



# PLANET PLEDGE

## The Role of Nature's Rights in Achieving the Sustainable Development Goals

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I would like to put forth three questions on the role of nature's rights in achieving sustainable development and a thriving Earth.

**First, how does nature's rights help us understand what "sustainable" behavior looks like?**

"Sustainability" as a concept should guide us to improve the health of the biosphere and our relationship with it, rather than prop up current, harmful consumption and production practices. The Expert Report on Earth Jurisprudence submitted to you describes "sustainable" behavior as being "reconnect[ed] ... with Nature's processes." The Report emphasizes that nature can no longer be treated as a commodity – it is our relation, and we must evolve law and policy to reflect that fact.

The concept of rights helps us understand this point more clearly. The 2030 SDG Agenda seeks to "realize the human rights of all," and adds that the SDGs are "grounded in" the Universal Declaration of Human Rights. This is important, but we also must ground the SDGs in nature's rights if we are to protect human rights in practice.

For example, the U.N. has acknowledged that the human right to water is "a prerequisite for the realization of other human rights."<sup>1</sup> But how can we say we have a right to something, like a waterway, if it does not itself have a right to exist and thrive? The Earth Jurisprudence Report recommends that we fix this gap by recognizing nature's rights in law and practice, just as we recognize human rights and the rights of indigenous peoples.

Governments around the world are already taking up this charge. Just in the last few weeks, we have seen legislation passed at the national level in New Zealand and two court decisions in India, which have recognized the legal personhood and rights of ecosystems and species. In addition, the IUCN's World Commission on Environmental Law recently concluded that

recognition of nature's inherent right to "exist, thrive, and evolve" is essential to ensure ecologically sustainable development.

Just as law and policy grounded in human rights sets a higher standard for action, so too does law and policy grounded in nature's rights better protect the well-being of ecosystems and species. Defining "sustainability" in terms of nature's right to thrive is significantly different from what we do now. We treat nature as a commodity for our economic system first, with only limited safeguards to slow nature's degradation. This approach is failing, as species and habitats rapidly disappear and the global temperature continues to warm.

We must set our sights higher. The 2030 Agenda makes room for nature's rights, calling for a "healthy environment" and declaring a vision of a world "where all life can thrive." The structure of our laws, policies, and scientific inquiry must support this core vision of sustainability.

**This brings us to the second question: how does nature's rights inform the meaning of "sustainable development," and how do we achieve such development in practice?** Putting profit before people and nature is *unsustainable* development. We must redefine what we expect sustainable business and finance to look like, and move away from a primary profit objective and toward expanding benefits for Earth society, which includes all life.

What does this mean in practice? One conclusion is that we need to replace gross domestic product as a desirable measure of sustainable progress. The Earth Jurisprudence Report observes that "blind adherence to economic growth as a measure of well-being has resulted in increasing harm to the planet and to all of us." GDP growth does not translate to sustainable development; it includes *all* development, both good and tragic. Earlier this year, the World Economic Forum itself criticized such economic growth as failing to address the needs of the political economy.

*Sustainable* development calls on us to choose our actions in light of their broader impacts, rather than continue to focus on short-term profit. Fortunately, this economic evolution is already beginning. More businesses are measuring success not just by profits and economic growth, but also by the measureable social and ecological benefits they generate. More investors are demanding investment products that offer both financial returns *and* strong social and ecological returns. This expanded focus allows for improved consideration and management of risk, and so can result in better financial performances over time than conventional instruments.

One such example is the increasing number of investments related to mitigating climate change, to help the world stay below the 2°C threshold. The social and ecological impacts of climate change are potentially catastrophic and irreversible. Financial investments that recognize and mitigate such risks, such as investments in the low carbon economy, will ensure sustainability far more effectively than those that merely increase GDP. It is with climate change in mind that the World Economic Forum also identified an "urgent" need for "long-term thinking" in our economic system. To be sustainable in fact, development must be conceived and implemented in light of the magnitude of the long-term risks of climate change and other global stressors.

Our sustainable development objective, however, is not merely occasional success. We must create instead a **self-perpetuating system, designed to generate development and investment behavior that regularly advances net positive impacts for human and ecological communities.** We need to think beyond current investment and economic practices to do this. For instance, we should consistently place higher costs on economic behaviors that cause injury, such as fossil fuels, and reward with higher returns those economic choices that measurably benefit people and planet. Tying our economic, business, and finance priorities to progress in safeguarding nature's rights and human rights will help us measure our success and keep us on track.

We also must evolve our characterization of nature as an economic commodity. Our relationship with nature is fundamentally familial and local. As the Earth Jurisprudence Report recommend, development must reconnect with and respect nature's processes, rather than destroy those processes in the name of profit.

**This brings us to our third question: how do we adjust our actions to best achieve our core sustainable development goal as soon as possible?** We have little time to course-correct before the impacts of climate change, species extinctions, and habitat destruction create tipping points that irreversibly injure all life.

The key is to focus on the 2030 Agenda's core goal: **"a world...where all life can thrive."** This includes the natural world, as we are inseparable from it.

Our core goal for 2030 is not sustainable development. Our goal instead is a thriving world; sustainable development is just a tool. Nature's rights provides a necessary foundation from which our governance systems can build truly sustainable development practices that will help us achieve our goal, including finance and business systems designed to seek out and maximize ecological and social gains.

The distinguished members of this Assembly can take action now in this direction, by advancing nature's rights laws locally, as numerous communities and nations have done already, and by supporting a Declaration on the Rights of Nature.

Earth is the source of the laws that govern our lives in every respect. Our human laws must heed Earth's laws. Recognition of nature's rights in local, national, and international law and policy will help keep us on that path. Thank you.

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<sup>1</sup> U.N. Committee on Economic, Cultural and Social Rights (20 Jan. 2003), E/C.12/2002/11, "Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights: General Comment No. 15 (2002)"; at: [http://www2.ohchr.org/english/issues/water/docs/CEESCR\\_GC\\_15.pdf](http://www2.ohchr.org/english/issues/water/docs/CEESCR_GC_15.pdf).