



THE RIGHTS OF NATURE

PAULO TAVARES

Rights of Nature Articles in the Ecuadorian Constitution

Title II

Fundamental Rights

Chapter 1

Entitlement, Application and Interpretation Principles of the Fundamental Rights

Art.10 Rights Entitlement

Persons and people have the fundamental rights guaranteed in this Constitution and in the international human rights instruments. Nature is subject to those rights given by this Constitution and Law.

Chapter 7th: Rights for Nature

Art. 71 Nature or Pachamama, where life is reproduced and exists, has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution.

Every person, people, community or nationality, will be able to demand the recognitions of rights for nature before the public organisms. The application and interpretation of these rights will follow the related principles established in the Constitution.

The State will motivate natural and juridical persons as well as collectives to protect nature; it will promote respect towards all the elements that form an ecosystem.

Art. 72 Nature has the right to restoration. This integral restoration is independent of the obligation on natural and juridical persons or the State to indemnify the people and the collectives that depend on the natural systems.

In the cases of severe or permanent environmental impact, including the ones caused by the exploitation on non renewable natural resources, the State will establish the

most efficient mechanisms for the restoration, and will adopt the adequate measures to eliminate or mitigate the harmful environmental consequences.

Art. 73 The State will apply precaution and restriction measures in all the activities that can lead to the extinction of species, the destruction of the ecosystems or the permanent alteration of the natural cycles.

The introduction of organisms and organic and inorganic material that can alter in a definitive way the national genetic patrimony is prohibited.

Art. 74 The persons, people, communities and nationalities will have the right to benefit from the environment and form natural wealth that will allow wellbeing.

The environmental services are cannot be appropriated; its production, provision, use and exploitation, will be regulated by the State.

Cluster: Non-human Rights

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