

**INTERACTIVE DIALOGUE OF THE GENERAL ASSEMBLY ON HARMONY WITH NATURE IN
COMMEMORATION OF INTERNATIONAL MOTHER EARTH DAY, 22 April 2019**

Theme: "Mother Earth approach in the implementation of Education and Climate Change"

Transcript of Video Message by Antonio Herman Benjamin

Environmental law is one the most important legal subjects that we, judges have to deal with. Unfortunately, in many countries, in many parts of the world environmental law is still something alien to the daily practice of we, judges. So, it is important to begin this conversation, that you are having in New York, with this limitation that we, judges have with respect to the environment. We are still struggling to one understand legal concepts that were included in laws but also in constitutions since the early seventies in respect to the protection of the environment.

And, more recently, on top of all those difficulties we are called to bring in not just the environment into our legal and judicial discourse, but also Mother Earth, Nature. Of course, here the difficulties are immense, but this doesn't mean that we, judges should not attempt to struggle to understand exactly those changes that are being made, still in very few countries in respect to the legal position, the legal understanding about Nature.

Nature is not just a thing; that's the traditional wisdom that Nature or Mother Earth is composed of elements and those elements are understood by law as things. What we are discussing right now in many parts of the world, and I'm not taking any position on the discussion, I'm just reporting, is that the legal system should move away from this misconception of Nature and see Nature not just for its elements but see Nature in its entirety. Nature as meaning life and with life the foundations of life.

So, within this debate, we the legal profession are still discussing what is the legal nature of Nature. Or the legal nature of Mother Earth. Until very recently this debate was still very much philosophical, ethical but gradually from city councils to constitutional councils as is the case with Bolivia and Ecuador, Mother Earth is recognized by the legal system. And of course, this recognition has to have meaningful repercussions and implication for we, judges.

So, I do celebrate the UN Programme on Harmony with Nature for inviting us, Brazilian judges, federal judges in particular to be part of this dialogue. Of course, we, judges cannot participate in all dialogues, because sometimes it is important to understand that we have our limitations as judges. But it is important to bring us judges into the educational process that is required in order to convey the changes that are already happening in legal systems in many parts of the world and in jurisprudence, case law of courts around the world, from India to Colombia and several other countries.

So, on behalf of the Brazilian National High Court and its center for legal education, judicial education, again, let me stress how happy I am to see us the Brazilian judges join forces with the United Nations with this program that is poetic, Harmony with Nature, but is not only very challenging for us, judges, but also to the legal profession as a whole and I would say to humanity because this is really a change, a shift in paradigm, ethical paradigm but at the end

of the day, legal paradigm. So many thanks to the good work that you have been doing and I am confident that the good work will continue.