

Rights of Nature in Practice

Lessons from an emerging
global movement

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Anima Mundi Law Initiative

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Introduction

At this point in time, we face intensifying ecological and climate crises globally, as well as related social disruptions. If we continue to exert a disproportionate and adverse impact on the rest of the natural world, we are likely to bring forth catastrophic outcomes on ourselves and the planet, and potentially even termination of humans as a species. In parallel with urgent actions to address immediate challenges such as our fossil fuel use, it is imperative that we also evolve our legal and other collective systems to align with the recognition that our well-being as humans cannot meaningfully be separated from the well-being of the planet.

The expanding rights of nature movement offers a practical approach to advance this transformation. It emphasises the formal legal recognition of the inherent rights of the natural world to exist, regenerate and evolve, and has implications for environmental justice, human rights strategies and the development of other legal areas such as corporate law. Grounded in the reality that all living entities are inextricably interconnected, the movement both reflects and facilitates our deepening understanding of what it means to be human, and the ways in which we can be active agents towards the flourishing of all planetary life.

This guide provides communities, lawyers and allies with a comparative overview of the rights of nature movement to date, through the following three-part framework:



RECOGNISING: how can rights of nature strengthen our attention towards the natural world?

When rights of nature legal developments occur, which ecological entities do these involve? Which specific rights have we recognised? What are the various legal avenues and forms of such rights recognition? Which cross-cutting themes are associated with rights of nature advocacy?



RELATING: how can rights of nature deepen our relationships with the natural world?

Once rights of nature are recognised, who speaks or acts for ecological rights-holders within our human legal systems, and how? Which other communities are or could be active agents in the processes of realising and enforcing such rights?



ENABLING: which additional measures can support the exercise of rights of nature?

Which broader measures are governments and others taking to support and strengthen these actions to recognise, realise and enforce rights of nature within our legal systems?

This guide forms part of Anima Mundi Law Initiative's Rights of Nature Toolkit, and is complemented by an [online interactive mapping](#) as well as [case studies](#) of key rights of nature developments from around the world. The case studies detail the type of legal protection, jurisdiction, the context, the

form of rights of nature recognition, significance of the development, implementation activity and links to relevant court documents and other useful material. Examples referenced throughout this guide are taken from these case studies.

How can we use rights of nature strategically?

With a rich set of materials already available, advocates can consider applying rights of nature strategies in their own contexts and to strengthen diverse legal areas, including through:

-  **Pursuing similar strategies of rights recognition**, as appropriate to the specific contexts, communities involved and particularly where innovative legal strategies might highlight significant ecological and human rights injustices or inspire constructive ways of living together.
-  **Strengthening the human rights framework**, to encourage an expanded interpretation of existing human rights. For example, **the right to a healthy environment**, which emphasises the connection between the well-being of humans and the rest of the natural world, is already recognised in the constitutions or laws of numerous countries and is being relied upon increasingly in rights-based climate and biodiversity litigation and advocacy. To fully understand what (in)action might be needed to ensure a ‘healthy environment’, it is essential that we think holistically in terms of what this looks like for humans, the immediate environment in question and for other connected species and ecosystems, given the intrinsic reciprocity between all of these. Similarly, rights of nature can **contribute to the realisation of the human rights to life, food, water, housing, education, among others**, in ways that acknowledge our own individual perspectives, as well as those of future generations and the more-than-human world.
-  **Applying rights of nature lessons or strategies to other legal areas**, to shift towards contextualising *all* of our human activities and legal frameworks within ecological realities instead of continuing to silo ‘environmental’ issues whilst at the same time maintaining unsustainable resource use and other practices that do not serve humans or the planet. For example, **lawyers may find it useful to incorporate rights of nature developments in advocacy and litigation**: as part of the international and comparative legal material used to build persuasive arguments; to assist holistic interpretations of legal principles; to understand which evidence might be relevant; to determine who should participate as parties, expert witnesses or intervenors; to construct remedial strategies relevant to both immediate and long-term considerations and for all communities involved; and to bolster wider advocacy strategies and solidarity circles. Likewise, **in the area of corporate accountability**, rights of nature practices and lessons can support the momentum towards mandatory human rights and environmental due diligence in relation to corporate activities, for example, through identifying existing externalities and clarifying the types of information and which communities need to be part of such processes in order to actually prevent corporate abuses.

Why is the rights of nature movement so significant in our current global context?

The rights of nature movement represents a transformative paradigm shift to support the elevation from a global story of separation and ‘othering’ to one of interconnection. It is important to appreciate that our ecological, climate and related social crises did not arise randomly. These are linked to human systems – including economics, politics, agriculture, health and others – which operate in the context of exponential technology and, at present, on the basis of unreasonable expectations of endless economic growth on a finite planet, treatment of the world’s resources as fungible, practices of commodification and privatisation, and the corporate capture of governmental decision-making. They also rely on a perception of humans as separate from the rest of the natural world and our environments as merely passive backdrops for the human experience.

As we recognise and realise the inherent rights of nature, we modify our framing of the natural world from a collection of objects or mere property for the use, control and extraction by humans, to a worldview that repositions humans as one among many communities on earth and understands nature as a dynamic and interconnected living system. The long-held shared narrative of separation is contrary to the true story – held for us by many Indigenous communities and other traditional groups and felt by many of us – that we are inextricably linked to and part of everything else. We are increasingly understanding this interconnection through scientific revelations connected with biology, neurology, psychology, ecosystem communication, quantum mechanics and other topics. In an embodied sense, we have also felt this interconnection more intensely in recent years, including through more frequent and severe weather events, the coronavirus pandemic, and the web of our global supply chains, technology and information sharing. In fact, it is now more accurate to understand ourselves, our ecosystems and our planet as intersecting living processes rather than separate mechanical objects.

We are also a highly adaptable species, both at the individual and collective levels, and so should release any belief that our existing systems or practices are fixed or inevitable. Their complexity makes them challenging to consider in their entirety and we generally lack the time or opportunity in our daily lives to question how they came about, the ways in which they are perpetuated by influential stakeholders or whether underlying assumptions might now be outdated. However, the reality is we built these shared systems over time and so can also dismantle them or alter them to operate in alignment with planetary boundaries.

Finally, it may appear unconventional (at least within the current dominant culture) to name nature as a rights-holder. However, the law is simply a formal agreement about how choose to live together, as influenced by our current knowledge, power dynamics and the values we hold collectively. Which entities we pay attention to and invite into the law directly affects the information we gather, how we make decisions, and how we shape other laws, policies and practices. It is instructive to recall that who we have accepted in such roles has changed dramatically over time with consequently significant results. For example, historically many people have been excluded from legal recognition and agency on the grounds of gender, race, disability and other characteristics. Even today, the legal rights each of us exercise can be limited on the basis of citizenship, age, mental capacity and so on. We also already recognise non-human entities as rights-holders, notably corporations. This permits their active inclusion and participation via human proxy in legal contexts and has arguably contributed to current power imbalances and the privileging of corporate interests over those of humans and other living entities.

1. Recognising

The global rights of nature developments so far illustrate which ecological entities are being recognised as rights-holders in law and which specific rights are being protected. They also demonstrate that there are numerous entry points for seeking such rights recognition, in terms of both the legal avenues and forms of recognition as well as reveal a number of cross-cutting themes connected with rights of nature advocacy.

Which ecological entities are we talking about?

In some instances, rights have been granted broadly to the natural world as a whole, through reference to ‘nature’ or similar terms. Examples include:

- ☀ **Nature, or Pacha Mama**, “where life is reproduced and occurs” (Ecuador)
- ☀ **Mother Earth**, defined as “...the dynamic living system made up of the indivisible community of all life systems and beings living, interrelated, interdependent and complementary, which ... share a common destiny. Mother Earth is considered sacred; feeds and is the home that contains, sustains and reproduces all living beings, ecosystems, biodiversity, organic societies and the individuals that compose it” (Bolivia)
- ☀ **Nature** (Uganda)
- ☀ **Nature** made up of all its ecosystems and species as a collective entity subject to rights (Mexico City, Mexico)
- ☀ **Nature**, “made up of all its ecosystems and species as a collective entity” (State of Colima, Mexico)

In subsequent enforcement of the rights in practice, advocates have applied this broad protection to more specific components of nature. For example, in Ecuador, where the rights of nature guarantee is set out in the country’s constitution, relevant litigation has raised or applied the relevant constitutional provisions to, respectively, rivers (Vilcabamba River case), sharks (Galapogos shark fin case), native forest (the Secoya palm plantation case), mangrove ecosystems (the Cayapas Shrimper case), water (the Esmeraldas illegal mining case,) soil (the Macuma-Taisha Road case), a specific bird species (the Andean Condor case) and migratory paths for marine iguanas and other species (the Santa Cruz Road case), among other entities.



In other circumstances, rights have been recognised as being held by a particular ecosystem, such as river systems, mountains, forests and other bioregions, often with emphasis on the existence of a dynamic ecosystem comprising many interconnected parts and species. Examples include:

- ☀️ **Whanganui River**, being “an indivisible and living whole, comprising the Whanganui River from the mountains to the sea, incorporating all its physical and metaphysical elements” (New Zealand)
- ☀️ **Ganga River and Yamuna River**, “from mountain to sea” including “all their tributaries, streams, every natural water flowing with flow continuously or intermittently of these rivers” (India)
- ☀️ **Atrato River**, its basin and tributaries (Colombia)
- ☀️ **Turag River** and all rivers in Bangladesh (Bangladesh)
- ☀️ **Mount Taranaki**, as “a living, indivisible whole, incorporating the peaks, to be referred to by their Tupuna names, including Taranaki, Pouakai and Kaitake” and which “encompasses all of the physical and metaphysical elements of Nga Maunga from the peaks through to all of the surrounding environs” (New Zealand)
- ☀️ **Te Urewera**, being the whole of a former national park (New Zealand)
- ☀️ **Cayapas-Mataje Ecological Reserve** mangrove ecosystems (Ecuador)
- ☀️ **Los Cedros Protected Forest** (Ecuador)
- ☀️ **Lake Erie**, and the Lake Erie watershed, which “include all natural water features, communities of organisms, soil as well as terrestrial and aquatic sub ecosystems that are part of Lake Erie and its watershed” (USA)
- ☀️ **Mar Menon lagoon**, as an ecosystem (Spain)

In addition, in an example of Indigenous tribal law protection of the rights of nature, **a specific plant – manoomin**, a variety of wild rice – was recognised as a rights holder in a local law in north America. This represents the first recognition of the legal rights of a plant species as well as an entry point in the law through which to protect an entire ecosystem as necessary for the plant’s enjoyment of its rights.









Which rights have been recognised?

The rights of nature movement is not simply direct application of the human rights framework to nature. Instead, it is more accurate to understand that a river has river rights, a mountain has mountain rights, and so on. What this means in practice necessarily involves exploration of the inherent interests and needs of ecological entities that are essential to recognise and name as rights within our legal and other human systems, and what human behaviour must be incentivised for the whole earth community to flourish. So far, the case studies around the world have recognised a mix of substantive and procedural rights, as discussed below.

Substantive rights

In terms of substantive rights, the case studies reveal that these have focused on, in various formulations and levels of specificity, on the rights to exist, regenerate and evolve. Examples include:

-  Nature, as protected in Uganda, has the **“right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution”**
-  The Atrato River in Colombia has the **“rights of protection, conservation, maintenance and restoration by the state and ethnic communities”**
-  Nature, as a collective entity subject to rights in the Mexican state of Colima, **“must be respected in its existence, in its restoration, and in the regeneration of its natural cycles, as well as the conservation of its structure and ecological functions”**
-  Nature or Pacha Mama, subject to rights in Ecuador, has the **“right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes”** and the **“right to be restored”**
-  Lake Erie and its watershed have **“the right to exist, flourish, and naturally evolve”**
-  Manoomin has **“inherent rights to exist, flourish, regenerate, and evolve, as well as inherent rights to restoration, recovery and preservation”**

Other jurisdictions have been more specific in interpreting what such overarching rights related to existence, regeneration and evolution include or which other rights might be needed. For example, for manoomin wild rice, its inherent rights as mentioned above have been detailed further as including:

...the right to pure water and freshwater habitat; the right to a healthy climate system and a natural environment free from human-caused global warming impacts and emissions; the right to be free from patenting; as well as rights to be free from infection, infestation, or drift by any means from genetically engineered organisms, trans-genetic risk seed, or other seeds that have been developed using methods other than traditional plant breeding.

Similarly, Bolivia outlines the rights of Mother Earth in detail as including the rights:

1. **To life:** The right to maintain the integrity of living systems and natural processes that sustain them, and capacities and conditions for regeneration.
2. **To the diversity of life:** It is the right to preservation of differentiation and variety of beings that make up Mother Earth, without being genetically altered or structurally modified in an artificial way, so that their existence, functioning or future potential would be threatened.

3. **To water:** The right to preserve the functionality of the water cycle, its existence in the quantity and quality needed to sustain living systems, and its protection from pollution for the reproduction of the life of Mother Earth and all its components.
4. **To clean air:** The right to preserve the quality and composition of air for sustaining living systems and its protection from pollution, for the reproduction of the life of Mother Earth and all its components.
5. **To equilibrium:** The right to maintenance or restoration of the interrelationship, interdependence, complementarity and functionality of the components of Mother Earth in a balanced way for the continuation of their cycles and reproduction of their vital processes.
6. **To restoration:** The right to timely and effective restoration of living systems affected by human activities directly or indirectly.
7. **To pollution-free living:** The right to the preservation of any of Mother Earth's components from contamination, as well as toxic and radioactive waste generated by human activities.

Procedural rights

Procedural rights include the explicit granting of **legal personhood** in various jurisdictions. For example, the Whanganui River and Te Urewera, both in New Zealand, were each designated in legislation as “a legal entity, and [with] all the rights, powers, duties, and liabilities of a legal person”. Similarly, in a case in India concerning the Ganga River and the Yamuna River, the High Court of Uttarakhand discussed the evolution and purpose of the concept of legal personhood in detail, discussing how legal frameworks have recognised different communities of ‘natural persons’ over time, as well as ‘artificial legal persons’ such as corporations, institutions, funds and idols. The Court noted that the concept of legal personhood was devised to support societal development, stating that “[w]ith the development of the society where the interaction of individuals fell short to upsurge the social development, the concept of juristic person was devised and created by human laws for the purposes of society.”

Legal personhood can sometimes be a confusing concept for non-lawyers because of the ordinary understanding of the word ‘person’. However, as suggested by the Indian case reference above, legal systems recognise both ‘natural persons’ (namely, humans) as well as ‘legal persons’, with the latter being a legal term referring to an entity which can initiate legal action, own property, enter into contracts and otherwise participate actively in the legal system. Historically, there have been many groups in society which have had legal personhood recognised over time. These include human communities who were formally framed in law as ‘property’ or ‘chattels’, such as women or people in slavery. It also includes non-humans, such as corporations and ships. At its basis, legal personhood is simply a formal way in which we pay attention to particular groups in law and therefore draw them into the legal conversation and extend agency to them, with significant consequences for these groups in terms of the extent to which they experience injustices and dignity and can impact others.






The explicit recognition of **standing** has also occurred in various jurisdictions, referring to the right to take a case to court in a particular context. For example, rights recognitions in connection with both Lake Erie and manoomin wild rice included language stating that the ecological entity can itself take action in court to enforce its rights.

Entry points towards rights of nature recognition

How does rights of nature recognition arise? The case studies to date reveal that there are multiple legal avenues towards, and forms of, rights recognition. In several instances, opportunities to seek rights of nature recognition arose in connection with transitional periods such as the drafting of new constitutions and legislation, as well as the through participatory mechanisms that allowed for public legislative or provision suggestions. This is of particular significance as we consider opportunities presented by the break in usual global operations caused by the current pandemic or as might be associated with financial crises, the aftermath of natural disasters, climate breakdown or other similarly significant ruptures to existing human activities.

“There are multiple legal avenues towards, and forms of, rights recognition”

Examples of the different legal forms of rights of nature recognition include:

-  **National constitutions:** Nature (Ecuador)
-  **Local constitutions and charters:** Nature (Mexico City); Lake Erie (City Charter of Toledo, Ohio)
-  **National legislation:** Nature (Bolivia); Whanganui River, Te Urewera and Mount Taranaki (all New Zealand); Nature (Uganda), Mar Menor lagoon (Spain)
-  **Local and tribal laws:** manoomin wild rice (Indigenous tribal law of the White Earth Band of Ojibwe)
-  **Litigation**, with key examples including:
 - ***Turag River (Bangladesh)*** (in response to a challenge to the legality of earth-filling, encroachment and construction of structures along the riverbanks, the court relied upon the public trust doctrine to declare the river to be a legal person)
 - ***Ganga River and Yamuna River (India)*** (in response to a challenge to illegal construction along the riverbank, pollution linked to mining and a government failure to enact proper water management processes, the court relied upon constitutional provisions relating to environmental protection to recognise legal personhood in the rivers)
 - ***Atrato River (Colombia)*** (in response to a claimed violation of fundamental human rights caused by illegal mining, the court adopted an ecocentric interpretation of the constitution to recognise the legal personhood of the river ecosystem)
 - ***Amazon rainforest (Colombia)*** (in response to a claimed violation of fundamental human rights caused by deforestation and associated climate impacts, the court followed the precedent set by the Atrato River case to recognise the legal personhood of the Colombian Amazon)

Cross-cutting themes within rights of nature advocacy

It is apparent from many of the case studies that achieving formal recognition of rights of nature was, while welcomed, not actually the original aim of the advocacy. This is beginning to change in recent advocacy as more people around the world become familiar with the rights of nature movement and its implications and therefore are actively seeking such recognition. Many of the circumstances that originally led to rights of nature being affirmed in formal legal systems came about in connection with litigation or advocacy seeking to challenge human rights violations, environmental damage, or other conditions, practices or ways of living that are perceived by different communities around the world as not being in service of life on the planet.

While these are of course very context specific, there are a number of cross-jurisdictional themes within the advocacy that emerge, often overlapping in particular case studies. These can suggest opportunities to seek further nature rights recognition in similar situations in the future and also highlight the inherent interconnections between the realisation of human right to life, the human right to healthy environment and rights of nature to address significant ecological issues such as climate breakdown and biodiversity loss, as well as associated corporate practices and development models focused on profit over well-being.

Examples of these cross-cutting themes include:



Actions to address environmental emergencies, ongoing damage and emerging ecological challenges:

For example: litigation in response to devastating pollution, impeded water flow and other impacts of mining, construction or other human activities on river ecosystems (India, Colombia and Bangladesh); collective action to amend city charters or legislation to confront the impact of agricultural and other polluting practices and the absence of effective governmental responses (Lake Erie and Spain); the need to update outdated national environmental legislation as prompted by massive infrastructure projects in the energy sector, increasing urbanisation, land pressures and emerging environmental issues including climate change, petroleum industry impacts, the management of hazardous chemicals and plastics, and biodiversity (Uganda); and advocacy to highlight and prevent worsening climate change impacts (Colombia, Bolivia and manoomin wild rice).



Actions to improve human health and well-being and the realisation of human rights:

Including among others: rights of nature as complementary to or otherwise associated in the same legal document with the protection of the human right to a healthy environment (Mexico City, Lake Erie, India, Ecuador, Spain, Uganda, among others); and reliance on fundamental constitutional rights including the human rights to life, health, water, food security, healthy environment, culture and territory of the ethnic communities, in response to widespread mining and associated pollution (Colombia).



Acknowledgements of legal plurality and the reclaiming of law-making through the leadership of Indigenous or local communities and through the formal codification of Indigenous rights or alternative laws and perspectives in national legal systems:

For example, in **Ecuador and Bolivia**, opportunities arose to restructure the legal systems of each country to more closely reflect Indigenous cosmovisions through, respectively, a new Constitution and new legislation. The new Ecuadorian constitution of 2008 followed a presidential election which relied heavily on the support of Indigenous groups in the wider population. As such, the constitutional text set out a strong vision for an approach to development and an economic system guided by key principles, including the stated intention to “...build a new form of public coexistence, in diversity and in harmony with nature, to achieve the good way of living, the *sumak kawsay*”. The term *sumak kawsay*, which comes from the Indigenous Quechua language, reflects a lived reality of interconnection and harmony with self, community and, most importantly, the rest of the natural world. Its prominence in the constitution preamble illustrates both the centrality of Indigenous philosophy and the acknowledged plurinationality of the state as made up of various Indigenous communities and other diverse groups.

In **Bolivia**, legislation recognising the rights of Mother Earth was enacted as part of a complete restructuring of the Bolivian legal system following the introduction of a new constitution in 2009. It was strongly influenced by a resurgent indigenous Andean spiritual world view which recognises Mother Earth (*Pachamama*) as a living entity, orients human activity towards alignment with *vivir bien* (an expansive and non-financially focused understanding of ‘living well’) and locates humans as part of nature and equal to all other entities. The relevant law states its objective as being to “...establish the vision and the fundamentals of integral development in harmony and balance with Mother Earth to live well, guaranteeing the continued capacity of Mother Earth to regenerate natural systems” and affirms the shared belief that “Mother Earth is considered sacred; feeds and is the home that contains, sustains and reproduces all living beings, ecosystems, biodiversity, organic societies and the individuals that compose it.”

In **New Zealand**, rights of nature recognition of *Te Urewera*, the *Whanganui River* and *Mount Taranaki* all arose as part of the settlement of long-standing treaty disputes between Indigenous groups and the New Zealand government regarding claims related to colonisation, land dispossession and related social, economic and environmental impacts. The relevant legislation included and amplified Māori language and customs in the formal national legal system, and also mandated the consideration and application of inherent Indigenous values (such as kinship between humans and the more-than-human world, among others) in subsequent decision-making and activities impacting on the rights-holder.

In North America, the introduction of a tribal law to recognise the rights of **manoomin** wild rice was, in part, a way in which to reiterate and secure the enforcement of historical treaty rights (including the retention by the Indigenous peoples of usufruct

rights, that is, rights to continue traditional hunting, fishing, gathering – including the harvesting of wild rice – on ceded lands) and a focus on Indigenous agricultural practices that foreground the kinship relationship between human and plant.

In **Colombia**, the Atrato River case saw the Constitutional Court of Colombia introduce – with extensive analysis of relevant international law – an explicitly ecocentric interpretation of the constitution. Given that constitutions represent the agreed shared ‘rules’ of an entire country, this approach by the court was highly significant in terms of establishing a precedent to require that the interpretation of all fundamental rights and other laws be understood and embedded within overarching ecological considerations.

It should be noted that inclusion of Indigenous law or values within a country’s national legal system does not necessarily reflect a wholesale adoption of the entirety of the relevant Indigenous cosmovision, nor does it suggest that this is a homogenous perspective in any event. However, such instances are an important reminder that legal systems are often contested terrains and influenced by different interests, power dynamics and philosophies. The formal codification of Indigenous or minority languages, values and laws into dominant legal systems illustrates the evolving nature of the law and emphasises that legal systems are not static, apolitical, inevitable systems as commonly presented by the dominant interests.



Shifts towards laws which name harms caused by, and state a rejection of, the current dominant development models, economic systems and associated corporate practices which privilege profit over well-being:

As way of illustration, in **Bolivia**, the legislation guaranteeing rights of nature envisions a new form of development which is in harmony with Mother Earth and which reframes the status of humans and other communities within the natural world as equal. It centres the concept and practice of *vivir bien* as an explicit alternative to capitalism, to be achieved collectively and in furtherance of a harmonious relationship between all beings, components and resources of Mother Earth.

Similarly, the framing and provisions of the constitution in **Ecuador** explicitly reject the neoliberal development model of extractivism, exploitation and commodification and signals the embrace of a way of living that prioritises ecological balance over the pursuit of profit and endless economic growth.

In advocating for rights recognition for **Lake Erie** in the USA, local communities were explicit in their need to “...reclaim, reaffirm, and assert our inherent and inalienable rights, and to extend legal rights to our natural environment in order to ensure that the natural world, along with our values, our interests, and our rights, are no longer subordinated to the accumulation of surplus wealth and unaccountable political power.” The relevant legal documents referenced large-scale agricultural practices, the dumping of industrial waste and the effects of global climate change and explained that “...this emergency requires shifting public governance from policies

that urge voluntary action, or that merely regulate the amount of harm allowed by law over a given period of time, to adopting laws which prohibit activities that violate fundamental rights which, to date, have gone unprotected by government and suffered the indifference of state-chartered for-profit companies.”

In protecting the inherent rights of **manoomin** wild rice, the relevant local tribal laws set out the necessity for legal protection, noting that “...manoomin and the habitats it thrives in are threatened by hybridization, genetic modification, sterilization, privatization, climate change, and other industrial and corporate practices...”



The recognition of implications associated with the longer timescales associated with many ecological entities and the unfolding of life on the planet:

For example, in **New Zealand** the record of understanding with respect to Mount Taranaki notes that mountains are an ever-present and personified ancestor that “transcend our perception of time, location, culture and spirit”. In **India**, the High Court of Uttarakhand acknowledged the intrinsic connection between the rivers and the Indian population, affirming that the rivers “...have provided both physical and spiritual sustenance to all of us from time immemorial”. In recognising its inherent rights, the White Earth Band of Ojibwe described **manoomin** as being “...an important staple in the diets of native peoples for generations [and] a central element of the culture, heritage, and history of the Anishinaabe people.”

In **Colombia**, the Constitutional Court explained in the Atrato River case that pursuant to its ecocentric interpretation of the country’s constitution, “the human species is only one more event within a long evolutionary chain that has lasted for billions of years and [humans] therefore, in no way, are the owner of other species, biodiversity or natural resources, or the fate of the planet” and in the Amazon Rainforest case, the Supreme Court affirmed that fundamental constitutional rights were also owed as duties to future generations. Similarly, in **Mexico City**, its new city constitution noted that the realisation of the human right to a healthy environment requires “...the protection of the environment and the preservation and restoration of the ecological balance, with the aim of satisfying the environmental needs for the development of present and future generations”.

Our human lifespans are relatively short compared to many ecological entities, although many of our current practices result in waste or impacts lasting many generations. Through greater attention to and engagement with the timelines of the more-than-human world, the rights of nature movement can invite us to adopt more nuanced collective sense-making and decision-making which aligns short-term human interests and longer-term planetary or future generation interests.

2. Relating

It is a common principle in law that ‘there is no right without a remedy’. Once rights of nature are recognised in legal systems, it is important that these rights are realised in practice and can be enforced when a violation of a right has occurred.

Determining what such realisation will require necessarily involves an understanding of, at least, the *current* state of the components and entirety of the rights-holder ecological entity, its relationship to other ecosystems and broader environmental conditions, and what it is experiencing or likely to experience in connection with relevant human activities (for example, as related to the built environment, land use, pollutants, the introduction or removal of other species, among others). It will also be important to consider the ways in which humans can *alter* their understanding of, relationship to, and – whether through action or cessation of action – their actions impacting on the entity to proactively further the enjoyment of the rights in question. Such processes will involve careful consideration of who is best positioned to participate and contribute expertise and experience from a diversity of perspectives as well as ways of reaching our best understanding of the intelligences held by the natural world.



The case studies illustrate how legal systems have specified various roles and responsibilities to facilitate this type of relationship with the natural world and who can represent the interests of ecological rights-holders in ongoing decision-making processes and/or legal disputes. They also indicate the broader circles of people who support these processes. It should be noted that the examples shared below reflect formal orders issued by courts or legislative provisions so far but of course are not restrictive of the totality of diverse ways, through continued scientific discovery, embodied experience, prolonged connection with place and so on, in which humans can relate to and understand rights of nature.

Who speaks for nature?

The case studies reveal varying approaches as to who is appointed to act on behalf of nature and the specificity of their roles and responsibilities. Examples of these include:



The appointment of a specific existing position-holder or entity:

For example, in **India**, the High Court of Uttarakhand appointed the Director of the NAMAMI Gange Project (which aims to reduce pollution and support the conservation and rejuvenation of the Ganga River), the Chief Secretary of the State of Uttarakhand and the Advocate General of the State of Uttarakhand as the “human face to protect, conserve and preserve [the Ganga River and Yamuna River] and their tributaries...to uphold the status [of the rivers] and also to promote the health and well being of these rivers.” Further, it confirmed that the Advocate General shall represent at all legal proceedings to protect the interest of the rivers. In **Bangladesh**, the Court appointed the National River Conservation Commission (NRCC) as the legal guardian (*person in loco parentis*) of the Turag River, with legal responsibility to protect and conserve the rivers of Bangladesh (all of which had been granted legal personhood in the judgment). Specifically, the NRCC’s obligations included “...protection, conservation, development, and beautification of all rivers after saving them from pollution and encroachment as well as making them suitable for navigation...”



The creation of new legal representative or stewardship structures and practices:

In each of the three **New Zealand** rights of nature examples, the relevant legislation (or proposed legislation for Mount Taranaki) establishes some of the most detailed relationship models globally, comprised of Indigenous and government representatives and recognising the leadership of local communities.

In relation to the **Whanganui River**, the legislation establishes Te Pou Tupua (the voice of the river), to be the human face of and act in the name of the river. Te Pou Tupua comprises two persons; one nominated by the Iwi with interests in the river and one nominated on behalf of the Crown. Its functions include upholding the intrinsic values, promoting and protecting the river’s health and well-being, and administering Te Korotete (the fund set up to advance the river’s health and well-being). Te Pou Tupua is supported by Te Karewao (a three-person advisory group) and Te Kōpuka (a strategy group of not more than 17 members, being representatives of persons and organisations with interests in the river, including iwi, relevant local authorities, departments of State, commercial and recreational users, and environmental groups). Te Kōpuka is responsible for developing Te Heke Ngahuru (a strategy document) for the future environmental, social, cultural and economic health and well-being of the river, to be developed through a collaborative, public process and reviewed at least every 10 years. Persons making decisions in relation to or affecting the river or activities in the catchment area must consider its legal status, the designated

Tupua te Kawa (relevant intrinsic values representing the essence of the river), and Te Heke Ngahuru. They must also state how this requirement has been complied with.

Legislation recognising the rights of **Te Urewera** establishes the Te Urewera Board (consisting of eight members, rising to nine and majority Iwi appointments after three years), with responsibility to act on behalf of, and in the name of, Te Urewera, including the preparation and approval of a Te Urewera management plan (including public consultation and subject to independent review after five years). The management plan must, among other things, identify relevant values at places within Te Urewera, including values relating to: Indigenous species, habitats, and ecosystems; cultural and historical heritage; recreational values; scenic, geological, soil, and landform features; and freshwater fisheries and freshwater fish habitats. In performing its functions, the Board may consider and give expression to both Tūhoetanga (the Tūhoe people, land, assets and values) and Tūhoe concepts of management such as: Rāhui (conveys the sense of the prohibition or limitation of a use for an appropriate reason); tapu me noa (conveys, in tapu, the concept of sanctity, a state that requires respectful human behaviour in a place, and in noa the sense that when the tapu is lifted from the place, the place returns to a normal state); mana me mauri (conveys a sense of the sensitive perception of a living and spiritual force in a place); and Tohu (connotes the metaphysical or symbolic depiction of things).

For **Mount Taranaki**, the proposed legislation will see the area in question become the joint responsibility of local Māori and the Government.

Similarly, in **Colombia**, the Constitutional Court ordered the national government to exercise legal guardianship and representation of the rights of the Atrato River, as led by legal guardians to ensure the protection, recovery and due conservation of the river (comprised of one representative appointed by the government and one representative chosen by the local Atrato River communities, within one month of the ruling). Additionally, the Court ordered the Atrato River guardians to establish, within three months following the ruling, a commission of guardians of the Atrato River, comprising the Atrato River guardians as well as an advisory team, created by the Humboldt Institute and the World Wide Fund for Nature (WWF) Colombia (who the court noted had “...developed the Bitá River protection project in Vichada, and therefore have the necessary experience to guide the actions to take”).

In **Spain**, if the legislative proposal relating to the rights of the Mar Menor lagoon is approved, the lagoon will be represented by three groups: legal guardians, a monitoring committee of ‘protectors’ and a scientific advisory board.



Allowing any person to act to realise rights of nature:

Various jurisdictions have taken an inclusive approach in terms of specifying who can take action to enforce the relevant rights of nature and bring alleged violations to Court. These include the protection of nature's rights in **Ecuador** and **Uganda**, and the enforcement of **Lake Erie's** rights. This is significant in terms of overcoming the often-faced obstacle of standing (that is, the right to argue a particular case in court) and through doing so invites any member of the general public into a potential relationship of active stewardship with the ecological rights-holder.



Allowing certain groups to act to realise rights of nature:

In some instances, standing is restricted as related to the connection between the violation and the person bringing the claim. For example, in **Bolivia** the relevant legislation provides that an infringement of the rights of Mother Earth constitutes an infringement of the collective and individual rights of the people, although standing to bring a claim is restricted to those individuals or groups directly affected by an alleged violation. With respect to **manoomin**, the relevant ordinances grant powers of enforcement to the White Earth Nation, the 1855 Treaty Authority and manoomin itself in any appropriate court, tribunal or legal forum. Further, the 1855 Treaty Authority ordinance explicitly states that if the 1855 Treaty Authority fails to enforce or defend the law, or a court fails to uphold it, any individual tribal members may take non-violent direct action to protect the rights of manoomin.



Specifying that nature itself can act to enforce its rights:




For example, the Charter amendment recognising the rights of **Lake Erie** sets out that the City of Toledo, any resident of the City and the Lake Erie Ecosystem itself may enforce the rights, with violations giving rise to fines, liability, and damages related to any necessary restoration of the ecosystem, as appropriate. In **Spain**, the rights of Mar Menor lagoon will be able to be protected by any citizen or legal entity filing a lawsuit on behalf of the lagoon (if the legislative proposal is accepted).

Who else supports the recognition and realisation of rights of nature?

The effectiveness of rights realisation and enforcement in legal systems is generally strengthened when direct litigation or action is complemented by a wider advocacy strategy, comprising education strategies, political dialogue, media promotion and – crucially – community mobilisation over time. Similarly, examples of rights of nature legal developments around the world illustrate the importance of broader community engagement, both as part of a collaborative push for rights of nature recognition in a particular context as well as in the form of ongoing engagement following formal rights recognition.

Prior to rights recognition

In a number of countries, participatory processes facilitated collective action by members of the public to introduce rights of nature. For instance:

-  **Mexico City's** new constitution was developed through an extensive public participation process which began with the establishment of a diverse, non-partisan, gender-balanced drafting group comprising 28 citizen representatives recognised for their various academic, political, cultural and social roles across the city, tasked with devising a constitutional drafting process and preparing a first draft. Public input was then gathered through a range of participatory measures. The draft was then passed from the drafting group to the 100-member Constitutional Assembly who, with additional input including from the international community, edited, finalised and approved the text. The constitutional drafting followed the First International Forum for the Rights of Mother Earth, held in Mexico City in June 2016, which focused on the importance of legislating the rights of Mother Earth and the implementation of the relevant constitutional provision.
-  In **Lake Erie**, in response to the serious impact of local agricultural and other activities on the health and well-being of the lake and nearby residents, coupled with state inaction, local residents came together to form the Toledoans for Safe Water (TSW), collecting over 10,000 signatures to trigger a special election under the Ohio Constitution, seeking the addition of a “Lake Erie Bill of Rights” section to the Charter of the City. The amendment was drafted by TSW with the support of civil society allies such as the Community Environmental Legal Defense Fund (CELDF).
-  In **Spain**, a professor of philosophy of law at Murcia University worked with her students to consider ways to secure legal rights of the Mar Menor lagoon, subsequently sharing the idea in a local newspaper and submitting a ‘popular legislative initiative’, a participatory democratic mechanism which allows citizens to propose a new law pursuant to the Spanish Constitution and relevant legislation. The idea was backed by NGOs that campaign for the preservation of the lagoon and those involved are currently in the process of gathering the required 500,000 supporting signatures from the public to trigger a parliamentary vote on the initiative.






In other countries, local communities and international civil society allies engaged in joint efforts to encourage rights of nature provisions as part of constitutional or legislative reform processes, with examples including:

- ☀ In **Ecuador**, the Constituent Assembly, tasked with writing a new constitution for the country, received input from international civil society allies including the US-based Pachamama Alliance and CELDF to help it draft provisions for ecosystem rights.
- ☀ In **Uganda**, a local NGO, Advocates for Natural Resources and Development, engaged in three years of sustained advocacy towards the incorporation of rights of nature into Uganda’s revised National Environment Act, with the participation of regional and international allies and partners including the Gaia Foundation, the National Association of Professional Environmentalist, the African Institute for Culture and Ecology and the Open Society Initiative for East Africa.
- ☀ **Bolivia’s** Law on the Rights of the Mother Earth faced minimal opposition given a comfortable majority enjoyed at the relevant time by President Evo Morales's ruling party, Movimiento Al Socialismo, as well as the support of civil society groups and social movements including the largest union of peasants in Bolivia, the Confederación Sindical Única de Trabajadores Campesinos de Bolivia, whose members helped draft the law.
- ☀ Likewise, the White Earth Band of Ojibwe and 1855 Treaty Authority worked with CELDF and Honor the Earth, an Indigenous-led environmental advocacy group, in the development of the law guaranteeing the legal rights of **manoomin**.

In **Bangladesh**, the claimant’s legal action built upon a longer-term process that included an extensive newspaper research report regarding the state of the river from 2013 to 2016 and was also bolstered by broader public conversation concerning the health and status of the rivers in Bangladesh. For example, shortly before the judgment being issued, ActionAid Bangladesh organised the 4th International Water Conference, with the main objective being to advocate for the recognition of river as a living being, as well as widening space for sharing multidisciplinary ideas, knowledge and insights relating to water commons, from local to a global level, and advancing transnational advocacy and activism on water commons from a rights perspective.

Following rights recognition

In certain case studies, court judgments or legislation have mandated the specific engagement and tasks of certain groups in the realisation of the rights of the particular ecological entity, for example:

-  To facilitate the role of the named guardian of the rivers in **Bangladesh**, the Supreme Court of Bangladesh ordered all river-related Authorities, Departments and Ministries be under obligation to provide appropriate and sufficient cooperation and assistance to the guardian, communicate with the guardian prior to going forward with any new project concerning any rivers, canals and water bodies, and obtain a 'no objection' certification for such projects. As part of this process, the Court directed relevant authorities to determine the geographical location of all rivers, canals, beels and water bodies in the country, collect biodiversity information and share this information publicly.
-  In **Colombia**, the Constitutional Court explained that the mandated advisory team "...may be formed and receive support from all public and private entities, universities (regional and national), academic centres and research in natural resources and environmental organisations (national and international), community and civil societies wishing to link to the protection project of the Atrato River and its basin." The Court also noted that the panel of experts responsible for ensuring compliance with the orders may also supervise, accompany and advise the work of the Atrato River guardians.
-  In relation to the **Whanganui River**, the legislation establishing the rights of the river provides that once the draft of Te Heke Ngahuru (the strategy document for the future environmental, social, cultural and economic health and well-being of the river) is prepared, but not later than 18 months after the settlement date, the drafters must make it publicly available and accept and consider submissions, amend as appropriate, then approve it.

3. Enabling

In addition to the formal recognition of rights of nature within legal systems and the mandating or emergence of representative or guardianship processes and broader circles of community mobilisation and support, the case studies also note a range of additional administrative, educational, budgetary, legal and other measures connected with this movement. As for the full enjoyment of many human rights, the realisation and enforcement of rights of nature is not an immediate moment but is likely to require time, particularly as the legal developments represent a paradigm shift to our current ways of perceiving and interacting with the natural world.

Shared below are a number of such measures, as arising directly in connection with the formal legal recognition. It should be emphasised that these constitute only a limited set of examples, which act as prompts to our collective legal and social imaginations about what might be helpful to amplify this movement and its impacts.

Orders and measures to stop ongoing damage and begin restoration steps

With rights of nature recognition often occurring in contexts of significant existing ecological damage, various courts have at the same time issued urgent orders to offer rapid redress. This is often the first step in a longer process of beginning to realise rights of nature, particularly the right to restoration. For example, in **India**, the High Court of Uttarakhand ordered the eviction of a number of the respondents in the case and the immediate banning of mining in the river bed and highest flood plain of the Ganga River. Similarly, in **Bangladesh**, the directions of the Supreme Court included immediate steps to redress existing damage and encroachment of the Turag River, including removal of illegal structures within 30 days, as well as significant consequences for those involved in encroachment or pollution, including public naming, disqualification from future bank loans or standing for election.

In Colombia, the Constitutional Court ordered the government to take the following specific measures in connection with its finding of human rights violations and recognition of the legal personhood of the Atrato River:

- Within a year after the notification of the judgment, design and implement a plan to decontaminate the Atrato River basin and its tributaries, the riverine territories, recover their ecosystems and avoid additional damage to the environment in the region (including indicators to measure effectiveness and participation of local communities)
- Within six months after the notification of the judgment, design and implement a joint action plan to stop illegal mining activities throughout Chocó (including indicators to support effective evaluation and monitoring)
- Within six months after the notification of the judgment, design and implement a comprehensive action plan that allows the recovery of traditional forms of subsistence and food (including indicators to support effective evaluation and monitoring)
- To commence within three months and complete within nine months, toxicological and epidemiological studies of the Atrato River, its tributaries and communities, to determine the degree of mercury and other contamination and the impact on human health (including a baseline of environmental indicators)

- Carry out a process of monitoring and following-up on compliance with and execution of all orders, which must include the convening of a panel of experts to advise on follow-up and execution processes, with the participation of claimant communities and the establishment of timelines, goals and indicators of compliance, and the submission of semi-annual reports to both the Administrative Court of Cundinamarca and the Constitutional Court

In countries where rights of nature have been formalised via legislative or constitutional guarantees, these are often complemented by provisions requiring immediate and longer-term governmental measures. For example, in **Ecuador** the constitution provides that “[i]n those cases of severe or permanent environmental impact, including those caused by the exploitation of nonrenewable natural resources, the State shall establish the most effective mechanisms to achieve the restoration and shall adopt adequate measures to eliminate or mitigate harmful environmental consequences”, that “[t]he State shall apply preventive and restrictive measures on activities that might lead to the extinction of species, the destruction of ecosystems and the permanent alteration of natural cycles” and that “[t]he introduction of organisms and organic and inorganic material that might definitively alter the nation’s genetic assets is forbidden”. In its National Environment Act, **Uganda** guarantees that the government “shall apply precaution and restriction measures in all activities that can lead to the extinction of species, the destruction of the ecosystems or the permanent alteration of the natural cycles.”

Structural

In various case studies, court orders or legislative provisions have created new institutions, strengthened the powers of existing institutions and take positive measures or required incentives to support rights of nature in practice.

For example, the **Bolivian** Framework Law of Mother Earth and Integral Development for Living Well authorised the creation of two new institutions to give effect to the law. One was the Mother Earth Ombudsman's Office (*Defensoria de la Madre Tierra*), as a counterpoint to the human rights ombudsman office (*Defensoría del Pueblo*), to investigate alleged violations of the rights of Mother Earth and issues recommendations to the government (though reportedly this is not yet established). The second was the Plurinational Mother Earth Authority (*Autoridad Plurinacional de la Madre Tierra*) (APMT) within the Ministry of Environment and Water, as the state entity responsible for much of the development, overseeing and co-ordination of projects, programmes and research relating to climate change.

In **India**, the High Court of Uttarakhand’s judgment included orders for the central government to constitute a functional Ganga Management Board as had been anticipated in the legislation creating the new state Uttarakhand out of Uttar Pradesh, and to induct the state of Uttarakhand as a member of the Upper Yamuna board within three months. As the case had arisen in part due to a lack of adequate governance arrangements pertaining to the Ganga River and Yamuni River, this was a necessary step to take a holistic approach to public understanding, relationship and action in relation to the relevant river ecosystems.

In **Bangladesh**, the Supreme Court ordered the state to amend the National River Conservation Commission Act 2013 to strengthen the National River Conservation Commission (the appointed guardian of the Turag River) particularly its powers of investigation and enforcement, including through new criminal offences, and to immediately take necessary steps to ensure it operates as an effective and independent institution.

In **Ecuador**, the new constitution envisioned broader community efforts to support nature; for example, providing in Article 71 that “[t]he State shall give incentives to natural persons and legal entities and to communities to protect nature and to promote respect for all the elements comprising an ecosystem.”

Funding

Any financial backing, both initial and ongoing, given to rights of nature realisation is important, particularly where legislation or the judiciary has required more complex representative or relationship structures or processes.

For the recognition of rights of nature in connection with the **Whanganui River** in New Zealand, the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 provided for explicit government funding. This was comprehensive and included: a one-off contribution of NZD 430,000 towards the establishment of Te Kōpuka (strategy group) and the development of Te Heke Ngahuru (strategy document); the establishment of a NZD 30 million Te Korotete fund to support the health and well-being of the river, open to any person or group to suggest initiatives; a NZD 80 million financial redress payment to Whanganui Iwi; and an additional payment of NZD 1 million for transitional and implementation matters relating to the new legal framework.

Again in New Zealand, the Te Urewera Act set out a pathway for financial planning and operations concerning **Te Urewera**. In relation to the budget of the Te Urewera board (responsible for acting on behalf of the rights-holder), the Act specified that: (1) Before the beginning of each financial year, the Board, the chief executive, and the Director-General [of Conservation] must develop and agree a budget for the performance of the powers of the Board and the exercise of its powers for that financial year; and (2) The chief executive and the Director-General must contribute equally to the costs provided for in the budget, unless both agree to a different contribution.

Public education

In **Bangladesh**, the Supreme Court’s judgment was notable for its inclusion of very detailed directions to bolster public awareness and education – through a variety of methods and spaces – regarding the rivers and the environment, including directing relevant authorities to share information collected about the water systems and biodiversity publicly, as well as through educational institutions, with factory workers, through local governments and communities, and via television programming.

It also outlined precise directions for awareness raising and education about the rivers and their role within ecological systems and biodiversity. For example, it required: regular awareness programs in every class and department within all government and private educational facilities at different levels on the necessity, benefits, protection, pollution and preservation of rivers; the arrangement of regular visits by students to rivers flowing through their localities; the arrangement of rallies, art exhibitions, competitions and seminars relating to rivers by local governments; the inclusion of river preservation and pollution in the curriculum of schools, colleges and universities; and the weekly television broadcast of national and international documentaries on rivers, nature and the environment.

Similarly, **Uganda**’s National Environmental Act requires the integration of environmental education into educational curricula and programmes.

Conclusion

In providing a comparative overview of the key rights of nature legal developments across jurisdictions so far, this guide seeks to animate the practical exploration by communities, lawyers and others of ways we might recognise and relate to the rest of the natural world through the law. It also encourages reflection about the broader societal measures that will be needed to support such processes, including educational, structural, funding and other measures.

As an emerging movement, the realisation and implications of rights of nature are ongoing, with the need for diverse perspectives and the leadership of local communities. At a time when we stand at a crossroads towards a range of different possible futures, rights of nature and other creative legal strategies hold significant promise for the transformative evolution of our legal systems and other shared human activities. The implications of the movement are broad, encompassing environmental justice, human rights strategies and the development of other legal areas such as litigation, budget-analysis and corporate law. How it is applied in practice is a matter for collective imagination and strategic engagement during the coming years.



Annex

Timeline of key rights of nature recognition events

This table outlines many of the key events relating to rights of nature recognition across jurisdictions, with hyperlinks connecting to the Rights of Nature online mapping and case studies for further reading. If you have suggestions for further updates, please contact www.animamundilaw.org

October 2008	<u>Ecuador</u> 's redrafted national constitution entered into force, which included a chapter on the rights of nature. The Constitution recognised nature as a subject of rights, including the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes.
March 2011	The Loja Provincial Court of Justice in Ecuador applied rights of nature in favour of the <u>Vilcabamba River</u> , in response to a challenge regarding the dumping of road construction debris into the river.
October 2012	<u>Bolivia</u> enacted its Framework Law of Mother Earth and Integral Development for Living Well. This law recognises rights of nature, including the rights to life, diversity, water, clean air, equilibrium, restoration and pollution-free living. It also authorised the creation of two new institutions to realise these rights in practice.
July 2014	<u>Te Urewera</u> was removed from New Zealand's national park system and granted legal personhood, with all the rights, powers, duties, and liabilities of a legal person.
September 2015	The Constitutional Court of Ecuador ruled that a lower court's failure to examine whether there had been a violation of rights of nature, with respect to the <u>Cayapas-Mataje Ecological Reserve</u> , was a violation of the constitutional guarantee of due process.
November 2016	The Constitutional Court of Colombia recognised the legal personhood of the <u>Atrato River</u> , its basin and tributaries, and its rights to protection, conservation, maintenance and restoration, in response to a claim by Indigenous and Afro-descendent groups for the protection of constitutional rights.
2017	Whilst not granting the <u>Yarra River</u> legal personhood, the Yarra River Protection (Wilip-gin Birramung murrin) Act 2017 in Australia recognised the river as "one living and integrated natural entity" and appointed a new entity to act on its behalf.
February 2017	<u>Mexico City</u> 's new Constitution entered into force, which included a reference to rights of nature and a pledge to enact secondary legislation to recognise such rights.
March 2017	In resolution of longstanding Indigenous land dispossession and related claims, New Zealand enacted legislation granting the <u>Whanganui River / Te Awa Tupua</u> legal personhood with all the rights, powers, duties, and liabilities of a legal person.
March 2017	The High Court of Uttarakhand in India recognised the legal personhood of the <u>Ganga River and Yamuna River</u> , in response to public interest litigation concerning water management, mining, illegal construction and pollution impacting the river systems.

March 2017	The High Court of Uttarakhand in India recognised the legal personhood of the <u>Gangotri and Yamunotri glaciers</u> , including rivers, streams, rivulets, lakes, air, meadows, dales, jungles, forests wetlands, grasslands, springs and waterfalls, with all corresponding rights, duties and liabilities of a living person, in order to preserve and conserve them.
December 2017	The New Zealand government and eight Taranaki iwi signed a Record of Understanding with respect to <u>Mount Taranaki</u> which states their shared intention that the mountain will be recognised as a living being with legal personality.
April 2018	The Supreme Court of Justice in Colombia recognised the rights of the <u>Colombian Amazon</u> , in response to a claim by 25 young people concerning deforestation, climate change and future generations.
December 2018	Members of the Chippewa/Ojibwe tribe passed a tribal law recognising the rights of <u>manoomin</u> , a variety of wild rice, to exist, flourish, regenerate, and evolve, as well as its inherent rights to restoration, recovery and preservation.
January 2019	The High Court Division of the Supreme Court of Bangladesh recognised the legal personhood of the <u>Turag River</u> , and extended this status to all rivers across Bangladesh, in response to public interest litigation challenging earth-filling, encroachment and construction along the riverbanks.
February 2019	Citizens of Toledo, Ohio, in the USA, amended the Charter of the City of Toledo to include a bill of rights to recognise the rights of the <u>Lake Erie ecosystem</u> to exist, flourish, and naturally evolve, as well as complementary rights to self-government and a clean and healthy environment for the people of Toledo.
March 2019	<u>Uganda</u> enacted its revised National Environment Act 2019, which recognised rights of nature, including the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution.
June 2019	The Administrative Tribunal of Tolima in Colombia recognised rights of nature in respect to the <u>Coello, Combeima and Cocora Rivers</u> , in response to litigation brought to protect the collective rights of local communities from the impacts of mining.
July 2020	Citizens in Spain submitted a ‘popular legislative initiative’ (PLI), which allows citizens to propose a law, to the Spanish parliament. The PLI seeks recognition of the right of the <u>Mar Menor lagoon</u> to exist as an ecosystem and to be protected and preserved by the government and residents. The outcome of the PLI is expected in early or mid-2021.
February 2021	The Innu Council of Ekuanitshit and the Minganie Regional County Municipality adopted resolutions granting legal personhood to the <u>Muteshekau-shipu River</u> (also known as Magpie River) and recognising nine specific rights.
Ongoing (as at March 2021)	Community <u>advocacy efforts</u> to secure rights of nature are ongoing in connection with the following locations (among others): the <u>Salish Sea</u> (USA/Canada); <u>Boulder</u> (USA); the <u>River Dart</u> (UK); <u>River Ethiope</u> (Nigeria); and <u>Los Cedros Protected Forest</u> (Colombia).

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