



EUROPEAN TRIBUNAL IN DEFENSE OF AQUATIC ECOSYSTEMS

Starting January 30th, 2021 • to May 29th, 2021



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EUROPEAN RIGHTS OF NATURE TRIBUNAL "IN DEFENSE OF AQUATIC ECOSYSTEMS"

Third Hearing

Vättern Lake

-Saturday, March 27th, 2021-

The third hearing of the European Tribunal for Aquatic Ecosystems took place on March 27th, 2021 at 5 pm (Paris time). Local people around Vättern have fought for many years to protect the lake. The [Vättern case](#) was brought to international attention through the International Rights Of Nature Tribunal, organized by the European Hub of the Global Alliance for the Rights of Nature. Lake Vättern is one of five selected areas in Europe where a European Tribunal for Aquatic Ecosystems will symbolically examine if the rights of Lake Vättern have been violated by various polluting activities affecting the Lake.

Stefan Mickaelsson opened the Tribunal with an inspirational speech, he said, "the climate and biodiversity are facing collapse. Sweden has committed to the Paris Agreement to slow down climate change. This collapse must be stopped now. We have never had a better opportunity than now for our children, grandchildren and all other living beings that call the Lake their home, to live in a relatively unharmed area. This can still happen in the Vättern area." He finished his speech with a quote: "As long as we have water where the fish can swim, we are saved on this Earth."

Tom Goldtooth opened the session by honoring water through a song during the Water Ceremony. Tribunal President Cormac Cullinan went on to open by saying: "Life flows through all beings and water is essential for life to flow. Water is life. So in protecting aquatic ecosystems, we are protecting life, that which is most precious to us. Lake Vättern is being harmed by human activities. We have many laws but the destruction of nature continues. We are seeing rapidly catastrophic declines in our biodiversity, and our governments cannot respond fast enough. I invite you all to join us in developing a new model of court, to develop the kind of tribunals we need for the world to be ecologically viable."

Prosecutor of the Earth Rebecka LeMoine gave her opening statements: "Mother Earth wants peace. Lake Vättern is the victim and we should finish the war with it. The opposing parties have been given the opportunity to participate today - only one responded, but they declined participation."

Pia Björstrand, Case Representative for Lake Vättern, started by saying: "I am the daughter of Lake Vättern, born on the shores of Vattern. Vattern is my relative and I want to protect it.



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It's the second largest lake in Sweden, and it's well-known for its excellently clear water, you could drink it without cleaning it. Unfortunately, that water has been more and more polluted. It's a unique water source used by thousands of people, and the nature around it is unique as well. The Swedish military has been shooting and bombing directly into the lake, contaminating unique species of birds and fish," she assured.

"Swedish military wants to keep extending these activities from 20 days a year to 50. That would mean 25.000 shots straight into the lake, which will affect wildlife and activities by the lake, as well as its biodiversity. Noise pollution is also a big issue, along with the release of hazardous waste into the lake. Mining and expanding the airport close to the lake are also serious threats for Lake Vättern," she concluded.

Technical expert Eva Charlotta Helsdotter took the word during the Tribunal to say: "The sources of pollution of Lake Vättern today are the mining, pulp, and military industries, as well as landfills, sewage treatment plans and stormwater runoffs. Thousands of kilograms of arsenic and lead and 80 tonnes of zinc are being discharged into Lake Vättern every year," she denounced.

"High levels of metal affect the aquatic organisms which fish eat - birds eat fish, and it ends up affecting all the food chain. Toxic metals from ammunition can join together with other pollutants, increasing toxicity. If Lake Vättern had a voice it'd say: clean up the mess you created and don't make it worse!," Helsdotter concluded.

Witness Carina Gustafsson gave her testimony at the Tribunal. "I am here because of my grandmother and all my relatives that have been relying on Lake Vättern for generations. I stand on the shoulders of my ancestors. I was born and raised by the lake. I am here because of it. Growing up, we were constantly taught to respect the lake," she explained.

"Growing up, we went out to fish with my dad. The water was so transparent and clear we could see the rocks lying on the bottom of the lake. Certain species of fish lived in Lake Vättern because of its cold, crystal clear water. I grew up eating this fish. Now the government advises children, youth and pregnant women not to eat the lake's fish more than 1-2 times a year, because there are several chemicals found on it," Gustafsson added.

She then went on: "What keeps me awake at night is the proposal to open a huge, open-pit mine very close to the Lake. REE mining is amongst the most toxic operations in the world, comparable in environmental and health hazard to uranium mining. The Swedish state assures environmental pollution legislation, but this rings hollow when these activities are going on. Lake Vättern has been the source of life in the middle of Sweden, and it's the very foundation of all forms of life in our country. We will not allow anyone to destroy this precious freshwater lake."



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Prosecutor LeMoine then gave her final arguments at the Tribunal: “We acknowledge the risk that Lake Vättern will be affected by irreversible damage. This lake is in need of stronger protection.”

Case judge Cullinan gave the case final arguments and closed the Tribunal: “Sweden is seen as a leader globally in environmental protection and yet we have a very big body of water in this country which has been deteriorating in spite of these laws. This is a very clear illustration of the environmental law approach versus the Indigenous people approach to this. These problems arise from seeing the lake as something to use rather than a being capable of having legal rights. The lake has a right to be respected, and in this case the question of respect does not even arise. It’s very important that we recognize the lake as a being worthy and deserving of respect.”

Before closing the session, Case Representative Pia Björstrand shared a song she created about her sitting at the shores of this lake that has been part of her whole life.

There is still time to act. From January to March 2021, the European Tribunal for the Rights of Aquatic Ecosystems heard three cases of aquatic entities to be protected in Europe: the Mer de Glace France, the rivers of French Guiana and today (March 27th), the case of the Lake Vättern in Sweden. There are two more hearings coming up for this Tribunal: the rivers of the Balkans (April 24th) and the Mediterranean Sea threatened by red mud in Marseille (May 29th).

This Tribunal aims to recognise the rights of Nature means recognising the interdependence between humans and Nature and accepting that States, companies and humans can no longer dispose of it with impunity. Thus, it is a necessity to establish the legal personality of Nature in order to systematically take it into account in our political and societal choices. This legal evolution is necessary for the preservation of life.

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