Article

Transforming our world? Strengthening animal rights and animal welfare at the United Nations

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Abstract

In this article, we argue that animal rights and welfare are largely neglected at the United Nations (UN) and in the Sustainable Development Goals (SDGs). The UN Sustainability Agenda is not transformative because it lacks a serious (re-)consideration of the relationship between human beings, non-human animals and other components of nature. We propose four ways to strengthen animal rights and animal welfare at the UN: (1) we suggest creating a UN organisation working on animal protection, (2) we support earlier ideas to include an additional SDG on animal welfare in the UN Sustainability Agenda, (3) we propose to strengthen animals rights within the rights of nature framework using the UN as a forum to advance non-anthropocentric norms, (4) we recommend introducing procedural rights for animals in projects linked to SDG funding. Our research is based on an integrative literature review and a document analysis of UN documents, declarations and resolutions.

Keywords

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Introduction

In 2015, the United Nations General Assembly (UNGA) adopted the 2030 Agenda for Sustainable Development entitled 'Transforming Our World'.[1] In its preamble, the UNGA states: 'This is a plan of action for people, planet and prosperity. [. . .] We are determined to take the bold and *transformative* steps which are urgently needed to shift the world on to a sustainable and resilient path'.[2] But is the United Nations (UN) Sustainability Agenda truly transformative? Does it initiate fundamental change and a shift in paradigms, goals and values[3] to achieve sustainability for people and planet?

In this article, we argue that the UN Sustainability Agenda does not keep its promise of introducing transformative steps towards sustainability, first and foremost, because – in its individual goals and practices – it does not fundamentally redefine the relationship between human beings, non-human animals and other components of nature. Without this re-definition, we argue, the UN's 'plan of action'[4] will only benefit human beings – mainly economically – in the short run but, from a long-term perspective, will harm 'people, planet and prosperity'[5] by not taking the interconnectedness between human beings, non-human animals and other components of nature into account. In contrast to anthropocentric goals, animal rights and animal welfare are largely neglected in the agenda. The 2019 Global Sustainable Development report even claims that animal welfare is missing from the Sustainable Development Agenda despite the fact that strong links between human health and wellbeing and the welfare of animals have been established.[6] Only two Sustainable Development Goals (SDGs) relate to animals and biodiversity protection, that is, life below water (goal 14) and life on land (goal 15), but these exclusively focus on ecosystem protection; respective targets are not designed to promote the individual rights and welfare of animals. Moreover, SDGs can be in conflict with one another, and decision-makers often prioritise human-centred goals like economic growth (goal 8), infrastructure, industry and innovation (goal 9) and clean and affordable energy (goal 7) over eco-centric goals, such as life below water (goal 14) and life on land (goal 15).[7] Hence, the Sustainable Development Agenda is not transformative; it rather reproduces an unequal relationship between human beings and non-human animals, dominated by anthropocentric – and unsustainable – action.

Despite the fact that human prosperity, animal well-being and planetary health are strongly interwoven, inter-species relations have historically been neglected in the practices of international organisations (IOs), like the UN, and in International Relations (IR) scholarship. There is now a growing body of literature criticising IR anthropocentrism,[8–10] the dualistic understanding of humans and nature,[11] and the failure to acknowledge the interrelatedness between world politics and non-human nature.[12] This leads to suggestions that we need to profoundly rethink IR,[13] and develop a posthuman approach in a world of multiple complexities.[14] Fougner[15] raises the 'animal question', which has historically been neglected in IR, despite the fact that animals are present in many aspects of IR human-animal relations and IR affects the lives of animals, for example in relation to environmental destruction, zoonoses or trade. A challenge for IR will be to facilitate the move beyond consideration of animals as resources,[16] paying stronger attention to the moral, political and legal implications of recognising animal sentience.

In this article, we concentrate on how animal concerns have been dealt with in the context of the UN, specifically the UN Sustainability Agenda. Animals, here, include all non-human animals. However, different groups of animals are classified in distinctive ways. Donaldson and Kymlicka[17] distinguish between wild animals, domesticated (companion and farmed) animals and liminal animals (wild animals living alongside humans, such as wildlife in cities). While we follow their basic distinction, we argue that all animals should be protected via UN institutions, the SDGs and procedural rights that enable them to participate (e.g. represented by guardians) in decisions that affect them in their respective environment. Existing research in this area primarily focuses on animal health and welfare considerations, and how these can support the SDGs. In particular, animal health and welfare are linked to food security, sustainable production and consumption.[18] Some scholars argue that sustainable development also matters for animals, and achieving the SDGs and improving animal welfare are seen as complementary.[19,20]

Verniers[21] suggests that sustainable development, although anthropocentric, is an appropriate avenue through which to protect animal welfare from a legal perspective, as it is incorporated into an array of legal instruments at various governance levels. Brels[22] argues that the advancement of animal welfare law is becoming a new objective of the UN. Moreover, Peters[23] asserts that 'the two lines of argument in favour of a global norm of animal welfare, the business case for sustainable human development and the ethical argument about global justice, can be and should be combined'.

Despite these research results emphasising complementarity between increased attention for animal concerns and sustainable development, there is very little research on concrete policy ideas that could acknowledge and advance animal interests in the UN Sustainability Agenda. With this article, we make a contribution to filling this research gap. We, therefore, aim to answer the following research question: *How can we strengthen animal rights and welfare via the United Nations, and as part of the UN Sustainability Agenda?*

Building on some key works in animal rights theory, we argue that we need to fundamentally reconsider human domination over animals and nature[24] and that we require a more sophisticated account of equality[25] to protect animals as part of the international community. Following Donaldson and Kymlicka,[26] we suggest that animals should be represented by institutions of the UN and should be able to participate in decision-making processes that directly affect them, for example via guardians and scientific experts.

To strengthen animals rights and welfare within the framework of the UN, we propose four main changes to current UN practices: (1) We suggest to create a new UN organisation as an actor and a forum for animal protection; (2) We support earlier recommendations to include an SDG on animal welfare in the UN Sustainability Agenda[27]; (3) We propose to integrate animal rights instruments in the well-developed rights of nature legislation, and to further develop these non-anthropocentric legal approaches via the UN; (4) We recommend introducing procedural rights for animals and to make funding linked to SDGs conditional upon participation of animals in decision-making processes through scientific experts and legal guardians.

Methodically, this article is based on a document analysis of primary data, including UN documents, declarations, resolutions and draft texts on animal rights and welfare. We have also analysed primary documents, text material and information from websites

of non-governmental organisations (NGOs). In addition to this, we have conducted an integrative literature review of secondary academic sources on animal rights and rights of nature in the UN context, the Sustainable Development Agenda and trade-offs between SDGs, paying particular attention to systematically reviewing, critically assessing and synthesising relevant literature on the topic.

We first introduce key positions on animal rights from Political Theory, before reviewing the instruments and practices to protect animals at the UN and identifying existing research gaps. In the next section, we briefly describe the UN Sustainability Agenda with a focus on conflicts between SDGs and trade-offs for animal rights and welfare. We then discuss suggestions to better protect animals within the framework of the UN and the SDGs in particular.

Animal rights in Political Theory

Questioning whether animals can, or do, bear rights originates in Political and Legal Theory, and Philosophy. The discourse and practice on animal rights have been inspired by normative thinking on interspecies and multispecies justice, in other words justice between human and non-human animals[28–30] and other components of nature.[31] These ideas do not only expand our understanding of rights but also transform basic assumptions of anthropocentric justice theory and suggest adopting more relational, holistic and ecocentric approaches that consider the entire ecosystem.[32]

In the 1970s and early 1980s, *Animal Liberation* by Peter Singer (1975) and *The Case for Animal Rights* by Tom Regan (1983) proved influential. Singer proposes a more sophisticated account of equality, extending it to all beings. He builds on the concept of speciesism,[33] which, analogous with racism, is to discriminate against individuals of one species in relation to individuals of other species. Following the 18th–19th century Philosopher Jeremy Bentham, Singer suggests that we should not ask whether animals can reason or talk but whether animals can suffer, in other words whether they are sentient. Singer is not against using animals but argues that their interests should be considered on an equal basis to those of humans.[34] He asserts that the capacity to suffer gives one the right to equal consideration with others. To avoid vast suffering of non-human animals, humans need to make radical changes not only to their diet, farming methods, scientific experiments, practices of hunting, trapping and wearing fur, but also to entertainment, including circuses, zoos and rodeos.

Regan (1983) agrees with Singer that speciesism is unjust. However, he denies that it is wrong because of animal suffering. What he conceives as wrong is to view animals as human resources, that is, to eat them, to exploit them for entertainment, sport or any commercial activity, or to surgically manipulate them for medical research. Regan denies that animal husbandry methods should become 'more humane'; he supports the complete abolition of commercial animal agriculture.[35] Thus, in animal rights theory, one can differentiate between (1) interest theories based on Singer's work and the elimination of animal suffering and, (2) anti-use theories supported by Regan and the approach to not exploit or abuse animals.[36,37] This distinction can also be framed in terms of welfarism (using animals is acceptable as long as an agreed standard of welfare is met) and abolitionism (no use of animals is acceptable).

In *Zoopolis: A Political Theory of Animal Rights*, Donaldson and Kymlicka[38] argue for a more comprehensive approach to animal rights that varies according to the relationship humans have with a respective animal. Such an approach integrates universal negative rights, like the absence of suffering, with differentiated positive rights, such as healthcare for domesticated animals, depending on the character of the human-animal relationship.[39,40] They claim citizenship theory can be used to 'combine traditional animal rights theory with a positive and relational account of obligations'.[41]

By employing political concepts, such as citizenship, denizenship, sovereignty, territory, migration and membership, and exploring their use or adaptation in the context of animals, Donaldson and Kymlicka make a clear attempt to promote animal rights beyond mere justifications for rights and justice for animals. While this has been criticised among many scholars as problematic because it challenges the distinctive meanings of concepts like citizenship or denizenship,[42–44] it has also given fresh impetus to the debate on animal rights. If animals are citizens, they are perceived as actors that can directly participate in political communities and be represented through institutions.[45] Especially in democratic political systems, Peter Niesen (2019) argues, there is consensus that those affected by laws should be able to influence the process of making these laws. If institutions neglect certain perspectives and interests, they are undemocratic. Furthermore, animals as citizens cannot only claim negative rights in relation to freedom from oppression or the absence of suffering but they may also be entitled to positive, social rights, including health care for domestic animals and retirement pensions for animals in public service.[46]

Summarised, political theorists criticise speciesism and human domination over non-human animals and other components of nature. They suggest stronger representation of animals via political institutions and participation of animals in decisions that affect them. Whereas scholars differ in their ideas on whether animals should enjoy negative rights or both, negative and positive rights, all of them highlight the need to redefine the unequal relationship between humans and non-human animals towards achieving multispecies justice.[47]

Animal rights, the UN and the Global Sustainable Development Agenda

At the UN, protection practices for animals focus on animal health and welfare rather than on animal rights. As indicated earlier, animal welfare and animal rights approaches need to be clearly distinguished from one another. Whereas animal rights activists emphasise that it is morally wrong for human beings to use and/or exploit animals, proponents of animal welfare accept the fact that animals are used by human beings but are concerned with reducing or eliminating suffering. But even the less radical animal health and welfare approaches have, so far, had very limited consideration within the context of the UN Sustainability Agenda. In fact, due to the strong interlinkages between human health and well-being and the welfare of animals, the 2019 Global Sustainable Development Report has identified animal welfare as a missing issue on the UN Sustainable Development Agenda by an independent group of scientists.[48]

One early attempt of advancing animal rights legislation at the UN was the adoption of the Universal Declaration of Animal Rights at the UNESCO in 1978. The authors of this declaration aimed at institutionalising rights that would redefine the relationship between human and non-human animals. However, the declaration was legally non-binding, never adopted by an international institution (it was not adopted by UNESCO but proclaimed at UNESCO's headquarters in Paris) and it never resulted in the establishment of legally binding instruments.[49]

Subsequently, at the UN level, the focus was rather on protecting the welfare and health of animals. Since 2005, the creation of a Universal Declaration on Animal Welfare (UDAW), coordinated by World Animal Protection (WAP), has been discussed.[50] Draft versions affirm that animals are sentient beings and acknowledge the five freedoms of animal welfare,[51] including freedom from hunger and thirst, freedom from discomfort, freedom from pain, freedom from fear and distress, and freedom to express normal behaviour.[52] Civil society organisations and a steering group of some UN member states have worked for many years towards the adoption of the draft declaration as an inter-governmental agreement.

From 2019, however, the UN's focus was rather on a legally binding instrument, the preparation of the UN Convention on Animal Health and Protection (UNCAHP). The draft convention initiated by the Global Animal Law Association is designed as a framework convention. UNCAHP focuses on responsibility, care and assistance as basic principles; animal sentience, precaution, intrinsic value and dignity as fundamental principles; and non-cruelty and good treatment as general principles of animal law.[53] The convention also embraces the five freedoms and three 'Rs' in scientific research, namely reduction in numbers of animals, refinement of experimental methods and replacement of animals with non-animal techniques. The basis of the draft instrument is a One Health/One Welfare approach emphasising how human, animal and environmental health/welfare, are interlinked.[54–56] The main objectives of UNCAHP have already been agreed by most UN member states via the standards promoted by the World Organisation for Animal Health (WOAH). The initiators of the UNCAHP draft hope that it will be adopted by the UN General Assembly in 2029 and can then be transferred into national legislation by ratifying member states.[57]

In 2022, the United Nations Environment Assembly (UNEA) adopted the first resolution that makes reference to animal welfare, entitled, 'Animal welfare–environment–sustainable development nexus'. This resolution is the product of a strong civil society campaign and the activities of some pioneering core states, including Ghana, Ethiopia, Burkina Faso, Senegal, Democratic Republic of Congo, South Sudan and Pakistan, which began collaborating at the 3rd Africa Animal Welfare Conference in 2019 and noted that 'animal welfare issues have evolved into a topical issue of concern that merit global attention'.[58,59] It also follows the precedent set by the Animal Welfare Strategy for Africa.[60,61] It requests the UN Environment Programme (UNEP), together with the Food and Agriculture Organization (FAO), World Health Organization (WHO), WOAH, One-Health High-Level Expert Panel and other actors to further investigate the animal welfare – environment – sustainable development nexus.[62] This resolution could be the precursor for more meaningful steps to strengthen animal welfare concerns in UN sustainability activities.

The UN Sustainable Development Agenda

According to the report 'Our Common Future', also known as the Brundtland report, 'Sustainable development is development that meets the needs of the present without compromising the ability of future [human] generations to meet their own needs'.[63] This anthropocentric framing has evolved little since the 1980s.

The UN's 2030 Agenda for Sustainable Development is based on three dimensions of sustainable development for 'people, planet and prosperity': economic, social and environmental.[64] The centrepiece of the agenda are the 17 SDGs, adopted by Members States in 2015. Although not legally binding, the SDGs represent a vision of the transformation required to achieve sustainable development. This differs from its predecessor, the Millennium Development Goals, as the SDGs are not based on a North-South aid agenda.[65] The more critical literature on the SDGs suggests that the goals do not challenge the predominant paradigm of growth-oriented market liberalism and economic development.[66] Large obstacles in realising the SDGs in domestic political systems of the Global North and the Global South remain.[67]

Animals are explicitly affected by some of the goals including: Goal 2: Zero Hunger – which entails doubling agricultural productivity by 2030 and is particularly relevant to farmed animals; Goal 12: Responsible Production and Consumption – again, this goal affects farmed animals used for food, as well as wider biodiversity, which is affected by human production and consumption habits; Goal 14: Life Below Water – relates to the sustainable management of marine animals and; Goal 15: Life on Land – relates to the conservation of terrestrial animals.[68]

Implicitly, animals are also affected by other goals, such as No Poverty (Goal 1), when animals are used to ameliorate human socio-economic hardship; Affordable and Clean Energy (Goal 7), as many large-scale renewable energy projects adversely affect animals' habitats and ecosystems; or Climate Action (Goal 13) because climate change as well as climate policies negatively influence animals and the environment in which they persist and thrive.[69,70]

In terms of biodiversity conservation, in 1993, the Convention on Biological Diversity (CBD) entered into force, which has sustainable use of biodiversity (which includes animals) as one of its three overarching goals.[71] Criticism has been raised regarding the CBD's instrumental focus, 'which tends to ignore the intrinsic value of individual animals and results in a view of sustainable development and use that considers animals as economic resources'.[72] In SDG 15 (life on land) that focuses on biodiversity, essential links between human and non-human nature have not been adequately considered and questions of justice are not prioritised in the targets and indicators.[73]

These examples show that, where animals are considered in the UN's Sustainable Development Agenda, it is purely from an instrumental perspective, where they are considered as resources to further the agenda to the benefit of humans. What has largely been neglected so far is the interrelatedness between human well-being and health, and animal welfare. If this could be acknowledged not only animal well-being but also human welfare could be improved in an integrated agenda.

Conflicts between SDGs

In development theory and practice, the issue of conflicts, competition and trade-offs between individual SDGs has been raised.[74] Conflicts are inherent in the concept of sustainable development. The attempt to reconcile economic growth, social progress and environmental sustainability, has sometimes been described as an oxymoron.[75] Trade-offs, competition and paradoxes can also be observed between individual SDGs. Economic growth (goal 8), for example, can conflict with climate action (goal 10); industry, innovation and infrastructure (goal 9) can endanger life on land (goal 15); renewable clean energy (goal 7) can jeopardise life below water (goal 14), especially if water quantity and quality are reduced. The International Council for Science (ICSU) and the International Social Science Council (ISSC) criticise the SDG framework as inconsistent and even unsustainable, if the complex interactions between goals are not sufficiently considered.[76] Although the economic, social and environmental pillars of sustainable development and the SDGs as a whole may be balanced, individual goals have been designed independently and trade-offs between goals can occur, leading to negative impacts. Thus, decision-makers will always prioritise some goals over others and there is a continuous risk of policy inconsistency when implementing the SDGs.[77] In this article, we argue that human needs are often prioritised over environmental and animal concerns when conflicts between SDGs occur.

Therefore, a shift in policy planning is required. A better understanding of integrating goals and targets is needed and it is important to comprehend and manage negative externalities of conflicts, competition and trade-offs.[78] Hence, increased stakeholder participation and informed policy dialogues to critically assess SDG policies, to address negative impacts or trade-offs and to strengthen synergies are needed. These policy dialogues should involve scientist-stakeholder engagement,[79] include local citizens[80] and affected communities,[81] and should explore linkages (and potential synergies) among cross-sectoral targets.[82] We argue that the voice of animals also needs to be strengthened in policy dialogues concerning SDG implementation.

Trade-offs in animal rights and animal welfare

Concrete examples of conflicts between SDGs demonstrate how certain goals, such as economic growth (goal 8), clean energy (goal 7) and industry, innovation and infra-structure (goal 9), that is, mainly anthropocentric goals, are often prioritised over SDGs that focus on the environment or could impact animal welfare, like life below water (goal 14) and life on land (goal 15). Renewable energy projects are often discussed as the prime example of conflicts in SDGs.[83] Especially in developing countries, renewable energy infrastructure is established with the objective of meeting rising energy demands (in a changing climate) and of substantially fostering economic growth (e.g. by selling electricity to neighbouring countries) but they often lead to severe ecological and social consequences.[84]

In a comprehensive study, Scheyl[85] provides an overview of how renewable energy technologies (implementing goal 7, goal 8 and goal 9), conflict with a range of other SDGs. The following examples illustrate how goals related to animal welfare are

negatively affected by renewable energy projects. In solar power, photovoltaic (PV) facilities that are installed on land take away space that was occupied as terrestrial habitat (goal 15) and can also severely affect biodiversity and ecosystem quality. Floating PV systems release toxics into the water (goal 6) and block sunlight and reduce water quality if algae cannot grow to the same extent, which then affects species under water (goal 14). Wind energy, for instance, has adverse effects on flora and fauna, interferes with natural habitats and harms marine and terrestrial animals in various ways (goal 14, goal 15).[86] Hydroelectric dams cause, among others, deforestation and loss of natural ecosystems and biodiversity (goal 15), they can reduce water quality and quantity eliminating fish species, aquatic organisms and nesting areas of turtles (goal 14)[87,88] and they can impact the habitat of animals, such as jaguars and tigers.[89]

Despite such conflicts, renewable energy projects, implemented within the framework of the Sustainable Development Agenda, continue due to the anthropocentric focus of policy-makers. With the targets of goals 14 and goal 15 emphasising the protection of aquatic and terrestrial ecosystems, the specific rights and welfare situation of individual animals or animal species are very often neglected in such analyses of SDG trade-offs or in decision-making on SDG projects. First studies, however, reveal that individual animals as well as species are severely affected by renewable energy endeavours.[90,91] As animals are sentient beings and key components of functioning ecosystems, these impacts on animals need to be much more seriously considered, analysed and prevented to achieve environmental sustainability. Without these considerations, and a shift from anthropocentric to ecocentric decision-making, the SDG agenda will neither be transformative nor sustainable.

Ways to strengthen animal rights via the UN

A 2020 report by the UN Secretary General states that 'non-human animals are sentient beings, not mere property, and must be afforded respect and legal recognition'.[92] How, then, could we advance this respect and recognition of animal concerns via the UN?

Creating a new international organisation for animal protection

International animal rights and animal welfare could be advanced via the UN, given its global influence, through the establishment of a new IO as part of the UN system.[93,94] This would be distinct from the WOAH, with its focus on animal health and to a minor extent welfare, which is essentially a body to facilitate trade. It would protect the interests of animals themselves, rather than the humans who use them. A new UN organisation for animals would complement (and closely cooperate with) the World Federation for Animals (WFA), founded in 2021. The WFA is a coalition of national, regional and international NGOs focusing on animal protection, amongst others, through UN fora.[95] By creating a new UN forum, animal concerns would be acknowledged as important enough to be negotiated at an international level between member states, and with meaningful participation of NGOs, that aim to uphold animal rights and protection standards. The new IO would also enhance cooperation with other UN bodies, such as WHO, FAO, WOAH and the One-Health High Level Expert Panel, to advance One-Health approaches

and their implementation and to further develop the animal welfare – environment – sustainable development nexus (as suggested by the 2022 UNEP resolution). In addition, a new IO would provide a forum for the manifold NGOs that advocate for animal concerns. As officially recognised observers in UN negotiation processes, they can meaningfully influence international animal protection instruments adopted at the UN.[96]

A concrete first objective of an IO for animals could be the adoption of a Universal Declaration of Animal Rights (UDAR). As discussed in the section 'Animal rights, the UN and the Global Sustainable Development Agenda', a UDAR was proposed in 1978 but was never endorsed by the UN. Similar to the 1948 Universal Declaration of Human Rights (UDHR), which was the first international, albeit legally non-binding, human rights instrument, the UDAR could be a significant declaration that inspires binding international instruments to protect basic animal rights and also animal welfare in the future.

A new SDG

There are suggestions to strengthen animal welfare and rights through the UN Sustainable Development Agenda.[97] Visseren-Hamakers[98] suggests adding an 18th SDG, which would promote the interests of animals as individuals (in addition to terrestrial and aquatic ecosystems covered by goal 14 and 15) and integrate the governance of animal and sustainability issues, reflecting changing societal values. Such transformative change, which addresses the underlying causes of unsustainability, is required for sustainable development. An 18th SDG on animal issues would make 'explicit that attention for the individual animal is an integral aspect of sustainable development. It also underscores that animal concerns are not only instrumental for human wellbeing but are a sustainable development goal in their own right. . .'.[99]

A new SDG would make the conflicts between anthropocentric and ecocentric goals described above even more explicit. It might even lead to a situation in which scientific experts would represent animals in stakeholder dialogues that have been proposed to resolve such conflicts and trade-offs.[100] In any case, it would raise more attention to animals and their important role in obtaining environmental sustainability.

In practical terms it is unlikely that an additional SDG will be adopted. However, expanding the sustainable development discourse to consider animal interests may be a precursor to more meaningful integration of animal concerns into the Sustainable Development Agenda in future, just as the SDGs built on the Millennium Development Goals before them.

Strengthening animal rights in rights of nature legislation and practice

Another proposition would be to advance the rights of individual animals via the more established Earth System Law that includes non-human entities as legal subjects.[101] Ideas on the Earth System emphasise how social institutions and ecosystems can be understood as interacting wholes or integrated social-ecological systems.[102] The UN as the main forum of the international community, in which international norms, standards and rights are debated and agreed upon, could and should further develop these non-anthropocentric legal approaches.

The rights of nature debate was originally inspired by Christopher Stone's book '*Should Trees Have Standing? Towards Legal Rights for Natural Objects*',[103] originally published in 1972 in which he argues that natural objects, like trees and ecosystems, should have legal standing. Similar to corporations or charitable trusts that have legal representatives, natural objects and ecosystems should have guardians to protect them. Roderick Nash[104] suggested that granting other species and natural objects rights could be understood as an extension and new application of liberal political theory.

Thomas Berry introduced the term 'Earth Jurisprudence' for the Philosophy of Law and Governance that prioritises the earth as a community, and not merely a resource for human interests. He criticises the legal system that exclusively serves human purposes as unrealistic and claims that the habitat of all species must be given inviolable legal status.[105] This deficiency demands a fundamental transformation of law from a human-centred to an earth-centred focus.[106]

Cormac Cullinan builds on Berry's work and emphasises that merely changing law will not be enough. To sustain the community of life on earth, he argues that our understanding of the nature and purpose of law needs to be fundamentally altered.[107] Such a fundamental transformation of law implies that there are legal obligations not only vis-à-vis human beings but also vis-à-vis non-human animals, plants and objects of the natural world.[108] This will advance changing conceptions of the relationship between human beings, animals and nature.[109]

LaFollette and Maser[110] explore how the rights of nature paradigm can restrain damaging human activity and potentially create true sustainability, moving away from unlimited growth to a more careful ecologically sustainable approach.[111] Thus, rights of nature can be grasped as a tool for ecocentric sustainable development necessary for achieving the main goal of the 2030 UN Sustainable Development Agenda of living 'in harmony with nature'.[112]

Rights of nature in practice. The 1982 UN World Charter for Nature was the first international environmental instrument recognising the need for 'harmony with nature'. The World Charter for Nature stipulates that 'Nature shall be respected, and its essential processes shall not be impaired'.[113, article 1]

The first nation state to adopt rights of nature in its constitution was Ecuador. According to the Ecuadorian constitution, an individual or a group can take legal action to protect nature's rights. In 2011, the Provincial Justice Court of Loja ruled in favour of the river Vilcabamba in Ecuador that was adversely affected by a road construction project and this was the first time the constitutional rights of nature were upheld by a court decision.[114]

Bolivia's 2009 constitution also includes rights of nature. The 2010 Law of the Rights of Mother Earth adopted in Bolivia recognises rights of nature, placing an emphasis on the rights to life, regeneration, biodiversity, water, clean air, balance and restoration.[115] In addition, Bolivia adopted the (controversial) right of nature '[. . .] to not be affected by mega-infrastructure and development projects that affect the balance of ecosystems and the local inhabitant communities'.[116] This legislation embraces Indigenous concepts of nature as a sacred home, or Pacha Mama (Mother Earth), that humans intimately depend upon. Public policy concepts guided by Sumaj Kawsay or

Vivir Bien (living well) focus on creating life in harmony with people and nature, instead of stimulating consumption and growth.[117] In addition to legal action in countries that include rights of nature in their constitution, environmental liability or conservation litigation is an important development.[118]

Rights of nature at the international level are clearly recognised in the 2010 Universal Declaration on the Rights of Mother Earth stipulating that 'no distinction shall be made between organic and inorganic beings, species, origin, use to human beings, or any other status'.[119] Since 2011, the UN have initiated and established an interactive dialogue on 'harmony with nature'[120] and rights of nature were mentioned in the 'The future we want', the outcome document of the UN Conference on Sustainable Development (Rio +20), in the context of sustainable development.[121] We argue that the UN has an important role to play in further advancing Earth Jurisprudence at the international level.

Integrating animal rights and rights of nature. Despite overlaps in arguments and practices of the animal rights and rights of nature debates, legal developments and policy-making remain largely disconnected. This is the case although there are important rights of nature advancements at the local, national and international levels that could substantially strengthen the protection of animal rights. In 2021, for example, the constitutional court of Ecuador ruled that mining permits issued for a protected area in the country would severely harm forest biodiversity, including endangered frogs, bears, the brown-headed spider monkey and several orchid species. The court decided that these mining activities violate rights of nature and are unconstitutional.[122]

Ideas on animal rights focus on the relationship between human beings and non-human animals, whereas the rights of nature debate focuses on the relationship between humans and nature. There are arguments that the individual approach behind animal rights (focusing on individual animals) and the collective approach behind rights of nature (emphasising entire ecosystems) are irreconcilable. We contend, however, that human rights law itself is undergoing profound changes in this regard. A good example is the recently adopted UNGA resolution that recognises a human right to a clean, healthy and sustainable environment.[123] It integrates individual economic, social and cultural rights, like the right to health, water and food, with collective environmental rights. Moreover, the One Health initiative, that emphasises how human, animal and environmental health are interlinked[124] has gained traction. This integrated approach requires cooperation between different IOs, including the World Health Organization (WHO), the Food and Agriculture Organization (FAO) and the World Organisation for Animal Health (WOAH), with oversight from the UN System Influenza Coordination Office, and emphasises the need for an inter-sectoral, inter-institutional and interdisciplinary response to current global challenges.[125] In 2020, the Covid-19 pandemic, most likely caused by a coronavirus that was transmitted to humans from other animals, led to renewed calls to recognise the interrelationship between environmental, animal and human health.

Another approach connecting individual animal and biodiversity concerns is compassionate conservation. Proponents of this approach argue that conservation objectives need to go beyond protecting species and ecological processes to include animal ethics

and a concern for animal welfare.[126] Acknowledging the intrinsic value of individual animals requires moving away from instrumentalist thinking, in which animals have material value for human beings, towards valuing them in their own right, irrespective of benefits to humans. This means de-centring humans, giving equal consideration to animals and biodiversity as integral parts of an ecosystem, and overcoming the human-nature dichotomy.

We argue that advancing the rights of individual animals within the rights of nature legislation could strengthen animal concerns within the framework of the UN. This would mean acknowledging interdisciplinary insights, such as the keystone species hypothesis, claiming that certain species, like jaguars, wolves, beavers or sea otters, play a crucial role in maintaining an ecosystem. If these keystone species are put at risk, an entire ecological community can substantially change, and ecosystems in their current state can cease to exist.[127] Many species, like wolves, are endangered and every individual requires protection. Other species, such as beavers, are reintroduced in small groups to benefit ecosystems and help reduce flooding. For example, 17 beavers were released in the UK in 2022.[128] However, consideration of the rights of reintroduced animals is non-existent. If individual rights for the protection of these animals existed, entire ecosystems could be better protected. Hence, we argue that animals and nature are so strongly interlinked that there should be more exchange between the animal rights and rights of nature movements, and scientific experts could advice law- and policy-makers how an integration of both discourses, practices and legislative bodies could be mutually beneficial. Strengthening the rights of individual animals within the rights of nature framework can lead to a transformative change in the relationship between humans, non-human animals and nature.

Procedural rights for animals

Whereas *substantive rights of nature* are further evolving and are increasingly enforced through court decisions and implemented in national and sub-national practices, we argue that policies and projects implemented within the framework of the UN Sustainable Development Agenda can be improved and become less prone to conflict, more just and more sustainable by introducing *procedural rights for animals*. We also argue that making funding from the international community with links to SDGs conditional upon the observance of procedural animal rights would be an innovative approach to strengthen animal concerns within the UN.

Procedural rights are also known as access rights; they comprise access to information, participation in the decision-making process and access to remedies.[129] To consequently change the relationship between humans, non-human animals and nature, and to move away from anthropocentrism to a more sustainable ecocentric approach, we need to proactively give voice to animals (and other components of nature) in decision-making processes concerning policies that directly affect them.[130] This means, substantive rights of nature (including strengthened animal rights) serve as the basis of transforming human-animal-nature relationships, and procedural rights of animals (and nature) govern the processes that lead to more sustainable and less conflict-ridden environmental policy-making.

Procedural rights have entered the environmental protection discourse through environmental impact assessments (EIA) but go beyond EIAs by establishing rights-based practices and actively including those affected by environmental programmes into the decision-making process. EIA processes are institutionalised in many countries, but it depends on the respective political system, the stakeholders involved, the quality of the assessment process, scientific rigour and other factors as to whether they are carried out in a meaningful way.[131] Procedural rights, however, are not confined to EIAs. They require parties to guarantee access to information and mechanisms for participation, not only in relation to decision-making but also regarding revisions, re-examinations or relevant updates concerning environmental activities.[132] As they can be put into effect through regional and international legal instruments, procedural rights entail stronger enforcement mechanisms and are less prone to vested interests of particular stakeholders, corruption or untransparent decision-making.

One of the first legally binding international human rights instruments, the 1966 International Covenant on Civil and Political Rights (ICPPR), already stipulates participation in public affairs, freedom of information as part of freedom of expression and effective remedies when people's rights are violated – and this Covenant has been ratified by an overwhelming majority of UN member states. Procedural rights in environmental matters are based on principle 10 of the Rio Declaration on Environment and Development (1992), which defined the three pillars of environmental democracy as access to information concerning the environment, participation of all citizens affected by environmental decision-making and access to judicial and administrative proceedings, including redress and remedy. These rights also form procedural components of sustainability and are required for sustainable decision-making.[133] Principle 10 inspired the adoption of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters in 1998 (the Aarhus Convention), which is the first regional treaty and binding environmental instrument to include procedural rights. In 2018, Latin America and the Caribbean adopted its own legal instrument on procedural rights, namely the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.[134] In addition to these regional agreements, procedural rights, especially free prior and informed consent as well as participation in decision-making, play a crucial role in the 1989 ILO Indigenous and Tribal Peoples Convention and the 2007 UN Declaration on the Rights of Indigenous People. The 2018 UN Framework Principles on Human Rights and the Environment reiterate the three pillars of environmental democracy but also add other important procedural rights, like freedom of expression, association, and peaceful assembly in environmental matters (Principle 5), education and public awareness on environmental matters (Principle 6).[135]

So far, procedural rights have only been debated, institutionalised and implemented for human beings. Considering further developing an animal rights framework and preventing conflict in implementing the UN Sustainable Development Agenda, we suggest that procedural rights for animals can be advanced in two ways:

(1) Non-human animals can be seen as equal participants in decision-making processes through considering scientific expertise on the conditions they need to

exist, flourish, thrive, restore and regenerate. In line with Stone's ideas of guardians or representatives, scientific experts would have access to all relevant information regarding planned SDG projects, would participate in decisions pertinent to these projects with an equal voice and would facilitate access to legal remedies in cases animal rights should be violated.

Previous projects from the Natural Sciences have already initiated such a stakeholder approach, giving voice to the bio-behavioural needs of elephants for space, free movement and access to food and water in southern Kenya in collaboration with Maasai landowners.[136] We argue that these interdisciplinary approaches, consideration of scientific expertise and a proactive and equal inclusion of animals' voices in decisions needs to be further developed to prevent conflict arising and to advance sustainable transformation processes.

(2) To make UN policies, programmes and projects more sustainable and less prone to conflicts, procedural rights for animals could become conditional for funding from the international community with links to the SDGs. Forms of environmental and social safeguards already exist, for example, conditionality to receive World Bank funding under the Environmental and Social Safeguard Policies. However, making SDG funding conditional upon the observance of procedural animal rights, such as equal participation in decision-making via guardians or legal representatives, would be truly innovative and would lead to more coherent policy approaches aligned with the UN Sustainability Goals, instead of merely prioritising economic development and growth.

Relating this back to animal rights theory, this would be a concrete way to work against speciesism[137] by establishing rights-based practices and considering animal concerns in a way that would rebalance the relationship between human and non-human animals. Concrete procedural rights would be a way to acknowledge that animals, represented by scientific experts or guardians, are sentient beings[138] that should have a voice in decision-making. Institutionalising and implementing procedural rights for animals directly links to Donaldson's and Kymlicka's argument that certain groups of non-human animals should participate in political communities and be represented through institutions.[139] It is also in line with Niesen's[140] argument that not only negative but also positive rights of animals should be guaranteed and that institutions are only truly democratic if they do not neglect certain interests and perspectives, such as those of animals.[141]

Conclusion

In this article, we have argued that animal rights and animal welfare are still largely neglected at the UN. Although there were attempts to introduce a UN animal rights agenda, particularly with the proposed 1978 Universal Declaration of Animal Rights, there was a lack of consensus in the international community for supporting the rights of non-human animals. Subsequently, UN member states have focused on strengthening animal welfare, most recently with the work on the draft UN Convention on Animal

Health and Protection (UNCAHP) and with the 2022 UNEA resolution requesting analysis of the animal welfare – environment – sustainable development nexus.[142]

Following this, we have argued that the UN Sustainable Development Agenda is not transformative because it lacks a serious (re-)consideration of the relationship between human beings, non-human animals and other components of nature. Although the goals life on land (goal 15) and life below water (goal 14) are part of the agenda, respective SDG targets focus on protecting biodiversity and entire ecosystems but do not take the rights of individual animals into account. Conflicts between SDGs result in the prioritisation of economic growth, clean energy, infrastructure and innovation to a neglect of animal rights. This anthropocentric focus of the Sustainable Development Agenda leads to a reproduction of unequal power relations characterised by human domination over non-human animals and nature. Hence, SDG implementation decisions will remain human-centred, disadvantage animals, ecosystems and biodiversity – and will remain unsustainable.

We suggest that a Sustainable Development Agenda that transforms our world would redefine the relationship between human beings, non-human animals and nature. Animal rights theory proposes developing a more sophisticated account of equality,[143] and a halt to treating animals as human resources[144] that are managed by anthropocentric decisions. This also means representing different groups of animals through institutions and enabling their participation in political communities[145] and in the decisions that affect them.[146] The latter entails not only granting them rights to protection but, via participation, also to democratic membership.[147]

Departing from these theoretical considerations, we propose four ways to strengthen animal rights and animal welfare at the UN: (1) We suggest to create an international UN organisation working on animal protection and creating new legal documents that recognise animal interests, (2) we support suggestions to include an additional SDG on animal welfare in the UN Sustainability Agenda[148]; (3) we propose to strengthen the rights of individual animals within the rights of nature framework using the UN as a forum to advance non-anthropocentric norms and standards; and (4) we discuss introducing procedural rights for animals, in particular the right to participation in decision-making processes that directly affect them. The right to participation could be realised through scientific experts or legal guardians and should be conditional for funding linked to the UN SDGs.

The extension of scholarly literature on the protection and promotion of animal rights by the UN, and via the UN Sustainable Development Agenda, is virtually non-existent. Nevertheless, the sustainable development discourse is evolving from instrumental consideration of animals as species to greater acknowledgement of individual animal rights.[149] There is, therefore, a glaring need for research from IR scholars on how the UN could protect and promote animal rights at the international level, and the effect this may have on national and sub-national governance. This would contribute to debates on how transformative governance, which is integrative, inclusive, informed and adaptive, can advance transformative societal change necessary for truly sustainable development.[150] This ties in with discussions on how to shape ecological democracy with new visions of a demos that includes and represents individual non-human animals, as well as ecosystems and the biosphere as whole.[151,152]

   IR scholarship and practice needs to catch up with the shifting global paradigm that shows that animal interests are of growing concern. Rights-based policy is not substitutable for other innovative solutions; rather, it is a necessary precursor[153] for change that is truly transformative. From a redefined relationship between human beings, non-human animals and nature, and from a rights-based approach of equality, many other innovative suggestions can follow. We urge IR scholars to engage in these non-anthropocentric legal and policy debates and advance scholarship that presents new ideas and perspectives on animal concerns at the UN, but also domestically and locally. Realising animal rights and further developing legal personhood of animals is a way of achieving 'harmony with nature' (rather than reinforcing competition with it or extraction from it)[154] and it means that human beings will have new responsibilities.[155]

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