



## Animal Justice Memorandum (South Africa)

### *A Constitutional Vision for Justice for All Beings*

May 2026

#### 1. Constitutional Recognition of Animals

Animals must be recognised within South Africa's constitutional framework as beings with **intrinsic value and legal relevance**. Law and policy must align with transformative and inclusive constitutional rights and values. All spheres of government have responsibility for animal protection.

#### ANIMALS MUST BE CONSTITUTIONALLY PROTECTED

#### 2. Transformative Law Reform and Institutions

A **comprehensive, modernised Animals Protection Act** must be passed that is constitutionally aligned, appropriately drafted and effectively enforced through empowered institutions. This memorandum's demands must be included.

#### A COMPREHENSIVE APPROPRIATE ANIMAL LAW MUST BE PASSED

#### 3. Ubuntu and Interconnected Justice

Animal protection must be grounded in **Ubuntu**, recognising animals as vulnerable beings, and the interconnected dignity of humans, animals, and the environment while advancing **social, ecological, and interspecies justice together**.

#### WE ARE BECAUSE THEY ARE

#### 4. Recognition of Animal Sentience

Animals are **sentient beings capable of suffering and flourishing**. Governance systems and laws must explicitly recognise and protect these and other capacities across all sectors, uses and impacts (farming, wildlife, research, labour, and companionship, among others).

#### ANIMALS ARE SENTIENT BEINGS

#### 5. Animal Flourishing as a Core Objective

The goal of governance must move beyond preventing cruelty toward enabling **animals to live, express natural behaviours, and flourish** in conditions appropriate to their species and individual needs.

#### ANIMALS DESERVE TO FLOURISH



## 6. Duty of Care Across Society

A **positive legal duty of care** must be imposed on the state, industries, and individuals to protect animals proactively - not merely prevent or respond to cruelty after harm occurs - and based on the appropriate context and stakeholder responsibilities.

### WE HAVE A DUTY OF CARE TOWARDS ANIMALS

## 7. Least Harm and Justifiability

All human use of animals must meet strict tests of **necessity, reasonableness, proportionality, and justification**, ensuring that harm is avoided, minimised and proportional, and never inflicted for trivial or avoidable purposes.

### THOSE WHO SEEK TO HARM ANIMALS MUST JUSTIFY IT

## 8. End Arbitrary and Exploitative Practices

Legal and policy frameworks must eliminate **arbitrary, inconsistent, and exploitative uses of animals**, including practices justified solely by profit, tradition, preference or convenience.

### ARBITRARY EXPLOITATION OF ANIMALS MUST END

## 9. Transparent, Accountable Governance

Animal protection must be administered through **transparent, properly funded and non-conflicted institutions and structures** that are transparent and accountable.

### APPROPRIATE INSTITUTIONS MUST GOVERN ANIMALS PROPERLY

## 10. Just Transition to Humane Systems

A **systemic transition away from harmful and industrialised animal use** toward ethical, sustainable alternatives (including food systems, research methods, and conservation models, among others) that protect animals, people, and the environment must occur.

### WE MUST TRANSITION TOWARDS ALTERNATIVES TO ANIMAL USE

## 11. Dedicated Engagement and Participation Forum

A dedicated, transparent, properly administered Forum must be established for engagement and participation with public and private sector actors (including animal protection organisations) in realisation of these objectives.

### PARTICIPATION AND ENGAGEMENT THROUGH FORUM