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## Awarding Legal Rights to Non-humans

### Why in news?

A report titled 'Law in the Emerging Bio Age' have proposed giving legal rights to plants, animals, and non-living entities for building meaningful human-environment relationships.

### What is the need for awarding legal rights to non-humans?

*A legal right is an interest accepted and protected by law. Any debasement of the legal right is punishable by law.*

- **Use of modern tech-** Integration of life sciences with modern technology through genetically modified organisms (GMOs), genetic engineering, gene editing, etc. has been gaining significance.
- **Human-environment relation-** Granting legal rights would recalibrate human-environment relationships.
- **Ethical conduct-** It would bring ethical conduct to the field.
- **Accountability-** This era will require legal intervention to hold researchers accountable for the impact of their work on the environment.
- **Climate change-** The climate change and exploitation of natural resources requires laws to be brought into the natural world.

### What efforts were taken by countries in this regard?

*Ecuador is the first country in the world to recognise the rights of nature and individual wild animals.*

- **Ecuador-** In 2008, Ecuador approved a Constitution that grants tropical forests, islands, rivers and air, legal rights to exist, flourish and evolve.
- The wild species and their individuals have the right not to be hunted, fished, captured, collected, extracted, kept, retained, trafficked, marketed or exchanged.
- **Bolivia-** In 2011, Bolivia provided legal status to Mother Earth and all its components, which includes human beings through the Law of the Rights of Mother Earth.
- This includes
  - The right to life and to exist
  - The right to continue vital cycles and processes free from human alteration

- The right to pure water and clean air
- The right to balance
- The right to pollution-free living
- **New Zealand-** In 2017, New Zealand passed the Whanganui River Claims Settlement Bill, which granted legal personhood to river **Whanganui** which is respected by the **Maori** people.
- **Bangladesh-** In 2019, the Dhaka High Court in Bangladesh recognised the river **Turag** as a living entity with legal rights and held that the same would apply to all rivers in Bangladesh.
- **United Nations-** In 2009, the United Nations General Assembly adopted a resolution proclaiming April 22 as 'International Mother Earth Day'.
- Later, it adopted a resolution on Harmony with Nature.
- In 2018, the rights of wild rice were recognised.

### What are the skepticisms in awarding legal rights?

- In Ecuador, indigenous groups worried that granting nature rights in the country's constitution would block their access to the natural resources that they relied on.
- Since the interests of nature and humans often conflict, recognising the rights of nature would entail non-negotiable bans on using non-humans as resources.

### Where does India stand?

- **Constitution- Article 51-A (g)** of the Indian Constitution lays down that it is the fundamental duty of every citizen to protect wildlife and have compassion for all living creatures.
- However, such duties are not enforceable by law.
- **Legal rights to waterbodies-** The Uttarakhand High Court in 2017 granted the [river Ganga and its longest tributary Yamuna](#) the legal right to be protected and not be harmed.
- However, the Supreme Court has ruled that Ganges and Yamuna rivers cannot be viewed as living entities.
- In 2020, the Punjab and Haryana High Court passed an order declaring the Sukhna Lake in Chandigarh city as a living entity, with rights equivalent to that of a person.
- **Legal rights to animals-** In 2018, the Uttarakhand High Court ruled that the entire animal kingdom has rights equivalent to that of a living person.
- While other legal acts such as the Wildlife Protection Act of 1972 and the Cruelty to Animals Act of 1960 exist, they do not recognize animals as individual living entities.

### References

1. <https://indianexpress.com/article/explained/explained-climate/bolivia-new-zealand-legal-rights-non-humans-8208813/>
2. <https://www.theguardian.com/environment/2022/oct/14/why-im-sceptical-about-giving-legal-rights-to-animals-trees-and-rivers>
3. <https://www.britannica.com/place/Whanganui-River>

4. <https://www.newworldencyclopedia.org/entry/maori>

## Quick facts

### Whanganui river

- Location- North Island, New Zealand
- First river in the world to be recognised as an indivisible and living being
- Origin- Western slopes of Mount Ngauruhoe
- Drains into- Tasman Sea

### Maori

- Member of a Polynesian people of New Zealand.
- Te Reo Māori language was made an official language of New Zealand.
- The term Tangata whenua (people of the land) is often used by Māori to emphasize their relationship with a particular area of land.
- Aotearoa is the most widely known Māori name for New Zealand.
- The haka is a traditional dance form of the Maori.
- All high-ranking Māori were tattooed.

### Turag River

- It is the upper tributary of the Buriganga, a major river in Bangladesh.
- The Turag originates from the Bangshi River, an important tributary of the Dhaleshwari River.
- It is navigable by country boats throughout the year.
- The whole of the Turag valley south of the Mymensingh Trunk Road is notable for boro rice cultivation.



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