



## RESOLUTION 5

As amended and accepted by contact groups on the 29th and 30th August 2024

### **Indigenous Law and Guardianship of Nature**

#### **WHEREAS**

Affirming Indigenous Peoples' inherent relationships with and responsibilities to sacred lands, waters, and sky, and their critical role in protecting and safeguarding Mother Earth and all life within as Nature's traditional guardians since time immemorial; and

Recognizing the shortcomings of anthropocentric legal frameworks, which largely treat Nature or Mother Earth as a mere commodity or resource, and which fail to recognize the unique wants, needs, and voices of life on Earth aside from its value to humans; and

Building on the foundations laid by the 7th World Wilderness Congress (2001), which called for the development of a jurisprudence recognizing humans as inseparable from the planetary ecosystem, and the 10th World Wilderness Congress (2013), which supported the worldwide recognition of the inherent rights of Nature; and

Applauding the growing number of legal guardianship bodies that serve as the human face and voice of Nature, such as Te Pou Tupua, the legal guardianship body for the Whanganui River in Aotearoa New Zealand, along with legal guardianship bodies fulfilling the legal rights of the Atrato River in Colombia, Mar Menor saltwater lagoon in Spain, and Marañón River in Peru (in development), amongst others; and

Noting that Nature's voice is also being elevated in law and society through other innovations, including the establishment of a Mother Earth Ombudsman (Defensoría de la Madre Tierra) in Bolivia and by giving Nature a formal voice in governance, including within government and both for-profit and not-for-profit organizations;

Understanding that humans cannot fully represent the entirety of Nature's diverse interests, yet despite this limitation, it is imperative to strive to provide a voice for more-than-human life in our legal and governance systems; and

#### **THEREFORE**

The delegates to the 12th World Wilderness Congress, recognizing the importance of guardianship models and Indigenous law along with other ways to amplify and protect the voice, interests, and rights of Mother Earth, are hereby

**RESOLVED**

- A. To recognize the importance of Indigenous and other guardianship models to provide formal representation for Nature within the legal system.
- B. To recognize the importance of amplifying Nature’s voice in decision-making within governance mechanisms via human proxy models.
- C. To support and honor the rights of Indigenous Peoples to stand as guardians of their territories, recognizing their traditional knowledge and practices as vital to protect and restore Mother Earth.
- D. To promote the adoption and implementation of laws and policies that recognize the inherent rights of Nature.
- E. To affirm the Inherent Relationships between Indigenous Peoples and their connected lands and waters and other non-rights-based inherent responsibility pathways.
- F. To encourage all organizations of which delegates are members to commit to the above.
- G. To foster a global movement to amplify Nature’s voice within law and society.

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