

NONHUMAN RIGHTS PROJECT



2020

Annual Report

Table of Contents

Message from NhRP President Steven M. Wise	3
Our Mission	4
Year at a Glance	5
NhRP Clients Hercules and Leo: Update	26
A Global Fight	29
Financials	30
By the Numbers	31
Thank You	32
In Memory of Natasha Brenner	34
In Memory of Sharon Conn	35
In Memory of Shimon Shuchat	36
The Year Ahead	37
Message from NhRP Executive Director Kevin Schneider	38
Support the NhRP	39



NONHUMAN RIGHTS PROJECT

December 2020
Coral Springs, FL

Dear friends of the Nonhuman Rights Project,

At the NhRP we're constantly working, through litigation, legislation, and education, to help construct a world in which nonhuman animals no longer suffer and die just because they're not human. In the US and around the world, we help our fellow humans, including judges and legislators, begin to recognize their implicit biases towards the idea that nonhuman animals are legal things whose interests never count.

These biases are only natural for us humans as we have lived our entire lives in a world in which all nonhuman animals are seen as legal things who therefore lack every legal right. Now the world is finally beginning to change as scientific experts teach judges and legislators about who nonhuman animals are, and lawyers and other advocates exhort them to learn why we must respect the civil rights of every nonhuman animal who deserves them.

For centuries many humans were unjustly considered legal things with no rights, later legal persons with few rights. As we do our work we never forget we stand on the shoulders of giants, some known, most not, who have for so long struggled, and continue to struggle, around the world to secure and protect the fundamental rights of human beings. Now our ceaseless habeas corpus litigation in the US and soon in other countries asks judges to refuse to allow their respect for liberty, dignity, autonomy, and equality to arbitrarily and irrationally begin and end with human beings.

To all of our friends who've supported the NhRP during this tremendously difficult year for us all: thank you, thank you, thank you. We are ready for 2021 and know it will be a great year for advancing the rights of nonhuman animals. And we know you're ready too.

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



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.

Year at a Glance



"This issue isn't going away. Many people suspect that animal rights will be the big civil rights issue of the rest of the 21st century. And I'm one of them."

Professor Douglas O. Linder, Liberty on Trial in America

The Nonhuman Rights Project's mission and work are part of the long history of legal struggles over what liberty means and who is entitled to it. In 2020, our litigation was the subject of the final lecture in The Great Courses series "Liberty on Trial in America: Cases That Defined Freedom."

Hosted by Professor Douglas O. Linder of the University of Missouri-Kansas City School of Law, the series offers the opportunity to "learn not only about cases in which liberty claims were vindicated, but also those in which they were denied. Sometimes those cases that upheld the status quo seem most clearly unjust by today's standards, and, occasionally, even by the standards of the times."

To watch the lecture series, visit www.thegreatcourses.com.

Photo: Mike Korostelev





The Bronx Supreme Court. Photo: The NhRP

Litigation: Happy

Since 1977, the Bronx Zoo has imprisoned our elephant client Happy in an exhibit that cannot meet elephants' complex physical, emotional, and social needs. Since 2006, the Bronx Zoo has forced Happy to live without the psychologically necessary companionship of other elephants. Each winter, the exhibit closes, further confining Happy to an industrial cement structure lined with windowless, barred cages (the zoo's "elephant barn") until the exhibit reopens in the spring.

We began the year by arguing for a third time, on Jan. 6th, 2020, in the Bronx Supreme Court in support of Happy's common law right to liberty and release to a sanctuary. Legal counsel for the Wildlife Conservation Society, which manages the Bronx Zoo, argued in support of Happy remaining a rightless being or "legal thing."

With this third day of habeas corpus hearings, Bronx Supreme Court Justice Alison Y. Tuitt heard over 13 hours of

What is habeas corpus?

The NhRP has secured the world's first habeas corpus hearings on behalf of nonhuman animals in our chimpanzee and elephant rights cases. Habeas corpus is a centuries-old means of testing the lawfulness of one's imprisonment before a court. It was used extensively in the 18th and 19th centuries to fight human slavery, and abolitionists often petitioned for writs of habeas corpus on behalf of enslaved human beings.

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arguments on the merits of Happy's case, including why she should be recognized as a legal person with the fundamental right to liberty, why the capacity for rights isn't and never has been limited to human beings, and why Happy, as an autonomous being, should be released to a sanctuary where her right to liberty will be respected. Justice Tuitt was deeply engaged throughout the proceedings, asking questions that showed her rigorous consideration of Happy's plight and what we were arguing.



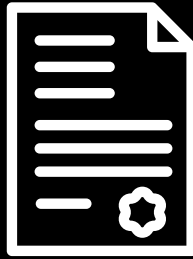
As NhRP President Steven M. Wise explains in his 2015 TED Talk, for thousands of years, nonhuman animals have been viewed and treated as mere things under the law, with no more rights than a television or car. These habeas corpus hearings are significant because, for the first time in US and global legal history, courts have heard arguments in support of the legal personhood and right to bodily liberty of chimpanzees and elephants (our first clients).

On Feb. 18, 2020, Justice Tuitt issued a decision that did not free Happy (because she felt bound by prior appellate court decisions in our chimpanzee rights cases) but nonetheless powerfully supported our arguments. It also rejected the Bronx Zoo's arguments that it's in Happy's best interest to remain imprisoned in its exhibit. As Justice Tuitt wrote, the Court "agrees [with the NhRP] that happy is more than just a legal thing, or property. She is an intelligent, autonomous being who should be treated with respect and dignity, and who may be entitled to liberty ... the arguments advanced by the NhRP are extremely persuasive for transferring Happy from her solitary, lonely one-acre exhibit at the Bronx Zoo to an elephant sanctuary."

In July of 2020, we filed our appeal, asking the New York Supreme Court, Appellate Division, First Department to recognize Happy's right to liberty, reverse the Bronx Supreme Court's dismissal of Happy's habeas petition, and remand the case with instructions to order Happy's release to a sanctuary.



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



Why Justice Tuitt's decision is important

1

While Justice Tuitt isn't the first judge to hear arguments on the merits of our cases, she is the first to allot such an extraordinary amount of time to rigorously consider whether a nonhuman animal is a legal person with the fundamental right to liberty. Justice Tuitt thereby treated the question of a nonhuman animal's legal personhood and rights as "a deep dilemma of ethics and policy that demands our attention," as New York Court of Appeals Justice Eugene Fahey rightly urged the New York courts to do in his 2018 concurring opinion in two of our chimpanzee rights cases.

2

Justice Tuitt's decision aligns with Justice Fahey's opinion in another significant way. Just as Justice Fahey concluded "(w)hile it may be arguable that a chimpanzee is not a 'person,' there is no doubt that it is not merely a thing" (note that Justice Fahey did not say it may be arguable that a chimpanzee is a legal thing) Justice Tuitt concluded Happy "is more than just a legal thing, or property. She is an intelligent, autonomous being who should be treated with respect and dignity, and who may be entitled to liberty."

3

Justice Tuitt found that Happy is "an extraordinary animal with complex cognitive abilities, an intelligent being with advanced analytical abilities akin to human beings" and that "the arguments advanced by the NhRP are extremely persuasive for transferring Happy from her solitary, lonely one-acre exhibit at the Bronx Zoo to an elephant sanctuary." A crucial part of the NhRP's work is to make visible the suffering our clients endure when their right to liberty isn't respected, as demonstrated by the affidavits submitted in support of the NhRP by the world's greatest elephant experts. Justice Tuitt agreed with the NhRP that Happy doesn't belong at the Bronx Zoo, where she's deprived of her ability to exercise her autonomy in meaningful ways, including the freedom to choose where to go, what to do, and with whom to be.

“This Court has the duty to safeguard and uphold the fundamental common law liberty interest of autonomous beings. As Happy is an autonomous being, this Court must recognize her right to bodily liberty protected by habeas corpus and order her freed.”

NhRP Appellate Brief



Happy stands in the Bronx Zoo's elephant exhibit, Oct. 2020.
Photo: Gigi Glendinning

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Also in July, experts in habeas corpus and scholars in philosophy and law submitted amicus curiae briefs in support of the NhRP's appeal and Happy's right to liberty.

On July 14th, Harvard Law School Professor Laurence H. Tribe filed an amicus brief in which he urged the First Department to reject the "arbitrary" and "unsustainable" appellate decisions issued in the NhRP's chimpanzee rights cases.

The appellate decisions in those cases, he wrote, "rest on the manifestly unjust and myopic premise that human beings are the only species entitled to legal personhood and therefore the only beings on earth capable of possessing legal rights. These decisions run counter to New York's common law of habeas corpus, which has a noble tradition of expanding the ranks of rights holders."



What is an amicus curiae?

An amicus curiae is a person or group not directly involved in a legal action who petitions a court for permission to submit an amicus brief, or written argument, with the intent of influencing the court's decision. Amicus curiae is Latin for "friend of the court."

As lauded by Professor Tribe in his brief, "the trial courts of New York have now twice taken the monumental first step of granting a habeas corpus hearing to a nonhuman animal" in the NhRP's chimpanzee and elephant rights litigation. In considering the NhRP's arguments on appeal in Happy's case, the First Department now has the "unique opportunity" to correct its own errors of law and those of the Third Department and recognize Happy's personhood and right to liberty. If it fails to do so and repeats these errors, "the evolution of common law writs like habeas corpus will remain chained to the prejudices and presumptions of the past and will lose their vital and rightly celebrated capacity to nudge societies toward more embracing visions of justice."

The following week, two habeas corpus scholars and twelve North American philosophers with expertise in animal ethics, animal political theory, the philosophy of animal cognition and behavior, and the philosophy of biology submitted amicus briefs in support of Happy's legal personhood and right to liberty.

Excerpts from amicus briefs submitted in support of Happy's legal personhood and right to liberty

“Happy is an autonomous and sentient Asian elephant who evolved to lead a physically, intellectually, emotionally, and socially complex life. Every day for forty years, her imprisonment by the Bronx Zoo has deprived her of this life.”

LAURENCE H. TRIBE (CARL M. LOEB UNIVERSITY PROFESSOR AT HARVARD UNIVERSITY AND PROFESSOR OF CONSTITUTIONAL LAW EMERITUS AT HARVARD LAW SCHOOL)

“One of the greatest blemishes on our justice system is the wrongful detention of persons ... While the Writ has provided a procedural vehicle for vindicating the right of thousands of humans to not be unlawfully detained, this brief argues that the time has come to consider the Writ’s application to other cognitively complex beings who are unjustly detained. The non-humans at issue are unquestionably innocent. Their confinement, at least in some cases, is uniquely depraved—and their sentience and cognitive functioning, and the cognitive harm resulting from this imprisonment, is similar to that of human beings.”

JUSTIN MARCEAU (BROOKS INSTITUTE RESEARCH SCHOLAR AT THE UNIVERSITY OF DENVER, STURM COLLEGE OF LAW) AND SAMUEL L. WISEMAN (PROFESSOR OF LAW AT PENN STATE LAW IN UNIVERSITY PARK)

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

PHILOSOPHERS ANDREW FENTON, BERNARD ROLLIN, DAVID PEÑA-GUZMÁN, G.K.D. CROZIER, GARY COMSTOCK, JAMES ROCHA, JEFF SEBO, L. SYD M JOHNSON, LETITIA MEYNELL, NATHAN NOBIS, ROBERT C. JONES, AND TYLER JOHN

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On Nov. 19th, NhRP President Steven M. Wise argued virtually before a five-judge panel of the First Department, with supporters and members of the media joining us on the Court's YouTube channel for our first-ever live-streamed court proceedings (a necessity resulting from the continued need for physical distancing during the COVID-19 pandemic).

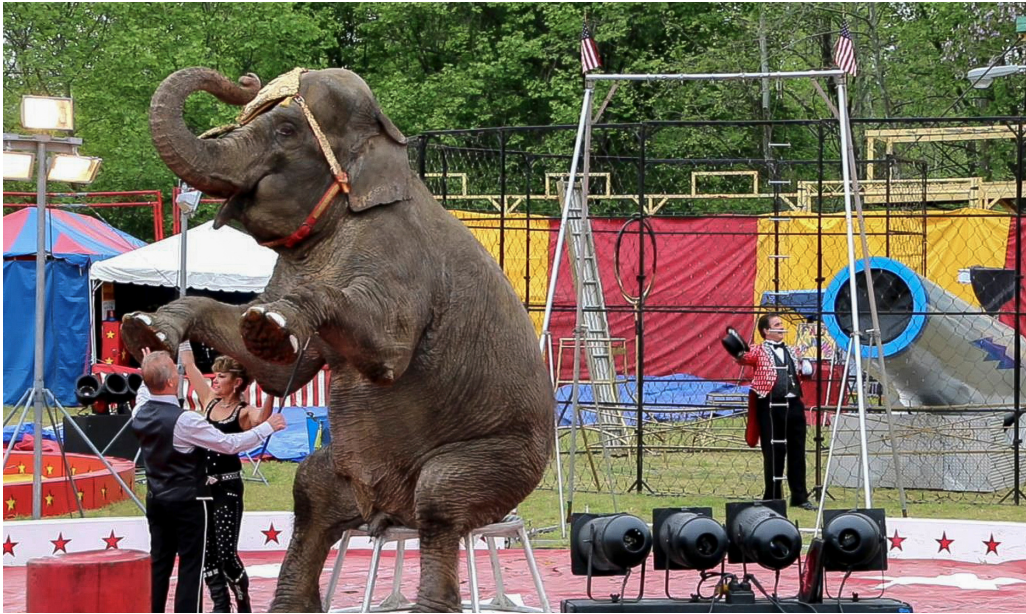
Appearing virtually, with only six minutes to present such a complex case, was of course a challenge—but in the fight for nonhuman rights we expect and are prepared for challenges. The judges appeared most interested in whether Happy's right to liberty is a matter for the courts. As Steve explained, it's their duty under the common law to confront what New York Court of Appeals Justice Eugene M. Fahey has called "the manifest injustice" of nonhuman animals' thinghood and rightlessness. Some positive highlights: the judges rightly referred to Happy as "our client," and two judges expressed sympathy for our cause.

On Dec. 17th, the First Department unfortunately denied habeas corpus relief to Happy and chose not to correct the serious errors of law the Court made in its 2017 decision denying habeas corpus relief to chimpanzees simply because they aren't human. In doing so, the Court ignored Justice Fahey's 2018 criticism of this decision in which he also wrote that the question of nonhuman animals' rightlessness is "a deep dilemma of ethics and policy that demands our attention ... The issue whether a nonhuman animal has a fundamental right to liberty protected by the writ of habeas corpus is profound and far-reaching. It speaks to our relationship with all the life around us. Ultimately, we will not be able to ignore it."

We'll now ask New York's highest court, the Court of Appeals, to hear our arguments. We have until Jan. 19, 2021 to file our motion for permission to appeal in which we'll make clear that Happy's elephant rights case is a matter of public importance in New York and beyond.

"In the New York case, lawyers for their 'client' Happy the elephant contend that she is being kept in inappropriate conditions for a social and exceptionally intelligent animal, and are seeking a writ of habeas corpus. Significantly, the Nonhuman Rights Project is not basing its case on welfare grounds, but on those of civil rights ... Allowing an animal's rights to be directly put forward before a court dealing with a legal issue seems sensible. Such a voice may not always prevail, but at least it would be heard and considered. A court may decide against the animal but would have to take account of its interests as a distinct legal person ... Ascribing legal personality to animals may be an idea whose time has come."

LEGAL COMMENTATOR DAVID ALLEN GREEN, "SHOULD ANIMALS HAVE LEGAL PERSONALITY?" (FINANCIAL TIMES, OCT. 2020)



The Commerford Zoo forces Minnie to perform under threat of a bullhook. Photo: Gigi Glendinning

Litigation: Minnie

A fundamental task of the NhRP is to demand that courts reject a legal status quo that has irrationally and unjustly considered all nonhuman animals legal “things” with no rights for thousands of years. Because of the historical enormity of this task—including the fact that our cases are the first time most judges will have encountered arguments in support of nonhuman personhood and rights—when we go into court, we not only expect intense questioning, we welcome it. We consider it an honor to have the opportunity to address judges’ skepticism and fully demonstrate the social, historical, political, and legal justice of what we’re asking them to do and how it accords with existing law.

Intense questioning is exactly what we encountered on Jan. 8, 2020 in the Connecticut Appellate Court, as any of the folks who joined us to show support for our client Minnie’s right to liberty could tell you (and if you were there, once again, we thank you!). Oral arguments lasted a little over 25 minutes. For 15 of those minutes, a panel of three judges confined themselves to asking question after question about issues unrelated to the merits of Minnie’s case. As always, we were ready for these questions. At the same time, we found them frustrating because we were there to insist once again on a hearing on the merits of Minnie’s case (i.e. on the question of whether Minnie is a legal person with the fundamental right to bodily liberty protected by the common law writ of habeas corpus). Regarding this core issue, the Court limited us to less than ten minutes.

A little over two weeks later, we filed a letter notifying the Appellate Court of a decision issued by the Connecticut Supreme Court—the state’s highest court—that had a direct and significant bearing on her then-pending appeal. Unfortunately, the Court ignored this decision and in May denied

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habeas relief to Minnie. “The court’s continued assertion that in Connecticut a third party, such as the Nonhuman Rights Project, cannot bring a habeas corpus case that demands that an autonomous being who has long been considered to be a rightless legal thing should now be considered a legal person—able to have her right to bodily liberty asserted by that third party—not only contradicts almost two centuries of Connecticut law, but also the law of every English-speaking jurisdiction in the world,” wrote NhRP President Steven M. Wise of the decision.

In June, we filed a motion with the Connecticut Supreme Court, requesting permission to appeal the Appellate Court’s May 2020 decision. In July, that Court again declined to hear Minnie’s case.

In December, we announced we’d decided to conclude—for now—our Connecticut litigation given the courts’ continued refusal to engage with the substantive issues of Minnie’s case. As we wrote in our statement:

Science makes clear that, like us, elephants need and want to live freely. Like us, they suffer deeply when deprived of their freedom. Their suffering is an injustice the Connecticut courts have the duty to consider and remedy. To date, the courts have refused even to allow a full and fair hearing on the merits of Minnie’s case, preferring instead to issue, without explanation, decisions that conflict with two centuries of Connecticut habeas corpus and standing law.

In contrast, courts around the world have begun to reject the rightlessness of elephants and other animals, to recognize they deserve to have their freedom legally protected, and to restore their freedom to the greatest extent possible by ordering their release to sanctuaries.

Unfortunately, it appears the Connecticut courts are likely to remain unwilling to engage with the substantive issues of Minnie’s case. That’s why, after careful consideration and with deep regret, we’ve decided to conclude—at least for the foreseeable future—our Connecticut litigation. However, our work to free Minnie to a sanctuary continues in full force, and our repeated offer to help the Commerford Zoo transfer Minnie to The Elephant Sanctuary in Tennessee or the Performing Animal Welfare Society at no cost to them still stands. We urge the Commerford Zoo to do the right thing and allow her to live out her days with peace and dignity in one of these two globally respected sanctuaries.

Since we filed the world’s first elephant rights lawsuit in Connecticut, more than 400,000 people have used their voices to join the call for Minnie’s release. We encourage people to continue to do so—and remember that arguments against nonhuman rights, grounded in our most cherished principles of justice, cannot and will not stand, in Connecticut or anywhere else.

While we’ve concluded our Connecticut litigation, our work to free Minnie to a sanctuary continues. Read our complete statement on our website: <https://tinyurl.com/minnie-case>

Legislation: Outreach

The first of its kind in the US, our nonhuman animal rights legislation will take the form of municipal ordinances that recognize and protect the right to liberty of all members of a particular species within a particular jurisdiction—requiring their release to sanctuaries or, if no members of these species are imprisoned there, preventing future generations from being imprisoned and exploited. Having completed the research and planning phase of this work, we’re now building relationships and support at the local and state levels, beginning with Southern California. In 2020, we continued this legislative outreach to the greatest extent possible given the difficulties involved in meeting elected officials in person during the COVID-19 pandemic.

We’ve also begun to hear from and reach out to members of Congress about the possibility of pursuing federal legislation. We continue to work behind the scenes with elected officials across the US to learn more about their interest in nonhuman rights and, we hope, gain their support. Stay tuned for details, including how you can help!

Grassroots Advocacy: Minnie

Running alongside our litigation, our grassroots advocacy campaigns are a way for you to use your voice to help secure freedom and sanctuary for nonhuman animals in the form of rallies, petitions, letters and calls to elected officials, social media days of action, and more.

In 2020, grassroots advocacy for our elephant client Minnie became even more important as the Connecticut courts appeared to shut their doors to even considering her right to be free from imprisonment and exploitation in the Commerford Zoo.

Sadly, Minnie has been alone now for over a year, having lost the companionship of Beulah, who died while the Commerford Zoo was forcing her to labor at a fair, and Karen, whose death was not revealed until after Beulah’s shocking and public death.

This summer, the NhRP learned of an online fundraiser set up by the family that sold Minnie (whom they call Mignon) to the Commerford Zoo in 1976. With the authorization of the Commerford Zoo, the GoFundMe page seeks to raise \$2.4 million to enable them to meet Minnie’s basic needs, including food and veterinary care, because COVID-19 has “impoverished the farm that supports them,” which is “in desperate need of support,” according to the fundraiser description.

As soon as we became aware of this fundraiser, we sent letters to local, state, and federal agencies, including the U.S. Department of Agriculture (USDA), urging them to immediately investigate.

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The Torrington Police Department's Animal Control Division, which has oversight authority for the Commerford Zoo, informed us they had forwarded our letter to the USDA. To our knowledge the USDA hasn't taken any action in response to the serious allegations in our letter, nor have they conducted an on-site visit since October 17, 2019.

On August 25, 2020, we spoke at a Town of Goshen Board of Selectmen meeting to express concern over Minnie's welfare and ask the Board of Selectmen to request that local animal control conduct an emergency inspection of the Commerford Zoo and remove Minnie if necessary. Shortly thereafter we circulated an action alert so that people concerned about Minnie could directly email the Board of Selectmen.

We have been in communication with several state representatives and state senators regarding the Commerford Zoo's exploitation and imprisonment of elephants and what can be done to help secure Minnie's freedom to a sanctuary.

Also this year, we released a new campaign video showing the suffering Beulah, Karen, and Minnie have endured as rightless beings forced to perform

under threat of a bullhook by the Commerford Zoo. In addition to our rally, petition, and action alerts, we continue to wage a public pressure campaign through social media and the press to raise awareness about Minnie's plight and urge the Commerford Zoo to send Minnie to a sanctuary.

In the coming months we'll have new actions you can take to help secure Minnie's release to a sanctuary.

For all the ways you can help #FreeMinnie right now, visit <https://tinyurl.com/free-minnie-now>.

Free the Commerford Elephants: Send Beulah, Karen, and Minnie to Sanctuary



The Nonhuman Rights Project started this petition to The Commerford Zoo
UPDATE: Since the creation of this petition Beulah and Karen have died. Please read the updates at the end of the petition to learn what has happened and what is being done to free Minnie. Thank you for your support and for signing this petition.

A screenshot of our Change.org petition to #FreeMinnie.

Grassroots Advocacy: Happy

As with Minnie, the NhRP's grassroots advocacy campaign to free Happy is powered by our supporters, who know that self-aware, autonomous beings like elephants should be able to live freely with members of their own species at a sanctuary that will treat them with respect and dignity.

In 2019, we rallied for Happy's freedom outside the Bronx Zoo. In 2020, the pandemic required us to shift our focus entirely online.

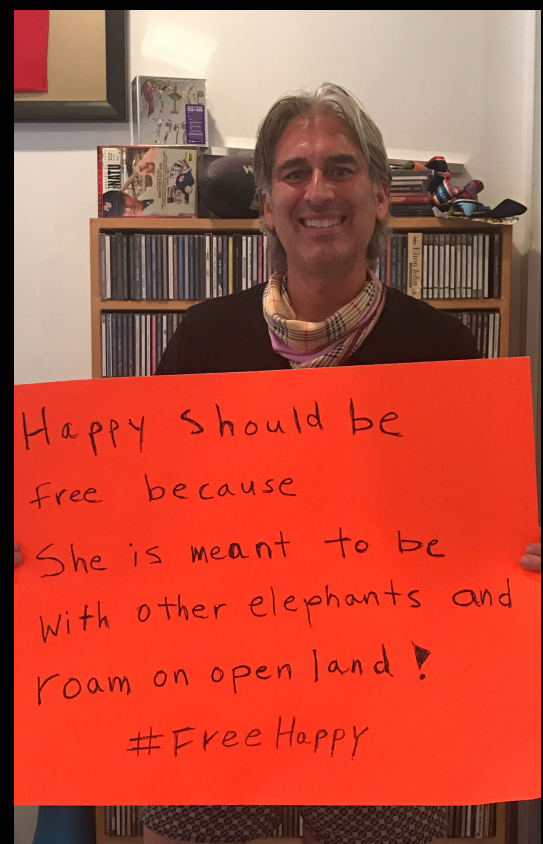
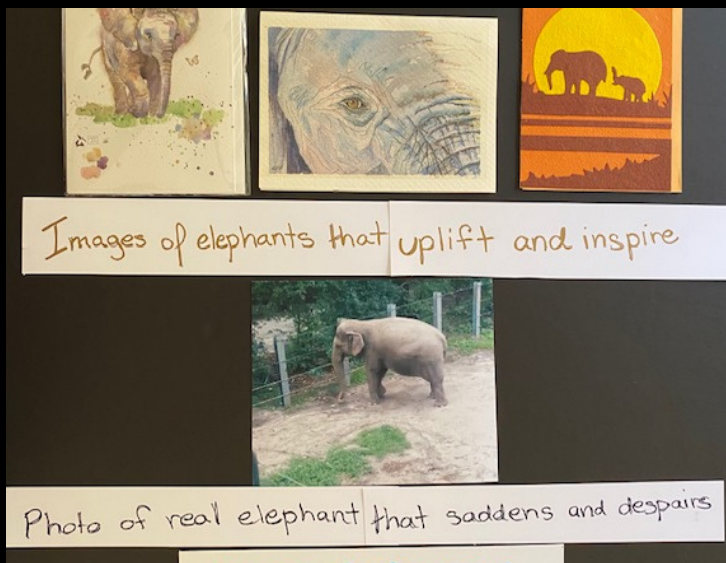
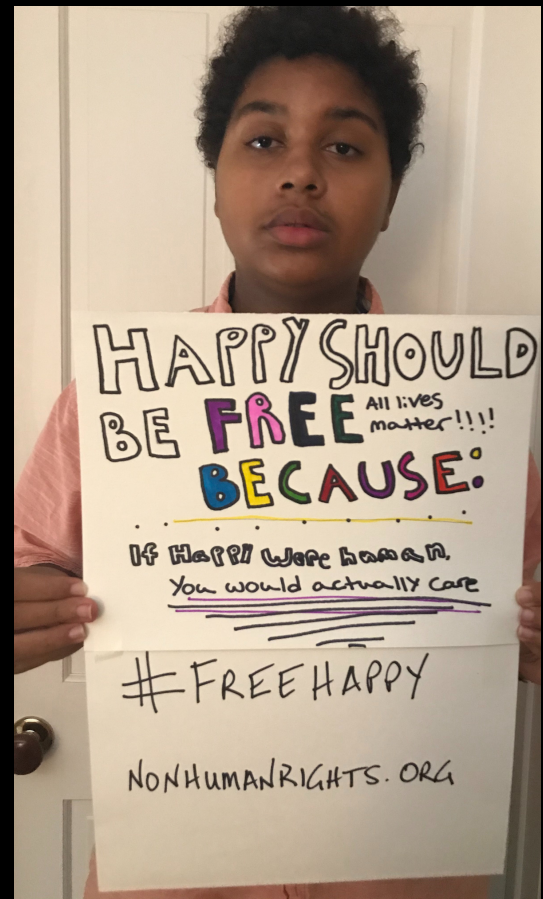
Over the summer, for example, tens of thousands of people tweeted for Happy when we held a Twitter day of action to raise awareness of her solitary confinement in the Bronx Zoo. In October, we successfully held our first #FreeHappy virtual event. Live-streamed across our social media channels the night before oral arguments in Happy's appeal, this special evening of hope for Happy was an opportunity to come together to discuss the story of Happy's life and court case so far as well as highlight why people in New York and all over the world are in this fight with us.

Thank you to all who attended the virtual event and joined us over the course of 2020 to call for Happy and Minnie's freedom. Changing a legal status quo that has existed for thousands of years will not be easy, but people using their voices to call for recognition and protection of nonhuman rights will continue to be critical to our collective progress.



NhRP supporter Tate Thomson was the winner of a #FreeHappy t-shirt design contest we held in the lead-up to our virtual event. To purchase a shirt with this design, visit tinyurl.com/shop-nhrp





Education

In response to the global pandemic, the NhRP shifted all in-person educational events, lectures, and talks to virtual alternatives. Despite some technical hiccups and early adjustments, this proved to be a success for the NhRP in spreading our mission to a wider audience of supporters who never had the opportunity to meet or hear NhRP staff speak in the past.

In April, we began our Speaker Series, a free online educational seminar series, to provide supporters with an insight into different areas of our work including litigation, legislation, and grassroots advocacy. Following each talk, there was an interactive Q & A session where supporters submitted questions for the speakers to answer.

One particularly memorable seminar happened on Earth Day, where we invited young animal rights activists to send in short videos of themselves asking Executive Director Kevin Schneider about the work we're doing to change the world for animals. With profound questions like "What is it like to be another animal?" and "What can we as children do to help animals in captivity?" we were moved by how committed they are at such a young age to see real change in the lives of nonhuman animals.

Following these, we ran our Interview Series, where NhRP staff interviewed friends of the NhRP who've lent their expertise in support of our groundbreaking nonhuman rights cases. Guests included Justin Marceau, a Professor of Law at the University of Denver's Sturm College of Law and author of *Beyond Cages: Animal Law and Criminal Punishment*; Letitia Meynell, an associate professor of philosophy at Dalhousie University and one of a group of philosophers who submitted amicus briefs in support of our clients' legal personhood and rights; Debbie Ethell, Executive Director of the KOTA Foundation for Elephants and a conservation research scientist who has served as a consultant on our elephant rights cases; Dr. Lori Marino, a neuroscientist and founder and executive director of the Kimmela Center for Animal Advocacy and the Whale Sanctuary Project; Catherine Doyle, PAWS Director of Science, Research and Advocacy; and finally, Colleen Plumb, an Chicago-based artist whose public projections of elephants in captivity compel reflection on the suffering of elephants in zoos.

What started as a stopgap for in-person events while we were under shelter-in-place restrictions turned into a new medium through which we've connected and engaged in numerous meaningful conversations with supporters from all around the world. Through these series, we've aimed to strengthen the education pillar of our mission and provide a deeper look into who we are and what we do. In 2020, we had 14.8 K total views of all of our videos, grew our YouTube channel subscriptions by 900%, and had a potential reach of 57.5K organic viewers. To watch and share all our seminar recordings, visit www.youtube.com/user/TheNhRP.



"I turn on the projector and they're all here [with me]. All of these elephants are here, and when I do [my projections] out in the landscape, I almost feel like their energy is there ... it's almost like they're free for a moment." – Artist and NhRP Interview Series guest Colleen Plumb. Images: Thirty Times a Minute, published by Radius Books, 2020

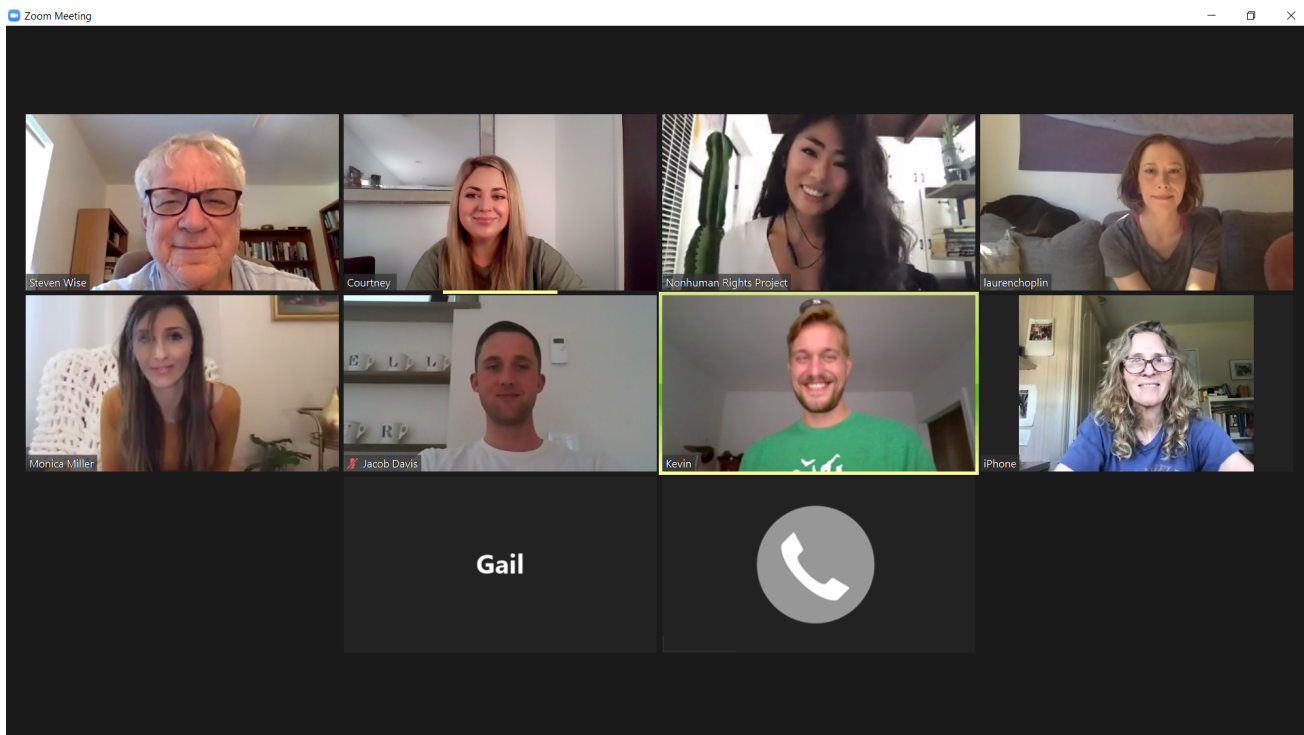


“The story I’m about to tell is sad in parts, sometimes cruel, sometimes full of good intentions. It’s a family saga, and a courtroom drama. It’s about how we live with animals, what we do to them and what they are entitled to expect from us.”

In October of 2020, Tortoise—a media site committed to deep dives behind the headlines—released a three-part podcast series about Happy, featuring interviews with NhRP President Steven M. Wise as well as two of the renowned elephant experts who’ve supported our fight for her freedom. The series tells the story of Happy’s life, delves into the science of who elephants are, and illuminates the key questions raised by our legal battle on her behalf. The series’ thoughtful reflections on Happy’s story and court case end with reporter Samantha Weinberg concluding that Happy and other elephants “are not things. They deserve rights.”

To listen, visit www.tortoisemedia.com.

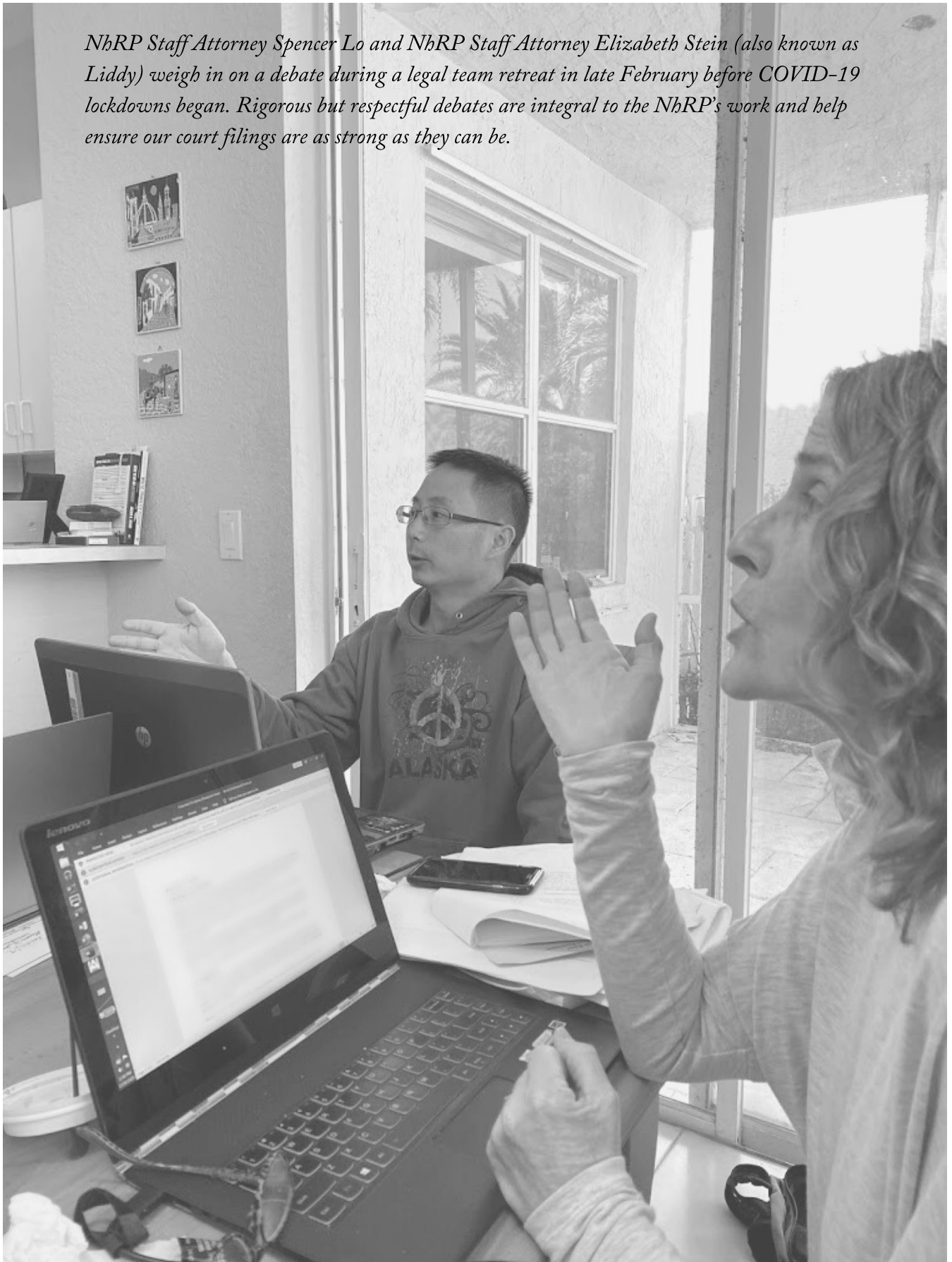


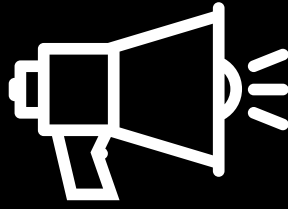


On the first Friday of every month, the NhRP holds an all-staff conference call to discuss ongoing and planned work across departments. This year, especially because we weren't able to meet in person for our annual retreat, we started having these conversations on Zoom, which we're all enjoying so far! This year, we also argued virtually for the first time; the Court live-streamed the proceedings, which allowed NhRP supporters and members of the media to get an up close and personal view of the judges' reactions, as you can see in this screenshot (the video is available on the Court's [YouTube channel](#)).



NhRP Staff Attorney Spencer Lo and NhRP Staff Attorney Elizabeth Stein (also known as Liddy) weigh in on a debate during a legal team retreat in late February before COVID-19 lockdowns began. Rigorous but respectful debates are integral to the NhRP's work and help ensure our court filings are as strong as they can be.





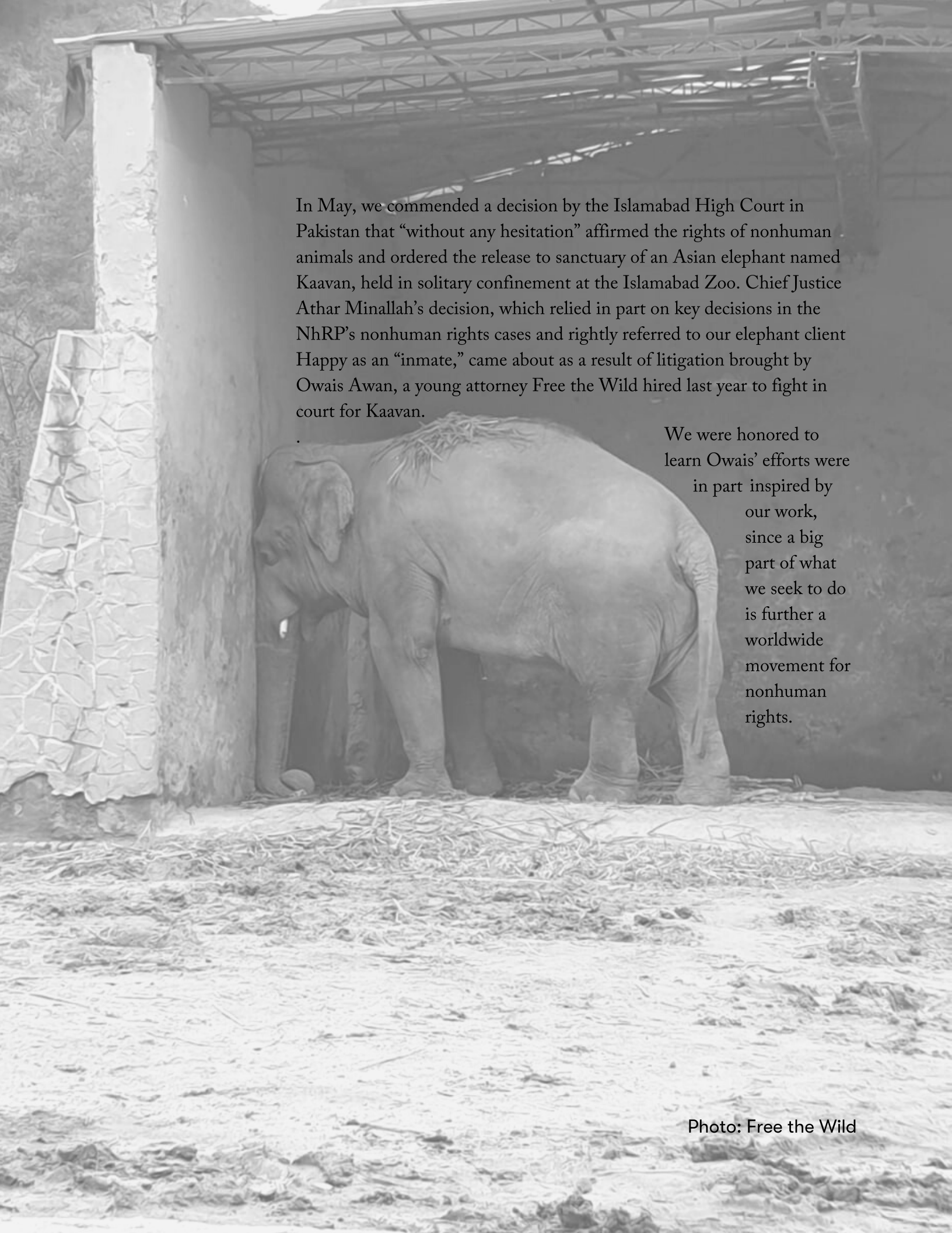
NhRP Clients Hercules and Leo: Update

In 2020, whistleblowers brought to light well-documented information that showed Project Chimps and the Humane Society of the United States (Project Chimps' primary funder) were not fulfilling their commitment to provide true sanctuary to Project Chimps' 78 chimpanzee residents, including the NhRP's clients Hercules and Leo. Specifically we learned, and Project Chimps did not dispute after we reached out to them to discuss the allegations, that Hercules and Leo are confined to an indoor housing structure with cement floors and an enclosed porch all but ten hours a week. Project Chimps' Executive Director told us they expected the earliest they would receive daily outdoor access would be in two years. In our view, this timeline is an unacceptable failure to live up to Project Chimps' founding promise: lifelong exemplary care for chimpanzees retired from research.

For this reason, we called on Project Chimps and HSUS to immediately make changes in their planning and operations to ensure they are respecting chimpanzees' freedom and autonomy.

As we remain committed to advocating for the interests of our clients, Hercules and Leo, we will continue to demand that Project Chimps and HSUS take whatever steps and devote whatever resources are necessary to immediately provide them with daily access to an outdoor habitat, either at Project Chimps or any other suitable place.

Read our complete statement at <https://tinyurl.com/nhrp-pc-statement>.



In May, we commended a decision by the Islamabad High Court in Pakistan that “without any hesitation” affirmed the rights of nonhuman animals and ordered the release to sanctuary of an Asian elephant named Kaavan, held in solitary confinement at the Islamabad Zoo. Chief Justice Athar Minallah’s decision, which relied in part on key decisions in the NhRP’s nonhuman rights cases and rightly referred to our elephant client Happy as an “inmate,” came about as a result of litigation brought by Owais Awan, a young attorney Free the Wild hired last year to fight in court for Kaavan.

We were honored to learn Owais’ efforts were in part inspired by our work, since a big part of what we seek to do is further a worldwide movement for nonhuman rights.

Photo: Free the Wild

Committed to ensuring Kaavan's release, Justice Minallah approved the Islamabad Wildlife Management Board's carefully considered recommendation to release Kaavan—pictured here with Dr. Amir Khalil, the veterinarian who prepared him for his journey—to Lek Chailert's 25,000-acre Cambodia Wildlife Sanctuary. "Taking his first steps on Cambodian soil at 23:45pm on Monday evening, 30 November 2020, Kaavan [seemed] immediately happy and at ease at home in his quarantine enclosure," wrote Free the Wild on its blog. "Cambodia Wildlife Sanctuary is currently building Kaavan's 10-acre enclosure, to which he will be transferred within the next few months."

Photo: Free the Wild



A Global Fight



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

In Israel, we're on track to file at least one elephant habeas corpus case in 2021.

In India, we're assisting lawyers in filing an elephant habeas corpus case in 2021.

In Canada, we're assisting with legislation and exploring the potential for habeas cases in 2021.

In the UK, we're developing a support base for nonhuman rights, attracting some of the country's leading legal commentators, and offering our services to lawyers who wish to file habeas corpus cases or otherwise work toward legal personhood for nonhuman animals.

In Pakistan, we've been tracking developments closely in an Islamabad Zoo case in which the Chief Justice of the Islamabad High Court recognized the legal rights of nonhuman animals and ordered the release to sanctuary of an elephant named Kaavan. We were happy to join Kaavan's advocates in urging the Court to send him to Lek Chailert's elephant sanctuary in Cambodia, where he now resides today. We have kept up a correspondence with Chief Justice Athar Minallah's clerk, who reached out to us, and were proud to see Happy's case cited approvingly in Justice Minallah's decision.

In Switzerland, we're assisting however we can with Sentience Politics' Swiss Citizens Initiative for Primate Rights, which in 2021 will mark the first ever direct-democratic vote on whether some nonhuman animals should be granted the fundamental rights to life and bodily and mental integrity.

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

Financials



With the support of all of our generous donors, the NhRP is fortunate to be closing out this challenging year in a good financial position that will allow us to strengthen our legal progress for nonhuman animals in the new year. As of mid-December 2020, we've raised approximately \$1.3 million in contributions, which puts us well on our way to exceeding last year's total contributions of \$1.5 million. This \$1.3 million total includes the amount raised in two of the largest fundraising events the NhRP has ever held: the #FreeHappy virtual event and Giving Tuesday. Across these two events held in November and December, we raised approximately \$40,000. It does not take into account final end-of-year gifts or revenue from investments and dividends.

While our rate of growth decreased this year compared to previous years, we do expect to see approximately 6% growth compared to 2019. We saw an increase in the number of donations received this year, particularly from first-time donors, with over 7,500 individual donations. Our total expenses will come out to be approximately \$980,000 compared to \$1.1 million last year. Much of this can be attributed to our low travel expenses this year, as we worked largely online rather than meeting and arguing in courtrooms in person. Overall, this places the NhRP at a healthy operating surplus which will allow us to continue working without financial impediment in the coming year.

Full audited financial statements for 2020 will be available in early 2021. To see our most recent audited financial statements for 2019 and 2018 and our most recent IRS Form 990, please visit nonhumanrights.org/who-we-are or contact Development Director Mickey Suzuki at msuzuki@nonhumanrights.org.

Revenue breakdown:

- Individual Donations: 33%
- Donations from Estates: 31%
- Foundations & Grants: 29%
- Corporate Donations: 5%
- Interest/Dividends/Investments: 1%
- Other (i.e. in-kind donations, merchandise profits): 1%

By the Numbers



1,363,527:

Number of people who've signed a Change.org petition to free Happy from the Bronx Zoo as of December 2020

487:

Number of pages in the Appendix in Happy's July 2020 appeal, which provides the full background of her court case

1,372:

Number of people who attended our #FreeHappy live virtual event

427,857:

Number of people who've signed our Change.org petition to free Minnie from the Commerford Zoo as of December 2020

2,162,300:

Number of Twitter impressions on NhRP tweets in 2020

10:

Number of action alerts the NhRP sent out in 2020

49,826:

Number of emails sent in 2020 to state and local elected officials, regulatory agencies, and our clients' captors using NhRP action alerts

Thank You



The NhRP sincerely thanks each and every one of you for all the ways you've supported our mission in 2020, from completing action alerts, to signing petitions, to sharing your personal stories on social media, to attending seminars, to contributing individual and monthly gifts. This year, even while largely confined to our homes, we connected with more supporters than ever before and have been inspired by the thoughtful conversations we've had with so many of you.

We called on you throughout the year, and each time, you were eager to help continue the fight for nonhuman rights. We deeply appreciate that no matter the challenges this year, you persisted alongside us. It is solely through your generosity and continued commitment to this cause that we can do what we do.

There is still much work to be done in the legal fight for nonhuman rights, which comes up against thousands of years of nonhuman animals' rightlessness. But the NhRP will not stop until we break down the legal wall that unjustly separates human and nonhuman animals. From all of us at the NhRP, we thank you for helping to get us closer to that legal reality every day.



A very special thank you to:

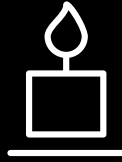
Our corporate partner Hourglass Cosmetics

Friends of the NhRP: Yashar Ali, Senator Richard Blumenthal, Gary Comstock, G.K.D. Crozier, Catherine Doyle, Debbie Ethell, Andrew Fenton, Gigi Glendinning, Connecticut State Representative Anne Hughes, Carisa Janes, Tyler John, L. Syd M Johnson, Robert C. Jones, Justin Marceau, Dr. Lori Marino, Letitia Meynell, Connecticut State Representative David Michel, Nathan Nobis, David Peña-Guzmán, Colleen Plumb, James Rocha, Bernard Rollin, Jeff Sebo, Donna Toeroek, Laurence H. Tribe, and Samuel Wiseman

The experts who submitted affidavits in support of our elephant rights cases: Lucy Bates, Richard W. Byrne, Karen McComb, Cynthia Moss, Joyce Poole, and Ed Stewart

Supporters Maria Anastasia, Joan Antelman, Carol Bash, Graham Bessellieu, Judd Brucke, Renee Po Binzer, Heather Bloch, Sara Bremer, Cynthia Von Buhler, Bentley Buran, Ivan Camilli, Erica Christensen, Alana Crow, Deborah Davis, Gary Devlin, Tom Dodson, Joan Farb, Mahsa Fatemi, Rondo Fish, Linda Fisher, Alex Forbes, Lisa Forte-Doyle, Ari G, Christina Gallagher, Delia Gerhard, Autumn Goldstein, Lisa Griffin, Amanda E Gross, Samantha Hall, Sharon Harrell, Mairsol Hernandez, Kevin Johnston, Reeve Johnston, Chris K, Stephanie Kana, Rebecca Katz, Narayanan Krishnamurthy, Christina Ku, Deborah Lancaster, Frank Lane, Mandy Larger, Wendy Leja, Joseph Letizia, Kathryn Lezenby, Denise Lytle, Rhae Majerowski, Cathy Mason, Emma Martin, Stephen Mead, Joanne Meister, Mari Mennel-Bell, Suzanne Meyer-Kenney, Vikki Miragliotta, Christine Morrissey, Daniela Muller, Deb Newman, Sande Nosonowitz, Joan O'Brien, Carolina Oltmans, Deanne Pace, Linnea Pergola, Dolores Proubasta, Julie Pruitt, Sherry Reisch, Ann Reilly, Joanne Remppel, Kendra Richards, Kat Ross, Shani Rosenzweig, Peggy Rothbaum, Stephanie Royer-Artuso, Samantha & Sharon & Donna, Suzan Schwartz, Indira Seepersaud, Ana Segota, Jennifer Sellers, Victoria Shroff, Blair Silver, Rocco Sirico, Nicholas Sorokobi, Katherine Stapp, Teresa Tario, Erika Teng Gui, Tate Thomson, Georja Umamo, Jill van Niekerk, Marce Walsh, Lee Weiskott, Joan Welsch, Emily Wilcox, Lynn Wilson, Suzan Woychuk, and An Ya

In Memory of Natasha Brenner



This year we remember Natasha Brenner, a pillar in the animal rights community and friend of the NhRP. She died in May at the age of 98.

A New York City native, Natasha said she became an animal activist at the age of 87 when she and her late husband, Noah, became involved in a local dog shelter. After learning about the suffering of dogs and other nonhuman animals, she decided to commit the last decade of her life to fighting for the protection and rights of nonhuman animals. She attended rallies and events throughout New York, including some of the NhRP's, and when she was no longer able to campaign on the streets, she began advocating online. Natasha was a longtime supporter and legacy donor of the NhRP.

At 97, Natasha said, "I hope people remember me as a person who cared and devoted the last years doing whatever she could for animals." (Source: Their Turn)

In Memory of Sharon Conn



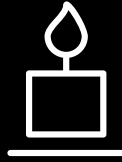
In 2020 we received a generous bequest from the estate of Sharon Conn. A dedicated NhRP supporter with a lifelong commitment to nonhuman rights, Sharon asked exceedingly thoughtful questions about our approach to securing legal rights for nonhuman animals, paid careful attention to developments in our court cases, and regularly shared with us her experiences advocating in her community for our mission.

Of her support for the NhRP, she wrote in an email to us in 2016: “Keep up the struggle. I am with you all the way.”

Sharon passed away on Dec. 20, 2018.

We are thankful for her deep-rooted belief in and engagement with the work of the NhRP.

In Memory of Shimon Shuchat



With gratitude for his advocacy, we remember Shimon Shuchat, a 22-year-old Brooklyn-based animal rights activist who died on July 28th, 2020.

Shimon showed great empathy for animals at a very early age and as a teenager immersed himself in the New York animal rights community, his uncle told Their Turn. After graduating from college, he worked in the animal rights movement, often leading chants at protests and speaking before local government and at rallies, including at the NhRP's first rally for Happy's freedom outside the Bronx Zoo.

After Shimon's remarks, he and NhRP Executive Director Kevin Schneider spoke about his desire to pursue law school, and Kevin was struck by Shimon's seriousness and his devotion to building a better world for human and nonhuman beings.

Often described as a quiet person, Shimon passionately used his voice to speak out for nonhuman animals. Like so many others, we were devastated to learn of his passing, especially at such a young age.

The Year Ahead



In 2021, the Nonhuman Rights Project will:

- Urge New York's highest court to hear Happy's elephant rights case
- File a new nonhuman rights lawsuit in California
- File a new nonhuman rights lawsuit in Colorado
- Continue to work to secure incremental legal victories and persuade multiple judges in multiple jurisdictions that our clients deserve recognition of their legal personhood and right to liberty
- Assist our Israeli legal working group with the filing of the first nonhuman rights lawsuit in Israel
- Assist our Indian legal working group with the filing of a lawsuit that will help clarify what rights a nonhuman animal has in India
- Build new sections of our website that will provide new educational resources and analyze judicial decisions worldwide that are important to the nonhuman rights movement
- Work with lawmakers to introduce the world's first nonhuman rights legislation in a major city in California
- Continue meeting with federal lawmakers to discuss the importance of nonhuman rights
- Ramp up our grassroots advocacy campaigns to free Happy and Minnie and grow the national and international nonhuman rights movement



Message from NhRP Executive Director Kevin Schneider

2020 has been a year unlike any in our lifetimes. Unprecedented disruptions have become the new normal as we await resolution of a pandemic that has revealed and intensified longstanding systemic issues and injustices.

Here at the NhRP, many of our plans were changed or canceled. And, as expected, we faced challenges in and beyond the courts, too.

Yet through all of this, you did not give up on us. Your support has allowed us to adapt and thrive this year and continue to build a foundation for a future in which nonhuman rights are respected alongside human rights. And while the challenges might look more daunting than ever, slowly but steadily the legal wall that separates human and nonhuman beings is crumbling. The question of rights for nonhuman animals is now finally and firmly on the agenda of governments at every level around the world. Some courts and legislatures are taking on the opportunity with enthusiasm, which gives us hope and encourages us onward.

While losses in the courts may sting at first, especially since they mean continued imprisonment for our clients, we are undeterred because our work is grounded in values and principles of justice. And at the end of the day, battles like these are not won or lost in the courts alone.

Patience, principle, and perseverance will guide us to a better world for nonhuman animals. Your support makes all of this possible.

Thank you.

Support the NhRP



Please help make nonhuman rights a legal reality by making a year-end gift. With your contribution, the Nonhuman Rights Project will strengthen the fight for nonhuman animal rights in 2021 and beyond.

To donate, please visit our website at nonhumanrights.org/donate or text NONHUMAN to 44-321. If you'd like to discuss other ways to give, such as a monthly gift or legacy gift, please reach out to our Development Director Mickey Suzuki at msuzuki@nonhumanrights.org.

Thank you sincerely for supporting this unique and vital work.

