“RIGHTS FOR THE EARTH”
TOWARDS NEW INTERNATIONAL STANDARDS

From November 30th to December 11th, during the COP21 (UN Convention on Climate Change Conference of Parties of 2015) in Paris, the world’s nations will reach new agreements on climate change. The major challenge with these negotiations rounds would be the achievement of sufficiently binding commitment to ensure a sustainable living planet. Addressing the global climate complexity requires a moral and legal responsibility that should go beyond the mere “declaration of intentions”. It is necessary to construct a social pact for coexistence of a global governance regime and an international legal framework whose pillars are safeguarding biodiversity and respecting ecosystems’ dynamics, on which humanity depends for survival and well-being.

All over the world, initiatives presenting a systemic solution to climate change and the current state of the planet by adapting public international law and criminal law are growing. Whatever may be the approaches or legal tools (Earth Laws, Rights of Nature, Rights of Future generations, fundamental human right to live in a healthy environment, criminal recognition of environmental crimes, ecocides crimes, Global Commons) they all seem to agree in a new socio-ecosystemic perspective, acknowledging that humans are inalienable parts of Nature and their actions not only have consequences over their environment, but also for their own well-being. This growing convergence of initiatives is an historic expression of public will at supranational level to control the way of how norms are defined in the case of major damage to the environment.

The meeting of two international stakeholders: the coalition “The Global Alliance for the Rights of Nature” (GARN) and the citizens’ movement “End Ecocide on Earth” (EEE) for the COP21, coming from different fields of law, having both accomplished amazing results on their continents, will be the symbol of this convergence; Seeking to implement a range of actions whose aim is to show the complementarity and necessity of their approaches. They get together in a vast program to propose and test new legal concepts:

- the recognition of the Rights of Nature in the public law - at the international and local level - based on the “Universal Declaration of Rights of Nature” carried by GARN - which recognizes the rights of ecosystems to exist and the duties upon humanity to respect the integrity of their life cycles.
- the recognition of the Crime of Ecocide by the international criminal law - based on the EEE proposed amendments to the Rome Statute of the International Criminal Court - would allow to set up an international legal framework to ensure the safety of planet.

These two initiatives are designing a legal landscape that would strengthen and support future State’s “climate” commitments by proposing international norms to adopt in order to safeguard humanity and nature as well as the judgment and the sanction of environmental crimes. In highlighting the consubstantial interdependence between men and nature, they are part of a broader fundamental debate that touches human’s space within nature, in order to nurture collective consciousness transformation and global governance models.
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CONCEPT NOTE

INITIATIVES CONVERGENCE: LAWS FOR THE PLANET/Earth

PROGRAMME

CONFERENCE “LAWS FOR EARTH, TOWARDS NEW INTERNATIONAL NORMS”

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France will chair the UN Convention on Climate Change Conference of Parties of 2015, from 30 November to 11 December (COP21 CMP11). A particularly important date, as the World’s Nations are aiming to reach new binding agreements on climate change to keep global warming below 2°C, an agreement that would replace the Kyoto protocol and it would be enforceable for all the countries. The agreement is likely to represent a major turning point in our world history, if indeed it would be ambitious, binding and federative enough to stop the irreversible environmental degradation processes linked to global warming.

The entire global community will be then reunited and will listen attentively to environmental issues. This could potentially be regarded as a window of opportunity, a crucial moment to argue initiatives of civil society on the new political, economic, social and ecological world challenges that is now humanity facing.

The climate issue raises unprecedented questions. While the most vulnerable populations around the world are being exposed to disasters due to rising temperatures, there is therefore an increasingly need for challenging our value systems and our governance models. Raising critical issue of environmental justice and the potential need for an international legislative framework to prevent and mitigate the consequences of global warming.

Number of issues related to the most fundamental human rights remain unresolved: the right to live in a healthy environment, the right of future generations, the right of access to water, food, health … Indeed the current international legal framework does not have the tools to supervise dangerous industrial activities, protect ecosystems or human health. This topic is in substantive discussions that affect the development of international environmental law, but also to economic, international security, biodiversity issues …

Apart from raising international awareness of climate issues, COP21 is a unique opportunity to address questions of environmental justice / law and gain recognition as an inalienable human right: the right to a healthy environment in which the resources are taken from equitable and sustainable manner. Tomorrow, for hundreds of millions of human beings, it can conditionate their access to water, land, health, respect for its traditions, the right to life and the simply right to enjoy Peace.
The Global Alliance for the Rights of Nature (“GARN”) is a network of organizations and individuals committed to the universal adoption and implementation of legal systems that recognize, respect and enforce the “Rights of Nature”.

Rights of nature are based on the “Universal Declaration of the Rights of Mother Earth” (UDRME), original text lunched at “World Peoples’ Conference on Climate Change and the Rights of Mother Earth”, hosted at Cochabamba, Bolivia in 2010 and attended by over 35,000 participants from more than 100 countries.

**THE NATURE, A SUBJECT OF RIGHT?**

UDRME considers Nature as a subject rather than an object or commodity. It recognizes an intrinsic value to the nature and all its life forms, for which it enunciates the right to exist, maintain and regenerate their vital cycles. As acknowledged by the UDRME, rather than arising from human sources, nature’s rights are inherent to its very existence: ecosystems are therefore considered as subjects of rights, which can be represented in a court of law.

From a philosophical standpoint, Rights of Nature represents a call to replace the current paradigm of growth with one of harmony with nature. Currently, our legal, social and economic systems are premised on an assumption of unlimited growth for profit and an insatiable desire for greater consumption. Nature is treated as a mere resource to be consumed and depleted. By passing laws and regulations that “manage” or “regulate” our exploitation of nature, we merely legalize its destruction. The result has been unprecedented damage to our planet to the peril of both humans and nature.

Recognizing Rights to Nature challenges our destructive legal and economic systems and puts forth a bold vision of living in harmony with all life, reconciling human and nature, and restoring natural balance with our planet. Grounded in the wisdom of ancient and indigenous cultures, Rights of Nature seeks to maintain a balanced relationship between humankind and every form of life, in recognizing and respecting the biosphere balance. The Rights of Nature are also intrinsically linked to the need for real participatory democracy, where communities and guardians of nature’s rights have equal standing to decide upon issues that affect all of our well-being (including harmful projects such as mega-dams, mining projects, and fossil fuel extraction), decisions which today are exclusively made by the market and its financial or political elites.

Rights of Nature are part of a large growing movement that recognizes our interdependency with the terrestrial community and the right for all members to exist and prosper.

**HISTORICAL BACKGROUND OF THE CONCEPT “RIGHTS OF MOTHER EARTH”**

Over the last decade, the Rights of Nature, initiated by GARN has expanded rapidly across the globe. The petition for Rights of Nature has obtained, at this date, more than 825,000 signatures from 122 countries. The “Universal Declaration of Right of Nature”, official founding statute of Rights of Nature, was applauded by 35,000 people during the Cochabamba conference in 2012. While the concept of nature’s rights has existed in indigenous wisdom for millennia, the first step towards recognizing the Rights of Nature in law began at the regional level in 2006. Since then, the legislators of Ecuador and Bolivia have adopted it, and it is part of numerous regional and municipal initiatives in several other countries (For example, included in more than 180 municipal ordinances in the United States).

(History: http://therightsofnature.org/ga-ron-video/)
2006 **Tamaqua Borough, Pennsylvania**, first municipality in the United States to recognize natural communities and ecosystems as “persons” in a court of law, for purposes of protecting the community from toxic waste, also recognizing residents’ rights to a healthy environment.

2008 **Ecuador** becomes the first country to including Rights of Nature in its **Constitution**

For the first time in history, the constitution of a country recognizes and calls for enforcement of the Rights of Nature (Art 71 and 57). Far from reducing it to a set of exploitable resources, it says: “Nature or Pachamama, where life is or realizes and reproduces itself, has the right of respect of his existence, as well as to maintain and regeneration of its vital cycles, structures, functions and evolutionary processes.”.

04 /2010 **Bolivia** hosts the “World People’s Conference on Climate Change and the Rights of Mother Earth”, **Cochabamba**

Agreement upon the “Universal Declaration of the Rights of Mother Earth” (UDRME). Earth Day: 35,000 people gathered to acclaim the UDRME.

09/2010 Creation of the **Global Alliance for the Rights of Nature (GARN)**

12/2010 Bolivia and Equador adopts **Law on the Rights of Mother Earth**.

10/2012 Bolivia adopts **Framework Framework Law on Mother Earth and Integral Development for Living Well**.

12/2012 UN Conference on Sustainable Development, “Rio +20” – Rights of Nature is articulated in the UN consensus document and recognized in the People’s Summit Declaration

120,000 signatures are presented to the UN Secretary-General

http://www.thepetitionsite.com/1/yes-to-rights-of-nature/

01/2014 Quito, Ecuador “Global Rights of Nature Summit”

**First International Rights of Nature Tribunal**

www.therightsofnature.org/rights-of-nature-tribunal/

12/2014 Lima, Péru “UN Framework on Climate Change Convention”

**Second International Rights of Nature Tribunal**

http://therightsofnature.org/lima-2014-tribunal/

**GLOBAL ALLIANCE FOR THE RIGHTS OF NATURE**

Recognizing the unparalleled developments in recognition of the rights of nature worldwide, global leaders and Rights of Nature advocates from six continents came together in September 2010 to further galvanize the emerging movement and create the Global Alliance for the Rights of Nature. The GARN serves as a global hub for connecting and fostering relationships, exchange of knowledge, and collaborating to forward the understanding and implementation of Rights of Nature. GARN members are a diverse network of experts (scientists, attorneys, economists, indigenous leaders, authors, spiritual leaders, politicians, actors, business leaders, homemakers, students and activists) to advance earth rights based thinking, community actions, and legal systems. GARN is focused on creating a system of jurisprudence that sees and treats nature as a fundamental, rights-bearing entity – not as mere property to be exploited. GARN seeks to break out of the human-centered limitations of our current legal systems by recognizing, respecting and enforcing Rights of Nature as one of the most transformative that humanity can take to create a thriving future for all.

**PERMANENT MEMBRES OF GARN -**

- **Cormac Cullinan** (EnAct international);
- **Pablo Solon** (Focus on the Global South);
- **Atossa Soltani** (Amazon Watch);
- **Tom BK Goldtooth** (Indigenous Environmental Network - iEN);
- **Michelle Maloney** (Australian Earth Laws Alliance - ALEA);
- **Shannon Biggs** (Movement Rights);
- **Osprey Orielle Lake** (Women’s Earth and Climate Action Network);
- **Linda Sheehan** (Earth Law Center);
- **Vandana Shiva** (Navdanya);
- **Carine Nadal** (Gaia Foundation);
- **Natalia Greene** (Secretariat);
- **Robin Milam** (Secretariat)
End Ecocide on Earth (EEE) a grass-roots initiative aimed to recognize the crime of ecocide in international criminal law, as the fifth crime prosecutable before the International Criminal Court in the same manner as the crime against humanity, the crime genocide, war crimes and the crime of aggression. To that end, severe cases of environmental destruction and health related damages, which threaten the safety of the planet, must be recognized as a crime.

EEE proposes that ecocide be characterized by partial or total destruction of the global commons and/or ecosystem services, threatening living conditions on Earth for present and future generations. Ecocide Eco-cide derives from the Greek “oikos” meaning “house” or “home” and the Latin “caedere” meaning “strike down, demolish, kill”. It literally translates to killing our home, and in this case the only one we have: the Earth! Ecocide is any act or failure to act which causes significant and durable damage to any part or system of the global commons, or threaten the safety of humankind.

AN INTERNATIONAL LEGAL LOOPHOLE

Pollution and destruction of our environment and the depletion of natural resources are progressing rapidly and we are facing a major international legal loophole or absence of of international norms. Recognize Ecocide crime in peacetime would permit to prosecute and judge the perpetrators of the most serious environmental crimes and thereby engage the responsibility of transnational corporations’ executives, heads of state or directors of partner organizations.

The Deepwater Horizon explosion in the Gulf of Mexico, the Fukushima disaster in Japan, massive deforestation in the Amazon, the Tar sands in Alberta (Canada), the oil pollution in the Niger Delta in Nigeria or the gold mine project in Rosia Montana in Romania are examples of environmental disasters which could be prevented by the adoption of legislation that would recognize the criminal liability of decision makers. Overall, this initiative constitutes a practical solution to set up a binding framework for multinationals corporations’ action by waiving the impunity of their leaders, protect biodiversity and put people over profits, and last preserve future generations. The recognition of the crime of ecocide would help shift from an anthropogenic vision of the law, to the recognition of rights to nature itself, thus affirming the principle of interdependence binding nature and human beings.

HISTORY OF AND STRATEGY OF END ECOCIDE ON EARTH (EEE)

Initially launched as a European Citizen Initiative (ECI), EEE has first carried on a project of European directive on the crime of ecocide which has been submitted to the vote of European citizens in 2013 then turned into a petition in 2014 which collected 190,500 signatures (on www.endecocide.org). The project has been presented to the European parliament on 26th February 2015 and is now studied within four commissions: Energy, Justice, fisheries and environment. Meanwhile, in January 2014, the movement was globalized by claiming the establishment of an international court of the environment and health.

In this context, EEE contributed to the writing and promotion of the Charter of Brussels, drawn up with 9 other organizations which officially request the establishment of a European and an International Criminal Court of the Environment and Health. The Charter calls for the recognition of environmental crimes as crimes against Humanity and Peace by the United Nations. EEE then took part in the 10th anniversary of the Paris’ Call for action (International Declaration on diseases due to chemical pollution). In October 2014, EEE has organized an international conference in Brussels inaugurating the launch of a think tank bringing together international legal experts.

Being a worldwide movement, EEE set up an international legal experts group to draft a proposal of amendment to the Rome Statute establishing the International Criminal Court, in order to include Ecocide to the list of the international crimes.

THE AMENDMENTS TO THE ROME STATUTE / INTERNATIONAL CRIMINAL COURT

The International Criminal Court (ICC), governed by the Rome Statute, was established to help end impunity for perpetrators of the most serious crimes affecting the international community. The ICC Statute considers war crime to cause widespread, long term and severe damage to the natural environment, but there is no provision to protect the environment of this type of harms in peacetime.
Since its entry into force in 2002, the Rome Statute was adopted by 123 countries (April 2015). Any state party may propose amendments to it. The text of the amendments must be submitted to the General Secretary of the United Nations, who shall promptly circulate it to all States Parties and to convene a General Assembly or a Review Conference. If the States agree by majority to study the proposal, they will then adopt the amendments by consensus, or otherwise at the majority of 2/3 of member states presents.

EEE proposed amendments to the ICC Statute for recognition of the crime of ecocide in peacetime would establish the effectiveness of a set of emerging standards through the establishment of an international criminal legal framework capable of ensuring the “safety of the planet” based on the protection of the global commons and transboundary ecosystem services, in compliance with the known planetary boundaries.

Ecocide is defined in the amendments as an extensive damage or destruction having for consequence a severe and durable alteration of the global commons, that is to say natural spaces/areas recognized as of common interest to terrestrial biodiversity and ecosystem services necessary for the survival of humanity (oceans and seas beyond territorial waters, atmosphere, extra atmosphere and their respective chemistry, Arctic, Antarctic, rivers and transboundary rivers, groundwater, migratory species, biogeochemical cycles, genetic heritage). The damage assessment may be entrusted to the United Nations Environment Programme. In case of Ecocide crime, victims have the possibility of an international remedy to compel the perpetrators (person or company) to pay moral, physical and economic compensation. It is also possible with Ecocide law to request the restoration of the damaged natural environment with regard to its ecological value. In addition, the international judge has the power to order the dissolution of a transnational corporation depending on the severity of the facts. The superior responsibility could be engaged and imprisonment sentences could be imposed.

EEE ON GOING STRATEGY

Ecocide should be added to the Rome Statute as an international Crime against Peace, and tried under the jurisdiction of the International Criminal Court, beside the crime of genocide, the crime against humanity, the war crime and the crime of aggression. EEE is lobbying head of states in order to bring the amendement project of the Rome Statute to the UN Secretary-General Ban Ki-moon during the COP21.

> To achieve it, EEE is organizing conferences for executive levels in the DR Congo, Ivory Coast, Poland and France, amongst others.
> EEE is preparing a worldwide campaign to let people of this planet speak out their demand to protect our ecosystems and our future by the implementation of an international criminal law.
> EEE plans a press conference on the 10th of December, the day the Human Rights were declared in Paris in 1948, to publicly announce together with all willing Head of States the amendment to the Rome Statute.

EEE bears a long term strategy illustrated in several axes: expertise (multidisciplinary research, analysis and transdisciplinary context, scientific publications); political (political lobby towards States parties to endorse the proposal, but also to encourage its adoption); and citizen’ (support campaign, concepts outreach, publications, etc.).
CONVERGENCE INITIATIVES: RIGHTS FOR THE EARTH

The COP21, highlighting the **climate emergency and the need to strengthen States’ commitments on this issue**, is a key moment to develop and converge the legal initiatives with systemic solutions to the degradation of the natural environment by an adaptation of the public international and penal law.

**CONVERGENCE INITIATIVES: AN INTERNATIONAL LAW FOR THE EARTH**

A new body of law is emerging across the planet around the concept of “Earth Law” in a diversified approaches and legal proposals: Earth Law, Rights of Nature, Rights of future generations, Human rights to a healthy environment, crime of Ecocide, etc. All these proposals are part of an innovative socio-ecosystemic perspective, recognizing that human beings are inalienable parts of nature and that their actions have consequences, not only on their environment, but also on their own future. 

This emergence and convergence proposal is the expression of a historic momentum, which, faced with the destruction of life conditions on Earth, advocates adapting international standards to establish a legal framework for the protection of the Earth, its inhabitants and the consideration of future generations.

**FROM RIGHTS OF NATURE TO CRIME OF ECOCIDE**

This principle of interdependence induces a stepwise progress in environmental law, moving from a purely anthropocentric perspective (protection of nature for human well-being), to one that encompasses the interests of future generations; to finally recognize an intrinsic value to nature as a subject of law. Distinct in their focuses, these approaches meet common ground in the definition of ecocide as proposed by EEE to ICC states parties. The fundamental value on which relies the criminalization of ecocide is the “safety of the planet”. This value is set to become a peremptory norm; human in this vision is one of the protected components. Indeed, the prohibition of ecocide will guarantee the human right to a healthy environment but also enshrine the right of nature to be protected. This proposal is therefore a transversal approach between the rights of nature and the rights of humanity that correlates them, also considering a number of advanced concepts in terms of legislative standards and environmental regulations known to date:

The amendments guarantee the safety of the global environment by protecting global commons and ecosystem services related to the respect of planetary boundaries. They rely on strong principles such as: the precautionary principle and the due diligence within the framework of shared responsibility. Through declaratory judgments and injunctive reliefs, they implement preventive justice. In case of environmental damages, they enable strict liability of superiors (managers), relying on a repressive but also compensatory and restorative justice. They protect against environmental injustices and violations of traditional or indigenous lifestyles. Ultimately, they promote future generations’ right to live in a healthy and sustainable environment ensuring effective protection of the Earth system.

**ENSURING EFFECTIVENESS OF NORMS BY THE INTERNATIONAL CRIMINAL LAW**

The citizen movement “End Ecocide on Earth” has decided to go further, proposing to adapt international criminal law by including the crime of ecocide to the Statute of the International Criminal Court. The amendments proposal of EEE would allow effectiveness of all emerging norms through establishment of an international criminal legal framework capable to ensure the safety of planet, in protecting the global commons and transboundary ecosystem services, in compliance with the known planetary boundaries.

This penal framework will regulate industrial activities to ensure healthy living conditions for present and future generations. It will ensure an international and environmental climate justice that can prevent and mitigate global warming consequence, environmental prosecution and sanction, and promotion safeguarding of humanity and nature.
THE CONFERENCE “EARTH LAW : TOWARDS NEW INTERNATIONAL NORMS”

THE PLACE TO B - 3RD DECEMBER

Initiatives convergence: an international frame to protection of the planet. The Conference “Towards the adoption of International Environmental and Climate Law” will take place before the tribunal. Experts will clarify the different concepts and emerging principles of the Law of the Earth (Earth Law). These proposals aim to raise the right to a healthy environment as a basic standard and to grant rights to nature. They provide relevant insights into the close relations between the fields of environmental law and human rights in order to assert the principle of interdependence binding nature and human beings and their responsibilities. The object will be to present these legal angles and create a dialogue between different holders of proposals, instruments, declarations, court success and emerging initiatives.

• The complementarity of these approaches have the potential, in their interpretation and implementation, of ending unlimited exploitation of natural resources which jeopardizes all future on earth.

• They give rise to a paradigm shift by encouraging international environmental law to recognize rights to nature in a biocentric perspective.

• Finally, these initiatives contribute to an evolution of consciousness and human behavior by providing a transition to systems of governance that are guided by the general interest of the Living on Earth, recognizing that human is at the heart of a system of life beyond him, and that we must respect the laws, processes and boundaries in order to maintain the balance of the system.

PROGRAM UNDER CONSTRUCTION*

**Introduction** Natalia Greene (GARN)
**Key note speech** Vandana Shiva (Navdanya)

**DISCUSSION : CONCEPTS**
**CONCEPTS FACILITATION:** Genevieve Azam (attac)

**Mother Earth** Patricia Gualinga Sarayeku
**Tom Goldtooth (IEN)**
**Sumak Kawsay**

**Buen Vivir** Alberto Acosta

**Degrowth** Serge Latouche

**Laudato Si** Roderigo Péret

**DISCUSSION: ECONOMIC MODEL / ECOLOGICAL GOVERNANCE**
**NORMS FACILITATOR:** Shannon Biggs

**Our duty of care** Mireille Delmas Marty
**Law of the Commons** Silke Helfrich
**Rights of Nature** Osprey Orielle Lake
**Rights of Future Generations** Emilie Gaillard

**DISCUSSION: RELATIONSHIP WITH NATURE AND CLIMATE CHANGE**
**INSTRUMENTS FACILITATOR** Koffi Dogbevi
**Climate Justice** Roger Cox
**Declaration of the Rights of Mankind** Corinne Lepage
**Universal Declaration for the Rights of Mother Earth** Cormac Cullinan

**Crimes against Health as crimes against humanity** Marie-Odile Bertella geffroy

**Binding Treaty on transnationals corporations with respect to Human Rights** Nicolas Haeringer

**Eco-crimes and Ecocide Conventions**
**Laurent Neyret**

**Ecocide as a crime against peace and human security**
**Valerie Cabanes**

**Discussion: Hope for implementation**

18h00 CLOSURE
**Similarities and differences** Vandana Shiva
The “International tribunal for Rights of Nature” was launched by GARN in 2014. First session of the tribunal, presided by Dr. Vandana Shiva, convened hearings in Quito, Ecuador in January 2014 during the Global Rights of Nature Summit. The second session held in Lima, Peru in December 2014 during the UNFCCC-COP20 was presided by Alberto Acosta.

The third International Rights of Nature Tribunal will be held on 4 and 5 December 2015 concurrently with the United Nations Framework Convention on Climate Change (UNFCCC COP 21) in Paris, France. This tribunal is hosted by Garn in partnership with EEE; NR & Attac.

The Tribunal is a unique citizen-created initiative. It gives people from all around the world the opportunity to testify publicly as to the destruction of the Earth, destruction that governments and corporations not only allow, but in some cases encourage. The Tribunal provides a systemic alternative to environmental protection, acknowledging that ecosystems have the right to exist, persist, maintain and regenerate their vital cycles, with legal standing in a court of law. The Tribunal has a strong focus on enabling Indigenous Peoples to share their unique concerns and solutions about land, water, air and culture with the global community.

The Tribunal features internationally renowned lawyers and leaders for planetary justice, who will hear emblematic cases addressing issues such as climate change, GMOs, fracking, extractive industries and other environmental violations. The Tribunal will formulate judgments and recommendations for the Earth’s protection and restoration based on the Universal Declaration of the Rights of Mother Earth. Among other things, the Declaration binds us to respect the integrity of the vital ecological processes of the Earth. Accordingly, the Declaration also helps advance proposed amendments to the Rome Statute of the International Criminal Court to recognize the crime of Ecocide.

The International Court of Rights of Nature is part of an effort to promote a change of consciousness and highlight the need to expand the international legal framework and national laws to ensure the safety of planet by preserving biodiversity and respecting ecosystem dynamics.
The Tribunal is hosted by the Global Alliance for the Rights of Nature (GARN) who holds the Secretariat and formal procedures for ongoing International Rights of Nature Tribunals. In Paris, the Global Alliance has established a partnership with End Ecocide on Earth, and supported by NatureRights and Attac France. For more information and upcoming registration details, see http://therightsofnature.org/rights-of-nature-tribunal-paris/.

The cases will be presented by presenters, experts and witnesses or victims ; and judged at the end of each day. The cases will be accompanied by visuals (presentations, videos). The program, which will last for two days, is actually being developed, some stakeholders are to be confirmed or invited. However, the foundations are laid in the following order:

**FRIDAY DEC. 13H30-17H**

**HYDRAULIC FRACTURING/FRACKING**

Fracking, Shannon Biggs Kandi Mosset / Cassey Camp / Khaoula Chikahouli, Damien Short. Defenders of Mother Earth,

**DEFENDERS OF MOTHER EARTH**

Indigenous representatives (Amazon), Rosa Montana (Rumania), contamination Italy (Roderigo Peret), Bryon Parras (USA), Peruvian victims, Paty Gualingua

**JUDGES STATEMENTS FROM DAY 1**

**SAMEDI 5 DEC. 2015 - 9H30-12H30**

**AGRO-FOOD INDUSTRY / GMOS THREAT**

Vandana Shiva, Marie-Monique Robin, Dr Serali, Ronnie Cummins, Patrick de Kochko (peasant seeds), Adelita San Vicente, José Bové

**MEGA DAMS IN THE AMAZON / BELO MONTE & TAPAJOS**

Gert-Peter Bruch (Planete Amazon), Bianca Jagger, (Amazon Watch), (Christian Poirier-Leila Salazar, France Libertés, Indigenous leaders (Raoni Kayapo + Munduruku), Antonia Mello / Archbishop Altamira, Felicio Pontes

**JUDGEMENT STATEMENT DAY 2**

**TRIBUNAL’S RECOMMENDATIONS : RIGHTS OF NATURE SOLUTIONS SESSION**

**SAMEDI 5 DEC. 2015 - 13H30-17H**

**INCLUDE ECOCIDE AS A CRIME AT ICC - Valerie Cabanes (EEE)**

**TEXACO CHEVRON ECOCIDE, YASUNI-ITT PREVENTIVE CASE, ECUADOR**

Pablo Fajardo / Julio Prieto, Texaco victims, Patricia Gualinga Sarayeku, Valérie Cabanes, Carlos Larrea (Université Andina Simón Bolivar), Yasunidos, presentation of Commitments Oilwatch, victims Chevron (humberto Piaguaje y Luz)

**TRIBUNAL RECOMANDATIONS**

Presentation of new cases to run tribunal’s secretariat ((Pollution in Italy, hydro power dams in Eastern Europe, Gold mining in Galicia, Greece & cyanide spill in Romania, ocean “management”, Animal cases, Shell in Nigeria + Tar Sands in Alberta Canada), Sentience’s presentation, Reports, European citizens initiative report (to be developed), Ron report, Judges and president’s final statements and summary statement for cop 21

more infos
http://therightsofnature.org/rights-of-nature-tribunal-paris/ (en)
http://www.naturerights.com/blog/?p=1126 (fr)
INTERNATIONAL TRIBUNAL OF RIGHTS OF NATURE

OBJECTIVES OF THE TRIBUNAL

Assuming that the objective of the 2015 UNFCCC COP21, conference is to achieve, for the first time in over 20 years of UN negotiations, a binding and universal climate agreement by all the nations of the world. To date the UNFCCC has been unable to propose a viable agreement to correct the conditions of climate change and the heating of our planet. While the Tribunal does not have enforceable legal authority, the adjudication process provides a catalyst for informed legal analysis of diverse cases, recommended mitigation based on Rights of Nature and Human rights, and expanded international authority as the process matures.

After the judgment, the Tribunal will recommend remedial action / preventive measures against damage or subsequent damage. It will encourage the parties to use mediation or other dialogue mechanism it deems appropriate.

EXPECTED RESULTS:

1. Rulings of the Tribunal with respect to cases involving alleged violations of the Rights of Nature laws and/or the Universal Declaration of the Rights of Mother Earth;
2. Definition of proposed solutions for (1) mitigating issues and harmful impacts related to specifics cases heard, (2) preventing further harm and restoring the systemic health of the impacted communities.
3. Broader international acceptance of the concept of the Rights of Nature and of all beings and the universal observance of the rights and duties contained in the Declaration; and
4. Demonstration of how the application of the rights and duties contained in Rights of Nature laws and the Universal Declaration for Rights of Mother Earth promotes the harmonious co-existence of humans and other beings in a manner that enhances the integrity, health and functioning of the Earth community.
5. Include Ecocide as an international crime before the International Criminal Court.
PERMANENT MEMBERS OF THE RIGHTS OF NATURE TRIBUNAL

A panel of international experts, judges and distinguished intellectuals, from different cultural backgrounds:

Dr. Vandana Shiva, internationally renowned author, physicist and environmental activist
Alberto Acosta, economist and former president of the Constituent Assembly from Ecuador
Blanca Chancoso, Kichwa leader and educator from Cotacachi, Ecuador;
Cormac Cullinan, lawyer and author (Wild Law), EnAct International, Cape Town, South Africa;
Tom Goldtooth, Dine’/Dakota, executive director of Indigenous Environmental Network, Minnesota, USA;
Julio César Trujillo, constitutional lawyer for Yasunidos, Ecuador;
Elsie Monge, human rights activist and president of CEDHU and FIDH, Ecuador;
Atossa Soltani, founder and director of Amazon Watch, USA;
Enrique Viale, environmental lawyer, Buenos Aires, Argentina; and
Tantoo Cardinal, actress (Dances with Wolves) and indigenous activist from the Tar Sands of Canada,
Francios Houtart, professor, philosopher, theologian, Belgium,
Osprey Orielle Lake, Co-Founder and Executive Director, Women’s Earth and Climate Network, USA,
Edgardo Lander, sociologist, professor, Venezuela, Veronika Mendoza, Peruvian Congresswoman.
Pablo Solon, executive director of FOCUS on the Global South and former Bolivian Ambassador to UN.
Indigenous leaders from the North and South presented opening expert statements.
Ramiro Ávila, Ecuador attorney and professor, served as Prosecutor for the Earth in both the International Tribunal and the more recent Yasuni Tribunal

THE LEGACY OF PAST EVENTS

- Quito, Équateur January 2014 (Global Rights of Nature Summit)
http://www.pachamama.org/news/first-world-tribunal-on-rights-of-nature-hears-eight-cases-for-admissibility
Headed by VS Vandana Shiva, with more than 60 international experts leaders, nine prominent cases were presented to a distinguished international, multicultural panel of judges. The Universal Declaration for the Rights of Mother Earth, and in selected cases the Ecuadorian Constitution, provided the legal basis for review and judgment.
http://www.pachamama.org/news/first-world-tribunal-on-rights-of-nature-hears-eight-cases-for-admissibility

Among the cases:
- Oil spill: Chevron-Texaco pollution case (Ecuador); BP Deep Horizon oil spill (USA)
- Yasuní-ITT oil project (Ecuador)
- the endangerment of the Great Barrier Reef by coal mines (Australia)
- hydraulic fracturing (USA)
- Defenders of Mother Earth and false solutions to Climate Change (global)

- Lima, Peru 2014 (UNFCCC COP20)
http://therightsofnature.org/lima-2014-tribunal/
In parallel to the meetings of the UNFCCC, the second International Tribunal for the rights of nature, chaired by Alberto Acosta, ruled on a dozen cases, selected in accordance with the expressed priorities of the Conference of the Parties on Climate Change and the state of the oceans. Have been discussed: the impacts of climate change, the threats to the Great Barrier Reef, the extraction of oil and minerals in Peru, and the violence against environmental activists, such as the massacre of Bagua who had in Peru that year.
“KEEP FOSSIL FUELS IN THE GROUND”: CLIMATE CRIME AND FOSSIL ENERGIES

Participation in various events related to the divestment from fossil fuels campaign, a major topic of awareness directly related to the Tribunal’s recommendations. It will be considered in the light of climate justice concepts, ecocide crime and the rights of nature.

With the legacy of TEXACO CHEVRON case (judicial procedure since 1993 - Complaint under way with the ICC for crimes against humanity - 30,000 victims), the prospect of exploiting the YASUNI ITT oil raised a burst of outrage of civil society around the world. This gave birth to the idea of “KEEP FOSSIL FUELS UNDERGROUND”, a campaign that proposes to maintain reserves of fossil fuels in the ground, through the creation of economic instrument, like the creation of an international fund.

Keeping oil underground would help protect places with high environmental and cultural value in the world, which are threatened by oil extraction, like for example Niger delta in Nigeria. But also to impose a necessary energy transition. In order to avoid a planetary disaster, at least two thirds of the remaining reserves of fossil fuels are expected to remain untapped, which will permit to maintain global warming below acceptable limits (+ 2 ° C).

This message becomes, with the upcoming UN climate conference to be held in Paris in December, the subject of joint campaign to a growing number of civil societies. “Keep Fossil Fuels in the ground” is now a global movement. Avaaz, 350.org, Amazon Watch, The Guardian, CETIM, Friends of the Earth, Accion Ecologica, Pachamama, Coalition Climat21, etc. consider keeping fossil fuels in the ground, one of the unique solutions to climate change.

EEE is taking part in the campaign, contending that recognition of the crime of ecocide internationally will allow the universal application of the precautionary principle and would give the judge a tool to compel or halt industrial activities causing current climate crimes.

Beyond the suspension of industrial projects source of greenhouse gases (such as drilling projects or mining of fossil fuels, or recognized as disturbing the carbon cycle or methane, such as massive deforestation actions or intensive farming methods) on the basis of the precautionary principle, this mechanism would also establish a climate justice for victims. In fact, according to the United Nations, the number of climate refugees could rise to 250 million by 2050.
CAMPAIGN EARTH LAWS

PRESS CONFERENCE “END ECOCIDE ON EARTH” (TBC)
10 December - Anniversary date of the adoption of the Universal Declaration of Human Rights in Paris in 1948
EEE will publicly announce, in the company of one or more Heads of State, the filing before the General Secretary of the United Nations Ban Ki Moon, 17 proposed amendments to the Rome Statute of the International Criminal Court related to the crime of ecocide.
EEE wish consecrate and universalize human right to a healthy environment and declare the fundamental rights of Earth by integrating to the Rome Statute, the Ecocide as an international crime, based on the concepts of global common and planetary boundaries.

BLOG & BOOK ON ENVIRONMENTAL JUSTICE: “RIGHTS FOR THE EARTH”
By September 2015, dedicated blog “Rights for the Earth”
December: dedicated blog “Rights for the Earth”
Goal: to bring together recognized experts in Human Rights and Environmental law to expose and vulgarize legal approaches and concepts related to their respective fields of expertise, compare points of view and propose restatement options in the current legislation.
The goal is to bring together a community of researchers and experts, form different backgrounds, cultures and areas of expertise, in order to put into perspective the convergence of initiatives pursuing a common objective: build a coherent and effective legal framework at the local and international level to preserve ecosystems and humanity that is relying upon.

CITIZEN CAMPAIGN “ECOCIDE END ON EARTH”
(TBC petition AVAAZ)
Starting September, will be initiated a public campaign in support of the states wishing to endorse the draft amendments EEE, held on two international events:

September: United Nations Conference on Sustainable Development, a turning point on the road to COP21 for the recognition of environmental crimes.

December: COP21, momentum to argue the urgency of global climate justice.
The campaign will enable the delivery of a petition to Ban Ki-Moon reflecting a massive citizen support to legitimize the courageous approach states willing to supervise the most

STAGES OF CITIZEN ENGAGEMENT
The campaign will be deployed on many events supported by the civil society around which will be organized public communication and promotion of the campaign.
NATURERIGHTS, THE NATURE AS SUBJECT OF RIGHTS

The idea to consider Nature as subject of law raises a number of questions and challenges our conception of the place of human vis a vis Nature. Over time, the domination of exploitative and predatory economy on all spheres of the existence, the progress of human technical knowledge on nature, or the development of a thought closely rationalist, participated in the development of a strictly utilitarian conception of the relationship between societies and their environment. The idea of “Nature-object,” became philosophical and ethical foundation our present system, determines an instrumentalist perception of nature built on the idea that it only exists through useful and beneficial resources to human development. Being only a stock of resources, the single connection envisaged is management.

This super separation human/nature has highly contributed to a development model based on the frenzied exploitation and short-termist of natural resources for profit, to the deterioration of our natural habitat, and the emergence of a world in which profit is above human and where the future of Humanity is mortgaged to the benefit of a few. It led human societies to exercise such pressure on ecosystems, whence a planetary biosphere imbalance today threatens the survival of the human species.

At the Anthropocene age, when limits of human footprint on Earth are outdated, isn’t it necessary to question the values, beliefs and paradigms from which modern civilization was deployed?

The term “law of nature”, inspired by the polytheistic and anthropomorphic beliefs of indigenous people, is based on the holistic concept of deep interdependence that connect each human to the “Mother Earth” and nurturing. Respect owe to the Earth prohibits any form of ownership or domination. In this view, everything is interconnected and interdependent, and human is part of nature and not erected in its absolute master. This meaning defines an operating functional mode based on maintaining a vital balance between the needs of communities and their natural environment, same within human communities themselves, where individualism prevails It follows a set of values that define social patterns, political and economic that persisted for thousands of years because they work and they are durable.

This conception provides a relevant philosophical and spiritual answer. While the public debate is dominated by the tyranny of a narrow vision which is limited to mere technical adjustments of the remainder, avoiding any deep and comprehensive challenge of the system. The necessary civilizational paradigm shift requires the courage to reconsider our most elementary cultural narratives, and explore the psychological resources that are the source of the crisis. Because “we do not solve a problem with the same set of thoughts that give it rise”, only a profound redefinition of the fundamental and the human place in nature, will be a substitute to propose in a philosophical ground in the collective imagination, to re-enchant the world.
Since 2009, NatureRights has been committed to promote the “Rights of Nature” by identifying, supporting and connecting initiatives that recognise the Rights of Nature / Earth Jurisprudence / Earth Law principles and establish legal precedents and practices for them to become a philosophic, legal, economic and social reality. NatureRights advocates a multidisciplinary approach to “rights of nature,” understood from the perspective of recognizing and respecting the consubstantial interdependence that binds men to nature in order to redefine the values that govern our perception of life. Our work focuses on three main axis:

- **A philosophical axis: advocacy for indigenous peoples**
  NatureRights is committed alongside with Indigenous peoples to publicize and promote their worldview but also to support their struggle for the preservation and transmission of their cultural heritage, their rights and their territories. (communication campaign and events, conferences, delegations, creation of communication tools and content, publications ...).

- **A legal Axis: Nature rights advocacy**
  Nature Rights collaborates with many organisations involved in the development of an international legal framework to promote legal structures and establish a legal frame for “Earth law” Its action is centered on strengthening cooperation and collaboration between citizens and third organizations (articulation, resource optimization, levers, network coordination ect).

- **An economic axis: Strengthening Aboriginal communities**
  NatureRights works to promote and strengthen local conservation projects and sustainable development for the benefit of indigenous communities by fostering their development capacities (fundraising, project constitution, internal management). Driven by the people, the supported projects reflect a way of life based on maintaining a vital balance between community needs and those of their natural environment.

**History of the Partnership NR/ECOCIDE/PACHAMA**
NatureRights collaborated with some people of Pachamama team in 2010 to support the creation of the Yasuni ITT Trust Fund. Nature-Rights is committed alongside the End Ecocide Initiative since 2013. The three organizations joined forces today to program a series of actions during the COP21.

Naturerights.com French Association Act 1901 / Belgian private foundation under the auspices of the King Baudouin Foundation.
The financialization of nature is a central aspect of the financialisation of the world and societies. It relies on a purely utilitarian view of nature and is attempting to absorb ecosystems in the great cycle of capital and market valuation.

Instead of considering the economy and society as sub-systems of an ecosystem that surrounds them, it seeks to make nature a sub-system of the economy. Therefore, this financialization is a primary and practical struggle for Attac. It is embodied in the green economy and carbon finance, which is aimed to renew the current growth model in a sustainable way (greening).

Ecosystems are also subject to accelerated competition in grabbing natural elements (raw materials), land grabbing and oceans, accelerating extractivism are the most obvious examples. This is a new movement of enclosure, privatization of common, and this time on a global scale.

Finally, as we did for GMOs, we reject the political instrumentalization and of manufacturing life form and the Earth system on a small-scale with the bioengineering or on a large-scale with the geo-engineering.

Attac is involved/engaged by publishing analysis and information (books, brochures, releases) as well as concrete actions of solidarity with communities affected and alternatives construction.

Attac refutes the financialization of nature through direct action targeting responsible, transnational corporations: thus, since 2014, was initiated the campaign “Sharks” relayed throughout the country by local committees, campaign which target multinational of financial sectors, agribusiness and energy.

Finally, supporting and developing local alternatives is the third pillar essential to move towards a more just society, and relocating production consumptions. Because there are alternatives for a transition to an inclusive society, conscientious of the material boundaries of the ecosystems and renewing a cooperation contact with nature instead of production-war. We are not condemned to suffer ravages of this globalization, nor the cynicism of the elites.

Attac is funded by its members and is led by its militants. Present in the practical and daily struggles against the ravages of neoliberalism, Attac provides necessary analyzes and organizes actions to build credible alternatives.
**ADVANCEMENTS**

The entire program is secured, the places and dates of events being fixed, and the minimum budgets obtained.

Programs and contents can however undergo changes according to availability of speakers and the decisions of the steering committee of the Paris Court, which applies to any decision.

GARN and the EEE relied on operational partnerships: NR and Attac being local structures facilitating the implementation of the project.

The project stakeholders are working with a large number of the civil society members for the promotion and communication of events, and the stages of citizen mobilization. Some side events are planned and aimed to promote the general principles of the campaign with regard to its different lines (the rights of nature, crime of ecocide, etc.). Stakeholders manage their respective specific events, independently from the subjects of the global campaign.

The NGO group is seeking additional funding on the whole operation.

The overall program is secured, thanks to the presence of a large number of speakers during the Conference of the Parties, with a capacity for self-financing, and by obtaining business sponsors, and obtaining a minimum financing to perform the operation.

Any additional resources will come in logistical and operational support in terms of human resources, strengthening the program, improvement of content (number of guests, as those latter etc.) and communication devices. The partners involved in the project are all in alternative or parallel funding.

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GLOBAL ALLLIANCE / CONFERENCE DE PRESSE / LIMA COP20

END ECOCIDE / COMMISSION EUROPEENNE BRUXELLES

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