



2022

*Annual Report*

NONHUMAN RIGHTS PROJECT

# A message from NhRP President Steven M. Wise

Since our founding, the NhRP has been uniquely committed to urging judges to reflect on the legal “thinghood,” or rightlessness, of nonhuman animals, billions of whom are suffering every day around the world. In our steadfast pursuit of this key goal, we have always known that most judges, especially in the beginning, will be inclined to maintain or accept a legal status quo that has long shut the courtroom doors to the consideration of all but human interests. Most judges will not engage in such reflection without persistent prompting, nor will it be easy to overcome the instinctual bias shared by many in society at large—a bias that compels them to say, as they turn away from the suffering plainly before them, “Only humans have rights.”

That is why we bring meticulously prepared, rigorously considered lawsuits that are deeply rooted in legal precedent, social justice, and scientific understanding of nonhuman animals who need and want to live freely just as we do. Specifically, we file petitions for writs of habeas corpus—a centuries-old means of challenging one’s imprisonment—under the common law, which is meant to evolve with the times. Supported by unrebutted affidavits from animal cognition and behavior experts, these lawsuits dispense with animal welfare, which will not and cannot free our clients from their captivity, and demand recognition of their fundamental right to liberty and their release to sanctuaries, for these autonomous beings are entitled to no less.

I am pleased to share with you that, in 2022, this legal strategy has borne more fruit than in perhaps any prior year. This is because, for the first time in legal history, a US state high court considered, in a hearing covered by media around the world, whether a nonhuman animal—our elephant client Happy, held in captivity in the Bronx Zoo—can have a legal right. Although the New York Court of Appeals denied our petition, two judges wrote powerful dissents that will aid in the struggle for nonhuman rights for decades to come. Their dissents follow similarly

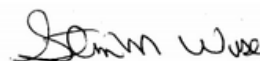
supportive and bold arguments made by a judge on New York's top court before he retired in January of 2022. These judges join a growing number of courts from around the world, most recently in Ecuador and Argentina, who are rejecting animals' thinghood and considering and recognizing other beings as rights-holders. That they are doing so at such an early stage in the struggle (early given the thousands of years nonhuman animals have been legal "things") is extraordinary.

We advanced the cause of nonhuman rights in other important ways this year. For example, just before Happy's historic hearing in New York, we launched our West Coast litigation with our first lawsuit in California. Just as our fight to free Happy takes on the injustices of keeping elephants in solitary confinement, our fight to free the Fresno elephants takes on the injustices of captive elephant breeding and the importation of elephants to US zoos. Legislatively, we began preparing for the introduction of the first elephant captivity ban in the US as part of our efforts to free Happy, and we helped develop our first piece of federal legislation with a bill that will end the captivity and display of whales. And we're only just getting started.

There is no doubt in my mind that we have accomplished all we have this past year not just because of the extraordinarily talented team we have assembled at the NhRP, but also because our supporters—who are as steadfast as we are—have helped our work deepen and develop over the last decade, much like the roots of a tree anchor and provide vital sustenance to all that grows above ground.

We are honored by your belief in our mission and your profound appreciation for how long this work will take, how difficult it can and will be, and how necessary it is. I extend my deepest gratitude to you for joining us in calling for change and helping us build a more just world for all, in 2022 and the year ahead. Nonhuman animals need you, and so do we.

Warmly,



Steven M. Wise

# Our Mission



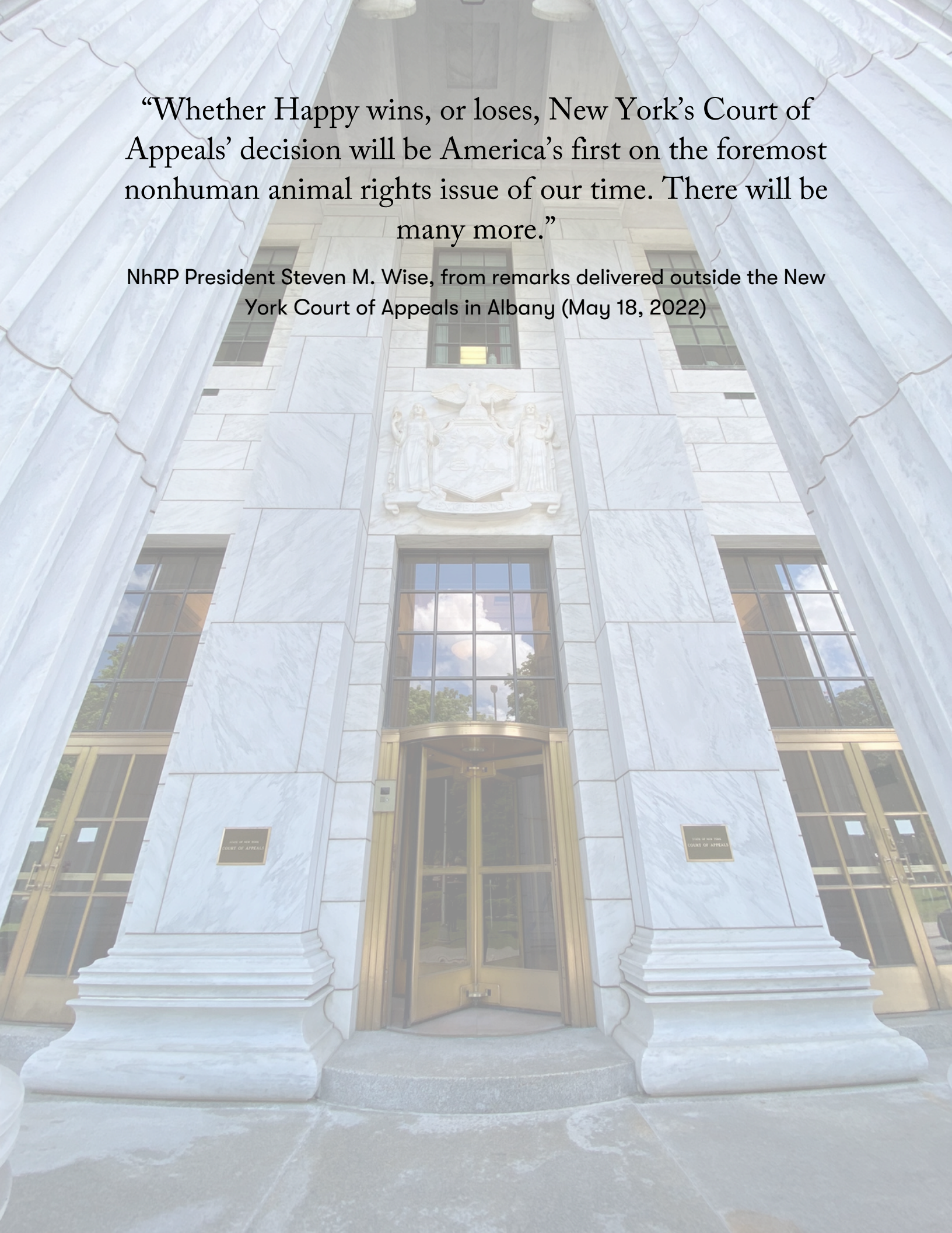
*The Nonhuman Rights Project works to secure fundamental rights for nonhuman animals through litigation, legislation, and education.*

## 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.

# 2022 Highlights and Impact





“Whether Happy wins, or loses, New York’s Court of Appeals’ decision will be America’s first on the foremost nonhuman animal rights issue of our time. There will be many more.”

NhRP President Steven M. Wise, from remarks delivered outside the New York Court of Appeals in Albany (May 18, 2022)

## New York’s highest court hears Happy’s case

*The hearing marks the first time a US state high court has considered arguments in support of nonhuman animal rights.*

On a sunny afternoon in May, virtually every news outlet in the world reported on a historic moment in the fight for nonhuman rights, exemplified by the life of a single elephant with a sadly ironic name—Happy.

That day, the highly influential New York Court of Appeals became the highest court in the US and the highest court of any English-speaking jurisdiction to hear arguments demanding a legal right for a nonhuman being. The hearing was the culmination of years of painstaking work by the NhRP on Happy’s case, which historian Jill Lepore has called “the most important animal-rights case of the 21st-century.”

Before the hearing, NhRP President Steven M. Wise spoke about its importance to an enthusiastic crowd. Moments later, NhRP Senior Staff Attorney Monica Miller argued for Happy’s freedom before a seven-judge panel.

Supporters watched the hearing with our legal team inside the courthouse as well as in a

From top to bottom: Bronx Zoo protesters call for Happy’s right to liberty and release to a sanctuary. Happy stands alone in The Bronx Zoo. NhRP President Steven M. Wise delivers remarks outside the New York Court of Appeals.



nearby park where we'd set up a projection screen. The proceedings were also livestreamed online via Happy's campaign page.

Possibly the most striking moment of the hearing came when New York Court of Appeals Judge Jenny Rivera asked lawyers for the Wildlife Conservation Society, which manages the Bronx Zoo, "Isn't a gilded cage still a cage?" which prompted audible gasps and murmurs of appreciation from the crowd gathered outside.

By the time the hearing took place, Happy's case had gained the support of experts on habeas corpus, animal law, philosophy, religion, elephant cognition and behavior, and more in the forms of amicus briefs and affidavits. Collectively, they demonstrated the breadth and depth of support for Happy's right to liberty as the Court of Appeals prepared to deliberate the issue of nonhuman rights for the first time.

### How your donations helped us reach this legal milestone

Thanks to you, we were able to devote all the necessary legal resources to fighting for Happy's day in court, including thousands of hours of staff time each quarter of 2022. Your donations also helped fund the media outreach and grassroots advocacy that kept Happy's story in the public eye and showed how many people in New York and beyond are with us in this fight.

From top to bottom: A pre-hearing rally outside the Court of Appeals. The NhRP's Monica Miller and Elizabeth Stein head to the hearing. Supporters watch the hearing with NhRP staff in Academy Park.





## Happy's story

*When Happy was only a year old, she lost her family, home, and freedom.*

In the over four decades the Wildlife Conservation Society and the Bronx Zoo have deprived her of her freedom in the barren yard, corrals, and barn that comprise the Bronx Zoo elephant exhibit, the now 52-year-old Asian elephant—separated from other elephants since 2006—has lost even more.

“Captured as a baby, probably from Thailand, in the early 1970s, along with six other calves, possibly from the same herd,” according to The New York Times, Happy was imported to the US in 1972 and sold to a California safari, which named the calves after the dwarfs in Snow White and the Seven Dwarfs. Later that year, Sleepy died, and Happy, Grumpy, Sneezy, Doc, Dopey, and Bashful were moved from California to another safari in Florida. Five years later, Happy and Grumpy were sent from Florida to New York to be part of the Bronx Zoo's elephant exhibit. There, the zoo displayed them to zoo visitors and compelled them to perform tricks, give rides, and participate in “elephant extravaganzas,” including tug-of-war contests with zoo patrons.

In 2002, the Bronx Zoo euthanized Grumpy—who by then had been Happy's companion for three decades—after two other elephants, Patty and Maxine, attacked her. Following Grumpy's death, the Bronx Zoo introduced Happy to a younger elephant, Sammy. According to a zookeeper at the time, Happy “stepped into a mother role with Sammy, so it worked out really well.”



Happy extends her trunk outside the fencing of the Bronx Zoo elephant exhibit.

In 2006, just after Happy became the first elephant in the world to pass the mirror self-recognition test—considered to be a key identifier of self-awareness—the Bronx Zoo euthanized Sammy because she was suffering from kidney failure.

The following week, with Happy, Patty, and Maxine the only elephants still alive in the exhibit and Happy confined separately, the Bronx Zoo announced it would close its elephant exhibit altogether after one or more of the remaining elephants died because “it would be inhumane to sustain an exhibit with a single elephant.” Since then, “The Bronx Zoo's Loneliest Elephant,” as The New York Times referred to her in 2015, has lived alone in a space that, for a member of a species who



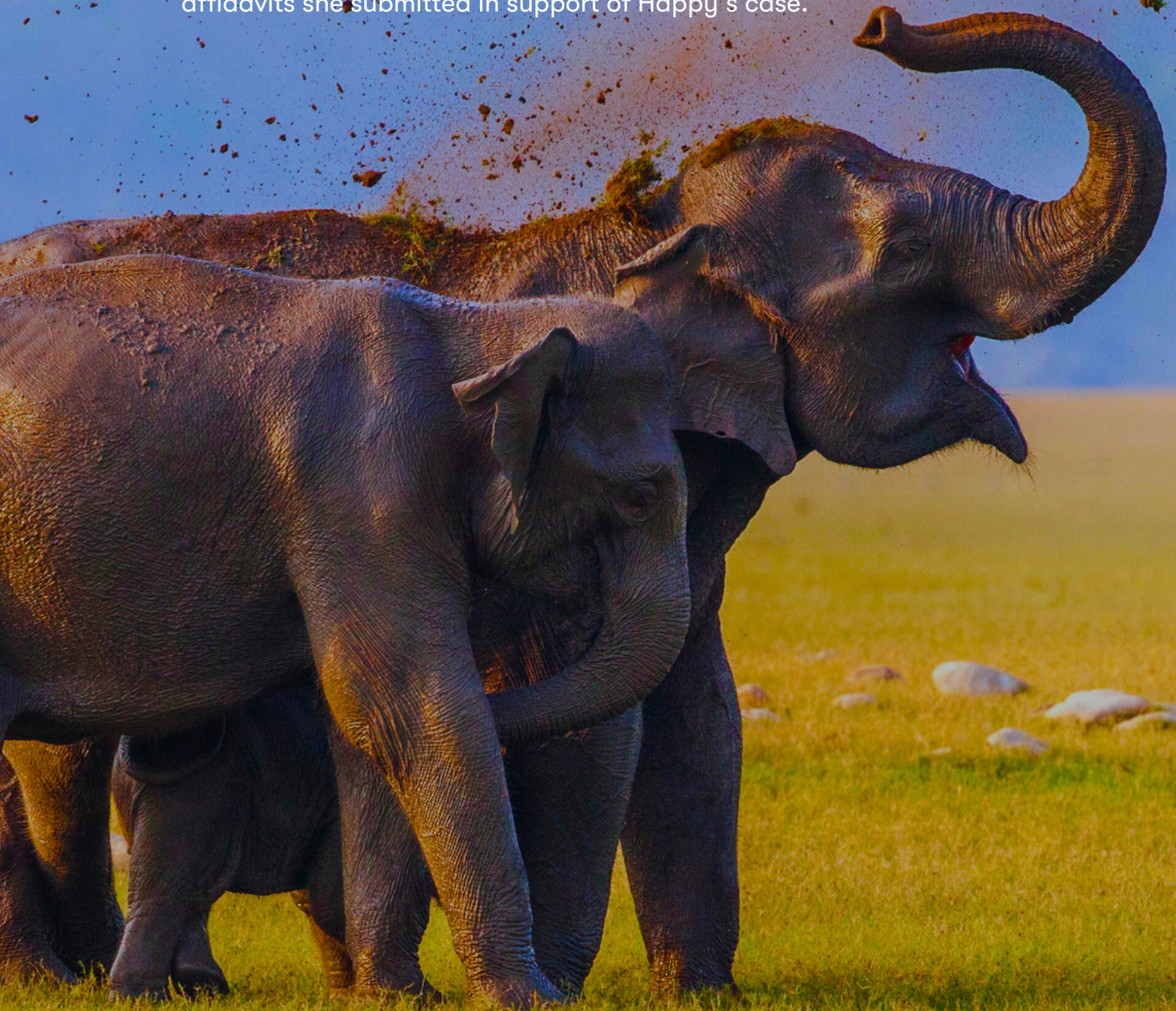
Happy and Patty look at each other across a fence in the Bronx Zoo elephant exhibit, where they are each held alone in captivity despite the harm this is known to cause elephants.

is meant to walk 20 miles a day, is equivalent to the size of a postage stamp. As Dr. Joyce Poole has written in support of Happy's case, "elephants have evolved to move." In the Bronx Zoo, Happy is forced to spend "most of her time indoors in a large holding facility lined with elephant cages, which are about twice the length of the animals' bodies," according to The New York Post. When she is displayed in the half-acre yard, "we see her engaged in only five activities/behaviors" as described by Dr. Poole: "Standing facing the fence/gate, dusting, swinging her trunk in stereotypic behavior, standing with one or two legs lifted off the ground, either to take weight off painful, diseased feet or again engaging in stereotypic behavior, and once, eating grass. Only two, dusting and eating grass, are natural. Alone, in a small space, there is little else for her to do."

The NhRP's litigation sought Happy's release to a sanctuary where she can regain her autonomy and dignity and interact again with other elephants. While her court case concluded in 2022, we will continue to fight for her and Patty's freedom in 2023.

**At least nine elephants are held alone in captivity in the US. As National Geographic reported in January of 2022 in a story that discusses Happy and Patty's plight, studies show solitary confinement mentally and physically harms elephants, much as it does humans.**

Had Happy remained a free elephant, exercising her autonomy to the fullest, she would have spent her life roaming with other elephants “many miles across landscapes to locate resources to maintain their large bodies, to connect with friends and to search for mates,” experiencing the “intricate network of relationships [that] radiates outward from the mother-offspring bond through the extended family and the bond group, to clan, population and beyond,” as Dr. Joyce Poole writes in one of the three scientific affidavits she submitted in support of Happy’s case.



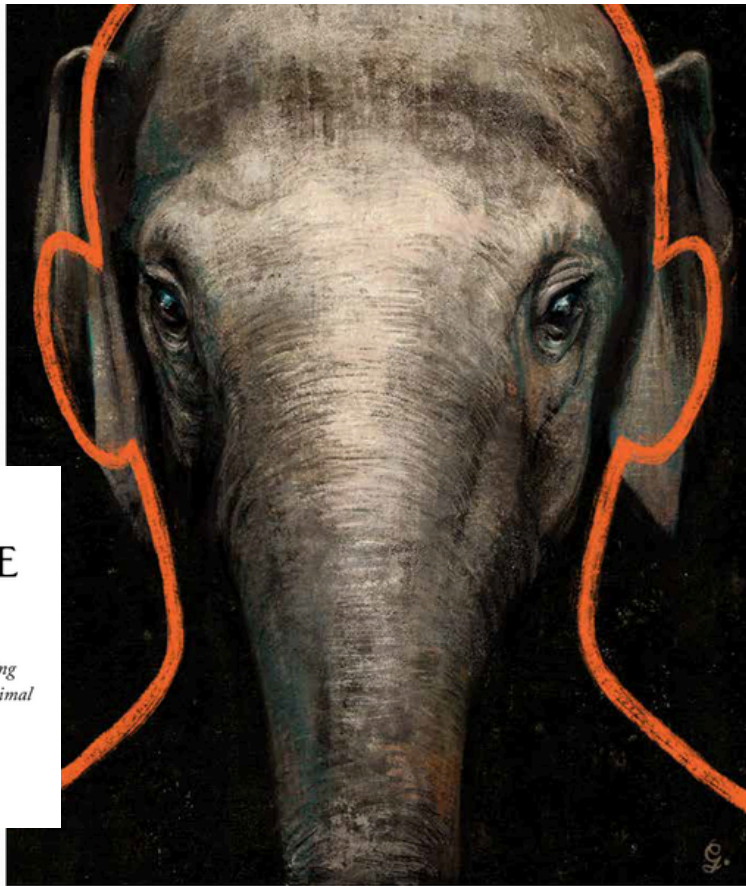
THE  
NEW YORKER

A REPORTER AT LARGE MARCH 7, 2022 ISSUE

## THE ELEPHANT IN THE COURTROOM

*A curious legal crusade to redefine personhood is raising profound questions about the interdependence of the animal and human kingdoms.*

By Lawrence Wright  
February 28, 2022



Advocates of animal rights want the Bronx Zoo to release Happy, an elephant smart enough to recognize herself in a mirror.

ILLUSTRATION BY GÉRARD DuBOIS

THE NEW YORKER, MARCH 7, 2022

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Features on the NhRP in The New Yorker, The New Statesman, and other publications helped the story of Happy's suffering and the NhRP's fight for her right to liberty reach potentially 13 billion people in 2022.



Illustration by Anna Higgin

THE NEW STATESMAN  
UK Edition

## Could Happy the elephant follow an Ecuadorian monkey into legal personhood?

The US lawyer Steven Wise reflects on the long journey towards the recognition of animals as legal persons with rights.

By India Bourke

# Two judges write historic dissenting opinions in support of elephants' right to liberty

*These dissents offer tremendous hope for a future where elephants no longer suffer as Happy has and where nonhuman rights are protected alongside human rights.*

On June 14, 2022, the New York Court of Appeals ruled against Happy in a 5-2 decision. Although the Court declined to do what morality and the law demand and held that the writ of habeas corpus, which safeguards the fundamental right to liberty, doesn't apply to nonhuman animals, Judge Rowan D. Wilson (now the Chief Judge of the Court) and Judge Jenny Rivera issued powerful and courageous dissenting opinions that will assist with the fight for nonhuman rights for decades to come. In telling contrast to the 17-page majority decision (written by then Chief Judge Janet DiFiore), the two dissents together numbered an astounding ninety-two pages. Judge Wilson's dissent, at seventy pages, has been recognized as the longest dissent in Court of Appeals history.

The two dissents thoroughly refuted arguments the majority used to justify denying relief to Happy. Remarking on the availability of habeas corpus throughout history to challenge the unjust confinements of humans with few or no rights, the dissents reasoned that our knowledge about the extraordinary cognitive abilities and needs of elephants could justify extending the writ of habeas corpus's protections to them.

Not doing so simply because it has never been done before "is an argument against all progress, one that flies in the face of legal history," as Judge



A dissenting opinion, or dissent, is an opinion in a legal case written by one or more judges to express disagreement with the majority opinion of the court.

Dissents can be cited in subsequent cases to argue that the decision by the majority should be limited or overturned.

Dissents have been used throughout legal history to prompt a change in the law, with courts later adopting a particular understanding of the law originally advocated in a dissent.



NhRP staff and supporters at a rally to free Happy in April. Following the Court of Appeals decision, a group of local New York activists took up the grassroots fight on Happy and Patty's behalf and began holding protests outside the zoo.

Wilson wrote in his dissent.

As extraordinary as the dissents are, we felt it was important to do all we could, legally speaking, for Happy. That's why, in July, we filed a motion to reargue the Court of Appeals decision, which, as we wrote, "misapprehended and overlooked crucial points of law and fact ... resulting in an arbitrary and irrational decision—one that not only sanctions the daily injustice inflicted upon Happy at the Bronx Zoo, but has created instability and confusion in New York law with grave implications for illegally confined human beings." We also began working behind the scenes with a New York City Council Member to introduce, in early 2023, the first elephant captivity ban in the US—a bill that would continue the fight for Happy's freedom beyond the courtroom by requiring the Bronx Zoo to release her to a sanctuary.

Just before the year's end, the Court denied our motion for reargument, which wasn't surprising given the Court hasn't granted a motion for reargument since 2018. All the same, we remain confident that the majority decision won't stand the test of time, while the two dissents will help light the way to a more just future for members of other species.



An estimated 273 elephants are imprisoned in the US and 20,000 worldwide. The dissents will play a vital role in efforts to free them and bring an end to elephant captivity.

# Five Highlights of the Dissents

1

Judge Rowan D. Wilson and Judge Jenny Rivera agreed with the NhRP's position that Happy's confinement is unjust and can be remedied through habeas corpus.

Judge Wilson wrote that “the history of the Great Writ demonstrates that courts have used and should use it to enhance liberty when a captivity is unjust, even when the captor has statutory or common-law rights authorizing such captivities.”

Judge Rivera found the injustice of Happy's captivity was so profound that the case presented “an opportunity to affirm our own humanity by committing ourselves to the promise of freedom for a living being with the characteristics displayed by Happy.” She added that “prior decisions do not foreclose Happy's petition and instead compel our acknowledgment of the availability of the writ to a nonhuman animal to challenge an alleged unjust confinement.”

2

The dissents focused on Happy's autonomy, arguing it is the nature of the individual seeking redress through habeas corpus that matters, not the individual's species membership. They recognize that Happy “shares common aspects of mammalian life and community that are familiar to humans” by exhibiting “advanced cognitive skills,” “self-determinative behavior,” and an “awareness of death and a capacity to grieve.” These attributes (among many others) prove Happy's autonomous nature, which “could make [her] suffering particularly acute” and is the proof needed to warrant the issuance of a writ of habeas corpus on her behalf.

3

Both Judge Wilson and Judge Rivera refuted the idea that only humans can have rights.

4

The dissents took into consideration whether present-day societal standards mean it is no longer acceptable to hold elephants in captivity.

Judge Wilson aptly states: “At its core, this case is about whether society’s norms have evolved such that elephants like Happy should be able to file habeas petitions to challenge unjust confinements.” Such decisions, according to Judge Wilson, should be informed by our growing “understanding of the cognitive and emotional makeup of animals,” particularly elephants.

Judge Rivera presented Happy’s captivity as “an affront to a civilized society, and every day she remains a captive—a spectacle for humans—we, too, are diminished.”

5

The dissents refuted the idea that recognizing the legal rights of nonhuman animals should be a matter for the legislature instead of the courts.

Judge Wilson provided multiple examples of how the Court of Appeals “changes the common law to adapt it to the changed needs and wants of society, without waiting for a legislature to act.”

Judge Rivera echoed this sentiment when she held that the “immensity of th[e] question does not place it exclusively within the domain of the legislature. As even the majority concedes, ‘the courts—not the legislature—ultimately define the scope of the common law writ of habeas corpus.’”





“I am so grateful to this organization. The recent groundbreaking New York court case shows that you are certainly making progress with this important issue. I have long mourned that humans feel entitled to do what they will with other species. We have no right to decide which species deserve the right to life and liberty and which do not. We are all here on Earth together. Bravo and thank you for all you do!”

NhRP supporter review,  
[greatnonprofits.org](https://greatnonprofits.org) (Dec. 2022)



Weeks before New York’s highest court heard arguments in support of Happy’s right to liberty, we launched our nonhuman rights litigation on the West Coast with the filing of our first lawsuit in California. Just as Happy’s story shed light on the solitary confinement of elephants in zoos and the suffering it causes, the stories of our first California clients—three elephants held in captivity in the Fresno Chaffee Zoo—illuminate the injustice of how US zoos continue to import elephants for captive breeding. We seek recognition of the elephants’ right to liberty and their release to a sanctuary.

Two of our clients are a mother-daughter pair who were born in the wild and imported to the US relatively recently. Nolwazi is a female African elephant believed to be 28 years old. She was born in Hlane National Park in eSwatini (formerly known as Swaziland). Amahle is a female African elephant believed to be 13 years old. She was also born in Hlane National Park, where they were among 39 elephants who roamed approximately 12,000 acres. In 2016, they and 15 other elephants, most of them breeding-age females, were taken from their natural habitat and imported to US zoos—a highly controversial arrangement Charles Siebert detailed in a 2019 investigative essay for The New York Times Magazine.

*“Over the past year, the Fresno Chaffee Zoo has been pulled into a growing global debate over the future of elephants in zoos.”*

2022 Associated Press  
feature story

The third client named in our lawsuit, Vusmusi, is a 19-year-old male African elephant. He was born in the San Diego Zoo Safari Park to an elephant named Ndulamitsi, who was pregnant with him when she was imported to the US from eSwatini in 2003.



Vusmusi stands in a structure the Fresno Chaffee Zoo uses to train the elephants.



In 2022, the Fresno Chaffee Zoo was named one of the 10 Worst Zoos for Elephants in the US by In Defense of Animals. This designation came seven years after the zoo remodeled its elephant exhibit at a cost of \$55.7 million. IDA based its assessment of the Fresno Chaffee Zoo in part on the fact that three of the elephants in its custody died prematurely in a relatively short period of time.

Dr. Keith Lindsay, one of the elephant cognition and behavior experts who submitted affidavits in support of this case, sees these deaths as “indicative of a poor husbandry record” at the zoo.

Vusmusi was transferred away from his mother in San Diego to the Fresno Chaffee Zoo in 2015.

The zoo planned to use Vusmusi for breeding with Nolwazi and Amahle but were not successful in their efforts. Upon the recommendation of the Association of Zoos & Aquariums (AZA) and after the filing of our habeas petition, they announced in November of 2022 that they had transferred Vusmusi back to the San Diego Zoo Safari Park, which took him out of the jurisdiction of our lawsuit. The zoo then brought in an elephant named Mabou to be used for captive breeding, as a zoo spokesperson told The Fresno Bee.

One of the most exploited elephants in the US zoo system, Mabou was part of a group of elephants captured from the wild in 2003 that included Vusmusi’s mother; Mabou has twice been moved back and forth between the Tucson Reid Park Zoo and the San Diego Zoo Safari Park to be used for breeding. Since 2003 he’s fathered 15 elephants, 13 of whom are still alive and held captive in US zoos.

The Fresno Chaffee Zoo elephant exhibit is approximately four acres: a far cry from the 12,000 acres in the bush where Nolwazi and Amahle began their lives. The elephants live across the street from a nightclub and several restaurants, and when they’re lucky enough to be allowed outside, they’re surrounded by the noise and pollution of major transportation arteries and railways. When the

handlers are off duty or it's too cold, they are forced to spend their time inside a small concrete barn.

Six months after the elephants' case began, a lower court judge denied the NhRP's habeas petition on the grounds that it didn't allege that the elephants are held in state custody. In response, just before the year's end we filed a new petition that took on Mabu as a client and made clear why the judge's decision was legally wrong: under longstanding California law, you don't have to be in state custody in order to challenge your imprisonment. We plan to continue to fight for Vusmusi's freedom, and we look forward to working to secure the Fresno Chaffee Zoo elephants' right to liberty in 2023.

### ⊕ How your donations helped fund our fight to free the Fresno elephants

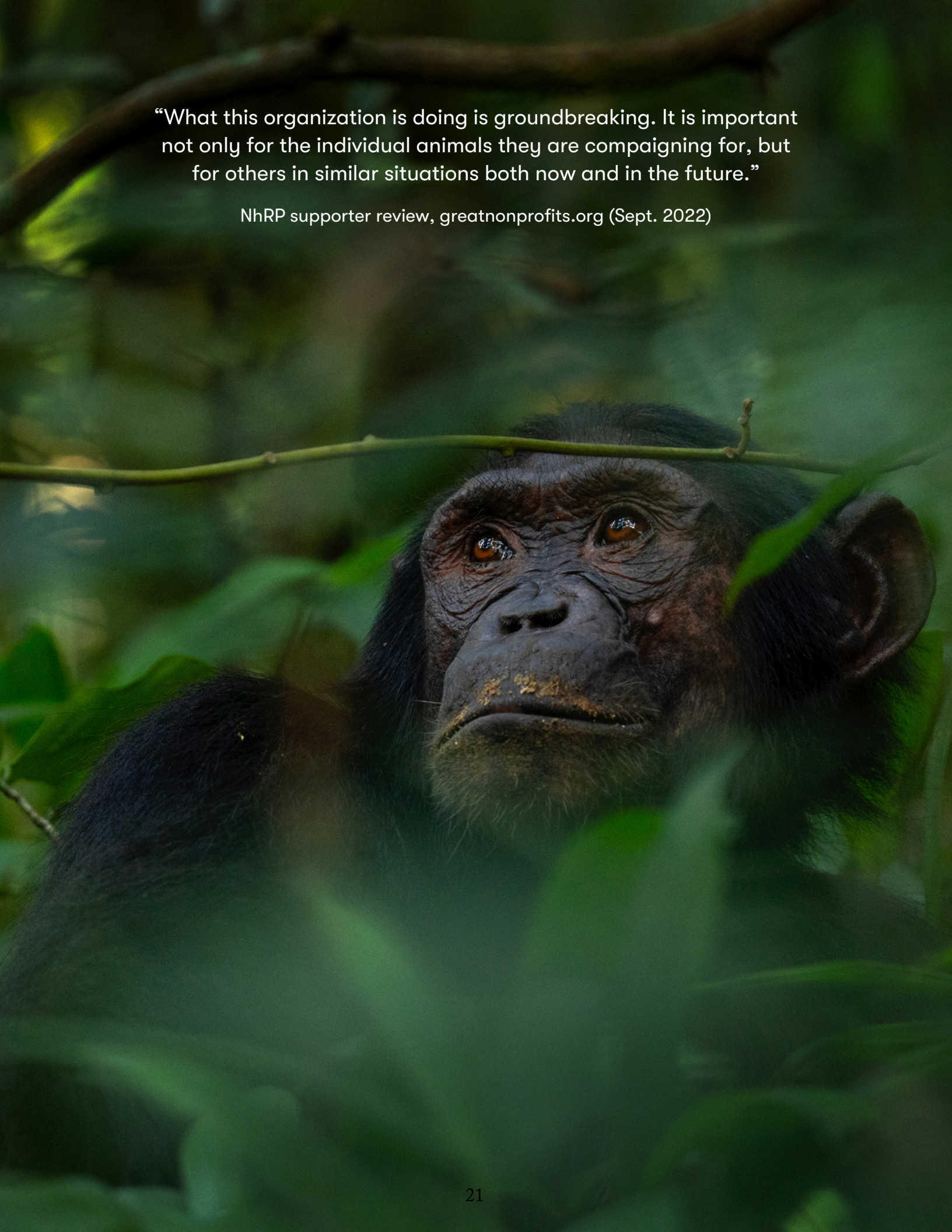
With your support, we were able to devote all the necessary staff time to preparations for this lawsuit, which is the first of several lawsuits we have planned for the West Coast. Donations also helped pay for site visits to document the lives of our clients, including photography and videography, as well as seven billboards we put up across Fresno, CA to help raise awareness. We estimate the billboards were seen by over two million people in eight weeks.

From top to bottom: Mabu soon after his arrival at the zoo. A photo of one of the billboards the NhRP put up across Fresno. A glimpse of an elephant at the Performing Animal Welfare Society's elephant sanctuary in Galt, California.



“What this organization is doing is groundbreaking. It is important not only for the individual animals they are campaigning for, but for others in similar situations both now and in the future.”

NhRP supporter review, [greatnonprofits.org](https://greatnonprofits.org) (Sept. 2022)





## Legislation

*The science is clear that whales need and want to live freely just as we do.*

In July, Representative Adam Schiff (D-Calif.), Representative Jared Huffman (D-Calif.), Representative Suzan DelBene (D-Wash.), and Senator Dianne Feinstein (D-Calif.) introduced the Strengthening Welfare in Marine Settings (SWIMS) Act, which would end the future capture and breeding of whales for public display. The SWIMS Act is the first federal legislation the NhRP has helped develop as we begin to work with members of Congress.

The SWIMS Act would amend the Marine Mammal Protection Act of 1972 to prohibit the taking, importation, or exportation of orcas, beluga whales, pilot whales, and false killer whales for the purpose of public display unless the animal is being transported to a sanctuary setting or released to the wild. The bill further amends the Animal Welfare Act to prohibit any breeding of these species for future public display.

The bill references scientific evidence of the cognitive, emotional, and social complexity of whales and recognizes the importance of prioritizing the autonomy of whales as individuals, which the NhRP applauds. Similar language underlies the NhRP's legal arguments. The bill also underscores how whales suffer when held in captivity in tanks that cannot meet their complex physical, emotional, and social needs.

As part of our commitment to advocating in the halls of power for the freedom of autonomous nonhuman beings like whales, we're honored to have been able to work with a longtime, passionate animal advocate like Representative Schiff in the lead-up to this bill's introduction. We look forward to working with Representative Schiff's office, the SWIMS Act cosponsors, and the strong coalition of endorsing organizations to ensure its passage in 2023.

“I am proud to support [the] NhRP with lifetime and after life donations. Their work is so progressive and reflects the next step in society's ever developing effort to redress wrong views and treatment of people and animals.”

NhRP supporter review, [greatnonprofits.org](https://greatnonprofits.org) (Sept. 2022)





In 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, who was poached from the wild when she was one month old and lived as a pet for nearly two decades. Soon after, The Brooks McCormick Jr. Animal Law & Policy Program at Harvard Law School (ALPP) and the NhRP jointly filed an *amici curiae* ("friends of the court") brief with the Constitutional Court, urging it to recognize that nonhuman animals can have legal rights. In February of 2022, the Court did so, in part relying on the brief the NhRP and ALPP filed. Ecuador is the first country in the world to recognize the rights of nature at the constitutional level.

The NhRP and ALPP's brief drew on our shared expertise and interest in the consideration of nonhuman animals' legal status and argued 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.

With this ruling, an important precedent has been set for extending constitutional protections to nonhuman animals under the rights of nature theory.

Then in June, two judges on New York's highest court relied on international case law concerning nonhuman rights in their dissents in our elephant client Happy's case. In attacking the majority's finding that nonhuman animals cannot have rights, Judge Rowan Wilson noted that "many other countries have given animals rights" and cited a decision by the Indian Supreme Court holding



that the Indian constitution's due process clause applies to all species, a decision by an Argentinian court granting a habeas corpus petition brought on behalf of a chimpanzee named Cecilia, and a decision by Pakistan's Islamabad High Court recognizing the legal rights of an elephant named Kaavan (which itself mentioned Happy's case and referred to her as an "inmate" at the Bronx Zoo). Judge Rivera began her dissent by quoting at length from Kaavan's case: "To separate an elephant from the herd and keep it in isolation is not what has been contemplated by nature. Like humans, animals also have natural rights which ought to be recognized. It is a right of each animal, a living being, to live in an environment that meets the latter's behavioral, social and physiological needs."

Weeks later, an Argentine court recognized a cougar named Lola Limón as a subject of rights in one case and 55 dachshunds (and their later-born puppies) as the subjects of rights in another case.

It's already illegal to own a cougar in Argentina, which is the grounds on which authorities, in late 2019, removed Lola Limón, then approximately six months old, from a home where she was found tied up outside. She was then taken to a Buenos Aires ecopark (similar to a wildlife reserve) to recuperate. In 2022, the Public Prosecutor in charge of the Specialized Prosecutor's Unit in Environmental Affairs of the Office of the Attorney General of Buenos Aires filed a petition asking an Argentine criminal court to declare Lola Limón a subject of legal rights and "grant her complete freedom, free of any measure or legal restriction, with definitive legal custody granted to the Interactive Ecopark of the Autonomous City of Buenos Aires." Potentially, this could mean returning Lola Limón, now close to three years old, to the natural habitat from which she was taken.

Citing to prior Argentine cases that recognized the rights of nonhuman animals, such as the well-known case of Sandra the orangutan, and drawing on the Argentine constitution, the Buenos Aires constitution, animal cruelty statutes, the Universal Declaration of Animal Rights, and more, Judge Carla Cavaliere came to the conclusion that Lola Limón is a subject of rights and entitled to her freedom.

The dachshunds case pertained to an illegal puppy mill and was heard by the same court, with the Public Prosecutor asking for the dogs to be declared subjects of rights because they are sentient beings and given their "total freedom, free of any legal measure or restriction" resulting in a custody transfer from the accused party to two NGOs specializing in canine care. Ultimately, the Court did so, holding that "the new current of animal rights movements argues that it is not enough to treat animals well or to ensure their welfare but that animals, regardless of their species, are subjects of rights, a category that has historically been reserved for natural and legal persons, i.e., human beings."

### ⊗ The impact of these cases

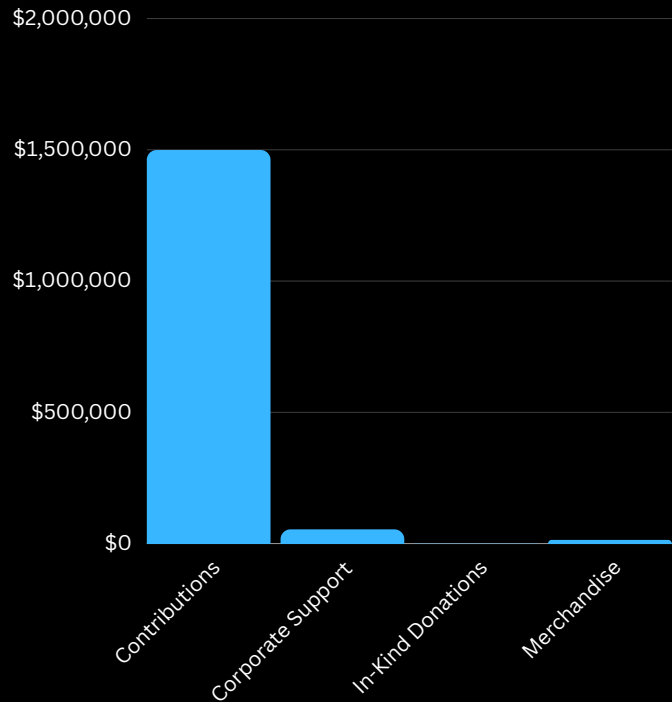
The decisions demonstrate judges' increasing willingness to update nonhuman animals' legal status and recognize them as rights-holders based on what is known of their capacities and what they need to survive and thrive. They also help inspire other courts to consider nonhuman rights.

# Financials

All donations to the Nonhuman Rights Project directly support our fight for legal rights for nonhuman animals.

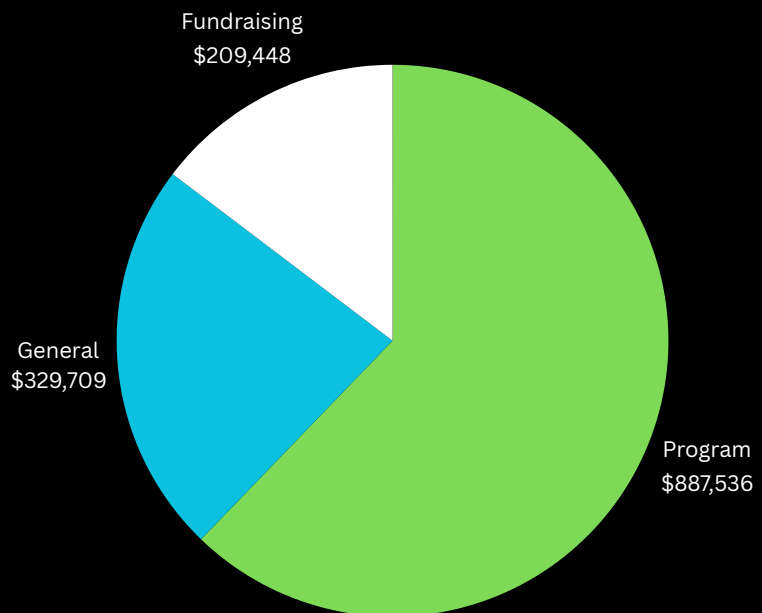
## Revenues

Total: \$1,567,772

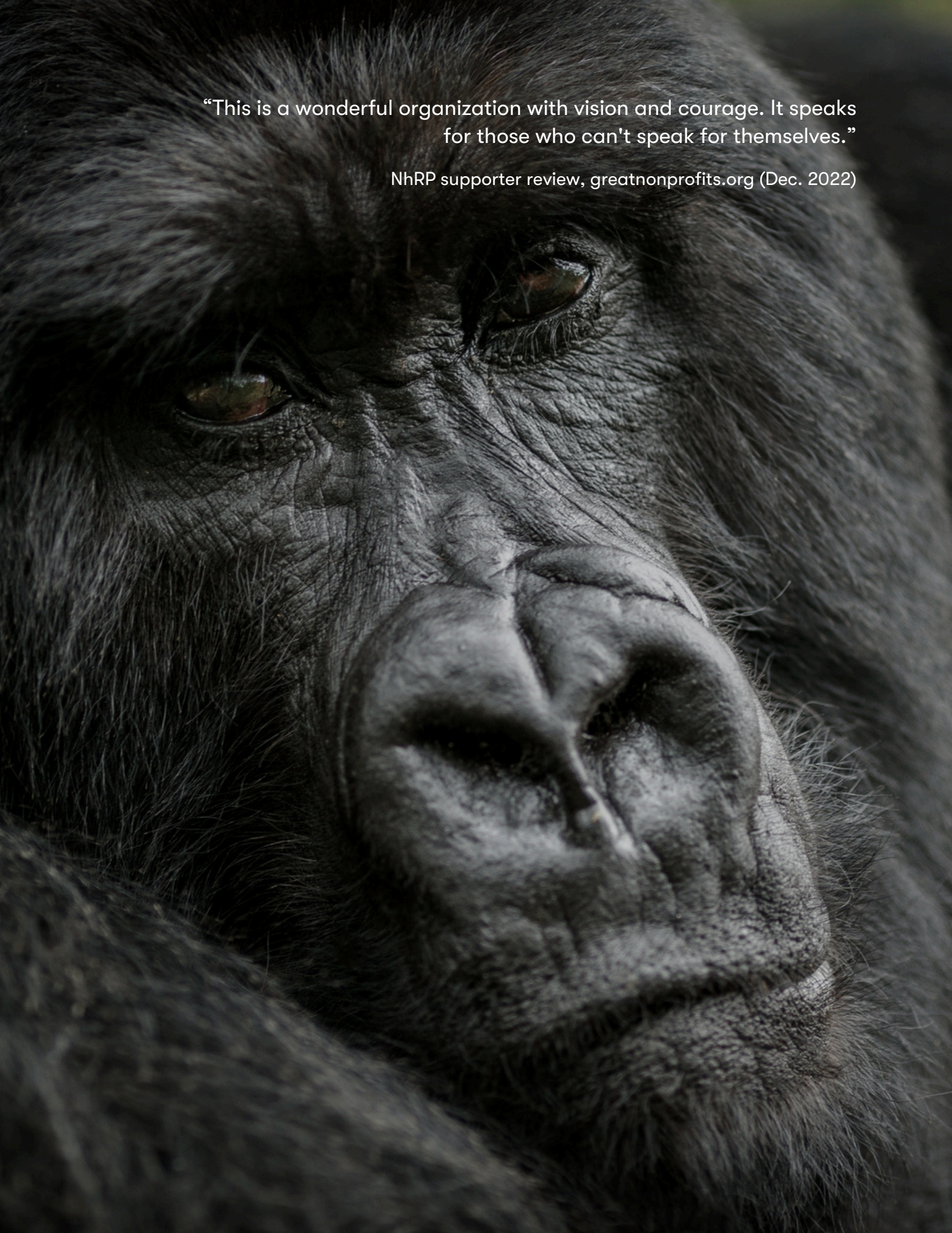


## Expenses

Total: \$1,426,693



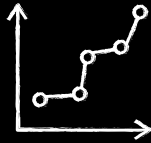
The NhRP is a registered 501(c)(3) nonprofit corporation that is tax exempt under the Internal Revenue Code (tax ID number 04-3289466). Annual reports, IRS Form 990s, and audited financials for the past three years are available on our website.

A close-up, black and white photograph of a gorilla's face. The gorilla's eyes are looking slightly to the left, and its large, wrinkled nose is prominent in the foreground. The texture of its skin and the fine hairs on its face are clearly visible.

“This is a wonderful organization with vision and courage. It speaks  
for those who can't speak for themselves.”

NhRP supporter review, [greatnonprofits.org](https://greatnonprofits.org) (Dec. 2022)

# By the Numbers



**2,500:**

Number of feature stories that discussed the NhRP's mission and work in 2022

**13,420,000,000:**

Estimated global readership of media coverage of the NhRP's mission and work in 2022

**1,420,804:**

Number of people who've signed a Change.org petition to free Happy from the Bronx Zoo as of December of 2022

**192:**

Countries represented among the signatories to Happy's Change.org petition

**36,108:**

Number of people who signed a Change.org petition to free the Fresno Chaffee Zoo elephants since its May 2022 launch

**25,216:**

Number of emails sent in 2022 to state and local elected officials, regulatory agencies, and our clients' captors via nine NhRP action alerts

**344:**

Years the writ of habeas corpus has existed as a legal means of challenging someone's imprisonment

**1:**

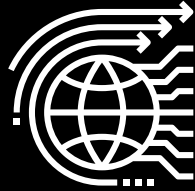
Number of organizations dedicated solely to securing legal rights for nonhuman animals

“No other organization is doing what the NhRP does ... I’m proud to have supported the NhRP’s courageous, innovative, and genuinely impactful work (at events, rallies, and, to the degree I can, donations). The entire staff is unwavering in their commitment and extraordinary in their expertise and professionalism.”

NhRP supporter review, [greatnonprofits.org](https://www.greatnonprofits.org) (Oct. 2022)



# The Year Ahead



## In 2023, the Nonhuman Rights Project will:

- Urge California's Fifth District Court of Appeal to hear our petition demanding recognition of Amahle, Nolwazi, and Mabu's right to liberty and their release to a sanctuary
- File new nonhuman rights lawsuits in Colorado and Michigan and lay the groundwork for future litigation on behalf of nonhuman animal clients
- Assist lawyers in Israel and India with the filing of the first nonhuman rights lawsuit in their respective countries
- Work with lawmakers in New York City to pass the first bill in the US that will ban the captivity of elephants and make it illegal for the Bronx Zoo to continue to hold Happy and Patty
- Work with municipal lawmakers on the West Coast to introduce the first law in the US protecting nonhuman animal rights
- Work with lawmakers in the US Congress to reintroduce a bill that will ban the capture and breeding of whales
- Continue meeting with local, state, and federal lawmakers to discuss the importance of nonhuman rights
- Continue our advocacy campaigns to free Happy, Minnie, and Tommy to sanctuaries and ensure Hercules and Leo's autonomy is respected at Project Chimps
- Launch a new NhRP website
- Continue providing thought leadership that inspires, strengthens, and grows the national and international nonhuman rights movement

To our supporters: it's because of you that we're able to continue fighting for our clients. We simply couldn't do this work without you. Thank you.



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HAPPY IS NOT  
HAPPY

INNOCENT PRISONER  
GRANT HAPPY HER  
FREEDOM  
NONHUMAN RIGHTS PROJECT

SANCTUARY  
IS A HAPPY  
HOME!

ELEPHANTS DON'T  
BELONG HERE  
SEND HAPPY TO  
SANCTUARY  
NONHUMAN RIGHTS PROJECT

HAPPY IS NOT  
HAPPY  
#FREEHAPPY  
NONHUMAN RIGHTS PROJECT

INNOCENT PRISONER  
GRANT HAPPY HER  
FREEDOM  
NONHUMAN RIGHTS PROJECT

HAPPY IS NOT  
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#FREEHAP  
NONHUMAN RIGHTS PROJECT

ELEPHANTS DON'T  
BELONG HERE

HOW WOULD YOU FEEL  
IMPRISONED + ALONE  
STRIPPED OF DIGNITY  
for 14 YEARS  
with NO friends family joy

INNOCENT PRISONER

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HAPPY  
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NONHUMAN RIGHTS PROJECT

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# Support the NhRP



The Nonhuman Rights Project is the only organization in the US dedicated solely to securing legal rights for nonhuman animals. With your support, the NhRP can grow the nonhuman rights movement in 2023 and beyond.

To donate, please scan the QR code above, visit [nonhumanrights.org/donate](https://nonhumanrights.org/donate), text NONHUMAN to 44-321, or email [donations@nonhumanrights.org](mailto:donations@nonhumanrights.org).

The NhRP has earned the highest seal of transparency on the nonprofit reporting service GuideStar, and we are a 2022 Top-Rated Nonprofit at [greatnonprofits.org](https://greatnonprofits.org). If you have any questions, feel free to email us anytime at [info@nonhumanrights.org](mailto:info@nonhumanrights.org).

Thank you for supporting our unique and vital mission!