

THE INTERACTIVE
DIALOGUES OF UN
HARMONY WITH NATURE:
FOR A PARADIGMATIC SHIFT TO
EARTH-CENTRED GOVERNANCE

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ABSTRACT

Rights of Nature are increasingly being recognized at the national level, through legislation and courts' decisions, and at the international level, thanks to programmes like *UN Harmony with Nature*. This paper, after having introduced the main objectives of Earth Jurisprudence, examines the role of *UN Harmony with Nature* in sharing and tracing best practices and experiences in national and international contexts worldwide concerning rights of Nature. It gives a thorough overview of the *UN Interactive Dialogues*, annual conferences held by leading experts in Earth jurisprudence, which purpose is to foster a substantial shift in law and governance towards an earth-centred legal paradigm.

KEYWORDS

rights of Nature; UN Harmony with Nature; Earth Jurisprudence

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1. *Introduction*

The word “environment” comes from the French word *environs*, which is composed by *en* and *vire* (to turn in)¹. This implies that this word embeds a duality between a centre, that stands still, and a surrounding that encloses that centre. The human form is at the centre of the environment, it is its pivot that remains stable, unyielding and central, and substantially differentiated from the animal and natural world².

Classical environmental law is characterized by respecting the outlined anthropocentric paradigm, with human beings at the centre and the environment and its natural resources seen as “services” to the human societies. However, in recent years there has been growing recognition, in national and international contexts, that we need to move beyond the anthropocentric epoch as reflected in environmental law.

Harmony with Nature, a UN-led programme, is the international entity that promotes a paradigmatic shift from anthropocentric environmental law by focusing on recent developments of the so-called Earth Jurisprudence. In its first decade of work, which has been celebrated this year (2020), *Harmony with Nature* has hosted ten Interactive Dialogues, which are initiatives aimed at commemorating International Mother Earth Day, recurring on the 22 of April since the year 2009. They have brought to the forefront the need to move away from a human-centred worldview to an Earth-centred legal and governance system that rebalances the relationship between humans and the planet.

This paper focuses on the recognition of rights of Nature within the UN system and national contexts, examining the important role of the *Harmony with Nature’s Dialogues* in fostering a new legal paradigm that ultimately see its goal in promoting the advancement of Earth Jurisprudence.

2. *The recognition of rights of Nature: Earth Jurisprudence as a paradigmatic shift*

Dominant approaches in environmental law based on concepts such as sustainable development and green economy are being challenged by several scholars and critical legal thinkers who argue for a new philosophical and legal perspective. Such perspective has traditionally been overshadowed by orthodox legal theory³. Much of the inspiration of the Earth Jurisprudence movement has been taken from the philosophical views of Thomas Berry, considered by many the

¹ See also Etymonline website https://www.etymonline.com/word/environs#etymonline_v_38237 (accessed November 2020).

² For a critical approach to the dualism in environmental law, see PHILIPPOPOULOS-MIHALOPOULOS 2011.

³ See, for example LATOUR 1998; PLUMWOOD 2009; BENNETT 2010; MORTON 2010; BURDON 2011.

father of this innovative legal theory⁴. Earth Jurisprudence seeks to re-balance the focus of law, from a hierarchical anthropocentric conception, to an ecocentric conception where humans are functional for the Earth well-being⁵. This can be done by replacing the human utopian dream of dominating, controlling and using Nature for the benefit of the sole humanity with an holistic worldview in which the role of humans is to celebrate, respect and guard the environment. The result of this paradigmatic shift would be a refocus on new ways for global environmental law and governance to support ecosystems.

The Principles of Earth Jurisprudence reflect the idea that humans are only one part of the wider community of other living and non-living beings, and that human welfare and human existence are dependent on the planet well-being⁶. Therefore, law should be aimed at protecting Nature⁷ first and, consequently, human wellbeing. This is due to the fact that, in Earth Jurisprudence, «the Universe is the primary law-giver: law is not a human construct, but it is a re-discovery of what is already embedded in Nature»⁸. Earth Jurisprudence's theorization of law is in open contrast with Western theories of jurisprudence, which consider the non-human world non-essential for the operationalization of law⁹. Thus, anthropocentric conceptions of law tend to deem as completely appropriate the allowance of polluting activities or other highly-impacting actions on the environment – for example, no State has so far forbidden the emissions of GHGs although scientific evidence has demonstrated their direct correlation to global warming.

Earth Jurisprudence, in recognizing the Universe as the primary source of law, aims at re-shaping completely the relationship between humans and the planet, by substituting the tyranny of indiscriminate exploitation and the “mythology of independence” with a mutually enhancing relationship that benefits both Nature and humans¹⁰. According to Thomas Berry¹¹, there are three essential principles that govern this relationship: principle of wholeness, principle of care and principle of lawfulness¹². Law and governance should then re-focus in a way that would support ecosystems and the complex interactions taking place in our planet, finding an effective remedy to the ongoing destruction of Nature¹³.

In order to realize such paradigmatic shift, Earth Jurisprudence greatly draws upon Indigenous peoples' views and cosmovisions, paying attention to their customs and practices¹⁴.

⁴ See generally BERRY 1999; BERRY 2006; SWIMME, BERRY 1992.

⁵ See generally ECKERSLEY 1992.

⁶ According to the Principles of Earth Jurisprudence the Universe is the primary law-giver, not human legal systems; The Earth community and all the beings that constitute it have fundamental “rights”, including the right to exist, to habitat or a place to be, and to participate in the evolution of the Earth community. See also: CULLINAN 2011.

⁷ In the context of the Earth-centred paradigm addressed in this paper, Nature or Mother Earth is not an object or property but a subject of law, with legal personhood, whose intrinsic value is recognized, hence written throughout the paper with a capital N. The capitalization of the word Nature was recognized by the UN General Assembly and incorporated in resolution 73/235, 29th preambular paragraph, and the previous report of the Secretary General on Harmony with Nature (A/74/236).

⁸ See generally GRAHAM 2011.

⁹ GRAHAM 2011.

¹⁰ CULLINAN 2011, 45.

¹¹ BERRY 1999.

¹² The first principle applies to every existing institution, and it refers to the interconnectedness of all subjects present in Nature. In this conception Nature is not made for human use. The principle of care recognizes that all species should be protected and that every existing being has the right to be, the right to habitat and the right to fulfil its role in the process of Earth community. Human immense powers, used without care, can be highly destructive. Finally, the principle of lawfulness entails the recognition that law is already embedded in Nature, thus is discovered, not made. See generally BERRY 1999. For a feminist approach to the ethics of care, see generally DONOVAN, ADAMS 2007.

¹³ According to environmental scientists, human activities are provoking the ongoing sixth mass extinction. See also: UN Environment website, available at <https://www.unenvironment.org/pt-br/node/24717> (accessed November 2020).

¹⁴ Berry recognizes the importance of listening to indigenous peoples' voices: «[...] Indigenous peoples

In fact, Indigenous peoples' traditional livelihoods are characterized by an intimate and personal level in which they establish their relationship with Nature, understanding it as reciprocal nourishment and within a frame of mutual coexistence¹⁵. Such complex cultural systems demonstrate the maintenance of the "relatively homeostatic" and centuries-long Indigenous relationship with Nature through their local ecologies, that prevented the spoiling of lands and the altering of ecosystems¹⁶. This way of intending the relationship man/Nature is reflected in Indigenous normative organizations: respect for the environment is deeply embedded in Indigenous peoples' customary law systems¹⁷. The current debate around conferring rights of Nature is deeply influenced by Indigenous views, as demonstrated further on in the analysis of legal instruments aimed at awarding rights of Nature¹⁸.

The connection between the recognition of rights of Nature and Indigenous cosmovisions is evident insofar institutional recognition of rights of Nature primarily came from countries where Indigenous peoples represent a great share of the population. In fact, in 2009, Mr. Evo Morales Ayma, President of the Plurinational State of Bolivia, presented a statement at the General Assembly on the declaration of International Mother Earth Day¹⁹. Bolivia had taken the lead in bringing this draft resolution before the General Assembly, and as reflected in President Morales words,

«[...] the twentyfirst century is the century of the rights of Mother Earth and of all living beings. If we are to live in harmony with Nature, we need to recognize that not only we human beings have rights, but that the planet does as well. Animals, plants and all living beings have rights that we must respect [...] I would also like to recall that in Bolivia, in particular among the local indigenous peoples that I am familiar with, Mother Earth is sacred to life. [...] I would ask the representatives of the countries that comprise the United Nations to consider that Earth would have no problems if there were no human beings, but human beings would not be human beings without Mother Earth. I greatly regret our current, ongoing plight. The problems of the so-called financial, energy and food crises are the results of human beings' failure to respect planet Earth»²⁰.

The official recognition of the International Mother Earth Day paved the way for an institutional response to the renewed interest in alternatives to the classic and anthropocentric approach in environmental law. In December 2009, the first UN Resolution on Harmony with Nature was adopted, requesting the Secretary-General to submit a report on this theme²¹.

traditionally they live in conscious awareness of the stars in the heavens, the topography of the region, the dawn and sunset, the phase of the moon, and the seasonal sequence. They live in a world of subjects, not a world of objects». See also: BERRY 1999.

¹⁵ MASON 2011.

¹⁶ ABRAHAM 1996, 93.

¹⁷ See generally, PARROTTA, RONALD 2011.

¹⁸ However, wild lawyers should be careful in not selecting and adopting only the traits of Indigenous cultures that appear to be particularly inviting, while excluding those that are negatively judged. This would result in a utilitarian approach to Indigenous cosmovisions, aimed at isolating only certain characteristics of Indigenous cultures deemed useful for the development of the Earth Jurisprudence project. Wild lawyers are indeed not inventing anything new, but rather they are giving voice to peoples that have been oppressed and marginalized by past and current forms of colonialism. See also: PELLIZZON 2014.

¹⁹ UN General Assembly, Report of the 80th plenary meeting Wednesday, 22 April 2009, A/63/PV.80.

²⁰ Also cited in ZELLE et al. 2020, 416.

²¹ UN General Assembly, Resolution adopted by the General Assembly on 21 December 2009 [on the report of the Second Committee (A/64/420)] 64/196. *Harmony with Nature*, A/RES/64/196.

3. *The institutional response: UN Harmony with Nature and national contexts*

Harmony with Nature is a UN-led programme through which Member states have «acknowledged that the Earth and its ecosystems are our common home, and expressed their conviction that it is necessary to promote Harmony with Nature in order to achieve a just balance among the economic, social and environmental needs of present and future generations»²². UN *Harmony with Nature* is a network of state and non-state actors, academics and scientists who believe that climate change, biodiversity loss, desertification, and the disruption of natural cycles and ecosystems are provoked by our disregard for Nature and the integrity of life-supporting processes²³. Therefore, re-shaping the balance between humans and Nature is essential in order to cope with current challenges, such as population growth, lack of food security, depletion of ecosystem services and destruction of biodiversity²⁴.

The need for such paradigmatic shift, as prescribed by the theorists and practitioners of Earth Jurisprudence, has been recognized by *Harmony with Nature* and by a certain number of States which have adopted significant Earth-centred national legislation. One of the most well-known examples of the acknowledgement of rights of Nature is the 2008 Constitution of Ecuador. It is the first constitution in the world that recognizes legal subjectivity to Mother Earth. Such rights prescribe that *Pacha Mama* – Mother Earth – «has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes»²⁵. Another example is the Bolivian constitution. It has been greatly inspired by the Andean philosophy and thought, and it vouches for a shift in the consideration of Nature as having moral personhood²⁶. The constitution is the representation of the ongoing dialogue with Indigenous communities, a dialogue that recover their ancient cosmovisions and their capacity to understand other species not as objects, but as subjects of law²⁷.

Many more examples of Earth-centred law can be draft from national legislations worldwide²⁸. If we keep considering the South American continent, by 2019 Colombia had recognized legal subjectivity to Nature in several decrees, which entailed legal recognition to, *inter alia*, the Atrato river, the Amazon, the Pance River, the Otún River, the Katsa Su (the territory of the Awá people), the Quindío River and the Isla de Salamanca national park²⁹. The government of Colombia was also sued in a lawsuit filed by 25 young plaintiffs who claimed that deforestation in the Amazon and the increase of the average temperature in the country jeopardize their rights to a healthy environment, life, health, food, and water. The Supreme Court approved the plaintiffs' petition and ordered the Presidency and the Ministries of Environment and Agriculture to create an «intergenerational pact for the life of the Colombian Amazon»³⁰.

²² UN Harmony with Nature official website, at <http://www.harmonywithNatureun.org/> (accessed November 2020).

²³ See also: UN *Harmony with Nature Knowledge Network Experts*, at <http://www.harmonywithNatureun.org/experts/> (accessed November 2020).

²⁴ UN *Harmony with Nature Knowledge Network Experts*, cit.

²⁵ *Constitution of Ecuador* 2008, art. 71.

²⁶ Ecuadorean Indigenous groups had an important lobbying role during the draft negotiations. See also: JAMESON 2010.

²⁷ MARTÍNEZ, ACOSTA 2011.

²⁸ To date, countries with established laws that protect Nature's rights, or in the process of adopting such legislation, are growing numerous: Argentina, Australia, Bangladesh, Belize, Belgium, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Chile, Costa Rica, Denmark, Ecuador, El Salvador, France, Guatemala, Hungary, India, Ireland, Italy, Mexico, Netherlands, New Zealand, Nigeria, Philippines, Portugal, Romania, Spain, South Africa, Sweden, Switzerland, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America and Holy See. See also: UN General Assembly, Seventy-fifth session Item 18 (g) of the provisional agenda, *Sustainable Development Harmony with Nature Report of the Secretary-General*, A/75/266.

²⁹ UN General Assembly, *Sustainable Development Harmony with Nature Report of the Secretary-General*, cit.

³⁰ *Future Generations v. Ministry of the Environment and Others (Demanda Generaciones Futuras v. Minambiente)* 2018. Available at <http://climatecasechart.com/non-us-case/future-generation-v-ministry-environment-others/>

Other recent examples can be drawn from a wide variety of countries, inter alia in the European area. For instance in Spain, the municipality of Los Alcázares, Murcia, approved a legislative initiative to grant rights to Mar Menor, the largest saltwater lagoon in Europe, and its basin, and to recognize the ecosystem as a subject of rights³¹. In Sweden, in October 2019, a motion was presented by the Green Party to the Parliament to amend the Constitution and include the rights of Nature³².

This non-anthropocentric approach to the law has been further backed by the recent study *Towards an EU Charter of the Fundamental Rights of Nature* commissioned by the European Economic and Social Committee³³. The study argues for the promotion of rights of Nature starting from an assessment of the failure of anthropocentric environmental law, questioning in particular the effectiveness of European environmental law³⁴. It further identifies three “eco-legal” breaking points, which entail three different dimensions of emergency to be urgently attended (eco-system, climate, economic/energy)³⁵. The report further provides crucial legal reasoning for the adoption of a *EU Charter of Rights to Nature*, which «will signal a paradigm shift from the current neo-classical economic model to a new holistic model, according to which Nature is a subject of rights and is protected and respected for its intrinsic (non-economic) value as synonymous with the source of life, as all life on Earth derives from Nature»³⁶. It further delves into other considerations such as the potential grounds for the bindingness of the Charter, its necessary contents and structure.

Another relevant example comes from the US. In Orange County, Florida, on the election day (3 November 2020), voters have approved a *rights to Nature initiative*, becoming the largest municipality in the US to adopt such a law. The measure, also known as the *Right to Clean Water Initiative*, is the first in Florida to recognize the rights of Nature and empowers any resident to invoke the rights of waterways and the right to clean water³⁷.

UN *Harmony with Nature* has contributed, throughout the past ten years, in monitoring, sharing and representing within the international community the views of those who preach the need for a substantial change from a business-as-usual conceptualization and application of the law to a new system where Mother Earth is central. Law and critical legal thinking can be considered as an important step in the direction of effectively recognize legal subjectivity to Nature and to move away from anthropocentric understandings of the environment. In order to create an international community of practitioners where such ideas, theories and developments can be shared, UN *Harmony with Nature* hosted its first Interactive Dialogue back in 2011³⁸.

(accessed November 2020).

³¹ Ayuntamiento de los Alcázares website, El pleno de Los Alcázares aprueba la solicitud de la iniciativa legislativa para dotar de personalidad jurídica al Mar Menor, 24 July 2020, available at <https://www.losalcazares.es/noticias/v1/785-el-pleno-de-los-alcazares-aprueba-la-solicitud-de-la-iniciativa-legislativa-para-dotar-de-personalidad-juridica-al-mar-menor> (accessed November 2020).

³² See also: *Rights of Nature Sweden* at <http://www.Naturensrattigheter.se/in-english/> (accessed November 2020).

³³ The European Economic and Social Committee (EESC) – Sustainable Development Observatory – *Towards an EU Charter of the Fundamental Rights of Nature*, 13 December 2019, available at <https://www.eesc.europa.eu/en/our-work/publications-other-work/publications/towards-eu-charter-fundamental-rights-nature#downloads> (last access November 2020).

³⁴ The European Economic and Social Committee, cit., 14-24.

³⁵ The European Economic and Social Committee, cit., 56.

³⁶ The European Economic and Social Committee, cit., 69.

³⁷ Center for Democratic and Environmental Rights, Press Release: Orange County, FL, Voters Overwhelmingly Approve ‘Rights of Nature’ Initiative, 3 November 2020, at <https://www.centerforenvironmentalrights.org/news/press-release-huge-win-florida-rightsofnature> (last access November 2020).

³⁸ Interactive Dialogues of the General Assembly on Harmony with Nature, at <http://www.harmonywithNatureun.org/dialogues/> (accessed November 2020).

This study fully demonstrates that Rights to Nature are being largely considered not only by those countries in which non-westernized cultures confer a non-anthropocentric dimension to the law, but also in countries where the approach to environmental law has been essentially bound to traditional, non-Earth-centred values.

4. *The Interactive Dialogues: rationale and outcomes*

The Dialogues are the UN *Harmony with Nature's* platform in which high representatives from governments and experts in different fields of Earth-centred law, sustainable development, science and economics share their experiences, lessons learned and institutional responses to various environmental problems such as climate change and biodiversity loss. Their objective is to foster the practical application of the principle of Earth Jurisprudence and Nature-centred law in international and national contexts.

The first dialogue (2011) featured the participation of experts such as Vandana Shiva³⁹ and Cormac Cullinan⁴⁰. The dialogue proposed possible ways of understanding how humans can better reconnect to the world around them. The dialogue produced two main outcomes: the promotion of conducts that would foster a holistic approach to sustainable development in harmony with Nature; and a summary of national experiences on the measurement of sustainable development in harmony with Nature⁴¹.

In Dialogues two and three (2012 and 2013) the debate focused on scientific and economic aspects with the participation of experts in science and economics. The Dialogues featured a wide selection of perspectives on scientific findings on the impacts of human activities on the functioning of the Earth System. Ecological economics, in contrast to neoliberal economics, set a path towards life in harmony with Nature, insofar as they attach great significance to a healthy society, integrated with the natural world, and with intergenerational equality as a crucial cross-cutting issue⁴².

The fourth Dialogue (2014), which took place in a critical moment of the definition of a post-2015 development agenda, started with the examination of appropriate strategies to operationalize Harmony with Nature approaches at the global, national and local levels for living in harmony with Nature. The Dialogue enumerated the policies, legal and institutional frameworks which must be put in place at the local, regional and international level for successful operationalization of non-anthropocentric approaches⁴³. The following dialogue (2015) focused on the need to start thinking and designing a world where human and natural interests are balanced by greater respect for the Earth and decommodification of Nature⁴⁴.

³⁹ Author of numerous books on ecology, biodiversity and bioethics among which: *Biopiracy: The Plunder of Nature & Knowledge*, Natraj Publishers, 2011; *Soil Not Oil*, South End Press, 2008; *Monocultures of the Mind: Biodiversity, Biotechnology and Agriculture*, Zed Press, 1993.

⁴⁰ Author of *Wild Law: A Manifesto for Earth Justice*, Siber Ink, South Africa, 2002.

⁴¹ First UN Dialogue on Harmony with Nature, at <http://www.harmonywithNatureun.org/dialogue/cacZ6JLiiIbed65IzCqocmFoeGDPBDJcgr6Vp+NPrRSSSeJ6usBGGS778fJFZ5t3obyj5NlBfk25PkwEFtvg==> (accessed November 2020).

⁴² Second and Third Dialogues on Harmony with Nature, at <http://www.harmonywithNatureun.org/dialogue/ZDmJ52CFrH9Bh8FLxT18iV7UEHauS9oEPTuVYB66G+jnWMyBl769I5utDCvCXAL9o3DuelhJ!V9g8BEElpZ!aA==> (accessed November 2020).

⁴³ Concept Note, *Interactive Dialogue of the General Assembly on Harmony with Nature to Commemorate International Mother Earth Day United Nations Headquarters*, Tuesday 22 April 2014, at <http://files.harmonywithNatureun.org/uploads/upload22.pdf> (accessed November 2020).

⁴⁴ Fifth Interactive Dialogue of the General Assembly on Harmony with Nature, at <http://www.harmonywithNatureun.org/dialogue/oHN63FHHfAuSOlhIu!BM5kY77GNdGomH5uusgcCYgEGKAiDCglfGZdIxoPZ87Kf+X5Nl6+KgyNlkxORz+t4mZQ==> (accessed November 2020).

The sixth Dialogue (2016) was the first to be held in a virtual format, as established in UN General Assembly's seventh resolution on Harmony with Nature: «in order to inspire citizens and societies to reconsider how they interact with the natural world in order to implement the Sustainable Development Goals in harmony with Nature»⁴⁵. The Virtual Dialogue examined the key characteristics of the Earth-centred paradigm and provided specific recommendations and proposals to the United Nations and other institutions on how to conform governance policies and sustainable development patterns consistent with this paradigm⁴⁶. After the Dialogue, an Experts' summary was drafted on Earth Jurisprudence as a holistic system of governance. The report outlined challenges and opportunities for applying Earth Jurisprudence, including the need for applying such principles in the Sustainable agenda for 2030⁴⁷.

In the seventh Dialogue (2017), international experts addressed Earth jurisprudence from the following eight disciplines: Earth-centred law; ecological economics; education; holistic science; the humanities; philosophy and ethics; the arts, media, design and architecture; and theology and spirituality⁴⁸. The following eighth Dialogue (2018) focused on the implementation of sustainable production and consumption patterns in Harmony with Nature. The panellists addressed key issues in a series of recommendations, in particular that «States and non-state stakeholders should develop, support, and implement various programs to educate the general public about Earth Jurisprudence and Ecological Economics», and that «States and inter-governmental organizations should recognize in domestic and international law the right to a healthy environment as a justiciable human right. Following the Inter-American Court on Human Rights [...]»⁴⁹.

The ninth Dialogue (2019) was created under the title *Mother Earth approach in the implementation of Education and Climate Change*. In the previous UN General Assembly resolution on Harmony with Nature, Member States were invited to promote a balanced integration of the economic, social and environmental dimensions of sustainable development through Harmony with Nature. It further calls to discuss the contributions of Harmony with Nature on taking urgent action to combat climate change and its impacts and to inspire citizens and societies to reconsider how they interact with the natural world in the context of sustainable development, poverty eradication and climate justice⁵⁰.

Unfortunately, the tenth Dialogue, that should have taken place this year, was cancelled due to the Covid-19 pandemic. The 2020 Dialogue would have focused on the crucial role of biodiversity in preserving life on Earth, underlying how the unprecedented loss of biodiversity and the sixth mass extinction⁵¹ are «a benchmark of humanity's failure to understand that we are an inextricable part of Nature»⁵².

⁴⁵ UN General Assembly, Seventieth session Second Committee Agenda item 20 (g) *Sustainable development: Harmony with Nature*, 9 December 2015, A/C.2/70/L.70.

⁴⁶ Concept Note of the Virtual Dialogue on Harmony with Nature to Commemorate International Mother Earth Day Theme: Earth Jurisprudence 22 April – 22 June 2016, at <http://files.harmonywithNatureun.org/uploads/upload502.pdf> (access November 2020).

⁴⁷ UN General Assembly, Seventy-first session Item 19 (h) of the provisional agenda: Sustainable development: Harmony with Nature, Harmony with Nature Note by the Secretary-General, A/71/266.

⁴⁸ Concept Note, Interactive Dialogue of the General Assembly on *Harmony with Nature* in Commemoration of International Mother Earth Day Theme: Earth Jurisprudence United Nations Headquarter New York, 21 April 2017, Trusteeship Council, at <http://files.harmonywithNatureun.org/uploads/upload498.pdf> (access November 2020).

⁴⁹ Eighth Interactive Dialogue of the General Assembly on *Harmony with Nature*. In commemoration of International Mother Earth Day Theme: Earth Jurisprudence in the Implementation of Sustainable Production and Consumption Patterns in *Harmony with Nature: Summary*, at <http://files.harmonywithNatureun.org/uploads/upload726.pdf> (accessed November 2020).

⁵⁰ UN General Assembly, Seventy-third session Agenda item 20 (h) Resolution adopted by the General Assembly on 20 December 2018, A/RES/73/235.

⁵¹ CEBALLOS et al. 2015.

⁵² Interactive Dialogue of the General Assembly on *Harmony with Nature* in Commemoration of International

5. Conclusion: towards the Earth Assembly

After ten years since the first resolution on *Harmony with Nature* many hopeful advances in Earth Jurisprudence have been carried on worldwide, as witnessed by the Dialogues throughout time. In the last report on *Harmony with Nature* the Secretary General evidences accomplishments made in the second half of 2019 and the first half of 2020 that further validate the possibility of a paradigm shift from a human-centred to an Earth-centred society in the implementation of the 2030 Agenda for Sustainable Development⁵³.

The report evidences the connection between the destruction of biodiversity and the ongoing Covid-19 pandemic. The virus, like other infectious diseases such as those that led to the influenza A (H1N1) pandemic of 2009, the Middle East respiratory syndrome epidemic of 2012 and the Ebola outbreak that hit West Africa in 2014, are related to environmental change and human influence⁵⁴. In fact, there has been growing recognition among scientists that ecosystem disruption, as well as land-use change and illegal wildlife trade and increased rate of wildlife-human contact, is linked to the increasing emergence of zoonotic disease⁵⁵. This increased emerging of pathogens such as the Covid-19 virus can also be attributed to climate change, habitat degradation. These circumstances can be associated to synergies between persisting intense poverty and a growing human population⁵⁶.

The report argues that, even though science constitutes an important means of understanding and responding to complex challenges such as the current pandemic, «modern science strives to be purely objective and strictly factual in its explanations and intentionally excludes the influence of social and cultural values»⁵⁷. In order to address the complexities of our times, it is necessary to advance the paradigmatic shift theorized by Earth Jurisprudence and therefore restore humanity's broken relationship with Mother Earth. Recovery from Covid-19 presents a crucial opportunity to rethink our current system in favour of an ecological shift in law and governance⁵⁸. The global pandemic has also constituted an occasion to collect evidence of the impacts of human behaviour on the environment, since a great number of countries worldwide has undergone extended periods of lockdown⁵⁹.

In light of the considerations expressed in the report, the challenges posed to humanity by the present situation should re-enforce and put in evidence the need for a paradigmatic shift towards an Earth centred type of governance. UN *Harmony with Nature* and its network will continue undertaking their advocacy and knowledge exchange initiatives, with the aim of contributing in raising the awareness of alternatives views to the current paradigm which understands Nature as a commodity and a material resource. The report envisions that «in commemorating the seventy-fifth anniversary of the United Nations in 2020, the General Assembly should consider the possibility of convening in the role of an Earth Assembly, in which the evolving non-anthropocentric or Earth-centred paradigm continues to unfold and finds a home in multilateralism»⁶⁰. This view was not taken into account in the commemorations by the General Assembly for this year. However, the Earth Assembly represents a goal, an overarching idea that subtends all actions, past, present and future, of UN Harmony

Mother Earth Day – United Nations Headquarter, New York, Wednesday 22 April 2020, ECOSOC Chamber Concept Note, at <http://files.harmonywithNatureun.org/uploads/upload905.pdf> (access November 2020).

⁵³ UN General Assembly, *Sustainable Development Harmony with Nature Report of the Secretary-General*, cit.

⁵⁴ UN General Assembly, *Sustainable Development Harmony with Nature Report of the Secretary-General*, cit., sec. 12.

⁵⁵ TERRAUBE, FERNANDEZ-LLAMAZARES 2020.

⁵⁶ SCHMELLER et al. 2020

⁵⁷ UN General Assembly, *Sustainable Development Harmony with Nature Report of the Secretary-General*, cit., sec. 16.

⁵⁸ See also, MCELWEE et al. 2020.

⁵⁹ BATES et al. 2020.

⁶⁰ UN General Assembly, *Sustainable Development Harmony with Nature Report of the Secretary-General*, cit., sec. 87.

with Nature. It represents the existence of a global awareness that the time has come to critically and drastically re-think and re-shape law and governance to overcome challenges caused by human disregard for Mother Earth.

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