

An aerial photograph of a large, vibrant green lake nestled in a deep mountain valley. The surrounding mountains are rugged and covered in sparse vegetation, with a prominent waterfall on the left side. The sky is filled with soft, white clouds. The text is overlaid on the center of the image.

THE RIGHTS OF NATURE IN ECUADOR

**A guide that provides technical information on the rights of nature and
their practical implementation by legal professionals**

INTRODUCTION

The idea of creating a guide for legal professionals in Ecuador was born from the observation that since 2008 only 31 court decisions have been based on the rights of nature. However, the very low use of these legal foundations is inherent to the novelty of the integration of these rights in the national legal order. Indeed, we belong to generations of jurists whose legal order of reference is essentially anthropocentric. However, the rights of nature are part of an eco-centric vision of law. A simple question concludes this reasoning: what use, what practice to have of these rights of nature? This guide aims to answer these hesitations in part by simply recalling what can be done to make these rights more effective in practice.

The choice was therefore made to divide this guide into two parts, one theoretical and the second more practical. Indeed, the first part deals with the means of action available to judges as well as to lawyers in order to promote a greater application and effectiveness of the rights of nature in their practice. In the second part, all the rights of nature, as well as its complementary rights and the interpretation that has been given in court decisions to these rights until now, are discussed one by one. This research and compilation work is obviously not exhaustive, but is intended to be a reflection on the concrete use that can be made of the rights of nature in practice.



Introduction

PART 1. THE JUDICIAL ENFORCEMENT OF THE RIGHTS OF NATURE IN ECUADOR

I. BY JUDGES

II. BY LAWYERS

PART 2. THE RIGHTS OF NATURE IN PRACTICE

I. THE JUDICIAL INTERPRETATION OF THE RIGHTS OF NATURE

**II. THE JUDICIAL INTERPRETATION OF COMPLEMENTARY RIGHTS TO
THE RIGHTS OF NATURE**

Conclusion

Bibliography

Credits



PART 1

**THE JUDICIAL
ENFORCEMENT
OF THE**

**RIGHTS OF
NATURE IN
ECUADOR**



The enforcement of rights requires the assistance of all legal professionals during a trial. Judges (I) and lawyers (II) in particular have a key role to play in ensuring the full effectiveness of the rights of nature in Ecuador.



I

THE JUDICIAL ENFORCEMENT OF THE RIGHTS OF NATURE IN ECUADOR BY JUDGES

It should be pointed out that the information in this guide relates only to judicial activity in its general aspect. Nevertheless, each judge has, depending on the court and the competences to which it is attached, different possibilities offered by the procedure to promote the enforcement of the rights of nature.

1. The role of a judge
2. General principles of law
3. The importance of case law



1. The role of a judge



Judging etymologically means "to say the law, the law". The judge therefore designates the person invested with the function of saying the law in the disputes that are submitted to him. At the end of a trial, through his decision, the judge officially says what the law is. Judicial decisions are then endowed with the authority of *res judicata*, i.e. they cannot be contested outside the means of appeal provided for by law.

The decision definitively closes the dispute and can be enforced with the assistance of the police force. The judge thus exercises, in his decision-making activity, the act that constitutes the core of the judicial power: officially stating what the law is and enforcing it, including through the legitimate use of force.



2. General principles of law

The obligation to administer justice and the exercise of the power of decision are two fundamental principles of law that empowers the judge in his court room.

- **Principle of the obligation to administer justice (articles 28 and 150 of the Code of the Judicial Function (COFJ))**
- 

The courts have an obligation to administer justice in accordance with the Constitution, international human rights instruments, and the laws of the Republic and in all circumstances. The failure to observe rules or the obscurity of those rules does not absolve them from exercising their authority or ruling on matters within their jurisdiction.

The duty to administer justice as well as the right of action are necessary guarantees for the respect of the right to effective judicial protection (article 75 of the Constitution).

Although private interests occupy the jurisdictional activity, the process as a public institution is an instrument both for social peace and for the prevention of future conflicts.

Judges are the actors of the jurisprudential adaptation of the law that governs us in a constantly evolving society. This jurisprudential activity of the courts contributes not only to the interpretation of the law but also to the discovery of the law.

Thus the impact of this process justifies particular attention to the way in which the judge must and can exercise his function in the resolution of a dispute.



For more details on the principle of the compulsory administration of justice: see articles 129 and 130 of the COFJ provide for the generic and jurisdictional powers and duties of judges.

- **The exercise of the power of decision**

The need to give reasons for decisions

The reasoning of a judicial decision is essentially for the understanding of the decision and the functional legitimisation of the exercise of jurisdiction, allowing public control over the judicial power exercised. That is why Articles 76(7)(i) and 130(6) of the Code of the Judiciary provide that, in the absence of reasons, the judicial act in question is void.

By giving reasons for its decisions in environmental disputes based on the rights of nature, the judge thus promotes a judicial policy favourable to the practical implementation of these rights.

Establishing the factual truth through the principle of evidence

In many environmental lawsuits it is sometimes difficult to establish certain facts.

In order, to establish the truthfulness of the facts relevant to the decision it is essential that the judge uses his power and asks the parties to provide adequate evidence.



Penalties for dilatory behavior or behavior contrary to good faith and procedural fairness (article 26 of the Code of the Judicial Function)

Progress towards a better application of the rights of nature also requires the systematic sanctioning of any behavior or omission of the parties or their lawyers, which is aimed at provoking incidents or intentionally delaying the proceedings or the execution of the sentence. Such behavior, which constitutes a manifestation of abuse of process, is numerous in environmental trials and hinders the implementation of nature rights.



Guaranteeing the validity of the procedure

Procedural law is the formalism that ensures that the trial is conducted in an orderly fashion and in a manner that preserves the substantive rights of the parties.

Point 8 of Article 130 of the COFJ states that after verification of compliance with the various procedural principles (principle of specificity or legality; principle of transcendence; principle of validation), the judge will validate, ex officio or at the request of a party, the procedural acts verified if the abnormalities noted are not essential and have not tainted the invalidity proceedings.



This mechanism is then considered as a legal instrument at the service of a reinforcement of substantive law, which becomes even more effective. For this reason, this provision should be interpreted as meaning that the judge should not wait for a party's request to validate a nullity proceeding if this is possible in the light of the above-mentioned principles.



3. The importance of case Law



One of the fundamental powers of the judge lies in his or her power of decision, of which case law is intended to be the instrument. Whether in the presence of a clear and precise rule of law or when there is a legal vacuum or rules with vague outlines, judges still have a certain margin of action.

- **The judge's possibilities of action face of vagueness or lack of rules**

In the course of resolving a dispute, the judge may be confronted with the possibility that the subject matter of his or her decision has no concrete answer in the legal system or that the law does not provide a clear answer.



The judge's power of interpretation: a creative power

This power of the judge makes it possible to adapt texts - often old ones - to changes in economic and social life and thus illustrates the contribution of case law to the development of the law.

Moreover, case law is an indispensable process for the proper application of the law, since the legislature is unable to foresee the infinite number of cases to be resolved in the application of its texts.

Thus, the judge creates by his decision a precedent which may contribute to the resolution of future disputes but which also has a very concrete impact on life in society because judicial decisions are experienced by citizens as a peremptory norm.

It is interesting to observe the scope of this process in the decision *Piscinas artesanales de petróleo de 2016* taken by a judge of the Unidad Judicial Multicompetente Penal de Sucumbíos.



In fact, the judge was inspired and based the resolution of the dispute on a previous decision that recognized article 10 of the Ecuadorian Constitution (case n°0507-12-EP).

Today only thirty-one decisions have been handed down based on the rights of nature. Judges are the primary actors capable of giving impetus to the development of natural rights, particularly through their application and interpretation.



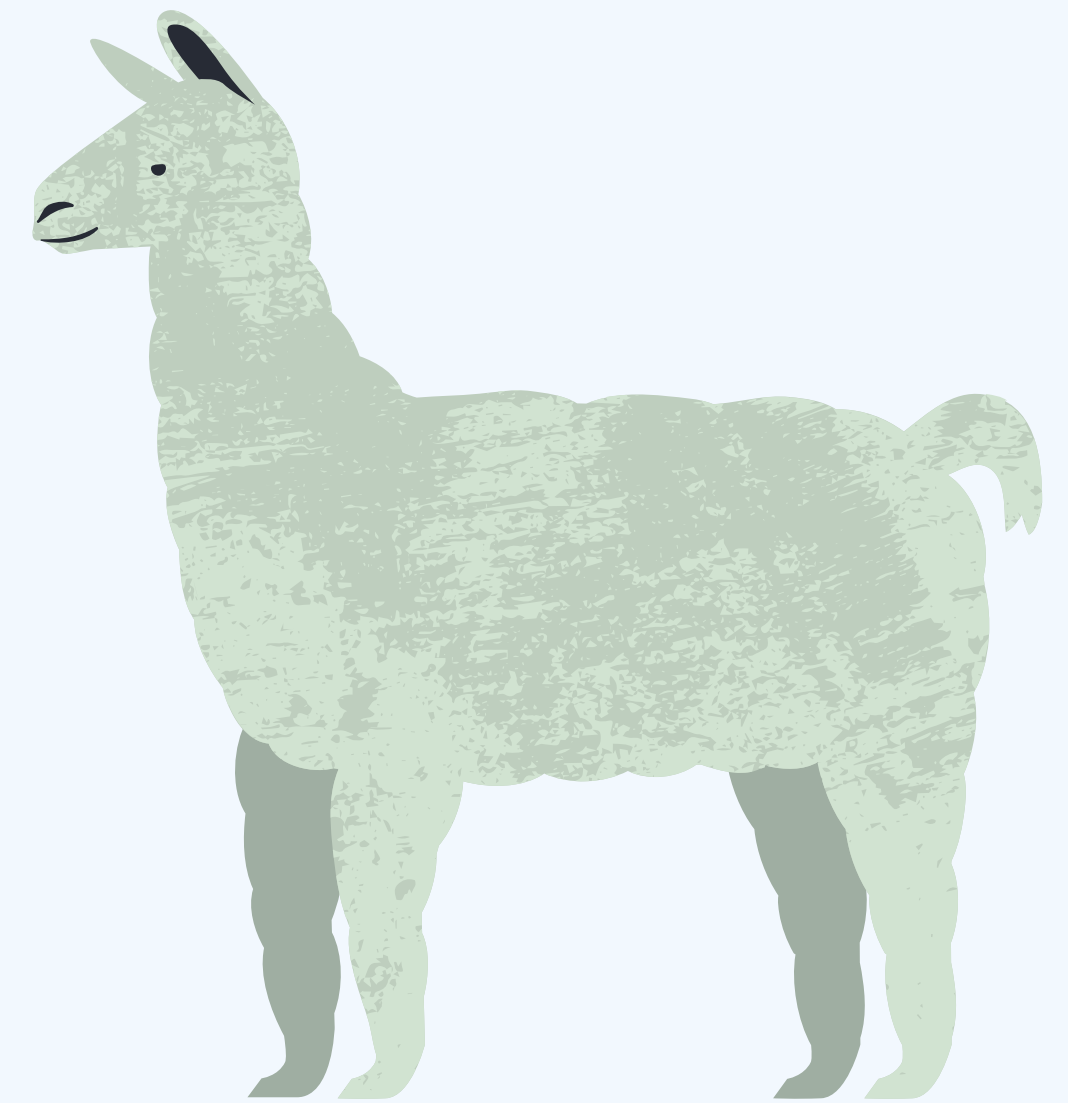
The recognition of general principles of law derived from case law

The general principles of law (Article 28 of the Code of the Judicial Function) are unwritten rules of general application which are not formulated in any text but which the judge considers to be binding on the administration and the State and whose violation is considered a violation of the rule of law. They are "discovered" by the judge based on the state of the law and society at a given moment, as being underlying in an existing state of law.

The Biodigestor decision of the 19th Civil Court of the Province of Pichincha in 2009 of the importance of case law in the discovery of general principles of law in the field of nature rights.

This decision concerned damage caused to nature as well as to the inhabitants of communities by an animal exploitation company. In this judgment, the judge used his power by creating two precedents, first of all by basing his decision on the protection of nature rights, but also by recognizing the right of the court to invoke constitutional rights ex officio (e.g. Arts. 71-72) even if the plaintiffs had not done so.

Thus, the contribution of this decision is essential insofar as it is now accepted that a judge may raise ex officio the rights of nature provided for by the Constitution when resolving a dispute.



- **The judge's possibilities of action in the presence of a clear and precise rule**

Sometimes, despite the existence of a clear rule, it may not seem fair in the light of the situation. The diversity of sources of law and the principle of the prevalence of the constitutional norm may then prove to be possible remedies for this.

The duty to administer justice in accordance with various sources of law

Article 28 of the Judicial Service Code provides that judges shall exercise their functions "in accordance with the Constitution, international human rights instruments and the laws of the Republic". Thus, in some cases the judge can choose the rule that will form the basis of his or her decision from among the many legal sources that exist in this area.





The principle of the hierarchy of norms:
the prevalence of the constitutional norm (article 424 of the Constitution)

The principle of the hierarchy of norms implies that a given norm must respect that of the higher level. The Ecuadorian Constitution is "the supreme law and takes precedence over any other law", as provided for in article 424 of the Constitution. It is always therefore important to stress that during a dispute the principles enshrined in the fundamental norm must prevail, especially in cases of doubt as to which norm should be applied.

The link to be made with the implementation of the rights of nature is then quite logical, given that these rights were introduced into the Ecuadorian Constitution of 28 September 2008. From now on, in Ecuador, the rights of nature are part of the recognized fundamental rights and must take precedence over any other law in case of doubt (article 427 of the Constitution).



II

THE JUDICIAL ENFORCEMENT OF THE RIGHTS OF NATURE IN ECUADOR BY LAWYERS

In the conduct of contemporary environmental litigation, nature conservation litigants face a variety of obstacles, including the establishment of an interest or evidence for plaintiffs in substantive proceedings.

1. An interest to act for Nature's rights widened
2. The reversal of the burden of proof in favour of the Nature's rights defenders
3. Successful litigation strategies in the field of Rights of Nature



Photo : Galo Chiriboga



1. An interest to act for Nature's rights widened

The new Constitution, by establishing an interest to act for any person in matters of the rights of Nature, fully responds to this challenge.

- **Article 71, paragraph 2 of the Constitution**

«Toda persona, comunidad, pueblo o nacionalidad podrá exigir a la autoridad pública el cumplimiento de los derechos de la naturaleza. Para aplicar e interpretar estos derechos se observarán los principios establecidos en la Constitución, en lo que proceda».

“Any person, community, people or nationality may demand from the public authority compliance with the rights of nature. In the application and interpretation of these rights, the principles established in the Constitution shall be observed, as appropriate”.

Proposed English translation

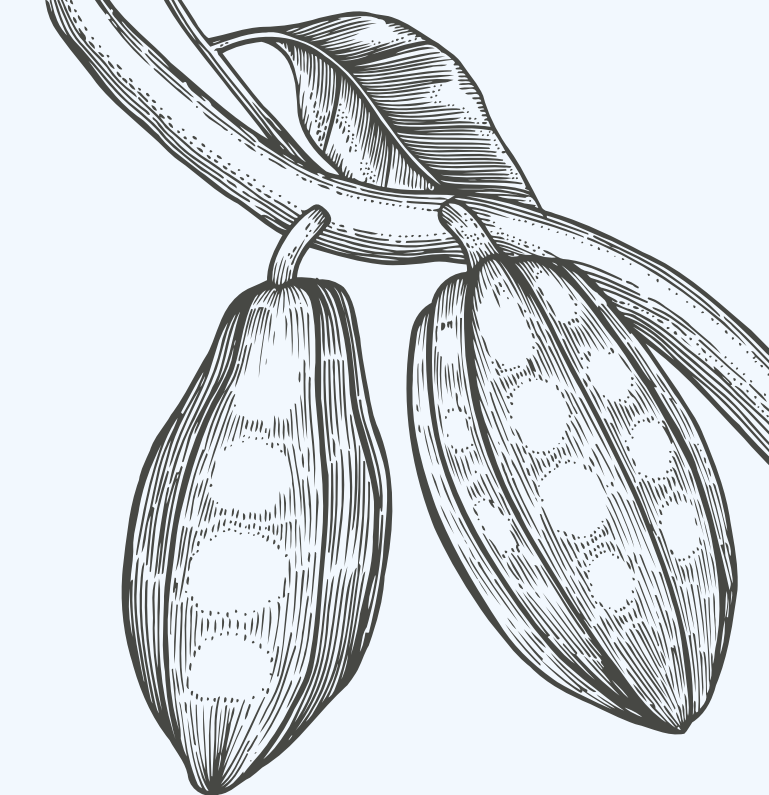
- **To be read in conjunction with article 86, paragraph 1 of the Constitution**

Proposed English translation

« Cualquier persona, grupo de personas, comunidad, pueblo o nacionalidad podrá proponer las acciones previstas en la Constitución. » "Any person, group of persons, community, people or nationality may make use of the actions established in the Constitution".

Example of one of these actions provided for in the Constitution:

The "protective action" is provided for in article 88 of the Constitution and its purpose is "the direct and effective protection of the rights recognized in the Constitution (...)".





2. The reversal of the burden of proof in favour of the Nature's rights defenders



In addition, the Constitution also provides another measure in favour of action for the protection of the rights of nature by reversing the burden of proof in favour of the defenders of nature.

- **Article 397, paragraph 1 of the Constitution**

«Permitir a cualquier persona natural o jurídica, colectividad o grupo humano, ejercer las acciones legales y acudir a los órganos judiciales y administrativos, sin perjuicio de su interés directo, para obtener de ellos la tutela efectiva en materia ambiental, incluyendo la posibilidad de solicitar medidas cautelares que permitan cesar la amenaza o el daño ambiental materia de litigio. La carga de la prueba sobre la inexistencia de daño potencial o real recaerá sobre el gestor de la actividad o el demandado.»



Proposed English translation

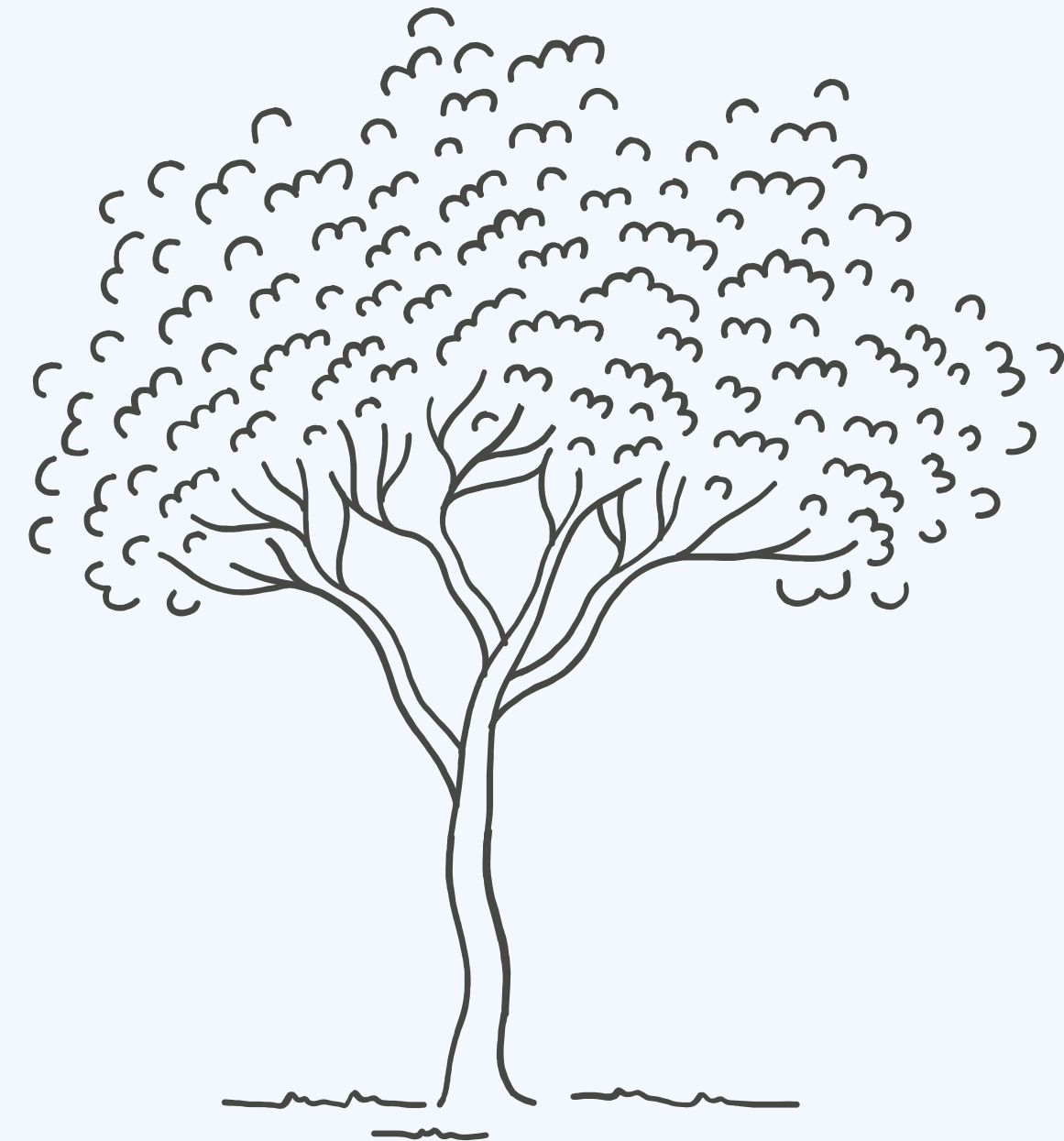
“To allow any natural or legal person, community or human group, to exercise legal actions and go to the judicial and administrative bodies, without prejudice to their direct interest, to obtain from them the effective protection in environmental matters, including the possibility of requesting precautionary measures to stop the threat or environmental damage subject to litigation. The burden of proof on the non-existence of potential or real damage will fall on the manager of the activity or the defendant.”

- **Implementation: The Los cedros case (Court of Appeal, 2019)**

In this case the judge interpreted article 397 as: “La norma constitucional advierte la posibilidad, que toda persona natural o colectiva puede solicitar la tutela efectiva en materia ambiental, en defensa de los derechos de la naturaleza que puede solicitar medidas cautelares para cesar la amenaza cuando existe el inminente peligro que se produzca un daño; o para cesar el daño ambiental cuando se ha producido.”

Proposed English translation of the judge’s interpretation

“The constitutional norm warns against the possibility that any natural or collective person may request effective environmental protection, for the defence of the rights of nature, who may request precautionary measures to stop the threat when there is an imminent danger of damage; or to stop environmental damage when it has occurred”.

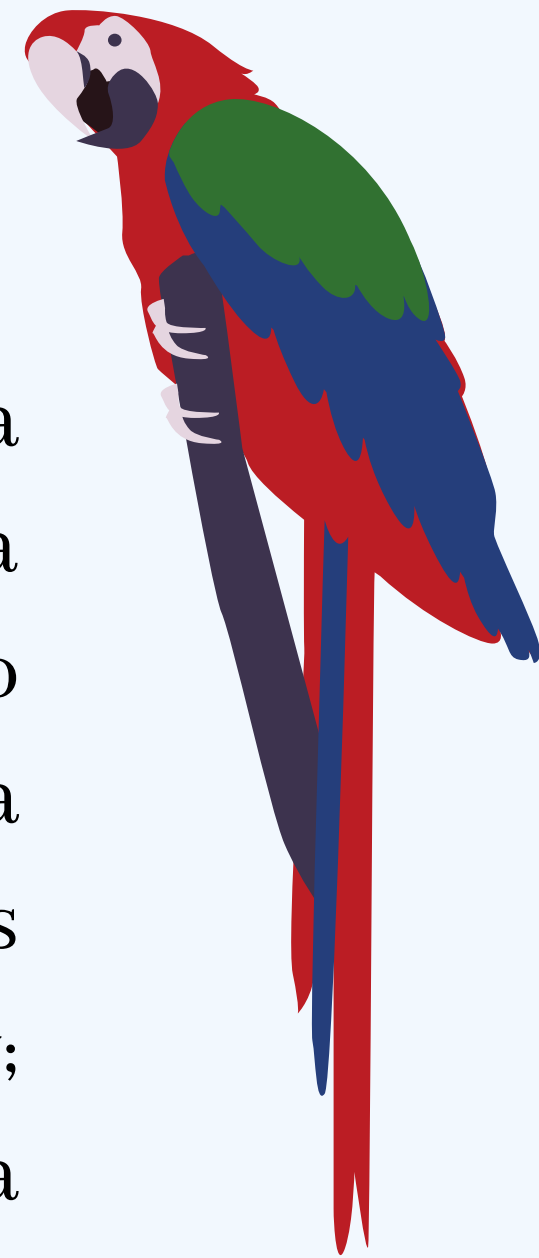




Based on article 397 of the Constitution, the judge recognizes not only the interest of any person or group without a personal and direct interest in environmental protection, but also that the burden of proof now lies with the defendant. It is therefore up to the defendant to prove that there has been no violation of the rights of nature.

- **Other implementation: The Rio Blanco case (Tribunal de la province del Azuay, 2019)**

This case is a further illustration of the implementation of this reversal of the burden of proof for the benefit of nature protection. Indeed, in an appeal judgment, the judge decided to suspend the mining project in question until the defendant could prove not only that the project did not affect the Cajas National Park but also that prior consultation had been carried out in accordance with the standards in force.



Considering that: «Concordancia con los Arts. 56, 57.7, 396 y 397 numeral 1 de la Constitución del Ecuador solicitan como medida cautelar se disponga la suspensión inmediata del acto administrativo que autoriza la explotación en Río Blanco hasta que demuestren haber cumplido con el derecho a la consulta previa libre e informada y haber alcanzado el consentimiento de las comunidades de la parroquia Molleturo del Cantón Cuenca, Provincia del Azuay; así como demuestren científica y ambientalmente que no va existir afecciones a las fuentes de agua, a su diversidad biológica y a los elementos culturales, sociales y de esta manera no prosiga con los procedimientos que llevarán a consumar los delitos de ecocidio y más derechos individuales y colectivos garantizados en la Constitución y Tratados Internacionales.»

Proposed English translation of the judge's interpretation

“Concordance with Arts. 56, 57. 7, 396 and 397, paragraph 1, of the Constitution of Ecuador, request, as a precautionary measure, the immediate suspension of the administrative act authorizing exploitation in Río Blanco until they can prove that they have complied with the right to free and informed prior consultation and have obtained the consent of the communities of the parish of Molleturo in the canton of Cuenca, province of Azuay;

as well as demonstrate scientifically and environmentally that there will be no effects on water sources, their biological diversity and cultural and social elements, and thus not continue with the procedures that will lead to the consummation of the crimes of ecocide and more individual and collective rights guaranteed in the Constitution and International Treaties.”





3. Successful litigation strategies in the field of Rights of Nature



The writing in this section summarizes but also consists of quotations from the article:

KAUFFMAN, Craig M. and MARTIN, Pamela L., “Can Rights of Nature Make Development More Sustainable? Why Some Ecuadorian lawsuits Succeed and Others Fail».”, *World Development*. Volume 92. April 2017. Pages 130-142.

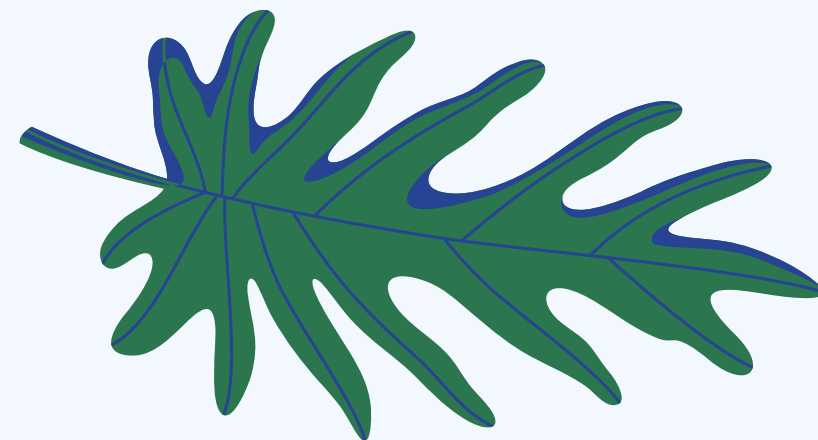
This part consists of informing legal professionals, including lawyers working on the litigation strategies of stakeholders in nature rights cases

Ecuador's constitutional rights of Nature (RoN) articles do matter in the sense that RoN activists are using them as tools to strengthen RoN jurisprudence and norms in a way that are having real impacts.

- **Rights of Nature in Ecuador is mostly applied through three types of lawsuits**

The first two types of lawsuits involve the protection of *the rights of Nature guaranteed in the Constitution and the Organic Law through Constitutional Guarantees*.

These constitutional lawsuits (processed through civil and constitutional courts) ask that damaged ecosystems to be restored (a form of restitution for Nature) and/or that preventive action be taken to avert expected future violations.



The third type of lawsuit is *the criminal lawsuit*.

This third legal tool became possible in 2014 with the Chapter 4 of the New Penal Code specifying that various “crimes against environment, Nature or Pachamama”.

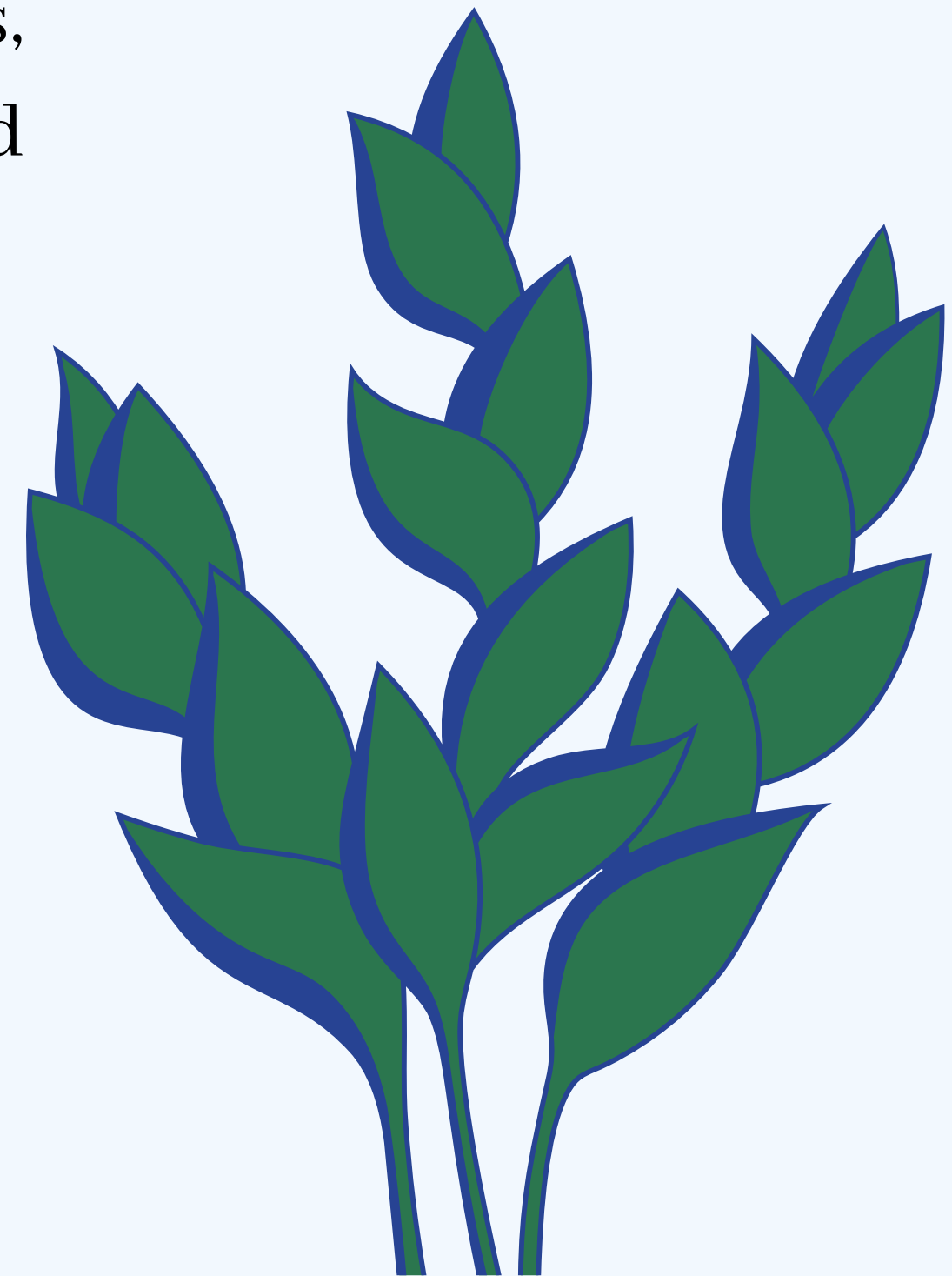
Unlike constitutional lawsuits, which seek restorative justice by restoring ecosystems, criminal lawsuits seek punishment of guilty parties before criminal courts.

It exists a fourth tool which is not a lawsuit but an *administrative action* that government agency can take to uphold rights of Nature.

For example, the Ministry of Environment has invoked rights of Nature to justify punitive action (e.g., fines, removal of licenses, and eviction of companies from ecological reserves) and restoration of damaged ecosystems.

- **Pathways for applying rights of Nature**

This article describes four legal tools used to implement RoN and then compares 13 attempts to apply these tools through one of four pathways: norm-driven civil society pressure, instrumental government action, bureaucratic institutionalization, professional interpretation by judges.



Pathway 1: Norm-driven civil society pressure

“Together, the civil society cases suggest that activists’ efforts to advance RoN norms are most successful when the cases are not nationally politicized, for example by challenging the state’s extractivist agenda.

[...] Judicial momentum is instead built by acting “below the radar,” or working quietly to accumulate legal precedent through lower-level courts on low-profile cases (Gash, 2015).”

Pathway 2: Instrumental government action

“RoN jurisprudence in Ecuador is being developed in large part through government action. Six of the 13 RoN applications were initiated by the State, all successfully. Moreover, the State employed the full array of legal tools: constitutional lawsuits for protective action, criminal lawsuits, and administrative action.

[...] Regardless, we argue these actions are strengthening RoN in Ecuador, perhaps unintentionally, by establishing precedent and raising the profile and awareness of RoN among judges.”

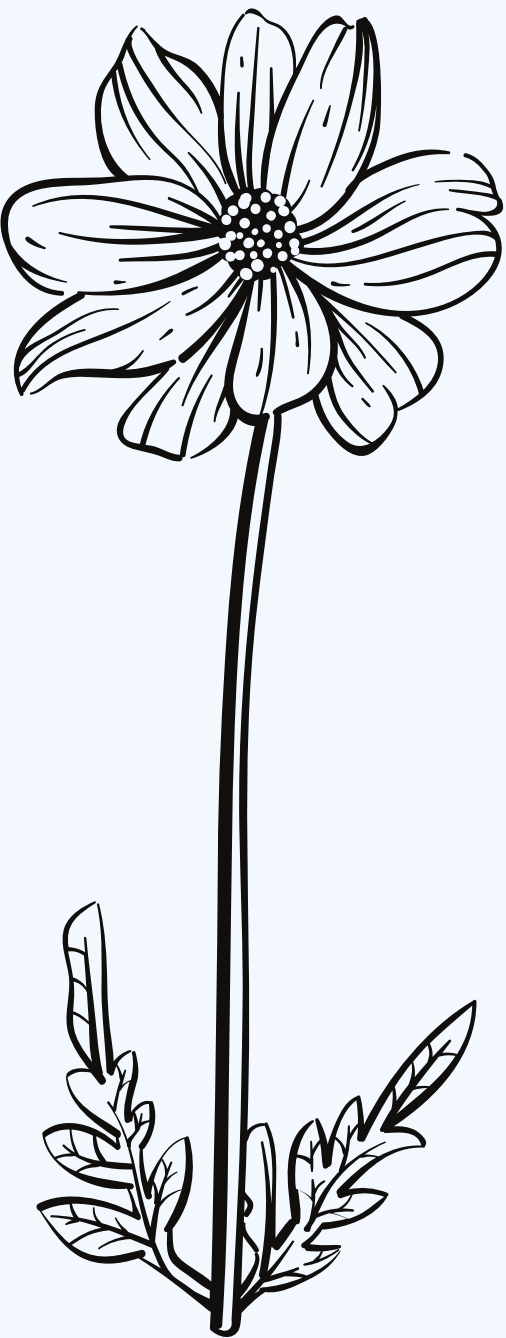
Pathway 3: Bureaucratic institutionalization

“In some cases, the ministry unilaterally applies sanctions, like fines or the removal of environmental licenses for economic development projects determined to violate the RoN (e.g., the Secoya palm plantation and Macas road cases [...]) Other times, the Ministry files criminal lawsuits against individual perpetrators.”

Of the 30 cases in which Nature's rights were invoked, 25 were positive for Nature's rights.

Pathway 4: Professional interpretation by judges

“This pathway involves lawsuits that were not originally about RoN (i.e., neither claimants or defendants invoked RoN), yet judges unilaterally applied RoN in their sentencing. These judges simply recognize that RoN is part of Ecuadorian law and their professional standards require them to apply and interpret the law in its entirety.”



A dense tropical forest with many thin tree trunks and hanging vines. The scene is filled with lush green foliage, including various leaves and ferns. Sunlight filters through the canopy, creating dappled light on the forest floor. The overall atmosphere is one of a vibrant, undisturbed natural environment.

PART 2

THE RIGHTS OF NATURE IN PRACTICE

Ecuador is a pioneer country in the recognition of the rights of nature. The Constitution adopted on 28 September 2008 recognizes the rights of nature in articles 10, 71, 72, 73, 74.

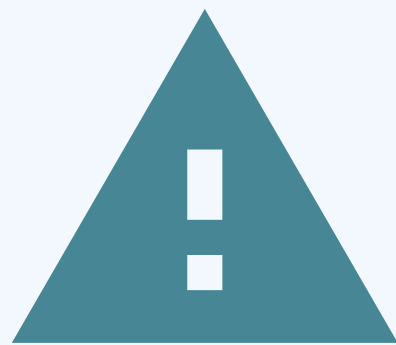
It also includes rights complementary to the rights of nature, such as environmental law and the rights of indigenous peoples.

The rights of indigenous peoples and citizen participation, which are extensively developed in the 2008 Constitution, particularly in articles 57, 398 and 95, constitute rules of law complementary to the rights of nature to guarantee their respect. Environmental law, although embodying an anthropocentric vision of the legal system, does not necessarily conflict with the rights of Nature. On the contrary, it can be an additional tool to guarantee the effectiveness of Nature's rights.

The new Ecuadorian Constitution of 28 September 2008 is thus an illustration of the transition towards a more egalitarian approach to our relationship with Nature.



This part aims to bring together the various interpretations of the rights of nature (I) as well as the complementary rights to them (II) given by judges in their decisions since 2008.



It was decided not to translate the interpretations adopted by the magistrates in their decision so as not to distort its content.



I

THE JUDICIAL INTERPRETATION OF THE RIGHTS OF NATURE

1. Nature as subject of law General principles of law
2. Right to exist, to regenerate, to restore Nature
3. Precautionary/restriction principle and prohibition of modification of the national genetic heritage
4. Non-alienation of Nature
5. The right to a healthy environment and the protection of Nature resources
6. Right of Fragile and Threatened Ecosystems
7. Right to an environmental management policy



1. Nature as subject of law

- **Article 10 of the Constitution**

"Las personas, comunidades, pueblos, nacionalidades y colectivos son titulares y gozarán de los derechos garantizados en la Constitución y en los instrumentos internacionales. La naturaleza será sujeto de aquellos derechos que le reconozca la Constitución".

"Individuals, communities, peoples, nationalities and groups are holders and shall enjoy the rights guaranteed by the Constitution and international instruments. Nature shall be the subject of those rights recognized by the Constitution."

Proposed English translation

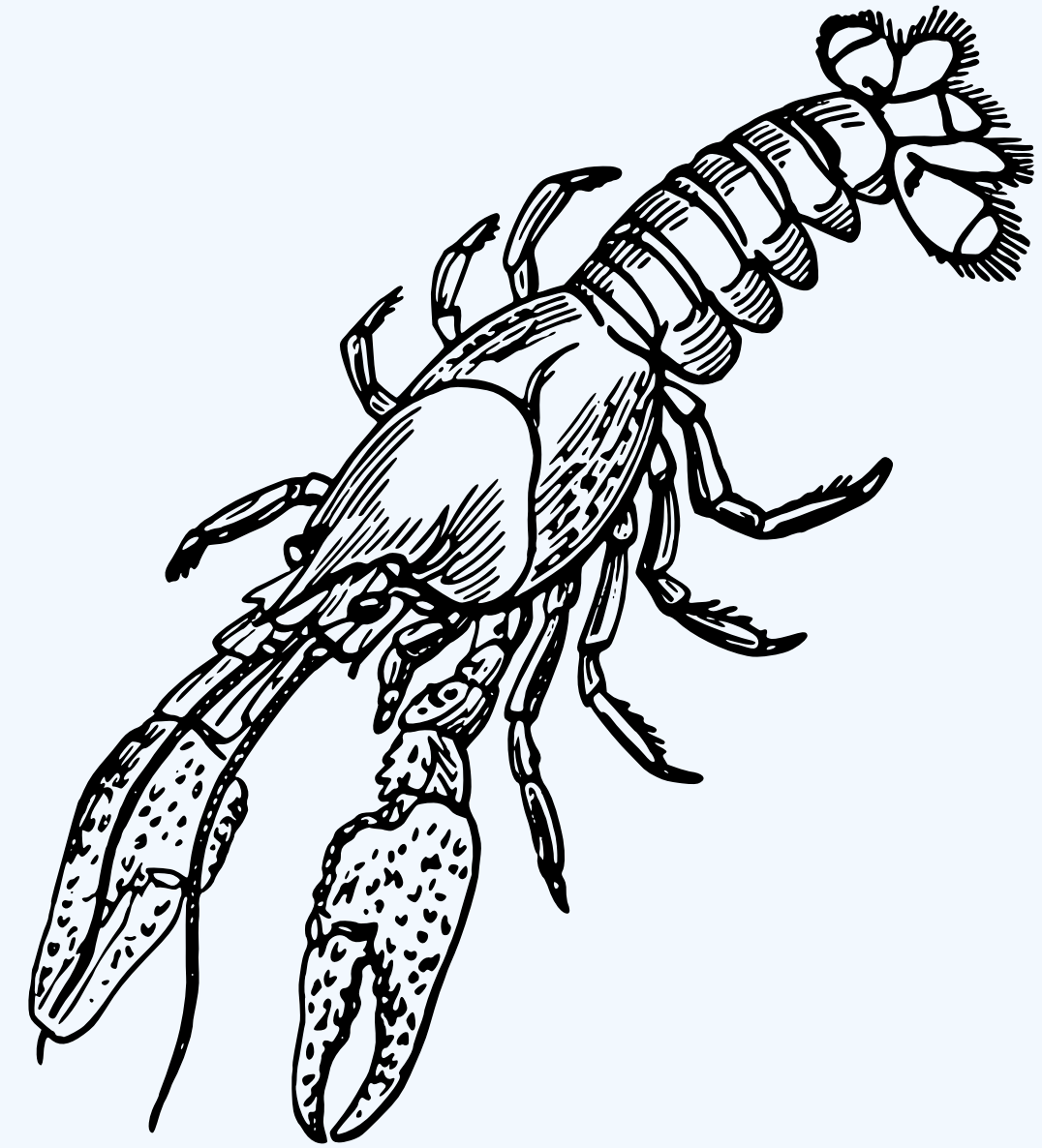
- **Illustrations**

Court ruling: Áreas protegidas, Camaronera en Reserva Cayapas
(2011-2015)

« Es así que la importancia de la naturaleza dentro de este nuevo modelo de desarrollo se ve plasmada en el artículo 10 de la Constitución de la República. [...]. Así, el Ecuador se convierte en el primer país en reconocer y amparar constitucionalmente los derechos de la naturaleza. »

Court ruling: Piscinas artesanales de petróleo (2016)

« Es así que la importancia de la naturaleza dentro de este nuevo modelo de desarrollo se ve plasmada en el artículo 10 de la Constitución de la República que consagra: "Las personas, comunidades, pueblos, nacionalidades y colectivos son titulares y gozarán de los derechos garantizados en la Constitución y en los instrumentos internacionales. La naturaleza será sujeto de aquellos derechos que le reconozca la Constitución".



Así, el Ecuador se convierte en el primer país en reconocer y amparar constitucionalmente los derechos de la naturaleza.

En este sentido la Corte Constitucional mediante sentencia N.º 166-15-SEP-CC, caso N.º 0507-12-EP ha señalado que: “... el reconocimiento de la naturaleza como sujeto de derechos, incluye también el derecho de esta a la restauración, lo que implica la recuperación o rehabilitación de la funcionalidad ambiental, de sus ciclos vitales, estructura y sus procesos evolutivos, sin considerar las obligaciones adicionales de carácter económico que el responsable del daño deba cancelar a quienes dependan de los sistemas naturales afectados.

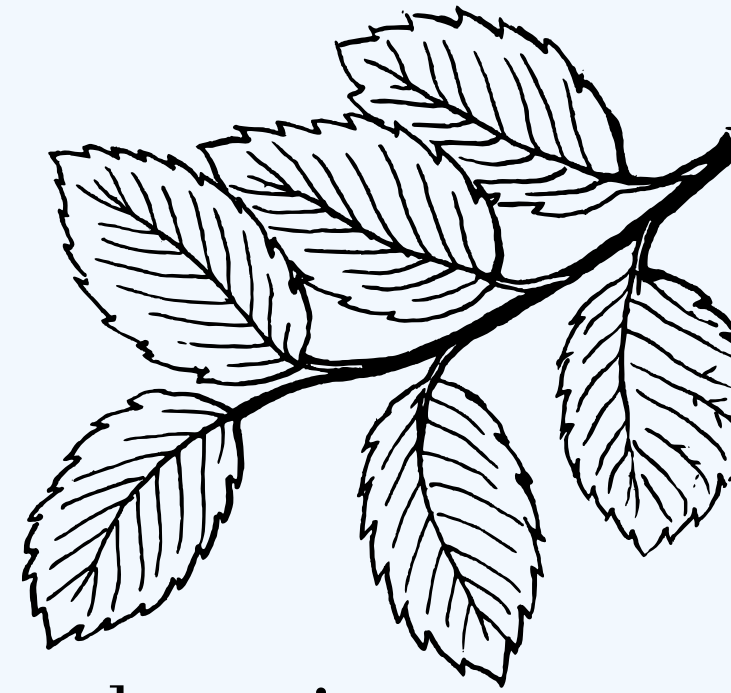
Este derecho, se refiere entonces no a la reparación pecuniaria a favor de las personas perjudicadas, sino a la restitutio in integrum, es decir, a la plena restitución de la naturaleza mediante la reparación de los daños producidos en el medio físico hasta regresar en lo posible el original, es decir, la restauración debe estar encaminada hacia el aseguramiento que el sistema natural vuelva a gozar de condiciones que permitan el correcto desenvolvimiento en relación a sus ciclos vitales, estructura, funciones y procesos evolutivos”. »



2. Right to exist, to regenerate, to restore Nature

- **Article 71 of the Constitution**

« La naturaleza o Pacha Mama, donde se reproduce y realiza la vida, tiene derecho a que se respete integralmente su existencia y el mantenimiento y regeneración de sus ciclos vitales, estructura, funciones y procesos evolutivos. Toda persona, comunidad, pueblo o nacionalidad podrá exigir a la autoridad pública el cumplimiento de los derechos de la naturaleza. Para aplicar e interpretar estos derechos se observarán los principios establecidos en la Constitución, en lo que proceda. El Estado incentivará a las personas naturales y jurídicas, y a los colectivos, para que protejan la naturaleza, y promoverá el respeto a todos los elementos que forman un ecosistema. »

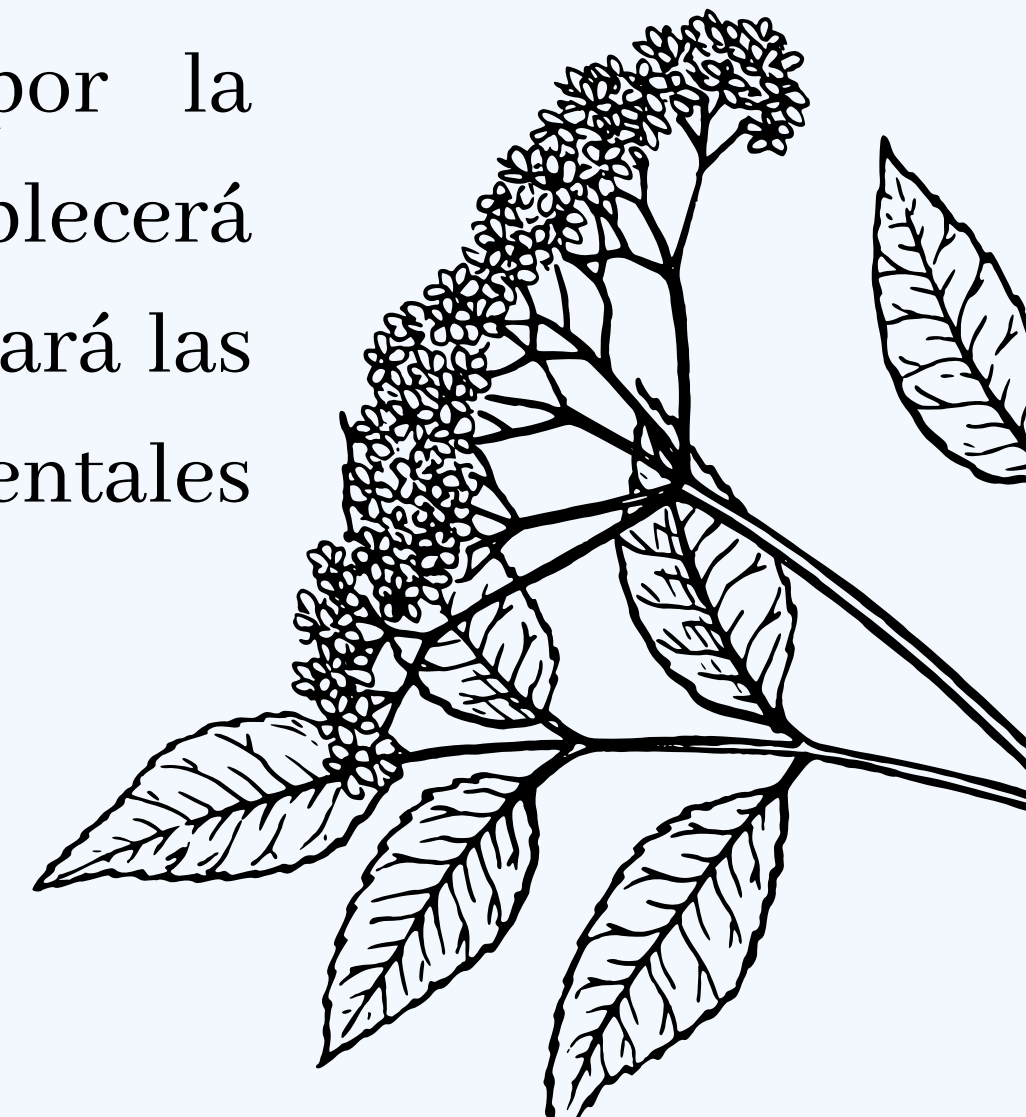


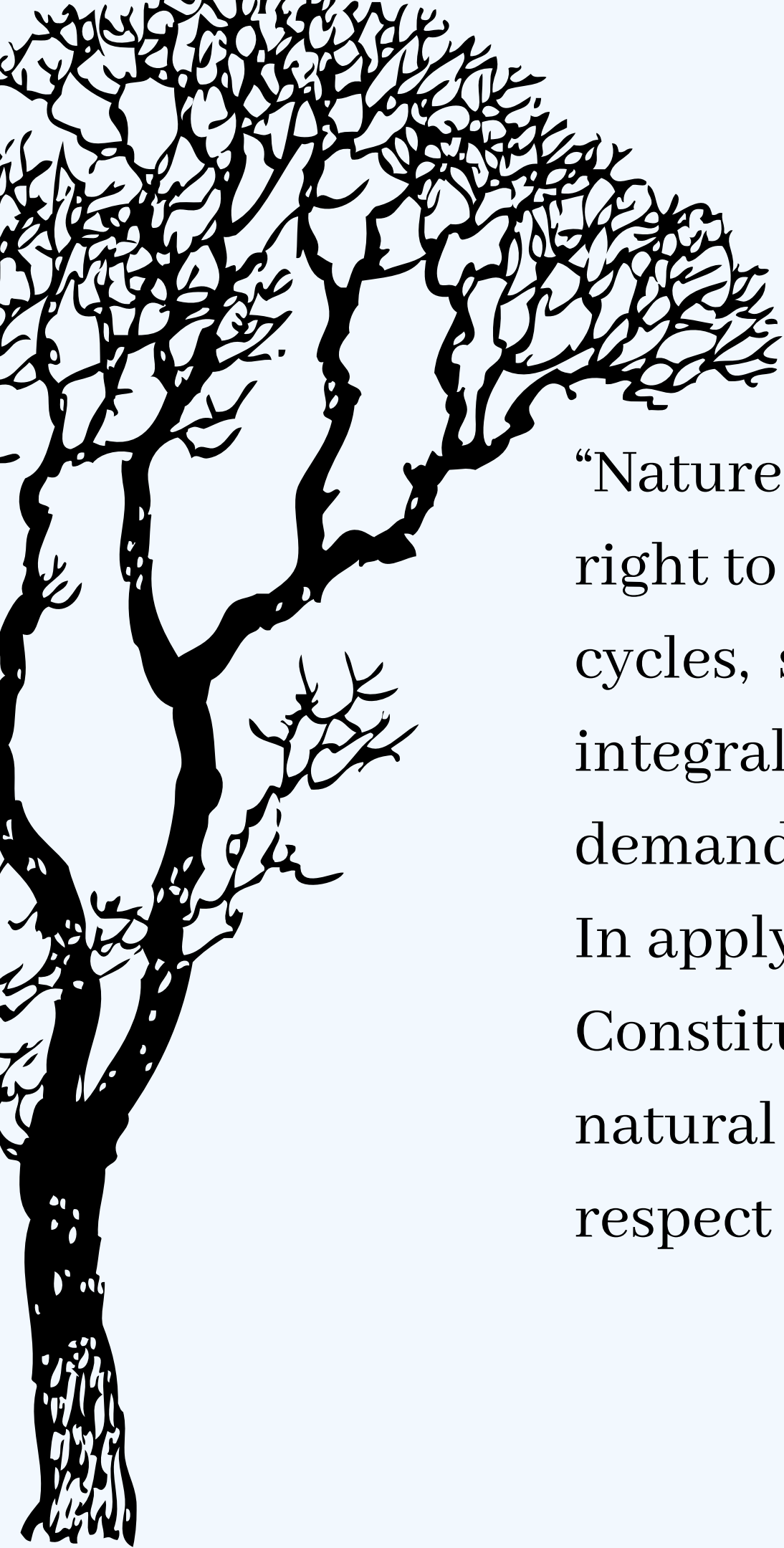
Proposed English translation

“Nature or Pacha Mama, where life is reproduced and realized, has the right to have its existence and the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes respected in an integral manner. Any person, community, people or nationality may demand from the public authority the fulfillment of the rights of nature. In applying and interpreting these rights, the principles established in the Constitution shall be observed, as appropriate. The State shall encourage natural and legal persons and groups to protect nature and shall promote respect for all the elements that make up an ecosystem.”

- **Article 72 of the Constitution**



« La naturaleza tiene derecho a la restauración. Esta restauración será independiente de la obligación que tienen el Estado y las personas naturales o jurídicas de indemnizar a los individuos y colectivos que dependan de los sistemas naturales afectados. En los casos de impacto ambiental grave o permanente, incluidos los ocasionados por la explotación de los recursos naturales no renovables, el Estado establecerá los mecanismos más eficaces para alcanzar la restauración, y adoptará las medidas adecuadas para eliminar o mitigar las consecuencias ambientales nocivas. »






Proposed English translation

“Nature or Pacha Mama, where life is reproduced and realized, has the right to have its existence and the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes respected in an integral manner. Any person, community, people or nationality may demand from the public authority the fulfillment of the rights of nature. In applying and interpreting these rights, the principles established in the Constitution shall be observed, as appropriate. The State shall encourage natural and legal persons and groups to protect nature and shall promote respect for all the elements that make up an ecosystem.”



3. Precautionary/restriction principle and prohibition of modification of the national genetic heritage



- **Article 73 of the Constitution**

« El Estado aplicará medidas de precaución y restricción para las actividades que puedan conducir a la extinción de especies, la destrucción de ecosistemas o la alteración permanente de los ciclos naturales. Se prohíbe la introducción de organismos y material orgánico e inorgánico que puedan alterar de manera definitiva el patrimonio genético nacional. »

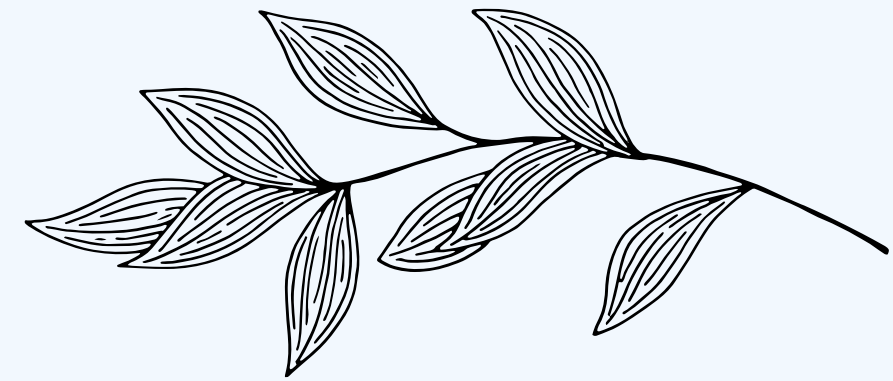
Proposed English translation

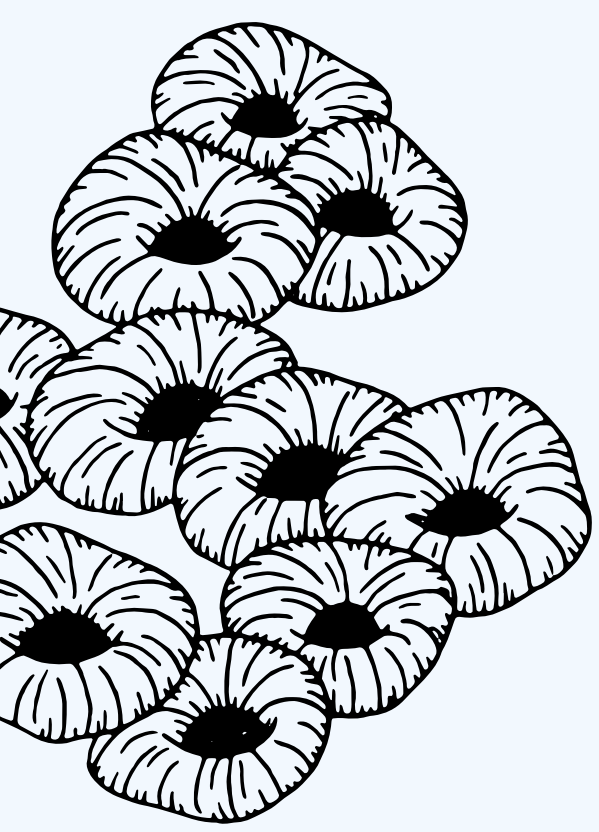
“The State shall apply precautionary and restrictive measures to activities that may lead to the extinction of species, the destruction of ecosystems or the permanent alteration of natural cycles. The introduction of organisms and organic and inorganic material that may permanently alter the national genetic heritage is prohibited.”

• **Illustrations**

Court ruling: Minería ilegal: Esmeraldas (2011)

« Por las razones expuestas y de conformidad con lo dispuesto en los artículos 71 y siguientes de la Constitución de la República del Ecuador, solicito se disponga las medidas cautelares pertinentes incluida la destrucción de todos los elementos, artefactos, herramientas y demás utensilios que constituyan un grave peligro para la naturaleza y que se encuentran en los sitios donde se produce la afectación ambiental nociva y por tanto la violación de los derechos constitucionales antes señalados, a través de las actividades de minería irregular que se realiza sin permiso de autoridad competente, con el propósito de impedir que se continúe con esta atroz violación de derechos establecidos en nuestra Constitución. »



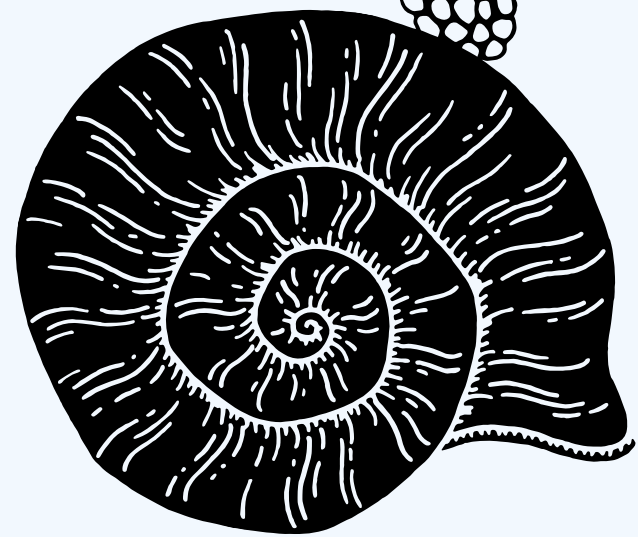
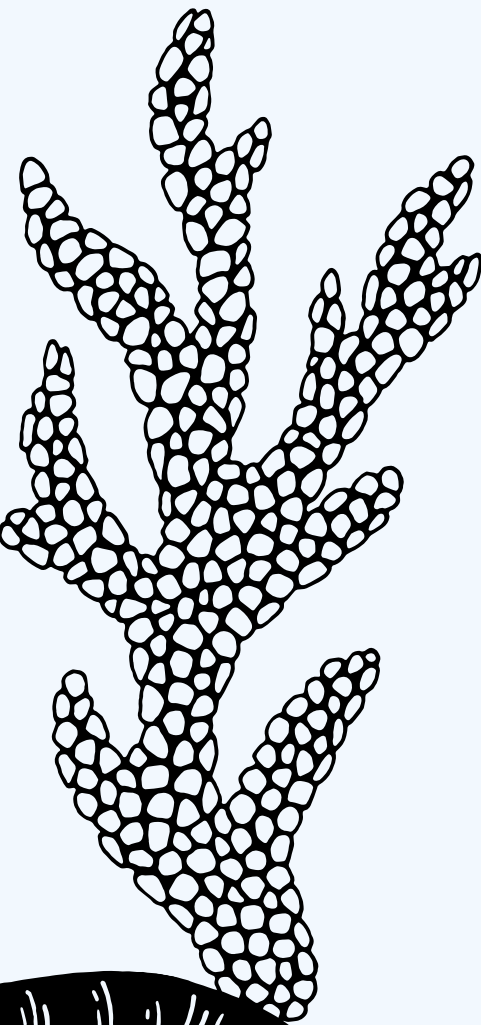


Court ruling: Minería Ilegal en Pastaza (2012-2015)

« En este sentido, es preciso señalar que los derechos de la naturaleza -pachamama-4, constituyen una de las mayores novedades de la Constitución ecuatoriana vigente, al reconocer a la naturaleza como sujeto de derechos, al contrario del paradigma tradicional que la considera como objeto de propiedad y mera fuente de recursos naturales. Este cambio de perspectiva se encuentra esencialmente, consagrado en los artículos del 71 al 74 de la Constitución. »

Court ruling : Inconstitucionalidad Ley de Galápagos (2010-2012)

« [L]a misma Constitución, en sus artículos 71 al 74, consagra los derechos de la naturaleza, previniendo el respeto integral de su existencia y el mantenimiento y regeneración de sus ciclos vitales. »





4. Non-alienation of Nature

- **Article 74 of the Constitution**

« Las personas, comunidades, pueblos y nacionalidades tendrán derecho a beneficiarse del ambiente y de las riquezas naturales que les permitan el buen vivir. Los servicios ambientales no serán susceptibles de apropiación; su producción, prestación, uso y aprovechamiento serán regulados por el Estado.»

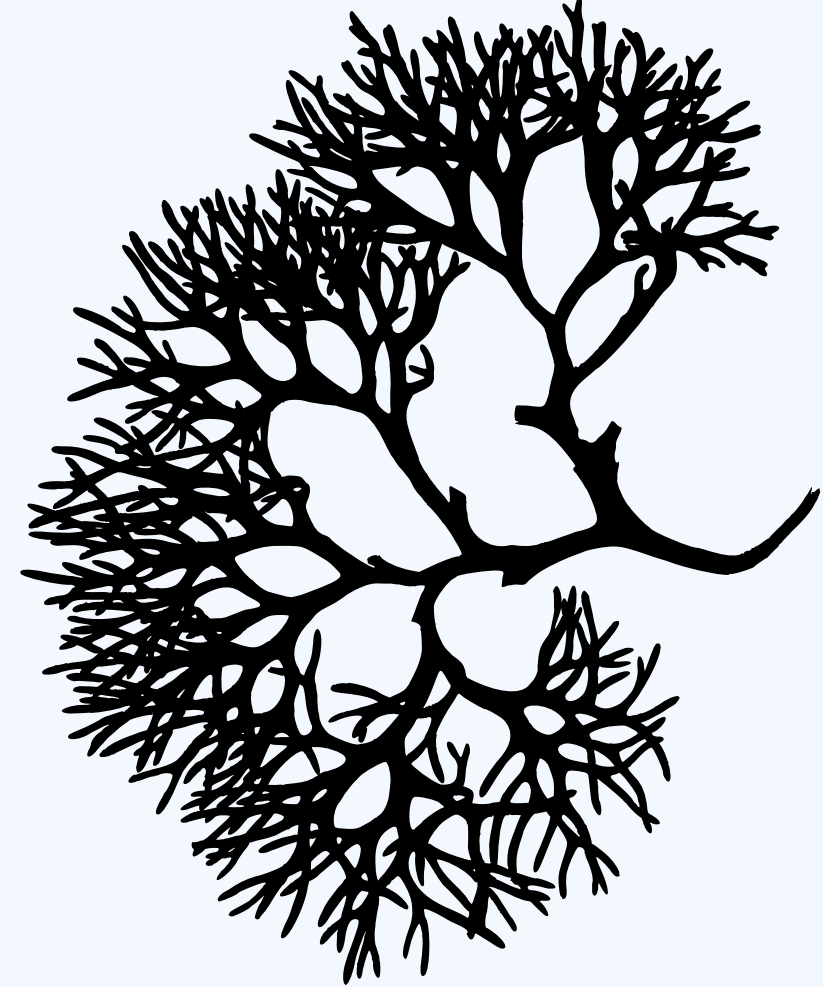
"Individuals, communities, peoples and nationalities shall have the right to benefit from the environment and the natural resources that allow them to live well. Environmental services shall not be subject to appropriation; their production, provision, use and exploitation shall be regulated by the State."



Proposed English translation

- **Illustrations**

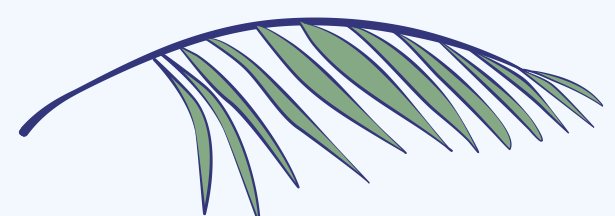
Court ruling: Ecosistema fragil, Parama de Tangabana

« Recordemos que el Art. 74 establece que el derecho de las comunidades y las personas, los seres humanos tienen el derecho de beneficiarse del ambiente y éste proyecto está causando a las comunidades que viven en la parte baja de este páramo, van a verse terriblemente afectadas porque uno de los servicios que presta este páramo es justamente el agua que da vida y va a ser evitada por los proyectos de pino, solicitamos que se detenga definitivamente el proyecto de plantación de pino y que se retiren los pinos sembrados por la contraparte para que se permita la restauración integral del páramo, con la supervisión del Ministerio del Ambiente y con una veeduría de las comunidades aledañas al proyecto. »





5. The right to a healthy environment and the protection of Nature resources



- **Article 83-6 of the Constitution**

« Respetar los derechos de la naturaleza, preservar un ambiente sano y utilizar los recursos naturales de modo racional, sustentable y sostenible. »

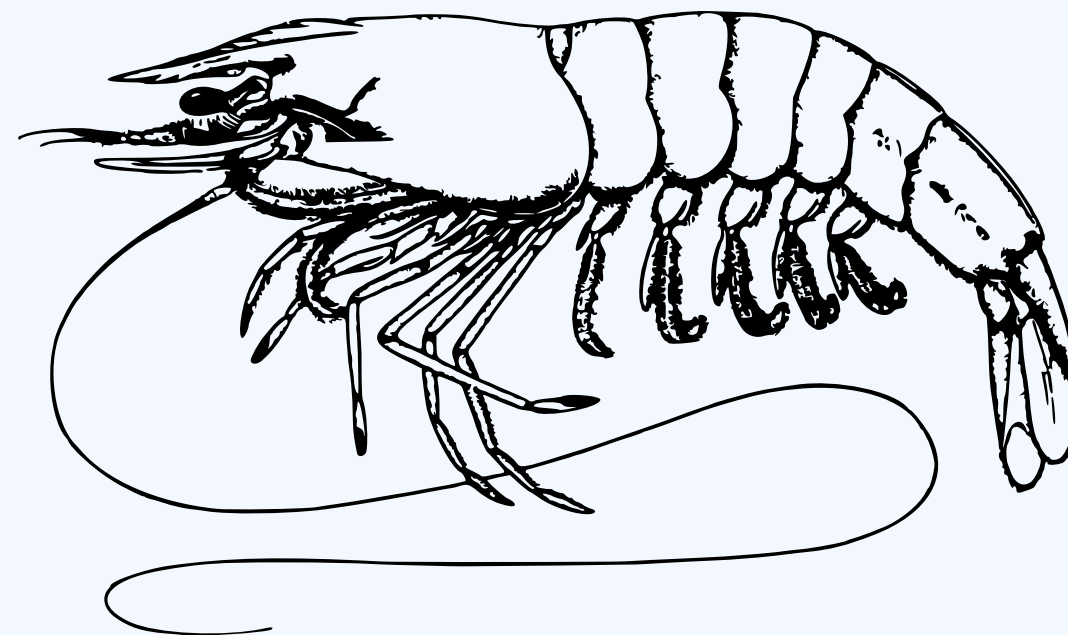
Proposed English translation

“Respect the rights of nature, preserve a healthy environment and use natural resources rationally, sustainably and sustainably.”

- **Illustrations**

Court ruling: Áreas protegidas, camaronera en Reserva Cayapas (2011-2015)

« El principio de transversalidad de los derechos de la naturaleza se encuentra plasmado expresamente en los artículos 83 numeral 6 y 395 numeral 2 de la Constitución [...] En efecto, los derechos de la naturaleza, al igual que los derechos humanos reconocidos! en el entramado constitucional -sin perjuicio de los que integran el bloque de constitucionalidad- son derechos constitucionales, y en esa medida deberán ser ¡interpretados y aplicados conforme a la Constitución.»





6. Right of fragile threatened ecosystems

- **Article 406 of the Constitution**

« El Estado regulará la conservación, manejo y uso sustentable, recuperación, y de dominio de los ecosistemas frágiles y amenazados; entre otros, los páramos, humedales, bosques nublados, bosques tropicales secos y húmedos y limitaciones manglares, ecosistemas marinos y marinos-costeros. »

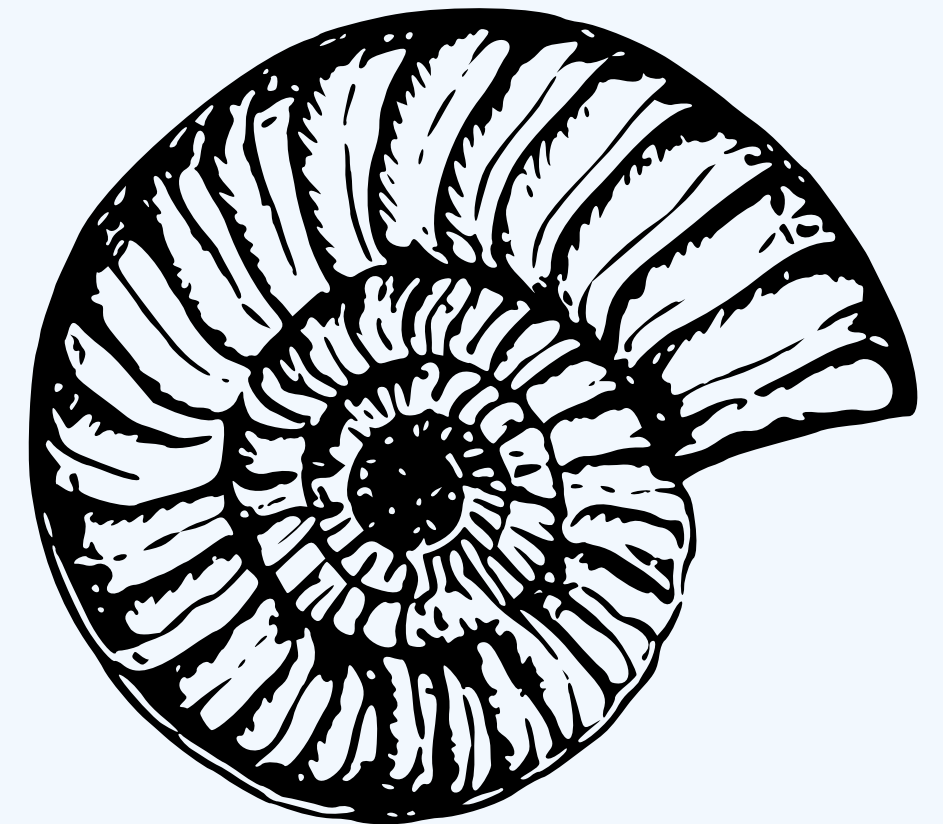
Proposed English translation



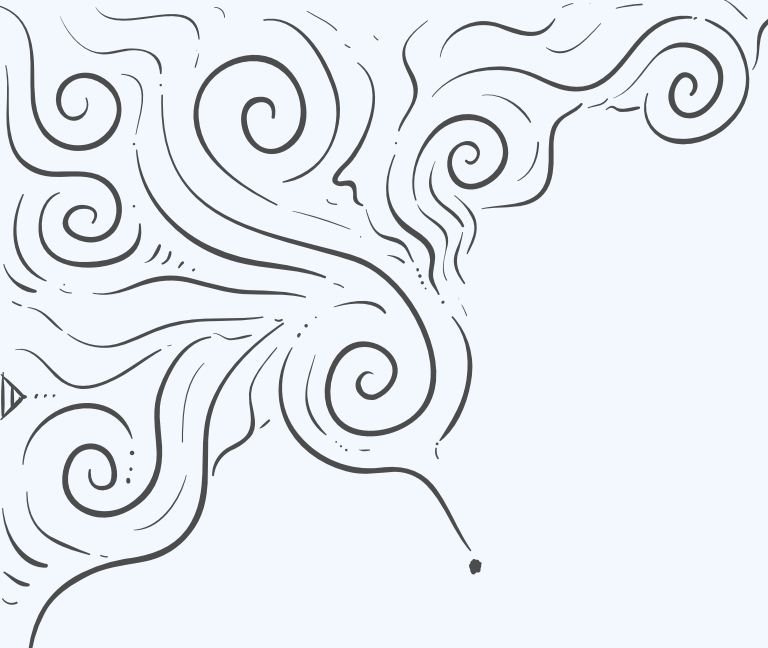
"The State shall regulate the conservation, management and sustainable use, recovery, and control of fragile and threatened ecosystems; among others, moors, wetlands, cloud forests, tropical dry and humid forests and mangrove limitations, marine and coastal-marine ecosystems."

- **Illustrations**


Court ruling: Ecosistema fragil, Parama de Tangabana

« El Art. 406 de la Constitución establece como zonas ecológicas sensibles a los páramos puntualmente [...]; si hacemos una interpretación integral de la Constitución, podemos ver que este proyecto forestal viola los derechos de la naturaleza y amenaza con causar un grave daño irreparable a los páramos de este cantón y esta provincia. »





7. Right to an environmental management policy



- **Article 395-2 of the Constitution**

« Las políticas de gestión ambiental se aplicarán de manera transversal y serán de obligatorio cumplimiento por parte del Estado en todos sus niveles y por todas las personas naturales o jurídicas en el territorio nacional. »

Proposed English translation

"The environmental management policies will be applied in a transversal manner and will be of obligatory compliance by the State at all levels and by all natural or legal persons in the national territory."

- **Illustrations**

Court ruling: Áreas protegidas, camaronera en Reserva Cayapas (2011-2015)

« El principio de transversalidad de los derechos de la naturaleza se encuentra plasmado expresamente en los artículos 83 numeral 6 y 395 numeral 2 de la Constitución. »



II

THE JUDICIAL INTERPRETATION OF COMPLEMENTARY RIGHTS TO THE RIGHTS OF NATURE

1. The interest to act in environmental matters
2. The right of consultation of the communities
3. Citizens' right of participation
4. The right to freedom of conscience
5. The exercise of the right of property
6. The right to live in a healthy environment
7. Constitutional law action for protection
8. Constitutional recognition of the principle of buen vivir and the principle of living in harmony with nature
9. Water protection





1. The interest to act in environmental matters

- **Article 397 of the Constitution**

« En caso de daños ambientales el Estado actuará de manera inmediata y subsidiaria para garantizar la salud y la restauración de los ecosistemas. Además de la sanción correspondiente, el Estado repetirá contra el operador de la actividad que produjera el daño las obligaciones que conlleve la reparación integral, en las condiciones y con los procedimientos que la ley establezca.

La responsabilidad también recaerá sobre las servidoras o servidores responsables de realizar el control ambiental. Para garantizar el derecho individual y colectivo a vivir en un ambiente sano y ecológicamente equilibrado, el Estado se compromete a:



1. Permitir a cualquier persona natural o jurídica, colectividad o grupo humano, ejercer las acciones legales y acudir a los órganos judiciales y administrativos, sin perjuicio de su interés directo, para obtener de ellos la tutela efectiva en materia ambiental, incluyendo la posibilidad de solicitar medidas cautelares que permitan cesar la amenaza o el daño ambiental materia de litigio. La carga de la prueba sobre la inexistencia de daño potencial o real recaerá sobre el gestor de la actividad o el demandado.»

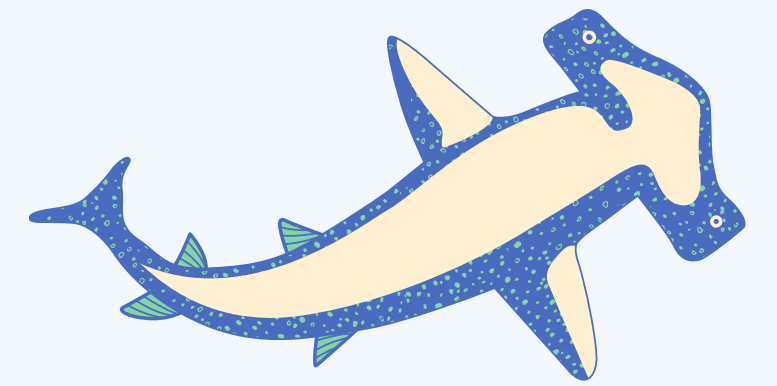
Proposed English translation

“In the event of environmental damage, the State will act immediately and subsidiarily to guarantee the health and restoration of the ecosystems. In addition to the corresponding sanction, the State will repeat against the operator of the activity that produced the damage, the obligations that imply integral reparation, in the conditions and with the procedures that the law establishes. The responsibility will also fall on the servants responsible for carrying out the environmental control. In order to guarantee the individual and collective right to live in a healthy and ecologically balanced environment, the State undertakes :

1. To allow any natural or legal person, community or human group, to exercise legal actions and go to the judicial and administrative bodies, without prejudice to their direct interest, to obtain from them effective protection in environmental matters, including the possibility of requesting precautionary measures to stop the threat or environmental damage that is the subject of litigation. The burden of proof on the non-existence of potential or actual damage will fall on the manager of the activity or the defendant.”

- **Illustrations**

Court ruling: Transporte ilegal de tiburones, Galápagos



« Así lo establece el ya mencionado Art. 72 de la Constitución de la República y el Art. 43 de la Ley de Gestión Ambiental, en donde se encuentra determinado además la compensación ambiental. De la misma manera se debe considerar lo que establece el art. 397 de la Constitución de la República.

Por tales consideraciones esta sala especializada, en voto salvado, en la parte que he mencionado, rechaza el recurso de apelación interpuesto, confirma la sentencia dictada en cuanto a declarar culpables a CHEN KONGZHANG, como autor y como coautores a LI FEI, CHEN KONGQIANG, y LI ZUNHUO, con la pena de 3 años que es la pena máxima establecida en el Art. 247 numeral 2, concordante con el art. 42 numeral 1 literal a) del COIP, es decir, reformando de oficio la sentencia en cuanto a la pena en este caso que se había impuesto de 4 años a CHEN KONGZHANG que se determinó una agravante inexistente para este Tribunal, y en cuanto a la ratificatoria del estado de inocencia de los 16 tripulantes que ya los mencioné. Se deja establecido que hasta la fecha no ha comparecido el propietario del buque. »



2. The right of consultation of the communities



- **Article 57-17 of the Constitution**

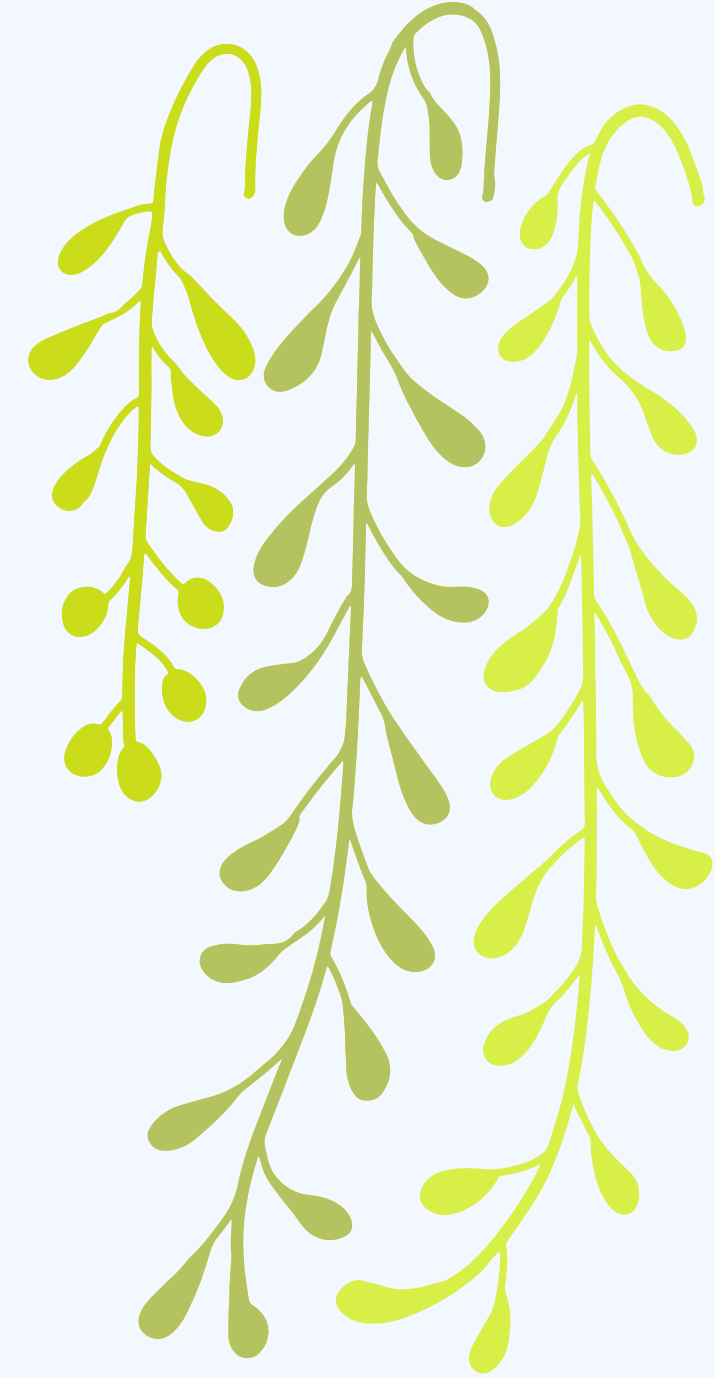
« Ser consultados antes de la adopción de una medida legislativa que pueda afectar cualquiera de sus derechos colectivos. »

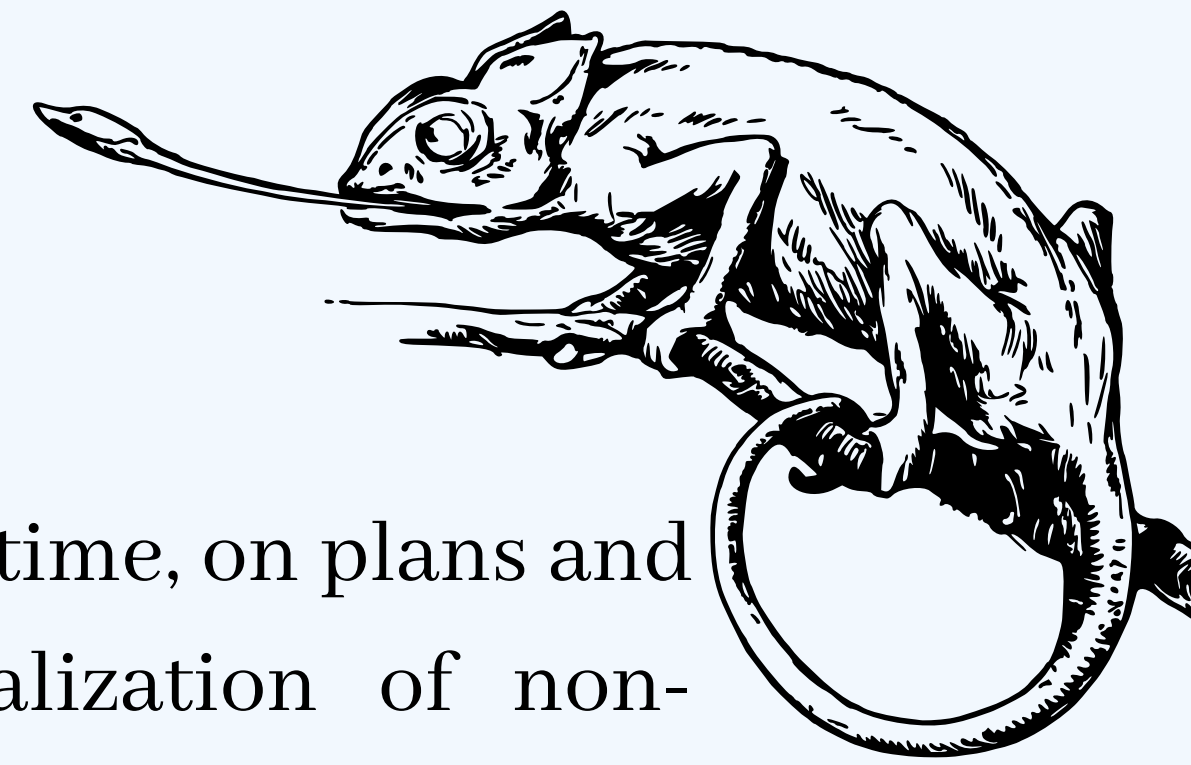
Proposed English translation

"To be consulted before the adoption of a legislative measure that may affect any of their collective rights."

- **Article 57-7 of the Constitution**

« La consulta previa, libre e informada, dentro de un plazo razonable, sobre planes y programas de prospección, explotación y comercialización de recursos no renovables que se encuentren en sus tierras y que puedan afectarles ambiental o culturalmente; participar en los beneficios que esos proyectos reporten y recibir indemnizaciones por los perjuicios sociales, culturales y ambientales que les causen. La consulta que deban realizar las autoridades competentes será obligatoria y oportuna. Si no se obtuviese el consentimiento de la comunidad consultada, se procederá conforme a la Constitución y la ley. »





Proposed English translation

"The prior, free and informed consultation, within a reasonable time, on plans and programs for the prospection, exploitation and commercialization of non-renewable resources that are on their lands and that may affect them environmentally or culturally; to participate in the benefits that these projects bring and to receive compensation for the social, cultural and environmental damages that they cause.

The consultation to be carried out by the competent authorities shall be compulsory and timely. If the consent of the community consulted is not obtained, the procedure will be in accordance with the Constitution and the law."

- **Article 398 of the Constitution**

« Toda decisión o autorización estatal que pueda afectar al ambiente deberá ser consultada a la comunidad, a la cual se informará amplia y oportunamente. El sujeto consultante será el Estado. La ley regulará la consulta previa, la participación ciudadana, los plazos, el sujeto consultado y los criterios de valoración y de objeción sobre la actividad sometida a consulta.

El Estado valorará la opinión de la comunidad según los criterios establecidos en la ley y los instrumentos internacionales de derechos humanos. Si del referido proceso de consulta resulta una oposición mayoritaria de la comunidad respectiva, la decisión de ejecutar o no el proyecto será adoptada por resolución debidamente motivada de la instancia administrativa superior correspondiente de acuerdo con la ley. »






Proposed English translation

"Any state decision or authorization that may affect the environment shall be consulted with the community, which shall be informed extensively and in a timely manner.

The consulting subject shall be the State. The law will regulate the previous consultation, the citizen participation, the terms, the consulted subject and the criteria of evaluation and objection about the activity submitted to consultation.



The State will value the opinion of the community according to the criteria established by law and international human rights instruments. If the consultation process results in a majority opposition from the respective community, the decision to implement or not the project will be adopted by a duly motivated resolution of the corresponding higher administrative body in accordance with the law."

- **Illustrations**

Court ruling: Waorani case (2019)

The violation of the constitutional rights of self-determination and prior consultation was declared.

Court ruling: Los Cedros (2019)

« El artículo 398 de la Constitución y por su parte el Art. 57 de la Constitución, (...) Num.7 (...) De la lectura de estas dos disposiciones constitucionales podemos afirmar que la Constitución establece dos categorías de consulta: la primera que se refiere a la consulta previa para la protección de un derecho difuso, como es el ambiente, ejercida por la ciudadanía en general; y, la segunda que hace referencia a la consulta para actividades de prospección, explotación y comercialización de recursos naturales no renovables que se encuentren en sus territorios y que puedan afectarles ambiental o culturalmente.

[...] En el presente caso, conforme lo sostenemos, la población misma y los habitantes de las comunas de la parroquia de García Moreno, que se encuentran asentadas en el área de influencia directa e indirecta de las concesiones mineras Río Magdalena 01 y Río Magdalena 02, debieron ser consultadas previamente para conceder el registro ambiental y determinar la viabilidad o no del proyecto minero.

De la Resolución, mediante la cual el Ministro del Ambiente otorgó el Registro Minero a favor de la Empresa Nacional Minera (ENAMIEP), se desprende que no se realizó consulta previa a la población de la zona afectada, ni a las comunas existentes. »





3. Citizens' right of participation

- **Article 95 of the Constitution**

« Las ciudadanas y ciudadanos, en forma individual y colectiva, participarán de manera protagónica en la toma de decisiones, planificación y gestión de los asuntos públicos, y en el control popular de las instituciones del Estado y la sociedad, y de sus representantes, en un proceso permanente de construcción del poder ciudadano.

La participación se orientará por los principios de igualdad, autonomía, deliberación pública, respeto a la diferencia, control popular, solidaridad e interculturalidad. La participación de la ciudadanía en todos los asuntos de interés público es un derecho, que se ejercerá a través de los mecanismos de la democracia representativa, directa y comunitaria. »

Proposed English translation

"Citizens, individually and collectively, will participate in a leading role in decision-making, planning and management of public affairs, and in the popular control of State and social institutions and their representatives, in a permanent process of building citizen power. Participation shall be guided by the principles of equality, autonomy, public deliberation, respect for difference, popular control, solidarity and interculturality. Citizen participation in all matters of public interest is a right, which will be exercised through the mechanisms of representative, direct and community democracy."

• **Illustrations**

Court ruling: Cóndor (Mirador 2013)

« Por otro lado, el Art. 91 de la Ley de Minería, referente a las denuncias de amenazas o daños sociales ambientales, prevé la acción popular para denunciar las actividades mineras que puedan o generen impactos sociales, culturales o ambientales, ante el Ministerio del Ramo, denuncia que del proceso no aparece haberse realizado por parte de los demandantes, conforme mandan además los artículos 85 y 95 de la Constitución de la República. »



4. The right to freedom of conscience

- **Article 66-12 of the Constitution**

« El derecho a la objeción de conciencia, que no podrá menoscabar otros derechos, ni causar daño a las personas o a la naturaleza. »

Proposed English translation

"The right to conscientious objection, which may not impair other rights, nor cause harm to persons or nature."



5. The exercise of the right of property

- **Article 66-26 of the Constitution**

« El derecho a la propiedad en todas sus formas, con función y responsabilidad social y ambiental. El derecho al acceso a la propiedad se hará efectivo con la adopción de políticas públicas, entre otras medidas. »

Proposed English translation

"The right to property in all its forms, with social and environmental function and responsibility. The right to access to property will be made effective through the adoption of public policies, among other measures. "



6. The right to live in a healthy environment

- **Article 66-27 of the Constitution**

« El derecho a vivir en un ambiente sano, ecológicamente equilibrado, libre de contaminación y en armonía con la naturaleza. [...] »

Proposed English translation

"The right to live in a healthy, ecologically balanced, pollution-free environment in harmony with nature. [...]"

- **Illustrations**

Court ruling: Organismos Genéticamente Modificados (OGM) (2018-2019)

Article 66 has been used to justify that: when infected plants are found, the whole field must be destroyed (GMO case)



Court ruling: Ecosistema fragil, Parama de Tangabana (2014-2015)

« El deber de reparación integral aparece como premisa general de devolver las cosas en mayor medida de lo posible al estado anterior, es aquí donde el aporte de la Corte Constitucional, en el libro derechos de la naturaleza fundamento contenido y exigibilidad del jurisdiccional de Julio Marcelo Prieto Méndez, presenta los estándares ecológicos de reparación y las herramientas jurídicas para implementar la reparación integral de los derechos de la naturaleza, que deben atender al restablecimiento y la regeneración de los ciclos de vida estructura y funcionamiento del proceso de evolución propia de cada ecosistema, el reto es la aplicación creativa del instrumental jurídico, existente del modo que se pueda garantizar el cumplimiento del mandato constitucional de la naturaleza como sujetos de derechos.





¿Qué pasa si es un bien Privado? El Art. 66 inciso 26) de la Constitución responde esta inquietud en su Capítulo Derechos de Libertad, donde se garantiza que el derecho a la propiedad en todas sus formas, con función, pero también con responsabilidad social y ambiental, derecho que se ha conculcado por lo que basada en la comprensión de la dualidad andina y consiguientemente en el sumak kawsay, presenta dos aristas fundamentales, la primera atinente a la relación armoniosa al individuo con la naturaleza; y, la otra relativa a la satisfacción de unos derechos sociales y comunitarios, que hagan posible que esa armonía, es decir una convivencia pacífica con completo respeto de nuestra madre tierra. »





7. Constitutional law action for protection

- **Article 88 of the Constitution**

« La acción de protección tendrá por objeto el amparo directo y eficaz de los derechos reconocidos en la Constitución, y podrá interponerse cuando exista una vulneración de derechos constitucionales, por actos u omisiones de cualquier autoridad pública no judicial; contra políticas públicas cuando supongan la privación del goce o ejercicio de los derechos constitucionales; y cuando la violación proceda de una persona particular, si la violación del derecho provoca daño grave, si presta servicios públicos impropios, si actúa por delegación o concesión, o si la persona afectada se encuentra en estado de subordinación, indefensión o discriminación. »



Proposed English translation


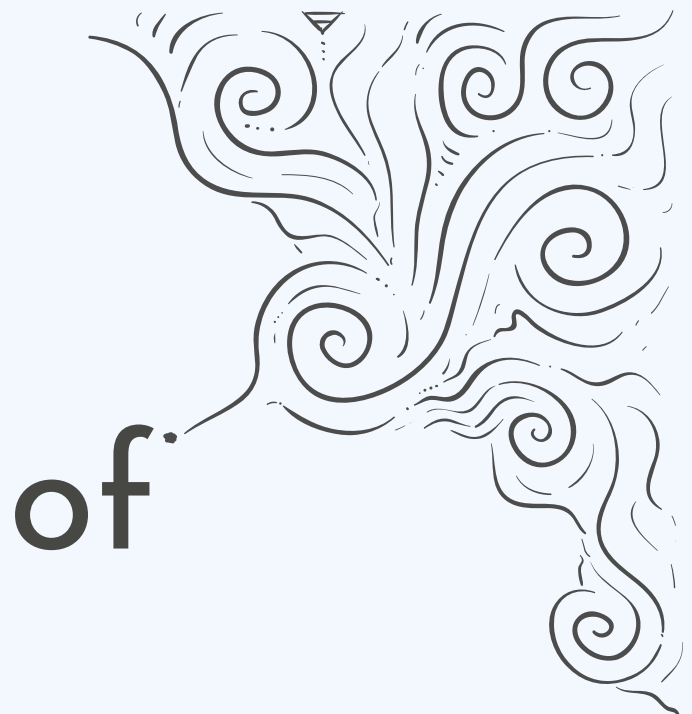

“The purpose of the action for protection shall be to provide direct and effective protection of the rights recognized in the Constitution, and may be brought when there is a violation of constitutional rights, by acts or omissions of any non-judicial public authority;

Against public policies when they involve deprivation of the enjoyment or exercise of constitutional rights; and when the violation comes from a private person, if the violation of the right causes serious harm, if it provides improper public services, if it acts by delegation or concession, or if the person affected is in a state of subordination, defenselessness or discrimination.”


- **Illustrations**

Court ruling: Waorani Case (2019)

The action for protection was accepted by the Constitutional Court.



8. Constitutional recognition of the principle of buen vivir and the principle of living in harmony with nature



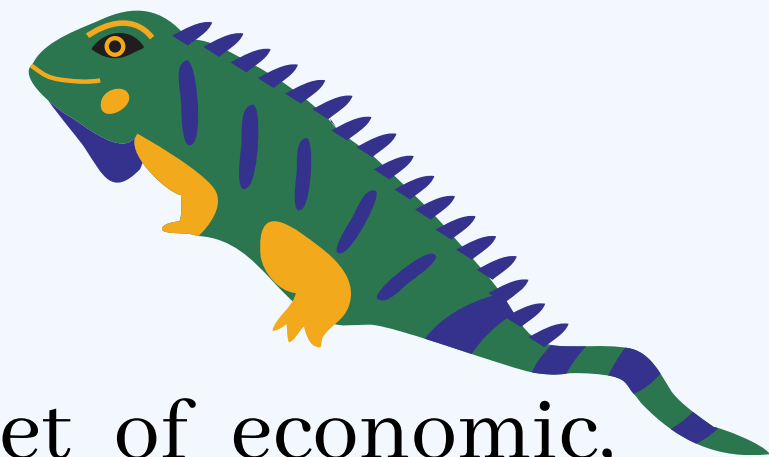
- **Article 275 of the Constitution**

« El régimen de desarrollo es el conjunto organizado, sostenible y dinámico de los sistemas económicos, políticos, socio-culturales y ambientales, que garantizan la realización del buen vivir, del sumak kawsay. El Estado planificará el desarrollo del país para garantizar el ejercicio de los derechos, la consecución de los objetivos del régimen de desarrollo y los principios consagrados en la Constitución. La planificación propiciará la equidad social y territorial, promoverá la concertación, y será participativa, descentralizada, desconcentrada y transparente.

El buen vivir requerirá que las personas, comunidades, pueblos y nacionalidades gocen efectivamente de sus derechos, y ejerzan responsabilidades en el marco de la interculturalidad, del respeto a sus diversidades, y de la convivencia armónica con la naturaleza. »

Proposed English translation

“The development regime is the organized, sustainable and dynamic set of economic, political, socio-cultural and environmental systems that guarantee the realization of good living, of sumak kawsay. The State shall plan the development of the country to guarantee the exercise of rights, the achievement of the objectives of the development regime and the principles enshrined in the Constitution. Planning will foster social and territorial equity, promote consultation, and be participatory, decentralized, deconcentrated and transparent. Good living will require that individuals, communities, peoples and nationalities effectively enjoy their rights and exercise their responsibilities within a framework of interculturality, respect for their diversity and harmonious coexistence with nature.”



- **Illustrations**

Court ruling: Minería Ilegal en Pastaza (2012-2015)

Interpreted in relation to section 283: “Adicionalmente, en el artículo 283 de la Constitución que trata del sistema económico social y solidario ecuatoriano, se acentúa la importancia de la relación dinámica y equilibrada entre sociedad, Estado y mercado con la naturaleza; en concordancia con el tercer inciso del artículo 275 de la misma Norma Suprema que determina el deber de las personas, comunidades, pueblos y nacionalidades de ejercer sus derechos y responsabilidades en el marco de la convivencia armónica con la naturaleza.

De este modo, es evidente que los derechos de la naturaleza irradian tanto a las relaciones sociales como a cada uno de los elementos del sistema económico del país, derivando en que la producción y el consumo no se conviertan en procesos depredadores sino que, por el contrario, tiendan al respeto de su existencia, mantenimiento y regeneración de sus elementos”.



9. Water protection

- **Article 41 of the Constitution**

« El Estado garantizará la conservación, recuperación y manejo integral de los recursos hídricos, cuencas hidrográficas y caudales ecológicos asociados al ciclo hidrológico. Se regulará toda actividad que pueda afectar la calidad y cantidad de agua, y el equilibrio de los ecosistemas, en especial en las fuentes y zonas de recarga de agua. »

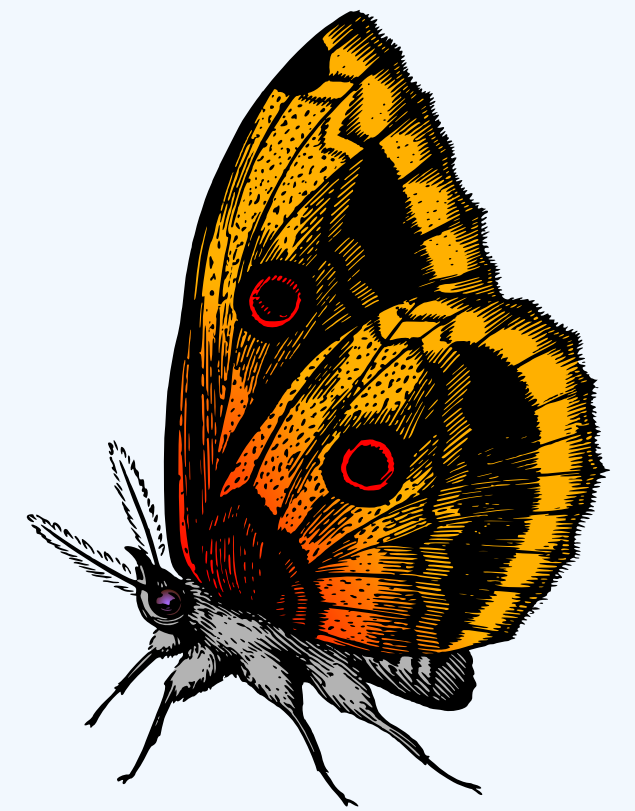
Proposed English translation

“The State shall guarantee the conservation, recovery and integrated management of water resources, watersheds and ecological flows associated with the hydrological cycle. Any activity that may affect the quality and quantity of water and the balance of the ecosystems will be regulated, especially in water sources and recharge areas.”

- **Illustrations**

Court ruling: Ecosistema fragil, Parama de Tangabana (2015)

« Así también hay una clara violación a norma expresa prevista en el Art. 411 de la Constitución de la República[...]. Concluye manifestando que la acción de protección resulta la única vía idónea y eficaz, para poner fin y remediar un daño ambiental. »



To conclude, the Constitution of 28 September 2008 is a key tool in the implementation of the rights of nature, encouraging everyone to take advantage of them to guarantee their full effectiveness.

ABOUT THE GLOBAL ALLIANCE FOR THE RIGHTS OF NATURE (GARN)

The Global Alliance for the Rights of Nature (the “Alliance”) is a global network of organizations and individuals committed to the universal adoption and implementation of legal systems that recognize, respect and enforce “Rights of Nature”. Rather than treating nature as property under the law, the time has come to recognize that natural communities have the right to exist, maintain and regenerate their vital cycles.

The Alliance’s objective is to encourage the recognition and effective implementation of Rights of Nature through the creation of a world network of individuals and organizations that, through active cooperation, collective action and legal tools based on Rights of Nature as an idea whose time has come, can change the direction humanity is taking our planet.

BIBLIOGRAPHY

Principals Legislative Acts and Codes

- The Constitution of Ecuador of the 28 September 2008
 - Code of the Judicial Function

Case law

Identify and list case law in the guide

Articles

- KAUFFMAN, Craig M. and MARTIN, Pamela L., “Can Rights of Nature Make Development More Sustainable? Why Some Ecuadorian lawsuits Succeed and Others Fail».”, World Development. Volume 92. April 2017. Pages 130-142.

Doctrine

- Dra. GUZMAN Vanesa Aguirre , "El aumento de las facultades de los jueces en el COFJ", March 2013.
<https://www.derechoecuador.com/facultades-de-los-jueces-en-el-cofj>
- Dra. GUZMAN Vanesa Aguirre, "Poderes y facultades en el ejercicio jurisdiccional", April 2013.
<https://www.derechoecuador.com/poderes-y-facultades-del-juez-en-el-ejercicio-jurisdiccional>

Websites

- Ecuadorian legal journal online : <https://www.derechoecuador.com/>
- Database of all Ecuadorian jurisprudence related to the rights of nature :
<https://www.derechosdelanaturaleza.org.ec/>
- Official website of the GARN : <https://therightsofnature.org>

CREDITS

This project was initiated and carried out by a team of interns who completed their internship within The Global Alliance for the Rights of Nature between January 2020 and January 2021.

Editors: Estelle Dantan, Olivia Gervais and Virginie Girerd.

Design: Estelle Dantan and Léa Serrano Corbière.

Pictures: Galo Chiriboga, Estelle Dantan and Elias Suarez.



Photo : Galo Chiriboga

