

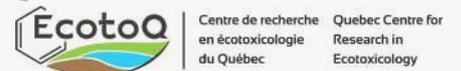


OIDN

OBSERVATOIRE
INTERNATIONAL DES
DROITS DE LA NATURE



Alliance ————— Fleuve St-Laurent



Rights of Nature : what are we referring to ?

Ecocentrism →

is the basis for the Rights of Nature movement.



This philosophy is inspired by **Indigenous traditions**.

It recognizes the intrinsic **value** and **dignity** of Nature: there should be a right that protects the existence of various species and ecosystems.

Ecocentrism also considers **humans as part of Nature**. When seen as such, Nature is not merely a resource to be exploited, but rather a living environment to be protected.

The rights of Nature movement aims to **make Nature a subject of law**, similar to human beings and corporations.

→ By making Nature a subject of law, it is recognized that it can be harmed and therefore **legal action can be taken on its behalf**.



Why give the Saint Lawrence River legal personhood ?

Despite various legislative reforms and important court decisions, the state of the St. Lawrence River is deteriorating. It is urgent to act! [A new legal framework is required!](#)

We must act urgently! →

If the river is granted legal personality, this recognition would bestow it with various rights, such as the rights to [protection, respect of its natural cycles, and restoration.](#)

It would also allow the River and its tributaries to have specific rights recognized and to be represented by selected Guardians who would:

- Act as a voice for the River and make decisions in its best interest;
- Demand that any legal or physical person responsible for an injury be sued for reparation.

→ The Guardians could come from various backgrounds: First Nations, communities along the River, municipalities, etc.



The right to regeneration and restoration

Increased responsibility of the actors and users of water. Alliance between law, ancestral knowledge and science.



The right to act in law

Representation of the River by various Guardians (ancestral and legal) who will enforce its rights. Organize governance to avoid conflicts of interest.



The right to feed and to be fed by aquifers and tributaries

Use the watershed model with capacity to act and extend the model to the tributaries of the River.



The right to the respect of its lifecycles

Avoid building in flood-prone areas. Avoid damage to the population during the spring flood cycle.



The right to exist and to flow

Integrate indigenous perspectives. Make the River suitable for recreational boating (equitable access).



The right to be freed from all contamination

Ensure a safe water supply. Promote access to safe swimming.



The right to perform essential functions within the ecosystem

Allow a holistic vision of the river considering the freshwater-marine, downstream-upstream part.



The right to maintain its natural biodiversity

Protect the habitat of all species without waiting for a species to become endangered or threatened.



The right to maintain its integrity

Preventive approach advocating the protection of species' habitats.

A first in Canada: **the Magpie river** **(Mutehekau shipu)**

In February 2021 →

Thanks to the adoption of two mirror resolutions by the [Ekuanitshit Innu Council](#) and the [Minganie MRC](#), the Magpie River (Mutehekau shipu) became the first river in Canada to be granted legal personality.



The rights of the river may be defended in court by Guardians.

Some international recognitions

Colombia

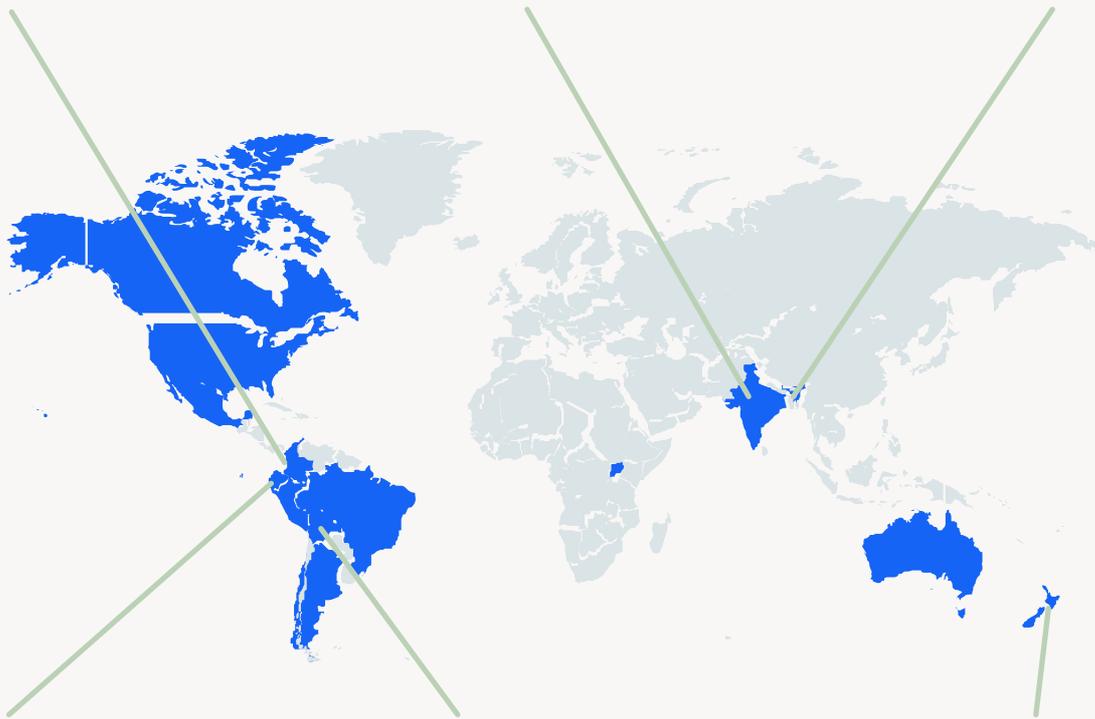
In 2017, the Constitutional Court of Colombia declared the Atrato River a subject of law.

India

In 2020, the court declared both the Ganges and the Yamuna River as legal persons.

Bangladesh

In 2019, the court declared all the rivers of Bangladesh as a living entity with rights.



Ecuador

In 2008, Ecuador incorporated the recognition of the rights of Nature in its Constitution.

Bolivia

In 2010, Bolivia passed a law on the rights of Mother Earth.

New Zealand

In 2017, New Zealand recognized the Whanganui River and the Te AwaTupua National Park as legal entities.



2018-2020

Drafting of the Bill and our book

Reviewed by: Prof. Daniel Turp, Prof. David R. Boyd, Grant Wilson (Earth Law Center)

April 2021

Publication of the proposed bill in our book

A Legal Personality for the St. Lawrence River and other Rivers of the World

**Fall 2021 -
Winter 2022**

Seeking support and funding for the consultation process

Target stakeholders: First Peoples, municipalities, the agricultural community

Winter 2022

Revision of the bill for its final draft

March 22, 2022

Presentation of the bill at the National Assembly on World Water Day