

Environmental Law and the Challenges of the Decades Ahead: Promoting Transformative and Recovery Responses to the Planetary Emergency

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PANEL 2. Actions, measures and immediate responses to cope with the current critical times

SCAVENGERS, URBAN METABOLISM AND STRATEGIC LITIGATION AS TRANSFORMATIVE AND RECOVERY RESPONSE TO PLANETARY EMERGENCY

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The planetary crisis is urban. Cities are one of the fields where the struggle against the Anthropocene has to focus. Any strategy to propose a transformative and recovery response to it has to consider these as a starting point; especially after the COVID pandemic. To achieve mitigation and adaptive responses to the climate and social crisis, the 2030 Global Environmental Agenda and the Paris Agreement, emphasize goals that are related to sustainable cities. This explains why the majority of the NDC aims to urban policy. They condense opportunities and also dynamics that should be transformed and developed. For instance, the urban metabolism is where most energy and resources are used, where the majority of greenhouse gases are caused, and where more garbage is generated. At the same time, they concentrated population, infrastructure and facilitate human rights compliance. The urban context presents particularities. In the Global South, poor people have crowded marginal areas; the so-called sacrificed zones. Some of them have survived thanks to their activities in the informal economy and assemble in groups. One of them is the scavengers or waste-pickers. They derive their daily income from recycling. In the last two decades in Colombia, some of them have developed strategic litigation to defend their labour rights. Their claims have been addressed by the Constitutional Court, which has created an environmental discourse that encourages public policy to promote their work. This, because it provides adaptive and mitigation tools that manage environmental impacts, generate welfare and reduces poverty. This type of discourse, its ecological and social justification could be used to promote such responses in the public policy's, not only in this country but also in others. It comprises argumentative tools for political environmental actors. This presentation aims to describe and analyze the concepts created by these Court and their implications.