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Harmony with Nature

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution [74/224](#), by which the Assembly requested the President of the Assembly to convene, at its seventy-fourth session, an interactive dialogue on Harmony with Nature to commemorate International Mother Earth Day on 22 April 2020, and requested the Secretary-General to submit to the Assembly, at its seventy-fifth session, a report on the implementation of the resolution.

Owing to the coronavirus disease (COVID-19) pandemic, the interactive dialogue was cancelled. The context of the present report is therefore one of a global human health crisis. Written 10 years after the first interactive dialogue of the General Assembly on Harmony with Nature, held in 2010, and commemorating a decade of programme activity since the adoption of the first resolution on Harmony with Nature in 2009, the report contains an outline of some of the most recent and hopeful advances on Earth jurisprudence, with a focus on ecological economics and Earth-centred law, rooted in non-anthropocentric teachings. In the report, the Secretary-General highlights achievements made in the second half of 2019 and the first half of 2020 that further demonstrate a paradigm shift from a human-centred to an Earth-centred society in the implementation of the 2030 Agenda for Sustainable Development.

* [A/75/150](#).



I. Introduction

1. On 19 December 2019, the General Assembly adopted resolution 74/224, its eleventh resolution on Harmony with Nature, by which it requested the President of the General Assembly to convene, at its seventy-fourth session, an interactive dialogue in commemoration of International Mother Earth Day on 22 April 2020, with the participation of Member States, United Nations organizations, independent experts and other stakeholders.

2. Although preparations to hold the eleventh interactive dialogue on Harmony with Nature on 22 April 2020 were already under way in January, by mid-March, the worldwide spread of the coronavirus disease (COVID-19) made it prudent to cancel (see General Assembly decision 74/547, adopted in accordance with its decision 74/544 on the procedure for taking decisions of the Assembly during the COVID-19 pandemic).

3. In a statement regarding the decision to cancel the interactive dialogue, Ecuador indicated that, given the current uncertain times, it was of the utmost relevance for countries and people around the world to reflect on the importance of a harmonious relationship between human beings and Nature¹ and that harmony with Nature was intrinsic to the achievement of sustainable development and in line with global efforts to protect biodiversity, change consumption and production patterns, combat the adverse effects of climate change, end plastic pollution, build resilient communities and reduce inequalities for current and future generations.²

4. In the statement, Ecuador, which constitutionally recognizes the rights of Nature, underscored that the COVID-19 pandemic was linked to the poor health of ecosystems and the abuse and illegal trade of wildlife and emphasized that the exercise of human rights depended on biodiversity conservation. Ecuador expressed confidence that, once the current pandemic situation had passed, the interactive dialogues would continue, as would the sharing of good practices on harmony with Nature within the United Nations.

5. In a statement delivered on International Mother Earth Day, 22 April 2020, the President of the General Assembly emphasized that Mother Earth would only be preserved “through a paradigm shift from a human-centric society to an Earth-centred global ecosystem”.³

6. The President added that doing so required engagement with everyone, including young people, and that education and training on harmony with Nature and Earth jurisprudence were critical to safeguarding Mother Earth and to creating a resilient world for everyone, everywhere. He praised Member States who promoted teachings from ancient cultures that had a deep connection with Nature and encouraged collaboration between civil society, the private sector, academia and the media in implementing the Sustainable Development Goals in harmony with Nature.

7. In a statement commemorating International Mother Earth Day, the Secretary-General stressed that, while all eyes were on the COVID-19 pandemic, there was another life-threatening emergency: the planet’s unfolding environmental crisis. He emphasized that biodiversity was in steep decline, that climate disruption was approaching a point of no return, that the pandemic was an unprecedented wake-up

¹ The capitalization of Nature was recognized in and incorporated into General Assembly resolution 73/235, twenty-ninth preambular paragraph and the previous report of the Secretary-General on Harmony with Nature (A/74/236).

² See <https://www.un.org/pga/74/wp-content/uploads/sites/99/2020/04/A-74-L.46.pdf>.

³ See www.un.org/pga/74/2020/04/21/international-mother-earth-day/.

call and that recovery must be viewed as a real opportunity to do things right for the future.⁴

8. In his statement, the Secretary-General proposed six climate-related actions for shaping COVID-19 recovery efforts, including the investment of public funds in sustainable sectors and projects that help the environment and the climate and putting an end to fossil fuel subsidies, in order to forge a healthy and resilient future for people and planet alike.

9. In the absence of the interactive dialogue in 2020, many experts from the United Nations Harmony with Nature Knowledge Network⁵ hosted online webinars and events to commemorate International Mother Earth Day. They addressed Earth jurisprudence in various ways, as well as the need to bring about transformative and regenerative change for the planet. They also reflected on the COVID-19 pandemic. Such conversations have continued to take place worldwide.

10. Despite warnings of unsustainable development since the 1960s, backed by evidence from scientists about concentrations of greenhouse gas emissions, deforestation and species extinction in reference to production and consumption causing a sixth mass extinction, the loss of biodiversity from terrestrial and aquatic ecosystems continues to increase at rates unprecedented in human history.

11. Commemorating 10 years since the first interactive dialogue of the General Assembly on Harmony with Nature, the report contains an outline of some of the most recent and hopeful advances made on the topic of Earth jurisprudence, with a focus on ecological economics and Earth-centred law, rooted in non-anthropocentric teachings. The breakthroughs made and actions taken in the second half of 2019 and the first half of 2020 provide a glimpse of a larger picture that is still unfolding. A special supplement to the present report, compiling over 170 examples of activities implementing the Harmony with Nature programme, is available online.⁶ In the present report, the Secretary-General stresses that the process of recovery from COVID-19 provides a unique opportunity to build back better, together, so as to transform the world into one where humans truly live in harmony with Nature.

II. Chronicle of a pandemic foretold

12. More than a decade ago, researchers identified the emergence of 335 new infectious diseases, at least 60 per cent of which were classified as zoonotic, or naturally transmissible from vertebrate animals to humans. Epidemiologists concur that the present spate of zoonoses, including the current COVID-19 virus, or severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), and other viruses, such as those that led to the influenza A (H1N1) pandemic of 2009, the Middle East respiratory syndrome outbreak of 2012 and the Ebola epidemic that affected West Africa in 2014, are linked to environmental change and human behaviour.⁷

13. Prior to the COVID-19 pandemic, the Intergovernmental Panel on Climate Change had already planned to explore the links between climate change and biodiversity through a first joint workshop with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. Early findings on the links between biodiversity, climate change and the COVID-19 outbreak will be included in the next Panel report, to be issued in 2021.

⁴ United Nations, “Secretary-General says COVID-19 ‘wake-up call’ demands recovery built on green economy, marking Earth Day 2020”, press release, 20 April 2020.

⁵ See www.harmonywithnatureun.org/experts/.

⁶ See <http://harmonywithnatureun.org/unDocs/>.

⁷ Zoonoses series, *Lancet* (30 November 2012).

14. In May 2019, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services released the first-ever intergovernmental global assessment on the health of biodiversity and ecosystems. In its report, the Platform emphasized that the disappearance of pollinator species and freshwater fish and the eradication of forest ecosystems would drastically affect human life by threatening the food supply and exacerbating global warming and disease transmission, as well as in other ways, many of which are not yet fully understood. The report contained a call for fundamental, system-wide reorganization across technological, economic and social factors, including paradigms, goals and values.⁸

15. Implementing the transformative changes required to restore and protect the natural world, however, remain a challenge. At present, the measures being taken to counter the dangers associated with the COVID-19 pandemic resemble some of the steps required for tackling climate change. One important difference is that the various forms of environmental degradation due to climate change are unfolding over longer periods of time than that of the COVID-19 pandemic.⁹

16. Responses to complex challenges such as the pandemic, climate change and other challenges of the Anthropocene epoch depend on the values and norms of the individuals and societies that are involved. Science can provide considerable information and facts, but modern science strives to be purely objective and strictly factual in its explanations and intentionally excludes the influence of social and cultural values.¹⁰

17. Nonetheless, social and cultural values are fundamental to the future of humankind and how humans navigate both climate change and future pandemics. The key to sustainability and to assuring a healthy planet lies in restoring humanity's broken relationship with the land and with Nature as a whole. That view is echoed by indigenous peoples, who understand that the meaning of life hangs in the balance of coexistence between all life and that that balance is grounded in the values and ethics associated with the belief that "the law is in the land – it is not in man".¹¹

18. If humankind is willing to curb consumption to truly protect life on Earth and is willing to stop considering Nature as an object for manipulation and exploitation, it is necessary take a closer look at values and at the notion of "needs versus wants". Recovery from COVID-19 presents a unique opportunity for transformative change, starting now, and demands attention and support for initiatives and advances in ecological economics and Earth-centred law.

III. Ecological economics for planetary health and human well-being

19. Over the past decade, a mosaic of developments in ecological economics has emerged in a number of countries, linking planetary health and human well-being.

⁸ Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, *The Global Assessment Report on Biodiversity and Ecosystem Services*, Eduardo S. Brondizio and others, eds. (Bonn, Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services secretariat, 2019).

⁹ Mark Lawrence, "The 'wicked problem' of the COVID-19 pandemic", Institute for Advanced Sustainability Studies, 9 April 2020. Available at www.iass-potsdam.de/en/blog/2020/04/wicked-problem-covid-19-pandemic.

¹⁰ Robin Wall Kimmerer, remarks given at the fifth interactive dialogue of the General Assembly on Harmony with Nature, held on 27 April 2015. Available at Files.harmonywithnatureun.org/uploads/upload70.pdf.

¹¹ Excellence Reporter, "Dr. Anne Poelina: the meaning of life and the law of the land", 8 March 2018.

These developments have gained visibility and momentum as a result of the COVID-19 pandemic. Alternatives to gross domestic product (GDP) as a measure of well-being are entering policy arenas at various levels of government, and advances in the field of ecological economics are being made in various countries.

20. The Canadian Index of WellBeing, for example, is inspired by the genuine progress indicator and by the Gross National Happiness Index of Bhutan.¹² For more than ten years, the Canadian Index of Well-Being, based at the University of Waterloo, has provided comprehensive analyses of how Canadians are really doing in various areas of their lives. Through a systems-based approach, the framework is used to identify key leverage points that have a positive impact on the well-being of Canadians in the following domains, such as community vitality, democratic engagement, education, environment, healthy populations, leisure and culture, living standards and time use.

21. In the United States of America, the state of Vermont became the first state to pass a law, in 2018, introducing the genuine progress indicator as a new metric for measuring economic performance and success.¹³ Vermont has since been joined by 19 other states, including Colorado, Hawaii, Maryland, Oregon and Washington.

22. The Prime Minister of New Zealand, Jacinda Ardern, who unveiled a well-being budget in early 2019, has stated that the purpose of government spending was to ensure citizens' health and life satisfaction; that neither wealth nor economic growth were metrics by which a country's progress should be measured; and that GDP alone did not guarantee improvement to living standards, nor did it take into account who benefited and who was left out.¹⁴ Since May 2019, government spending has been required to support goals related to well-being: bolstering mental health, reducing child poverty, supporting indigenous peoples, moving to a low-emissions economy and flourishing in a digital age.

23. In December 2019, the Prime Minister of Iceland, Katrín Jakobsdóttir, urged her Government to adopt green and family-friendly priorities instead of focusing on economic growth figures.¹⁵ Ms. Jakobsdóttir observed that environmental devastation was a key factor driving Iceland to incorporate new social indicators and that the focus on economic performance through GDP undervalues quality of life and underestimates the social damage caused by inequality.

24. The First Minister of Scotland, Nicola Sturgeon, in a speech made on 24 July 2019, stated that the time for GDP to be seen as the most important measurement of a country's success was over. She highlighted that, in a world of growing division and inequality, it was more important than ever for Governments to focus on broader measurements of health and well-being, not just wealth.¹⁶

¹² See Canadian Index of Wellbeing, *How are Canadians Really Doing? The 2016 CIW National Report* (Waterloo, Ontario, Canadian Index of Wellbeing and University of Waterloo, 2016); Mairi-Jane V. Fox and Jon D. Erickson, "Design and meaning of the genuine progress indicator: a statistical analysis of the U.S. fifty-state model", *Ecological Economics*, vol. 167 (January 2020); and Oxford Poverty and Human Development Initiative, "Bhutan's Gross National Happiness Index" (University of Oxford).

¹³ Eric Zencey, *The 2018 Vermont Genuine Progress Indicator Report* (University of Vermont, March 2018).

¹⁴ Sigal Samuel, "Forget GDP – New Zealand is prioritizing gross national well-being", *Vox*, 8 June 2019.

¹⁵ Katrín Jakobsdóttir, Prime Minister of Iceland, "Iceland and the well-being economy", Chatham House, video, 3 December 2019.

¹⁶ Nicola Sturgeon, First Minister of Scotland, "Why Governments should prioritize well-being", TEDSummit 2019, video, July 2019.

25. In Brazil, the concept of a solidarity economy has steadily gained strength, guided by the values of cooperation instead of competition and of valuing human diversity, social justice and the protection of the environment over profit. Short supply chains have brought producers closer to consumers, avoiding profit-driven intermediaries. Small-scale producers and civil society groups have been promoting agroecological methods and, since the onset of the COVID-19 crisis, public support for agrifood initiatives under the solidarity economy has grown.

26. Another alternative to growth-insistent economics, by which perpetual economic growth is deemed necessary to address poverty, keep people employed and solve environmental problems, can be found in the degrowth movement.¹⁷ The term degrowth, which became prominent after the first International Conference on Economic Degrowth for Ecological Sustainability and Social Equity, held in Paris in 2008, encompasses more than just a critique of GDP as a measure for well-being; it embodies a radical questioning of societal goals and proposes common values of care, solidarity and cooperation and an understanding that we are part of Nature. It is also known as the post-growth movement, also referred to as *décroissance*, *Postwachstum*, steady-state or doughnut economics and prosperity without growth, among other names.¹⁸ The origin of the term, found in *décroissance* in French or *decrescita* in Italian, refers to a river going back to its normal flow after a disastrous flood.¹⁹

27. The first-ever online Degrowth Conference was held in early June 2020, to discuss degrowth as a response and strategy to remedy convergent crises currently occurring worldwide. The key takeaways from the Conference were that degrowth needed to be discussed within the context of other social, ecological and justice-based discourses and movements and that it was necessary to work towards creating common ideas and experiences for a wider range of people.²⁰

28. The findings of other research suggest that it is possible to improve quality of life, restore the living world, reduce inequality and improve meaningful jobs – all without the need for economic growth. In that regard, 238 academics have called on the European Union and its member States to plan for a post-growth future in which human and ecological well-being is prioritized over GDP.²¹

29. The aim of the Wellbeing Economy Governments partnership, a collaboration of national and regional governments, is to deepen understanding and advance their shared ambition of building well-being economies, based on the recognition that development in the twenty-first century entails delivering both human and ecological well-being. The partnership currently comprises Iceland, Scotland, New Zealand and Wales.²²

30. In April 2020, the city of Amsterdam launched the Amsterdam Circular 2020–2025 Strategy,²³ in which it outlined the actions required to halve the use of new raw materials by 2030, on the basis of doughnut economics.²⁴ Amsterdam aims to have a complete circular economy by 2050, by reusing raw materials to avoid waste and

¹⁷ Geoffrey Garver, “A systems-based tool for transitioning to law for a mutually enhancing human-Earth relationship”, *Ecological Economics*, vol. 157 (March 2019), pp.165–174.

¹⁸ Dan O’Neill and others, “The EU needs a stability and wellbeing pact, not more growth”, *Guardian*, letter, 16 September 2018.

¹⁹ See www.degrowth.info/en/what-is-degrowth/.

²⁰ Degrowth Vienna 2020, “Today – tomorrow: reflections on the conference and how to move forward”, YouTube, video, 2 June 2020.

²¹ Dan O’Neill and others, “The EU needs a stability and wellbeing pact, not more growth”.

²² See <https://wellbeingeconomy.org/wego>.

²³ See www.amsterdam.nl/en/policy/sustainability/circular-economy.

²⁴ Kate Raworth, “What on Earth is the doughnut?”.

reduce carbon dioxide emissions. The city is also developing a monitoring tool to track and trace raw materials and assess which initiatives make the biggest contribution to circular economy goals.

31. In France, on 31 January 2020, the Constitutional Council issued a landmark decision on environmental protection versus free enterprise,²⁵ ruling that toxic pesticides made in France and banned in Europe must not be sold abroad. The decision is aimed at balancing protection of the environment and human health with free enterprise and illustrates how the preservation of the environment may impose new boundaries on economic growth.

32. In June 2020, the Convention citoyenne pour le Climat (Citizens' Convention on Climate) adopted a set of legislative proposals, including establishing planetary boundaries in national law, an administrative authority to safeguard the ecological balance within French territories and the recognition of ecocide in French criminal law. The President of France, Emmanuel Macron, announced the creation of a follow-up group to work on those proposals, with a view to the possible holding of a referendum in 2021.²⁶

IV. A moment of respite for Mother Earth, an opportunity for transformative change

33. In recent months, the world has witnessed the brief yet beneficial effects on biodiversity and planetary health stemming from lockdowns related to the COVID-19 pandemic, including a reduction in carbon dioxide emissions and noise pollution. That reduction was due primarily to the grounding of airlines and restrictions imposed on land and sea transportation. Economic activity was also severely curtailed, and demand for energy fell commensurately. Several major cities experienced unprecedented reductions in particulate pollution, and daily greenhouse gas emissions were 17 per cent lower at their peak low at the end April 2020 compared with the mean daily emissions level in 2019.²⁷

34. Depending on the pace at which economic activity resumes, the pandemic will likely reduce overall greenhouse gas emissions in 2020 by anywhere from 4.2 per cent to 7.5 per cent. However, researchers noted that most changes observed in 2020 were likely to be temporary, as they did not reflect structural changes in the economic, transport or energy systems.

35. Those reductions in pollution and noise, however, were not due to sound environmental policies, but resulted from massive lockdowns caused by a microscopic virus. To date, the behavioural response to the pandemic has been to protect human life in the short run. Little attention has been paid to protecting life and future generations of all species in the long run. The pause has demonstrated that behavioural and social responses alone would not drive the deep and sustained reductions needed to reach net-zero emissions. More focused efforts are needed to

²⁵ Constitutional Council, *Union des industries de la protection des plantes (Prohibition of the production, storage, and transport of certain plant protection products)*, Decision No. 2019-823 QPC, 31 January 2020.

²⁶ Wild Legal, "Convention citoyenne: le président s'engage pour la reconnaissance du crime d'écocide", press release, 29 June 2020.

²⁷ IQAir, "COVID-19 air quality report: 2019 coronavirus pandemic lockdowns result in unprecedented reductions in deadly particle pollution", 22 April 2020; Corinne Le Quéré and others, "Temporary reduction in daily global CO₂ emissions during the COVID-19 forced confinement", *Nature Climate Change*, vol. 10 (2020), pp. 647–653; and VOA News, "Scientists report coronavirus shutdowns have reduced seismic 'noise'", 31 March 2020.

protect the planet and people, through legislation, policies and concerted actions in the wake of the pandemic.

V. A mosaic of Earth-centred law for planetary health and human well-being

36. Over the past decade, an array of Earth-centred law,²⁸ also known as Earth jurisprudence, has been gaining ground in an increasing number of Member States. Through the philosophy and practice of Earth jurisprudence, humanity accepts the reality that its well-being is derived from the well-being of the Earth and that, to sustain all life on the planet and guarantee future generations of all species, it is necessary to live in harmony with Nature and be guided by the laws of the Earth.

37. Values advanced by that paradigm, such as equity, cooperation, dialogue, inclusion, comprehension, agreement, respect and mutual inspiration, complement the same aspirations posited by ecological economics in the journey to move beyond the Anthropocene epoch. Such values contrast sharply with the prevailing logic of profitability as the *raison d'être* for our current growth-based economic system. Likewise, recognizing Nature as a subject of law contrasts sharply with current environmental protection laws, which are anthropocentric.

38. One of the fundamental reasons for the lack of effectiveness of environmental law in protecting Nature lies in the fact that it never replaced the idea of the endless exploitation of the planet, facilitated by modern private law, with the concept of sustainability. In other words, the weakness of environmental law is directly linked to the fact that it always stopped at the door of private law.²⁹

39. Furthermore, environmental law entered the game when all the cards had already been drawn, and the new environmental public law of the 1960s and 1970s added only a few environmental duties to private property rights, without restrictions. Environmental law has therefore continued to be the “poor relative” of property and commercial law and can only promote insufficient measures on the periphery thereof.³⁰

40. In the past 50 years, although acknowledgement has grown that human rights are intertwined with the environment in which we live, environmental laws have largely failed to reduce pollution and prevent species and habitat loss on which human rights depend. Recognizing the rights of Nature in law fills that void and proves complementary to human rights.

41. With the acceleration of climate change and ecosystems being pushed to collapse, the human right to a healthy environment cannot be achieved without securing Nature’s own rights first. More precisely, the human right to life is meaningless if the ecosystems that sustain humankind do not have the legal rights to exist. Furthermore, the rights of each sentient being are limited by the rights of all other beings to the extent necessary for the maintenance of the integrity, balance and health of larger ecological communities.

²⁸ Information on legislation and policies featured in section V is available on the Harmony with Nature website, at <http://harmonywithnatureun.org/rightsOfNature/> and www.harmonywithnatureun.org/rightsOfNaturePolicies/.

²⁹ Gonzalo Sozzo, *Derecho Privado Ambiental: El Giro Ecológico del Derecho Privado* (Sante Fe, Argentina, Rubinzal-Culzoni, 2019).

³⁰ Klaus Bosselmann, *The Principle of Sustainability: Transforming Law and Governance*, 2nd ed. (Milton Park, Abingdon, Oxfordshire, United Kingdom, Routledge, 2017).

42. A first step to recognizing the rights of Nature is the recognition that non-human animals are sentient beings, not mere property, and must be afforded respect and legal recognition. Such recognition is growing around the world, in particular with regard to those animals best known and most easily appreciated by humans.³¹

43. In recent years, lawyers worldwide have instituted court proceedings to obtain freedom for captive animals who need better living situations. For example, the Nonhuman Rights Project in the United States instituted court proceedings on behalf of elephants and chimpanzees, arguing that they should be treated as “persons” and freed from captivity. Many other countries recognize animals as sentient beings, and legal training on animal law and animal rights is on the rise worldwide.

44. It is heartening that initiatives resonate globally with the call for a peaceful, virtuous and harmonious coexistence between humankind and the rest of the sentient beings that share the planet. In Argentina, for example, the First International Virtual Congress on Animal Law, held in May 2020, gained an audience of close to 2,000 participants and speakers from more than 40 countries.

45. The worldviews and cosmogonies, traditional knowledge and customary laws of indigenous peoples also embody that respect for other sentient beings, and an understanding that human governance systems must be derived from the laws of the Earth. This is exemplified where there is respect and recognition of indigenous ancestral lands, sacred natural sites, knowledge and practices, enabling communities to continue to live in harmony with the landscape and wildlife as they have for generations. Traditional indigenous food systems also demonstrate an interdependent sociocultural relationship with Mother Earth, in contrast with the globalized corporate food system, which disconnects food consumption from food production.

46. During the past decade, there has been growing recognition of the customary laws of indigenous peoples in constitutional and international law. There has also been growing awareness that recognition of the rights of Nature is embedded in customary laws, in contrast to modern environmental laws which remain grounded on an anthropocentric paradigm. For instance, three court rulings provide evidence of indigenous narratives being recognized for the first time as an integral part of the concept of legal pluralism, and their views are being accepted in a positivistic system of law.

47. On 7 November 2019, the Constitutional Court of Guatemala rendered a verdict recognizing the spiritual and cultural relationship between indigenous people and the water element, recognizing water as a living entity. In the verdict, it was noted that the agrarian transformation and mining laws of Guatemala excluded the sacred character that water possessed and the possibility that water was a living being, a subject that merited having rights, and therefore could not be killed by contamination. It was also noted that water was a living entity with cycles, that connected with the cosmos and that was a nahuál (guardian spirit) for the Maya people.

48. On 6 February 2020, the Inter-American Court of Human Rights rendered its decision on the case *Indigenous Community Members of the Lhaka Honhat (Our Land) Association Vs. Argentina*. Pursuant to the ruling, the Wichí (Mataco), Iyjwaja (Chorote), Komlek (Toba), Niwackle (Chulupí) and Tapy’y (Tapiete) peoples are entitled to their ancestral land in northern Salta Province, and a single deed to the community property must be delivered to them.³²

³¹ David R. Boyd, *The Rights of Nature: A Legal Revolution that Could Save the World* (Toronto, ECW Press, 2017).

³² Centre for Legal and Social Studies, “The Inter-American Court of Human Rights found Argentina guilty and ruled in favour of the indigenous communities of Salta”, 7 April 2020.

49. In its ruling, the Inter-American Court of Human Rights stressed that changes in the lifestyle and cultural identity of the indigenous communities were the consequence of interference on their territory, which affected the traditional food supply of these hunter-gatherer peoples and their access to clean water. With its verdict, the Inter-American Court set a precedent on the right to water, food, a healthy environment and cultural identity.

50. On 1 April 2020, an unprecedented court settlement in favour of the Ashaninka people of the state of Acre, in the Brazilian Amazon, signed by the Prosecutor General of Brazil, Augusto Aras, guaranteed reparations for crimes committed almost 40 years ago against the Ashaninka people, whose lands were deforested in the 1980s to supply the European furniture industry.³³

51. Government policies, from the local to the national levels, have added to advancements in recognizing the contribution of customary governance systems to living in harmony with Nature. In Uganda, for example, the Buliisa District Local Government Council signed a resolution on 22 November 2019 on the customary laws of the Bagungu custodian clans, noting “the concern of the Bagungu clan leaders for *Butoka* (Mother Earth) and for the future generations of all species of the Earth” and their “ancestral responsibility to protect the well-being of their land, and of the planet”. African Earth jurisprudence practitioners and the Gaia Foundation are facilitating similar progress in recognizing customary governance in Benin, Kenya and Zimbabwe.

52. A recent study has revealed a strong correlation between the density of organizations and networks promoting the rights of Nature and countries where legal provisions on the rights of Nature are emerging, indicating a mainstreaming of the concept of the rights of Nature and the building of partnerships with organizations and movements whose activities are aligned with, but not focused explicitly on, the rights of Nature.³⁴

53. For the past decade, the United Nations Harmony with Nature programme has documented and analysed legislation and policies on the rights of Nature that have been either adopted or for which work is currently ongoing in 35 countries.³⁵ It has also documented and analysed collaboration among non-governmental organizations (NGOs), civil society organizations, legislators and legislative bodies working together to draft, adopt and implement laws or policies recognizing Nature as a subject of rights and/or a legal “person”, protected by law.

A. Key legislation adopted

54. In Brazil, on 21 March 2019, the Superior Court of Justice, under the guidance of the NGO Métodos de Apoio à Práticas Ambientais e Sociais, recognized the rights of the Turquoise-fronted Amazon parrot, (*Amazona aestiva*), which lives in the Amazon forest, on the basis of rights-of-Nature principles. On 11 June 2019, the Municipal Chamber of the city of Florianopolis voted to adopt Organic Law 133 of

³³ Naira Hofmeister, “\$3 million and an official apology: Brazil’s Ashaninka get unprecedented compensation for deforestation on their land”, Mongabay, 16 April 2020.

³⁴ Craig Kauffman, “Mapping transnational rights of Nature networks and laws: new global governance structures for more sustainable development”, paper prepared for the International Studies Association Annual Convention, Toronto, 29 March 2020.

³⁵ Argentina, Australia, Bangladesh, Belize, Belgium, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Chile, Costa Rica, Denmark, Ecuador, El Salvador, France, Guatemala, Hungary, India, Ireland, Italy, Mexico, Netherlands, New Zealand, Nigeria, Philippines, Portugal, Romania, Spain, South Africa, Sweden, Switzerland, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America and Holy See.

the Municipality of Florianopolis granting rights to Nature. The Law entered into force on 20 November 2019.

55. In Canada, the ?Esdilagh First Nations people (whose name can translated as “where the land meets the water”) of the T?ilhqot’in Nation have documented their rights and responsibilities as traditional caretakers of ?Elhdaqox (Sturgeon River, also known as the Fraser River). Endorsed by the T?ilhqot’in Council of Chiefs on 28 May 2020, the ?Esdilagh Sturgeon River Law states that people, animals, fish, plants, the *nen* (lands) and the *tu* (waters) have rights.

56. In Colombia, six court decisions and one decree were rendered regarding the rights of Nature, as follows:

(a) On 12 July 2019, the Third Court of Penalties and Security Measures in Cali recognized the Pance River as a subject of rights. The Court decision came in response to a writ citing the violation of rights due to contamination;

(b) On 15 July 2019, the Department of Nariño became the first in the country to recognize Nature as a subject of rights through the signing of Decree 348;

(c) On 24 October 2019, the First Criminal Court of the District of Neiva recognized the Magdalena River, its basin and its tributaries as an entity subject to rights for protection, conservation, maintenance and restoration by the State;

(d) On 11 September 2019, the Fourth Court of Penalties and Security Measures in Pereira recognized the Otún River as a subject of rights;

(e) On 12 November 2019, the Special Jurisdiction for Peace recognized Katsa Su, the vast territory of the Awá people, as a subject of rights and a victim of the armed conflict;

(f) On 5 December 2019, the Administrative Court of Quindío recognized the Quindío River as a subject of rights to protection, conservation, maintenance and restoration;

(g) On 17 June 2020, the Supreme Court of Justice declared the Isla de Salamanca national park as a subject of rights, to protect it from rampant deforestation.

57. In Ecuador, on 19 June 2019, the Provincial Court of Imbabura ruled in favour of the Los Cedros protected forest, recognizing that mining activities would violate the rights of Nature.

58. Also in Ecuador, on 17 July 2019, a court in Sucumbíos Province recognized claims by the Cofán indigenous people of Sinangoe regarding violations to the collective rights of free and informed prior consultation, the rights of water and the rights of Nature in the community of Sinangoe. The court ordered an end to mining on their land.

59. On 16 August 2019, a judge in Quevedo, Ecuador, accepted and granted a protection order in favour of the peasants of the province of Los Ríos, noting that genetically modified crops violated the rights to life, health, work and a healthy environment, as well as the rights of Nature.

60. In India, on 2 March 2020, the High Court of Punjab and Haryana in Chandigarh declared Sukhna Lake a legal person for its survival, preservation and conservation and declared all citizens of Chandigarh responsible for saving the lake from extinction.

61. In the Netherlands, the municipality of Dongeradeel merged with two other local municipalities into the municipality of Noardeast-Fryslân and, on 11 July 2019, the

city council of Noardeast-Fryslân adopted a motion granting special rights to the Wadden Sea and urged the appointment of an independent governance authority.

62. In Nigeria, on 30 September 2019, the Federal Ministry of Environment ruled in favour of the petition by the River Ethiope Trust Foundation against oil palm and rubber activities carried out by Presco Plc. on the River Ethiope. The Ministry ordered Presco Plc. to abide by the terms and conditions of the petition and thereby uphold all desirable environmental rights to protect and sustain the integrity of the river.

63. In the United States, on 16 January 2020, the Menominee Tribe of Wisconsin recognized the “inherent and legal rights” of the Menominee River. In its resolution, among other provisions, the Tribe recognizes “the right to restoration, recovery and preservation” and “the right to be free of activities or practices, as well as obstructions, that interfere with or infringe upon these rights” and that those rights should also be held up by neighbouring tribes and other governments.

64. Also in the United States, on 20 June 2020, the General Council of the Nez Perce Tribe of Idaho passed a resolution in which it recognizes the Snake River as a living entity that has rights, including the right to exist, flourish, evolve, flow and regenerate and the right to restoration. Native Americans have long held the worldview that humans and Nature are inseparable. They are now beginning to formalize that belief through Western law.

B. Key ongoing legislative processes

65. In Argentina, on 2 July 2020, a class action suit was filed with the Supreme Court of Justice to preserve the integrity of the wetlands of the Paraná Delta through the recognition of its rights.

66. In Australia, the Rights of Nature and Future Generations Bill 2019 was introduced on 28 November 2019. It is the first piece of legislation before the Australian Parliament aimed at recognizing the rights of Nature.

67. In El Salvador, in August 2020, a proposal will be made by an NGO to the Legislative Assembly on a constitutional amendment recognizing the rights of Nature. Work is also under way on a proposal to recognize the rights of the Lempa River.

68. In Mexico, on 12 December 2019, a proposal was presented to the Congress of the state of Mexico to include the rights of Nature in both the constitution of that state and the federal Constitution. It is expected that the proposal will be reviewed by the Congress of the Union in late 2020.

69. In Nigeria, legal advances for the rights of rivers include the River Ethiope Rights Bill presented to the Senate chamber of the National Assembly.

70. In the Philippines, in October 2019, two bills on the rights of Nature were presented in the Senate and the Congress respectively. The bills will be taken up by the chambers in 2020.

71. In Spain, on 23 July 2020, the municipality of Los Alcázares, Murcia, approved a legislative initiative to grant rights to Mar Menor, the largest saltwater lagoon in Europe, and its basin, and to recognize the ecosystem as a subject of rights.

72. In Sweden, in October 2019, a motion was presented by the Green Party to the Parliament to include the rights of Nature in the Constitution, namely, the right to naturally exist, thrive, regenerate and evolve; the rights to restoration, recovery and conservation; and the right to perform its natural functions.

C. Key policies

73. In Chile, a plebiscite to create a constituent assembly process to develop a new Constitution that protects Nature through the recognition of rights is scheduled for October 2020, subject to the constraints of the current pandemic.

74. In Denmark, the political party Alternativet, during its campaign for the 2019 general election, adopted a political programme that would include the rights of Nature in the country's Constitution.

75. In El Salvador, on February 2020, the Municipal Council of Ahuachapán began its consideration of a proposal to make El Espino Lagoon a subject of rights.

76. In France, on 19 October 2019, a number of regional partners of the Loire Region initiated debates to create the first parliament for the Loire River, in which the fauna and flora and the various organic and inorganic elements of the river will be represented.

77. In Mexico, the Commission of Hydraulic Resources, Drinking Water and Sanitation of the Chamber of Deputies of the sixty-fourth Legislature agreed to draft a new general law on water that would include the rights of rivers and water sources and many other human rights.

78. In Spain, on 7 May 2020, the government of Valencia expressed its intention to recognize the rights of Nature in the Statute of Autonomy of the Valencian Community, as proposed in its botanical agreement (Acord del Botànic).

79. In Sweden, the organizations Swedish Earth Rights Lawyers and Rights of Nature Sweden have drafted a declaration for the rights of Lake Vattern, in which protective rights would encompass all-natural water functions within Lake Vättern.

80. In Switzerland, in July 2019, the association ID-EAU launched an initiative to give legal personhood to the Rhône River.

81. In the United States, the Democratic National Committee Council on Environment and Climate Crisis, in its Environmental and Climate Policy Recommendations for the 2020 Democratic Party Platform, with regard to biodiversity and Nature, called, on 4 June 2020, for the establishment of a commission similar to the President's Council on Sustainable Development, to explore incorporating rights-of-Nature principles into United States law. In Florida, as at 3 January 2020, various counties were advancing ballot votes on the rights of rivers to naturally exist, flourish, regenerate, evolve and rehydrate and on their right to restoration: a committee in Orange County was aiming to have rights granted to the Wekiva River and the Econlockhatchee River; petitioners in Alachua County were campaigning to have the Santa Fe River Bill of Rights passed; and citizens of Lee County were striving for the adoption of the Caloosahatchee Bill of Rights.

82. In the Holy See, the rights of Nature were recognized in the final document of the Special Assembly of the Synod of Bishops for the Pan-Amazon Region, convened by Pope Francis from 6 to 27 October 2019.

83. As stated previously, the mosaic of ecological economics and Earth-centred law and policy is rooted in non-anthropocentric teachings. Elected officials, legislators and NGOs are gaining the tools needed to make informed decisions on the basis of scientific knowledge, the wisdom of ancient cultures and their personal experience regarding the impacts of a dysfunctional relationship between humans and Nature. Along with young people, they are the drivers for major transformations in the way global society functions and interacts with the natural world. The key role played by academia and many NGOs must be underscored in both formal and informal

education, as addressed in detail in the supplement to the present report. As a result of public engagement, there is growing awareness and understanding of this legal paradigm. The Rights of Nature page in Wikipedia generated over 12,000 new views in a 24-hour period between 7 and 8 July 2020.³⁶

84. Furthermore, in Brazil, on World Environment Day, 5 June 2020, experts of the United Nations Harmony with Nature Knowledge Network published its Harmony Manifesto, in which it called for the extinction of the values and principles that have perpetuated the objectification of Nature and for the adoption of a universal declaration of the rights of Mother Earth.

85. A global freshwater summit will be held in St. Louis, Missouri, United States, from 23 to 25 April 2021, to honour and recognize the rights of the Mississippi River and the Missouri River, with the aim of shining a light on the regenerative powers of freshwater biomes and the rivers' right to flow.

86. Over the past five years, the Partnership on the Rights of Nature: Integrating Nature into the Implementation of the SDGs has been preparing reports on integrating Nature into all the Sustainable Development Goals and almost all of its targets, with contributions from mainly United Nations-related organizations worldwide. The Commons cluster of the non-governmental organizations major group has acted as lead agency, and its outcome was the publication of three reports, all entitled *Transforming Our World in Harmony with Nature: Integrating Nature While Implementing the United Nations' Sustainable Development Goals*. The reports, each of which addresses a different set of Goals, primarily intended for government ministries, are also useful to anyone working on implementing the Goals in any of the areas discussed therein.

87. In commemorating the seventy-fifth anniversary of the United Nations in 2020, the General Assembly should consider the possibility of convening in the role of an Earth Assembly, in which the evolving non-anthropocentric or Earth-centred paradigm continues to unfold and finds a home in multilateralism. The COVID-19 pandemic obliges humankind to either continue its existence permanently conditioned to an endless state of crisis management with regard to its relationship with the natural world as a result of the objectification of Nature and all the uncertainty that such a worldview entails, or to choose to guide its existence through a steady and harmonious relationship with the natural world, with the subjectification of Nature at its source.

VI. Conclusions

88. In 2008, when Ecuador became the first nation to grant constitutional rights to Nature, or *Pachamama* (as Mother Earth is known in the cosmovision of the Quechua people living in the Andes), and the Plurinational State of Bolivia recognized, in its Constitution of 2009, the principles of *buen vivir* (good living) for guiding State action, leading the General Assembly to proclaim 22 April as International Mother Earth Day and to adopt its first resolution on Harmony with Nature, those countries may have not realized the impact that their non-anthropocentric decisions would have in law and policy around the world.

89. Over the past 10 years, the United Nations Harmony with Nature programme has documented and analysed the core tenets of those important contributions, which have inspired the interactive dialogues of the General Assembly held each year on 22 April, International Mother Earth Day, and of a myriad of other institutions and

³⁶ See https://pageviews.toolforge.org/?project=en.wikipedia.org&platform=all-access&agent=user&redirects=0&start=2020-07-06&end=2020-07-08&pages=Rights_of_nature.

organizations worldwide, as evidenced in the reports of the Secretary-General on harmony with Nature.

90. The advances with regard to ecological economics and Earth-centred law addressed in the present report convey the diversity and reach of people worldwide who are ready for the transition to an Earth-centred way of living, including scientists, activists and indigenous peoples who have decried the escalating destruction of Earth's natural system for decades; a powerful and global movement of young people, confronted with climate change and biodiversity loss of unimaginable scale early in their lives; and a growing rights-based movement for Nature.

91. The emergence of the COVID-19 pandemic highlights the scale of action required to tackle climate change and biodiversity loss. A lockdown necessitated by the global health crisis has greatly reduced carbon emissions and extractive operations. In some regards, the determined emergency responses to the crisis have demonstrated the ability of Governments to act decisively when the stakes are high enough and thereby indicate a capacity for making deep-seated structural change. However, the pushback on environmental safeguards during the pandemic is extremely concerning.

92. The Harmony with Nature programme commends all efforts to develop and implement alternatives to the dominant growth-insistent economic model and the harnessing of lessons from the present moment in human history to develop regenerative systems. It emphasizes the need for jointly imagining and creating a new normalcy that prioritizes planetary health and human well-being for all.

93. The cases and developments in ecological economics and Earth-centred law presented in the report reveal promise and the potential to protect the planet and people. Worldwide, children and young people are gaining knowledge about those new pathways forward and are at the forefront of activities that give attention and momentum to Earth-centred alternatives.

94. Throughout its 75-year history, the United Nations has given a voice to the voiceless. Responsibility now lies with the Organization to be the champion of non-anthropocentrism and a voice on behalf of the natural world and to play a lead role for a twenty-first century global Earth-centred transition, in which the lives of all human and non-human species matter.

95. The process of recovery from COVID-19 provides us with a unique opportunity to build back better, together, so as to transform the world into one where humans truly live in harmony with Nature.