

## **Motion - Rights of the River**

Submitted by Councillor Bird

### **Preamble**

Our freshwater environments and waterways are facing numerous pressures from pollution, climate change, land management practices, development and amenity use.

It is clear that our environmental laws and regulations are failing to prevent the destruction of nature, often simply regulating the rate of destruction. The United Nations has called for the human race to rethink its relationship with the natural world in order that we might enable the recovery of nature upon which humans and all species are dependant: ([‘Solutions for a Planet in Crisis’ speech from Inger Anderson in January 2021](#)).

At the same time there is an emerging global movement of governments recognising the Rights of Nature and in particular the rights of rivers.

Rights of Nature is a way of re-thinking our relationship with nature - from one of dominance to one of interdependency requiring a respectful, holistic and empathic approach. It can also act as a catalyst to shift our thinking from an extractive economy towards a regenerative economy. The idea of nature having rights is not new. Nature has rights. What is new is how we can intervene using a rights of nature lens to protect nature and to give the river a voice as a single entity, from source to sea.

We have extended rights to corporations globally – a company which is a wholly fictional entity has gained legal rights and is recognised as a legal entity distinct from its individual decision makers. If we can define a corporation as having the rights of personhood, then we can imagine a River having these personhood rights?

In September 2022 the River Ouse Festival which was attended by 1600 people held a workshop on ‘Rights of the River’ at which local people submitted ideas on what a ‘Rights of River Ouse Charter’ might look like which were broadly in line with the [Universal Declaration of River Rights](#).

The Universal Declaration of River Rights establishes that all rivers shall possess, at minimum, the following fundamental rights: (1) The right to flow, (2) The right perform essential functions within the river’s ecosystem, (3) The right to be free from pollution, (4) The right to feed and be fed by sustainable aquifers, (5) The right to native biodiversity, and (6) The right to regeneration and restoration.

This approach is supported by the Sussex Wildlife Trust and Ouse and Adur Rivers Trust and Ouse Valley Climate Action offers an enormous opportunity to help develop a River Ouse Charter over the next 2 years which establishes the rights listed above.

## **Motion**

1. This Council acknowledges the growing global movement of 'rights of nature' as a framework for rethinking its relationship with the environment.
2. This Council believes that there is a case to be made for considering our interactions with our local waterways in the context of 'Rights of Rivers' and through which the health and wellbeing of the River Ouse can be addressed.
3. This Council will explore with local communities and relevant stakeholders the implementation of Rights of Rivers along the River Ouse. This will involve working towards the production of a 'Declaration on the Rights of the River Ouse' by relevant stakeholders for possible endorsement by the Council within 2 years.

## **Notes:**

Lewes District Council recognises the immense Climate and Ecological challenges that nature faces and we have responded to this through policy such as the Biodiversity Strategy and through partnerships with environmental organisations such as the Ouse and Adur Rivers Trust, Sussex Wildlife Trust and many local community groups like the Railway Land Trust and Greenhavens.

The Council has been proactive in positively responding to these pressures through nature-based actions such as the Sussex Flow Initiative and through ecological enhancements on the River Ouse and its tributaries.

The Council passed two water quality-focused motions in November 2021 and May 2022 on the impacts of sewage pollution into the Ouse Catchment and local marine areas.

These motions focused on how we hold Water Companies to account for failing to protect our waterways and capture the enormous concerns that local communities have for the negative impacts this is having on the health and wellbeing of the Ouse Valley Catchment.

These concerns have manifested in numerous calls to action and are widely and regularly reported on radio, social media and tv news. People feel that they are not being heard and that in turn nature and the in particular the river is not being heard.

Not one of the rivers in Lewes District is classed as 'Good' for Ecological or Chemical Status under the Water Framework Directive. The UK has the dirtiest rivers in Europe. ... Affected local wildlife habitats include Lewes Brooks, which is a Site of Special Scientific Interest (SSSI) and home to rare snails, flies, moths and water beetles. The Ouse and tributaries are home to notable and rare species including sea lampreys and the cherished and iconic local species of sea trout, protected under the Salmon and Freshwater Fisheries Act 1975.