

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

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PANEL 3. Imagining alternative pathways and taking action

A HUMAN RIGHT TO THE ENVIRONMENT: AN ECOCENTRIC PROPOSAL

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The 21st century has been witnessing the failure of Anthropocentrism and its legal framework for Nature preservation. The current environmental state of emergency threatens basic human rights of present and future generations. This proposal advocates the need to define a human right to environment from an ecocentric perspective, aiming to fill a gap in the field of International Law: the space uniting planetary boundaries, human rights and the rights of Nature. This document puts forward the adoption of a thorough Declaration by the General Assembly of the United Nations concerning a new human right to environment. This Declaration would protect the general interests of the international community by defining a human right to environment, as well as the procedures for the protection and promotion of such a right. The basic tenet of this proposal is that Ecological Law should assimilate the conditions and limitations imposed by Nature on human existence, and that these determinants should be at the core of law making. Therefore, this proposal entails a new understanding of human rights, based upon a change of paradigm in our legal systems, which would further ecological justice and ensure the preservation of life on Earth as its ultimate goal. The human right to environment, as an integral part of Material Constitution in the International Community, is not yet a priority for the International Law of Human Rights, but it will be one of the main elements shaping the evolution of Public International Law throughout this century.

* The opinions expressed in this document are the sole responsibility of the author and do not represent the official position of the Ministry of Foreign Affairs, European Union and Cooperation of Spain