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Sustainable development

Harmony with Nature

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution [75/220](#) by which the Assembly requested the President of the Assembly to convene, at its seventy-sixth session, an interactive dialogue on Harmony with Nature to commemorate International Mother Earth Day on 22 April 2022, and requested the Secretary-General to submit to the Assembly, at its seventy-seventh session, a report on the implementation of the resolution.

In the present report, the Secretary-General recognizes the advances in Earth jurisprudence, in particular through the rights of Nature and ecological economics, and joint efforts by Member States to create a new narrative for a regenerative world in which human rights go hand in hand with the rights of Nature, and sustainable development is reframed to ensure planetary health and the well-being of future generations. The content of the report is drawn from the interactive dialogue, which featured presentations by parliamentarians and civil society organizations collaborating to bring about a paradigm shift. It also serves to showcase other initiatives from around the world that demonstrate actions for living in Harmony with Nature. Emphasis is placed on how law and economics must be nested within Nature, as should all institutions of human society.

* [A/77/150](#).



I. Introduction

1. The coronavirus disease (COVID-19) pandemic laid bare the fault lines within modern society – an economic system rooted in and driven by the infinite exploitation and commodification of the natural world, rampant consumerism amid a widening wealth gap, the fragility of both local and global food systems, the continuing human encroachment on ecosystems and wild areas, and legal frameworks inadequate for averting climate chaos and ecological breakdown.

2. Indeed, the past two years have been a stark reminder of how anthropocentric world views jeopardize the existence of all forms of life, human and non-human, on the planet. Scientists warn that we have entered the sixth mass extinction.¹ Developing a new narrative to reconnect our species with the natural world has become more urgent than ever.

3. It is within this context that, on 21 December 2020, the General Assembly adopted resolution [75/220](#). In this twelfth resolution on Harmony with Nature, the Assembly requested its President to convene, at its seventy-sixth session, an interactive dialogue in commemoration of International Mother Earth Day on 22 April 2022, with the participation of Member States, the United Nations system, independent experts and other relevant stakeholders. The theme was “Harmony with Nature and biodiversity: contributions of ecological economics and Earth-centred law”.

4. The 2022 interactive dialogue featured, for the first time, the active participation of parliamentarians and politicians from Brazil, Canada, Mexico, Nigeria, Panama and Spain. In partnership with civil society organizations, they are leading efforts to recognize the rights of Nature² in their respective countries and to implement ecological economics, for a future in which humankind is again living with respect for Mother Earth and in harmony with Nature. This partnership was evident throughout the dialogue, with civil society organizations and parliamentarians serving on panels together and presenting on country initiatives.

5. In addition to the 18 panellists who attended in person, seven speakers sent pre-recorded videos which were viewed during the stakeholders segment of the dialogue: the Vice-President of the European Economic and Social Committee, Professors of the University of Toulon, France, representatives of civil society organizations from Argentina and Uganda, and parliamentarians from Switzerland. They addressed the importance of all elements of sustainable development being equally and legally represented and explained the legislative process of adopting the rights of Nature in their respective countries.

6. Panellists underscored that cooperative action is required to mitigate the planetary polycrisis. Their hopeful advances in Earth jurisprudence, in particular through Earth-centred law and ecological economics, represent a budding narrative that has been encouraged for more than a decade and the trajectory of which has been charted through the United Nations Harmony with Nature programme.

¹ www.sciencedaily.com/releases/2022/01/220113194911.htm.

² The capitalization of Nature was recognized in and incorporated into General Assembly resolution [73/235](#), twenty-ninth preambular paragraph, and the previous reports of the Secretary-General on Harmony with Nature (see [A/74/236](#) and [A/75/266](#)).

II. Highlights of the 2022 interactive dialogue on Harmony with Nature

7. In his opening remarks, the President of the seventy-sixth session of the General Assembly, Abdulla Shahid, recognized that the 2030 Agenda for Sustainable Development calls for a world living in Harmony with Nature. He emphasized that reaching the 17 Sustainable Development Goals would require a shift in our thinking, our approach and our development path. He emphasized that our laws must reflect our understanding of rights, including the right to live in Harmony with Nature.

8. The President of the Plurinational State of Bolivia, Luis Alberto Arce Catacora, called upon us all to reflect on and restore our relationship with Mother Earth. He said that new economic and structural models are essential for identifying solutions to our current crises and made reference to a new Mother Earth economy based on community knowledge, collective rights and a framework of diverse cultures and beings. He announced that his country intended to constitute a group of friends of Harmony with Nature with a view to making transformative and action-oriented proposals for responding to present and future challenges, grounded in equity and in social and ecological justice.

9. The Vice-President and Minister for the Ecological Transition of Spain, Teresa Ribera, highlighted a parliamentary initiative to recognize the legal personhood of Mar Menor, Europe's largest saltwater lagoon, as a novel solution to protect Mother Earth. She noted the work of local citizen organizations to restore the lagoon's ecosystems and called upon us to recognize our vulnerability in the face of climate change and biodiversity loss.

10. A Member of Parliament of the European Union, Marie Toussaint, emphasized the need for a paradigm shift in the political and legal systems of the European Union to redesign our relationship with Nature from one of domination to one of harmony. She explained that such a shift would require a revolutionary change in our laws, our politics and our economy, to live within the limits of our planet. Such transformational change could already be seen in Latin America. Meanwhile, she was working to entrench such a paradigm shift in European law.

11. The Secretary of State of the Brussels-Capital Region responsible for Economic Transition and Scientific Research, Barbara Trachte, noted that Belgium was making progress towards transformational change through an economic transition known as the "shifting economy". The transition was preparing, supporting and educating economic actors so that they could develop business models reflecting exemplary social and environmental values. The "Brussels Doughnut" economic model was guiding the Region's post-COVID-19 recovery, addressing social needs for a prosperous and balanced life within planetary boundaries. Ms. Trachte called for reconnecting with the Earth through new economic models.

12. The Deputy Chief Judge of the Maori Land Court in New Zealand, Caren Fox, described the Te Awa Tupua (Whanganui River 2017 Claims Settlement) Act 2017 and the ancestral connection of the Whanganui Iwi people with the river, which defines their tribal identity. She said that the implementation of the Settlement was progressing, management entities had been constituted and a draft strategic plan would soon be circulated to the public. The Settlement recognizes tribal rights to protect and manage the Whanganui River, recognizes the river as a living entity and creates public awareness of Maori culture and knowledge, as well as the ancestral relationship between the Maori and the river.

13. A coordinator of the Commission of the Constitutional Convention of Chile on the Environment, the Rights of Nature, Natural Commons and the Economic Model,

Camila Zárata, described the constitutional process. She explained the country's vision of being a plurinational, intercultural and ecological state and described actions by the Constitutional Convention to recognize the rights of Nature and animal rights. She outlined goals to de-privatize water and common natural resources, and to develop new governmental bodies, such as an independent court to protect Nature.

14. A rights of Nature advocate and Law Professor of Christ (Deemed to be University) in India, Manjeri Subin, described the progress of the country's court system in promoting Earth jurisprudence. He highlighted the sociocultural importance of the environment for many communities, as noted in various court cases, animal welfare laws and efforts to secure personhood rights and guardianships for two rivers in India. He explained that Earth jurisprudence in India had developed through the court system, rather than through national legislation providing rights for all of Nature at once.

15. Overall, Member States urged transformative action without delay to combat the multiple ecological crises. They acknowledged that the prioritization of economic gains over environmental protection had been ill-fated for both the natural world and humankind. They emphasized that reshaping the future of economic models and financial systems is essential to the achievement of the Sustainable Development Goals by 2030.

16. Member States further stressed how the cycle of perpetual production and disposal precludes a healthy environment and directly affects our relationship with Mother Earth. They underscored the need to foster a global paradigm shift by harnessing momentum for the protection of Mother Earth. Education, science, technology and innovation will be central to mending our fractured relationship with Nature and creating a new Earth-centred narrative.

17. Member States also highlighted the diversity of countries with different cultures and languages who had historically enjoyed a positive relationship with Mother Earth based on traditional knowledge. For many, Mother Earth is the primal entity, the source of life to be respected, protected and nurtured. Giving back to Mother Earth is a primary element of their cultural heritage. Their traditions reflect a deep bond with Mother Nature and their interdependence with her. Their cultures and languages reflect an abiding spiritual commitment to care for, love and respect Nature, and that commitment results in the subjectification of Nature.

18. Within this context, two technical panels of the interactive dialogue focused on Earth-centred law to protect biodiversity in Harmony with Nature and on ecological economics to protect biodiversity in Harmony with Nature, with the Executive Director of the Regional Centre of Expertise on Education for Sustainable Development and a Professor at Coastal Carolina University in the United States of America, Pamela Martin, as moderator.

19. Addressing both panels, Ms. Martin observed that we need systemic changes in the law and legal paradigms that will nest our legal systems in Mother Earth's embrace and thereby reflect the reality that human and ecological systems are inextricably intertwined.

20. The founder of MAPAS, Vanessa Hasson de Oliveira, and a City Councillor of Florianópolis, Brazil, Marcos José de Abreu, presented, as co-panellists, on their work to implement the rights of Nature and *buen vivir* (good living) paradigms throughout Brazil. In 2018, the cities of Bonito and Paudalho passed laws on the rights of Nature, followed by Florianópolis in 2019. Mr. de Abreu explained that in Florianópolis, that law was being applied through an agroecological mandate.

21. The President and co-founder of the International Observatory of the Rights of Nature, Yenny Vega, and a Member of Parliament, Alexandre Boulerice, presented,

as co-panellists, on their work to recognize river rights in Canada. Ms. Vega described the process underpinning twin resolutions recognizing the legal personhood of the Magpie River and its significance to indigenous communities, as well as their most recent work on the rights of the Saint Lawrence River. Mr. Boulerice said that the fundamental purpose of the Saint Lawrence River rights project is to reconcile with the First Nations and move beyond anthropocentrism.

22. The Director of Operations for Mexico of the Earth Law Center, Claudia Brindis, and a local congressman from Mexico, Max Correa, presented, as co-panellists, on their work to promote the national Earth protection law in Mexico. Ms. Brindis highlighted the work of strategic litigation and rights of Nature clinics. Mr. Correa explained how the recognition of the rights of Nature inherently implies a recognition of the cosmovisions of indigenous peoples.

23. The Dean of the Faculty of Jurisprudence of the University of Guayaquil in Ecuador, Leonel Fuentes, discussed the pioneering decision of the Constitutional Court of Ecuador in the Los Cedros case. The Court held that Nature has rights under the Constitution of Ecuador, and that the rights of the Los Cedros forest had been violated by mining activities. The environmental licence and water permits for the mining were revoked, and the Court applied the precautionary principle to protect forest biodiversity and prohibit any extractive activity.

24. An agrologist and expert in Biomimetic Rural Development at the University of the Basque Country in Spain, Hernando Bernal, explored the rights of Nature through the lens of biomimicry. Mr. Bernal explained that biomimicry is a transdisciplinary and holistic science that facilitates learning from Nature and described how the Biomimicry Global Network works to create a new “Biocene” or “Age of Nature”.

25. An Associate Professor at the University of Oregon in the United States, Craig Kauffman, announced a new open-access online platform, the Ecological Jurisprudence Monitor, which provides information and data on legal provisions and policies worldwide relating to ecological jurisprudence.

26. The President and founder of River Ethiopie Trust Foundation, Irikefe V. Dafe, spoke on behalf of the Director of the Federal Ministry of Environment of Nigeria, Mabel Emmanuel. Mr. Dafe described the drafting of a 2019 bill on the rights of the River Ethiopie in a bid to make the river the first aquatic ecosystem in Africa to be recognized as a living entity with legal rights.

27. The Executive Director of the Leatherback Project, Callie Veelenturf, and a Senator in the National Assembly of Panama, Juan Diego Vásquez, discussed, as co-panellists, their groundbreaking passage of a national law on the rights of Nature in Panama and their collaborative work with indigenous communities. Ms. Veelenturf noted the extremely adverse cross-border impacts of anthropogenic forces on marine life in the country’s seas. Mr. Vásquez called upon neighbouring states to join Panama in recognizing the rights of Nature.

28. The Mayor of Los Alcázares, Spain, Mario Cervera, and a Professor of Philosophy of Law at the University of Murcia, Spain, Teresa Vicente, discussed, as co-panellists, the valiant collective efforts of civil society in Murcia to recognize the rights of Mar Menor. On 5 April 2022, the Congress of Deputies of Spain overwhelmingly voted to expedite the drafting of a law so that Mar Menor would have legal personhood, thus becoming the first ecosystem in Europe with its own rights.

29. A lawyer, Marcela Peixoto, had involvement with the first law on the rights of Nature in Brazil and is currently involved in its implementation in the solidarity economy. She explained how Earth jurisprudence and ecological economics intertwine, using such practical examples as the work of seed guardians, agroecology,

and a grass-roots movement to create localized, solidarity economies in communities such as Bonito, Brazil.

30. An author and co-founder of the Doughnut Economics Action Lab, Kate Raworth, focused on how to advance the shift in our thinking towards new paradigms and new goals for the twenty-first century. She presented on the doughnut economic model, a visual framework for meeting the needs of all people without crossing the nine scientifically recognized planetary boundaries, and to thrive in the space between the social foundation (i.e. meeting the needs of all people) and the ecological ceiling (i.e. the planetary boundaries) thus changing the shape of progress so that it no longer revolves around ever-rising growth.

31. A fellow in the Leadership for the Ecozoic Project and postdoctoral candidate at the Gund Institute for Environment at the University of Vermont in the United States, Megan Egler, echoed the need for ecological economics for the twenty-first century. She criticized growth-based capitalism that has homogenized our identities and values as consumers while ignoring how we relate to one another and to Nature.

III. Advances in Earth-centred law and the rights of Nature

32. Presentations and interventions during the interactive dialogue were a timely reminder of the accelerating pace at which both Earth-centred law and ecological economics have evolved in recent years. Their rise underlines how environmental law treats Nature as an object, and how natural elements are mere commodities for neoliberal economics.

33. As Professor Anna Grear explains in an article published in the *Journal of Human Rights and the Environment*, “in law, as in science, the modern ‘rational human subject’ forms the epistemic ‘centre’ surrounded by its ‘environment’ understood as mere ‘matter’ out there”.³ It is this world view that has led to the ecological collapse compromising all forms of life, human and non-human, on the planet.

34. In contrast to that world view, the rights of Nature paradigm recognizes Nature as a subject of law, emphasizes Nature’s intrinsic value, shares common values with ecological economics and goes hand in hand with human rights. The spirit of such laws is to let Nature exist, thrive and flourish, just like human beings, who are part of Nature.

35. The adoption of rights of Nature legislation and ecological economics has provided a plural, integrated vision of living in harmony with Nature, founded on the ontology of indigenous peoples and traditional communities who have been living with Nature for millenniums. The body of Earth jurisprudence is transforming dominant rational legal traditions established in the Anthropocene and fundamentally informed by Western thought that separated humans from the natural world.

36. Over the past decade, 40 countries⁴ have recognized the rights of Nature through more than 200 enactments and cases. Latin America has led the way, with most such cases occurring in Ecuador, followed by Colombia, Mexico, Brazil and Argentina.

³ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2429289.

⁴ Argentina, Australia, Bangladesh, Belize, Belgium, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Chile, Costa Rica, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Hungary, India, Ireland, Italy, Mexico, Netherlands, New Zealand, Nigeria, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Spain, South Africa, Sweden, Switzerland, Türkiye, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela (Bolivarian Republic of).

37. Africa and other continents are following suit. Uganda, for example, became the first nation in Africa to recognize the rights of Nature in national legislation, thanks to efforts of parliamentarians working with local civil society organizations Advocates for Natural Resources and Development, the African Institute for Culture and Ecology and the Gaia Foundation. The inclusion of the rights of Nature under section 4 of the National Environment Act (2019) underscores that citizens' rights to a healthy environment cannot be realized unless the health of Mother Nature herself is protected. Furthermore, in Uganda's Albertine Rift, where unique biodiversity is under threat from energy giants preparing to extract the largest onshore oil deposit in sub-Saharan Africa, local Bagungu communities are making new advances. The Buliisa District Council, in late 2020, passed an ordinance that recognizes Earth-centred customary governance systems as a cornerstone for protecting the land and living in Harmony with Nature.

38. The rights of Nature are now recognized in a variety of legal systems, including those based on civil law tradition (26 States), mixed law (8 States) and common law (6 States). Canada provides an example of the implementation of the rights of Nature in a mixed law nation. The province of Quebec has a civil law tradition in most areas, while other provinces and territories have a common law tradition, and despite the great difference between these legal systems, the rights of Nature have been recognized in each of them.

39. The adoption of rights of Nature legislation has been achieved in all branches of government – executive, legislative and judiciary – as well as by institutional assemblies and indigenous tribal councils. So far, the most significant recognition of the rights of Nature has been achieved through the legislative channel, followed by the judicial channel, the executive channel, institutional assemblies and indigenous tribal councils.

40. In countries with a common law tradition, the legislative is the most frequently chosen channel, whereas in countries with a mixed law tradition, both legislative and judiciary channels are utilized. In all cases, the awareness and capacity of judges, lawyers and jurists to effectively decide on and implement the rights of Nature are critical factors. In some countries, judges, lawyers and jurists are better empowered than in others to effectively implement the rights of Nature, reflecting the differences in legal frameworks and sociocultural relationships with Nature

41. The leadership role that civil society organizations play in advancing the rights of Nature must be commended. They often initiate the process of drafting proposed legislation, which is then taken up by a political official or party and adopted by a legislative body in the form that the body deems appropriate. For example, in Canada, elected legislators have adopted a federal act, while in Spain, the entry into force of a national law recognizing the rights of a natural entity is expected in the coming months. In both cases, the legislation relates to bodies of water.

42. In some countries, it is through court decisions that the rights of a natural entity are recognized. This is the case most notably in Colombia, Ecuador (supported by the constitutional rights of Nature) and India. In other instances, rights are recognized by agreements between Governments and indigenous peoples, as in New Zealand, where the Government agreed with the Maori to recognize the legal personhood of the Whanganui River.

43. States recognizing the key role of indigenous peoples acknowledge that traditional knowledge and practices are grounded in a time-tested understanding of interdependence among the components of Nature that form the Earth's life system. The kinship that indigenous peoples have with non-human Nature is rooted in communal interactions and lifestyles, which have evolved over countless generations and eons. Therefore, the designation of legal or ancestral guardians from these

communities to represent the protected natural entity by giving it a voice and thus ensuring recognition of its legal rights is of paramount importance. Such recognition is part of the process of decolonization and is intrinsically linked to fostering a harmonious relationship with Nature.

44. The kinship that indigenous peoples share with non-human Nature is not exclusive to them. Many Member States participating in the interactive dialogue described their historically close relationship with Nature. In some instances, the legal guardians designated to protect Nature are the local people who have bonded with Mother Earth, who understand that they are members of the single community of life and stand ready to act as her guardians and protectors.

45. Another trend has been the rising number of rights of Nature enactments, building on the corpus of international legislation, including the Universal Declaration of Human Rights, the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, the United Nations Declaration on the Rights of Indigenous Peoples and the Paris Agreement, to cite a few examples.

46. The inseparable connection between human rights and the rights of Nature has also gained visibility and was reaffirmed during the Stockholm+50 commemoration, held on 2 and 3 June, within a leadership dialogue on the theme “Reflecting on the urgent need for actions to achieve a healthy planet and prosperity for all”. The leadership dialogue’s first recommendation recognized urgent calls for Governments to protect and promote both human rights and the rights of nature.⁵

47. Other notable examples include General Assembly resolution [64/292](#), spearheaded by the Plurinational State of Bolivia. In the resolution, the Assembly explicitly recognized the human right to water and sanitation and acknowledged that clean drinking water and sanitation are essential to the realization of all human rights.

48. In December 2017, the Inter-American Court of Human Rights, in its Advisory Opinion OC-23/17, recognized the right to a healthy environment as an autonomous right protected under article 26 of the American Convention on Human Rights and article 11 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights. The Court stated that the right to a healthy environment “is a fundamental right for the existence of humankind” and that “as an autonomous right, [...] it protects the components of the environment, such as forests, rivers and seas, as legal interests in themselves, even in the absence of the certainty or evidence of a risk to individuals”. The Court emphasized that Nature and the environment must be protected because of their importance to all other living organisms with whom the planet is shared, who merit protection in their own right.

49. On 28 July 2022, the General Assembly adopted its historic resolution [76/300](#), in which it recognized the right to a clean, healthy and sustainable environment as a human right. It also recognized that the impact of climate change, the unsustainable management and use of natural resources, the pollution of air, land and water, the unsound management of chemicals and waste, the resulting loss of biodiversity and the decline in services provided by ecosystems interfere with the enjoyment of a clean, healthy and sustainable environment and that environmental damage has negative implications, both direct and indirect, for the effective enjoyment of all human rights. The resolution, based on Human Rights Council resolution [48/13](#), calls upon States, international organizations, business enterprises and other stakeholders to ensure a clean, healthy and sustainable environment for all.

⁵ <https://wedocs.unep.org/bitstream/handle/20.500.11822/40079/S50%20Emerging%20Recommendations20and%20Key%20Messages.pdf?sequence=1&isAllowed=y>.

50. To complement the Universal Declaration of Human Rights and respect bodies of water, civil society organizations have launched two initiatives, in 2020 and 2022, calling upon the United Nations to draft a universal declaration of river rights⁶ and a universal declaration of ocean rights.⁷

51. Member States are supported by institutions and organizations worldwide in promoting the recognition of the rights of Nature in policy.⁸ For example, on 25 May, the International Federation of Social Workers, at their general meeting, adopted a policy paper entitled “The role of social workers in advancing a new eco-social world”. In it, the Federation calls for expanding the existing Universal Declaration of Human Rights into a holistic rights framework that encompasses social human rights, cultural rights, ecosystem rights and the broader rights of Nature in order to combat the global crises of climate change and pandemics, by building a new “eco-social” world.⁹

52. Lastly, there has been a widening of the categories of natural entities with recognized rights, from ecosystems to plants and non-human animals. In recent years, mountains, highlands, glaciers, peaks and national parks have been recognized as legal persons. In some cases, Nature as a whole is recognized, for example, by declaring the rights of Mother Earth when recognizing indigenous peoples’ territories as subjects of rights or when declaring a municipality as a rights of Nature zone.

53. Of particular note is the activity concerning aquatic ecosystems, with bodies of water, such as rivers and their tributaries, seas, lakes, lagoons, natural springs, wetlands and coral reefs, being recognized as legal persons. The following section provides a brief analysis of four bodies of water to illustrate the important role that they have played in the rapidly developing area of Earth jurisprudence and the legal framework pertaining to the rights of Nature.

IV. Examples of the growing legal rights of rivers and other bodies of water

A. Atrato River (Colombia, 2016)

54. The Atrato River in Colombia flows through Chocó, one of the 10 most biodiverse regions of the world. Chocó is also home to five indigenous tribes and large Afrodescendent communities who rely on the river for transportation, trade, communication and cultural activities, among others. In November 2016, the human rights non-governmental organization (NGO) Tierra Digna filed a complaint with the Constitutional Court of Colombia on behalf of communities along the Atrato River.

55. The complaint alleged that the Government of Colombia had failed in its duty to protect the people from the harmful results of illegal mining operations polluting the river. The Court recognized the rights of both the people and the river. It called for the establishment of a commission of guardians of the river with shared responsibility between the Government and the ethnic communities of the Chocó region, and for the creation of an advisory team. Ultimately, 14 guardians were appointed.

56. Given the legal precedents established by the case, all rivers in Colombia that fulfil the same criteria as the Atrato River could be recognized as legal persons by a

⁶ www.rightsofrivers.org/.

⁷ www.theoceanrace.com/en/news/13061_The-Ocean-Race-launches-campaign-for-a-Universal-Declaration-of-Ocean-Rights.html.

⁸ <http://harmonywithnatureun.org/rightsOfNaturePolicies/>.

⁹ www.ifsw.org/the-role-of-social-workers-in-advancing-a-new-eco-social-world/.

tribunal. These criteria include the existence of a water source that is at risk of or in a state of contamination, an intrinsic relationship with the neighbouring community, and the biocultural rights of the river. The same criteria could be used by courts in other countries to protect rivers.

B. Whanganui River (New Zealand, 2017),

57. The Whanganui River is the third longest river in New Zealand. The Whanganui Iwi indigenous people hold a deep customary and spiritual connection with the river, and there has been a long-standing dispute over the Government's authority over the riverbed (while local authorities had control over the river itself).

58. In 2017, the passage of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 recognized the Whanganui or Te Awa Tupua as "an indivisible and living whole, comprising the Whanganui River from the mountains to the sea, incorporating all its physical and metaphysical elements". The Act also established Te Pou Tupua, two guardians, one appointed by the Iwi and one by the Crown, to jointly protect the river's interests, and created advisory and planning committees.

C. Magpie River (Canada, 2021)

59. In Canada, the Muteshekau Shipu or Magpie River flows through the eastern part of the province of Quebec and within Nitassinan, the traditional territory of the Innu people. It is considered one of the last wild rivers of Québec and a prime location for recreational activities. In the face of hydroelectric developments and plans to establish a dam on the river, twin local resolutions were adopted by the Minganie Regional County Municipality and by the Innu Council of Ekuanitshit. Both resolutions recognized nine rights belonging to the river: the right to live, exist and flow; the right to regeneration and restoration; the right to maintain its integrity; the right to respect its natural cycles; the right to evolve naturally, to be preserved and protected; the right to maintain its natural biodiversity; the right to perform essential functions within its ecosystem; the right to be free from pollution; and the right to take legal action.

60. The Magpie River will be represented by guardians, nominated by the Regional County Municipality and the Innu, who are authorized to undertake legal proceedings, demand reparations and receive and manage compensations on behalf of the river. Their responsibilities include monitoring the territory and development projects which could impact the river, educating the public and ensuring the conservation of the river.

D. Mar Menor (Spain, 2022)

61. Europe's largest saltwater lagoon, Mar Menor, in Murcia, Spain, is an important coastal ecosystem and popular tourist destination. After the lagoon's oxygen levels dropped dramatically in 2016 and 2021, leading to the death of thousands of fish, fears were heightened. Blooms of hair algae and drops in salinity, which threaten native species and open the door to invasive ones, are attributed to anthropogenic activity, such as phosphate and nitrate run-off from agricultural activity and the outflow of untreated water from desalination plants. Inadequate government responses prompted a citizen-led legislative initiative demanding that Mar Menor be granted legal personhood.

62. In early April 2022, the proposed law was approved for consideration by the Spanish Congress of Deputies. Following the issuance of a report from the Commission of Ecological Transition, on 13 July, the Congress of Deputies approved the law recognizing Mar Menor as a subject with rights, thus making it the first ecosystem in Europe with its own rights. The law would allow any citizen to seek legal relief on behalf of Mar Menor and establishes three distinct entities to act on behalf of Mar Menor: two tutors and legal representatives, a monitoring commission comprising guardians of the lagoon, and a scientific committee. The law will come into force in the coming months.

E. General analysis

63. These bodies of water share common elements. They are all being recognized as living entities with whom humans have a complementary relationship, rather than as objects to be exploited. Beyond the rights to engage in legal proceedings, each body of water has rights to the protection of its existence in its current state and to restoration when its equilibrium is violated.

64. Each case was a response to some present difficulty, including actual or potential environmental degradation. Moreover, the existing legal protections were inadequate to address the situation, leading to the adoption of a new ecocentric paradigm.

65. Each case is rooted in its own social and cultural context and each emerged in differing legal systems, ranging from systems of Romano-Germanic law (Colombia, Spain) to common law (New Zealand) to a mixed law system (Québec). Hence, the bodies of water were granted rights through different means: a judicial decision for the Atrato River, national legislation for the Whanganui River, local resolutions for the Magpie River and a citizen demand for legislation in the case of Mar Menor. In addition, a different level of protection was obtained in each case.

66. These efforts to protect waterways by recognizing their rights have spurred other efforts. For example, there are two bills in Canada to grant the Saint Lawrence River rights (one in the Federal Parliament and one in the provincial legislature of Québec). The bills propose the creation of a committee which would act as a guardian of the river.

67. All four cases illustrate the interdependence between human rights and the rights of Nature. The ruling on the Atrato River case denounces the violations of the plaintiff's right to live in a clean and ecologically balanced environment, as well as the right to water. Likewise, the resolutions on the Magpie River appeal to the rights of the people of Québec to environmental protection, as recognized in the provincial Environment Quality Act. The connection between the environment and human health was similarly emphasized in the proposed legislation on Mar Menor, which evoked prior rulings of the Supreme Court of Spain on the subject.

68. Moreover, each case illustrates the link between biocultural rights and the rights of Nature. Throughout history, rivers have been traditionally considered sacred living entities interconnected with other ecosystems, such as land and forests. Such reverence has been lost in much of modern society.

69. In the judgment on the Atrato River, the Court explicitly stated that it was borrowing the concept of biocultural rights from international law to face what it identified as the greatest challenge to contemporary Colombian constitutionalism: protecting Nature, as well as the cultures and life forms that depend upon her, in a manner conducive to the recognition of their intrinsic worth. Regarding the Whanganui River, the Te Awa Tupua Act 2017 is based on recognition of the long-lasting relationship between the Whanganui Iwi people and the Whanganui River,

and, while the law does not use the terminology of biocultural rights, the Act draws its language heavily from indigenous terminology. The Magpie River resolutions also makes an explicit link between the rights of Nature and the biocultural rights of the Innu Nation of Ekuanitshit.

70. The variety of legal approaches applied in recognizing the rights of rivers and other aquatic ecosystems is evident. They are, and should be, protected for their intrinsic value, regardless of economic utility to humankind. The recognition of their rights also supports the commitments made by Member States in the 2030 Agenda regarding the human right to safe drinking water and sanitation and the implementation of target 6.6 of the Sustainable Development Goals on clean water and sanitation, which aims to protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes.

V. Advances in ecological economics and movements to transform the neoliberal economic system

71. Two years into the COVID-19 pandemic, increased awareness and emerging policies leave no doubt that the current growth-insistent economic system must be replaced with ecological alternatives that nurture a harmonious human relationship with the natural world. Accordingly, Governments worldwide have committed to moving beyond gross domestic product (GDP) as the measure of economic health and to embrace new metrics of progress.

72. The dominant neoliberal economic system is linear, focusing solely on material growth while ignoring justice and failing to ensure equity. Predatory in nature, it feeds itself by relentlessly destroying the natural world. Water, now being commodified, is its latest prey.

73. On 7 December 2020, for the first time in history, a tradable water price futures index was launched on the NYSE Chicago stock exchange on the Nasdaq Veles California Water Index. To protect water for the good of all, the Special Rapporteur on the human rights to safe drinking water and sanitation proposed in his report, submitted to the General Assembly at its seventy-sixth session, the development of democratic water governance from a sustainable human-rights-based perspective and the implementation of participatory climate change adaptation strategies instead of promoting commodification and financial speculation associated with water (A/76/159).

74. On 26 April 2022, scientists announced that humanity's modification of the water cycle had pushed the world further beyond a safe operating space for continued life on Earth.¹⁰ A reassessment of the planetary boundary for fresh water now includes rainfall, soil moisture and evaporation – so-called green water – in addition to the world's rivers, lakes and groundwater.¹¹ A stark warning has been issued that the current global trends and trajectories of increasing water use, deforestation, land degradation, soil erosion, atmospheric pollution and climate change need to be promptly halted and reversed to increase the chances of remaining in the safe operating space.¹²

75. On a positive note, transformative actions are taking place at the national level alongside the emergence of strategies for a well-being economy. These include the

¹⁰ www.nature.com/natrevearthenviron/.

¹¹ Ibid.

¹² <https://news.mongabay.com/2022/04/freshwater-planetary-boundary-considerably-transgressed-new-research/>.

Wellbeing Economy Alliance¹³ launched in 2018. The Alliance is building momentum for an economic transformation that would allow economies to deliver shared well-being for people and the planet. Currently, the Governments of Finland, Iceland, Scotland, New Zealand and Wales have formed the Group of Wellbeing Economy Governments to support one another in building economies that put the well-being of people and the planet first.

76. During World Well-Being Week, 21–30 June 2021, Canada and sovereign Indigenous nations announced the launch of the latest Alliance hub.¹⁴

77. Most of the innovative approaches to designing policies to promote the well-being economy come from the global South. In the Plurinational State of Bolivia, for example, the “living well economy” strives to generate the conditions that make the existence of life possible without the pitfall of capitalist accumulation. This approach generates wealth, but that wealth does not accumulate in the hands of the few; rather, it is distributed among all who form the community of life. The living well economy promotes the development of plural economies (public, private, community and mixed) that complement one another and work together to strengthen communities to meet the needs of human beings and peoples in Harmony with Nature.

78. In Brazil, the Municipality of Florianópolis recognized the rights of Nature in a law which entered into force on 20 November 2019. As a result, local councillor, Mr. Abreu, established an agroecological mandate, bringing sustainable policies to the city which resulted in a considerable amount of legislation prohibiting the use and storage of pesticides, whether in agricultural production, livestock or natural resource management practices. The mandate guaranteed food security in the population and improved quality of life through the supply and consumption of healthier foods, thereby ensuring the human right to food. The mandate carries out effective measures based on the solidarity economy,¹⁵ in direct relation to the rights of Nature, seeking to guarantee Earth-centred principles and aimed at respecting the dignity of all forms of life.

79. In Colombia, the new government plan adopted in June 2022 by the newly elected President, Gustavo Petro, states that a new relationship between society and Nature will be developed in which the defence of life overrides the interests of accumulating economic capital. The new plan affirms that water will become the central axis of land governance and that protecting oceans, reefs, mangroves, mountain peaks, paramos, forests, rivers, wetlands and the whole ecosystem will be prioritized.

80. On 7 June, the Congress of Mexico City hosted the Second International Parliament for Mother Earth, organized by a member of parliamentarian association Green Alliance for the City, Jesús Sesma Suárez. Among the issues addressed were economic alternatives, such as the circular economy, and issues pertaining to the water supply. The outcome was a pact to promote successful local initiatives worldwide and the recognition and implementation of the rights of Nature to advance progress on the Sustainable Development Goals. A human rights defender and the Director of the Fundación Unidos por la Paz, la Justicia y el Medio Ambiente, Alfredo Rojas Díaz Durán, brought together more than 42 accredited ambassadors in Mexico for this common cause.

¹³ https://wellbeingeconomy.org/wp-content/uploads/Wellbeing-Economy-Policy-Design-Guide_Mar17_FINAL.pdf.

¹⁴ <https://weall.org/weall-can-new-wellbeing-economy-hub-launches-for-canada-and-sovereign-indigenous-nations>.

¹⁵ <https://neweconomy.net/solidarity-economy/#what-is-the-solidarity-economy>.

81. At the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held from 1 to 4 November in Glasgow, United Kingdom of Great Britain and Northern Ireland, India proposed a “one-word movement” which it called “lifestyle for environment”. Indian traditions, rituals, daily practices and numerous harvest festivals demonstrate the country’s strong bonds with Nature. The lifestyle for environment movement envisions replacing the mindless and wasteful consumption of the prevailing “use-and-dispose” economy, with a conscious and circular economy defined by mindful and deliberate utilization. The shift to resilient and sustainable lifestyles is required not only to deal with the current climate crisis but also to address unforeseen challenges, such as future pandemics, and to create the conditions for living in Harmony with Nature.

82. The second International Forum for Living Well, organized by the Economic Peace Chair of the Grenoble School of Management and the University of Grenoble Alpes, France, together with local authorities and several NGOs, was held from 29 June to 1 July 2022.¹⁶ A diverse group of stakeholders debated on the conditions for sustainable development and explored what it means to live a good life. The Forum addressed the essential question of capitalism and the various initiatives that have emerged to capture what it means to live a good life, from sustainable well-being, to *ubuntu*, *sumak kawsay*, *buen vivir* and social health,¹⁷ among others. The Forum analysed how these initiatives might accompany a radical transformation of the socioeconomic organization of societies, in order to ensure the shift from a paradigm of infinite growth to a paradigm of care.

83. Rethinking Economics¹⁸ is an international student-led network working to support change in economics education. The study of economics in universities can be narrow, uncritical and detached from the real world. There is no room for the critical discussion and debate that are essential for any student to engage with real-world economic problems. Founded in 2011 in the United Kingdom of Great Britain and Northern Ireland, the network empowers students to reform economics curricula, diversify and decolonize the discipline and build a community of economists focused on a sustainable future.¹⁹

84. The Secretary-General, in his address to the Major Economies Forum on Energy and Climate, held on 17 June 2022, emphasized that the current model of infinite growth in a world of finite physical resources will deliver a permanent triple shock of inflation, climate chaos and conflict. He also said that renewables are the peace plan of the twenty-first century.

85. An important trend is the growing support for the genuine progress indicator as a new and better metric for measuring economic performance and success.²⁰ On 30 July 2021, a United States Representative from Minnesota, Ilhan Omar, introduced legislation directing the Secretary of Commerce to establish a new genuine progress indicator metric for measuring economic performance, setting budget priorities and guiding policy. If the legislation is enacted, the genuine progress indicator will effectively replace GDP as the nation’s leading economic indicator, a reform long sought by politicians, economists and civil society.

¹⁶ <https://capbienvivre.org/forum-bien-vivre/international-forum-for-well-being-2022/>.

¹⁷ www.who.int/health-topics/social-determinants-of-health#tab=tab_1.

¹⁸ www.rethinkeconomics.org/about/.

¹⁹ Ibid.

²⁰ See A/75/266, para. 21.

86. According to the President and Senior Economist of the Center for Sustainable Economy, John Talberth, one of the architects and proponents of the genuine progress indicator:

What's measured matters, and for too long the US has been measuring economic performance in a way that masks the staggering costs of inequality, crumbling infrastructure, declining health, vanishing ecosystems and rapid climate change. We've been pursuing growth for its own sake without asking "growth in what, for whom, and at what cost?" Instead of registering all growth as positive, the GPI can help identify what sectors need to grow to bring quality of life improvements for all and what sectors need to shrink or be replaced because the toll they exact on the rest of the economy is far too great.²¹

87. In 2021, acknowledging the limitations of GDP as the sole indicator of societal progress and well-being, the United Nations System Chief Executives Board for Coordination (CEB) considered the potential impact that metrics beyond GDP can have in tracking and achieving an equitable, inclusive recovery from the COVID-19 pandemic and implementing the 2030 Agenda. In 2022, at the request of CEB, the High-level Committee on Programmes will seek to develop a United Nations system-wide contribution to move beyond GDP. It is expected to include an analysis and propose recommendations based on data, policy coherence and capacity development in support of Member States' implementation of the 2030 Agenda.²²

88. On 17 January, the Secretary-General, speaking at the World Economic Forum, stated that we need to reform the global financial system so that it can work for all countries without being biased, and that we need a global financial system that is fit for purpose.²³

89. The Alternative Economies for Transformation programme of the United Nations Research Institute for Social Development (UNRISD) works to promote the understanding of and engagement in processes of developing alternative economic models that are viable, egalitarian and ecologically sound – in other words, economic activities and relations that prioritize social and environmental objectives and are guided by the principles and practices of cooperation, self-help, solidarity, democratic self-management and human rights.²⁴ UNRISD and the International Federation of Social Workers, an association of social professionals with links to every community globally, launched a summit on the theme "Co-building a new eco-social world: leaving no one behind", held from 29 June to 2 July. The outcome was a people's charter, which served to affirm that the rights of the oceans, sky, rivers, animals, plants and land are interlinked with the rights and responsibilities of people, and that respect for the global ecosystem and the regeneration of Nature is essential for a balanced eco-social world to protect mutual sustainability.²⁵ The charter included a path forward for ecological integrity, which calls for a shift from exploitation to recognition of the rights of Nature for sustainable coexistence,²⁶ and for economic reform, which calls for a shift from the measuring of economies by profit to the sustainable well-being of societies.²⁷

²¹ <https://irp.cdn-website.com/0358d1eb/files/uploaded/GPI%20Press%20Release%207-30.pdf>.

²² See E/2022/13, paras. 16–19.

²³ www.un.org/sg/en/content/sg/statement/2022-01-17/secretary-generals-remarks-the-world-economic-forum-delivered.

²⁴ <https://cdn.unrisd.org/assets/research/programme-areas/prospectus/ae4t-a5-prospectus-unrisd-programme.pdf>.

²⁵ <https://newecosocialworld.com/the-peoples-charter-for-an-eco-social-world/>.

²⁶ Ibid.

²⁷ Ibid.

90. “Degrowth” is another area of ecological economics which similarly calls for a different kind of economy. As explained by a Professor at the Institute for Environmental Science and Technology at the Autonomous University of Barcelona, Spain, Jason Hickel,

Ultimately, bringing our civilization back within planetary boundaries is going to require that we liberate ourselves from our dependence on economic growth – starting with rich nations ... Ending growth doesn’t mean shutting down economic activity – it simply means that next year we can’t produce and consume more than we are doing this year. It might also mean shrinking certain sectors that are particularly damaging to our ecology and that are unnecessary for human flourishing, such as advertising, commuting, and single-use products.²⁸

91. Recent notable discussions on degrowth include an international conference on the theme “Building alternative livelihoods in times of ecological and political crisis”, held online from 5 to 8 July 2021 by international degrowth research networks, the International Society for Ecological Economics and the European Society for Ecological Economics. Also, on the occasion of the Stockholm+50 commemoration, a recommendation of a leadership dialogue recognized urgent calls for all actors to consider planetary boundaries, the need to recognize and protect global goods, and the possibility of degrowth.

92. At the twenty-sixth session of the Conference of the Parties, Parties established the Glasgow Committee on Non-market Approaches, providing Parties with opportunities for non-market-based cooperation to implement mitigation and adaptation actions in their nationally determined contributions. It responds to article 6.8 of the Paris Agreement recognizing the importance of non-market approaches in international cooperation on climate change mitigation and adaptation in a variety of fields. At the fifty-sixth session of the Subsidiary Body for Scientific and Technological Advice, held in Bonn, Germany, from 6 to 16 June, a work programme was adopted, and further work regarding its implementation will continue in the coming years.²⁹

93. An assessment report on the diverse values and valuation of Nature adopted by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services held in Bonn from 3 to 9 July acknowledged that the predominant focus on supporting short-term profit and economic growth typically relies on macroeconomic indicators, such as GDP, greatly overlooking the non-market values associated with Nature’s contributions to people.

94. There is no doubt that Earth-centred economics must be addressed with courage and conviction as the many stressors on planetary health continue to grow. As Ms. Raworth explained, “Once we accept the economy’s inherent complexity, we can shape its ever-evolving dynamics through smart stewardship. That opens up the possibility of turning today’s divisive and degenerative economies into ones that are distributive and regenerative by design. It invites us to overcome our addiction to growth and consumption, creating economies that enable us to thrive, whether or not they grow”.³⁰

²⁸ Jason Hickel, “Why growth can’t be green”, *Foreign Policy*, 12 September 2018.

²⁹ <https://unfccc.int/sites/default/files/resource/DT.SBSTA56.i14.2.pdf>.

³⁰ Kate Raworth, *Doughnut Economics: Seven Ways to Think Like a 21st-Century Economist* (n.p., Cornerstone Digital, 2017).

VI. Conclusion

95. Current economic and social indicators are signalling harder times ahead, together with the climatic consequences of anthropogenic activity, such as heatwaves and floods, food scarcity, conflict and human displacement, among the many other stressors from which countries are suffering. Now, more than ever, we need to come together as a community and embrace being members of one Earth community. Perhaps one day, we will look back at present exploitative human-Nature relationships with the same sense of disgust that most people feel today about the brutal history of slavery and colonization.³¹

96. The President of the Plurinational State of Bolivia has called for a group of friends of Harmony with Nature, and the Vice-President called upon the United Nations to urgently convene an Earth assembly.³² Mexico is spearheading the International Parliament for Mother Earth, while India has launched a global “lifestyle for environment” movement. Iceland, New Zealand, Finland, Scotland and Wales have formed the Wellbeing Economy Alliance. A growing number of States and institutions have recognized Nature as a subject of rights and are adopting ecological economics for a sustainable, equitable and prosperous future for all. These and other examples addressed in the present report demonstrate that there are people and institutions with the expertise to co-create a regenerative future and a new Earth-centred narrative, and many Member States that have shown a commitment to doing so.

97. For too long, Nature has been fragmented, compartmentalized and objectified. The time has come to rectify that historical error and recognize Nature as the foundation of human history, instead of acting under the illusion that societies exist in separation from the natural world. In law and economics, as outlined in the present report, there are hopeful budding Earth-centred approaches and a new narrative for Mother Earth, but the stressors affecting planetary and human health and well-being demand greater attention and action.

98. The urgency of the situation is driving a change in pace. Commitments are being expressed and conversations are being held worldwide with regard to living in Harmony with Nature, and the time has come for the United Nations to bring those voices and initiatives together in one place and let Mother Earth take centre stage. The General Assembly has a responsibility to lead by example and to facilitate greater global collaboration among academia, schools, students, scientists, scholars, organizations, alliances, movements, civil society organizations, indigenous peoples, faith-based organizations, and individuals, who are already transforming the law and the economy to deliver well-being for all the humans and non-humans on the planet.

³¹ www.sciencedirect.com/science/article/pii/S0921800921000963.

³² www.comunicacion.gob.bo/?q=20210604/32696.