



Rights of nature as a response to the climate crisis and discourses on sustainability[☆]

Diana Carolina Sánchez-Zapata^{a,*} , María Fernanda Cárdenas^b 

^a Professor at the Faculty of Law and Political Sciences, University of Antioquia, Law and Society Research Group, Medellín, Colombia

^b National University of Colombia, Associate Professor, School of Urban and Regional Planning, Faculty of Architecture, Medellín, Colombia

ARTICLE INFO

Keywords:

Sustainability
Rights of nature
Climate crisis
Ecocentrism
Bioculturality

ABSTRACT

This article analyzes the emergence of the category of nature as a subject of rights and of the rights of Nature as a proposal for the relationship between human beings and the environment in the context of climate crisis. It considers the discourses on sustainability present at different scales (global, within supranational organizations; national, within various states; and regional or local), which have been used as a basis for the recognition of rights to nature. It is evident, through a multi-scale analysis that the rights of Nature emerge as a novel alternative to the structural causes of climate change associated with the relationships between nature and culture; however, there are discursive differences between scales regarding the concept of sustainability. The analysis in specific territorial contexts allows us to evidence sustainability as a language in action that is transformed to enable the implementation of the rights of Nature. Based on this analysis, some proposals are made, taking into consideration the territorial contexts and community experiences that show the importance of recognizing the visions on sustainability of peoples and ethnic communities to implement the rights of Nature.

Introduction

The increasing urbanization of the planet is largely supported by economic logics that consolidate opportunities in cities; although their success in attracting people has implied growing deficits in the provision of services, equipment and infrastructure, in addition to concentrating social and environmental problems [1], which has led to sustainability crises in practically all urban centers [2]. The transformation of territories for causes such as population growth, overconsumption, pollution and urban expansion to support the demands of urbanites, increasingly disconnected from nature [3] has generated the transformation and deterioration of ecosystems [4], affecting the climate, biodiversity, their functioning and the provision of ecosystem services and human well-being [5].

The environmental crisis in general, but particularly the climate crisis we are currently facing, imposes challenges that go beyond mitigation to adaptation [6], recognizing that the efforts and actions taken so far have been insufficient. In addition, climate change projections and the damages and losses associated with its effects threaten even economic growth [7], and demand greater investments to minimize its

impacts.

Considering the rights of nature is a response to a context of environmental crisis that includes various dimensions, including economic and social ones. The recognition of the right to a healthy environment held by human beings and the rights of nature is a process of transformation both of Western rational thought and of the questioning of the individualistic and liberal discourse of rights, as well as of the relationships between the international legal system, national systems and traditional systems of thought [8]. This process involves human beings and their rights, as part of the rights of nature, since human beings are nature. In this sense, the rights of nature transform Western rational and dualistic thinking that places human beings above and outside of nature.

The environmental crisis reveals limitations to the assumptions of a rational economic model, and its inability to manage consequences when planetary limits are exceeded [9]. The discourse on the rights of nature is a proposal aimed at changing the focus, returning attention to the human being as part of nature. Additionally, the discourse of the rights of nature allows us to question the economic dimension of sustainable development from a strong perspective of sustainability [10, 11].

[☆] This paper includes some results of the doctoral research *Rights of nature and their incidence on the transformation of land use planning in Colombia*.

* Corresponding author.

E-mail addresses: diana.sanchez@udea.edu.co (D.C. Sánchez-Zapata), mfcarden@unal.edu.co (M.F. Cárdenas).

According to planetary boundary analyses, climate change and biodiversity loss are the most critical issues currently faced, which are closely related to other issues that stand out at a regional scale: alteration of biogeochemical cycles, changes in land cover and use (or contamination) of water [12]. Also, considering human needs, we agree with O'Neill et al. [13] who place the problem in the inequitable distribution of resources, not in supply systems. Therefore, continuing with the current system but without strengthening the social approach to addressing environmental issues deepens the environmental crisis [14]. The data and studies carried out so far show that the use of the sun and wind as sources of abundant and cheap energy, together with the restoration, protection and sustainable use of ecosystems and natural covers [5], contribute significantly to mitigation and adaptation to the effects of climate change.

In addition, we must change the way we relate to nature, recover that lost connection [3], and advance on the path of sustainability [15], for which, we must reconsider the relationship of dominance over nature, and recognize the rights to exist in a sustained manner over time. The purpose of this article is to analyze the rights of nature as a proposal to address the causes and effects of climate change considering the different sustainability discourses that support this alternative at different scales and understand that integral sustainability transcends the urban-rural dichotomy since it is defined from interactions and flows. To do this, decisions and recognitions are analyzed at a global and regional scale with an emphasis on Latin America and particularly in Colombia, where the issue is highly relevant due to the mega biodiversity they host, and the variety of approaches that coexist.

The concurrence of local and international norms and regulations in this matter requires not only resorting to a systematic analysis of the legal system but also recognizing the possibilities of spatial analysis through a multi-scale methodology (global, regional, national and local), which then allows for a critical analysis [16]; also recognizing the interactions between public and private agents in this normative production [17].

Multiscalar analysis is important for this purpose because it allows us to recognize how theories and concepts that are being used to justify the rights of Nature as a new paradigm are interpreted at different levels, as is the case with the sustainability argument. This analysis aims to highlight that it is as important to recognize the evolution of discourses and theories on a global scale, as it is relevant to consider the analysis not only the rights of nature themselves, but also who defends them, who these discourses represent, and how they influence decisions within society and the environment. This allows a comparative view of the specific territorial context in which these decisions take place (Atrato and the Amazon), but without ignoring the offshoring of impacts resulting from environmental conflicts that have led to their recognition as subjects of law that affect their spatial and temporal significance on a global scale that adds to the alternatives to face change climatic [18].

We carried out a systematic review of declarations from the global to national scale, and focused on the case of Colombia. Examining decisions published in the repository of the UN Harmony with Nature Program, by 2023 there were 30 countries with developments or normative initiatives aimed at recognizing the rights of nature to exist, prosper, and evolve [19]. For the analysis, 176 decisions were reviewed, including constitutional, legal provisions, regulations and normative projects or initiatives. This information was complemented with records from the Eco Jurisprudence Monitor, an interactive platform that compiles Ecological Jurisprudence initiatives worldwide [20]. The review of the decisions that recognize rights to nature focused on those that, among their arguments, allude to sustainability or that propose these recognitions as a response to the climate crisis; for which a discourse analysis was used to identify the sustainability perspective to which they allude. Discourse is understood as a social practice that constructs and mobilizes meanings about sustainability and the rights of Nature in a specific historical context. Analyses of discourse focused on three elements around environmental policies: language, context and the effects

it produces (language in action) [21]; seeking to discuss the set of concepts and discourses on sustainability that are identified in the recognition of the rights of nature at different scales, which coexist as discursive formations in which contradictions can be found.

For the analysis of the judicial decisions that have made recognitions of nature as a subject of rights, the proposal presented by Brunet [22] was considered, for whom the analysis of the legal discourse requires, on the one hand, the interpretation in the legal reasoning of the different legal theories as well as the political and social representation that these have in society. In this last case, to include the analysis of the local scale, the study of two cases of recognition of rights of nature in Colombia was used, which correspond to two of the most important biomes at a global level: the Atrato River, its basin and tributaries, located in the biogeographical Chocó and the Colombian Amazon.

1. Theoretical references to understand the rights of nature as an alternative to climate change

According to Hardin [23], the appropriation of common goods under an individualistic logic leads to losses that affect the entire community. The hegemonic system continues to operate under this logic, according to which progress is manifested in economic growth and technological advances [24]. The environmental crisis is widely recognized, both from the institutional [1,6], and from the academy, going so far as to name the impact of human beings on the entire planetary system as a new era for the Earth: The Anthropocene [25–27]. Other authors refer to this era as the Capitalocene, relating environmental damage and losses to development oriented towards the generation of capital [28–30] and from feminist perspectives, they refer to the Androcene, which recognizes the predominance of male patterns in decision-making [31]. In any case, the global climate crisis is just one more expression of the consequences that uncontrolled anthropic activities have generated on the planetary system; whose adverse effects are evident in losses in water and food security, in human and ecosystem health, and damage to the economy, society, and nature in general [5].

However, in response to Hardin's dilemma about how shared resources are depleted by overuse, Ostrom proposes that in some cases, through efficient institutional arrangements and agreements between the parties, common resources can be managed sustainably. Ostrom's work provides a theoretical framework that allows us to understand under what circumstances communities will tend towards the sustainable and organized management of commons. The author concludes, after a detailed analysis, that communities that succeed in implementing strong institutional arrangements will be those that will successfully manage the commons.

This presupposes that certain elements are met, such as the clarity of boundaries; congruence and harmony between the rules of appropriation and provision of the good and the particular conditions of the locality; institutional arrangements allowing all members of the group to participate in decision-making processes; the choice of persons responsible for the continuous supervision of public administration; the definition of sanctions for those who do not comply with established agreements; dispute resolution mechanisms accessible to all and easy to use; recognition of the right to autonomy or the right to organize freely, the existence of an entrepreneurial class and local communities which serve as a basis for the whole system. Therefore, Ostrom's proposal provides useful elements that can be taken into account in the processes of implementing nature rights from community management of ecosystems and commons [32].

The discourse on sustainable development, embodied in the Millennium Development Goals 2000–2015 and, subsequently, in the Sustainable Development Goals 2015–2030, is based on the proposition that it is possible to achieve socially inclusive and environmentally sustainable development [10], maintaining economic growth as a pillar, which has largely been responsible for the current environmental crisis [33].

As Leff [34] suggests, sustainability challenges the assumptions of

neoclassical economics, questioning the functioning and fulfillment of its individualistic and mechanistic principles. In contrast, ecological economics proposes adjustments that incorporate the laws of thermodynamics and ecological cycles and emphasizes the difficulties of replacing many ecosystem services or compensating future generations for the negative externalities generated [35], not to mention responsibility for other species. In other words, sustainability today requires consideration of the principles of environmental justice, which considers three areas of justice: intragenerational justice, referring to socioeconomic equity; intergenerational justice, which considers future human generations; and interspecific justice, which seeks to extend these notions to other beings on the planet [36]. Additionally, sustainability in the urban environment demands a view of cities that is not detached from the ecoregions to which they belong [37]. Sustainability is, therefore, a category that requires multi-scalar reading.

It is also necessary to move from an anthropocentric approach, which places the human being as the center and measure of all that exists, to an ecocentric approach that seeks to “move towards more integrative or systemic understandings of the world, under a holistic definition of the Earth or eco-sphere” [38]. The ecocentric paradigm is part of a holistic vision of ethics that recognizes the value to “ecosystems as a whole and their different subsystems as well as to human and non-human natural entities” [39]. Ecocentrism recognizes value in ecosystemic stability and interactions between biotic and abiotic elements. It poses a more complex assessment compared to biocentrism, because it values both fauna and flora as well as “biogeochemical cycles, geophysical processes and other elements that are not contemplated in other approaches” [40].

There are variations of the original theoretical formulation of deep ecology that seek to answer questions regarding its practical utility, or the metaphysical content attributed to it. Among these variations is the so-called social ecology [41]. An anthropocentric principle is embedded in this type of position, in the sense that it is always possible to identify a reason for an “instrumental human” character [42] to defend nature, beyond its intrinsic value, and they affirm that it is not necessary to adhere to completely anti-humanist theses.

These perspectives seem to be those recovered in part by recent political and social movements, and welcomed in normative decisions on a global scale to base the recognition of rights to Nature, since they do not incur in ruptures between humanity and the ecosystems of which it is a part, and are even accompanied by democratic perspectives, as they place special emphasis on environmental participation and foundations such as those provided by biocultural rights. In this context, the concept of Ecological Jurisprudence refers to the contemporary global trend within legal theory and practice that rejects the anthropocentric assumptions that have supported much of the dominant legal traditions of recent centuries and includes both the rights of Nature and environmental personification initiatives, the theory of Earth Jurisprudence, among others [20].

In Latin America, this trend has also been based on decolonial movements and epistemologies from the global south that seek to revalue ancestral indigenous knowledge that was made invisible [43], because it was considered that it did not fit the uniform idea of national projects, nor the canons of science [44]. In the legal field, the subjects of rights to nature and rights of specific ecosystems are now being recognized more widely in countries such as Ecuador and Bolivia that articulate the relationship between Nature and human beings based on the recognition of political and legal subjects such as Mother Earth or Pacha Mama and the incorporation of principles of ancestral Indigenous philosophy such as *Sumak Kawsay* (good living in Ecuador) or *Suma Qamaña* (Bolivia) and principles such as plurinationality and interculturality. In Colombia, the category of biocultural rights links the special relationship that Indigenous, tribal and other ethnic communities have with the care of nature and its resources, from their ways of managing and exercising guardianship in their territories [45].

2. Discourses on sustainability at different scales

Although the rights of nature as a theoretical category has common elements in their foundation on a global scale, the contexts on a national and local scale are divergent and have particularities that impact their implementation processes. In this section, we want to show that, despite the heterogeneity of discourses, arguments can be explored in the different social and political spheres in which these discourses develop in relation to sustainability, which contribute to the transformations that are necessary to face the planetary crisis.

On a global scale, there is an evolution of international instruments related to environmental protection and human rights, towards a systemic understanding and the intrinsic value of nature, which emphasize the destructive potential of human intervention in the environment, the relationships of dependence of humanity with the environment and the need to adopt measures. From 2001 onwards, the so-called Jurisprudence of Mother Earth emerged, and in 2010 the first World Conference on the Rights of Mother Earth and Climate Change was held, which led to a Declaration and then to the establishment of the Ethical Tribunal. After the International Declaration of the Rights of Pacha Mama in 2009, the General Assembly of Nations adopted 14 resolutions and 13 reports that propose a form of relationship with nature alternative to the anthropocentric one and show changes in the discourse on sustainable development [19] (Table 1).

In the reports presented to the United Nations General Assembly within the framework of the Harmony with Nature program, the concept of sustainable development, which has predominated in the Universal System of Human Rights since 1980, is used as a guiding thread. It is argued that at an international level, this concept has allowed human beings to integrate with the earth. A gradual process of transformation of this concept can be identified, which shows a discursive shift after the United Nations Conference on Sustainable Development in 2012, which emphasizes the need to return to a gradual connection of humanity with the earth, and to renew the commitment to sustainable development, but from a holistic perspective. In 2012, the reports began to point out that a socioeconomic system based on material growth is not sustainable, and aspiring to infinite growth in a world of finite resources is contradictory, so society must be transformed and not only the current economic paradigm must be reviewed, but also the moral values that support it. UN resolutions and reports reflect an evolution towards a new paradigm of sustainable development that recognizes the interdependence between humanity and nature.

However, there is a decline in political will and effective action to achieve a balance between human society and nature, evidenced by environmental degradation, biodiversity loss and inaction on crises such as climate change. This weakening is manifested in persistent degradation and overexploitation of elements of nature, despite the efforts of United Nations agencies and the sustainable development goals. Regardless of changes in discourse, the erosion of the collective will prioritize the health of the planet over short-term economic interests puts at risk the proper implementation of the rights of nature.

In 2012, the UN Human Rights Council issued a resolution that makes explicit the relationship between human rights and the environment [46]. Likewise, reports are issued that clarify substantive elements of the right to a healthy environment and begin to introduce into the language of human rights a conception of the intrinsic value of nature [47]. Since the New Urban Agenda (Habitat III) of 2016, it is recognized that its implementation can contribute to achieving environmental sustainability by protecting ecosystems and biodiversity, through means such as the adoption of healthy lifestyles in harmony with nature [1].

Resolution 76/300/2022, from a historical and symbolic point of view, also expresses a global intention to guarantee and protect broadly the right to a healthy environment and to promote internal regulations and policies towards its protection [48]. These pronouncements have had an important precedent in Advisory Opinion 23 of 2017 of the Inter-American Commission on Human Rights. This document explains

Table 1
Evolution of the discourse on sustainable development in the UN 2009–2024.

Characteristic aspects of discourse	Year	UN resolution/ report harmony with nature	Discourse on sustainable development or sustainability
<p>Early initiatives This period is characterized by several relevant elements that influence the United Nations discourse regarding sustainable development: The recognition of the international Mother Earth Day, the inclusion of the topic of sustainable development within the work agenda of the Harmony with Nature program, the first question about the GDP as an adequate indicator to measure the environmental deterioration resulting from human activity, and other topics. The beginning of interactive dialogues with experts in preparation for the United Nations Conference on Sustainable Development in Brazil in 2012, to promote a holistic approach to sustainable development. The questioning of the insufficiency and disparity in terms of the availability of basic statistical data on the three pillars of sustainable development (environmental, social and economic) and the need to improve the quality and quantity of these data. The need to introduce fundamental changes in the way societies produce and consume begins to be raised. The growth of countries is being questioned and the need to move towards sustainable models of consumption and production is being raised, as well as the duty to include the principle of common but differentiated responsibilities. Society must be transformed into one that venerates all forms of life, that discerns and uses sectors and practices to create a sustainable society and to review not</p>	2009	Resolution A/RES/63/278	Recognizes April 22 as International Mother Earth Day to promote interdependence among human beings, other living species, and the planet. It is part of the Plan of Implementation of the World Summit on Sustainable Development.
	2009	Resolution A/RES/64/196	Approves the inclusion of a sub-item titled “Harmony with Nature” within the session, associated with the theme of “Sustainable Development”.
	2010	Resolution A/RES/65/164	Recognizes that gross domestic product (GDP) is not an adequate indicator to measure environmental deterioration resulting from human activity. Requests that, as part of the preparatory process for the United Nations Conference on Sustainable Development in Brazil (2012), an interactive dialogue with experts be held, including an analysis of ways to promote a holistic approach to sustainable development.
	2011	Resolution A/RES/66/204	Reiterates that gross domestic product is not designed as an indicator to measure environmental deterioration, and the need to overcome this limitation in relation to sustainable development. Recognizes disparities in the availability of basic statistical data on the three pillars of sustainable development and the need to improve the quality and quantity of such data. To achieve sustainable development, it is essential to introduce fundamental changes in the way societies produce and consume. All countries must promote sustainable consumption and production patterns. Developed countries must include the principle of

Table 1 (continued)

Characteristic aspects of discourse	Year	UN resolution/ report harmony with nature	Discourse on sustainable development or sustainability
only the current economic paradigm but also the moral values that support it.		Report A/66/302	common but differentiated responsibilities. Refers to the need to promote a holistic approach to sustainable development from the integrity of each of its pillars: environmental, social, and economic. A socioeconomic system based on material growth is not sustainable. Society must be transformed into a society that venerates all forms of life and revise the current economic paradigm and the moral values that support it.
<p>Towards a new paradigm Governments and businesses are called upon to develop more sustainable models of production and consumption. Some countries are noted as recognizing the rights of nature to achieve a balance between economic, social and environmental needs. States are invited to develop a network of knowledge to define economic approaches that reflect the values of a life in harmony with nature. The need for broader methods of measuring progress, complementing GDP, was</p>	2012	Resolution A/RES/67/214	Encourages all countries and UN bodies to improve and expand the quality and quantity of basic statistical data on the three pillars of sustainable development and invites the international community and relevant bodies to support the efforts of developing countries in this regard and provide them with training and technical support. It is necessary to adopt other methods to better support policy decisions.
		Report A/67/317	A new economic system is needed that discerns and uses sectors and practices that allow people to create and base a sustainable society. For a society to live in harmony with nature, it is essential to use instruments other than GDP.
	2013	Resolution A/RES/68/216	Reiterates previous resolutions’ considerations regarding GDP and sustainable development. Calls attention to governments and private sector organizations to develop more sustainable models and methods of production and consumption. Requests that deliberations on Harmony with Nature be taken into account to promote a balanced integration of the economic, social, and environmental dimensions of sustainable development and its holistic approach for developing the post-2015 development agenda. Notes that some countries

(continued on next page)

Table 1 (continued)

Characteristic aspects of discourse	Year	UN resolution/ report harmony with nature	Discourse on sustainable development or sustainability
reiterated. The rights of nature are referred to as part of the idea of setting limits to the economy and society: Sustainability implies the recognition of these limits, which are not unidirectional: They act reciprocally between nature and society.		Report A/68/325	recognize the rights of Nature in the context of promoting sustainable development to achieve a fair balance among the economic, social, and environmental needs of present and future generations. Refers to the rights of nature as part of the idea of setting limits on the economy and society: Sustainability implies the recognition of nature's limits and nature's rights. A new economic system can no longer treat nature simply as a source of raw materials for industrial production, the continuous and growing flow of raw materials, and the indefinite accumulation of capital. Limits are not unidirectional. They act reciprocally between nature and society. Invites States to develop a knowledge network to advance a holistic conceptualization that allows defining various economic approaches reflecting the drivers and values of a life in harmony with nature, based on current scientific information to achieve sustainable development. Reiterates the need to adopt broader methods of measuring progress that complement gross domestic product.
	2014	Resolution A/RES/69/224	Addresses the social dimension of sustainable development. Examines how the holistic relationship indigenous peoples have had with Mother Earth since ancient times has enabled modern world scientists to view Earth as an indivisible system where no element takes precedence over others, with an infinite continuity that scientists have called "Earth system science".
	2015	Resolution A/RES/70/208	In addition to reiterating considerations included in previous resolutions on sustainable development, invites States to promote harmony with Earth as professed by indigenous cultures, and efforts made
Integrating the Harmony with Nature approach with the Sustainable Development Goals			States were invited to promote harmony with

Table 1 (continued)

Characteristic aspects of discourse	Year	UN resolution/ report harmony with nature	Discourse on sustainable development or sustainability
the Earth, as professed by indigenous cultures, and it was requested that national and local efforts reflect the protection of nature as a way of conceiving sustainability. Sustainable development governance initiatives were recognized, including documents on "good living" in harmony with nature. It was recommended to incorporate principles of "Earth jurisprudence" and ancestral knowledge of communities in the 2030 Agenda to achieve the 17 Sustainable Development Goals. It was requested to promote an ethical basis for the relationship between the human species and the Earth in the context of sustainable development. The modalities of sustainable production and consumption were discussed, ensuring that people have relevant information and a lifestyle in harmony with nature. The contributions of the "Harmony with Nature" proposal to ensure quality education and combat climate change were invited to be discussed. The integration of interdisciplinary scientific works, including traditional knowledge and legislation to promote new relationships with the Earth was requested.		Report A/70/268	from the national to the local community level to reflect nature protection as a way of conceiving sustainability. The key to sustainability is not just repairing damaged ecosystems to make them healthy and productive again but repairing our broken relationship with the Earth and nature as a whole. The report offers a summary of the main aspects of traditional knowledge, as an input to stimulate the international community. These considerations on sustainability and ancestral knowledge must be raised in the post-2015 development agenda.
	2016	Resolution A/RES/71/232	Recognizes initiatives related to sustainable development governance, including policy documents focused on "buen vivir" (good living) in harmony with nature, reiterates previous considerations on sustainable development. Takes stock of the theoretical and philosophical foundations of Earth jurisprudence and recommends that, in the implementation of the 2030 Agenda, principles of Earth jurisprudence be incorporated and applied in achieving the 17 Sustainable Development Goals. Likewise, broader methods that complement GDP should be adopted to measure sustainable development. These measurements should include the well-being of Nature, including human beings, in the evaluation of economic progress and success.
		Report A/71/266	Requests the promotion of an ethical basis for the relationship between the human species and the Earth in the context of sustainable development, and a discussion on sustainable production and consumption patterns, in order to ensure that people everywhere have relevant information for
	2017	Resolution A/RES/72/223	

(continued on next page)

Table 1 (continued)

Characteristic aspects of discourse	Year	UN resolution/ report harmony with nature	Discourse on sustainable development or sustainability
			dominant economic model that insists on growth and taking advantage of the lessons of the pandemic to develop regenerative systems. The concept of sustainable development that endorsed unlimited growth is questioned, and the integration of the rights of Nature with sustainable development goals is insisted upon. The supplement includes a compilation of 170 legal, policy, and formal and non-formal education initiatives, developing Earth jurisprudence around the world as a proposal to change the paradigm of the relationship with nature towards a new approach to sustainability.
	2022	Resolution A/RES/77/169	Takes into account the conceptual framework of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), and the conclusions of the methodological assessment regarding the conceptualization of the multiple values of nature and its benefits, as guidance for exploring pathways to reconcile people's quality of life with Earth and advance the intertwined economic, social, and environmental dimensions of sustainable development, including biocentric or ecocentric, cosmocentric, and pluricentric worldviews that refer to living in harmony with all forms of existence connected by reciprocal and interdependent relationships.
		Report A/77/244	Notes that advances in Earth Jurisprudence through the rights of Nature and ecological economics are creating a new narrative in which human rights go hand in hand with the reformulation of sustainable development to guarantee the health of the planet and the well-being of future generations.

Table 1 (continued)

Characteristic aspects of discourse	Year	UN resolution/ report harmony with nature	Discourse on sustainable development or sustainability
Strengthening the Earth-centered approach: It was explicitly mentioned that the activities of the General Assembly in the "Harmony with Nature" program have focused on promoting an Earth-centered approach to sustainable development. Further progress in applying this approach in national development initiatives is encouraged. The Rights of Nature movement is recognized as a path to replace the exploitation of the natural world with socially and ecologically just forms.	2024	Report A/79/253	Explicitly mentions that the General Assembly's activities in the Harmony with Nature program have focused on promoting an Earth-centered approach to sustainable development that allows accelerating the implementation of the 2030 Agenda for Sustainable Development. States are encouraged to continue advancing in the application of an Earth-centered approach when carrying out their national development initiatives to ensure a truly synergistic approach. The Rights of Nature movement shows that this is a path to replace the current exploitation of the natural world with socially and ecologically just forms. It recommends strengthening multilateral dialogue on Earth-centered approaches, including at the United Nations, to accelerate the transition from approaches towards sustainable development

Source: The authors elaboration based on UN, Harmony with Nature.

that there is an increasing tendency to recognize rights to nature and points out that the right to the environment protects all-natural elements due to their intrinsic value [49]. It also recognizes that States must respect and guarantee, both autonomously and in their indivisibility and interdependence with other human rights, and even in relation to the rights of nature.

Recently, in Advisory Opinion 32 of 2025 requested by the Republics of Chile and Colombia, the Inter-American Court of Human Rights refers to the obligations of States to respond to the climate emergency within the framework of international human rights law. It expressly alludes to the broad sense of the scope of a healthy environment as a human right in Inter-American jurisprudence, following a broader conceptual line that refers to the environment "understood as a set of inextricably related elements and systems that make present and future life possible" [50].

Likewise, it refers to the recognition of Nature and its components as a subject of rights as a normative development that allows for strengthening the protection of the integrity and functionality of ecosystems in the long term, providing effective legal tools in the face of the triple planetary crisis and facilitating the prevention of existential damage before it becomes irreversible. According to this Advisory Opinion, the recognition of Nature as a subject of rights is a contemporary manifestation of the principle of interdependence between human rights and the environment, and reflects a growing international trend aimed at strengthening environmental protection against present and future threats [50]. In this way, the protection of the right to a healthy environment—understood in a broad sense and extending to

Nature—necessarily results in the protection of substantive human rights.

At the same time, this statement highlights that the protection of Nature as a subject of rights strengthens a paradigm centered on the protection of ecosystem conditions essential for life and empowers local communities and Indigenous peoples, who have historically been guardians of ecosystems and possess deep traditional knowledge of their functioning [50]. Furthermore, it is an approach that is considered compatible with the general obligation of States to adopt domestic legal provisions that strengthen rights and with the principle of progressiveness that operates with respect to social, economic, and cultural rights in accordance with Article 26 of the Inter-American Convention on Human Rights and Article 2 of the Protocol of San Salvador. Therefore, this approach is compatible with the Inter-American *corpus iuris* and is considered compatible with a harmonious understanding of the *pro natura* and *pro hominem* principles.

It is also possible to identify a trajectory in supranational organizations regarding the recognition of natural entities as subjects of rights that aim to redefine the idea of sustainability in different types of documents. In this regard, The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in the 2022 report considers both the rights of nature and the intrinsic value of nature as elements that must be present in the formulation of environmental public policies. In turn, it considers that these instruments must be integrative and based on a rights-based approach that also includes the rights of Nature and that recognizes and respects the worldviews, values and traditional knowledge of indigenous peoples and local communities, to advance systemic transformations of sustainability and justice [51].

Similarly, the COP 15 Final Framework Agreement of the Convention on Biological Diversity not only adopted the 23 conservation goals that have guided the past years but included aspects of rights for nature in several sections. For example, the framework agreement recognized diverse value systems and concepts, from those countries that recognize the rights of nature and the rights of Mother Earth, as integral to the successful implementation of the Convention on Biological Diversity and called for funding through 2030 to implement national biodiversity strategies and action plans, including “Mother Earth-centered actions” that are defined to include ecocentric and rights-based approaches that promote the continuity of all living beings and their communities in accordance with Target 19 [52].

At the national level, the decisions that recognize rights to Nature in the States mention multiple references that include elements of customary norms specific to the practices and concepts of peoples and ethnic communities in the territories, local normative references of each country, as well as references of comparative law and international law instruments. Among the international references, the resolutions of the Harmony with Nature program are frequently cited; and reference is made to sustainable development (Table 2). Among the experiences of the countries that are most often mentioned as pioneers in this trend are the United States, Ecuador, Bolivia, New Zealand, Australia and Colombia. This variety of elements in the construction of the foundations of the decisions also reflects the multi-scale sense of the environmental problems in which they are immersed.

Environmental conflicts or the situation of widespread climate and environmental crisis constitute common antecedents for the normative recognition of the rights of Nature. The concept of environmental justice is also used. Sustainable development is a category that has an ambivalent use in the argument for recognizing the rights of Nature in States.

At the level of local experiences, such as in the implementation processes of the judicial decisions that recognized the status of the Atrato River and the Amazon in Colombia as subjects of rights, it is also possible to trace the use of the discourse of sustainable development as an argument for the recognition of rights to Nature. In the case of the Atrato River, the ruling of the Colombian Constitutional Court mentions sustainable development as part of the joint obligations that the State, society and individuals must prevent environmental deterioration. This

Table 2

Uses in the legal language of sustainable development/sustainability about the rights of Nature.

Using sustainable development or sustainability to question it	Using sustainable development or sustainability to justify rights to nature	Use of sustainable development or sustainability linked to territorial planning for the implementation of the rights of Nature
<p>Brazil: São Paulo Organic Law Initiative. It questions the approach to sustainable development that remains within the UN framework of a market economy agenda. The rights of nature require a transformation that goes far beyond the defence of the economic values of nature, and that takes into account its intrinsic value as a support for life, its relationship with human beings, and the cultural and spiritual values of indigenous and other traditional communities.</p> <p>Argentina: Chamber of Deputies of the Province of Santa Fe. Sustainable development is a concept that requires reformulation.</p> <p>India: Supreme Court, 2012 and Madras High Court, 2022. Sustainable development is a principle that has its roots in anthropocentric principles</p>	<p>Ecuador, Bolivia, Mexico and Colombia: Their legal systems include sustainable development as a principle with aspirational content.</p> <p>United States: Municipalities of Newfield, Licking Township, Packer Township, Santa Monica. It is used as a mechanism for the protection of natural systems, their natural cycles in a sustainable manner or sustainable interdependencies.</p> <p>Australia: Specific application in the case of the Yarra River by the Parliament of Victoria.</p> <p>Ireland: The proposals or initiatives refer to the idea of sustainability from holistic and integrative perspectives or approaches.</p> <p>Nigeria and South Africa: For the protection of the Ethiopian River and the relationship of the DwesaCwebe communities with the environment</p>	<p>Brazil: Initiatives such as the proposed reform of the Organic Law in the Municipality of São Paulo in 2015 seek to strengthen the rights of Nature linked to autonomy and planning for sustainability.</p> <p>Mexico: In the Environmental Law of the Federal District of 2017 regarding the rights of Mother Earth, the ecological planning of the territory of the Federal District is a matter of public utility which will have priority over other uses that are not compatible with the principles of sustainable development.</p>

Source: The authors elaboration based on UN, Harmony with Nature.

case originates in a public action instituted by communities and organizations of the territory as part of their ethnic territorial struggles. In the ruling, sustainable development is referred to as a constitutional guarantee for the general well-being and productive and economic activities of human beings to be carried out in harmony with nature, and as an element that makes up the broad meaning of the constitutional right to the environment and the ecological Constitution. Additionally, the Colombian Constitutional Court recognizes the difficulty of reconciling economic growth with social and environmental well-being within the framework of sustainable development.

Likewise, in the case of the Atrato River, in addition to the ecocentric reference to justify the rights of this ecosystem, the philosophical reference of biocultural rights is included. These seek to integrate into a single protection clause the dispersed provisions on the rights to natural resources and the culture of ethnic communities, present in the Colombian Political Constitution of 1991. At a local level, biocultural rights have been consolidated since the issuance of this ruling as an essential tool for the implementation of the orders of the Constitutional Court, which, in addition to providing for the designation of community and state guardians for the river, are aimed at guaranteeing the river’s rights to conservation, maintenance and restoration and the rights of ethnic communities in their territory through the development and execution of plans for the rehabilitation of the river and the recovery of ancestral forms of subsistence, whose validity and implementation have only been accepted by the communities insofar as they have complied

with the biocultural approach.

In fact, as shown by exercises to systematize the process of implementing the ruling and follow-up reports, biocultural rights have been established in a mandate for action and a standard of compliance with the ruling, and although the recovery of the river and the control of mining is not yet a reality, the fact of preparing the compliance of the orders under the budget of bioculturality is valued as a result of the ruling with a positive impact by the communities [53].

On the contrary, in the case of the Colombian Amazon as a subject of rights, the judgment [54] has its origin in a public action instituted by an NGO on behalf of children and adolescents from different regions of Colombia. It is an exercise that is presented as climate litigation and did not properly include the indigenous and peasant communities that inhabit the Amazon territory. In the judgment, the notion of sustainable development is referred to from the reference to international instruments, as a constitutional mandate for the planning and use of Nature and as a guarantee of the rights of present and future generations. Although the Amazon Judgment takes up arguments such as the eco-centric approach of the Atrato River Judgment, it does not include references such as biocultural rights despite the presence of indigenous and peasant communities in the Amazon territory. This divergence in the argument has also caused different impacts and results in the implementation: unlike in the case of Atrato, the Amazonian communities - ethnic and peasant - have not felt involved with this decision, and instead, they have felt affected in their territorial rights and criminalized in their traditional uses and practices of relationship with Nature. This has made it difficult to fulfill the purposes of recognizing the Amazon as a subject of rights as a strategy to counteract deforestation and fight against the effects of climate change [54].

3. The importance of discourses on sustainability in specific territorial contexts for the advancement of nature rights

Although it has been stated by some authors such as Dejusticia [55], Harvey [56] or Latour [57] that the terms Nature, Environment and sustainability in the abstract are empty categories which have multiple uses, meanings and diverse ideological components; from a multi-scale analysis, it is not possible to abandon these concepts. Instead, it is necessary in each specific case to recognize that there are frameworks, networks and interrelations and to identify their meanings located in space-time and their political performances, in accordance with the different contexts in which these categories develop.

Rights of nature at different scales and the argument of sustainability are an example of how these discourses are mobilized in different contexts and how they have been transformed and mutually nourished. The discourses on sustainability at the level of organizations such as the UN, from programs such as Harmony with Nature, show a process of evolution and transformation inspired by paradigms such as those of jurisprudence based on the Earth and the ecological economy, animated by values such as equity, cooperation, dialogue, inclusion, understanding, agreement, among others, which contrast with the predominant logic of profitability of the current economic system based on growth. They also imply transcending the current markedly anthropocentric environmental protection standards by recognizing Nature as a subject of law. The reports of international organizations have progressively begun to admit the ineffectiveness of environmental measures in the protection of Nature, given that the idea of infinite exploitation of the planet was never replaced by the notion of sustainable development and the influence of private law. Therefore, the rights of nature are addressed not only as a paradigm to modify the current forms of relationship with Nature but as a new narrative that transforms the original conception of sustainable development and at the same time becomes a legitimizing discursive strategy. In the same sense, from critical and alternative perspectives to the official perspectives shown by international organizations, sustainable development has been a widely debated and questioned concept for the purposes that the rights of

nature propose precisely [58–60].

From a territorial and environmental perspective, multi-scale analysis makes it possible to demonstrate the multidimensional nature of environmental issues and to show that the recognition of rights to nature coexist with multiple meanings about nature, regulations, norms and discourses within and outside the States, as occurs with the different conceptions and uses of categories such as sustainability.

It is also important to recognize that there are complementarities and interdependencies between human rights and the rights of nature, as recent decisions and pronouncements at the international level are pointing out. In this way, there is an interaction between international law, national law and the social and dynamic practices that generate the rights of nature in the territories [61].

Along with a normative framework of formal institutions and rules, there are alternatively informal community regulations of peasant, urban, and ethnic communities that “are put into practice according to specific local contexts” [16]. At a local or regional level, the rights of Nature arise as a response to specific environmental conflicts in the territories and there, sustainability is a different discourse, more linked to the need to conserve ecosystems due to their relationship with the communities.

Although in this case the discourse analysis is used from studies of urban environmentalism, from a comprehensive and systemic vision of environmental rights the urban-rural dichotomy is questioned and the necessary connection between these two areas is defended to respond to the complexity of phenomena such as climate change [62,63]. The latter, although it is due to the high atmospheric pollution produced by post-industrial development, which altered all the global systems of the biosphere, does not present homogeneous effects on the planet, with dissimilar national and local implications. Because it is a complex system, the distribution of these effects is not equitable, and it reflects the relationships that human beings have had with nature. Some of the most serious effects are associated with the occurrence of extreme meteorological phenomena, which strongly impact those areas where the surface has been altered the most, not only with the implementation of cities, but where the natural space of water bodies or strategic ecosystems has not been respected, leaving the effects on multiple scales evident. In other words, the current crisis, as proposed by the rights of Nature, forces us to reconcile ourselves with the land, water, air and life that we have invaded, appropriated, contaminated or degraded in our quest to dominate nature and accumulate wealth for a few. This reconciliation implies recognizing and valuing the interdependencies expressed in the ecoregion, renaturalizing cities, but especially, renaturalizing human beings.

Biocultural rights are a category that allows us to rescue and recognize these sustainable practices. Bioculturality at a local level is an approach that seeks the sustainability of ethnic communities in their environment and from multiple relationships, including cultural and spiritual ones. It goes beyond sustainable development because it re-values interactions and practices in the environment and to that extent it is a tool that contributes to the implementation of the rights of Nature with the potential to contribute to the protection of ecosystems and cultures as a response to the climate crisis. In the local context of Atrato, the category of biocultural rights offers alternatives to the traditional concept of sustainable development, because it questions the vertical and ethnocentric paradigm; it is nourished by the struggles for common goods and the content of the ethnic-territorial rights of indigenous, black and peasant communities. To this extent, it becomes a bridge concept from which the objectives of sustainable development can be reconciled with ethnic diversity.

The rights of nature at the global level have advanced in their foundation and theoretical development, but at the same time, the institutions in charge of meeting environmental objectives must also be transformed. Thinking about nature in an ecosystem perspective, for example, at the basin scale, like in the Atrato experience is a great challenge and opens up enormous perspectives for this transformation.

The contrasting uses of sustainable development in territorial experiences such as those analyzed (the Atrato and the Amazon) shows that it is necessary to adopt approaches such as bioculturalism, a category that holistically integrates the relationship of interdependence and reciprocity between communities, their culture, their identity and the ecosystem they inhabit, rather than militaristic or punitive approaches, which allow for the establishment of these links between human beings and nature.

Specific territorial experiences, such as those of the Atrato and the Amazon, show that the rights of nature are not just a uniform global movement. The diversity of approaches to arguments such as sustainability demonstrates that there are different ways to achieve the rights of nature, different mechanisms, contexts, movements, and cultures in which these rights are developed, so it is necessary to recognize this diversity.

4. Recommendations and actions

Rights of Nature are part of the actions and solutions necessary to mitigate climate change. At the same time, these rights imply rethinking the unsustainable trajectories of society and rescuing the cultural practices and relationships of communities with the territories that have ancestrally allowed both the use of the elements of Nature and its conservation. The discourses on sustainability that are present at different scales (global -in supranational organizations-, national in different States and regional-local), which have been used as a basis for the recognition of rights to nature, show different uses in the legal language of sustainable development, which are appropriated and represented differently in each specific territorial context.

From the point of view of uses in the legal discourse on a global scale, both at the level of supranational international organizations such as the UN and in the different States that have recognized the rights of Nature, it is possible to identify transformations and proposals for reformulating the concept of sustainable development. In international organizations such as the United Nations, the intention is clear not to abandon the category of sustainable development, but instead to reappropriate it from the 2030 Agenda and the new sustainable development objectives, and from there, to link it to the discourses of the rights of Nature and the Jurisprudence of the Earth.

Not all States that have recognized the rights of Nature use the concept of sustainability or sustainable development, and among those that do use this concept, it is possible to identify ambivalent uses. Some question it because of its anthropocentric basis, while others use it as part of the set of arguments or justifications for recognizing the rights of Nature. In the latter case, this is explained by the incorporation of sustainable development as a constitutional or legal principle in the different legal systems.

The analysis of local territorial experiences allows us to demonstrate how these discourses are mobilized in the implementation of the rights of Nature and to delve into other elements that modify the path towards sustainability (language in action), as occurs in the case of the Atrato River in Colombia with the recognition of biocultural rights. This emerging category turns out to be important because it allows the articulation of uses, sustainable practices and interrelations of communities with territories and ecosystems and from there favors the implementation of the rights of Nature (effects of language). In contrast to this experience, the appropriation of the language of the rights of Nature in the Colombian Amazon has not had sustainability as a mobilizing element of implementation because biocultural rights and the relationship of ethnic and peasant communities were not made visible in the Sentence and have also been absent in the implementation process.

Although the recognition of Nature's rights varies in each specific territorial context and in each State legal model, it is necessary to adopt certain measures that contribute to their implementation as a response to the climate crisis. Taking into account the specificities revealed through the multi-scale analysis of each decision on the recognition of

Nature's rights, the timelines established in each regulatory decision (judicial, legal, or administrative) will also vary depending on the environmental conflict from which they arise. However, some minimum actions can be proposed that significantly contribute to progress toward this objective:

First, following Ostrom [32] and Ortega's [16] proposal, it is necessary to recognize, according to each specific territorial context, that there are forms of appropriation of nature that are developed by the communities themselves. These forms of appropriation can be considered informal rules for the provision of goods according to the conditions of each locality. This entails creating an environmental standard for each specific case that allows for the identification of the different levels of human action in ecosystems.

Secondly, it is necessary to incorporate institutional agreements that allow for the inclusion in formal systems of the ways each locality accesses, uses, produces, conserves, protects, and exchanges environmental goods, as well as the development of its own sustainability strategies. In the case of experiences such as the Colombian Atrato River Basin, this formalization has been outlined through formulas such as biocultural rights. Therefore, the biocultural approach corresponds to a comprehensive perspective for the conservation of diversity that stems from the complex relationships between ecological processes and cultural dynamics and requires institutional strengthening of the guarantee of participation, environmental governance, and community autonomy, especially in the case of ethnic communities. However, institutional adjustments should not be limited solely to regulatory adjustments such as the inclusion of biocultural rights. In addition, administrative mechanisms for institutional coordination, as well as the definition of funding sources and resources for their implementation, must be defined.

Thirdly, applying rights of nature as a mechanism to better address climate change requires other institutional adjustments, such as the development of legal representation schemes for natural entities that are declared subjects of law. Fourth, given that communities may encounter different forms of access, use, control, and distribution of environmental goods within a single territorial context, in addition to ensuring high standards of participation, environmental conflict resolution mechanisms must be established to reconcile the various conflicting interests regarding the environment. Although legal systems may already contemplate these types of mechanisms, they must be adapted and contextualized within the framework of the aforementioned assumptions.

Funding

This paper received funding from the project "Diseño de herramientas metodológicas y técnicas de planeación y gestión para la implementación de sistemas de adaptación al cambio climático en el ámbito municipal para el departamento de Antioquia". Code BPIN 2021000100489 from Sistema General de Regalías (Colombia).

CRediT authorship contribution statement

Diana Carolina Sánchez-Zapata: Writing – review & editing, Writing – original draft, Methodology, Investigation, Formal analysis, Conceptualization. **María Fernanda Cárdenas:** Writing – review & editing, Writing – original draft, Investigation, Conceptualization.

Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Data availability

No data was used for the research described in the article.

References

- [1] ONU, Nueva Agenda Urbana, Quito, 2016.
- [2] P. James, *Urban Sustainability in Theory and Practice*, Routledge, New York, 2015.
- [3] M. Soga, K.J. Gaston, Extinction of experience: the loss of human-nature interactions, *Front. Ecol. Environ.* 14 (2) (2016) 94–101, <https://doi.org/10.1002/fee.1225>.
- [4] M.E.A. MEA, *Ecosystems and Human Well-Being: Synthesis*, Island Press, Washington D.C., 2005.
- [5] IPCC Sixth Assessment Report. Longer report, Panmao Zhai (2022).
- [6] ONU, Acuerdo De París, París, 2015.
- [7] M. Kutz, A. Levermann, L. Wenz, The economic commitment of climate change, *Nature under review* (April) (2023), <https://doi.org/10.1038/s41586-024-07219-0>.
- [8] G. Mesa, *Derechos Humanos En Perspectiva De Integralidad*. Bogotá: Universidad Nacional de Colombia.
- [9] W. Meadows, D.H. Randers, D.L y Behrens, *Los Límites Del Crecimiento: Informe Al Club de Roma sobre El Predicamento De La Humanidad*, Instituto Tecnológico de Massachusetts- Fondo de Cultura Económica., Mexico D.F, 1972.
- [10] J. Sachs, *La Era Del Desarrollo Sostenible*, Ediciones Deusto, Barcelona, 2014, <https://doi.org/10.1192/bjp.112.483.211-a>.
- [11] G. Brundtland. *Our Common Future*, Oxford University Press, 1987.
- [12] W. Steffen, et al., Planetary boundaries: guiding human development on a changing planet, *Science* (80-) 347 (6223) (2015), <https://doi.org/10.1126/science.1259855>.
- [13] D.W. O'Neill, A.L. Fanning, W.F. Lamb, J.K. Steinberger, A good life for all within planetary boundaries, *Nat. Sustain.* 1 (2) (2018) 88–95, <https://doi.org/10.1038/s41893-018-0021-4>.
- [14] A.L. Fanning, D.W. O'Neill, J. Hickel, et al., The social shortfall and ecological overshoot of nations, *Nat. Sustain.* 5 (2022) 26–36, <https://doi.org/10.1038/s41893-021-00799-z>.
- [15] C.D. Ives, et al., Human-nature connection: a multidisciplinary review, *Curr. Opin. Environ. Sustain.* 26–27 (November 2016) (2017) 106–113, <https://doi.org/10.1016/j.cosust.2017.05.005>.
- [16] G.A. Ortega-Guerrero, *Revisión del sistema de reglas formales para la regulación de bienes comunes-y-ambientales en Colombia: un análisis desde las dinámicas interescalas y multi-nivel*. Estado Ambiental de Derecho: o Estado De Cosas Inconstitucional Ambiental: Derechos Colectivos y Ambientales Bajo Amenaza En La Era De Las Locomotoras Normativas, Universidad Nacional de Colombia, Unidad de investigaciones Jurídico-Sociales Gerardo Molina, Unijus, Bogotá, D.C, 2019, pp. 49–88.
- [17] S. Sassen, Desnacionalización de las políticas estatales y privatización de la producción de normas, in: L. Saldívia (Ed.), *Estado, Soberanía y Globalización*, Siglo del Hombre Editores, Bogotá, 2010, pp. 103–137. Ed.
- [18] M. Betancourt-Santiago y S. Rubiños-Cea, *Colonialidad territorial y conflictividad Disputas globales-locales en la Amazonía Andina (Colombia, Ecuador, Perú y Bolivia)*. Amazonía y Expansión Mercantil Capitalista Nueva frontera De Recursos En El Siglo XXI CLACSO; La Paz: Centro de Estudios para El Desarrollo Laboral y Agrario-CEDLA, 2021, pp. 315–375.
- [19] UN, "Harmony with Nature", Harmony with Nature Knowledge Network. [Online]. Available: <http://www.harmonywithnatureun.org/>.
- [20] C. Kauffman, Craig, B. Shrishtee, L. Kelsey, E. Macpherson, P. Martin, A. Pelizzon, A. Putzer, L. Sheehan, "Eco Jurisprudence Tracker. V1".
- [21] P. Brand, Thomas M, *Discourse, power and the environment as urban ideology*. Urban Environmentalism, Routledge, Londres, 2005.
- [22] P. Brunet, *Para Un Análisis Del Discurso Jurídico*, Universidad Externado de Colombia, Bogotá, 2019.
- [23] G. Hardin, The tragedy of the commons, *Science* (80-) 162 (3859) (1968) 1243–1248, <https://doi.org/10.1126/science.162.3859.1243>.
- [24] E. Leff, Decrecimiento o desconstrucción de la economía, in: , 2021, pp. 487–498, <https://doi.org/10.2307/j.ctv1gm013c.18>.
- [25] J.E. Da Veiga, The first antropocene utopia, *Ambiente Soc.* 20 (2) (2017) 227–246, <https://doi.org/10.1590/1809-4422asocex002v20202017>.
- [26] M. Armiero, *Wasteoeno. La era De Los Residuos: Historias Del Vertedero Global*, Catarata, Madrid, 2023.
- [27] A.J. Hoffman, P.D. Jennings, *Re-Engaging With Sustainability in the Anthropocene Era: An Institutional Approach*, Cambridge University Press, 2018.
- [28] J. Moore, *El Capitalismo En La Trampa De La vida. Ecología y acumulación De Capital, Bajo Tierra, Traficantes de sueños*, 2020.
- [29] D. Haraway, "Pensamiento tentacular antropoceno, capitaloceno, chthuluceno," ERRATA#18 Los derechos Los Vivientes, p. s.p, 2017, [Online]. Available: <https://revistaerrata.gov.co/contenido/pensamiento-tentacular-antropoceno-capitaloceno-chthuluceno-1>.
- [30] I. Stengers, Accepting the reality of Gaia: ¿a fundamental shift? in: F. Hamilton, C. Bonneuil, C. y Gemenne (Eds.), *The Anthropocene and the Global Environmental Crisis. Rethinking modernity and a New Epoch* Routledge, Londres, 2015, pp. 134–144. Ed.
- [31] X. Póo, Las desigualdades sociales exacerbaban los impactos del cambio climático, *Palabra Pública* 8 (2018) 22–25 [Online]. Available: <https://libros.uchile.cl/files/revistas/DIRCOM/PalabraPublica/08-enero2018/24/#zoom=z>.
- [32] E. Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action*, Cambridge University Press, 1990.
- [33] T. Jackson, *Prosperidad Sin crecimiento. Economía Para Un Planeta Finito*, Icaria editorial, Barcelona, 2011.
- [34] E. Leff, *Economía ecológica, racionalidad ambiental y sustentabilidad*, *Sustentabilidad(es)* (2) (2011) 5–9.
- [35] J. Martínez Alier, *Introducción a La Economía Ecológica*, Rubes Editorial, Madrid, 1999.
- [36] D. Hervé Espejo, Noción y elementos de la Justicia Ambiental: directrices para su aplicación en la planificación territorial y en la evaluación ambiental estratégica, *Rev. Derecho XXIII* (1) (2010) 9–36.
- [37] M.F. Cárdenas-Agudelo, *Sostenibilidad territorial o la búsqueda de una planificación del territorio de base ecológica. Planeación Urbano-Regional. Temas y Reflexiones*, Universidad Nacional de Colombia, 2022, pp. 14–63.
- [38] C. de, *Estudios Para La Justicia Social -Siembra-*, *Derechos de La Naturaleza y Derechos bioculturales: Escenarios De Posibilidad Ante La Degradación De La Naturaleza*, Siembra, Bogotá, 2021.
- [39] S. Vallejo, La considerabilidad moral: fundamento ético del reconocimiento de la naturaleza como sujeto de derecho, *Let. Estudios. Rev. Latinoam. Estud. Socioambientales* (26) (2019), <https://doi.org/10.17141/letrasverdes.26.2019.3913>.
- [40] C. Bermúdez, *Derechos de la Naturaleza: Aproximaciones de la Ecología Política a la Jurisprudencia Colombiana*, Pontificia Universidad Javeriana, 2020.
- [41] M. Bookchin, *Toward an Ecological Society* toward an Ecological Society, Montreal: Black Rose Books, 1980.
- [42] A. Dobson, *Pensamiento Político verde. Una nueva Ideología Para El Siglo XXI*, Paidós, Barcelona, 1997.
- [43] B. de S. Santos, *Una Epistemología Del sur: La reinención Del Conocimiento y La Emancipación Social*, Siglo XXI, CLACSO, Buenos Aires, 2019.
- [44] J. Rubens, F. França-Dinnebier, *Derechos de la naturaleza: fundamentos y protección por el Estado ecológico de derecho en América Latina*, in: M. Peña Chacón (Ed.), *Derecho Ambiental del Siglo XXI*, Isolma, San José, 2019, pp. 99–132.
- [45] Corte Constitucional Colombiana, "Sentencia T-622,," 2016.
- [46] ONU. Consejo de Derechos Humanos, *Resoluciones A/HRC/RES/19/10*. 2012.
- [47] ONU. Consejo de Derechos Humanos, *A/75/161. Informe del Relator Especial sobre la cuestión de las obligaciones de derechos humanos relacionadas con el disfrute de un medio ambiente sin riesgos, limpio, saludable y sostenible. Los derechos humanos dependen de una biosfera saludable* [Online]. Available: <https://www.ohchr.org/S/P/Issues/Environment/SREnvironment/Pages/AnnualReports.aspx>, 2020.
- [48] UN.O. A. General., *Resolución 76/300. El derecho Humano a Un Medio Ambiente limpio, Saludable y Sostenible*. Nueva York, 2022.
- [49] IACHR, *Advisory Opinion OC-23/17. Inter-American Court of Human Rights*, 2017.
- [50] IACHR, *Advisory Opinion OC-32/2025. Inter-American Court of Human Rights*, 2025.
- [51] IPBES, Summary for policymakers of the methodological assessment regarding the diverse conceptualization of multiple values of nature and its benefits, including biodiversity and ecosystem functions and services," Bonn [Online]. Available: <http://www.ipbes.net/document-library-catalogue/summary-policy-makers-methodological-assessment-regarding-diverse>, 2022.
- [52] UN. Convention on Biological Diversity, "Kunming-Montreal Global biodiversity framework," Montreal, 2022.
- [53] V. González y R. Rogelis, El río Atrato tras 5 años de la Sentencia T-622 que lo declaró como un sujeto de derechos, in: R. Soler (Ed.), *Derechos De La Naturaleza Cuatro Casos Internacionales Para Entender Su Aplicación*, Siembra, Centro Sociojurídico para la Defensa Territorial, Bogotá, D.C, 2022, pp. 8–44.
- [54] Corte Suprema de Justicia, "Sentencia STC4360-2018", 2018.
- [55] Dejusticia, "Informe de Audiencia de 5 de junio de 2024 - consideraciones y propuestas para el impulso de la implementación de la Sentencia STC-4360 de 2018,," Bogotá, D.C, 2024.
- [56] D. Harvey, *The Nature of Environment: the Dialectics of Social and Environmental Change*, Merlin Press, 1993.
- [57] B. Latour, *Reensamblar Lo social. Una introducción a La Teoría Del actor-red, 1ª*, Manantial, Buenos Aires, 2008.
- [58] E. Swyngedouw, ¡La naturaleza no existe! La sostenibilidad como síntoma de una planificación despolitizada, *Urban NS01* (2011) 41–66 [Online]. Available: <file:///C:/Users/Usuario/Downloads/Dialnet-LaNaturalezaNoExisteLaSostenibilidadComoSintomaDeU-3762434.pdf>.
- [59] I. Vilaseca, Problemas de legitimidad y viabilidad del desarrollo sostenible: desentrañar la crisis ambiental en el Siglo XXI, in: G. Mesa Cuadros (Ed.), *Derechos Ambientales, Conflictividad y Paz Ambiental*, Universidad Nacional de Colombia, Unijus, Bogotá, 2019, pp. 49–87.
- [60] E. Gómez-Baggethun, Sustainable development, in: A. Kothari, A. Salleh, A. Escobar, A. Damaría F, Acosta (Eds.), *Pluriverse. A Post-Development Dictionary*, Tulika Books, 2019, pp. 71–74. Ed.
- [61] V. Haidar, M. Berros, Hacia un abordaje multidimensional y multiescalar de la cuestión ecológica: la perspectiva del buen vivir, *Rev. Crit. Cienc. Sociais* (108) (2015), <https://doi.org/10.4000/rccs.6133>.
- [62] N. Brenner, C. Schmid, La 'era urbana' en debate, *Eure* (2016), <https://doi.org/10.4067/S0250-71612016000300013>.
- [63] S. Quinchía, *Discurso y producción de ciudad: un acercamiento al modelo de urbanismo social en Medellín, Colombia*, *Cuad. Vivienda Urban.* 6 (11) (2013) 122–139 [Online]. Available: <https://www.proquest.com/openview/5fb8b993837eda3c7f7548f14bfee675/1?pq-origsite=gscholar&cbl=2041077>.