

**SUBMISSION FOR EARTH SUMMIT / RIO +20**  
**By The Global Alliance for the Rights of Nature**

[www.TheRightsofNature.org](http://www.TheRightsofNature.org)

To achieve true sustainability, fundamental changes in laws and governance around the world are necessary – to move us from our current path of environmental harm and destruction, to one in which humankind’s relationship with nature is re-established. The Global Alliance for the Rights of Nature supports such change through the worldwide adoption of the *Universal Declaration of the Rights of Mother Earth* and laws securing the Rights of Nature, such that the rights of ecosystems and natural communities – upon which all life depends – are given the highest societal value and protection in law.

**The Global Alliance for the Rights of Nature - History and Mission**

The Global Alliance for the Rights of Nature (the “Alliance”) is a worldwide movement working to create and strengthen human communities that respect and defend the rights of Nature or Mother Earth (see [www.TheRightsofNature.org](http://www.TheRightsofNature.org)) The organizations and individuals within the Alliance are committed to the universal adoption and implementation of the *Universal Declaration of the Rights of Mother Earth* that was proclaimed on 22 April 2010 in Cochabamba Bolivia and to ensuring that the rights of Earth and of all the beings that form part of the Earth community are recognized as legal subjects that have the right to exist and to make their contribution to the integrity and health of the Earth community.

**Overview of submission:**

We urge the organizers of Earth Summit/Rio +20:

- to call upon all States, regional bodies, organizations and individuals participating in Rio +20 to adopt the *Universal Declaration of the Rights of Mother Earth* and to actively support its implementation through law; and
- to include Plenary and working sessions on how to facilitate sustainable development in harmony with Nature by recognizing, implementing and defending the rights of Nature/ Mother Earth.

**The Global Alliance for the Rights of Nature**

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**Executive Committee and Advisory Committee Members of the Alliance include:**

Dr. Vandana Shiva (Navdanya), Cormac Cullinan (EnAct), Bill Twist (The Pachamama Alliance), Natalia Greene (Fundación Pachamama) Mari Margill (Community Environmental Legal Defense Fund), Dr. Peter Burdon, (University of Adelaide School of Law, Australian Wild Law Alliance), Christopher Stone, (University of Southern California School of Law), and Alberto Acosta Espinosa (Economist).

### **Founding Organizations of the Alliance include:**

#### **Latin America**

- Fundación Pachamama, Ecuador [www.pachamama.org.ec](http://www.pachamama.org.ec)
- Centro para el Desarrollo del Indígena Amazónico (CEDIA) [www.cedia.org.pe](http://www.cedia.org.pe)
- Shinai [www.shinai.org.pe](http://www.shinai.org.pe)
- Fundación Herencia [www.herencia.org.bo](http://www.herencia.org.bo)
- Comité Permanente de la Defensa de los Derechos Humanos [www.cdh.org.ec](http://www.cdh.org.ec)
- Frente de Defensa de la Amazonia [www.texacotoxico.org](http://www.texacotoxico.org)
- Comité de Solidaridad con Bolivia
- Ecolex, Corporación de Gestión y Derecho Ambiental [www.ecolex-ec.org](http://www.ecolex-ec.org)
- Fundación Ambiente y Sociedad [www.ambienteysociedad.org](http://www.ambienteysociedad.org)

#### **North America**

- Community Environmental Legal Defense Fund (CELDF) [www.celdf.org](http://www.celdf.org)
- Global Exchange [www.globalexchange.org](http://www.globalexchange.org)
- The Pachamama Alliance [www.pachamama.org](http://www.pachamama.org)
- Council of Canadians [www.canadians.org](http://www.canadians.org)

#### **Australia**

- Earth Laws [www.earthlaws.org](http://www.earthlaws.org)

#### **Africa**

- EnAct International [www.enact-international.com](http://www.enact-international.com)

#### **Europe**

- The Gaia Foundation [www.gaiafoundation.org](http://www.gaiafoundation.org)
- WildLaw UK [www.wildlawuk.org](http://www.wildlawuk.org)

#### **Asia**

- Navdanya International [www.Nandanya.org](http://www.Nandanya.org)

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## **Rights of Nature - Restoring natural balance for a sustainable future**

### ***Sustainable development requires humans to live in harmony with Nature***

The objectives of the Earth Summit/Rio+20 are to secure renewed political commitment to sustainable development; to assess progress towards internationally agreed goals on sustainable development and to address new and emerging challenges.

Human development can only be sustainable if the social demands and needs of humanity are balanced against the need to maintain the integrity, health and functioning of natural systems. Our legal systems define parameters of acceptable behaviors and actions, how we humans relate to each other and to the world around us. In most countries, legal systems treat nature as *property* to be bought, sold and consumed. Under such laws, human concerns invariably prevail over Nature and the carrying capacity of natural ecosystems instead of being weighed against the needs of ecosystems and other beings in order to strike an appropriate balance.

### ***Contemporary approaches to governance have failed***

The international community has been attempting to stop and reverse damaging changes to the environment for more than three decades, and particularly during the last two decades since the 2002 “Earth Summit”. During this period an unprecedented volume of environmental treaties and laws have been adopted and implemented at the international, national, provincial / state and municipal levels. These have been almost universally ineffective in preventing humans degrading the ecological systems on which they and other species depend on for wellbeing. Indeed many negative trends continue to accelerate.

### ***A new approach is required to achieve ecologically sustainable societies***

One of the reasons why contemporary legal and governance systems have failed is because they have not been designed to facilitate and legitimate the unsustainable exploitation of Nature. For example, defining Nature as property has entrenched exploitative relationships between humans and Nature. Until this changes improving the efficiency or effectiveness of these systems will not stop and reverse environmental degradation. In other words, it will not be possible to achieve ecologically sustainable societies and to restore the harm done to the planet, without fundamentally restructuring governance systems.

In order to insure an environmentally sustainable future, humans must reorient themselves from an exploitative and ultimately self-destructive relationship with

nature, to one that honors the deep interrelationship of all life and contributes to the health and integrity of the natural environment. An essential step in achieving this natural balance is to create governance systems that see and treat Nature as a fundamental, rights bearing entity and not as mere property to be exploited at will. Breaking out of the human-centered limitations of our current legal systems by recognizing, respecting and enforcing Rights of Nature is one of the most transformative and highly leveraged actions that humanity can take to create a sustainable future for all.

### ***Benefits of recognizing rights of Nature***

Recognising, respecting and enforcing rights for Nature will enable the legal machinery of the State to be used to require humans to negotiate the terms of their relationships with Nature and to establish new norms. Instead of entirely rebuilding the governance systems of industrialized societies, these systems can be re-oriented to promote living in harmony with Nature by widening the range of legally protected rights. Historically most social movements that have brought about dramatic improvements in human society have been brought about in this way, including the emancipation of slaves and the recognition of rights of indigenous peoples, women and children.

Legal systems built on the premise of Rights of Nature change the status of natural communities and ecosystems from being regarded as property under the law to being recognized as rights-bearing entities. These laws recognize that natural communities and ecosystems possess an inalienable, fundamental right to exist and flourish. Residents of communities where Rights of Nature have been adopted possess the legal authority to enforce those rights on behalf of those ecosystems. In addition, these laws require the governmental apparatus to remedy violations of those ecosystem rights.

Rights of Nature laws eliminate the authority of a property owner to interfere with the functioning of ecosystems and natural communities that exist and depend upon that property for their existence and flourishing. They do not stop development; rather they stop development and use of property that interferes with the existence and vitality of those ecosystems. Rights of Nature lays the foundation for truly sustainable development to occur.

The time is now for Nations of the world to reexamine the systems that are the underlying cause and reinforcement of unsustainable practices that are undermining our natural systems. Recognizing Rights of Nature offers a viable, framework for sustainable development on our planet.

The Global Alliance for the Rights of Nature formed in 2010 to build a worldwide movement to recognize and implement the Rights of Nature. **Our founding Organizations include:**

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- Centro para el Desarrollo del Indígena Amazónico (CEDIA) [www.cedia.org.pe](http://www.cedia.org.pe)
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