

The Swiss Primate Case – A Stroke of Luck or Justice in Action?

In June 2016, Sentience Politics launched a citizens' initiative in the Canton of Basel-Stadt, demanding that the rights catalogue in the Cantonal Constitution be complemented by a basic right to life and to bodily and mental integrity for non-human primates. The required 3,000 signatures were collected within a few weeks, but efforts quickly came to a halt when the local Parliament declared the initiative invalid. Its objection that the initiative violates federal civil and constitutional law became the subject of a 1.5 year-long legal dispute between the initiators and a group of right-leaning parliamentarians. A first success marked the decision of the Cantonal Constitutional Court in January 2019. It ruled that the cantons are allowed to "expand the circle of rights holders beyond the anthropological barrier," and that the initiative is accordingly valid. Opponents, however, were quick to appeal. As we are awaiting the Swiss Federal Court's decision, this talk will highlight the key developments in the dispute, provide first-hand insights into the legal strategies, and critically analyze whether the existing judicial system can do justice to animal rights, or whether this case is a mere stroke of luck.



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