

# Forest Lecture – Rights of Nature

Schönbuch, July 2024

## Station: What are Rights of Nature?

- Ecosystems, just as human beings have rights
  - Balancing what is good for the planet
  - Holistic recognition all life on our planet is deeply intertwined
  - Legally: nature not only as property or resource for humans
- **Nature has the right to exist, persist, maintain, and regenerate**



**GARN**  
GLOBAL ALLIANCE FOR  
THE RIGHTS OF NATURE

# EGO



# ECO



Source: <https://www.dreamstime.com/illustration/ego-eco-htm>



**Harmony with Nature**  
United Nations

Since 2009: International Mother Earth Day 22 April

2010: Proposal Universal Declaration for the Rights of Mother Earth

Since 2011: UN Harmony with Nature Programme

... Biodiversity Convention, Reports ...

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Project: "The Transformative  
Potential of Rights of Nature?"



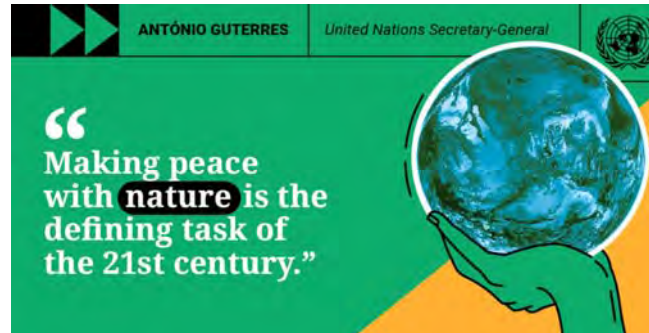
Funded as part of the Excellence  
Strategy of the German Federal and  
State Governments.



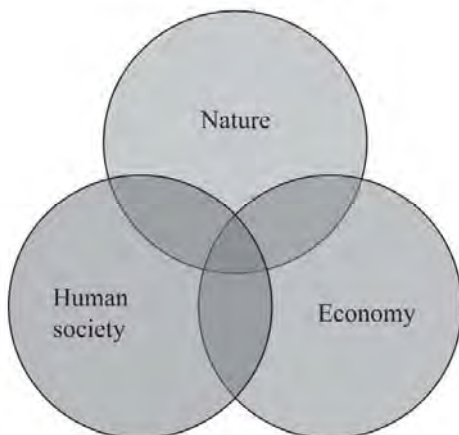
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## Station: The Need for Transformation



Current Sustainable Development Model



Source: Kauffman and Martin 2021, 225.

Earth Jurisprudence Model



*in dubio pro natura*

(Carducci et al. 2019, 119)

## Three Trajectories of Sustainability:

### Trajectory

1) Modernization



### Main Approach

Monetarization, Ecosystem Services (ESS)

2) Control



Geoengineering

3) Transformation



Rights of Nature

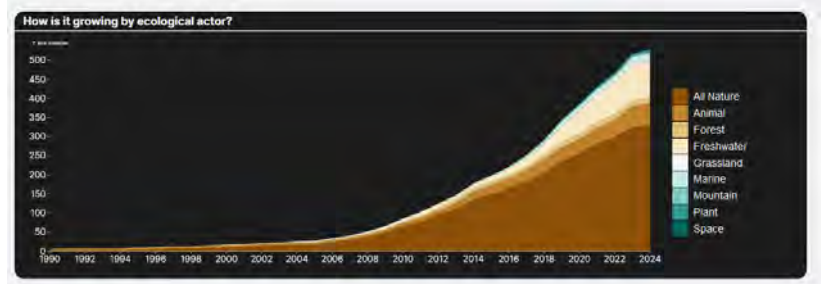
Source: Adloff and Hilbrich 2021, 179ff.



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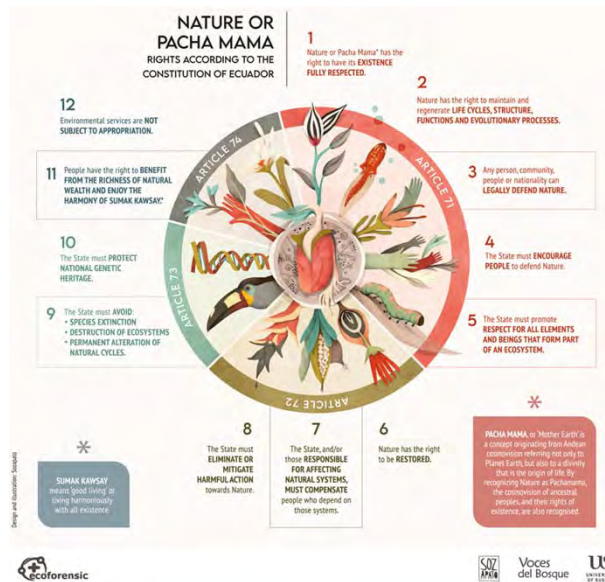
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## Station: Milestone Cases



Source: Eco Jurisprudence Monitor, 2024.

## Ecuador's Constitution 2008



Source: Peck et al. 2024.

## RoN Stop Mining in Forests: Ecuador - Los Cedros, 2021 and Íntag, 2023.



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## Station: Outlook

### First Case of RoN in Europe



Photo: ORM 2018.

### Mar Menor lagoon Spain, 2022.



Source: <https://www.goldmanprize.org/>.

## Proposal for an Ecological Reform of the German Basic Law

NETZWERK  
RECHTE  
DER NATUR

**Article 1 (1):** Human dignity shall be inviolable.

**NEW: Art 1 (2)** “The **dignity of nature** requires that the natural foundations of life be protected, cared for and preserved and that the intrinsic value of the natural environment (**Mitwelt**) be respected within the whole of nature.”

**Article 20a:** responsibility towards future generations, the state shall protect the natural foundations of life and animals [...]

See: <https://www.rechte-der-natur.de/de/initiative-grundgesetzreform.html>

## Promises, Limitations and Risks

- 1) Representation:** *Who can and who should represent non-humans in political and legal contexts?*
- 2) Mediation of interests:** *What do different species and ecosystems want/need? How to balance different rights to exist, recreate, and flourish?*
- 3) Unintended consequences:** *What might be unwanted effects of these legal changes?*



## Literature



- <https://ecojurisprudence.org/>
- <https://www.garn.org/>
- <http://www.harmonywithnatureun.org/>
- <https://www.rechte-der-natur.de/de/initiative-grundgesetzreform.html>
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