



Earth Advocacy Youth

# Contribution to GYBN's European and Global Youth Position Papers

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## YEA's Terminology

### Earth Jurisprudence

Earth Jurisprudence is a philosophy and practice of law and human governance that recognizes that the Earth is embedded in a complex system that governs the very web of life. Humans are one member of a wider community of living beings, and the well-being and welfare of each member of that biodiverse community is dependent on the well-being and welfare of the planet as a whole. Earth uniquely sustains life as we know it through a complex system of living processes and laws, as a self-regulating planetary organism. All Earth's living systems and entities (humans included) are inextricably subject to these laws and processes. Earth Jurisprudence makes it possible for ecologically aware legal and governance systems to emerge. To achieve this, fundamental changes in discourses of power are crucial along with a diversity of insights, cultures and worldviews. Shifting perceptions about our role on this planet, and deepening our relationships to the rest of the Earth is an essential part of this transformation.

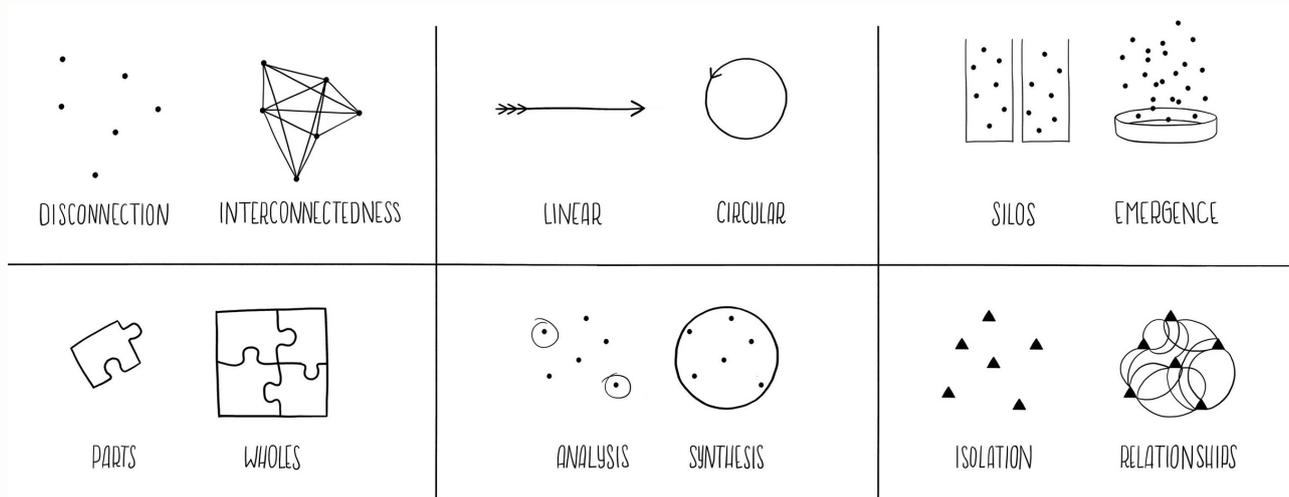
### Rights of Nature

Rights of Nature is a branch within Earth Jurisprudence, and is a legal tool which implements the intrinsic legal rights of ecosystems to exist, thrive, evolve, regenerate, and continue their vital cycles. It enables the Earth community to claim the protection of those rights in human courts of law. The Rights of Nature advances a new worldview, respecting the aliveness, interconnectedness and uniqueness of all living beings. The Rights of Nature has gained traction in legal systems all over the world.

### Living Systems

"Every living organism, from the smallest bacterium to all the varieties of plants and animals, including humans, is a living system. Second, the parts of living systems are themselves living systems. A leaf is a living system. A muscle is a living system. Every cell in our bodies is a living system. Third, communities of organisms, including both ecosystems and human social systems such as families, schools, and other human communities, are living systems." - Fritjof Capra

### System thinking (image [source](#))





## 1. Thinking of “Nature” as Living Systems

Nowadays, thinking in terms of [complex systems](#) is at the forefront of science, but this way of thinking has still not taken hold in our global community and mainstream culture. Only when we understand the non-linear and network-based character of living systems, will we be able to understand how to use systems thinking in our work for the Earth system and in movement-building.

Nature is the web of life composed of interactive and reciprocal relationships which connects every organism on Earth into one planetary and complex interdependent ecosystem. Nature is not a mere object or a series of objects, but a process of crisscrossing relationships which exist and interact with each other in symbiosis. For example, Nature is not only the forest. Nature is all the processes of reciprocal relationships that exist within the forest. Nature is not only the river. Nature is the symbiotic processes and interconnectedness between all animals, microorganisms, plants, insects and streams of water which exist in and close to the river. To properly protect these living systems, we need to first understand their intrinsicity and explore how to achieve a shift through which we may perceive the planet holistically.

## 2. “What do you think are the top priorities for the conservation and sustainable use of Nature in the next 10–30 years?”

- Speedy phase-out of practices which disrupt living systems instead of allowing them to live, exist, regenerate their biocapacity and to continue their vital cycles and processes free from disruptions such as contamination, pollution and waste.
- A shift from legal objectivity and commodification of living systems (the “natural resource” narrative) to legal subjectivity and consideration of their well-being for the sake of their own existence and regeneration (the “living systems” narrative).

## 3. “What are the biggest obstacles/challenges to the vision of living in harmony with Nature by 2050?”

In many countries and human cultures around the world, non-human living systems and entities are seen as human-owned objects whose reason for existence is to be commodified, exploited and used for human benefit and economic profit. This is today’s dominant narrative and permeates almost all spaces in which economic power is fostered and decision-making occurs. A pillar within this narrative is how “Nature” is often spoken about, through an insidious lens of a dichotomy that separates “human” from “Nature” and, arrogantly enough, states that humans are superior.

This is concerning because by maintaining this dichotomy in governance systems built upon anthropocentric violence against other life on Earth, humanity is contributing to the irreversible collapse of countless ecosystems. Additionally, today’s dominant narrative expresses and confirms a human authority which defies the natural laws that govern the planet’s living systems. These destructive structures only benefit the few, jeopardize the rights to life, dignity and respect of the many, and unmercifully destroys the preconditions for life.



#### 4. “What are you expecting from decision-makers regarding the Post-2020 Global Biodiversity framework (and the related EU biodiversity strategy)?”

**What we expect decision-makers to address and incorporate into the Post-2020 Global Biodiversity Framework:**

- All living systems must have a formal voice within international treaty bodies

Non-human living systems are currently represented only indirectly within the CBD, such as through civil society groups that speak for a variety of interests related to these living systems. By promoting the Rights of Nature in the Post-2020 Global Biodiversity Framework, ecosystems themselves can have a formal role within the CBD. Rights of Nature can be given effect, such as through legal guardianship bodies that act on behalf of the rights and interests of Earth’s biologically diverse systems. Such a guardianship body should be explored in the context of the CBD, along with other bold ways of recognizing their voices in current systems of law and governance.

- Including an Earth-centered approach within the Post-2020 Global Biodiversity Framework will help realize the shared vision of living in balance with the rest of Earth’s living systems by 2050

The Post-2020 Global Biodiversity Framework should set out an ambitious plan to implement broad action to bring about a transformation in the ways human societies interact with and form an intrinsic part of biodiversity. Recognizing the Rights of Nature entails responsibilities for humans towards other living systems and entities based on their inherent rights. This approach will enable a balance to be reestablished between the different interests within the Earth system, leading to holistic and more effective approaches to sustainability apart from unrealistic economic growth.

The theory of change of the Post-2020 Framework already acknowledges that it “will be implemented taking a rights-based approach” To successfully meet its 2050 goals, this approach must actively promote and implement Earth-centered solutions. Additionally, although Rights of Nature is increasingly recognized within individual countries and promoted within the United Nations and the IUCN, no international treaty body has explicitly supported the Rights of Nature so far. In doing so, the CBD provides a unique opportunity to transform legal and governance structures at international level while inspiring other treaty bodies to do the same.

#### 5. How Earth Jurisprudence Supports the Post-2020 Targets

**Implementing Earth-centered solutions, both through the CBD and within the legal systems of its Parties, supports the Post-2020 targets by:**

- Breaking the false dichotomy fueling the idea that “Nature” is separate from and inferior to humans.
- Asserting the responsibilities of humans towards the rest of the natural world, and holding humans who violate the rights of non-human living systems accountable.



- Educating influential stakeholders around the fundamental root causes of ecocide in order to protect and restore biodiversity.
- Actively including Indigenous Peoples into policy-drafting, and elevating their diverse and multifaceted ancestral knowledge.

**Parties to the CBD can promote Earth Jurisprudence by taking the following actions:**

- Convening workshops, training and other programs to educate and support lawyers, judges, policy-makers and others interested in advancing Earth-centered initiatives to permanently protect biodiversity.
- Promoting and financing Earth-centered pilot projects that protect and restore biodiversity.
- Formally adopting Rights of Nature in national law, for example by adopting the principles of the Universal Declaration of the Rights of Mother Earth as law.
- Supporting the legal recognition of [Ecocide as an international crime](#).

**Looking forward to further collaboration,**



## **Earth Advocacy Youth**

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