



Linda Sheehan

In a [new report](#), UN Environment calls for expanding and tracking nations' adherence to an "environmental rule of law," to better hold governments accountable to the protection of people and planet.

Briefly, the "rule of law" means that "no one is above the law." [Living by the rule of law](#) is critical to peace and is a pre-requisite to the realization of all human rights. Initiatives such as the [World Justice Project](#) currently track each nation's progress on adherence to the rule of law, through metrics such as support for fundamental rights, elimination of corruption, fair enforcement, and other factors. But to date, no one has taken a similarly comprehensive look at how nations adhere to an environmental rule of law.

This new UN report starts to fill that gap, seeking to improve compliance with environmental law and thereby protect human rights, including the right to a healthy environment. The report further shows that the concept "no one is above the law" includes *both* human law and nature's laws. We have been ignoring many of nature's laws, and we are suffering the impacts of that mistake. For example:

- [In 2015, pollution caused an estimated 9 million premature deaths](#), directly implicating the right to life.
- [Over 1.5 million deaths of children under the age of 5 in 2015](#), out of a total of approximately 6 million, could have been prevented by reducing environmental risks.
- [Climate change poses a direct risk to the identity of many island nations](#) to be destroyed by rising seas.

- Intensified competition for natural resources in recent decades has led to [conflicts around the world](#). “[I]ndigenous communities and ethnic and racial minorities are particularly vulnerable” because desired resources “are usually located in their lands,” and “their access to justice is limited.”
- In 2018 alone, [Front Line Defenders](#) documented the [murder of 321 justice defenders in 27 countries](#); 77% of these were defending land, environmental, and indigenous peoples’ rights, often in the context of large industrial projects. Intimidation and violence affect many more defenders.



Standing Rock camp in the snow. Creative Commons, Dark Sevier

We need to move our society to one built on nature’s rules, where we recognize the planet’s needs and limits through nature’s rights, and empower indigenous peoples and other local communities to implement them. As the UN report observes, [conservation of natural ecosystems and species](#) is a “moral imperative,” one increasingly framed through nature’s rights.

As part of the Leonardo DiCaprio Foundation’s mission to ensure a thriving, biodiverse natural world, a flourishing human population, and a healthy climate, we support recognition of nature’s fundamental rights. Laws and court rulings recognizing nature’s rights have arisen in [Ecuador](#), [Bolivia](#), [Colombia](#) (for [waterways](#) and [climate](#)), [India](#), [Mexico](#), [New Zealand](#), and throughout the U.S., including [California](#), with the movement [expanding globally](#). The UN itself released an “Expert Report”

recommending respect for the “fundamental legal rights of ecosystems and species to exist, thrive and regenerate.” The world’s largest conservation organization, the International Union for Conservation of Nature (IUCN), has similarly called for nature’s rights to be a “[fundamental and absolute key element in all IUCN decisions](#)” and [incorporated nature’s rights into work programs](#). The IUCN’s legal arm added its own acknowledgement of nature’s inherent rights to “exist, thrive, and evolve” in its [Declaration on an Environmental Rule of Law](#). These and other rights of nature court decisions, laws, and policies are emerging in response to extreme pressure on ecosystems globally, and by extension on the communities that rely on them.

Fortunately, the [UN report](#) provides a roadmap for improving adherence to an environmental rule of law, including through protection of inherent rights. Attention to the environmental rule of law offers “agencies with the authority to act,” “citizens with clear pathways to justice,” and a “fair framework for businesses to behave sustainably.” By providing governments, citizens, NGOs, and businesses with essential tools needed to monitor results and seek change, the report moves us forward toward ensuring our environmental laws are implemented, enforced, and effective.

Last updated January 24, 2019