

**INTERNATIONAL VEGAN  
RIGHTS ALLIANCE**



**IVRA response to  
Bank of England Polymer Additives Consultation at:  
<http://app.keysurvey.co.uk/votingmodule/VOTING1/f/1126109/9567/>**

***(Section 1. Do you have a view...?)***

The view of the IVRA is that the use of animal-derived additives in currency is wholly unethical. Nonhuman animals are not resources and should not be thematised and categorised as such. Human beings owe ethical duties to nonhuman animals on the basis that they are living beings in possession of basic natural rights - including the right to unappropriated life.

***(Section 2 Should the Bank use palm oil?)***

The view of the IVRA is that the Bank's should work with suppliers who do not exploit other animals and whose methods do not harm the natural environment of other animals. It should seek expert, specialist advice.

***(Section 3 Views on affected groups)***

The IVRA insists that nonhuman animals are, first and foremost, the most significant group affected by the Bank's decisions. The use of animal-derived ingredients in currency does not respect the moral and legal status of nonhuman animals as sentient beings, as established in international treaties and various national Constitutions. The Bank promotes, maintains and protects a dominant culture of prejudice and violence, in which nonhuman others are sullied and subjugated. This means that other religious and non-religious groups are also affected by the Bank's decisions. The vegan community is grounded by a moral imperative to live with ethical regard for nonhuman animals. It is affected by the Bank's decision to circulate unethical currency because the community is forced to assimilate into an oppositional culture it rejects.

***(Section 4 Equality impact)***

The IVRA submits that the imposition of unethical currency is a serious contravention of international and domestic human rights law provisions that protect vegans and is, thus, unlawful.

The Bank has already acknowledged and publicised its considered duties under the Equality Act 2010. It has not, however, considered the extent of its responsibilities as a Public Authority<sup>1</sup> with obligations originating from human rights legislation. In this regard, the European Convention on Human Rights (the Convention), the Human Rights Act 1998, the International Covenant on Civil and Political Rights (ICCPR), and the duty to provide specific support for minority cultures under the Framework Convention for the Protection of Minorities<sup>2</sup> are significant.

Veganism is recognised and respected as a way of life that comes within the scope of freedom of conscience under Article 9 of the European Convention on Human Rights. In 1993<sup>3</sup>, the European Court of Human Rights recognised the vegan commitment to the moral standing of nonhuman animals as important, serious, cogent and cohesive, and reflecting a weighty and substantial aspect of human life and behaviour<sup>4</sup>. The UK did not contest this finding and the status of veganism as a matter of human rights is well documented by the Equality

## INTERNATIONAL VEGAN RIGHTS ALLIANCE



and Human Rights Commission<sup>5</sup> and the Council of Europe<sup>6</sup>. In addition, Article 9 has been specifically cited in case proceedings as an important provision for the protection of an ethical orientation that respects the moral standing of nonhuman animals and should not be dismissed.<sup>7</sup> These Article 9 considerations support other aspects of human rights law that recognise the clear, public concern for nonhuman animals.<sup>8</sup> They are also supported by the rejection of applications to the European Court of Human Rights that seek to establish a human right to abuse other animals<sup>9</sup> and the continued growth of national Constitutions that recognise the sentient status of other animals, as required by the Treaty of Amsterdam. The legal status of veganism in human rights practice must not, therefore, be overlooked.

The rights contained in the European Convention on Human Rights, are made available in the UK through the Human Rights Act 1998. Article 9 of this legislation reflects Article 9 of the Convention. This UK Act regulates the conduct of the state in its relationship with citizens. It explicates, very clearly, that Public Authorities must not contravene a Convention right and that the manifestation of freedom of conscience must not be interfered with, except **where there is a law that is necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others**.<sup>10</sup> On these grounds, the Bank's interference with the manifestation of veganism is unlawful because the imposition of the currency **cannot be justified under any of the permitted grounds for interference**: the circulation of unethical currency does not relate to an existing law that is required in the interests of public safety, order, health or morals, and the rights of vegans, in this regard, do not interfere with the rights and freedoms of others.

Imposing this unethical practice on vegans is contrary to both European and International human rights provisions, to which the UK is signatory. Both Article 9 of the Convention and Article 18 of the ICCPR explicitly state that the right to freedom of conscience must not be restricted, unless there is a law that is necessary for important reasons. If this principle is ignored, the ICCPR makes it very clear that the consequence is likely to be unlawful coercion.<sup>11</sup> This Covenant is very explicit. It expresses the primacy of freedom of conscience and states that "no one shall be subject to coercion". Its accompanying guidance states that national policies or practices must be examined for compliance with this fundamental principle.<sup>12</sup> On these grounds, the imposition of a currency that interferes with the manifestation of veganism is a breach of human rights obligations and should be taken very seriously by the Bank.

The seriousness of these circumstances also relates to the status of national minorities. The European Convention makes it very clear, in Article 14, that the rights contained in the Convention will be provided to minorities without discrimination. This provision makes explicit reference to national minorities because they are particularly vulnerable to exclusion, discrimination and marginalisation. Recognising the need to create positive duties for minority cultures, the European Council created the Framework Convention for the Protection of National Minorities (FCNM).<sup>13</sup> This Convention makes it very clear that along with the established duty not to interfere in the manifestation of one's ethical orientation, as expressed in Article 9, states must ensure that they endeavour to allow minority cultures to grow and flourish. On these grounds, the imposition of unethical, state currency is contrary to supporting the vegan community. Rather, it is a new, unethical, state practice that forces vegans to participate in the dominant, majority practice of nonhuman animal consumption. This is not only unlawful interference in the manifestation of veganism under Article 9 of the Convention and the Human Rights Act 1998, it is also enforced assimilation into a dominant, majority regime

**INTERNATIONAL VEGAN  
RIGHTS ALLIANCE**



that is inconsistent with the ethical orientation of the vegan community and contravenes duties owed under the FCNM.

The Bank's focus on the UK Equality Act 2010 does not refer to the fact that equality provisions are to be consistent with established human rights law. With regard to the right to freedom of belief, the UK's existing equality law originates from the Equal Treatment Directive 2000/78/EC of 27 November 2000. This Directive is explicit that its interpretation and implementation must respect the principles of the ECHR. Given that veganism comes within the scope of Article 9 of the ECHR, has been recognised by the European Court of Human Rights and the UK Government, that the ICCPR explicitly prohibits coercion and that the Framework Convention for the Protection of Minorities creates positive duties to pay particular attention to the marginalisation of minority communities, the IVRA is of the view that the Bank's focus on the Equality Act 2010 does not give due regard to the most basic and important human right—the right to freedom of conscience and the prohibition on state coercion. By limiting its consideration of duty to only the Equality Act 2010, the Bank has neither taken into account the lawful rights of vegans to manifest ethical regard for the moral and legal standing of nonhuman animals, nor has it taken seriously the duty to ensure that the vegan community is not assimilated, through coercion, into an opposing, dominant regime of cruelty, exploitation and violence towards nonhuman animals.<sup>14</sup>

The imposition of a currency that violates the rights of vegans to live according to (widespread) ethical values for nonhuman animals, constitutes a *prima facie* contradiction to the principle of non-discrimination.<sup>15</sup> Any state practice that forces a minority community to assimilate into a dominant, majority practice is reviled in human rights and is particularly offensive when that practice is one that depends on unprecedented violence and suffering inflicted on others who are vulnerable and defenceless.<sup>16</sup> With regard to the moral and legal standing of nonhuman animals and the widespread, ethical, public consideration extended to them, the IVRA urges the Bank to abandon its participation in the unjustifiable consumption of nonhuman animals. If it does not support the moral imperative to attend to the suffering of nonhuman beings, it cannot avoid observing the established human rights of the vegan community to live free from state interference and without coercion into an oppositional, unethical way of life that it rejects.

In sum, the Bank has a moral duty not to participate in the commodification of nonhuman sentient life and a strict legal duty to ensure that it does not compromise the important principles of human rights by imposing a state-supported practice that constitutes oppression, marginalisation and assimilation of the ethical vegan community.

**INTERNATIONAL VEGAN  
RIGHTS ALLIANCE**



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<sup>1</sup> This IVRA notes that the Bank is a Public Authority in the category ‘Public Corporations’.

<sup>2</sup> The FCNM Advisory Committee does not support a limitation of duty that would exclude any minority community.

<sup>3</sup> *H v UK* [1993] 16 EHRR CD 44.

<sup>4</sup> This is the criteria used by the Court to assess validity and grant protected status. See *Campbell and Cossons v the United Kingdom*, 48 Eur. Ct. H.R. (ser. A) 1982.

<sup>5</sup> <https://www.equalityhumanrights.com/en/human-rights-act/article-9-freedom-thought-belief-and-religion>

<sup>6</sup> <http://www.coe.int/en/web/compass/religion-and-belief>

<sup>7</sup> See the statement of Judge Pinto de Albuquerque in *Hermann v Germany* App No 9300/07 (ECHR 26 June 2012).

<sup>8</sup> Rights under Article 10 (ECHR freedom of expression) frequently support public opinion in this regard.

<sup>9</sup> For example, the court has rejected the right to hunt with hounds or to take part in slaughter. See *Friend and Countryside Alliance v. the United Kingdom* App No 16072/06 and 27809/08 November 2009; *Cha'are Shalom Ve Tsedek v France* App No 27417/95 77, ECHR 2000-VII.

<sup>10</sup> It must also pursue a legitimate aim and be proportionate.

<sup>11</sup> The UK is signatory to the ICCPR and the Law of Treaties permits the European Convention to be ever consistent with evolving international law on matters of the same.

<sup>12</sup> See United Nation Human Rights Committee, General Comment No. 22 on Article 18, Freedom of Thought, Conscience and Religion, U.N. Doc. CCPR/C/21/Rev.1/Add.4, para 2.

<sup>13</sup> Framework Convention for the Protection of National Minorities, 1 February 1995 ETS 157.

<sup>14</sup> Article 9 of the ECHR is to be interpreted in the light of the ICCPR. The Law of Treaties provides for consistency in matters of the same.

<sup>15</sup> The outgoing United Nations Special Rapporteur on Religion and Belief, Heiner Bielefeldt, makes this point in ‘Freedom of Religion or Belief: A Human Right Under Pressure’ (2012) *Oxford Journal of Law and Religion* 1(1), 24 doi 10.1093/ojlr/rwr018

<sup>16</sup> In this regard, your attention is drawn to the prevalence of evidence of nonhuman animals suffering that is documented in a plethora of historical and contemporary literature. A brief survey of social media is a time efficient way to witness the disturbing extent of suffering inflicted upon sentient beings.