

## 11<sup>th</sup> INTECOL 2021 International Wetlands Conference Resolution to Promote the Rights of Wetlands

### **Sponsor: Society of Wetland Scientists Rights of Wetlands Initiative**

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### ***Whereas:***

- 1) Many Indigenous Peoples and local communities have recognized the living beingness and rights of wetlands and other elements of Nature for millennia;
- 2) There is a growing global trend and among many cultures to recognize the legal personhood and rights of wetlands and other elements of Nature;
- 3) In Aotearoa New Zealand, iwi have led recent rights of Nature achievements, such as in establishing legal recognition of the legal personhood of the Whanganui River, recognizing the River as an indivisible and living whole from the mountains to the sea (Te Awa Tupua Act<sup>1</sup>). This aligns with a view of ecosystems long held by Māori that mana whenua (authority over land and resources) is held by the land itself, negating ownership of land and emphasising that humans perform a guardianship role, rather than that of dominion.;
- 4) The global community of scientists and others have recognized the extreme urgency to act now to reverse climate change and biodiversity loss and degradation;
- 5) The global community of wetland scientists and others have recognized the extreme urgency of acting immediately to reverse wetland loss and degradation and in recognition that despite the formal articulation of this need by governments 50 years ago with the establishment of the Ramsar Convention on Wetlands, the extent and condition of wetlands has continued to deteriorate;
- 6) The global community of wetland scientists and others have recognized the critical role of wetlands in maintaining a stable climate, in providing resilience and adaptation to climate

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<sup>1</sup> The Act recognises Te Awa Tupua as “an indivisible and living whole comprising the Whanganui River from the mountains to the sea, incorporating all its physical and metaphysical elements” with its own legal personality and all the corresponding rights, duties and liabilities of a legal person (Kahui V and A Cullinane 2019. The ecosystem commons. NZJ Ecology 43(3))

change, and in supporting biodiversity, and the unique vulnerabilities of wetlands to climate change;

- 7) Many voices, particularly those of Indigenous Peoples and local communities, have long understood, and more recently so has the scientific community, that climate change is integrally linked to biodiversity loss and degradation, including the loss and degradation of wetlands, forests, and other critical ecosystems;
- 8) These losses often result from land and water use changes that cause direct destruction (development, burning of forests, over-extraction of groundwaters and surface waters) or conversion (to agriculture and forest plantations, channelizing and damming of rivers) of biodiversity and wetlands and from indirect damages resulting from human-caused climate disruption (sea level rise, ocean acidification, more severe storms and flooding, increased air and water temperatures, incidence of drought and aridification) and other indirect impacts such as dispersal of invasive species. As such, solutions to the climate, biodiversity and wetlands emergencies need to be accompanied by a change in the relationship between humans and Nature;

**Therefore, be it resolved** by the attendees of the 11<sup>th</sup> INTECOL International Wetlands Conference that:

- 1) An ethical and legal paradigm shift in the human-wetlands relationship is needed to respond effectively to the global climate, biodiversity, wetlands and land use change emergencies, which are all aspects of the underlying misalignment of the relationship between people and Nature;
- 2) This paradigm shift can be facilitated by support for the *Universal Declaration of the Rights of Wetlands*, which recognizes the inherent rights and living beingness of all wetlands as defined by the Ramsar Convention on Wetlands;
- 3) The delegates to the INTECOL International Wetlands Conference endorse and support the *Universal Declaration of the Rights of Wetlands* and are committed to working towards widespread adoption of the *Declaration*;
- 4) The global scientific and wetlands communities, as individuals and organizations, , and others, are urged to support and promote the *Universal Declaration of the Rights of Wetlands* in order to advance the ethical and legal paradigm shift in the human-wetlands relationship that is necessary to accelerate wetland and biodiversity conservation and restoration, thereby contributing to the re-establishment of a stable climate and equitable and sustainable adaptation to long-term effects of climate change.
- 5) To this end, the Contracting Parties of the Ramsar Convention on Wetlands are invited to recognize that wetlands have rights, and to work towards effective integration of this principle into future policy and practice under the Convention.

Further information about the Rights of Wetlands is freely accessible at <https://www.publish.csiro.au/mf/MF20219> and at <https://www.rightsofwetlands.org/>.

SEE BELOW *Universal Declaration of the Rights of Wetlands*, which can be reproduced and shared freely by anyone, with appropriate acknowledgement of the source.

## Universal Declaration of the Rights of Wetlands

*Acknowledging* that wetlands are essential to the healthy functioning of Earth processes and provision of essential ecosystem services, including climate regulation at all scales, water supply and water purification, flood storage, drought mitigation and storm damage prevention;

*Acknowledging* that wetlands have significance for the spiritual or sacred inspirations and belief systems of many people worldwide, but particularly for Indigenous peoples and local communities living in close relationship to wetlands, and that wetlands provide opportunities to learn from and about Nature, which supports scientific understanding and innovation, cultural expression and artistic creativity;

*Further acknowledging* that humans and the natural world with all of its biodiversity depend upon the healthy functioning of wetlands and the benefits that they provide, and that wetlands play a significant role in global climate regulation;

*Alarmed* that existing wetland conservation and management approaches have failed to stem the loss and degradation of wetlands of all types around the globe;

*Further alarmed* that global climate destabilization and biodiversity losses are accelerating and that efforts to reverse these trends are failing;

*Acknowledging* that peoples around the world of many cultures and faiths have recognized for millennia that Nature, or elements of Nature, are sentient living beings with inherent value and rights independent of their value to humans, and that Indigenous peoples, local communities and non-governmental organizations have been contributing to a global movement to recognize the rights of Nature;

*Aware* that continued degradation and loss of wetlands threatens the very fabric of the planetary Web of Life upon which depend the livelihoods, wellbeing, community life and spirituality of many people, particularly Indigenous peoples and local communities who live in close relationship with wetlands;

*Guided by* recent legal recognition of the inherent rights of Nature, including recognition of the entire Colombian Amazon as an “entity subject to rights” by the Colombian Supreme Court; recognition of the rights and legal and living personhood of the Whanganui River through the Te Awa Tupua Act (Whanganui River Claims Settlement Act) agreed upon by the Māori iwi and the New Zealand Parliament; and Ecuador’s first-in-the-world recognition of the rights of Nature in their Constitution;

*Convinced* that recognizing the enduring rights and the legal and living personhood of all wetlands around the world will enable a paradigm shift in the human – Nature relationship towards greater understanding, reciprocity and respect leading to a more sustainable, harmonious and healthy global environment that supports the well-being of both human and non-human Nature;

*Further convinced* that recognizing the rights and legal and living personhood of all wetlands and the paradigm shift that this represents will lead to increased capacity to manage wetlands in a manner that contributes to reversing the destabilization of the global climate and biodiversity loss;

**WE DECLARE** that all wetlands are entities entitled to inherent and enduring rights, which derive from their existence as members of the Earth community and should possess legal standing in courts of law. These inherent rights include the following:

1. The right to exist.
2. The right to their ecologically determined location in the landscape.
3. The right to natural, connected, and sustainable hydrological regimes.
4. The right to ecologically sustainable climatic conditions.
5. The right to have naturally occurring biodiversity, free of introduced or invasive species that disrupt their ecological integrity.
6. The right to integrity of structure, function, evolutionary processes and the ability to fulfil natural ecological roles in the Earth’s processes.
7. The right to be free from pollution and degradation.
8. The right to regeneration and restoration.