

ICALP - International Center for Animal Law and Policy

Keywords: Icalp; animal rights; animal welfare; public policies

ICALP is a Centre for Education and Research (CER), a structure created and established by the Universitat Autònoma de Barcelona (UAB) in its regulations, to promote multi-disciplinary research and education.



As such, it was approved by the governing council of UAB in its session of 11th November 2015, but it was not until recently that, due to various unavoidable academic difficulties, the inaugural meeting of all of its members took place on 11th May 2016. We have waited patiently until all aspects of the of the organisation have been perfectly integrated. We are not in a rush, but there is a pressing need for our work to be put to good use to benefit the scientific dialogue that will promote studies centred on the human-animal relationship.

There are prestigious Research Centres and Institutes which specialise in Animal Welfare Science (IRSEA, Institut de Recherche en Sémiologie et Ethologie Appliquée (Avignon, Francia), Istituto G. Caporale (Teramo, Italia). There are centres for Animal Law Studies, especially in: the USA (ALDF, CALS. Lewis and Clark University. Center for Animal Law Studies. Portland, USA, Michigan State University College of Law, Animal Law Web Center. Michigan, USA); Australia (Minding Animals); Canadá (GRIDA). The promotion of public policies for the protection of animals forms the basis for the existence of long-standing and prestigious animal protection organisations throughout the world: Humane Society International (USA), Compassion in World Farming (UK); 30 Millions d'Amis (France), Vier-Pfoten (Austria).



We have previously worked with all of the above-mentioned institutions (as well as others too numerous to mention) and have established contacts, including teachers, researchers and student internship exchanges, directed by the SGR Grupo de Investigación ADS-UAB.

We are certain – and this is evidenced in the letters of support which we have been receiving, that the international scientific community is showing its support for and interest in the creation of ICALP, due to the fact that, as of today, there is no similar initiative in existence.

1. Mission

Animal Welfare Science has, for many years, diligently fulfilled the role of researching the needs of animals as “sentient beings”. This expression, which originated from the world of animal and environmental science, has integrated itself into the legal world as an expression regarding the degree of treatment and protection of animals, and has already been adopted by the legal system. Nowadays, in the scientific field as well as in legal and social circles, the expression “sentient beings” constitutes a frontier to reject and punish those practices which constitute animal mistreatment, as well as a starting point from which to construct legal resources and public policies for the protection of the interests of animals within their own medium, so that, the extension of this protection to the environment where the majority of animals live, that is usually recognised as protection of Biodiversity, becomes a concomitant interest.

It is true that the convergence of interests of the sciences implicated in the attainment of an objective constitutes a “natural” phenomenon. In the sense that that the sciences are not tiny, insular areas of knowledge, but rather, very much the opposite, they tend towards open specialisation and cooperation between professionals that can contribute their knowledge to strengthen and advance their own discoveries.

The treatment of animals is contemplated as of today as a holistic space of study and action, but there are not too many examples of true, organised scientific cooperation, except for that which has been practiced for many years in UAB and the UAB sphere by some legal, veterinary, classic sciences, health sciences and biodiversity professionals. Hence the coherence of the proposal for the creation of ICALP (International Centre for Animal Law and Policy).

There is no other internationally recognised centre which combines the fields which we have been promoting until now, in a dynamic and integrated form. Hence the interest and singularity of our proposal for a Centre that could meet this need within the international field and position UAB – as it has been until now – as a pioneering university in Animal Law and Public Policy studies.

ICALP will be the first interdisciplinary, interdepartmental and international centre in Spain that integrates Social Science, the Humanities, Health Sciences and Animal Welfare Science in a structured form. We envisage that this will produce an important synergy between four great scientific communities which have traditionally been separate, that, by means of our proposal, will involve themselves in a comprehensive form in all aspects relative to animals.

1.1 Challenges

Among the challenges that we believe we are available to accept, we have set out below the following:

- From a legal perspective, we would hope for the application of animal sentience and a very significant improvement in constitutional, civil, administrative and criminal legislation.
- From a social perspective, the promotion of informed and objective public awareness. This demands the adaptation of the customs, which characterize a society that has integrated animals as beings worthy of respect, into everyday life: transport, accommodation, vaccination, identification, consumption (information, labelling, responsibility), education in respect of all levels of teaching, responsible tourism, the human-animal relationship from the perspective of responsible ownership and the promotion of firm bonds, animal handling, the definition of physical welfare



and behavioural needs of animals, the conditions and limits of the study of animals and the tests that may be carried out, establish harsh penalties for cases of abuse and mistreatment of animals and violence towards them and towards the most vulnerable elements of society, especially children.

- From a public agenda perspective, the implementation of policies designed to protect the interest of an animal in not being mistreated (which is today a hypothesis recognised by Animal Welfare Science) as being of the same level of interest that a property owner has in protecting his or her right.

We will meet these essential objectives using three aspects inherent in university activity: quality research (as a recognised SGR), teaching by way of the Master's in Animal Law and Society (onsite and online) and the transference of results, as founders and members of EGALS, of EUROPEAN LAWYERS FOR ANIMAL WELFARE and of EUROGROUP FOR ANIMALS, with whom we have already collaborated in the drafting of a European report about equines.



1.2 Structure

The structural division of ICALP will have as its basis the thematic knowledge in those areas represented in the proposal, that will be structured in such a way that, wherever possible, it can assist the incorporation of new members from different fields of knowledge:

- Animal Law
- Animal Welfare Science
- Humanism and Social Interaction
- Biodiversity and Health Sciences
- Multimedia Platforms and Public Policies

2. Research Objectives

The objectives of this multidisciplinary and international Research Centre are highlighted as follows:

- Achieve a legal definition of the word “animal” such that they are not considered as a “thing” or a “product”
- Position animal welfare as a commitment within the realm of sustainable development. Contribute to the legal regulation of animal welfare (in farms, in laboratories, and in entertainment)
- Promote sectoral studies aimed at exploring the human-animal relationship in multidisciplinary spheres: legal, social, economic, cultural, health, nutrition, biodiversity
- Join forces with representatives potentially involved in animal welfare
- Have an impact on the critical mass of studies related to the trinity of Animals, law and Policies by way of publications
- Obtain resources by way of competitive projects and ensure that the studies realised by ICALP have the maximum impact and are of international scientific quality
- Organise scientific meetings, congresses and opinion forums in order to attract specialists of the highest standard to UAB, in the subjects which are a priority for ICALP
- Position UAB as a pioneering University in the area of Animals, Law and Society
- Disseminate the results of research through training professionals by way of Masters, Continuing Professional Development Courses, seminars and workshops.

3. Members and Function

ICALP has assembled a notable group of researchers:

- 12 researchers from UAB; 14 from from foreign universities, among which are recognised world-class experts; 11 professionals of recognised standing in their field. With all of the members there is participation in research projects and project development as well as educational commitments.
- The ICALP group presents a significant body of work, concentrated in the years 2005 to 2015, particularly based on the training of the SGR Grup de Recerca ADS (UAB) and on the work developed for the Postgraduate Course “Animals, Law and Society” (6th edition) and in the Master's in Animal Law and Society (5th edition) and in the online Master's in Animal Law and Society (2nd edition).
- The experience of the Research Group ADS has been most satisfactory to date - above all, taking into account the fact that it is an emerging field in the study of law. In this sense, we have obtained projects and assistance in the form of agreements, as well as recognition, participation and the founding of International Study Groups, publications, Congresses, Workshops and editorial experience. We have incorporated the publications and projects of recent years of some of our participating members, as a sample of the intense work that has been carried out and which augurs well for the performance and competitiveness which we hope to achieve with the creation of this new Centre entitled ICALP.

3.1

ICALP will be the first interdisciplinary, interdepartmental and international CER that formally integrates Social Science, Health Sciences and Animal Welfare Science. We think that this fact will produce an important synergy between the four great, but traditionally separate, scientific communities, that, through our proposal, will form an integral part of all aspects related to animals.

The Sciences of Ancient World have accumulated an immense wealth of material and reflections that we need to keep exploring, that explain social understanding of animals in the western world, the creation of the criteria for health and the remedies to maintain it in the Mediteranean world, the connection between religious rites and animality, the respect for nature and its connection with cosmology, the economic function of animals which barely changed in the civilized world until the 19th Century. All of the foregoing is the framework of thought which has resulted in animals being classified as things which may be owned in the Roman world.

The discussion of the legal position of animals in the Law is often undervalued in the legal world. Nevertheless, there is an abundance of literature specifically about the changes made in the Civil Code in Germany and in Austria in 1988 and 1990, which changed the status of animals from a simple object to a distinct category between a human being and a thing, the title adopted was that of a “non thing”.

One of the goals of the creation of ICALP is to specifically,

- introduce scientific argument into legal debates regarding animal related legislation. This is something which is already hapening in many countries.
- From our perspective, it is very important to know if animals are treated simply as objects in legislation or if they can have their own distinct status, as has recently occurred in the French Civil Code. Such a modification would not only benefit animals, but also legal science as it would open up a new frontier of debate, with repercussions for society as a whole and for the solution of some specific problems which Animal Welfare Science has been trying to resolve, such as, for example, the situation of farm animals, pets and performing animals which has yet to be solved at a global level. Therefore, currently, there are paradoxes within society, given that an animal is not considered to be simply an object. This is to say that, whereas animals are often seen as members of the family, the average consumer is not yet particularly concerned about how the meat which they eat has been produced. We think that the recognition of a new legal statute regarding animals in the law could bring about a better understanding in the society in which we live.

animal. Animal sentience and the recognition of its protection is mostly in relation to the economic output of animals, but respect for animals and for their interests – which constitutes the nucleus of Animal Law – does not have limits as to size, beauty, usefulness, or proximity to our everyday lives. Another question is how the following triple aspect should be articulated nowadays:

- Social respect for animals,
- Public policies to make it effective and
- Legal protection of animals as sentient beings, capable of experiencing pain and pleasure, fear and stress.

The health sciences, as regards the subject of animals, have an important role to play in relation to two questions, which appear to be priorities for us: the scientific bases for healthy nutrition and sustainable use, as well as the human-animal relationship from the perspective of children and violence. To this end, we fostered a relationship with the Health Consortium of Terrassa (Hospital de Terrassa) from the beginning. They are highly experienced and dedicated to these subjects and have collaborated in research and teaching in our Master's programme from since we started.

We believe that this combination of scientific interests will be very positive as it will permit us to be more competitive and productive in our basic and applied research on a global basis: the publication of scientific works, generating and protecting knowledge, a high quality International Doctoral programme (within the UAB School of Doctoral Programmes), encouraging a high level of specialisation in the existing Masters in Animal Law (onsite and online), transferring knowledge to society, participation in international projects, and international mobility for researchers, personnel in training and students on internships.

THE EDITOR

Teresa Giménez-Candela
Professor of Roman Law

Director of the Animal Law and Society Master
Director of ICALP

Universitat Autònoma de Barcelona

Follow en Facebook: <https://www.facebook.com/editera.da>