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To: Professor Albie Sachs
African National Congress

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Animal Groups Alliance
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(Dr Jean Harris)

15 September 1993

Dear Professor Sachs

CLAUSE TO BE INCLUDED IN BILL OF RIGHTS

The Animal Groups Alliance has requested, by representation to the Technical Committee on Human Rights at the Negotiating Forum, that the following clause be reflected in the new CONSTITUTION in the Chapter entitled FUNDAMENTAL RIGHTS AND FREEDOMS, either as a separate clause or as a sub-clause of the Environment clause.

We request that your organization consider inclusion of a clause for the provision of the protection of living creatures/animals in its Policy.

Clauses to be considered for provision of protection of living creatures/animals:

First option

All persons have the duty to ensure that all living creatures are treated in a compassionate, dignified and respectful manner, without the infliction of stress or suffering, and that they are able to satisfy their basic needs and natural and instinctual behaviour.

Second option

All persons have the duty to ensure that all living creatures are treated in a compassionate, dignified and respectful manner, without the infliction of stress or suffering.

Motivation

It is the responsibility of any civilized and democratic society to promote the welfare of animals, and to ensure that all animals used by humans are treated in a compassionate, dignified and respectful manner. Furthermore, an inclusion of an animal protection provision clause in the constitution conforms with current international norms and standards. Provision for animal protection should therefore be reflected in the new Bill of Rights in the new

Constitution, possibly as a sub-clause of the Environment clause. This duty will not impose an undue additional financial burden on the State.

Current legislation for the protection of animals is covered by the Animals Protection Act (1962), and amendments thereof. This legislation is, however, inadequate and future legislation needs to cover a wider range of animal use, as well as be made more specific. Legislation adequately covering the use of animals in research, medicine and the food industry does not exist. While a national code (National code for the handling and use of animals in research, education, diagnosis and testing of drugs and related substances in South Africa) has been issued by the Department of Agriculture, this is not legally binding. South African legislation for the protection of animals thus lags far behind international standards, and it is therefore important that the Animals Protection Act be amended or a new Bill passed to include the protection of animals used for research, medicine and food production.

Yours sincerely

ANIMAL GROUPS ALLIANCE

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ANIMAL GROUPS ALLIANCE:



Jacquelyn Edge

for ACTION FOR ANIMALS



Beryl Scott
Roland Langley

for BEAUTY WITHOUT CRUELTY



Fiona Fraser

for EARTHLIFE AFRICA



Louise van der Merwe

for HUMANITY FOR HENS



Mfanwy Wood

for

SOCIETY FOR THE
PREVENTION OF CRUELTY
TO ANIMALS



Jean Harris

for RESEARCHERS FOR THE ETHICAL
TREATMENT OF ANIMALS



Laura Wagner

for SOUTH AFRICANS AGAINST
VIVISECTION, Cape Town



Gail Joslen

for VEGANS IN SOUTH AFRICA