

BRINGING LAW BACK TO EARTH

Exploring the Potential Impacts of the Rights of Nature Movement on the Human Rights Field

April 2023



Contents

1	Introduction	1
2	Rights of Nature Overview	2
3	Exploratory Roundtables	6
4	Emerging Themes	8
A	<i>“Greening” the human rights framework</i>	9
B	<i>Strengthening human rights litigation, advocacy and monitoring strategies</i>	12
C	<i>Fostering participatory legal processes</i>	16
D	<i>Connecting analysis, place and embodied practices</i>	18
E	<i>Expanding perspectives across – and of – time</i>	20
F	<i>Envisioning transformative ways of living together</i>	23
5	Conclusion	25

1. INTRODUCTION

Around the world, rivers, mountains, forests, lakes and other natural entities are being recognised as rights-holders or being granted ‘legal personhood’, providing a guaranteed ‘voice at the table’ in relation to decisions and activities impacting their interests and ability to flourish fully. These developments represent ancient knowledge, innovative practice and a significant shift within many formal legal systems. They also reflect and call forward deeper transformations across societies, grounded in an understanding that humans are only one of many forms of life on Earth and are inextricably and dynamically entangled with, rather than separate to, the more-than-human world.

The phrase ‘more-than-human’ was popularised by ecologist and philosopher David Abram to reference the complex web of life on the planet and to offer a more expansive, less anthropocentric description than ‘non-human’.

The ‘rights of nature’ movement is particularly important in light of the escalating climate, biosphere and pollution emergencies, associated human rights violations, exponential technological change and other unfolding conditions. These shared global challenges require an urgent revisiting – in all countries and across every discipline – of our existing systems and practices. Over the longer term, they also invite exploration into possible ways to shape and evolve our societies to enable appropriate adaptations and ecosystem regeneration and to ensure we avoid falling into similar patterns of destruction, exploitation or mechanistic approaches to our environments that led to our current instability.

There is now a considerable set of existing case studies, as well as comparative experiences and ongoing legal efforts to learn from and build upon, as part of this process. Attention is also turning to the potential impacts of the rights of nature movement on other legal areas, as part of a broader enquiry into the purpose, content and practice of law and the role it plays, or could play, in supporting positive outcomes across timespans, geographical areas, and for both human and more-than-human communities. This report contributes to this conversation by sharing the initial reflections, ideas and questions from a ‘Rights of Nature in Practice’ roundtable series, held in the UK in late 2022 and early 2023 to explore the potential impacts and cross-fertilisation of case law, principles and practices from the rights of nature movement to the human rights field. This series brought together lawyers, academics and other practitioners, with a focus on those working on children’s rights, corporate accountability and economic, social and cultural rights.

To set the context for the report, **Part 2** provides a brief review of the rights of nature global legal movement and its connection to a broader Earth jurisprudence philosophy. **Part 3** outlines the purpose and methodology of the roundtable series. A discussion of the emerging themes from the conversations is shared in **Part 4**, which include: “greening” the human rights framework; strengthening human rights strategies; fostering participatory legal processes; connecting analysis, place and embodied practices; expanding perspectives across – and of – time; and envisioning transformative ways of living together.

2. RIGHTS OF NATURE OVERVIEW

To provide the context in which the ‘Rights of Nature in Practice’ roundtable series and related dialogues took place, this section sets out a brief overview of the global rights of nature legal movement at this point in time, and its relationship with Earth jurisprudence.

What are rights of nature?

In countries around the world, rivers, mountains, forests and other ecological entities are increasingly being recognised as active subjects within the law, whether as ‘rights-holders’ or through the concept of environmental or ecological ‘legal personhood’.¹ This represents a significant shift from the dominant anthropocentric framing of such entities as mere objects or resources to be extracted, owned or exploited by humans. Instead, this form of law understands the natural world as a co-evolving, interconnected system made up of many forms of life in dynamic relationship with each other, encompassing both human and the more-than-human, each with its own intrinsic value.

To date, there are close to 400 recorded initiatives – new laws, regulations and practices – established in over 40 countries, with growing numbers of organisations and communities working on legal and advocacy strategies to secure additional rights recognition and to implement the rights of nature that have already been recognised.²

It is a movement attracting considerable interest, giving rise to a growing body of academic research,³ encouraging a transformation of legal and inter-disciplinary studies,⁴ and sparking imagination and action regarding tangible alternatives to the dominant legal systems of the past few centuries.

For an overview of global developments, see Anima Mundi Law Initiative’s [mappings and legal case studies](#) on key rights of nature developments, and for tracking of global ecological legal initiatives (including, but not limited to, rights of nature, animal rights, ecocide, Earth trusteeship, the protection of sacred natural sites, ecological civilisation, Earth democracy, Earth system governance, planetary boundaries, and various Indigenous models that are consistent with the principles of ecological jurisprudence) see the [EcoJurisprudence Monitor](#).

¹ While acknowledging that communities differ in terms of their emphasis on rights, responsibilities and the appropriateness of attempting to reflect Earth-based cosmovisions within narrow legal terminology, the phrase ‘rights of nature’ is used as a general term in this report to encompass a broad set of legal developments focused on a non-anthropocentric approach to the law, aligned with Earth Jurisprudence philosophy.

² For further information and links to organisations around the world working on rights of nature, see, for example: the [Global Alliance on the Rights of Nature](#) (GARN); and the [Ecological Law and Governance Association](#) (ELGA).

³ See, for example: Craig M. Kauffman and Pamela L. Martin, *The Politics of Rights of Nature: Strategies for Building a More Sustainable Future* (2021) The MIT Press; and Jérémie Gilbert, Neil Williams and Anne Robertson, *The future of the Rights of Nature; an interdisciplinary scoping analysis* (2022).

⁴ See, for example: Diana Clement, [Tikanga becomes compulsory for law students](#) (14 May 2021); and the [Earth Rights Advocacy Clinic](#).

What do rights of nature look like in practice?

While the exact form of legal recognition of ecological entities varies around the world, as specific to local contexts, a considerable set of case studies now exists from which to draw out themes and trends across jurisdictions.⁵ As a brief overview, such analysis offers information regarding:

- ❖ **Which ecological entities have had rights recognised?** Some jurisdictions have recognised the rights of, or the legal personhood of, ‘Nature’, ‘Mother Earth’, ‘Pacha Mama’ generally and then applied such protection to more specific components of the natural world over time. For example, [Ecuador](#) recognised rights of nature in its revised Constitution in 2008, which have been interpreted subsequently in a series of cases in relation to specific rivers, forests, mangroves, water, soil, certain animal species, migratory paths and so on. In other jurisdictions, rights or legal personhood have been recognised in connection with named rivers, lakes, lagoons, mountains, mangrove system and other bioregions. For example, in 2017 New Zealand enacted legislation to grant legal personhood to the [Whanganui river](#), described as “an indivisible and living whole...from the mountains to the sea, incorporating all its physical and metaphysical elements”.
- ❖ **Which specific rights have been recognised?** While rights of nature are sometimes misconstrued as an attempt to simply transfer human rights to the environment, it can be more helpful to think about these legal developments in terms of a river having ‘river rights’, a forest having ‘forest rights’, and so on, elaborated as relevant to the local context. The rights to ‘exist’, ‘regenerate’ and ‘evolve’ are commonly recognised, while sometimes formulations in jurisdictions are further delineated. For example, Bolivia’s 2010 [Law of the Rights of Mother Earth](#) detailed rights including the rights of Earth to life, to the diversity of life, to water, to clean air, to equilibrium, to restoration and to pollution-free living.
- ❖ **How does rights of nature recognition come about?** Case studies from around the world demonstrate that there are many avenues leading to the formal recognition of rights of nature. These are highly contextual and influenced by, among other factors, the motivations of those involved, the relevant historical, spiritual and cultural context, and the opportunities available or initiated to secure such legal protections. In terms of inspiration for collective action, communities have sought to, among other (often overlapping) aims: address environmental emergencies, ongoing damage and emerging ecological challenges; improve human health and well-being and the realisation of human rights; amplify legal plurality and secure formal codification of Indigenous rights or other place-based laws and perspectives in national legal systems; name and challenge harms associated with the current dominant development models, economic systems and corporate practices which privilege profit over well-being; or settle ongoing land-related disputes and reach agreement regarding relationship with land.

⁵ For more detailed commentary on the global rights of nature legal movement, see: Anima Mundi Law Initiative, [Rights of Nature in Practice. Lessons from an emerging global movement](#) (2021).

Openings to advance rights of nature have included, for example: the revision or drafting of new Constitutions or laws (such as in [Uganda](#)), particularly where these involve public processes to allow citizens' initiatives to suggest new laws and participatory processes to crowdsource or shape potential provisions (for example, as happened in [Mexico City](#)); shifting political landscapes as new governments take power and seek to reflect current interests of the population; and opportunities for strategic litigation to encourage courts to consider international and comparative caselaw regarding rights of nature developments in other jurisdictions and to issue innovative orders to remedy the challenges raised in the case.

- ❖ **Who speaks for and acts on behalf of nature?** Once rights of nature or the legal personhood of natural entities is recognised in legal systems, these rights must be enforced in practice. Case studies reveal different approaches around the world as to who is appointed to act on behalf of the ecological rights-holder and represent their interests in decision-making processes and/or when disputes arise. In some places, such as [Colombia](#) and [New Zealand](#), comprehensive guardianship mechanisms have been established, involving nominated representatives to be the human voice of the river or forest, supported by advisory and strategy groups and others with place-based, scientific or other relevant knowledge to contribute to rights realisation. These processes also require the public development of longer-term management plans and specify the values to be considered in any decisions affecting the ecological rights-holder. In other places, specific government officials or organisations have been appointed to take on similar roles, such as in [India](#) and [Bangladesh](#), or the relevant law has clarified that named groups or in some places any person can go to court to enforce the rights of nature.
- ❖ **Which other factors support rights of nature recognition?** The establishment and practical implementation of rights of nature can be complicated and involve considerable time and resources. Measures taken in different parts of the world to provide a supportive environment for rights of nature have included, for example: targeted court orders to prevent ongoing environmental damage, undertake baseline studies to determine the ecological states of bioregions, or commence ecosystem restoration steps; the strengthening or creation of formal institutions to take responsibility for or to support the realisation of rights; dedicated funding to facilitate guardianship mechanisms or related operational processes; and education within schools or in public arenas to raise awareness of ecological challenges and to transform the human relationship with place over the longer-term.

Rights of Nature as part of Earth Jurisprudence

As outlined above, rights of nature initiatives are legal avenues through which to position nature or natural entities as active legal subjects. This contrasts with their depiction within current dominant legal framework as passive objects, grounded in anthropocentric assumptions of a separation between humans and the rest of the natural world.

As described by scholar and cultural historian Thomas Berry, "[t]he universe is not a collection of objects but a communion of subjects."

In turn, this legal approach contributes to a broader ‘Earth jurisprudence’ or ‘Earth Law’ philosophy.⁶ This asserts that there is an inherent order to the planet and universe that maintains a ‘web of life’ and creates the conditions for life as a constantly evolving process, and that all elements of nature – human and more-than-human – are essential to this flow and inextricably interconnected with each other in dynamic relationship. While we can change our human laws and continue to attempt to control nature, it is not possible to change the ‘laws of nature’ and therefore ultimately necessary to align our human laws with this reality.

This philosophy reflects an Earth-centred understanding of life that Indigenous and many other communities around the world have preserved across human history, as derived from deep relationship with, observation and understanding of place and the ecosystems in which humans are embedded. Today, this sense of the entangled or ‘one world’ reality is being extended to wider circles of people through both direct experience or the witnessing of the significant physical manifestations of the climate, biosphere and pollution crises. Similarly, developments across the sciences and disciplines such as health, geology, linguistics, psychology and agriculture, among others, are providing complementary affirmation of an interwoven world and the myriad forms of intelligence that exist.⁷

The rights of nature movement therefore represents not an end in itself but rather a stepping stone or invitation into revisiting the role that law and legal practice can play in contributing to dialogue, practice and collective action – across interdisciplinary spheres and lived experiences – to advance ways of living together that align with planetary realities.

*In 2009, the United Nations General Assembly – the primary forum for governments to engage in international discussions and collective policy-making – proclaimed 22 April as International Mother Earth Day. Since that time, the **UN Harmony with Nature program** has facilitated ongoing international exchanges focused on Earth jurisprudence, including through [annual dialogues](#) and [perspectives and analysis](#) from practitioners working in fields including: law; economics; education; holistic sciences; humanities; philosophy and ethics; arts, media and design; and theology and spirituality.*

⁶ For more information see, for example: www.gaiafoundation.org/earth-jurisprudence.

⁷ For interesting discussions across different disciplines see, for example: David Abram, *The Spell of the Sensuous: Perception and Language in a More-Than-Human World* (1997: Vintage); James Bridle, *Ways of Being: Beyond Human Intelligence* (2022: Allen Lane); Dacher Keltner, *Awe: The Transformative Power of Everyday Wonder* (2023: Allen Lane); Tom Oliver, *The Self-Delusion: The Surprising Science of How We Are Connected and Why That Matters* (2020: Weidenfeld & Nicolson); Kate Raworth, *Doughnut Economics: Seven Ways to Think Like a 21st-Century Economist* (2017: Random House Business); Merlin Sheldrake, *Entangled Life: How Fungi Make Our Worlds, Change Our Minds, and Shape Our Futures* (2021: Vintage); Suzanne Simard, *Finding the Mother Tree: Uncovering the Wisdom and Intelligence of the Forest* (2021: Allen Lane); and Robin Wall Kimmerer, *Braiding Sweetgrass. Indigenous Wisdom, Scientific Knowledge and the Teachings of Plants* (2020: Penguin).

3. EXPLORATORY ROUNDTABLES

As noted above, a substantial set of rights of nature case studies and related commentary now exists to learn from, as well as continuing efforts to secure further rights recognition for diverse ecological entities across all regions. As the rights of nature movement sparks interest around the world, there is growing interest in considering how these legal developments – and the corresponding paradigm shift in terms of our evolving human relationship with the more-than-human world – could impact other legal areas and the practice of law more generally.

To advance such exploration, the Anima Mundi Law Initiative held a number of ‘Rights of Nature in Practice’ roundtables in late 2022, as a series of gatherings which brought together lawyers and other practitioners interested in learning more about the emerging global rights of nature movement and discussing how its key principles, jurisprudence and practices could potentially be applied to other areas of the law. The roundtable series was complemented by additional dialogues, in person and online, in early 2023 to widen the circle of perspectives and input into this topic. Participants in the roundtables and dialogues included lawyers, regional human rights committee members, child rights commissioners, advocates and academics, working primarily in the fields of human rights (with a focus on economic, social and cultural rights), children’s human rights and corporate accountability.

Purpose of the dialogues

The roundtables and conversations were developed to provide spaces to:

- ❖ **LEARN** about the rights of nature movement to date, including the variety, extent and impacts of key legal developments and themes across jurisdictions
- ❖ **EXPLORE** how other legal areas might be strengthened and evolved in harmony with nature, by cross-fertilising cases, principles and practices from the rights of nature movement to ongoing legal activities – looking in particular at the potential implications for the interpretation of human rights, the development of effective litigation and advocacy strategies, and the practice of law in participatory and innovative ways
- ❖ **FOSTER CONNECTIONS** amongst those with an interest in this area, to deepen shared analysis of an emerging legal field and to kindle continuing conversations, relationships and collaborations
- ❖ **SHARE FINDINGS** from the dialogues, as related to both methodology and findings, to contribute to the rights of nature movement and the evolution of law more broadly, and to encourage similar explorations in other jurisdictions, as amended to local contexts

Methodology

Human rights, children's rights and corporate accountability were selected as focus areas for several reasons. These include a cross-cutting commitment by practitioners in these fields to address significant and systemic human rights violations and environmental harms (albeit from slightly different perspectives), a recognition of the injustices connected with the current dominant economic systems and corporate practices, and a shared sense of urgency by regarding the 'triple planetary threat' connected with the escalating climate, biosphere and pollution crises.

Each roundtable began with an overview and brief discussion of the current state of the rights of nature movement, covering the philosophy, key principles, case law and cross-cutting themes emerging from jurisdictions around the world. Participants were then asked to consider the guiding question: "How can the rights of nature framework strengthen, amplify or evolve our [human rights/child rights/corporate accountability] work?" (as appropriate to the focus of the roundtable).

Individual responses, captured on cards, were then fixed to a collective 'sticky wall' to create a shared visual representation of emerging questions, ideas and reflections. This provided a basis for more detailed discussions in the second part of each roundtable regarding the potential impacts of rights of nature on other legal areas, and to support the identification of emerging links or groupings across cards. The sessions concluded with observations from each participant as to where they could see specific openings or opportunities, within their workplace or beyond, to apply principles, case law or practices from the rights of nature field.

Of central importance to the dialogues was the fostering of a sense of place and openness to sensory experience and forms of knowledge. Venues for the roundtables were selected to invite participants into spaces which contrast with the usual office or boardroom environments lawyers usually work in, such as a children's educational centre situated in a community biodiversity garden and a historical London building which hosts an art workers' guild. Each roundtable began with a guided meditation to connect participants with both the area in which they found themselves and to link back to other places from their childhoods which held special meanings for them, as locations where they felt in deep relationship with the Earth, where 'time disappeared', or which otherwise evoked feelings of awe, wonder or joy. Sharing the memories that had been revealed through these practices, as part of introductory circles, served to anchor participants in the embodied sense of why they feel it is important to engage in these collective discussions and actions in harmony with nature.

For similar reasons, the one-on-one conversations took place in various outdoor locations including forests, parks, during 'right to roam' demonstrations, and along urban canal towpaths, to connect analytical discussions with physical bioregions and experiences.

4. EMERGING THEMES

Set out in this section is an overview of the diverse reflections, ideas and questions emerging through the roundtable series and related dialogues, as participants considered what it meant to borrow or apply lessons from rights of nature-related case law, principles and practices to evolve, strengthen or amplify their human rights work. These are discussed under the following interrelated themes:

- A. **“Greening” the human rights framework.** The human right to a healthy environment; revisiting the human rights framework generally through an interconnection lens.
- B. **Strengthening human rights litigation, advocacy and monitoring strategies.** Strengthening strategic litigation and advocacy; exploring corporate accountability through a rights of nature lens.
- C. **Fostering participatory legal processes.** Ensuring nature has a ‘seat at the table’; bringing additional (human) voices into human rights.
- D. **Connecting analysis, place and embodied practices.** Grounding human rights in place and community; complementing traditional legal analysis with embodied sense-making of the world.
- E. **Expanding perspectives across – and of – time.** Understanding the human experience as part of the planetary experience; an ecological entry point into conversations about future generations; and rethinking our conception of time(s).
- F. **Envisioning transformative ways of living together.** Rethinking the purpose of law; rethinking what it means to be human.

A note on the emerging themes: It should be emphasised that these themes represent a snapshot in time, as related to participants’ areas of expertise, specific interests, locations and lived experiences. Rather than attempting to suggest a comprehensive or definitive resolution of the enquiry into the potential cross-fertilisation between rights of nature and the human rights field, these are shared as an open invitation into a continued, expansive exploration of the evolution of law and legal practice, which requires many more voices across diverse perspectives.

A note on quotations: please note that the quotations included below capture ideas and statements shared by individual participants but have not been attributed specifically (unless otherwise noted); this reflects the aim during the dialogues to encourage those involved to share their reflections as freely as possible.

A. “Greening” the human rights framework

“It is a paradox – but to fully realise human rights, we have to think beyond human rights.”

CONTEXT: Under the international human rights framework, every human in the world has inherent rights and freedoms, encompassing civil, cultural, economic, political and social rights. These are supported by cross-cutting principles and associated obligations related to non-discrimination and equality, participation, transparency, accountability and international cooperation and assistance. Human rights are universal (meaning every person is equally entitled to human rights), inalienable (meaning they cannot be taken away and that any restrictions are applied only in specific situations and according to due process), and indivisible and interdependent (meaning that the enjoyment of any one human right depends on the enjoyment of all human rights).

Through their ratification of various international human rights treaties, States (as ‘duty-bearers’) have agreed to respect, protect and fulfil the human rights of every individual (as ‘rights-holders’) in their jurisdiction.⁸ Where human rights violations, or human rights abuses by non-State actors such as corporations, do occur, governments have an obligation to ensure that effective remedies are available through court or administrative actions. These might include adequate compensation, restitution, access to medical and psychological assistance, environmental restoration or other remedies, depending on the circumstances.

All children, whatever their age, have human rights just as adults do. These are enshrined in the UN Convention on the Rights of the Child, the most ratified human rights treaty in the world, which also sets out human rights obligations related to the best interests of the child, the right to life, survival and development, the right to be heard, and the right to play and leisure.

Reflections from Participants:

(1) The human right to a healthy environment.

Across the dialogues, the human rights framework was affirmed generally as a powerful tool to highlight and address human rights violations and abuses globally. However, the limitations of this framework were also noted, given the escalating global ecological challenges. Participants noted the inherent anthropocentric focus of human rights and also referenced historical silos between the human rights and environment-related fields that have led, in many instances, to incomplete analysis of complex issues and the “perpetuation of a false story about anthropocentric versus eco-centric competition.”

⁸ These human rights are set out in the [Universal Declaration of Human Rights](#) and across the nine [core international human rights treaties](#), and in other thematic and regional human rights instruments.

Many participants pointed to the human right to a healthy environment as “the most obvious starting place to bridge legal analysis related to human rights and environmental well-being.” Discussions focused on the need to be mindful of how this human right is interpreted in practice, given that human rights are framed in quite general terms in the international framework and then applied in national contexts over time and nuanced through guidance from UN treaty bodies and other experts. This can be a contested process, with interpretation influenced by lived experiences and collective advocacy but also by vested financial interests, prevailing ideologies and short-termism, among other factors.

*In 2021, the United Nations [recognised](#), for the first time in its history, that **all people everywhere have the human right to live in a clean, healthy and sustainable environment**. This was a significant milestone in the evolution of the human rights framework, building on the already existing recognition of this right at national levels in more than 150 countries, and the extensive [work](#) undertaken by successive UN Special Rapporteurs to highlight the mutual relationship between human rights and the environment.*

The substantive components of the human right to a healthy environment have been helpfully articulated so far as including a safe climate, clean air and water, adequate sanitation, healthy and sustainably produced food, non-toxic environments for living, work, study and play, and healthy biodiversity and ecosystems.⁹ What this means in practice for State implementation measures is yet to be fully determined. Participants noted the potential for the rights of nature movement to provide a strong foundation for a comprehensive understanding of the “healthy environment” – including but beyond climate crisis issues – underpinning the human right to a healthy environment, as it begins with an emphasis of the importance of each part of the natural world to planetary flourishing.

Starting from this broader perspective could help countries and communities develop laws, policies and practices that avoid the environmental damage and longer-term unintended consequences on human health and well-being that arise when externalities (generally at the expense of marginalised communities and the environment) or complex ecological relationships are rendered invisible through a narrow, short-term anthropocentric focus where “living systems are treated as fungible” or “when we’re blinded to the value of all life by only focusing on supporting those parts of Earth which have an immediate, obvious and often economic value for humans.”

As recalled by several participants, the importance of adopting a broader, more-than-human perspective to fully realise human rights was highlighted in the landmark advisory opinion issued in 2017 by the Inter-American Court of Human Rights on the environment and human rights, which affirmed that the human right to a healthy environment “protects the components of the environment, such as forests, rivers, seas and others, as legal interests in themselves, even in the absence of certainty or evidence about a risk to individuals. This means that it protects nature and the environment, not only because of the benefits they provide to humanity or the effects that their degradation may have on

⁹ For more information, see: <https://www.ohchr.org/en/special-procedures/sr-environment>.

other human rights, such as health, life or personal integrity, but because of their importance to the other living organisms with which we share the planet that also merit protection in their own right.”¹⁰ Similarly, various rights of nature case studies reiterate the mutually reinforcing relationship between realising the human right to a healthy environment and realising rights of nature.¹¹

(2) Revisiting the human rights framework generally through an interconnection lens.

In addition to a focus on the human right to a healthy environment, participants suggested that the interpretation and implementation of other human rights could be nuanced and strengthened through reference to rights of nature principles and jurisprudence. While some human rights have obvious connections to the environment – such as the human rights to life, to health, to water and sanitation, to adequate food, among others – various participants raised the possibility of revisiting *all* human rights through a “rights of nature lens” over time.

Participants referenced examples where significant advances to the human rights framework have been made historically through systemic application of, for example, substantive equality, child rights and disability rights perspectives, and more recently through the “climatising” of human rights.¹² Through such processes, a human rights-based approach has been applied to advance certain issues and, in parallel, the overarching aim of the framework and specific human rights themselves have been gradually adapted or updated to reflect emerging knowledge about the world, evolving shared values and/or planetary realities.

¹⁰ Inter-American Court of Human Rights, *Advisory Opinion OC-23/17* (15 November 2017), requested by the Republic of Colombia concerning State obligations on the environment and human rights under the American Convention on Human Rights, para. 62.

¹¹ See, for example: Anima Mundi Law Initiative case studies on [Mexico City](#), [Panama](#) and [Lake Erie](#).

¹² See, for example: César Rodríguez-Garavito, *Climatizing Human Rights: Economic and Social Rights for the Anthropocene* (2022) Oxford Handbook of Economic and Social Rights, Forthcoming; NYU Law and Economics Research Paper No. 21-20; NYU School of Law, Public Law Research Paper No. 21-41.

B. Strengthening human rights litigation, advocacy and monitoring strategies

“It could be quite interesting to revisit human rights strategic litigation or corporate accountability through a rights of nature lens.”

CONTEXT: Over time, human rights advocates have reiterated the importance of ensuring that human rights are not just stated in international treaties but implemented in practice, around the world and in different local contexts.¹³ Some of the most well-known implementation methods include strategic litigation (where claimants aim to advance the enjoyment of human rights beyond a specific case, through changes to laws, policies and practices), collective advocacy (where allies work together to address significant human rights violations or abuses) and human rights monitoring (which measures and assesses the extent to which governments and others are complying with their human rights obligations and responsibilities over time, including through due diligence processes and adequate resourcing).

Reflections from Participants:

(1) Strengthening strategic litigation and advocacy.

As well as considering the impact of the rights of nature movement on human rights standards (see Part A above), participants discussed and shared a number of interesting specific reflections and suggestions in relation to strengthening strategies adopted by practitioners to realise human rights in practice. While these will necessarily be dependent on the particular context and the wider advocacy strategy adopted, initial ideas included:

- ❖ **Selecting cases and devising case strategy:** Several participants involved in litigation expressed a commitment to revisiting the formal case selection processes used by their organisations to select cases and develop litigation strategies. For example, they discussed adding some ‘more-than-human’ questions prompted by the rights of nature movement, with the aim of devising more holistic strategies to support both people and planet. These could relate to, among other considerations, the intended beneficiaries, roles, sources of evidence, immediate and long-term aims, wider advocacy strategies and so on,

Whilst recognising the desire to pursue interesting strategies that connect rights of nature and human rights, a number of participants highlighted the importance of ensuring that these are ground-up, community-led strategies, with careful consideration of potential adverse consequences such as negative judicial precedents which could block similar initiatives for some time. One participant recalled the saying

¹³ See, for example: Open Society Justice Initiative and University of Bristol, *Implementing Human Rights Decisions: Reflections, Successes, and New Directions* (2021); and Malcolm Langford, César Rodríguez-Garavito and Julieta Rossi (eds), *Social Rights Judgements and the Politics of Compliance. Making it Stick* (2017).

“when you’re holding a hammer, everything looks like a nail” and highlighted the need to consider strategies that make sense in the particular context and intentionally open space for broad participation and dialogue, given that cross-fertilising rights of nature cases and practices into other areas of the law constitutes not only a legal development but a paradigm shift to our current legal frameworks.

- ❖ **Developing persuasive legal arguments:** Participants noted that in strategic human rights litigation, lawyers and advocates regularly introduce international and comparative law to build persuasive legal arguments and to demonstrate to courts or to their governments that their counterparts in other jurisdictions have already moved in certain directions. In this regard, rights of nature case studies reveal that courts have already shown a willingness to learn from, and build upon, rights of nature developments in other countries.¹⁴ Another participant suggested that rights of nature-aligned ‘alternative judgment’ exercises – which seek to challenge anthropocentric approaches in legal decision-making by reimagining legal judgments from a rights of nature lens¹⁵ – could be useful in helping lawyers and others envision and develop holistic legal arguments.

- ❖ **Developing robust remedial requests:** A number of participants recalled that advocates often limit themselves to requesting a declaration of violation and/or financial compensation in human rights cases. With the growing need to prevent further destruction to ecosystems (such as old-growth forests), to regenerate damaged ecosystems in the coming decades, and to adopt nature-based solutions for mitigation and adaptation measures related to the climate, biosphere and pollution crises, developments in the rights of nature movement could inspire more creative and appropriate remedial requests.

¹⁴ See, for example: Anima Mundi Law Initiative case studies on [Bangladesh](#) and [Pakistan](#).

¹⁵ See, for example: the [International Rights of Nature Tribunal](#) (with a focus on restorative justice); Nicole Rogers and Michelle Maloney, *Law as if Earth Really Mattered. The Wild Law Judgment Project* (2017: Routledge); and www.sussex.ac.uk/law/research/projects/earth_law.

In particular, requesting courts to make orders to set up guardianship mechanisms, similar to those put in place through legislation (in [New Zealand](#)) and through court order (in [Colombia](#)), could enable post-litigation deliberative processes for considering human and more-than-human perspectives. A few participants noted that, for children who may find litigation processes (even those purportedly ‘child-led’) inaccessible in practice, opening such participatory spaces could provide opportunities for increased participation, at a more relaxed pace, by children in human rights decision-making.

*In different parts of the world, **ecological guardianship mechanisms** have been created to put ecological legal personhood into practice in human legal systems. These differ depending on context but examples include mechanisms comprised of: named guardians or human ‘voices’ of the rights-holder (with a balance of government and Indigenous/community representation) to exercise legal guardianship; additional circles of interdisciplinary advisors or strategy groups to support the guardians in their roles; agreement on the values that must be used to guide deliberations; participatory planning processes for the longer-term well-being of the rights-holder; and provision of funding and institutional support to enable effective processes.*

Other suggestions included “crowdsourcing rights of nature-aligned solutions from the public” as part of leveraging litigation remedial requests and the implementation of judgments; that is, to work closely with local communities, organisations and others to collect and incorporate suggestions for appropriate remedies in human rights cases, borrowed from relevant rights of nature case studies and practices.¹⁶

- ❖ **Informing discussions about the resourcing of human rights:** With the recognition within rights of nature of the inherent value of ecosystems, several participants noted the potential to nuance discussions regarding non-economic loss and damage (for example in climate justice contexts, to both highlight that financial compensation is not a replacement for mitigation measures, and to widen the scope of what loss and damage might entail).

Another suggested, with attention to learnings from the funding of rights of nature initiatives so far, the potential of undertaking “rights of nature-informed budget analysis” as a lens through which to assess or propose alternatives to current State generation and allocation of resources to support the well-being of people and planet.

(2) Exploring corporate accountability through a rights of nature lens.

While legal personhood in connection with nature or ecosystems can appear unconventional, at least within dominant legal frameworks, it is important to recognise that who or what humans have named as rights-holders within the law has transformed

¹⁶ For an interesting overview of a similar approach in the landmark *Urgenda v the Netherlands* climate justice case, see www.urgenda.nl/en/themas/climate-case/dutch-implementation-plan/. To support implementation of the judgment, which found that the Dutch government has obligations to urgently and significantly reduce greenhouse gas emission in line with its human rights obligations, the claimant worked with 800 Dutch organisations to co-develop a CO2 reduction plan with 54 climate actions.

over time. Participants working to challenge business-related human rights harms – for example as connected with resource extraction, fossil fuels, pollution and waste – highlighted the fact that corporations are non-human entities that are already recognised as rights-holders or having legal personhood. This permits their active inclusion and participation via human proxy in legal processes and has arguably contributed to current power imbalances and the privileging of corporate interests over people and planet. The rights of nature movement, in bringing the voices of more-than-human communities to the legal table, was noted as a “significant potential counter-balance” to this situation.

Further, some participants shared specific opportunities to develop corporate accountability practices, as follows:

❖ **Strengthening human rights**

due diligence processes:

A number of participants pointed to the current trends and campaigns (within various national jurisdictions and through the international process towards a binding treaty on business and human rights) towards mandatory human rights due diligence to identify, prevent, mitigate and account for human rights impacts of their activities,

as grounded in the corporate responsibility to respect human rights set out in the UNGPs. As these processes develop and (ideally) narrow the gap between anthropocentric and ecocentric interests by incorporating both human rights and environmental issues, the rights of nature movement could offer guidance on the types of information that might be relevant to collect and consider for full ecological and human health (including but going beyond climate-focused issues).

- ❖ **Encouraging corporate practices in harmony with nature:** Also noted were potential openings in relation to the interest by certain businesses and entrepreneurs to re-examine the purpose of business in an expansive way beyond financial gain. Even in the absence of formal legal rights of nature recognition in certain jurisdictions, progressive companies may be open to, for example, exploring what the incorporation of rights of nature into their due diligence practices looks like, appointing a “representative of nature to the Board” (as has happened already in the UK),¹⁷ or organisations or individuals could explore “putting nature in place as a shareholder, through a proxy environmental or human rights organisation.”

*The [UN Guiding Principles on Business and Human Rights](#) (UNGPs) represent the authoritative **global standard for preventing and addressing human rights harms connected to business activity**. They are comprised of three separate but mutually reinforcing pillars, namely: the State duty to protect against human rights abuses by third parties, including businesses, through appropriate policies, regulation and adjudication; the corporate responsibility to respect human rights, by not infringing on the rights of others, and to address adverse impacts on human rights related to their activities; and access to remedy for victims of corporate-related human rights abuse.*

¹⁷ See Isabella Kaminski, ‘Eco beauty company ‘appoints nature’ to its board of directors’ (22 September 2022) *The Guardian*.

C. Fostering participatory legal processes

“The law can’t just be for lawyers – we need many more voices and perspectives involved.”

CONTEXT: Under the human rights framework, everyone has the right to participate in public affairs. This right has been amplified in the context of environmental issues through, among other factors, articulation of the procedural elements of the human right to a healthy environment, the activities of environmental human rights defenders globally, and through two regional treaties on environmental democracy, the Aarhus Convention and the Escazú Agreement. Ensuring meaningful participation has significant impacts on the full realisation of human rights, as *who* participates in the collection and dissemination of information, collective sense-making and decision-making in the world, and *how*, has consequences for, among other outcomes, what we pay attention to across societies, the allocation of resources, the provision of public services and access to justice, and on the ability of individuals and communities to experience the world with dignity, security, a sense of curiosity and belonging.

Reflections from Participants:

(1) Ensuring nature has a ‘seat at the table’.

One participant referenced the powerful declaration “nothing about us, without us” – with origins in historical political movements and invoked by the disability and other rights movements over the decades to empower groups facing discrimination, exclusion and marginalisation to take control over decisions affecting their lives. She shared that the rights of nature movement, in its fundamental positioning of ecological entities as subjects within the law with active agency to ‘speak’ to issues that impact their rights felt like an extension of this philosophy to the more-than-human world.

*In 2011, a Court in Ecuador [upheld](#) the rights of the Vilcabamba River in relation to a claim brought by local landowners challenging the dumping of road construction debris that was altering and increasing the natural river flow and causing flooding. The Court ordered the local government to restore the riverine ecosystem and, significantly, **confirmed that the human claimants did not have to establish that they had suffered damage, but only that nature itself had.***

This can be contrasted with the current dominant legal approach in which more-than-human communities are generally only considered if their interests are raised explicitly by humans or where their interests correlate directly with impacts on the legal rights or interests of humans. Rights of nature practices can serve to bring a greater diversity of perspectives into the consideration of complex situations and model forward-looking governance practices which enable focused monitoring and adaptations over time.

What it means to “speak nature’s voices into law” is an unfolding question, with interesting lessons to be learned from rights of nature case studies in coming years. Several participants reflected on the emotive and powerful impact of children presenting evidence in legal proceedings in their own voices, and considered what it would mean to listen to, understand rights to exist, regenerate and flourish, and speak for nature in legal proceedings in creative ways, including “being open to who would be considered an expert in relation to this task”, “looking to different forms of ecological intelligence”, and drawing on relevant expertise across disciplines.

*The [Embassy of the North Sea](#) was founded on the principle that the North Sea owns itself. It **seeks to listen to the voices of plants, animals, microbes and people in and around the North Sea**, and to explore – using cross-disciplinary methodologies from the arts, sciences, policy and spatial planning – the different ways in which the North Sea can ‘speak’ in the public, political and legal realms.*

(2) Bringing additional (human) voices into human rights.

A number of participants noted that the implementation of rights of nature, and integration of such arguments into human rights cases, could support meaningful participation in the human rights field generally or perhaps the inclusion of voices previously excluded, as the definition of ‘expert’ is expanded and as more communities have direct experience with engaging in participatory democracy practices and opportunities to be heard, including from diverse disciplines and the lived experiences of communities with knowledge of the rights-holder.

Further, with various rights of nature developments expanding standing (i.e. the legal right to bring a particular issue to a court), this may also open up avenues for increased participation in legal decision-making in connection with holistic human rights/rights of nature issues by individuals or communities who may not have been able to participate historically.¹⁸

The guardianship mechanisms set up in [New Zealand](#) and [Colombia](#) appoint legal spokespeople for the rivers, but also encompass advisory and strategy groups with diverse representatives, variously, local Indigenous groups and other communities, research institutes, environmental and other non-governmental organisations, local authorities, State departments, and persons to represent tourism, recreational and industry interests.

¹⁸ See, for example: Anima Mundi Law Initiative case studies on [Ecuador](#), [Uganda](#), and [Manoomin](#) (wild rice).

D. Connecting analysis, place and embodied practices

“People fall in love with the Earth through embodied connection, not because of facts and figures.”

CONTEXT: The study and practice of law in our dominant legal systems is, for the most part, a relatively formal and structured process. It generally takes place within conventional class settings, offices and courtrooms situated in the built environment, uses standardised forms of legal writing and communication, and prioritises analytical forms of discussion and adjudication. This approach to human rights and environmental issues can be very effective in supporting shared analysis across jurisdictions and the development of legal and advocacy strategies. At the same time, a willingness to be open to broader forms of collective sense-making can be conducive to understanding and taking meaningful action in relation to complex situations and global challenges.

Reflections from Participants:

(1) Grounding human rights in place and community.

A key question prompted by the rights of nature case studies shared during the dialogues was “where does – or could – lawyering take place?” This relates to both lawyers themselves but also for the claimants and wider set of people involved in legal processes. Drawing on examples from rights of nature practices and personal experiences, a number of participants suggested that attention to locations and spaces could also strengthen human rights legal analysis and action in several ways by connecting people with a sense of interconnection and purpose beyond their individual concerns.

Firstly, simply connecting with the natural world matters. Systematic analysis of research across disciplines including health, education, psychology and biology has revealed that psychological and physical connections with nature (i.e. the extent to which people see themselves as part of nature and have actual contact with natural areas) improves human well-being and strengthens pro-environmental behaviours and values.¹⁹

Secondly, participants affirmed the value in “meeting nature and people where they’re at” in the practice of law. For example, one participant shared an example of shifting from

¹⁹ See, for example: Gladys Barragan-Jason et al, *Psychological and physical connections with nature improve both human well-being and nature conservation: A systematic review of meta-analyses* (2023) *Biological Conservation* Vol 277.

traditional academic settings to spend time with communities living adjacent to rivers, beginning conversations with the simple question “what does the river mean to you?”, as a way to build a ground-up shared understanding of the current enjoyment of rights of nature and associated human rights in relation to a particular area. This may also help to anchor litigation and advocacy strategies to specific bioregions, as opposed to “what can seem like an amorphous or distant concept of ‘the environment’”.

Lawyer Will Falk, responsible for speaking on the Colorado River’s behalf in the first-ever American federal lawsuit seeking personhood and rights of nature for a major ecosystem, spent weeks travelling along the course of the river to ask her who she is and what she needs. He captured his experience and the voice of the river in the beautifully expressed written [narrative](#) ‘How Dams Fall’.

In relation to children’s human rights, another participant suggested that it would be interesting to consider where children are naturally talking about or being encouraged to discuss rights of nature-related concepts and their own lived experiences in connection with nature, for example in forest schools and other green play and learning areas, as a starting point to connect the wisdom being generated in such spaces to relevant human rights or environmental legal strategies.

(2) Complementing traditional legal analysis with embodied sense-making of the world.

In addition, the rights of nature movement opens up avenues to incorporate broader forms of sense-making into legal analysis and collective action, with many case studies providing examples of traditional, Indigenous and local forms of observation, knowledge and kinship with the living world being affirmed as significant sources of information about ecological contexts and developments, complementary to material derived through more mainstream or dominant Western scientific approaches. That is, expanding our ability to take in and process complex and dynamic situations through different traditions and all of our senses can lessen the likelihood of ignoring externalities, support more nuanced legal analysis and connect strategies with the realities of a living planetary whole.

Some participants noted that learning from exploratory and cross-disciplinary practices that seek to understand and communicate the ‘voices’ of nature within the rights of nature movement – such as meditation, mindfulness, dance, the arts, visioning and imagination, ceremony and ritual, and deep nature connections that evoke a sense of curiosity, awe or gratitude, among others – may produce interesting lessons to apply in the field of human rights. For example, a number of participants expressed a desire to engage in practices that support communities to “know ourselves in relationship with the Earth, but also *as the Earth*” as a tool to collapse the sense of separation between humans and the more-than-human world.

E. Expanding perspectives across – and of – time

“Through rights of nature timelines, I now relate to mountains, forests and rivers as both ancestors and descendants.”

CONTEXT: The concept of ‘time’ is not a common topic of conversation in human rights, although it is clearly significant in various ways. For example, different measures may be necessary to realise human rights over the course of a person’s lifecycle, societal expectations related to gender may impede the right to education or access to paid work as time is ‘used up’ through household chores or care responsibilities, and the passing of time may often be a necessary factor in the exposure of structural and systemic patterns of human rights violations or abuses and in the consideration of transitional justice.

In recent years, references to ‘future generations’, ‘intergenerational justice’ and ‘just transitions’ have become more common, as we grapple with the consequences of significant long-term damage associated with the climate, biosphere and pollution crises, and take human rights-based approaches to fulfilling political commitments, including the 2030 Agenda for Sustainable Development Goals, which seek to achieve “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”²⁰

Reflections from Participants:

(1) Understanding the human experience as part of the planetary experience.

Participants saw openings through the rights of nature movement to encourage an embedding of our human experience within a continually unfolding, longer-term planetary process, with potential consequences for how we position ourselves in relationship with the rest of the natural world and the frame of reference we set when considering the impacts of our activities and develop human rights strategies and legal arguments.

For example, in 2016 the Constitutional Court of Colombia applied an ecocentric interpretation of the national Constitution to recognise the legal personhood of the Atrato River, its basin and tributaries, and its rights to protection, conservation, maintenance and restoration. In doing so, it affirmed that “the human species is only one more event within a long evolutionary chain that has lasted for billions of years and [humans] therefore, in no way, are the owner of other species, biodiversity or natural resources, or the fate of the planet.”²¹

²⁰ See *Our Common Future* (1987) (the Brundtland Report).

²¹ See Anima Mundi Law Initiative case study on the [Atrato River](#).

As rights of nature recognition ensures that nature ‘has a seat at the table’ in circumstances where the interests of ecological rights-holders might be impacted, this automatically widens the horizon of legal analysis across both human and more-than-human ‘lifespans.’ At present, short-term political cycles, dominant economic systems prioritising endless growth and the effects of social media and exponential technology contribute to a focus on relatively short-term human interests without proper regard to the often disproportionate and lasting consequences of many of our activities – our use of finite resources, production and management of waste, degradation of land, pollution emissions and so on – on future human and more-than-human generations.

Various participants expressed interest in whether the expanded horizon opened through the rights of nature movement could encourage more nuanced consideration of the impacts of our legal strategies and – more broadly – our current activities and systems, including the longer-term consequences and downstream ramifications (so-called ‘second-order’, ‘third-order’ and nth-order effects) of these.²²

One participant shared the impacts that a focus on contrasting timespans already has on analysis and strategy decisions within the field of children’s rights. He noted that children experience time in different ways to adults, for example, engaging in human rights litigation may constitute a significant proportion of a child’s entire lifetime to date, as opposed to “just a few years” of an adult’s life.

*For example, in New Zealand the record of understanding with respect to [Mount Taranaki](#) notes that mountains are **an ever-present and personified ancestor that “transcend our perception of time, location, culture and spirit”**. In India, the High Court of Uttarakhand [acknowledged](#) the intrinsic connection between the rivers and the Indian population, affirming that the rivers “...have provided both physical and spiritual sustenance to all of us from time immemorial”. In recognising its inherent rights, the White Earth Band of Ojibwe [described](#) manoomin as being “...an important staple in the diets of native peoples for generations [and] a central element of the culture, heritage, and history of the Anishinaabe people.”*

(2) An ecological entry point into conversations about future generations.

A number of participants, particularly in the roundtable on rights of nature and children’s human rights, focused on the implications of the rights of nature movement for the topic of future generations. They noted that the definition of ‘future generations’ remains contested, with a lack of clarity over questions such as “whether children today are members of current generations, future generations or both”, “whether child claimants in climate justice and other human rights cases are considered victims now or only in the future”, and how the human rights framework should consider and balance interests across generations more generally.

²² For an interesting discussion on how paying attention to vast planetary timescales in order to adopt new ways of thinking about the human place in time – a ‘poly-temporal worldview’ – can enable decision-making on multigenerational timescales and prevent the creation of environmental problems, see: Marcia Bjornerud, *Timefulness: How Thinking Like a Geologist Can Help Save the World* (2018: Princeton University Press).

Noting this uncertainty, and a concern that the burden of advancing such arguments related to the rights of future generations was being placed on children, who already face considerable climate and ecological-related anxieties and expectations, some participants expressed interest in exploring whether the rights of nature movement, with its entry point to considering time over longer-than-human lifespans, may be an avenue through which we could raise and discuss future generations issues rather than (automatically) conflating this topic with child rights.

While the implementation of many rights of nature initiatives is yet to be assessed, some participants noted that future research could include examination of the extent to which, and how, existing guardianship mechanisms which engage in deliberative, forward-looking strategic planning in relation to a particular ecological rights-holder, such as a river or forest, consider the 'future generations' topic.

(3) Rethinking our conception of time(s).

With many initiatives led by Indigenous communities or other groups closely connected with the natural world, the rights of nature movement references concepts of time including but beyond linear time, such as 'time immemorial', 'deep time', geological or Earth time and 'circular time flows' (whether across the day or seasons or as connected to water, nutrient, menstrual and other natural cycles).

A number of participants noted that such references or practices associated with different concepts of time could prompt interesting enquiries into the consequences of the dominance of linear time in the human rights framework (recognising its utility but also its association with, for example, the control and commodification of labour). For example, one participant asked whether a "reclaiming of the ways – rather than singular way – we understand time could reveal alternative ways of living in harmony with the Earth", through weaving us back through natural cycles into closer relationship with our bioregions, reframing the human experience as only a small part of a larger whole, and taking us out of a linear mindset of fixed paths to states of adaptation, flow and openness to emergent properties of the planet.

F. Envisioning transformative ways of living together

“This type of law is more reflective of the world I want to live in – it’s a ‘North Star’ to aim for.”

CONTEXT: The challenges facing the world are clearly immense. The escalating climate, biosphere and pollution crises are increasing both the intensity and frequency of extreme weather events, with associated dispossession and migration, socio-economic impacts and inequalities, and often disproportionate impacts on those who have contributed least to these challenges. In this time of rapid change and uncertainty about the future, questions arise about both the changes to our existing systems and fundamental paradigm shift needed to ensure paths toward possible futures which enable all people to enjoy their human rights and live in harmony with the planet.

Reflections from Participants:

(1) Revisiting the purpose of the law.

While many participants expressed interest in the “greening” of human rights (see section A above), a number of participants questioned whether such an exercise would simply be “tinkering with the status quo” given that the human rights framework is inherently anthropocentric. They noted that such an approach may represent the “strongest bridge to moving from the instrumentalisation of nature to recognising its inherent worth” but “can only take us so far” in both responding to human rights violations and addressing existing and emerging ecological harms, and in preventing humanity from (even inadvertently) entering into similar destructive cycles of planetary harm in the future, for example in relation to the drive towards materials used in renewable energy technologies.

Essentially, the law represents the rules for how we choose to live together and it is important to reiterate that we built our legal systems and can change these, rather than continuing with systems that only serve certain vested interests and perpetuate injustices. In this context, participants recognised the value of the rights of nature movement as an interesting challenging to our current conception of a ‘rights-holder’ and offering a larger narrative to help us envision and move towards fundamentally reframed and more holistic legal systems, aligned with Earth jurisprudence philosophy. As put by one participant – our laws must have the “*intention* of interconnection, coupled with practices of *attention* to the diversity of experience and intelligence of all forms of life on Earth.”

In this regard, various participants reflected on the impact of having a considerable set of rights of nature case studies to be able to reference as real-life examples of how Indigenous and other placed-based perspectives and practices can be – and actually are being – codified into formal legal systems. This was expressed as a “shaking up of the dominant legal systems” and as ground-breaking as other major historical developments which recognised marginalised groups as subjects within the law, including women,

children and formally enslaved people, as well as – more controversially in terms of the impacts of such recognition – non-human entities such as corporations.

Many affirmed that they found the rights of nature movement helpful to support holistic analysis and multi-layered, parallel forms of action necessary to meet the scale and interconnectedness of the planetary challenges. These could be described generally as: (1) *reaction* (namely, the litigation, campaigning and other advocacy we take to stop continuing ecological destruction, corporate harms and human rights violations); (2) *transition* (the medium-term strategies to revisit and strengthen the human rights framework, decarbonise our economies, regenerate ecosystems and ensure a just transition for everyone particularly those facing different and disproportionate impacts, as we engage in ongoing mitigation and adaptation measures); and (3) *transformation* (the deeper, longer-term evolution of our governance practices, systems and sectors to align with planetary boundaries and support us to live in harmony with the planet).²³

(2) Revisiting what it means to be human.

While the roundtable series and related dialogues were focused on the potential impacts of the rights of nature movement on the human rights field, the implications go beyond human rights and beyond the law. Considering the emerging developments across disciplines that are collapsing the sense of separation between humans and the more-than-human world, one participant shared that “going deeper into the rights of nature movement is making me question what it means to practice law, and actually what it means to be human in the world today.”

This encompasses questions about guardianship, stewardship but also where the boundaries of humans lie and the embedding of, and flow between, humans and ecosystems. Rather than a focus solely on ecological concerns, the rights of nature movement represents a much more transformative opening to significant, interdisciplinary enquiry into, and reimagining of, our roles as humans as inextricable interconnected with a dynamic, alive world. As described by one participant, “the rights of nature movement has the potential to be, in a sense, a positive ecological tipping point” in coming years “where it is no longer meaningful to think about the well-being of humans separate to the well-being of the planet.”

²³ For analysis regarding the need to advance system-wide transformation of humankind’s relationship with nature, across the “interconnected sectors of environment, economics, finance, energy, food, water, health and cities”, see: United Nations Environment Programme, *Making Peace With Nature: A scientific blueprint to tackle the climate, biodiversity and pollution emergencies* (2021).

5. CONCLUSION

This report shared the key reflections, ideas and questions emerging from a series of conversations held to consider the potential impacts of the growing rights of nature movement on the human rights field. Key themes emerging during these preliminary explorations included: “greening” the human rights framework; strengthening human rights strategies; fostering participatory legal processes; connecting analysis, place and embodied practices; expanding perspectives across – and of – time; and envisioning transformative ways of living together, revealing that the rights of nature movement is not solely an isolated “environmental issue” but a broader entry point into revisiting our existing systems and the embedding all human activities and actions within planetary realities.

In concluding the sessions, many participants reiterated the need for continued spaces to consider these and related topics. As the rights of nature movement reflects and calls forward a paradigm shift to our dominant legal and other systems, it requires additional cross-disciplinary dialogue, resourcing, education and experimentation, within and between countries, and inclusive of a diversity of perspectives, practices and lived experiences. This is a longer-term endeavour, to be taken in parallel with relevant emergencies responses and just transitional measures, but it is clear that seeding possibilities for fundamentally transforming the purpose, content and practice of law is a necessary condition for growing positive futures into being.

Anima Mundi Law Initiative

The [Anima Mundi Law Initiative](#) is a space for collective exploration of ‘a new legal story for an ecological age’. It holds a vision for legal frameworks grounded in the recognition of interconnection between all planetary life, creates practical materials to support the weaving together of human rights and ecology, and takes strategic action to transform the purpose, content and practice of law to better support people and planet.



The Anima Mundi Law Initiative thanks the Emergence Foundation for its generous support to the ‘Rights of Nature in Practice’ roundtable series.

EMERGENCE
FOUNDATION



This report is licensed under a [Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License](#).