with the treatment of animals being defined by some as an affront to their humanity [20].

The historical construction of the human-animal boundary has served to reinforce and negotiate the standard of 'human', which is the basis for dignity and rights [21]. Western imperialism and colonialism reinforced this hierarchical standard by constructing a racialised hierarchy of 'human' and 'non-human,' which enabled the language to dehumanise women and people of colour [22]. The legacy of dehumanisation was challenged by reinforcing the Western standard of 'human' across all societies anew, rather than addressing animal liberation as the cause of the problem at inception [23]. The critical point here is that the human-animal boundary persists to this day as a means of providing a universal standard of 'human,' which underpins human rights and the dignity of mankind [24]. Yet, the oppression and exclusion of non-human animals continue to be tied to the very forms of human oppression that these rights seek to address, as will be demonstrated by highlighting how the boundary is mediated through legal-bureaucratic human rights systems to this day [25].

HISTORICAL BACKGROUND REVIEW

Determining the legal status of non-human animals could solidify a detrimental relationship between humans and non-human animals. One historical example is the Cruelty to Animals Act of 1876, which regulated vivisection by requiring practitioners to obtain a licence and use anaesthetic to prevent the inhumane suffering of non-human animals. The ethical pressure behind the Act came from such first-wave feminist activists as Lizzy Lind af Hageby who authored Shambles of Science, which is cited to have launched the 'first mass campaign in the history of the [anti-vivisection] movement,' [26]. The Act of 1876 represents animal welfare and moral concerns for animal suffering, but members of the movement realised that regulating vivisection unintentionally legitimised the practice. Indeed, the Act is credited to this day with ensuring that 'vivisection [can] continue under certain restrictions,' [27]. This detrimental relationship between animals and humans is not inevitable but subject to historical influences, including the unintended consequences of animal welfare efforts.

This remains significant because the environmental movement has increasingly embedded itself in legal processes and the bureaucratic/institutional structure the movement initially sought to challenge. Mass environmental membership organisations (Friends of The Earth, Greenpeace, among others) began to emerge in the 1970s to pursue policy changes at a national and international level [28]. This represents the 'institutionalisation of environmental politics' whereby environmental organisations form corporate structures and identities to attain the legitimacy required to influence policy [29]. This bureaucratic structure often lends itself to passive membership through donorship, which has been cited to lead to the adoption of the less alienating language of 'suffering and compassion' over concerns for 'justice and rights' - as will be identified in a recent ruling [30]. Legislation and recent court rulings on non-human animals should be understood as mediated by legal and bureaucratic systems.

The European Court of Human Rights (ECtHR) is increasingly producing rulings on the animal welfare issues environmental organisations raise. The ECtHR has ruled, for example, that while laws prohibiting fox hunting do interfere with property rights, such bans are proportionate to their aims, i.e., *Friends and Others v. The United Kingdom* [31]. The ECtHR is also producing rulings on animal welfare organisations, i.e., *PETA Deutschland v. Germany, Animal Defenders International v. The United Kingdom and Vgt Verein Gegen Tierfabriken* [32]. In such cases, the ECtHR ruled on whether bans on environmental advertisements depicting animal suffering are consistent with freedom of expression under Article 10 of the European Convention on Human Rights (Henceforth 'the Convention'). These rulings will be further discussed below, but this illustrates how the ECtHR is increasingly ruling on animal welfare cases.

Two notable rulings by the ECtHR relate to non-human animals and freedom of religion. In *Cha'are Shalom ve Tsedek v. France*, the ECtHR determined that food adhering to religious customs should be regulated by law, entailing that religious communities should access these foods from regulated vendors [33]. More recently in *Executief van de Moslims van België and Others v. Belgium* (henceforth the 'Belgium ruling'), the ECtHR directly references 'balancing' animal welfare with human rights [34]. The context of the case is that the Flemish and Walloon Regions of Belgium banned the slaughter of non-human animals without

prior stunning. Considering the ban to be a breach of freedom of religion, thirteen individual citizens and seven non-governmental organisations took legal action [35]. The case eventually appeared before the ECtHR, where it was affirmed that no violation of freedom of religion had occurred as freedom of religion is subject to such restrictions as the protection of 'public morals,' [36]. This represents a ruling by the ECtHR that aims to balance animal welfare with human rights.

The Belgium ruling has implications for animal welfare and human rights in contemporary legal discourse more broadly. The Belgium ruling decreed that the 'protection of animal welfare was an ethical value to which contemporary democratic societies attached growing importance,' [37]. Indeed, Article 13 of The Treaty on European Union considers animals to be 'sentient beings' and outlines the need to balance animal welfare with religious rites and cultural traditions [38]. The Council of the European Union has also voiced their concern over the slaughtering of non-human animals. The Council stated that animal slaughter should adhere to the 'best practices in the field and the methods permitted under this Regulation' because such practices affect 'consumer attitudes towards agricultural products,' [39]. The 'Belgium ruling' is contextualised within the broader moral and legal space allocated to non-human animals. Thus, this demonstrates the relevance and importance of assessing the boundaries between human rights and animal welfare, because it has direct consequences for both human and non-human animals alive today.

ANIMAL WELFARE AND HUMAN RIGHTS:

The Belgium ruling is highly significant for how animal welfare is legally conceptualised to relate to human rights. The judges ruled unanimously that Article 9 of the Convention was not 'indifferent to the living environment of individuals covered by its protection and in particular to animals' and, therefore, 'the Convention could not be interpreted as promoting the absolute upholding of the rights and freedoms it enshrined without regard to animal suffering,' [40]. Article 9 refers to the 'freedom of thought, conscience and religion' that may only be limited by such restrictions 'prescribed by law and are necessary in a democratic society,' [41]. Necessary restrictions include 'public safety, for the protection of public order, health or morals,' [42]. The ruling is based on balancing animal welfare, as an issue of public morals, with freedom of religion. The question of animal welfare has entered the legal realm in this instance by considering it to be a question of 'public morals.' In line with this ruling, this would not necessarily be a conflict between animal welfare or rights and human rights as such; rather, this would be a conflict between public morality (concerning animals) and religion.

This is consequential to how tensions between human rights and concerns for animal welfare are balanced. The Belgium ruling balances ethical concerns over consumption practice with the rituals and customs protected under freedom of religion. Non-lethal and reversible stunning, which aims to account for ritual slaughter, was seen as the most effective way to balance these tensions [43]. The notion that morals are 'inherently evolutive' and are evolving towards the 'greater protection of animal welfare' implied that the 'the national authorities certainly had to be afforded a margin of appreciation which could not be a narrow one,' [44]. However, ethical concerns about non-human animals may continue to evolve in legal discord, which implies the increasing concern for non-human animals relating to placing restrictions on human rights. In that case, the tensions between human rights and animal welfare ought not be seen as resolved in the long term.

THE AMBIGUITY OF NON-HUMAN ANIMALS IN LEGAL DOCTRINES

Non-human animals exist within the same realm of ambiguity as the margin of appreciation doctrine itself. Non-human animals are referred to through the notion of 'public morals' but the ECtHR has not provided an official definition of 'public morals,' [45]. The lack of definition relates to how the ECtHR makes 'particular use' of the margin of appreciation doctrine; that is, 'the morals are mentioned as a legitimate aim that justifies the restriction of some rights granted by the Convention itself,' [46]. Non-human animals find expression in law through the public morals clause that manifests through judgements on the 'margin of appreciation.'

The case *Friends and Others v. UK* regarding non-human animals (fox hunting) is considered one of the most far-reaching interpretations of 'public morals' in international law [47]. The ban on fox hunting was established to maintain the legitimate aim of promoting public morals and, therefore, the relevant restrictions on human rights were ruled legitimate [48]. Equally, the ban on slaughter without prior stunning was established to maintain the legitimate aim of promoting public morals and, thus, the restrictions on freedom of

religion were ruled legitimate [49]. The Belgium ruling establishes that Article 9 of the Convention can refer to the public concern for animal welfare [50]. This implies that non-human animals are a fact of law expressed through the margin of appreciation doctrine.

Including non-human animals as an issue of public morals has far-reaching implications for human rights. The ECtHR produced a report on the impact of epidemics on human rights that contains a list of human rights subject to such restrictions as promoting 'public morals.' These include:

> 'The right to a fair trial, the right to respect for private and family life, freedom of religion, freedom of expression, freedom of reunion, the protection of property and freedom of movement,' [51].

While some cases on non-human animals are related to restrictions on freedom of religion in the case of *Executief van de Moslims van België and Others v. Belgium* or protection of property in the case of *Friends and Others v. UK*, the prospect of a pandemic outlines how non-human animals can indirectly relate to restrictions on all the aforementioned laws (noted above) [52]. Non-human animals can have a profound impact on human rights, which outlines the importance of clarifying the status of non-human animals within the human rights corpus.

The question of epidemics outlines how the environment, humans and non-human animals relate. The topic of non-human animals will become more critical to address for the international human rights corpus as the climate crisis forces the remaining wilderness closer to the boundaries of human society. Billions of non-human animals are changing their migration paths in response to the climate crisis [53]. This is placing people more at risk of catching and spreading zoological diseases [54]. The United Nations has deliberated that there are obligations on States to ensure the right to a 'safe, clean, healthy and sustainable environment' to ensure respect for human rights [55]. Epidemics caused by zoological diseases are a good example of how human rights intersect with the environment and non-human animals. Human rights can be restricted during epidemics and, with the risk of such diseases increasing due to the climate crisis, protecting non-human animals will be relevant to ensuring the right to a safe and healthy environment [56].

However, recent cases outline legal disputes over how and where the ethical treatment of non-human animals can be discussed, i.e., *PETA Deutschland v. Germany and Animal Defenders International v. The United Kingdom*. In the judgement relating to *Animal Defenders International v. The United Kingdom*, the court ruled that a ban on an environmental advertisement did not breach freedom of expression under Article 10 [57]. While this outlines where discussions on non-human animals can occur, another case highlights how they can occur. The judgement on *PETA Deutschland v. Germany* outlined that injunctions on environmental advertisements are legal when the campaigns compare the suffering of non-human animals with such atrocities as the Holocaust [58]. Judges from both cases expressed concern over drawing boundaries on issues of public interest, which is particularly relevant because public (moral) interests are the very source being drawn on to determine whether animal welfare can legitimately restrict human rights.

THE CIRCULARITY OF NON-HUMAN ANIMAL RULINGS

The legal conception of 'public morals' renders non-human animals legally ambiguous, and this association leads to an essentially circular line of reasoning. Ambiguity is not necessarily problematic. For example, the ambiguity of 'public morals' provides the Court with some degree of flexibility when considering the margin of appreciation in an international context [59]. However, the ambiguity of non-human animals has presented challenges in balancing concerns for animal welfare with human rights. As aforementioned, in the case of *PETA Deutschland v. Germany*, the Court determined the legality of an injunction issued by the Berlin Regional Court on posters comparing the suffering of non-human animals with the Holocaust [60]. Referencing Article One of the Convention, which states '[h]uman dignity shall be inviolable,' the Court ruled that the comparison undermined human dignity [61]. Judge Zupancic noted the issue of cultural relativism 'the question is therefore, where do we draw the line? Would these pictures be acceptable in Azerbaijan or Iceland, or in Austria, or would they not be acceptable?' [62]. What can be noted here is that the ECtHR is twofold drawing on public morality and ruling on how public morals are expressed.

The ECtHR rules on the banning of advertisements, which aim to influence public morality. The outcomes of such rulings are inconsistent, for example, in *Animal Defenders International v. United Kingdom*. This case concerned the Communications Act 2003, which restricted political advertising in public broadcasting to prevent financially powerful bodies from undermining the principle of impartiality [63]. ECtHR ruled that it was legal to ban an environmental advertisement depicting the suffering of primates because

freedom of expression is subject to such restrictions as those 'prescribed by law,' [64]. However, the case of *Animal Defenders International v. The United Kingdom* disregarded the earlier legal precedent set in the case of *Vgt Verein Gegen Tierfabriken v. Switzerland* [65]. This case concerned the Federal Radio and Television Act 1997, which similarly banned political advertisement in Switzerland to protect independent broadcasting. However, the ECtHR ruled it was illegal to ban an environmental advertisement displaying the suffering of pigs [66]. It represented a blanket ban on 'participat[ing] in an ongoing general debate on animal protection and the rearing of animals.' [67] Therefore, this shows a consistent lack of legal consistency and clarity regarding non-human animals.

In *Defenders International v. United Kingdom*, the dissenting opinion of Judge Tulkens, Spielmann, Laffranque, Ziemele, Sajo, Kalaydjieva, Vucinic and de Gaetano highlighted that the term 'political' was constructed so broadly in this case that it applies to most matters of public interest [68]. The judges Spielmann and Laffranque noted:

> 'No one had claimed that the applicant NGO was a financially powerful body with the aim or possibility of endangering the broadcaster's impartiality or unduly distorting the public debate, or that it served as a smokescreen for such a group. All that it wished to do was to take part in a general debate on animal protection,' [69].

The serious consequences for the NGO were noted to be of 'greater weight than the justifications put forward in support,' [70]. The ECtHR is increasingly determining the boundaries on where and how discussions on non-human animals can occur, which could influence public morals. Simultaneously, the ECtHR is drawing on public morals to determine how to balance human rights with concerns for animal welfare. This represents a circular reasoning on an ambiguous subject (non-human animals) and risks presenting as arbitrary in the backdrop of inconsistent rulings.

DISCUSSION

The legal concepts employed by the ECtHR render the status of non-human animals ambiguous and produce inconsistent outcomes. The ECtHR has struggled to balance non-human animals, as matters of public interest and public morals, with human rights. The ECtHR simultaneously rules on broadcasts aiming to influence public moral perceptions on the status of non-human animals, while also drawing on such moral perceptions to determine how to balance human rights with concerns for animal welfare. While the ECtHR does not play a major role in directly affecting public morality in itself, its rulings shape and mediate how animal advocacy institutions participate in the 'ongoing' debate on non-human animals [71]. The inconsistency between the case of *Animal Defenders International v. The United Kingdom* and the case of *Vgt Verein Gegen Tierfabriken v. Switzerland* outlines that the relationship between animal welfare and human rights remains undetermined [72]. The Belgium ruling decreeing that animal welfare can be a legitimate reason to undermine human rights has therefore emerged in an ambiguous legal context.

Three legal approaches are attempting to clarify the status of non-human animals. There is the animal welfare, animal rights, and animal dignity approach [73]. All three approaches have their respective flaws, but the dignity approach could, at least, recognise the intrinsic value of non-human lives [74]. Indeed, without the attribution of intrinsic worth, the establishment of animal rights may render instrumental the very practices concerning animal rights scholars, which the Cruelty to Animals Act of 1876 illustrates. Non-human animals are not the same as human beings who cannot be held responsible for their actions (e.g., children). However, as Judge Pinto de Albuquerque noted:

> 'This incommensurability does not prevent us from acknowledging the inherent dignity of all species living on the planet and the existence of basic comparable interests between humans and other animals and therefore the need to safeguard certain 'animal rights', metaphorically speaking, in a similar way to human rights,' [75].

Bernet Kempers provides an account of dignity vested in interest (as opposed to capacity) but notes that dignity suffers from vagueness (including when attributed to humans) [76]. Yet, dignity could serve as a normative guideline for including non-human animals in law in such a way as to resolve the current ambiguity present in the ECtHR rulings. Currently, the status of non-human lives is legally rendered to such ambiguous terms as 'political' or 'public morals' rather than their intrinsic worth [77].

Dignity could even address the concerns raised in *PETA Deutschland v. Germany.* The comparison between human and non-human animals is disparaging since animals are deemed of little or no moral value. Associating a person to a non-human animal only undermines human dignity because non-human animals are

denied any conception of dignity [78]. Denying a person human dignity through applying natural/animal categories on groups has been a powerful way to undermine human rights historically and has appeared in such atrocities as the slave trade and the colonial project [79]. Either the association between non-human animals can be legally restricted or non-human animals can be attributed dignity. Legally restricting the comparison leaves the rhetoric alive: the South African Application to ICJ notes, for example, that the Defence Minister of Israel had stated, 'we are fighting human animals and we act accordingly,' [80]. Legally restricting the comparison does not challenge the very rhetoric that can be used to undermine human dignity. A discussion of the status of non-human animals is increasingly important for the human rights corpus. It can only begin if the status of non-human animals is something considered worth dignifying.

RECOMMENDATIONS

The ECtHR appears ill-equipped to dignify the status of non-human animals. The court associates the suffering of non-human animals with the moral concerns of animals, which quells moral concerns without addressing or reconciling with the history and legacy that gave rise to them [81]. To address this, legal status of non-human animals should be legally founded on the inherent worth, liberty and self-determination of non-human lives. There are aspirations that a treaty recognising non-human animal dignity can be passed through the United Nations Assembly by 2029, namely, the UN Convention on Animal Health and Protection (UNCAHP) [82]. This treaty recognises that non-human animals have intrinsic value and dignity but contains the clause 'if any strain imposed on the animal cannot be justified by overriding interests, this constitutes a disregard for the animal's dignity,' [83]. This clause has recently faced criticism for suggesting that animal dignity is contingent on human interest, for example, preventing zoological diseases. Such a treaty 'will merely replicate and perpetuate the current political reality for animals,' a reality that has persisted both before and since the Victorian anti-vivisection movement over one-hundred years ago [84].

An international treaty dignifying the status of non-human animals should not underpin their intrinsic worth in human interest. Vesting the status of non-human animals in 'human interest,' as promoted by UNCAHP, is likely to create the same kind of ambiguity around the term 'public morality.' Conversely, UNCAHP defines human 'interest' narrowly, failing to reconcile with the human suffering caused by hierarchy of species, which results in dehumanisation [85]. The recommendation of this paper is, therefore, that the treaty acknowledges all humans as animals and affirms that the dignity of all animals is inviolable, recognising that violations of animal dignity have created divisions and caused untold suffering across all species. That henceforth every society should aspire to end the suffering of all animals and seek to end practices that undermine the dignity of human and non-human animals. Such a treaty would mark a departure from the historical trend of defining non-human animals in terms of human sensibilities, public morals or interests. This shift would redefine dignity, extending it to all beings alive today, human and non-human alike.

CONCLUSION

The tension between human rights and non-human lives is disingenuous because non-human animals have no legal status to conflict with human rights. Non-human animals are not recognised as intrinsically valuable; rather, moral concerns for animal welfare are in tension with human rights. There is, therefore, a need to establish the status of non-human animals in law to provide clarity and legitimacy on a subject that can relate to restricting human rights. An approach that recognises the inherent worth of non-human lives is required and non-human interests ought to be considered. There is a detrimental legal practice of defining non-human animals solely in terms of human interests [86]. Such a practice cannot reconcile itself with the harmful legacy of the hierarchy of species, nor can it account for how the mistreatment of non-human animals intersects with human oppression [87]. An international treaty that renders animal dignity contingent on human interests will arguably not resolve much of the legal ambiguity around non-human animals and may even enforce a lack of inherent status. An international treaty should, therefore, acknowledge that humans are animals, and that the dignity of all animals is inviolable.

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