



NONHUMAN RIGHTS PROJECT

Founded in 1996 by attorney Steven M. Wise, the Nonhuman Rights Project (NhRP) is the only civil rights organization in the US dedicated solely to securing rights for nonhuman animals. We use the term “nonhuman rights” to remind people that human beings are also animals—the only animals with legally recognized and enforceable rights.

The NhRP’s litigation and legislation are the first of their kind in the world. Our persistence and bold approach are already changing the legal status quo and have catalyzed a global conversation about how our legal systems view and treat nonhuman animals. As a result of the NhRP’s unique mission and work, courts and legislatures are beginning to recognize the systemic problem of animals’ rightlessness, the suffering it has caused, and the ways it undermines the values and principles of justice on which our own human rights depend.

Legal firsts: Our chimpanzee clients Hercules and Leo were the first nonhuman animals in the world to have a habeas corpus hearing to determine the lawfulness of their imprisonment. Our elephant client Happy is the first elephant to have habeas corpus hearings. In May of 2021, the New York Court of Appeals—one of the most influential state courts in the US—agreed to hear Happy’s case, marking the first time in history the highest court of any English-speaking jurisdiction will hear a habeas corpus case brought on behalf of a nonhuman being. Her case will be heard sometime in 2022.

Historic court rulings: In May of 2018, a judge on New York’s highest court wrote that the failure of the New York courts to grapple with the issues the NhRP raises “amounts to a refusal to confront a manifest injustice ... 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.” Judge Fahey is the first high court judge in the US to hold that “there is no doubt that [a chimpanzee] is not merely a thing.”

In June of 2018, New York’s Fourth Department cited to the NhRP’s chimpanzee rights case on behalf of Kiko in *People v. Graves*, writing, “It is common knowledge that personhood can and sometimes does attach to nonhuman entities like corporations or animals.” We see *Graves* and Fahey’s opinion as signs the New York courts have finally begun to reconsider and reject the thinghood and rightlessness of nonhuman animals.

Over the course of three days between September of 2019 and January of 2020, Bronx Supreme Court Justice Alison Y. Tuitt heard over 13 hours of arguments on the question of whether our client Happy, as an autonomous being, is entitled to the right to liberty. On Feb. 18, 2020, Justice Tuitt issued a decision in which she recognized Happy as an autonomous being “who may be entitled to liberty” and rejected the Bronx Zoo’s arguments that it’s in Happy’s best interest to remain imprisoned in the Bronx Zoo.

In May of 2020, the Islamabad High Court in Pakistan relied on the NhRP’s cases in a decision that “without any hesitation” affirmed the rights of nonhuman animals and specifically ordered the release to sanctuary of an elephant held in solitary confinement at a zoo.

Our current clients are chimpanzees and elephants. Our other potential clients include orangutans, bonobos, gorillas, dolphins, and whales. They are members of species for whom there is robust, abundant scientific evidence of self-awareness and autonomy. Self-awareness is the capacity to recognize yourself as an individual separate from the environment and other individuals. Autonomy is the capacity to make choices about how to spend your days and live your life. We seek recognition of their right to bodily liberty, i.e. not to be imprisoned, and (where relevant) the right to bodily integrity, i.e. not to be experimented on. Once these rights are recognized, we seek their release to sanctuaries where their rights will be respected.

We closely follow the science of who nonhuman animals are because science creates an unshakable foundation for the arguments we make in courts and legislatures. Ethologists and other experts' rigorous, often long-term studies of the cognitive, emotional, and social complexities of great apes, elephants, dolphins, and whales make clear exactly why it's wrong to imprison and exploit these nonhuman beings, especially alone and in environments radically unlike their natural habitats.

In conjunction with scientific evidence, human experience also matters deeply to what we do. What we know about nonhuman animals from observing and interacting with them in our everyday lives—and the conversations we have in turn—can help change and enrich larger cultural conversations about how we view and treat members of other species, making it more likely we will collectively change the legal status quo.

As an organization, we're committed to working within our existing legal systems and pursuing the strategies we deem most likely to succeed in courts and legislatures based on the values and principles courts and legislatures say they believe in, such as liberty, autonomy, equality, and fairness. Great apes, elephants, dolphins, and whales are not the only animals who are suffering. But they are the species we consider most likely to be the first to break through the legal wall that separates all nonhuman animals from all human beings.

We have helped formed and provide ongoing guidance to nonhuman rights legal working groups around the world, with our colleagues in India and Israel set to file nonhuman rights lawsuits in the first half of 2022.

The fight for nonhuman rights focuses on the fact that nonhuman animals have their own inherent interests, just as humans do, and calls for these interests to be protected. All of human history, up to and including the present moment, shows that the only way to truly protect human beings' fundamental interests is to recognize their rights. It's no different for nonhuman animals.

Because nonhuman rights are based on the same values and principles of justice that protect human beings from unjust imprisonment and exploitation, recognition of nonhuman rights only strengthens the foundation for human rights. If we truly believe in values and principles like liberty and equality, we should and must extend them to at least some nonhuman animals.