



Irish Wildlife Trust
8 Cabra Road,
Dublin 7

Brian Leddin,
An Cathaoirleach,
Joint Committee on Environment and Climate
Leinster House, Kildare Street, Dublin 2

28th November 2023

Re: Citizens Assembly Report on Biodiversity Loss

I am writing to you on behalf of the Irish Wildlife Trust and Bat Conservation Ireland.

The Citizens' Assembly on Biodiversity Loss recommended that the substantive and procedural Rights of Nature be incorporated in Bunreacht na hÉireann [the Irish Constitution] to protect biodiversity.

Since 2006, the Rights of Nature have been enshrined in the Ecuador Constitution; enacted within national and local laws in Bolivia, the United States, Uganda, Panama, Canada, and elsewhere; and as well been adopted by First Nations.

Donegal adopted a rights of nature motion in 2021, and district councils in Northern Ireland (including Belfast, Derry and Strabane) have adopted rights of nature motions as well.

The Rights of Nature movement has grown as we face numerous environmental crises, including accelerating species extinction and climate change. Acknowledging that our treatment of nature as merely a resource, with environmental laws regulating its use and exploitation, have brought us to this crisis moment, the Rights of Nature moves forward

with the understanding that we are dependent on nature, and that we must protect nature to protect ourselves.

The Citizens' Assembly acknowledges this reality and recommends protecting the Rights of Nature within our Constitution. We write in support of the Citizens' Assembly recommendation and call upon the Irish Government to hold a referendum of the people to amend the Constitution to secure the Rights of Nature.

The IWT calls on the Joint Committee on Environment and Climate to;

1. Accept the recommendation of the Citizens Assembly that the people of Ireland be afforded an opportunity, in a referendum, to protect our biodiversity through the incorporation of the rights of nature and the right to a healthy environment into Bunreacht na hÉireann (the Irish Constitution).
2. Invite the Government to begin the preparatory steps, including the formation of an Expert Group.
3. Note the high levels of support among Citizens' Assembly members for the right to a healthy environment and the rights of nature. The percentages of CA members supporting these elements were - 77% and 74% respectively (page 120 of the Citizens' Assembly final report).
4. Note that the Children and Young Persons' Assembly's key recommendations included the recommendation for: "An Ireland where we are connected to and care for the rights of nature (and each other) so that biodiversity is restored and protected and we live and grow up in healthy, clean and fair environments."

Yours sincerely,



Kieran Flood

IWT General Manager

Supported by Bat Conservation Ireland



Niamh Roche (Bat Conservation Ireland, IEN/Pillar Representative)



Extract from the Report of the Citizens' Assembly on Biodiversity Loss

1.3 The Constitution

The Assembly believes that ensuring the purposeful and necessary conservation and restoration of biodiversity will involve a range of measures, including making amendments to the Constitution. Such actions should be taken to attempt to ensure that nature is protected enough to continue to provide people with necessary ecosystem services, such as food, clean freshwater and air, and to allow people to access and enjoy a clean, safe and healthy environment, both now and into the future.

31. There should be a referendum of the people to amend the Constitution with a view to protecting biodiversity.

The proposal to amend the Constitution should include:

- a. Human substantive environmental rights, e.g. a right to a clean, healthy, safe environment; a right to a stable and healthy climate; rights of future generations to these or other environmental rights.
- b. Human procedural environmental rights, e.g. the Aarhus rights regarding access to environmental information, public participation in environmental decision-making and justice in environmental matters.
- c. Substantive rights of nature, recognising nature as a holder of legal rights, comparable to companies or people e.g. to exist, flourish/perpetuate and be restored if degraded; not to be polluted/harmed/degraded.

d. Procedural rights of nature, e.g. to be a party in administrative decision-making, litigation, etc. where rights are impacted/likely to be impacted.

https://citizensassembly.ie/wp-content/uploads/Report-on-Biodiversity-Loss_mid-res.pdf