

LAW OF THE RIGHTS OF MOTHER EARTH

CHAPTER I OBJECT AND PRINCIPLES

Article 1. (SCOPE)

This Act is intended to recognize the rights of Mother Earth, and the obligations and duties of the Multinational State and society to ensure respect for these rights.

Article 2. (PRINCIPLES)

The binding principles that govern this law are:

1. Harmony

Human activities, within the framework of plurality and diversity, should achieve a dynamic balance with the cycles and processes inherent in Mother Earth.

2. Collective good

The interests of society, within the framework of the rights of Mother Earth, prevail in all human activities and any acquired right.

3. Guarantee of the regeneration of Mother Earth

The state, at its various levels, and society, in harmony with the common interest, must ensure the necessary conditions in order that the diverse living systems of Mother Earth may absorb damage, adapt to shocks, and regenerate without significantly altering their structural and functional characteristics, recognizing that living systems are limited in their ability to regenerate, and that humans are limited in their ability to undo their actions.

4. Respect and defend the rights of Mother Earth

The State and any individual or collective person must respect, protect and guarantee the rights of Mother Earth for the well-being of current and future generations.

5. No commercialism

Neither living systems nor processes that sustain them may be commercialized, nor serve anyone's private property.

6. Multiculturalism

The exercise of the rights of Mother Earth requires the recognition, recovery, respect, protection, and dialogue of the diversity of feelings,

values, knowledge, skills, practices, skills, transcendence, transformation, science, technology and standards, of all the cultures of the world who seek to live in harmony with nature.

CHAPTER II

MOTHER EARTH, DEFINITION AND CHARACTER

Article 3. (Mother Earth)

Mother Earth is a dynamic living system comprising an indivisible community of all living systems and living organisms, interrelated, interdependent and complementary, which share a common destiny. Mother Earth is considered sacred, from the worldviews of nations and peasant indigenous peoples.

Article 4. (LIVING SYSTEMS)

Living systems are complex and dynamic communities of plants, animals, microorganisms and other beings and their environment, where human communities and the rest of nature interact as a functional unit under the influence of climatic, physiographic, and geological factors, as well as production practices, Bolivian cultural diversity, and the worldviews of nations, original indigenous peoples, and intercultural and Afro-Bolivian communities.

Article 5. (LEGAL STATUS OF MOTHER EARTH)

For the purpose of protecting and enforcing its rights, Mother Earth takes on the character of collective public interest. Mother Earth and all its components, including human communities, are entitled to all the inherent rights recognized in this Law. The exercise of the rights of Mother Earth will take into account the specificities and particularities of its various components. The rights under this Act shall not limit the existence of other rights of Mother Earth.

Article 6 (EXERCISE OF THE RIGHTS OF MOTHER EARTH).

All Bolivians, to join the community of beings comprising Mother Earth, exercise rights under this Act, in a way that is consistent with their individual and collective rights. The exercise of individual rights is limited by the exercise of collective rights in the living systems of Mother Earth. Any conflict of rights must be resolved in ways that do not irreversibly affect the functionality of living systems.

CHAPTER III

RIGHTS OF MOTHER EARTH

Article 7. (RIGHTS OF MOTHER EARTH)

I. Mother Earth has the following rights:

1. To life

The right to maintain the integrity of living systems and natural processes that sustain them, and capacities and conditions for regeneration.

2. To the diversity of life

It is the right to preservation of differentiation and variety of beings that make up Mother Earth, without being genetically altered or structurally modified in an artificial way, so that their existence, functioning or future potential would be threatened.

3. To water

The right to preserve the functionality of the water cycle, its existence in the quantity and quality needed to sustain living systems, and its protection from pollution for the reproduction of the life of Mother Earth and all its components.

4. To clean air

The right to preserve the quality and composition of air for sustaining living systems and its protection from pollution, for the reproduction of the life of Mother Earth and all its components.

5. To equilibrium

The right to maintenance or restoration of the interrelationship, interdependence, complementarity and functionality of the components of Mother Earth in a balanced way for the continuation of their cycles and reproduction of their vital processes.

6. To restoration

The right to timely and effective restoration of living systems affected by human activities directly or indirectly.

7 To pollution-free living

The right to the preservation of any of Mother Earth's components from contamination, as well as toxic and radioactive waste generated by human activities.

CHAPTER IV

STATE OBLIGATIONS AND SOCIETAL DUTIES

Article 8. (OBLIGATIONS OF THE PLURINATIONAL STATE)

The Plurinational State, at all levels and geographical areas and across all authorities and institutions, has the following duties:

1. Develop public policies and systematic actions of prevention, early warning, protection, and precaution in order to prevent human activities causing the extinction of living populations, the alteration of the cycles and processes that ensure life, or the destruction of livelihoods, including cultural systems that are part of Mother Earth.
2. Develop balanced forms of production and patterns of consumption to satisfy the needs of the Bolivian people to live well, while safeguarding the regenerative capacity and integrity of the cycles, processes and vital balance of Mother Earth.
3. Develop policies to protect Mother Earth from the multinational and international scope of the exploitation of its components, from the commodification of living systems or the processes that support them, and from the structural causes and effects of global climate change.
4. Develop policies to ensure long-term energy sovereignty, increased efficiency and the gradual incorporation of clean and renewable alternative sources into the energy matrix.
5. Demand international recognition of environmental debt through the financing and transfer of clean technologies that are effective and compatible with the rights of Mother Earth, among other mechanisms.
6. Promote peace and the elimination of all nuclear, chemical, and biological arms and weapons of mass destruction.
7. Promote the growth and recognition of rights of Mother Earth in multilateral, regional and bilateral international relations.

Article 9. (DUTIES OF THE PEOPLE)

The duties of natural persons and public or private legal entities:

1. Uphold and respect the rights of Mother Earth.
2. Promote harmony with Mother Earth in all areas of its relationship with other human communities and the rest of nature in living systems.
3. Participate actively, individually or collectively, in generating proposals designed to respect and defend the rights of Mother Earth.
4. Assume production practices and consumer behavior in harmony with the rights of Mother Earth.
5. Ensure the sustainable use of Mother Earth's components.
6. Report any act that violates the rights of Mother Earth, living systems, and/or their components.
7. Attend the convention of competent authorities or organized civil society to implement measures aimed at preserving and/or protecting Mother Earth.

Article 10. (DEFENSE OF MOTHER EARTH)

Establishing the Office of Mother Earth, whose mission is to ensure the validity, promotion, distribution and compliance of the rights of Mother Earth established in this Act. A special law will establish its structure, function, and attributes.

Refer to the Executive Branch for constitutional ends.

It is given in the Assembly Hall of the Plurinational Legislative Assembly, on the seventh day of the month of December two thousand and ten.

Sen. René Oscar Martínez Callahuanca
PRESIDENT, CHAMBER OF SENATORS