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RIGHTS OF NATURE COUNCIL MOTIONS ON THE ISLAND OF IRELAND

Purpose, pathways and
practicalities

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1. Introduction¹

'Rights of nature' (RoN) is an emerging and evolving paradigm that recognises the intrinsic rights of ecosystems and species to evolve, flourish, and regenerate. The possibility of adopting a rights of nature approach on the island of Ireland has been the subject of increasing attention, with academics, NGOs and grassroots communities [exploring](#) how a concept that has been adopted in many countries across the world may translate in this context.²

Last year, Ireland's [Citizens' Assembly on Biodiversity Loss](#), published [a report](#) containing over 150 recommendations that aimed to dramatically transform Ireland's relationship with the natural environment. At the core of the recommendations was an urgent call to action for the State to address biodiversity loss and nature restoration across many areas. However, the Assembly [found](#) that to ensure the '*purposeful and necessary conservation and restoration of biodiversity*', Ireland will need to make amendments to the Constitution and there was also [strong support](#) for the adoption of an approach based on RoN. 83% of the 99 members of the Citizens' Assembly voted in favour of a proposal that the Government hold a referendum to amend the Constitution to adopt the RoN, including:

"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."

The Citizens Assembly did therefore not only call for a strong statement of rights via constitutional change but interlinked substantive aspects with procedural rights to enable those rights to be vindicated. Although new to Ireland, constitutional grounding for RoN has already been adopted in several countries across the world, and although the experiences of these countries have not been without [difficulties](#), RoN proponents [argue](#) that embedding RoN on a constitutional basis is desirable to provide a clear and solid socio-legal foundation to further ecological transformation. Since the publication of the Citizens' Assembly Report, the Oireachtas Joint Committee on Environment and Climate Action have published a [report](#) responding to the recommendations of the Citizen's Assembly report on Biodiversity Loss. The Joint Committee report made 86 recommendations and conclusions across six key themes, including around rights and nature, recommending that:

¹ Thanks to James Orr, Brian Smyth, Emmet McAleer, Maeve O'Neill, Martina Finn, Rose Kelly and Alison Hough for assistance in the preparation of this briefing paper.

² A useful overview of rights of nature in Ireland to date has been produced by Killean et al. in 2023, see Killean, Rachel and Gilbert, Jeremie and Doran, Peter F., Rights of Nature on the Island of Ireland: Origins, Drivers and Implications (March 14, 2023). Available at SSRN: <https://ssrn.com/abstract=4388964> or <http://dx.doi.org/10.2139/ssrn.4388964>.

'The Government begin the preparatory steps to consider a referendum or referenda to protect our biodiversity through the incorporation of the rights of nature and/or the right to a healthy environment into the Constitution within the lifetime of the current Dáil, which includes the establishment of an expert group with resources to design and draft the potential question or questions.'

The Citizens Assembly recommendation on Rights of Nature and subsequent Joint Committee report builds on a growing RoN movement within civil society which has been [mobilising across the island of Ireland for some time](#). This has included communities pushing for recognition of RoN at local government level - manifested in the adoption of successive rights of nature council motions in [Derry](#) (June 2021), [Fermanagh](#) (July 2021) and [Donegal](#) (December 2021). The status of the council motions passed to date and those in progress are set out in the table below:

Council	Date	Stage	Who
Derry City and Strabane District Council	June 2021	Passed	Councillor Maeve O'Neill
Fermanagh and Omagh District Council	July 2021	Passed	Councillor Emmet McAleer
Donegal County Council	December 2021	Passed	Councillor Albert Doherty
Galway County Council (Strategic Policy Committee)	Ongoing	Presenting Motion to SPC on 24/04/2024	PPN Linkage Group
Westmeath	Ongoing	Approved by the Joint Environment and Planning Linkage Group of the PPN in September 2023, and recommended for presentation to the Planning and Transport SPC. Currently before the Planning and Transport SPC since last September 2023.	Environmental Representative of Galway PPN
Belfast City Council	September 2021/Ongoing	Report proposed but not a motion, no follow up yet.	Councillor Brian Smyth

The drivers for communities involved in campaigns for RoN council motions have been explored in detail in a [recent empirical study](#), which explores conceptualisations of its practical value, relationship to competing interests and interactions with other approaches to environmental governance. The communities and councillors that have advocated for RoN [motions](#) express the belief that these motions

can help councils explore what rights of nature can signify for people and economies and examine how they can be reflected in local government frameworks. The goal of these motions is therefore to [enable](#) greater proliferation of local policy that treats nature as living and works to restore our connection with it, for example the [motions request](#) that their councils:

“collaborate with civil society to explore what Rights of Nature mean for the people and economies of the region and to investigate how rights of nature could be expressed in community plans, corporate plans, improvement objectives and other strategic frameworks”.

This briefing will explore the practical process of how these motions came to be passed (including consideration of differences in powers, composition, and mandates of local councils north and south of the border in Ireland), barriers to their implementation considering local councils have limited legislative powers and what the next steps might be for developing rights of nature at local government level on the island of Ireland. The paper is based on informal, semi-structured interviews with a small group of key players who played active roles in progressing the adoption of RoN council motions across the Island, including councillors, community groups and NGOs. The questions we explored centred on the process of bringing a motion, the key individuals/organisations involved, barriers/obstacles to the process, factors which contributed to a favourable/unfavourable outcome and advice for others considering advocating for a rights of nature motion in other council areas. It should be noted that this paper is an exploratory study based on informal interviews with a small number of people involved in the three RoN motions passed so far on the island about their practical experience - a much more detailed exposition of the drivers behind bringing the motions can be found in a recent [empirical study](#) by Killean et al. However, in addition to shedding light on the different facets of the evolving rights of nature movement, the practical experience of developing, advocating and then bringing these motions to local government provides a valuable insight into the operation of councils for community-based campaigners. The insights derived from the informal interviews taken in this paper about the RoN motion processes can therefore provide lessons that can be transferred to any type of motion involving environmental or social justice reform, making it useful for organisations who are seeking positive change across these sectors.

2. Northern v Southern Councils

Northern Ireland

There are [11 local councils](#) in Northern Ireland after reform of local government in 2012-14 reduced the number from 26. Compared to Irish councils, there is a relative lack of community input mechanisms for the opinions of the local citizens to mould policy. Interviewees indicated that in the North there is a true reliance upon finding local councillors who will champion a RoN motion, whereas in the Republic, communities have the recourse of using their PPN networks to propose one.

Irish Councils

There are [31 local authorities in total in Ireland](#), 26 of which are county councils, 3 are city councils and 2 are city and county councils. Every County Council has a corresponding Public Participation Network, “established on foot of the 2014 [report](#) of the Working Group on Citizen Engagement with Local Government, which recommended greater input by communities into decision-making at local government level.”. The enactment of the Local Government Act 2014 meant the introduction of PPNs statewide in Ireland through [collaboration](#) between Local Authorities (LAs) and local volunteer-led organisations.

The Department of Housing, Planning, Community and Local Government [explain](#) that PPNs are “collectives of environmental, social inclusion, community and voluntary organisations in a County / city which Facilitate the participation and representation of communities in a fair, equitable and transparent manner through the environmental, social inclusion, community and voluntary sectors on decision making bodies”. PPNs offer a direct conduit to local policy making for the community and are a built-in mechanism to consider local citizens' democratic wishes. They allow for greater visibility in municipal decision making and councillors are obliged to involve and consider the PPN’s activity, making this a strong avenue to convey Rights of Nature, or other community-led ideas from the community.

3. Practical steps to proposing a RoN Council Motion

Northern Ireland

As per the Local Government Act Section 37, District Councils make standing orders to regulate their proceedings. Standing orders govern the motion procedures and rules for District Councils. These standing orders can be found on Council websites in a standalone section or appended to local council constitutions. The process for proposing a RoN council motion is therefore:

- 1. Identify the District Council you wish to pass a Rights of Nature Council Motion in.**
- 2. Consult and review the Standing Orders for that Particular District Council** and the sections that deal with motion procedures so that you are aware of what is required for your motion (each council has its own standing orders and while they do not vary too much in relation to motions, it is worth being meticulous with the specific rules for your area).
- 3. Draft your motion for promoting Rights of Nature within your area**, it can take inspiration from other motions that have successfully passed but it should be made area specific with tangible locations [see annex 1 for an example of RoN motion].

4. **Lobby a local councillor to have them propose your motion** (it will need a councillor to second it also). This will likely require a notice of motion to be given.
5. **Conduct groundwork in the form of a small local campaign for a RoN motion to bring other councillors on board.** Co-ordination with your councillor at this stage is necessary.
6. If the motion achieves a **majority amongst councillors** after being debated in a Council meeting, it will have passed.

Republic of Ireland

In the Republic of Ireland, campaigners have three methods of proposing motions.

1. Firstly, **finding a councillor to propose a motion** is a common approach (for proposing council motions in the south via a councillor, the steps in the previous section on Northern Ireland can also be followed).
2. The second method of proposing a motion means **going through the relevant Strategic Policy Committee and then subsequently the Corporate Policy Group and finally the Council Chamber**. This would mean the motion being debated first in the relevant SPC where it can be proposed by a member of that committee (including Councillors) according to the Standing Orders of that committee, and then if passed it would go to the CPG for consideration, or if it crosses over to another council area (like Climate Change) for which there is a separate dedicated SPC, it would usually go sideways to that SPC for consideration there and then on to the CPG. If passed at the CPG it will then be sent to Council Chamber for formal adoption as Council policy, but if it has passed through the policy structure then this is considered almost automatic. The process is therefore as follows:
 - i. Identify the County/City Council you wish to pass a Rights of Nature Council Motion in.
 - ii. Consult and review the Standing Orders for that Particular Council and the sections that deal with motion procedures within the relevant Council Strategic Policy Committee (SPC) so that you are aware of what is required for your motion (this will likely be the Environment SPC).
 - iii. Draft your motion for promoting Rights of Nature within your area, it can take inspiration from other motions that have successfully passed (these can be found in this paper (Annex 1 and [online](#)) but it should be made area specific with tangible locations.
 - iv. Lobby a member of the SPC to have them propose the motion according to the Standing Orders of that committee.

- v. If this is passed it will go to the Corporate Policy Group (CPG). If this passes here it will pass to the Council Chamber for formal adoption but once passing through the CPG and SPG this process is considered almost automatic.

3. Thirdly, campaigners can **utilise their local PPN to ensure councils consider a motion.**

As stated above, there is a PPN motion proposal route in Ireland, that prospective campaigners can avail of when seeking to pass a Rights of Nature motion. Galway PPN have produced a clear, [step by step guide](#) on how to make a PPN motion, summarised here:

- i. Firstly, **bring the motion to the County PPN Linkage group** - draft and present the motion to the Linkage group and get it formally adopted, this is the motion that the linkage group will recommend to go forward to the SPC meeting. You need to propose this and seek it be seconded by a member of the Linkage group and agree that there are no substantial objections.
- ii. **Propose the motion as an agenda item for the SPC.** - ask the PPN Secretariat or SPC Chairperson to add an item to the SPC agenda.
- iii. At the SPC Meeting - At this stage you may or may not be in the room, meaning you do need to trust is needed that you have enough support in the room. You don't need a majority vote, just a proposer. (e.g. PPN Rep) and a seconder. **Directly contacting Councillors who are on the SPC in advance and asking for their support is a very important step.** Alert them to the fact that you will be reporting to the local media those who supported the Motion and who didn't.
- iv. **Give a presentation** - Both meetings should involve you giving a short presentation to explain what the motion is, what it is asking the council to do and why it is important. If any resistance is given to the PPN's role of proposing, reference to the fact the Local Government Act 2014 enables PPNs to participate in policy making in this way. Furthermore, recourse to complaining to the Ombudsman or the Minister for the Environment is available.

4. Factors leading to favourable or unfavourable outcomes

Interviewees signalled a number of overarching barriers to progressing RoN motions.

- *Lack of knowledge of local lawmaking procedures and lack of resources*

A lack of knowledge in relation to how to propose a Rights of Nature motion, council decision making structures and local legislative powers was identified by one interviewee as a barrier to motion success as this can greatly hamper or decelerate the speed with which a rights of nature motion is passed or

proposed. It means that time that could be spent capitalising on community support in relation to rights of nature motions is instead spent having to fill a knowledge gap in relation to the technicalities of bringing a motion. On a similar point, other interviewees have stated that barriers have arisen in relation to a lack of resources in being able to rally support and bring RoN motions and that a lack of capacity within community groups means that their networking potential and ability to lobby councillors is greatly diminished. This in turn reduces the chances of passing a RoN motion or at the very least serves to make it a more prolonged process. It means that alliance building is much more difficult with fewer resources and greater time constraints, this provides a barrier towards passing RoN motions when there are hindrances toward building strong community groups with adequate resources to back proposals.

- *Timing and systemic failures in Environmental Governance*

The issue of timing in bringing about a motion to local councils is evident throughout all interviews. According to one interviewee, community groups are deterred by bringing motions to councils where there is an almost certainty of failure due to the composition of the parties that sit in the councils. Conversely, sometimes timing can be something to take advantage of in terms of passing a rights of nature motion. One interviewee stated that in Derry and Strabane, the timing was a critical factor in having the motion passed and therefore having a favourable outcome. The proposal of the motion was ameliorated by the composition of the council being made up by councillors that have engaged in RoN conversations and understood its connection with local environmental issues. For example, the [Mobuoy Superdump](#) scandal, which has cost the taxpayer millions in amelioration costs, served as background context for passing the motion in Derry and Strabane.³

In NI, scandals such as Mobuoy and the Renewable Heat Incentive scheme ([RHI](#)) are indicative of what is widely perceived as [systemic failure](#) of environmental governance. In some respects, the emerging focus on RoN can be seen as a direct response to the weaknesses of the existing, human-centric systems of environmental (and wider) governance and for campaigners this can provide a clear justification for the need to explore alternative approaches. This approach has been used in other jurisdictions contending with a legacy of dysfunctional environmental regulation, albeit through different legislative instruments. In Europe, the Spanish senate approved the Mar Menor Act which granted legal personality to the largest saltwater lagoon in Europe. This protected ecosystem had been suffering from serious environmental degradation for years owing to persistent and flagrant breaches of environmental law. The preamble of the act attributes *“the inadequacy of the current legal system of protection, despite the important regulatory concepts and instruments that have been developed over the last twenty-five years”* as a core reason for the adoption of legal recognition of Mar Menor. The adoption of the Mar Menor Act was the result of a large public campaign (600,000 signatures) advocating for the legal recognition of the lagoon, which then resulted in what is called a “Popular Legislative Initiative” and triggered the parliamentary adoption of the Act that was hailed as a [“brave step towards ecocentrism”](#).

³ The Mobuoy superdump and the controversies around its creation and investigation are explored in detail in a BBC Radio podcast, [BBC Radio 4 - Buried](#).

- *Vested Interests in agriculture*

Interviewees considered that one of the foremost barriers to RoN motion progress in local councils on the island are the presence of vested interests in the agricultural industry and the perception that enhanced environmental regulation will have a detrimental impact on agriculture. Interviewees pointed to concerns amongst the agricultural community that on a conceptual level RoN has the potential a) infringe property rights and b) put more strain on an overburdened planning system and c) place unnecessary hindrances and strains upon the farming community areas. These arguments are perceived as difficult to surmount and present a barrier to passing RoN motions (see below).

- *Campaigning from NGOs and community groups*

In terms of having a catalytic and causal effect on spurring rights of nature motions onwards, the impact of campaigning from NGOs and community groups has had very favourable outcomes in passing rights of nature motions both North and South. In NI, [Friends of the Earth NI](#) (FOE NI) and [the Gathering](#) have had a very clear footprint in relation to starting the momentum amongst councillors on the island to propose council motions. In Derry and Strabane both FOE NI and the Gathering aided in presenting motions to councillors as well as drafting wording of the motion itself. They also helped with lobbying in terms of contacting leaders of council parties, attending pre-committee meetings and assuring leaders of the direction these motions would take. In Donegal, FOE NI provided informative materials on RoN which helped catalyse action in that community. One interviewee stated that regarding the Galway County Council proposal, a [webinar](#) on RoN (organised by academics and civil society, see below) helped to inspire people to propose their own motion. One interviewee stated that as a councillor, organisations like the Centre for Democratic Environmental Rights had a tangible effect upon his views about Rights of Nature. This is supported by the findings of recent empirical research from Killean et al (see note 2) that found the role of CELDF sparked a belief within communities that grassroots movements could make meaningful changes to local environmental governance and that the role of CELDF in Ireland is mirrored in its building of international RoN movement in the US. This movement predominantly took place among local communities in its bottom-up approach to creating Rights of Nature networks. The rise in RoN municipal ordinances in the US are well documented in literature.⁴ However, it is important to note that many of the local initiatives in the US have been challenged in courts on constitutional grounds. Nevertheless, Killean et al found that the RoN movement building in Ireland directly correlates with an increasingly transnational network of Rights of Nature organisations worldwide. This is exemplified in the development of the international [Global Alliance for the Rights of Nature](#) (GARN) network.

The testimony of interviews indicates that the role played by environmental groups and organisations can provide strong support to community groups and councillors in helping to increase the likelihood of a favourable outcome within passing a rights of nature motion. On a similar note, one interviewee stated the role of academics can help offer legitimacy to the movement, which has attributed to the momentum

⁴ David Boyd, *The Rights of Nature: A Legal Revolution That Could Save the World* (ECW Press 2017).

to progress RoN council motions. For example, QUB Law school, EJNI and Newcastle University co-hosted a webinar in 2021 dealing with '[Shared Rights on a Shared Island: time to acknowledge the rights of nature?](#)' which was aimed at creating a space to facilitate the exchange of perspectives on what a rights of nature movement might look like in a shared island context and to explore the relationship between the rights of communities and the rights of nature. Furthermore, in University College Dublin, a one-day [workshop](#) was held in May 2023 in relation to critically discussing the concept of Rights of Nature in international law and its achievements, as well as exploring strategies to expand the paradigm to include diverse and sustainable ideas about nature.

- *Momentum of RoN Activity locally and worldwide*

One very important factor that interviewees have identified as leading to a favourable outcome in passing a rights of nature motion, is the inspiration (and subsequent momentum) derived from RoN successes locally and internationally.⁵ It is evident local community groups can use and build on momentum from the global movement to propose their own council motion. Equally, the Derry and Strabane council motion success provided inspiration for other communities that such motions can be replicated in their own local council area. For example, communities in Fermanagh and Omagh used the success of Derry and Strabane as a springboard to propose their own motion, simplified by the fact they were able to use the template devised for Derry and Strabane and apply the relevant adjustments for their own council area. Another interviewee stated seeing the successes in the North inspired Donegal and subsequently Galway in their motion proposals. Various all-Ireland working groups have also helped facilitate and grow the RoN movement, with interviewees noting that shared experience is vital and has helped to both increase efficiency and inspire other people to propose motions.

- *Lack of Understanding/Ignorance of RoN by political parties*

Another factor that contributes to either a favourable or unfavourable outcome, is the lack of knowledge and understanding of the RoN concept by political parties that sit in councils at the time of the proposal of a RoN motion. One interviewee stated that in their view the public is far more open to the idea of RoN than most political parties. According to another interviewee, there is a perception that RoN is seen as conflicting with the rights of the community and that the concept of affording more protections and rights to the natural world is seen as antagonistic to the welfare of humans. Arguments which push the theory of Rights of Nature to its limits are also common. These arguments often betray a lack of understanding and are often reductive, for example in NI the DUP has said a Green Party proposal for a Belfast declaration of nature rights will "[give rights to trees](#)". Another interviewee in NI stated that every progressive environmental proposal put forward is seen as an attack on traditional rural and agricultural areas.

⁵ The Australian successes was an inspiration, in relation to the Blue Mountains City Council while unanimously decided to move forward with a new program of action that will see the 'Rights of Nature' concepts inform its long-term planning and operational activities [Blue Mountains Council becomes the first in Australia to give nature rights to exist \(planetark.org\)](#).

Interview data has also demonstrated that when proposing a Rights of Nature motion, the main parties in power in councils being ignorant of the concept of rights of nature is a double-edged sword. Firstly, if parties initially are unknowing of the potential ramifications upon the way society will need to be changed holistically, because of RoN, and instead underestimate it as a minor policy objective, then it may be easier to pass motions. In Derry and Strabane, one interviewee stated that part of the reason the RoN motion passed was because nobody had enough understanding to vote against it, this was mirrored in testimony from across the border. Whereas in Fermanagh and Omagh the opposition resistance was more organised. Although this motion also passed, interviews show that the success of these motions can sometimes be reliant on the general preparedness of potential opposition.

Killean et al found that political framings of Rights of Nature emerged in interviews. For example, while the first council motions were proposed by councillors from a socialist or independent background rather than a republican or unionist party, some participants "*explicitly linked Rights of Nature campaigns to Irish Republicanism*". However, other participants resisted such politicized framing "*pointing to the potential for Rights of Nature to be something that transcends historic political and religious divisions across the island*". The researchers also found that the decision to pursue local council-level motions rather than legislative change can be linked to the ineffectiveness of the main parties to engage meaningfully with environmental degradation and pervasive inadequate environmental governance. Therefore, the push for RoN council initiatives could be perceived as an attempt to organise in the face of failures at policy level.

Interviews demonstrate a consensus amongst interviewees that there needs to be an increase in discourse around the topic of rights of nature. One interviewee stated that most parties do not yet fully understand the concept of rights of nature and there must be a continuous and gradual effort to expose parties to the idea before, during and after motions being passed. Another interviewee states that in Donegal the success was partially due to the fact FOE had disseminated briefing materials to all the councillors beforehand, illustrating the importance of lobbying and the proliferation of rights of nature information ahead of motion hearings. Furthermore, in Belfast one interviewee stated that briefing parties in advance before proposing a motion was very beneficial, because it was then possible to tailor arguments toward different parties in terms of their wider political aims. Additionally, one interviewee made it clear there must be a stimulation of conversation around RoN, because building a firm knowledge base from which to then convince people of the merits of RoN will take time and consistent discourse.

It is also clear from interview data that strong lobbying of councils can have a positive effect in making sure that enough support is garnered beforehand to successfully pass a motion. One of the lessons learned by one interviewee, was to interact with all politicians and levels of government and network to a high level which would help increase understanding of Rights of Nature and therefore save time when it comes to debating proposals as some of the more fundamental questions would already be answered. This would increase the chances of a favourable outcome. Another interviewee stated that people will need time to be exposed to the concept of RoN to ensure they are less likely to oppose motion proposals due to being surprised by the novelty of the idea.

5. What happens after rights of nature motion is passed?

Perhaps the biggest perceived obstacle to Rights of Nature motions having any 'real world' impact is the lack of implementation and follow-up after a motion is passed. Friends of the Earth NI have produced a [briefing document](#) relating to RoN motions. Within this paper, FOE envisioned follow up steps of: issuing a declaration for the Rights of Nature, committing to ongoing participation and longer-term development, committing to a work programme and review and evaluation of the work programme. Interviewees made clear that this ideal outworkings of a rights of nature motion has not yet come to fruition in councils that have passed motions and some basic goals contained in the content of the motions have not been met to a high enough standard.

- *Lack of follow-up activity post motion success*

After the Derry and Strabane motion passed, two workshops were organised and facilitated by the council. According to multiple interviewees, these workshops were by and large seen by the environmental community as failures. There was a general feeling amongst the environmental sector that they missed the tone and intention of the rights of nature ideals, with it being more of an obligation to be performed rather than a progressive step to build upon. Interviewees stated that expert advice was not sought, and little input was taken in from the communities who participated in the workshops in gathering information for online presentations during the workshop. Only one report came out of the first workshop with no report following the second workshop.

A trend amongst interviewees is the view that there is a complete lack of enthusiasm amongst councils to carry on any momentum and energy toward implementing rights of nature into council policies. One interviewee stated that Fermanagh and Omagh showed that other issues in government took precedence once the motion was passed, leading them to the conclusion that there must be a continuous and relentless campaign to keep the motion relevant post-passing. One interviewee stated that regarding the motion for Donegal, despite [requiring 18 months of collaboration](#) after it, enthusiasm from the council executive was negligible and they failed to understand the motion fully. This led to the community groups in Donegal taking the lead in post-motion facilitation and workshops with films being shown and environmental events. This even resulted in positive discussions with the farming community in terms of how RoN and agriculture could complement each other. But the perception amongst interviews is that this is a demonstration of the potential that councils themselves are not capitalising on, and that this gap has been filled by community groups. Although motions have succeeded in passing, the aftermath of motion success has not delivered tangible effects in terms of follow up activity.

- *Internal Council structures vs Motion Progress*

Interviewees also considered that the implementation of these Rights of Nature motions is hindered by the internal political structures of councils as well as council governance culture itself and that there is a

real resistance to implementing any substantive content from these motions. Interview data showed that a concern for Belfast City Council is that certain implications for planning decisions, because of a rights of nature motion, may be a reason why no follow up to [passing an actual motion](#) has been achieved. Other interviewees expressed concerns for councils in NI such as Fermanagh and Omagh where a lack of publicity after the motion was passed was because it was a victory that did not come from one of the larger parties. One interviewee attested that there is almost an institutional or structural attempt by major parties to diminish ideas from minor parties or independents and that this is exacerbated by councillors from major parties being heavily mandated by their parties' executive branches. In Ireland, one interviewee expressed concern that, whilst the PPN system is in theory supposed to facilitate and incorporate greater public participation in local democracy, there have been analogous barriers within southern councils in that there can be structural suppression of ideas such as rights of nature by the institution of the council itself. These examples demonstrate the internal resistance within council cultures, north and south, which hamper the implementation of RoN motions to any real effect.

- *Lack of tangible targets and accountability mechanisms*

Another obstacle to implementation is the lack of more tangible targets or self-imposed deadlines attached to the motions. Even though the [Derry and Strabane](#) and [Fermanagh and Omagh](#) councils had a proposal of a 6-month collaboration period with civic society, and that Donegal contained the same for [18 months collaboration](#), interviewees both north and south agreed on the need for a greater number of accountability mechanisms within passed council motions with tangible objectives and targets. Interviewees suggested that these targets could involve an increased number of check-ins (on specific dates) for what level of implementation activity has occurred in relation to rights of nature being integrated into council processes and policy and setting of details of review meetings throughout the year to verify what needs to change in approach of how rights of nature are being considered throughout council activity, allowing for flexible and self-improving RoN policy to be made. These are just examples of the types of accountable and tangible targets that interview data suggests is needed both north and south to allow for more effective implementation of RoN motions. One interviewee remarked that the level of clarity around the content and timeframe of any follow up workshops and consultations with the community should be at an ambitiously high level to allow for maximum effectiveness in shaping local government to consider rights of nature better in its policy. On a similar note, interviewees, both north and south, consistently stated that in the proposal stages for motions there should be a tangible piece of physical area in that district which should be pointed towards as an example of what rights of nature can protect. Allowing the public to visualise a real area such as a river or range of mountains or forest would help rally support of the motion to a tangible and easily visualised area instead of an abstract concept. There was also a perception that an even more effective approach would be reference to a particular area in the motion language, which would allow for greater accountability in ensuring council activity is in line with the RoN aims of the motion.

- *Purpose of Rights of Nature motions: Declaratory or substantive?*

These issues do lead to the inevitable question of what these motions are physically going to achieve in the long run. This has been explored in academic research, for example Suarez's [research](#) has placed rights of nature activity into various typologies. These are: legal declarations of political intent, programmatic environmental standards, public interest environmental protection rules and then local participative environmental management rules. The motions we are seeing across the island of Ireland could arguably be construed as falling within [the first declaratory category](#). Elsewhere, Suarez has highlighted that these types of activities are often in the form of local resolutions and recognise nature's intrinsic view of the need to implement a rights-based approach to environmental protection by setting out policy goals in localised matters. The three passed motions across the island [note](#) "the legal and social movement globally for the 'Rights of Nature' aimed to strengthen protections for people, place and planet.". These motions do not constitute law and are [non-prescriptive](#), they do not grant substantive duties or procedural rights, but therefore appear to represent more of a signal of intent towards expressing RoN "in community plans, corporate plans, improvement objectives and other strategic frameworks". These motions can then be said to play a role of simultaneously marking a firm intent to make inroads to improving day to day council activities and governance frameworks for their activities and be a springboard towards greater RoN implementation further down the line in more legally effective terms such as the three other typologies identified by Suarez. As highlighted above, a Friends of the Earth NI [briefing document](#) also recognises that passing a rights of nature motion would be the first step in developing a rights of nature programme, with follow up actions potentially including an explicit declaration on rights of nature and commitments to on-going participation and longer-term development. There is a perception amongst interviewees that RoN motions can therefore serve as an important step to push forward towards greater rights of nature commitments in the future. Interviewees also point towards the possibility of these motions being viewed as a democratic representation of a growing public desire to incorporate RoN viewpoints into local governance, a perspective which is arguably demonstrated in the report of Ireland's recent Citizens Assembly. Interviewees also believe that the motions can be a valuable educational tool for the broader rights of nature movement and can a good first step in bringing focus to the issue so that in the future more ambitious enshrining of rights of nature ideals can occur in law. It could therefore be the case that these motions can play the role of facilitating greater awareness of RoN and serve as groundwork for more ambitious legislation to be pushed for in the future, seen for example in the recent efforts around a [campaign](#) for constitutional amendments to include rights of nature in the Irish context.

- *Questions about Rights of Nature on a conceptual and practical level*

Interviewees from across the island shared concerns that even with RoN progress in motions and the potential for successful legislative or even constitutional changes in the future, uncertainty is present in relation to two main areas in particular: agriculture and planning permission. Regarding agriculture, one interviewee stated that the difficulty facing farmers will be enormous if rights of nature doctrines are implemented, and the practical aid required from government to ease the transition to significantly more

ecologically friendly methods of farming will be extensive. Questions also arise as to how to define nature and where our food and food production fits into this concept, which will make interactions and co-operation with the farming communities, island wide, vital. Interviewees also share similar concerns in relation to the need for more practical development of how rights of nature will impact planning permission decisions. Interview responses north and south in Ireland indicated that the actual practicalities of how RoN would legally function - specifically in the Irish context - is a subject which requires further research. In addition, RoN itself has been found to be a divisive issue according to one interviewee who stated that a community group split occurred in a southern county due to their disagreement in relation to using a RoN approach in general to advance environmental protection, indicating that the doctrine is not immune from being divisive. One interviewee also pointed towards actual difficulty in classifying nature, and that the potential for manipulation of this to tailor to non-environmental interests also high. It is necessary to consider these concerns if these declaratory motions do build enough momentum and are used as springboards in the future in relation to more ambitious pushes for legislation.

6. The future of RoN motions

Interviewees were also questioned in relation to what they would recommend future RoN motion proposals could do based on the experiences they had to date. A number of key suggestions emerged:

- *Have energy, enthusiasm and utilise flexible argumentation*

Maintaining a recognition of the difficulty of bringing a RoN motion was commented on as a piece of advice for prospective RoN proposers. It has been remarked that it is a slow and frustrating process, and this must be borne in mind for anyone seeking to undertake a campaign to gather support for a successful passing of a motion. This should be complemented with a surplus of energy as an interviewee believed lots of enthusiasm played a big role in successfully passing a motion in NI. It was recommended by interviewees, both north and south, that positive arguments about the preventative aspect of rights of nature are used, specifically arguments in relation to how preventing environmental harm now will make future repair and remedy of ecological damage far easier and cost effective. Other arguments which interviewees believe may be useful when lobbying and engaging with politicians are arguments that have an apparent human focus, for example that rights of nature can help protect communities from extractivism.

- *Co-operate with other NGO's and academics*

It was a common trend amongst interviewees that there was also a need to ensure there is a very high level of teamwork and co-operation with other organisations and NGOs within the sector. Interview data from both North and South agreed that liaising with NGO's, other community groups and environmental activists with experience in the sphere lent extremely valuable weight to building support for pushing for motion success amongst local councils. It was emphasised by every interviewee that co-operation and support was essential for any proposal to succeed in the future. It was also emphasised by one interviewee

that having academic backing adds greater legitimacy and weight to arguments when pushing for motion success.

- *Cultivate good relations with public representatives across the political spectrum*

Interviewees noted that cultivating good relations with public representatives is a key piece of advice for those seeking to bring a RoN motion to their local council as it would allow for a smoother process. Likewise, finding trusted councillors who are invested in RoN or who can become invested in it can be very valuable as the progress made so far has largely been due to passionate and invested community groups who have found councillors with aligned interests.

Annex 1

FOE NI have developed a [draft motion](#) for Rights of Nature:

[insert name of council] notes the legal and social movement globally for the 'Rights of Nature' aimed to strengthen protections for people, place and planet.

We believe that 'Rights of Nature' can help inspire an innovative rethinking about how to create regenerative, not extractivist, economies while also making human and other living communities safer, stronger and more resilient.

The positive work already being done by Council staff and groups on the climate emergency and biodiversity crises are commendable, but we recognise the need for a rights-based approach to nature.

We propose, that over the next 6 months, this Council will collaborate with civic society to explore what rights of nature mean for the people and economies of the region and to investigate how Rights of Nature could be expressed in community plans, corporate plans, improvement objectives and other strategic frameworks. In particular, the council will in the next 6 months hold two community workshops and work with the local community and stakeholders to draw up a Declaration for the Rights of Nature for the District area to be brought back before Council for adoption.

We also request that a report, authored in collaboration and with input from the local community be brought to FODC in relation to embedding 'Rights of Nature' as a keystone concept into Council's operational practices, planning processes and long-term decision making.

Mindful of our mutual environmental obligations under the Espoo Convention we call on all Councils, North & South, to also explore 'Rights of Nature' for their Council areas, not least in Donegal, Leitrim, Cavan, Monaghan, Mid Ulster & Causeway, Coast & Glens.