



NATURE/HUMAN RIGHTS: A NEW CONCEPT

Just like humans, nature should have an independent right to protection, for its own sake, not just to serve man.

Different degrees of protection may be established, and it may take on different forms, depending on need and conditions, but it is crucial that the protection fulfils the needs of nature, and not necessarily the needs of humans.

Rights of nature have been expressed in different ways, possibly most plainly in the Constitution of the Republic of Ecuador, in Chapter seven: rights of nature.

These rights may be strengthened by presenting them as the definite concept, *nature rights*, that forms an equal counterpart to *human rights*.

And they may be strengthened even further if the two concepts are combined to form a double concept, *nature/human rights*, which expresses the obligation to protect both nature and humans, each part for its own sake, and together, and in relation to each other.

Obviously, it is possible to treat nature in the right way without inventing new concepts, but it may be difficult to maintain the attention to something without being conscious about it, and it is easier to be conscious about something when it has a name.

That nature should be treated in the right way may seem to be matter of course, and it is rather indefinite, which makes it harder to comply with and easier to mix up the concepts.

A concept has to be determined and therefore requires a clarification, but that also leads to a realization that may make things stand out clearly and increase awareness, among other things the fact that nature exists in its own right, not only to serve us.

Obviously, a new concept has to develop to gain a foothold and become something that people take into account, and that takes time.

But someone has to start, and make a first suggestion about the core meaning of the concept.

And this someone, or these someones, will have a lead and be strengthened by being associated with it.

The core of the concept nature/human rights may be expressed in three parts:

Nature/human rights:

- 1) *Nature has some rights, nature rights, that are as inviolable as are the human rights;*
- 2) *The human rights include the right to enjoy nature and the right to defend the nature rights;*
- 3) *Human rights, inviolable in themselves, cannot overrule nature rights.*

It may seem farfetched, but is something like this not what the world needs?

The proposed double concept nature/human rights goes a crucial step further than what has hitherto been presented, because it expressly gives nature rights the same standing as human rights, and because it expressly gives the right to defend nature rights.



In the core description of the concept, 1) and 3) expressly state that nature rights are inviolable and at the same standing as human rights, even to the extent that they cannot be overruled by them.

This means that nature rights cannot be set aside to serve any purpose however strongly it may be argued.

Further, in the core description of the concept, 2) expressly states the double right to enjoy nature and to defend the nature rights.

This means that everyone has the right to oppose any violator of nature rights, on the spot and in time.

This is crucial in many urgent cases where it is necessary to act immediately where the violation takes place, to save nature, and maybe those dependent on nature, from irreparable damage.

It is also crucial in cases where the violator may have an influence, to whichever degree, on the authority, if any, that should defend nature rights, and in cases where the authority itself is the violator.

It is also crucial in any case brought up in court that the right to defend nature rights is not something that has to be justified, thereby opening the case to evasive counterclaims that may disrupt the course of justice.

The right to both enjoy and defend nature also yields a far better protection and support of indigenous people and others living with nature and siding with nature.

Obviously, the establishment of a common concept used all over the world is the best way to overcome any limitations to its validity.

With this, the double concept nature/human rights is proposed to everyone trying to improve the rights of both nature and humans, by someone that is making a quiet independent contribution, in the hope that it may help unite and promote cooperation and strengthen a worldwide joint effort.