

CRIMINAL, MISDEMEANOR AND MINOR OFFENSE COURT OF FIRST INSTANCE NO. 12 OFFICE OF THE CLERK OF THE COURT NO. 23

V [REDACTED], J [REDACTED] M [REDACTED] ET AL. CONCERNING CASE NO. 140 - KEEPING ANIMALS IN UNSUITABLE PLACES (ART. 128

PURSUANT TO LAW 6173)

Number: IPP 48708/2026-0

Unique Legal Identification Code (CUIJ): IPP J-01-00048708-9/2026-0

Proceeding No.: 1330472/2026

Autonomous City of Buenos Aires.

I. Please take into account the report from the Autonomous City of Buenos Aires Misdemeanor Registry.

II. With regard to the agreement reached by the parties to suspend the proceedings on probation, and given that the requirements for approval set forth in Article 47 of the Misdemeanor Code have been fulfilled, said agreement should be approved, subject to the following conditions.

Therefore, **I HEREBY RESOLVE:**

I. TO APPROVE the agreement between the parties to suspend the proceedings on probation (see Art. 47 of the Misdemeanor Code).

II. TO SUSPEND THE PROCEEDINGS ON PROBATION concerning **JMV**, holder of National Identity Document no. XX.XX.XX, of Argentine nationality, residing at XXXXXXXX in this City, for the period of **EIGHT (8) MONTHS**, during which time the party must comply with the rules of conduct which consist of: **1)** Establishing his residence, immediately notifying any change of residence to the Office of the Public Prosecutor, to this Court and/or to the Secretariat for the Coordination and Monitoring of the Enforcement of Judicial Sanctions; **2)** Complying with the citations and/or requirements that the Office of the Public Prosecutor, this Court and/or the Secretariat for the Coordination and Monitoring of the Enforcement of Judicial Sanctions shall make of him; **3)** Taking the course “Refresher Meetings on Environmental and Animal Law” given at the Mediation Center of the Judiciary of the Autonomous City of Buenos Aires, led by Dr. Susana Velázquez; and **4)** Not having animals under his care in the establishment located at calle XXX No. of this City, known as “XX XX”, as well as expressly renouncing any right over the two (2) fish of the species *Carassius auratus* which were seized as part of this present case, so that these animals are handed over definitively to the persons designated by the Public Prosecutor of the Republic.

With regard to this last point, the arguments set forth by the prosecuting unit involved in this proceeding are taken into account, in that sentient beings shall be permanently handed over to their current temporary custodian, who in this case happens to be the complainant who initiated this lawsuit, LJ -holder of National Identity Document No. XX.XXX.XXX

Having clarified this matter, I hereby request that the Secretariat for the Coordination and Monitoring of the Enforcement of Judicial Sanctions to intervene by drafting the pertinent certificate, in order to monitor compliance with the previously imposed rules of conduct. In this regard, please notify the oversight agency that it must submit bimonthly reports to this Court detailing the interim status concerning compliance with this ruling.

III. Finally, concerning the petition made by Public and Private Prosecution, with regards to the animals rescued in the framework of this proceeding being declared subjects of rights, I hereby reiterate what is referred to concerning the legal status of non-human animals and their recognition as sentient beings and as subjects of rights.

The Chamber of Cassation and Jurisdictional Appeals has already expressed their opinions concerning this matter in several precedents. See for instance how Chamber I in the framework of the “*Appeal Motion in the case*” *O, D, P concerning 1 - Animal Protection Law. Abuse or acts of cruelty*” Case No. 33094/2022-2 resolved on 08/08/24 argued “... *based on a dynamic rather than a static legal interpretation, it is necessary to recognize animals as subjects of rights, since non-human animals are holders of rights, and therefore must be protected within the corresponding jurisdiction...*” (Chamber II CFCP (Federal Criminal Court of Cassation), Case No. CCC 68831/2014/CFCI “*O. S. regarding the cassation appeal concerning habeas corpus*”, resolved on 12/18/14). (Cited in cases no. 17001-06-00713 “*Appeal Motion in the case García Blanco, Raquel concerning infraction of Law 14346*”, resolved on 11/25/2015; no. 37680/2019-1 “*Appeal Motion in the case “Sosa, Florencia Mariana concerning Art. 89 Penal Code*”, resolved on 10/13/2020, from the docket of this Chamber; Case No. 42093-1/2022 “*NN (José M. Godoy) concerning infraction of Law 14.346*”, resolved on 11/23/22, from the docket of Chamber 3, among others). The same decision, also citing different precedents, indicated that “*this is not a matter concerning inert material goods, but rather that their inherent rights must be recognized as part of the obligation concerning the life and dignity of sentient beings*”.

For its part, Chamber III argued in this regard that “*...Animal Law involves not only the law, and its distinct branches, but also that it requires a proactive attitude by the States in terms of environmental policy. The protection of*

animals extends from their consideration as subjects of rights and, thus, the recognition of their fundamental rights, many of which coincide with those granted to human beings, to recognizing them as an essential part of our biodiversity and sustainable development” (Chamber III, Case No. 82862/2023-1, “Appeal Motion in case "F, M R concerning 1 - Animal Protection Law. Abuse or acts of cruelty”, resolved on 12/29/23).

In conclusion, based on the foregoing, **I find that the non-human animals involved in this case shall be recognized as subjects of rights, and I thus hereby rule.**

Please notify JMV together with his Legal Counsel, the Public Prosecutor's Office, and the Plaintiff via electronic means.^{MV-DBR}

Judiciary
Buenos Aires

COURT NO. 1|CASE:48708/2026-0 Unique Legal Identification Code (CUIJ) J-01-00048708-9/2026-0|RECORD 1330472/2026

Protocol No. 316/2026

DIGITALLY SIGNED

06/12/2026 14:02