



RIGHTS OF NATURE – CONSULTATION ON LEGAL PERSONALITY AND LEGAL REPRESENTATION

World Commission on Environmental Law – International Union for
the Conservation of Nature Task Force on Rights of Nature

SOAS, Russell Square, London WC1H 0XG

15 May 2023

Room 4429 (Main Building, 4th floor)

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Knowledge Exchange Fund

REGISTRATION [9:00AM-9.30AM]

Registration and tea/coffee

WELCOME [9:30-9:35]

Professor Laura Hammond, Pro-Director of Research and Knowledge Exchange, SOAS
University of London

INTRODUCTION [9:35-9:45]

Philippe Cullet & Sabrina Nick

SESSION I. LEGAL PERSONALITY FOR NATURE – EXTENT AND LIMITS? [9.45-11.15 AM]

Chair: Helen Dancer

Panel introductions (9:45am-10:00am)

Susana Borràs, Sacha Bourgeois-Gironde, Mihnea Tănăsescu

General discussion (10:00am-11:15am)

Guiding questions

What are the ecocentric and anthropocentric reasons to grant legal personality to nature?

What are the potential limitations of attributing legal personality to nature?

Does legal personality for nature contribute to socially more equitable outcomes?

Tea/coffee 11:15-11:45

SESSION II. LEGAL REPRESENTATION [11.45 AM-1.15 PM]

Chair: Birgit Peters

GUIDING QUESTIONS

Is representation best achieved through some form of guardianship or should we consider novel framings?

Do rights for nature imply duties for humans/nature?

Are rights of nature better suited to achieve effective environmental protection than, for instance, 1) procedural environmental rights, 2) a public trustee 3) human rights adapted to nature?

Group 1: Room 4429 (11:45am-12:45pm)

Group 2: Room 467 (4th floor) (11:45am-12:45pm)

Group 3: Room 563 (5th floor) (11:45am-12:45pm)

GENERAL DISCUSSION (12:45PM-1:10PM)

Lunch 1:15pm-2:30pm – Antalya Restaurant, 103-105 Southampton Row, Holborn, London WC1B 4HH [[SOAS to Antalya map](#)]

SESSION III. LEGAL PERSONALITY IN PRACTICE [2.30PM–4.00PM]

Chair: Jérémie Gilbert

Law and policy developments (2:30pm-3:00pm)

Teresa Vicente (Murcia)

Zoe Lujic (Bern Convention)

Lisa Mead (International Tribunal for the Rights of Nature)

General discussion (3:00pm-4:00pm)

What are the conditions for the successful development of a rights of nature regime?

What are the constraints/obstacles for the successful development of a rights of nature regime?

What are the challenges encountered in practice?

What difference does it make to frame the debate as rights of nature, harmony with nature, ecological law, etc?

Tea/coffee 4:00-4:20

SESSION IV. CONCEPTUAL AND PRACTICAL TOOLS TO MOVE FORWARD [4:20PM–5:30PM]

Chair: Philippe Cullet

- Nate Palmer: Key points emerging from the three sessions
- Elements emerging towards policy and law development
- Takeaways towards (online) consultations and policy brief to be developed in the context of the Task Force

BACKGROUND TO THE CONSULTATION

WCEL-IUCN RIGHTS OF NATURE TASK FORCE

The idea of attributing rights to nature contributes to improving global governance to protect natural resources (e.g. biodiversity, forests, water) more effectively. If natural components were seen as subjects of rights, the integrity and diversity of nature could be conserved in more effective ways. This concept is broadly aligned with and would contribute to addressing identified planetary boundaries.

A number of countries have already enacted nature's rights in constitutions, national statutes, and/or local laws. This, therefore, is not a new legal concept. For it to be fully effective, however, it needs to be explored in a more widespread manner. Further, the different initiatives from the local to the international level could benefit to be understood through a common lens and common terms.

IUCN's Members adopted a Resolution at the World Conservation Congress in 2012, which tasks the Director General to initiate a strategy for dissemination, communication and advocacy on rights of nature. This Task Force takes this mandate forward.

Mandate

The Task Force on the rights of nature seeks to concretise IUCN's engagement on the topic of rights of nature. It will engage, for instance, with some of the following questions:

- The consequences of granting legal personality to ecosystems, species or natural spaces and discussions around some of the specific rights that this may entail, such as the right to exist, to thrive, to regenerate, and to play their role in the web of life'
- Considering ways of rethinking the relationship of humans with the environment towards understanding nature as having entitlements of its own;
- Examination of the way rights of nature help rethink the place and role of nature, society and economy.