

Giving Personhood Rights to River Indus

There are around 292 thousand kilometers long rivers around the world apart from the small rivers. Out of these 292 giant rivers only 21 can reach their final destination i.e. the sea as rest of them have lost their natural flow due to dams that have thwarted their flow. The states, governments and international financial institutions around the world have built dams under the guise of development, diverted the flow of rivers, destroyed the ecology of rivers and water and brought irrigation systems to uplift the agriculture production. Hydro projects were carried out to produce electricity. The most immediate and worst victims of dam building have been the underprivileged indigenous fishing and peasant communities. The communities are affected culturally, socially, economically and psychologically. Nevertheless, the indigenous communities have been struggling in the form of mass movements to save rivers and water around the world.

During early 2000, the environmental legal principles and public awareness for the Rights of the Nature led to process of giving the legal right to the nature.

Below are some of the key moments in the growing movement for legal Rights of Nature:

- In 2008, Ecuador became the first country in the world to recognize the Rights of Nature in its national constitution. In 2011, the first Rights of Nature court decision was issued in the Vilcabamba River case in Ecuador, upholding the Rights of Nature constitutional provisions.
- In 2010, Bolivia held the World People's Conference on Climate Change and the Rights of Mother Earth, where the Universal Declaration on the Rights of Mother Earth was issued. It has been submitted to the U.N. for consideration.
- In 2010, the Global Alliance for the Rights of Nature was formed. In 2014, the Global Alliance sponsored the first Rights of Nature Tribunal in Ecuador. Subsequent tribunals have now been held, with the next in Bonn in 2017.
- In 2010, Bolivia's Legislative Assembly passed the Law of the Rights of Mother Earth.
- In 2017, the New Zealand Parliament finalized the Te Awa Tupua Act, granting the Whanganui River legal status of personhood.
- In 2017, the High Court of Uttarakhand in India issued rulings recognizing the Ganga and Yamuna Rivers, glaciers, and other ecosystems as legal persons with certain rights.
- In 2017, Lafayette, Colorado, in the U.S., enacted the first Climate Bill of Rights, recognizing rights of humans and nature to a healthy climate, and banning fossil fuel extraction as a violation of those rights.

- In 2017, Colorado River v. State of Colorado was filed in U.S. federal court. In this first-in-the-nation lawsuit, an ecosystem is seeking recognition of its legal rights.

Serious threats to life and health of people and water systems of South Asian River Systems, including Indus river system exist. Our analysis reveals that anti-human and anti-environment policies have been applied and imposed in South Asia with the same rapacity as colonial powers did to impose control over citizens. Among regions around the world, South Asia is the second number in the construction of large dams. Pursuing neo-colonial control over natural resources, the ecological consequences have become hazardous to life and livelihood.

In context of Pakistan and especially Sindh province, among the multiple water issues, drastic decrease of water (and enriching silt) for the Indus Delta downstream of Kotri Barrage is an intolerable fact. Continuing with various plans of dams and diversions on Indus River by our national government as well as neighboring countries is a continuing assault on the ecology of the Indus Basin. We must recognize it as a threat of the highest order, even when producing hydropower is the defense.

A large water share of the River Indus utilized for the agricultural and human consumption of Punjab Province. Resultantly, the lower end of the River Indus that used to be termed as the “Mighty River Indus” has been reduced to the level of canal shows only tiny inconsistent storage of water.

Such a massive destruction of the River Indus has led to the death of livelihood of the deltaic people. These people have depended on fishing and the River are compelled to cut wood for earning some money and buy drinking using their earnings. What a pity it is see the people who are entitled to the basic right of water but are denied their rights.

The PFF believes that by the building dams and barrages, the government has diverted the natural flow of the River Indus, destroyed the rivers’ ecology, displaced the helpless people whose livelihood depended on the river, destroyed the bio-diversity of the Indus Delta in the name of national interest and sustainable development. The PFF strongly feels that there is dire need that the River Indus must be restored so that the River flow from start to tail end following the natural consistent flow and that the biodiversity and ecology of the River Indus, the people and their livelihood is restored.

Keeping the above international, regional and national situation in mind with regards to the gross violation of rights of nature, PFF has been carrying out campaign for the “Personhood Rights of River Indus”. Through various public actions PFF has been highlighting; personhood rights of River Indus, acute water scarcity, degradation and illegal occupation of Lakes, destruction of Indus Delta and diversion of rivers through dam building.

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