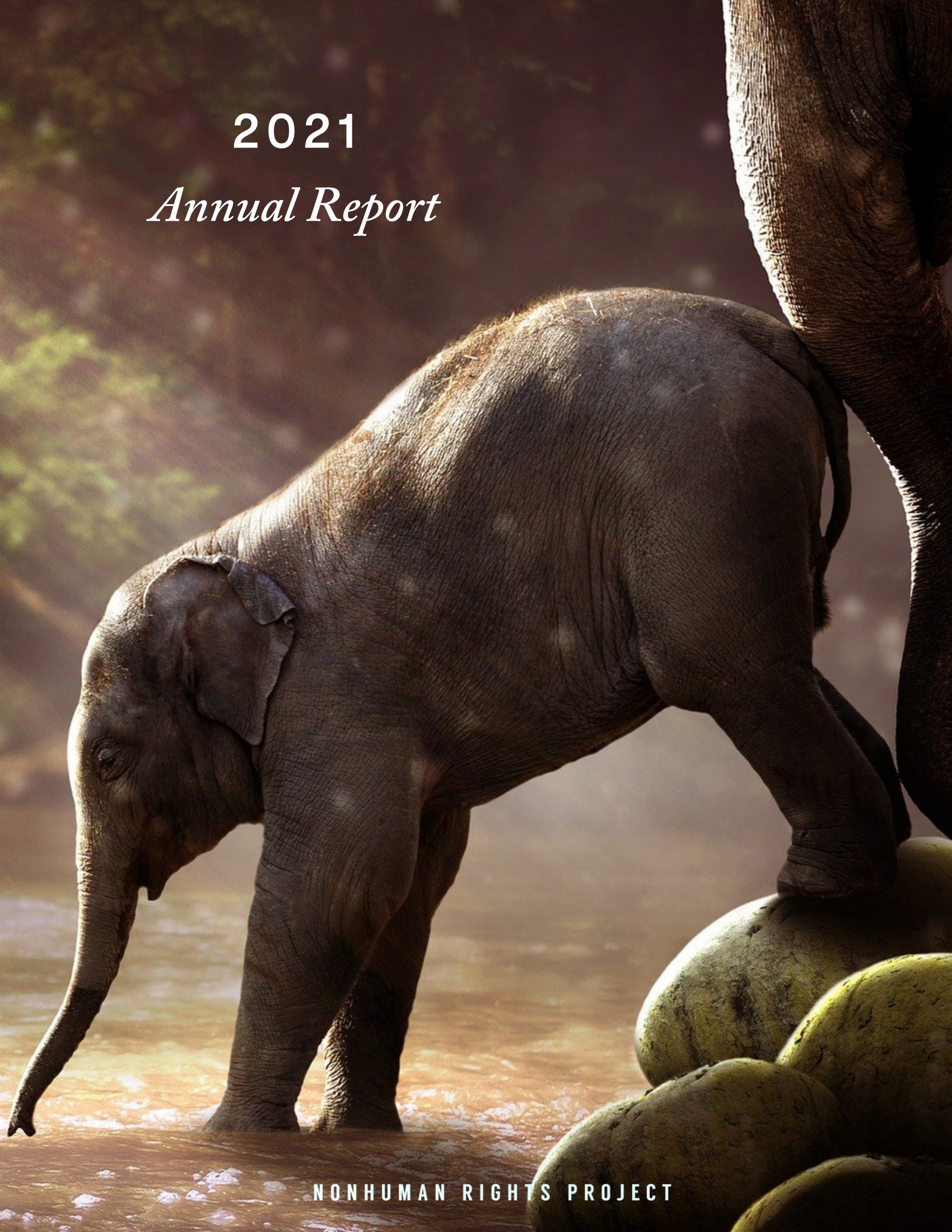


2021

Annual Report



NONHUMAN RIGHTS PROJECT

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NONHUMAN RIGHTS PROJECT

December 2021
Coral Springs, FL

Dear friends of the Nonhuman Rights Project,

In November, *The Atlantic* published a long article by the admired Harvard historian Jill Lepore about the habeas corpus case we brought in 2018 to free a long imprisoned elephant named Happy from the Bronx Zoo to a sanctuary. Happy's was the seventh habeas corpus case we've brought on behalf of our imprisoned nonhuman animal clients (four chimpanzees and an elephant) in New York. We had been trying hard to persuade New York's highest court, the Court of Appeals, to take an appeal, understanding that the Court only took about three percent of the cases that seek one. That Court refused us twice in 2016.

In 2018 the Court of Appeals refused a third time, but Judge Eugene M. Fahey filed an opinion explaining that the courts' failure to consider the issue of nonhuman animal personhood and rights "amounts to a refusal to confront a manifest injustice."

We lost Happy's trial in 2020 before Justice Alison Y. Tuitt in the Bronx Supreme Court. But her reason was solely on the "regrettably" technical ground that she considered her Court bound by a higher court decision.

Later that year, the First Department affirmed that decision, which we maintain is legally wrong. We immediately sought the Court of Appeals' permission to appeal. On May 4, 2021, the Court agreed—marking the first time any English-speaking court in the world had ever agreed to hear such a case.

Both sides filed their briefs this fall. But, unusually, many brilliant folks began bringing additional amicus briefs in our favor: Buddhist scholars; a former Justice of South Africa's highest court, Edwin Cameron; respected Harvard philosopher Professor Christine M. Korsgaard; seven revered habeas corpus professors and litigation experts; the highly respected philosopher Professor Martha C. Nussbaum; fourteen excellent academic philosophers; Harvard and Cornell law professors Laurence H. Tribe, Sherry F. Kolb, and Michael C. Dorf; Catholics theologians; and thirty-six English law professors, barristers, and solicitors. Other amici brief are likely on their way.

On the other hand, only four briefs were filed on behalf of the Bronx Zoo; none had anything to do with an elephant or a zoo. All of them simply worry about how much money they will lose if we win and how fearful they are that our victory—moving Happy from the Bronx Zoo to a sanctuary where she will regain her autonomy—will destroy veterinarians, animal agriculture and farm bureaus, cats,



NONHUMAN RIGHTS PROJECT

December 2021
Coral Springs, FL

marine mammal parks, nonhuman animals used in biomedical research, and the dairy industry.

Not only have we worked hard on Happy's case; we recently filed our own amicus brief with Harvard Law School's Animal Law and Policy Program in an important animal rights case in Ecuador. We have also spent a great deal of time preparing one, likely, two lawsuits in California this year, a Colorado case, one in Israel, another in India, another in Argentina, and more exciting projects we will share with you as soon as we can.

There has been a lot to learn and accomplish in 2021. We can't wait for 2022.

A handwritten signature in black ink that reads "Steven M. Wise".

Steven M. Wise, President (he/his/him)



NhRP Board Member Dr. Jane Goodall and NhRP President Steven M. Wise at a conference in Belgium where they first met in 1992. Steve founded the NhRP in 1996 after working for decades as an animal protection attorney.

Our Mission



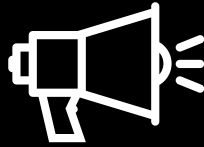
The Nonhuman Rights Project works to secure fundamental rights for nonhuman animals through litigation, legislation, and education.

Our Objectives:

- To change the common law status of great apes, elephants, dolphins, and whales from mere “things,” which lack the capacity to possess any legal right, to “legal persons,” who possess such fundamental rights as bodily liberty and bodily integrity.
- To draw on the common law and evolving standards of morality, scientific discovery, and human experience to consider other qualities that may be sufficient for recognition of nonhuman animals’ legal personhood and fundamental rights.
- To develop local, national, and global issue-oriented grassroots and legislative campaigns to promote recognition of nonhuman animals as beings worthy of moral and legal consideration and with their own inherent interests in freedom from captivity, participation in a community of other members of their species, and the protection of their natural habitats.
- To build a broad-based coalition of organizations and individuals to secure legally recognized fundamental rights for nonhuman animals.
- To foster understanding of the social, historical, political, and legal justice of our arguments and the scientific discovery of other species’ cognitive and emotional complexity that informs them.

2021 Highlights





NhRP Again Named Top Nonprofit Thanks to Supporter Reviews


In 2021, GreatNonprofits—a platform that allows donors, volunteers, and supporters to rate and review nonprofit organizations based on their personal interactions with the organization—again named the Nonhuman Rights Project a Top-Rated Nonprofit.

The Top-Rated Nonprofit Award is based on the number of reviews and outstanding ratings (4+ stars out of 5) received throughout the year. This year, the NhRP received 71 reviews and was awarded a 4.96-star average rating.

We're grateful to have received so much positive feedback throughout the year from reviewers who wrote about their experiences interacting with NhRP staff, taking part in our grassroots advocacy campaigns, and engaging with our work and mission as a whole. Thank you to all our supporters who took the time to write reviews and tell your stories. We appreciate your recognition of the progress we've made throughout the year in our relentless fight for our nonhuman clients and nonhuman animal rights.

Reviews are visible to all potential supporters and donors and help immensely in raising awareness of our unique mission and work.

Read all the reviews at <https://greatnonprofits.org/org/the-nonhuman-rights-project-inc>



“One of the only nonprofits that have been able to get the courts to listen. Namely that non-humans think, feel and love just as much as we do, and that a just human society should have laws that recognize this.”

Supporter Review by Roo V., Great Nonprofits website (June 2021)



Happy alone in the Bronx Zoo elephant exhibit. Photo: Gigi Glendinning

"The most important animal-rights case of the 21st century"

In May of 2021, the New York Court of Appeals—one of the most influential state courts in the United States—agreed to hear the habeas corpus case of our elephant client Happy, an autonomous and cognitively complex nonhuman being who has been imprisoned at the Bronx Zoo for over four decades. This marks the first time in history the highest court of any English-speaking jurisdiction will hear a habeas corpus case brought on behalf of someone other than a human being.

In 2018, the Nonhuman Rights Project brought a petition for a writ of habeas corpus on Happy's behalf, seeking recognition of her fundamental right to bodily liberty and transfer to an elephant sanctuary. Shortly after, Happy became the first elephant in the world to be granted a habeas corpus hearing to determine the lawfulness of her imprisonment. Following several days of hearings over the course of 2019 and 2020, the trial court "regrettably" denied



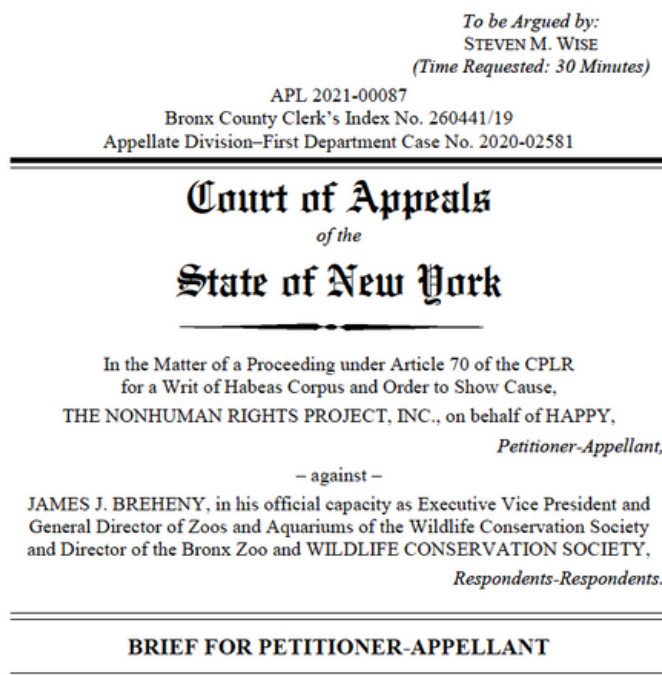
This is the fourth time the NhrP has asked the Court of Appeals, which hears less than five percent of the cases that request to be heard, to decide whether our autonomous nonhuman animal client should be released pursuant to habeas corpus.

(continued)

Happy’s petition because of prior court decisions, which will be examined for the first time by the Court of Appeals.

Called “the most important animal-rights case of the 21st century” by historian Jill Lepore, Happy’s case has gained the support of experts on elephant cognition and behavior, habeas corpus, animal law, philosophy, and more. In June of 2021, we filed a 14,000-word brief with the Court that brings together centuries of case law including landmark common law and civil rights cases, the science of elephant cognition and behavior, the origin of legal rights, judicial rulings from outside the US that have granted rights to nonhuman animals, and ethical arguments against elephant captivity.

Having begun the fight for nonhuman rights in New York eight years ago, we are thrilled the Court of Appeals has decided to hear Happy’s case and hope she will soon become the first elephant and nonhuman animal in the US to have her right to bodily liberty judicially recognized.



A screenshot of the cover page of our brief.

The Atlantic, National Geographic, TIME, TIME for Kids, New York Magazine, and Newsday, potentially reaching 5.2 billion people according to the media monitoring service Cision. Her case was explored in Thalia Field’s genre-defying book *Personhood*, and we began working with several production companies on documentaries that explore various aspects of her story and case, which has already made legal history for elephants and other nonhuman animals—with much more to come.

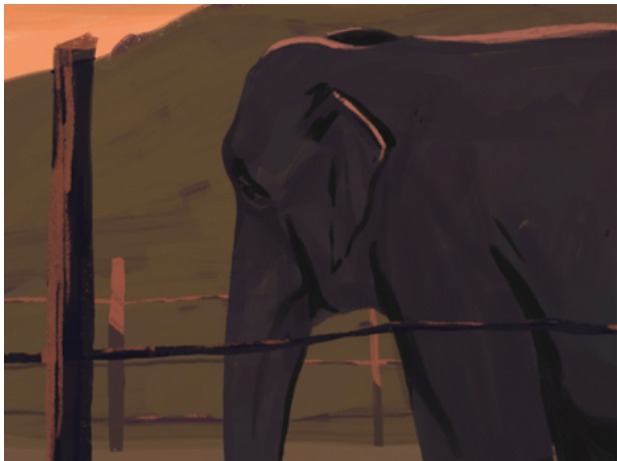
Visit Happy's court case timeline to read court filings and decisions: nonhumanrights.org/client-happy.

*“No case like this has ever reached so high a court, anywhere in the English-speaking world ...
In an age of mass extinction and climate catastrophe, the questions it raises, about the
relationship between humans, animals, and the natural world, concern the future of life on
Earth, questions that much existing law is catastrophically ill-equipped to address.”*

Historian Jill Lepore, "The Elephant Who Could be a Person" (The Atlantic,
November 2021)



Select 2021 Media Clips



ANIMALS | WILDLIFE WATCH

A person or a thing? Inside the fight for animal personhood

An animal rights organization wants a New York court to grant Happy the elephant legal personhood. But what would that mean?

TIME

U.S. • COURTS

In a Legal First, a Court Will Decide if an Elephant Deserves the Same Rights as a Person

TIMES UNION



NEWS | 9:41 AM

Churchill: Where is Tommy the Chimp?

- Advocate: Rights or not, caged chimp deserves better

The Atlantic



Happy at the Bronx Zoo (Photograph by Daniel Saxe for The Atlantic)

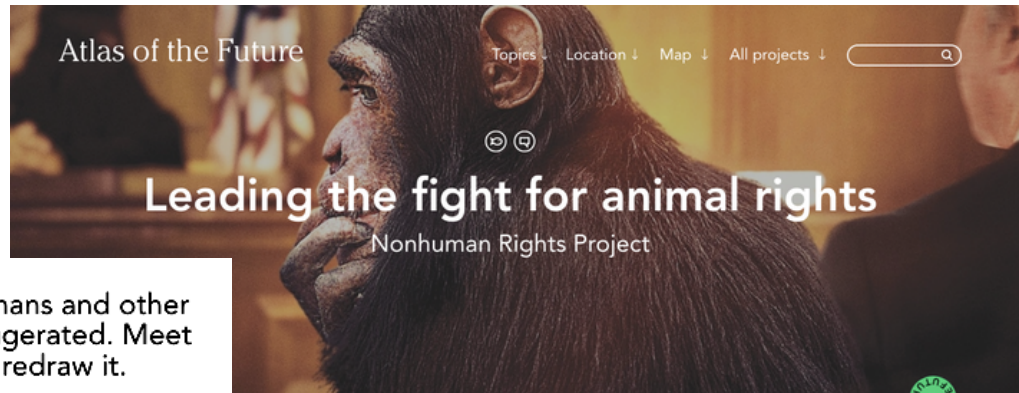
IDEAS

THE ELEPHANT SUIT

Happy isn't a human being. But in the eyes of the law, can she be a person?

By Jill Lepore

Select 2021 Media Clips



United States (New York)

The line dividing humans and other animals is often exaggerated. Meet the lawyers trying to redraw it.

“I became a lawyer because I wanted to speak for the voiceless and defend the defenceless. And I never realised how voiceless and defenseless the trillions of nonhuman animals are.” – Steven M. Wise, Founder and President of the Nonhuman Rights Project

reasons
to be **cheerful**

The Movement to Give ‘Personhood’ Rights to Animals

Legal systems around the world are beginning to confront an existential question: What rights does an animal have?

NEW YORK

ENCOUNTER | 8:00 A.M.

THE CONVERSATION



43 Minutes With
Happy the
Elephant
Meditations on
loneliness with the
Bronx Zoo’s 50-
year-old *Elephas
maximus*.

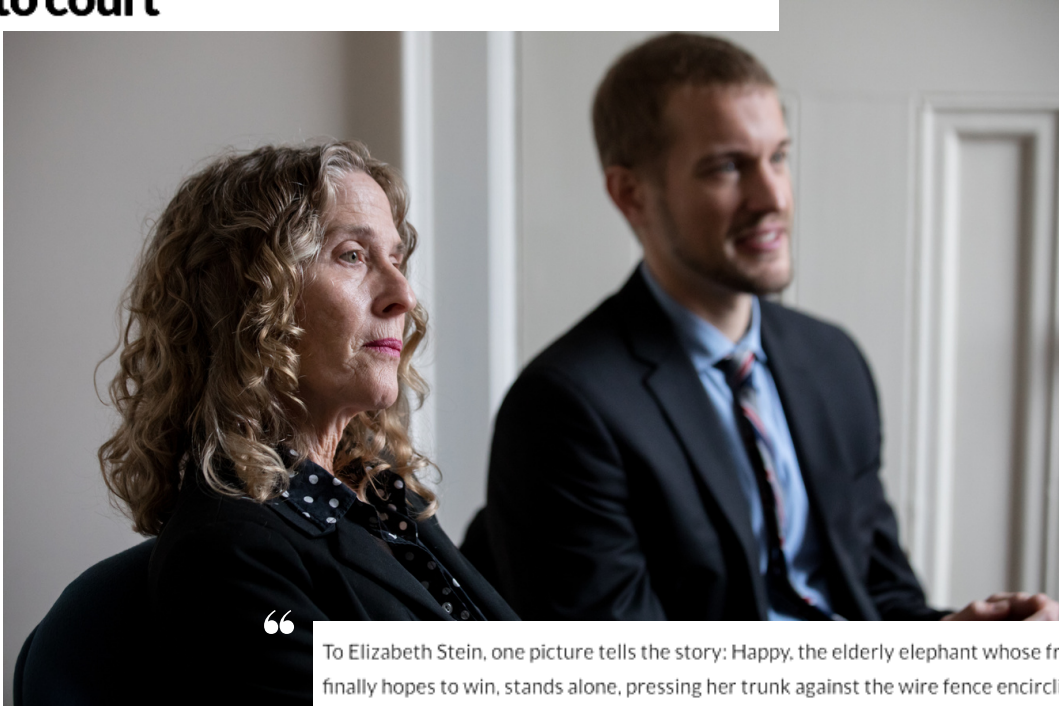
By Molly Young

In Recognition: Liddy Stein

Newsday

NEWS / NEW YORK

Manhasset Hills woman taking elephant's case to court



“

To Elizabeth Stein, one picture tells the story: Happy, the elderly elephant whose freedom she finally hopes to win, stands alone, pressing her trunk against the wire fence encircling her one-acre enclosure at the Bronx Zoo.

“Nobody who cares for Happy would keep her there,” said Stein, 66, a Manhasset Hills native.

Stein, a lawyer, now hopes to persuade the state's top court that smart, independent and family-oriented animals like Happy qualify for a writ of habeas corpus, a request to a judge to free someone wrongly imprisoned that dates back to at least England's 1215 Magna Carta. ”

This year we want to give a special shout-out to NhRP Staff Attorney Elizabeth Stein, also known as Liddy. Having joined the NhRP in 2009 when Steve was searching for lawyers to assist with the filing of the first habeas corpus petitions on behalf of nonhuman animals—which involved a tremendous amount of careful research and preparation—Liddy has been instrumental to the progress we've made since then.

For decades she worked as a solo practitioner in New York where she focused exclusively on animal law; she's now Happy's New York counsel. We're grateful every day for Liddy's dedication to our mission, her unrivaled generosity with her time and expertise, and how, with compassion and insight, she gets right to the heart of an issue, especially those pertaining to the imprisonment of our clients. Thank you Liddy for all you've done and continue to do for the NhRP and for nonhuman animals!

Amicus Support for the Fight to #FreeHappy

In addition to the affidavits submitted by elephant cognition and behavior experts at the outset of our litigation, the NhRP’s legal fight for Happy’s freedom has gained the support of experts on habeas corpus, animal law, philosophy, and more in the form of amicus curiae briefs.

What are amicus curiae briefs, and why are they important?

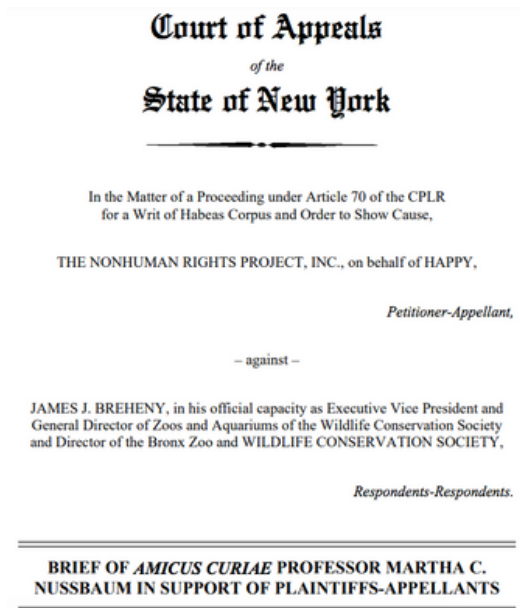
Latin for “friend of the court,” an amicus curiae requests permission from a court to advise it regarding a matter of law. An amicus curiae can be a person, an entity like a business, a nonprofit, a trade association, or the government, or a group of people or entities (in which case you’d use the plural form of the Latin noun for friend, amici curiae).

An amicus brief details the authors’ expertise and arguments regarding the case at hand. If the court grants the author(s) permission to file an amicus brief, the court can take into consideration their arguments along with the arguments made by the parties directly involved in the case.

Often, courts will cite to amicus briefs in their decisions. For example, New York Court of Appeals Justice Eugene M. Fahey favorably cited to the amicus and amici briefs submitted in support of the NhRP in the historic opinion he issued in our chimpanzee rights cases. In other words, he relied in part on what these experts wrote in their briefs as he urged his fellow judges to reject chimpanzees’ legal thinghood and treat the question of nonhuman animals’ rightlessness as

a deep dilemma of ethics and policy that demands our attention. To treat a chimpanzee as if he or she had no right to liberty protected by habeas corpus is to regard the chimpanzee as entirely lacking independent worth, as a mere resource for human use, a thing the value of which consists exclusively in its usefulness to others. Instead, we should consider whether a chimpanzee is an individual with inherent value who has the right to be treated with respect.

To date, nine amicus briefs by a total of 70 people have been submitted to the Court of Appeals in support of Happy’s habeas petition. Together they show the breadth and depth of support for the legal fight for Happy’s right to liberty and release to a sanctuary.



A screenshot of the cover page of Martha Nussbaum’s amicus brief

Excerpts From Amicus Briefs

To learn more about and read the briefs, visit nonhumanrights.org/blog/freehappy-amicus-support



“One of the greatest blemishes on our justice system is the wrongful detention of persons. The writ of habeas corpus is one of the tools available to correct injustices by requiring a person’s captors to justify the person’s imprisonment to the courts. While the writ has provided a procedural vehicle for vindicating the rights of thousands of humans to not be unlawfully detained, this brief argues that the time has come to consider the writ’s application to other cognitively complex beings who are unjustly detained.”

Amici brief by six expert habeas corpus practitioners and scholars



“The purpose of rights ... is to privilege the value that a life has for the one who lives it over whatever value it might have for others. No right can be more fundamental than the right not to have the whole shape of your life determined by purposes that are not your own, and that is the right that has been violated in Happy’s case.”

Amicus brief by Christine Korsgaard (Arthur Kingsley Porter Research Professor of Philosophy at Harvard University)



“We reject arbitrary distinctions that deny adequate protections to other animals who share with protected humans relevantly similar vulnerabilities to harms and relevantly similar interests in avoiding such harms. We submit this brief to affirm our shared interest in ensuring a more just coexistence with other animals who live in our communities. We strongly urge this Court, in keeping with the best philosophical standards of rational judgment and ethical standards of justice, to recognize that Happy is a nonhuman person who should be released from her current confinement and transferred to an appropriate elephant sanctuary, pursuant to habeas corpus.”

Amici brief by 14 philosophers with expertise in animal ethics, animal political theory, the philosophy of animal cognition and behavior, and the philosophy of biology



“Amici believe that if this Court decides to rule in favor of the petitioners, it will be acting in the finest traditions of the common law writ of habeas corpus which has been utilized in a succession of celebrated rulings by courts in both the UK and US to correct manifest abuses of power where the legislature has failed to act.”

Amici brief by thirty-six UK-based legal academics, barristers, and solicitors with expertise in animal law

“South African law may develop to include a proscription of discrimination on the grounds of irrational and morally unwanted differentiation between humans and other sentient beings.”



Amicus brief by Edwin Cameron (Retired Justice of South Africa’s Constitutional Court)

“Happy belongs to God and not to us.”



Amici brief by five Catholic theologians with expertise in Catholic moral theology, ethics, animal ethics, ecological theology, theology and science, and bioethics

“[Courts] stating ... that nonhuman animals are unwelcome in habeas corpus solely because they are not humans is a stark and sad reminder of the shameful era in which courts refused to grant some humans personhood or legal rights because are the same race or gender as those who then were rights-bearers.”



Amici brief by Laurence H. Tribe (Carl M. Loeb University Professor at Harvard University and Professor of Constitutional Law Emeritus at Harvard Law School), Sherry F. Colb (C.S. Wong Professor of Law at Cornell Law School) and Michael C. Dorf (Robert S. Stevens Professor of Law at Cornell Law School)

“We have a moral duty to treat Happy just as we would treat a person most dear to us. We would never want a loved one, who committed no crime, to be made to serve a life confinement just because it was profitable to someone else. To allow Happy to be held in captivity for economic gain debases her life and ours ... We respectfully implore that this Court do what is moral and just by this long suffering being.”



Amici brief by three Buddhist scholars with expertise in ethics, Buddhist ethics, bioethics, theology, and comparative religion

“What philosophy and, more recently, science have understood but the law has not is that elephants are sentient beings who can feel emotion, foster relationships, create communities, and form a conception of the self.”



Martha Nussbaum (Ernst Freund Distinguished Service Professor of Law and Ethics, appointed in the Law School and Philosophy Department of the University of Chicago) and a recipient of the 2016 Kyoto Prize in Arts and Philosophy, the 2018 Berggruen Prize, and the 2021 Holberg Prize



“I started supporting the NhRP because I like, and believe in, the work they are doing. Over the years I have gotten to know the staff through webinars and other forums. I am impressed with their dedication, professionalism and friendliness. More than other organizations I support, NhRP makes me feel valued. The concern they feel for the animals extends to we humans who support their work.”

Supporter Review by Suz, Great Nonprofits website (Nov. 2021)

#ActiveForAnimalRights NhRP Virtual Race



In October, the NhRP called on animal rights advocates around the world to join us in getting #ActiveForAnimalRights as part of a month-long race to raise awareness of and funds for our fight for elephants' right to live freely. Just like humans, elephants are incredibly social animals, and they suffer greatly in captive environments that prevent them from moving about freely and engaging in their natural behaviors. During the pandemic, when we were restricted in where we could go, who we could see, and what we could do, we got a small glimpse of what living a life deprived of autonomy is like. This is why the NhRP chose to get #ActiveForAnimalRights. Active to us meant the autonomy to move about freely, take part in any activity you like to do, anywhere and anytime you'd like to do it.



Thank you to all our supporters who came together to exercise their autonomy for our clients and for captive elephants who can't exercise theirs. Thank you for taking and posting photos to social media, sharing your experience with your network, getting your friends and family involved, raising awareness, and donating. In addition, congratulations to all our weekly and overall winners who won prizes gifted by our corporate sponsors for fundraising the most, being the most active, and for sharing photos of your progress regularly on social media.

Thank you to our corporate sponsors Hourglass Cosmetics, Vegan Fashion Week, Miyoko's, Heir Atelier, and V-Dog as well as supporter Deborah Davis who donated a beautiful elephant bracelet. Lastly, a special thank you to six very generous supporters who agreed to match donations in the third week of our race.

NhRP Board Member Gail Price-Wise and NhRP President Steven M. Wise (above) and NhRP Executive Director Kevin Schneider (below) get #ActiveForAnimalRights in Florida and New York, respectively.

With everyone's collective efforts, we exceeded our donation matching goal and raised almost \$56,000 towards securing fundamental rights for our elephant clients and other captive elephants.

Visiting Happy

In October, while I was visiting New York City, I went to the Bronx Zoo to see Happy the week before the elephant exhibit closed for the winter. From November through to May, Happy is moved to the back of the zoo in what the New York Post once described as “a large holding facility lined with elephant cages.” It was my first time setting foot inside the zoo.

To see the exhibit, patrons of the zoo must ride the Wild Asia Monorail, which runs above the heads of red pandas, tigers, rhinos, and other prisoners all day long, every day. When I hopped on the monorail with photographer, artist, and animal advocate Gigi Glendinning, who came along to take photos, it was difficult for us to carry on our conversation above the noise of the monorail grinding along its tracks, the tour guide’s rehearsed monologue crackling out from the speakers, and the sound of sirens and passing cars from the adjacent freeway. We found ourselves shouting even while sitting right next to each other. Instead of the natural calls and sounds of their native habitats, this is what these animals hear on a daily basis.

The monorail takes about twenty minutes to make a complete loop and gives patrons about a minute in front of each species’ enclosure. Happy’s enclosure is towards the end of the monorail ride, and while I had seen multiple photos of it before, it was eye-opening to see just how small and empty it is in real life. The photos of Happy I’d seen in the past cannot convey the magnitude of everything that is wrong with the tiny enclosure in which she is imprisoned. The outdoor yard is incredibly barren; most of it is taken up by a pond Happy does not appear to ever use and surrounded by trees wrapped in wire that she cannot touch. Her whole area, which was recently partitioned into two so that when the zoo wanted to, they could display both elephants, was smaller than the backyard I had growing up in a regular suburban home.

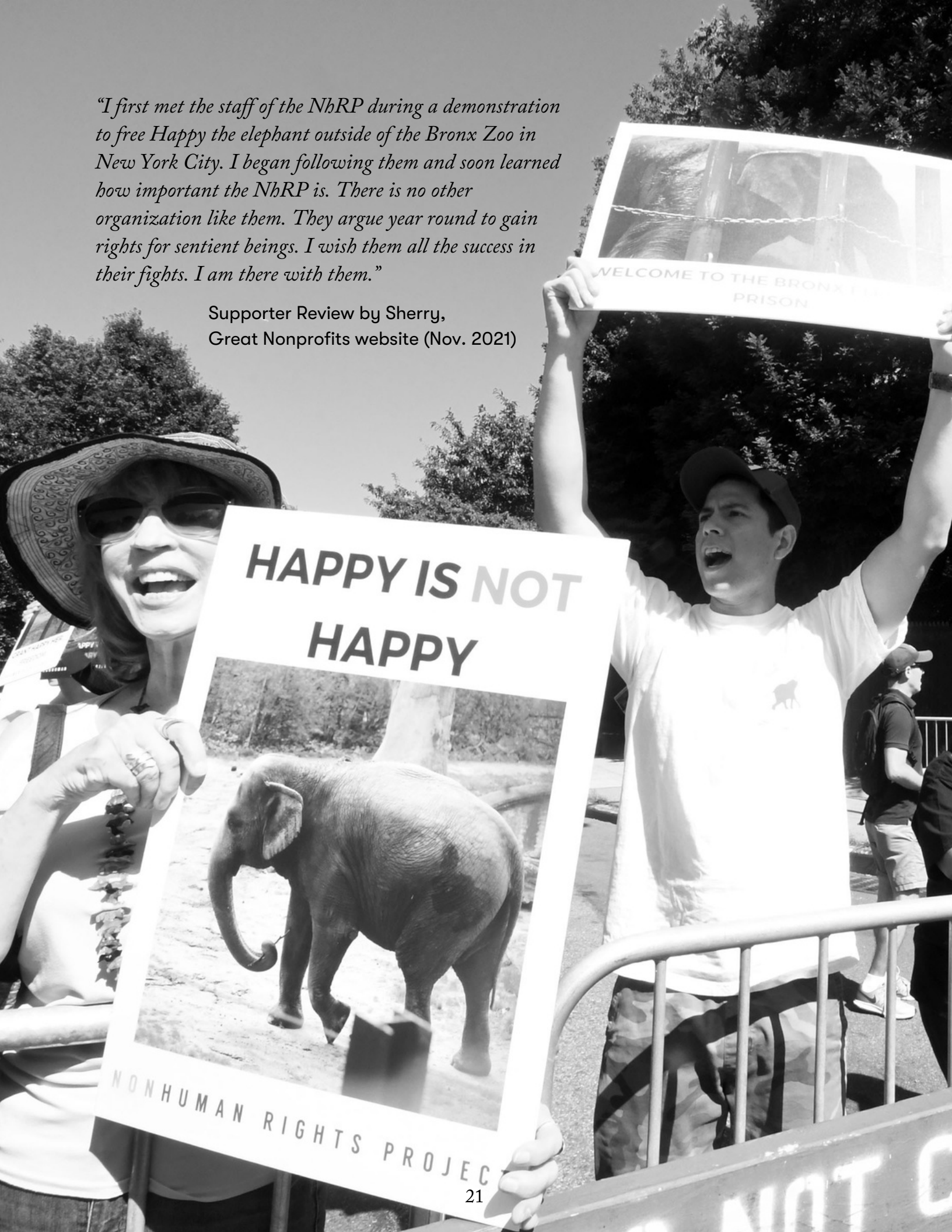
This is not a life that Happy, or any elephant, should be forced to live. While seeing Happy imprisoned like this firsthand made me so uncomfortable and upset, it reaffirmed to me why it’s important that we’re fighting to free Happy and other captive nonhuman beings. We continue to do the work we do, no matter the obstacles, because Happy deserves to live with peace and dignity in a sanctuary where she can regain her autonomy.

*Mickey Suzuki
Development Director, the NhRP
December 2021*

Photo: Gigi Glendinning

"I first met the staff of the NhRP during a demonstration to free Happy the elephant outside of the Bronx Zoo in New York City. I began following them and soon learned how important the NhRP is. There is no other organization like them. They argue year round to gain rights for sentient beings. I wish them all the success in their fights. I am there with them."

Supporter Review by Sherry,
Great Nonprofits website (Nov. 2021)



Judge on Maryland's Highest Court Becomes the Latest to Support Nonhuman Animal Personhood and Rights

In June of this year, Maryland's highest court issued a ruling in a case that asked whether the owner of a dog who was killed by a police officer could claim noneconomic damages. Six judges said the owner could not. However, in a dissent, Court of Appeals Judge Michele D. Hotten wrote that “extending legal personhood to pets on a limited basis to recover for emotional damage for the pet’s grossly negligent injury or death ... serves to dignify the deep emotional connection between humans and their pets and underscores a widely shared belief in modern society that animals are not chattel, but members of the family ... Formalistic adherence to classifying pets as property drudges up the law’s ignominious history of treating living beings, notably slaves and women, as property not legal persons.”

This was not an NhRP case, but we welcome it as another sign of progress in the global fight for nonhuman animal personhood and rights. For centuries, nonhuman animals have long been seen as “things” that lack the capacity for any legal right. It wasn't until 2014 that high court judges began voting in favor of recognizing nonhuman animals as “persons” with the capacity for one or more legal rights; now six such judges have done so.

In 2014, K.S. Panicker Radhakrishnan, supported by Pinaki Chandra Ghose, decided in *Animal Welfare Board v. Nagaraja* that all nonhuman animals in India had rights under India’s Prevention of Cruelty to Animals Act, including Article 51A (g)—called the “magna carta of animal rights”—and Article 21, which states that nonhuman animals have the right to life and rights subject to “just exceptions out of human necessity.”

In 2018, New York Court of Appeals Judge Eugene M. Fahey issued an opinion in the NhRP's cases on behalf of chimpanzees Tommy and Kiko, writing that the question of nonhuman animals’ legal personhood and rights constitutes “a deep dilemma of ethics and policy that demands our attention. To treat a chimpanzee as if he or she had no right to liberty protected by habeas corpus is to regard the chimpanzee as entirely lacking independent worth, as a mere resource for human use, a thing the value of which consists exclusively in its usefulness to others. Instead, we should consider whether a chimpanzee is an individual with inherent value who has the right to be treated with respect.”

In 2020, Colombia Constitutional Court Magistrate Diana Fajardo Rivera grounded her dissent in

What is a dissent?



A dissent is the opinion of a judge of a court of appeals, including the U.S. Supreme Court, which disagrees with the majority opinion. Sometimes a dissent may eventually prevail as the law or society evolves.

(continued)

the nonhuman rights case of a spectacled bear named Chucho on the history of habeas corpus and concluded that Chucho was “the holder of the right to animal freedom” and possesses “intrinsic value” as a nonhuman being. Magistrate Antonio Jose Lizarazo OCompo, in partial dissent, noted that “our Political Constitution and our laws set forth the obligations of protection and the rights to protection for all non-human animals.”

These opinions, while they are not binding precedent or part of case law, show that the archaic and unethical idea that all nonhuman animals are legal “things” with no rights is beginning to crumble around the world, with much more ahead in 2022. In the coming months, Ecuador's Constitutional Court will rule on the issue of nonhuman animals' legal status in response to a habeas corpus case involving a woolly monkey named Estrellita, and New York's highest court will decide whether the NhRP's elephant client Happy is a legal person with the right to liberty.

Grassroots Advocacy and Campaigns

In March, in recognition of the suffering our clients have endured as a result of their imprisonment and with hope they all will soon be able to live freely and with peace and dignity, we invited our supporters to participate in our first-ever NhRP Week of Action.

March 21st was the third anniversary of Hercules and Leo's transfer from the New Iberia Research Center to Project Chimps. Last year, whistleblowers brought to light well-documented information that showed Project Chimps and the Humane Society of the United States (Project Chimps' primary funder and an affiliated organization) were not fulfilling their commitment to provide true sanctuary to Project Chimps' chimpanzee residents, including the NhRP's clients Hercules and Leo.

The NhRP continues to call on Project Chimps and HSUS to take whatever steps and devote whatever resources are necessary to immediately provide Hercules and Leo with daily access to an outdoor habitat. To our knowledge, Hercules and Leo still spend a majority of their time confined to their housing structure. We asked supporters to urge Kitty Block, President and CEO of the Humane Society of the United States, to immediately provide Hercules and Leo daily access to the outdoor habitat at Project Chimps.

March 21st marked 44 years since Happy began her imprisonment on a one-acre lot at the Bronx Zoo. Since 2006, she has been alone, without the necessary companionship of other elephants. We asked supporters to urge the Bronx Zoo and Wildlife Conservation Society to release Happy to an elephant sanctuary.

(continued)

The chimpanzee rights cases for our first two clients, Tommy and Kiko, ended in 2018 when the New York Court of Appeals declined to hear their appeal. Since then, we have hired private investigators to help determine and confirm their whereabouts and continually assessed what can be done to secure their freedom based on what we have learned and what remains unknown. We asked supporters to urge Carmen and Christi Presti to send Kiko to an accredited chimpanzee sanctuary where he can live with other chimpanzees in an environment that meets his physical and psychological needs. We also asked supporters to encourage people in their networks to watch and help spread the word about *Unlocking the Cage*, featuring Tommy and Kiko's stories and the NhRP's fight for their freedom, on HBO, iTunes, or Amazon. In early 2022, we will launch new actions for Tommy based on information we've procured and assessed regarding his current location.

March also marked two years since Minnie's elephant companion Karen died of kidney failure at the young age of 38. Just a few months after Karen's death, Minnie's other elephant companion, Beulah, collapsed and died as the Commerford Zoo forced her to work at a fair. Minnie is now alone, without the necessary companionship of other elephants, on the Commerford Zoo's small property in rural Connecticut where she appears to spend most of her time in a small, dark concrete-floored barn. We asked supporters to urge US Secretary of Agriculture Tom Vilsack to use his authority to order the USDA to conduct an emergency inspection of the Commerford Zoo and investigate Minnie's care and well-being.

These campaigns will continue until all our clients are able to live freely and with peace and dignity in true sanctuaries.

Interview and Seminar Series

What started as a stopgap for in-person events while we were under shelter-in-place restrictions in 2020 continued to be an important medium through which we connected with supporters worldwide in 2021. Our aims with our online Seminar and Interview Series are to strengthen the education pillar of our mission, provide a deeper look into who we are and what we do, and share what's happening in the nonhuman rights movement as a whole.

This year, the videos in this series had close to 10,000 views. Our YouTube channel reached over 58,000 people who watched a total of 524 hours of content. NhRP staff ran seminars on notable days such as Endangered Species Day and Giving Tuesday to provide updates on different aspects of our work and what's to come. Following each talk, we leave time for supporters to ask questions.

NhRP staff also interviewed friends of the NhRP who've lent their expertise in support of our

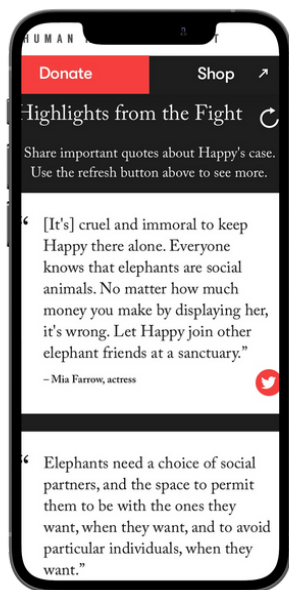
(continued)

nonhuman rights cases or of the nonhuman rights movement at large. Guests this year included Owais Awan, the lawyer who, with the help of Free the Wild, an organization co-founded by Cher, helped free Kaavan the elephant; Gigi Glendinning, a Philadelphia-based photographer, artist, and advocate; and Charlotte E. Blattner and Silvano Leiger from Sentience, a Swiss-based nonprofit, who are working on the historic fundamental rights for primates citizens' initiative that will be voted on by the residents of the Swiss canton of Basel-Stadt in February of 2022.

One particularly memorable seminar happened on Elephant Appreciation Day, September 22nd, where Courtney Fern, the NhRP's Director of Government Relations and Campaigns, talked to Gigi about why and how she documents the suffering of our clients Minnie and Happy and other captive elephants. Gigi shared some eye-opening photographs of captive elephants in zoos and those made to perform and give rides. She had this to say about how supporters can get involved in the fight to free nonhuman animals right now: "Do what you enjoy doing because then you'll do it more. I'm not a big fan of standing out at a protest, I would rather go in and document it. So if that's what's more interesting to you, go do it. And it doesn't take a pro camera ... Documenting, paying attention to what's happening locally ... Find your own set of parameters and do what you can."

To watch and share all our past Seminar and Interviews, please visit www.youtube.com/c/NonhumanRightsProject. If you have an idea for a discussion, email us at info@nonhumanrights.org!

New #FreeHappy Campaign Page



This year we were excited to introduce a dynamic and interactive #FreeHappy campaign page. There, you can find all the latest information on Happy's case, the fight for her freedom, and ways to take action all in one place. Everything is shareable with integrated social media buttons so you can easily raise awareness about Happy's plight and the fight for her freedom.

Please explore all the new features and actions at www.freehappynow.com. You can scroll through the image carousel and click on various hotspots on the photos to learn more about Happy, our litigation, and why Happy is entitled to the right to live freely. Read and share the latest articles about Happy and our work on her behalf. Share notable statements that celebrities, scholars, and elected officials have made in support of Happy's freedom. And last but not least, take action to help secure Happy's release to an elephant sanctuary.

NhRP and Harvard Law School Join Forces to Urge Constitutional Court of Ecuador to Recognize Animals As Rightsholders

In March of 2021, the Constitutional Court of Ecuador decided to take up the issue of nonhuman animals' legal status for the first time in response to a habeas corpus case involving a woolly monkey named Estrellita. Soon after, The Brooks McCormick Jr. Animal Law & Policy Program at Harvard Law School (ALPP) and the NhRP jointly requested and received permission to file an amicus curiae brief with the Court, urging it to recognize that nonhuman animals can have legal rights. The ALPP and the NhRP worked on the brief for several months and filed it in November of 2021.

Drawing on our shared expertise and interest in the consideration of nonhuman animals' legal status, the brief argues that habeas corpus can apply to nonhuman animals, that individual nonhuman animals have rights under the rights of nature framework adopted in the Ecuadorian Constitution, and that the Court should order the relevant governmental entities to create protocols to guarantee the rights of nonhuman animals, whether derived under the rights of nature or directly through access to the writ of habeas corpus.

“In this time of catastrophic climate crisis and the sixth mass extinction of species, Ecuador is a regional and world leader in developing and protecting the rights of nature and this case presents an opportunity to deepen that reputation,” we write. “The case is also novel and important for the development of habeas corpus and its application to nonhuman animals in Ecuador, Latin America, and globally.” The brief points to the scientific evidence of the cognitive and social complexity of woolly monkeys and argues that they “should at minimum possess the right to bodily liberty” and that “the environmental authority should have protected Estrellita’s rights by examining her specific circumstances before placing her in the zoo.”


Estrellita was poached from the wild when she was one month old and lived as the private pet of Ana Burbano for nearly two decades. In 2019, authorities seized Estrellita and relocated her to the San Martín de Baños Zoo under a law passed in 2017 that bans private individuals from breeding, keeping, buying, or selling exotic or native wildlife. Estrellita died in quarantine in the zoo and Burbano filed a habeas corpus petition on Estrellita’s behalf. The lower court and the Court of Appeals denied the request for habeas relief. The ALPP and NhRP as amicus authors affirm that individuals should not keep wild animals as pets but take the position that habeas corpus should be available to a woolly monkey such as Estrellita so that, through a representative, she could have challenged her detention in a zoo or other confinement before she died.

Ecuador is the first country in the world to recognize the rights of nature at the constitutional level. On Dec. 2, in what is being hailed as a landmark ruling, the Constitutional Court prohibited mining in the Los Cedros Protected Forest under the rights of nature. A ruling in the case is expected in the coming months.

2021 was Colorado-based attorney Jake Davis's first full year with the NhRP. Previously, Jake worked in federal court under the Honorable S. James Otero of the US District Court for the Central District of California, for the US government at the US Attorney's Office for the Southern District of California, and in private practice at Squire Patton Boggs. Asked what he thinks are the most important skills and attributes of being a lawyer in general and a lawyer for nonhuman rights specifically, Jake says: "Important skills most lawyers need include critical reasoning, creativity, collaboration, willingness to engage in the required due diligence, persuasive rhetoric, persuasive writing, and a tasteful relentlessness. As for attributes, patience, graciousness, and humility are key. No lawyer wins all of his or her cases; staying humble after wins and not letting yourself get too low after losses will make for a beneficial approach to practicing law."

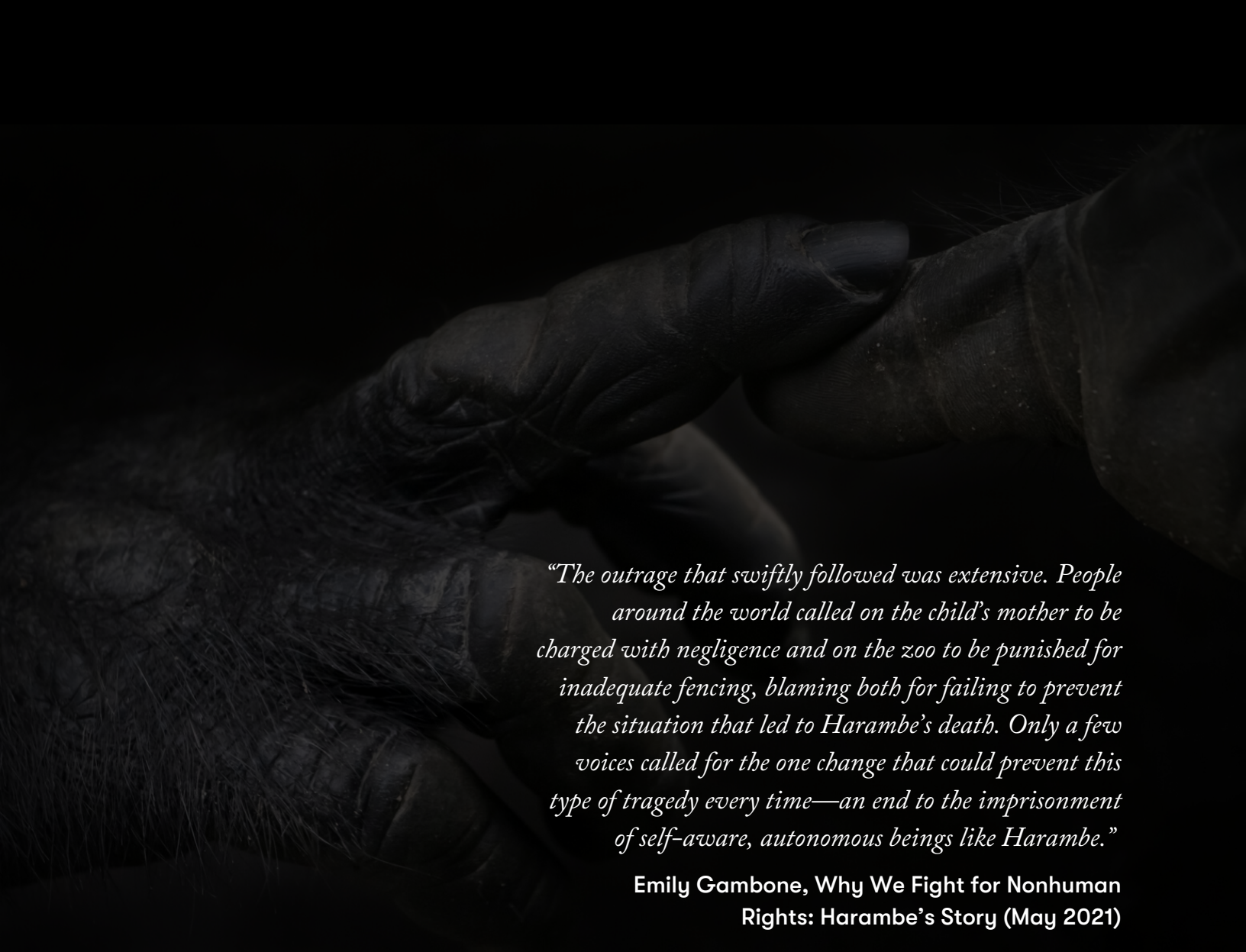
Jake will argue the California case the NhRP will file in early 2022. Thank you Jake for the passion and skill you bring to the fight for nonhuman rights!



A dramatic sunset over a savanna. The sky is filled with large, dark, billowing clouds, with the sun breaking through on the right side, creating a bright orange glow. In the foreground, a herd of elephants is visible, with two large elephants in the immediate foreground and several smaller ones further back. The landscape is a flat, grassy plain with a few scattered trees in the distance.

“The NhRP team is not only thorough and detailed in their research, reporting, and the tireless work they do on behalf of those whose voice is callously ignored by the vast majority, but as an organization they’re unique. They offer the human animal, those of us willing to listen, a chance to walk in the feet of other sentient beings. In so doing, they generate empathy for 'the other.' This gift, bittersweet [as] it may be, can effect change.”

Supporter review by DTBlack, GreatNonprofits website (June 2021)



“The outrage that swiftly followed was extensive. People around the world called on the child’s mother to be charged with negligence and on the zoo to be punished for inadequate fencing, blaming both for failing to prevent the situation that led to Harambe’s death. Only a few voices called for the one change that could prevent this type of tragedy every time—an end to the imprisonment of self-aware, autonomous beings like Harambe.”

Emily Gambone, Why We Fight for Nonhuman Rights: Harambe’s Story (May 2021)

This year we introduced a new blog series, “Why We Fight for Nonhuman Rights.” Researched and written by NhRP supporter Emily Gambone, these in-depth narratives show what it means, over the course of a nonhuman animal’s life, to be rightless, and illuminate the possibility of a future in which nonhuman rights are protected alongside human rights.

As Emily writes, the choice—to begin to recognize and protect nonhuman rights or to keep all nonhuman animals imprisoned in an archaic, unjust legal status quo that serves neither them nor us—is ours to make.

Thank you Emily for lending your talents and time to the NhRP mission!

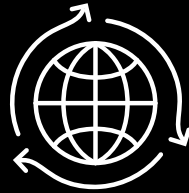
Visit nonhumanrights.org/blog to read the first two posts in the series: Harambe’s Story and Sk’aliCh’elh-tenaut’s Story (Sk’aliCh’elh-tenaut is also known as Lolita).

Emily Gambone on what it's like to write the stories in our "Why We Fight for Nonhuman Rights" blog series:

The reality is that nonhuman animals, even those on display at zoos, are rarely seen. Maybe zoo-goers glimpse them for a moment, but they don't know the details of their stories, and people then return to their own lives while the nonhuman animals continue their existence at the mercy of human choices, robbed of their own. Nonhuman animals in laboratories or other captive settings are even less visible to us. The science on their intelligence and emotional lives is already clear, becoming clearer each time we learn more. These nonhuman animals deserve autonomy, they deserve rights.

The telling of each individual's story is my attempt to make this reality personal, for people to read and understand what nonhuman rights would mean on a visceral level, what the right to liberty would mean or would have meant to one individual whose life without autonomy has been tragic. For me, to spend months steeped in the science of their brains, their cognition and emotional capabilities, and to seek out the details of their lives, is a seeing and an honoring of each individual. Learning their stories has consumed me; attempting to do their stories justice through my words has been one of the great responsibilities and honors of my life.

A Global Fight



The NhRP's global footprint is substantial and growing. We routinely field inquiries from lawyers, media, and advocates around the world and seek out forums to educate new audiences about our work and how it may help nonhuman animals in their countries.

In Ecuador, with the Constitutional Court is set to rule for the first time on the question of nonhuman animals' legal status, The Brooks McCormick Jr. Animal Law & Policy Program at Harvard Law School (ALPP) and the NhRP have jointly filed an amicus curiae brief with the Court, urging it to recognize that nonhuman animals can have legal rights. (See p. 26)

In Israel, we're on track to file at least one elephant habeas corpus case in 2022.

In India, we're assisting lawyers in filing an elephant habeas corpus case in 2022.

In Switzerland, we're helping to raise awareness of Sentience Politics' Swiss Citizens Initiative for Primate Rights, which in early 2022 will mark the first ever direct-democratic vote on whether some nonhuman animals should be granted the fundamental rights to life and bodily and mental integrity.

We also continue to write technical legal journal articles in support of nonhuman rights for audiences around the world, speak at virtual conferences, and advise lawyers and advocates around the world in many facets of animal protection law and policy. Our (virtual) door is always open.

Financials



Thanks to our supporters, the NhRP is fortunate to be closing out yet another challenging year in a good financial position. We are grateful to have long term, committed donors who allow us to press on and strengthen our legal progress for nonhuman animals without interruption into the new year. As of early December 2021, we've raised approximately \$1.35 million in contributions from individual donors, corporate sponsorships, merchandise sales, and grants and foundations. We're expecting to close the year at a little over \$1.4 million taking into account end-of-year contributions, savings interest, and investment dividends, coming under last year's total of over \$1.6 million. We attribute this decline in growth to a decrease in estate and grant donations and, more generally, to the current socioeconomic climate.

We saw an increase in the number of individual donations received this year, particularly from first-time donors, with over 1,700 first-time donations and almost 8,000 overall individual donations. This is a real testament to the dedication of our supporters to our mission, so thank you so much to all of our incredible supporters!

Our largest fundraising event this year was the NhRP's #ActiveForAnimalRights Virtual Race, where we, with the help of all of our supporters worldwide, raised approximately \$56,000. We also had our biggest Giving Tuesday to date this year, raising approximately \$31,000 in one global day of giving in comparison to \$20,000 last year.

Our total expenses will come out to be approximately \$1.1 million compared to \$1 million last year. The increase in spending can be attributed to some travel expenses returning as staff were allowed to travel again this year to attend and speak at conferences, events, and universities. We expect that in the new year, our travel expenses will begin to increase and hover around where they were prior to the pandemic. The increase in total expenses can also be attributed to the necessary upgrading of our technological infrastructure as aimed to increase our online and social media presence this year as well as further raise awareness of Happy's campaign and litigation with a dedicated webpage.

Financials



Overall, this places the NhRP at a healthy operating surplus which will allow us to continue working without financial impediment in the coming year.

Full audited financial statements for 2021 will be available in early 2022. To see our most recent audited financial statements for 2020 and 2019 and our most recent IRS Form 990, please visit nonhumanrights.org/who-we-are/ or contact Development Director Mickey Suzuki at msuzuki@nonhumanrights.org.

Revenue breakdown:

- Individual Donations: 65%
- Foundations & Grants: 27%
- Corporate Donations: 5%
- Donations of Stocks and cryptocurrency : 1.5%
- Interest/Dividends/Investments: .5%
- In-kind donations: .5%
- Merchandise profits: .5%

Expenses breakdown:

- Programs: 51%
- Administration: 42%
- Fundraising: 7%

By the Numbers



1,408,159:

Number of people who've signed a Change.org petition to free Happy from the Bronx Zoo as of December 2021

162:

Number of feature stories that mentioned the NhRP in 2021

354:

Number of people who participated in our #ActiveForAnimalRights virtual race

437,310:

Number of people who've signed our Change.org petition to free Minnie from the Commerford Zoo as of December 2021

2,120,400:

Number of Twitter impressions on NhRP tweets in 2021

9:

Number of action alerts the NhRP sent out in 2021

35,092:

Number of emails sent in 2021 to state and local elected officials, regulatory agencies, and our clients' captors using NhRP action alerts

Thank You



The NhRP truly appreciates all the ways each and every one of you supported our work and mission in 2021. We thank you so much for taking action in our Week of Action, signing petitions and action alerts, connecting with NhRP staff, taking part in the NhRP's #ActiveForAnimalRights Virtual Race, commenting on and sharing our social media posts, attending online seminars, and contributing individual and monthly donations.

We called on you throughout the year and each time, we knew we could count on your help to continue the fight for nonhuman rights. We deeply appreciate your compassion, your commitment to being champions of change for nonhuman beings, and your generosity.

The NhRP is as dedicated to our mission and will not stop until we break down the thick legal wall that unjustly separates all nonhuman beings from all human beings. From all of us at the NhRP, we thank you for joining the fight to get us closer to that legal reality.



A very special thank you to:

Supporters: Deborah Davis, Chris Liner, Suzanne McAllister, Dolores Proubasta, Kendra Richards, Peggy Rothbaum, and Victoria Shroff

Friends of the NhRP: Jill Alibrandi, Jane Berkey, Charlotte E. Blattner, Rachel Fobar, Gigi Glendinning, Carisa Janes, Silvano Lieger, Donny Moss, Leslie Rule, Patty Shenker, and Thalia Field

Consultants: Roger Wolfson, Fred Frommer, Stacey Doss, and Kindvertising

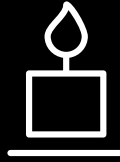
Members of our Board of Directors: Dr. Jane Goodall and Arnie Perlstein

The elephant experts who submitted affidavits in support of Happy's case: Lucy Bates (Honorary Research Fellow, School of Psychology & Neuroscience, University of St Andrews) Richard W. Byrne (Research Professor, School of Psychology and Neuroscience, Center for Social Learning & Cognitive Evolution, University of St Andrews), Karen McComb (Professor of Animal Behaviour & Cognition, University of Sussex), Cynthia Moss (Program Director and Trustee, Amboseli Trust for Elephants), Joyce Poole (Co-founder and Co-director, ElephantVoices), and Ed Stewart (President & Co-Founder, Performing Animal Welfare Society)

The 70 experts who have submitted amicus briefs in support of Happy's case

Corporate Partners: Hourglass Cosmetics, Heir Atelier, Miyoko's, V-Dog, and Vegan Fashion Week

In Memory of Bernard Rollin



This year we remember Bernard Rollin, an American philosopher and emeritus professor of philosophy, animal sciences, and biomedical sciences at Colorado State University.

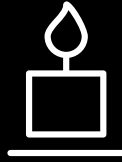
A leading scholar in nonhuman animal rights and nonhuman animal consciousness who was considered a founder of veterinary medical ethics, Bernard was among a group of academic philosophers who submitted amici briefs in support of our elephant rights cases, writing:

We reject arbitrary distinctions that deny adequate protections to other animals who share with protected humans relevantly similar vulnerabilities to harms and relevantly similar interests in avoiding such harms. We submit this brief to affirm our shared interest in ensuring a more just coexistence with other animals who live in our communities. We strongly urge this Court, in keeping with the best philosophical standards of rational judgment and ethical standards of justice, to recognize that, as a nonhuman person, Happy should be released from her current confinement and transferred to an appropriate elephant sanctuary, pursuant to habeas corpus.

Upon Rollin having been awarded a Lifetime Achievement Award for Excellence in Research Ethics from Public Responsibility in Medicine & Research in 2016, a colleague who co-taught a class with Rollin said of him: “It’s the discussion that makes the education. We have a general outline of the topics we have to cover. But man, it really takes off. That’s the beauty of it. It allows for people to express what they’re feeling, but also, Bernie’s great at getting people to really think about an issue, more so than they ever have.” (Source: Colorado State University)

He died in November at the age of 78.

In Memory of Andrew Pazeotopoulos



This year we remember Andrew G. “Pazz” Pazeotopoulos, an avid animal advocate and longtime NhRP supporter. He died in January at the age of 85.

Affectionately known as “Andy” or “Pazz” to his friends, Andrew lived in Portland, Oregon with his wife Nancy. His friends created him a fundraiser in honor of his birthday this year with all donations going to the NhRP, “his favorite charity.”

We deeply appreciated Andrew’s generous support and dedication to our cause.

The Year Ahead



In 2022, the Nonhuman Rights Project will:

- Argue in support of Happy’s right to liberty before New York’s highest court
- File at least one new nonhuman rights lawsuit in California
- File a new nonhuman rights lawsuit in Colorado
- Work with lawmakers to introduce a historic piece of legislation that will establish and protect the rights of nonhuman animals.
- Assist our Israeli legal working group with the filing of the first nonhuman rights lawsuit in Israel
- Assist our Indian legal working group with the filing of a lawsuit that will help clarify what rights a nonhuman animal has in India
- Introduce a new online education program
- Build a new section of our website that analyzes judicial decisions worldwide that are important to the nonhuman rights movement
- Continue meeting with local, state, and federal lawmakers to discuss the importance of nonhuman rights
- Continue our grassroots advocacy campaigns to free our clients Happy, Minnie, Tommy, and Kiko to sanctuaries and ensure Hercules and Leo's autonomy is respected at Project Chimps
- Continue to grow the national and international nonhuman rights movement



Message from NhRP Executive Director Kevin Schneider

December 2021
New York, NY

2021 was in many ways another year of uncertainty and struggle, as the world continued to fight its way back to normal. Yet the year showed us—maybe clearer than ever before—that ‘normal’ is no longer acceptable. A reckoning is beginning to take place, as ordinary people around the world find their power and demand a fairer world for humans, nonhuman animals, and the ecosystems we all depend upon. We at the NhRP are proud to be among the organizations leading this charge.

For us, 2021 will always be remembered as the year we got the New York Court of Appeals to accept Happy’s habeas corpus case—the first time ever that the highest court of any English-speaking jurisdiction will hear such a case. It’s been three years since we filed Happy’s case; in 2022 she’ll finally get her day in court. Happy’s case will have major ramifications throughout the country and the world, whatever the Court of Appeals ultimately decides.

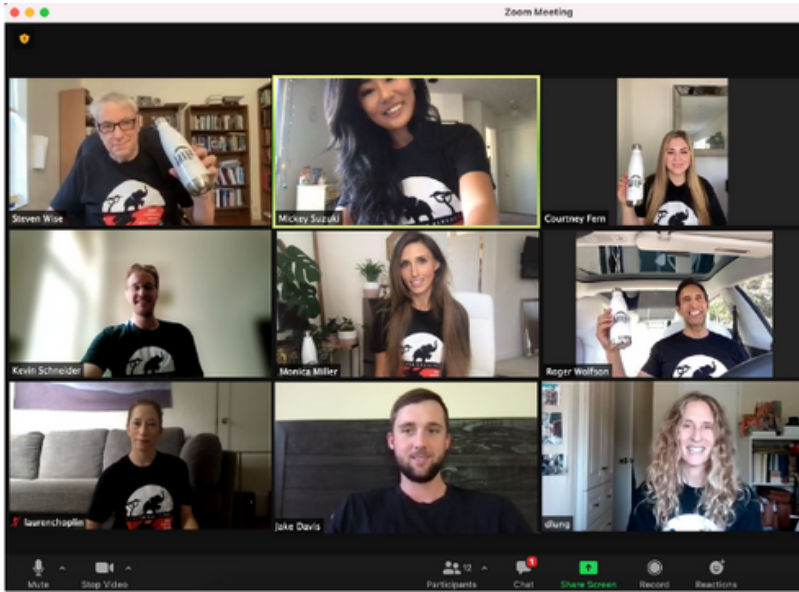
You, our supporters, make everything we do possible. With your moral, practical, and financial support we’re able together to make history for nonhuman animals. And our work is just getting started.

2022 will no doubt be another year of milestones in the work of the NhRP. Working alongside excellent partners, we’ll file lawsuits modeled on Happy’s case in Israel, India, California, and Colorado. We’ll continue our work to introduce the first rights-based legislation for nonhuman animals. And we’ll continue to educate the legal profession, elected officials, the media, and everyday people about the justice and necessity of recognizing nonhuman animal rights.

Thank you to all of you, we look forward to seeing you in 2022.

Kevin Schneider (he/his/him)
Executive Director, the NhRP

Support the NhRP



*From left to right, top to bottom:
NhRP President Steven M. Wise,
NhRP Development Director Mickey
Suzuki, NhRP Director of
Government Relations and
Campaigns Courtney Fern, NhRP
Executive Director Kevin Schneider,
NhRP Staff Attorney Monica Miller,
NhRP Consultant Roger Wolfson,
NhRP Communications Director
Lauren Choplin, NhRP Staff
Attorney Jake Davis, NhRP Staff
Attorney Elizabeth Stein*

Please help make nonhuman rights a legal reality by making a donation. With your support, the Nonhuman Rights Project will strengthen the fight for nonhuman animal rights in 2022 and beyond.

To donate, please visit our website at nonhumanrights.org/donate or text NONHUMAN to 44-321.

If you'd like to learn more about the other ways to give to our organization, such as with a monthly gift, donations of stock, or a legacy gift, please reach out to our Development Director Mickey Suzuki at msuzuki@nonhumanrights.org for further information.

Thank you for supporting our unique and vital mission.



www.nonhumanrights.org | info@nonhumanrights.org