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DRAFT BILL

Draft bill on the legal personality of Oder River

(NOTE: This draft bill is a preliminary proposal to regulate the issue of the personality of the Oder River and certainly requires a number of works, additions and consultations at further stages. The aim of this draft bill is to stimulate discussion on possible legislative solutions to the problem of the legal personality of the natural elements.)

Preamble.

Whereas:

- 1) the Oder River is of fundamental importance for the environmental, economic and social well-being of a significant part of Poland's territory,
- 2) the threats posed by human activity, industrial development, agricultural activity are increasing at an alarming rate,
- 3) it is necessary to protect the unique ecosystem of the Oder River as a unique natural entity,
- 4) the existing protection mechanisms have proved ineffective,
- 5) our world is threatened by a climate catastrophe and actions protecting nature and wildlife are an absolute necessity,
- 6) sustainable development cannot be an empty slogan and it is necessary to take concrete actions to save the Oder river has decided as follows.

Article 1.

The legal personality of the Oder River is recognised.



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Article 2.

The Oder River is understood as:

- 1) the Oder River within the borders of the Republic of Poland – as a geographical and biological unit, together with all organisms living in it;
- 2) the Oder River basin as a geographical unit defined in separate regulations, together with all organisms living in the basin area.

Article 3.

- (1) The Oder River has the right to exist, to flow freely, to evolve naturally as an ecosystem and to perform the functions necessary within that ecosystem, to conserve biodiversity, to regenerate its resources.
- (2) The Oder has the right to protection from unauthorised interference, in particular the right to be free from pollution and the right to compensation for damage caused.
- (3) The Oder's resources are its property and the Oder has the right to protect its property in accordance with the Civil Code.

Article 4.

Economic and recreational use of the Oder may take place only in accordance with the legal provisions and in accordance with the agreement made below. The scope of economic and recreational use of the Oder shall be determined by negotiations between the representation of the Oder and the relevant state and local government bodies and other interested parties.

Article 5.

- (1) The Oder shall be represented by the Oder Representative Committee.
- (2) The Committee of the Representatives of the Oder River shall consist of 15 persons, of which three persons shall be appointed by the State Treasury, four persons shall be appointed by the municipalities through which the Oder River flows (by means of their own rules of procedure), eight persons shall be elected from among themselves by social organisations concerned with environmental protection, regional development and representatives of an initiative group promoting and leading a legislative initiative to recognise the personality of the Oder River.
- (3) the Oder River Representatives Committee elects from among themselves an Oder Board consisting of 3 persons who are entitled to represent the Oder River. The River Oder may be represented by two Board members acting jointly.

Article 6.

The advisory Committee of the Oder River is the Oder Scientific Committee of the Oder consists of 10 persons. The Scientific Committee of the Oder is created by the Committee of the Oder Representatives from among persons engaged in scientific activities in fields relevant to the Oder River, in particular, environmental protection.



Article 7.

The internal organisation of the activities of the bodies of the Oder River is regulated by the Statutes and the Rules of Procedure of the Oder Board, the Oder Representative Committee and the Oder Scientific Committee.

Article 8.

The acquisition of property by the Oder River by inheritance, bequest or donation is exempt from taxation.

Article 9.

The River Oder may not carry out economic activities.

Article 10.

The activities of the River Oder shall be supervised by the Minister responsible for the environment.

Article 11.

In international relations the Oder is represented by the Government of the Republic of Poland.

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