



**MISIÓN PERMANENTE DEL ESTADO PLURINACIONAL DE BOLIVIA
ANTE LAS NACIONES UNIDAS**

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La Misión Permanente del Estado Plurinacional de Bolivia ante las Naciones Unidas presenta sus saludos a la Secretaría de Naciones Unidas, Departamento de Asuntos Económicos y Sociales, y con referencia a la presentación de contribuciones para el Documento de Compilación y para la Conferencia sobre Desarrollo Sostenible (Rio + 20), tiene el honor de remitir en adjunto la Propuesta del Estado Plurinacional de Bolivia “Derechos de la Naturaleza”.

La Misión Permanente del Estado Plurinacional de Bolivia ante las Naciones Unidas hace propicia la oportunidad para reiterar a la Secretaría de Naciones Unidas, Departamento de Asuntos Económicos y Sociales las seguridades de su más alta y distinguida consideración.

Nueva York, Octubre 31, 2011

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Representante Permanente Alterno
Encargado de Negocios a.i.

A la Honorable
Secretaría de Naciones Unidas
Departamento de Asuntos Económicos y Sociales
Nueva York.-



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Proposal of the Plurinational State of Bolivia for the United Nations Conference on Sustainable Development (Rio+20)

The Rights of Nature

The proposals developed by the Plurinational State of Bolivia bring together and build upon the progress made in the World Charter for Nature (1982), the Rio Declaration (1992), the Earth Charter (2000), and the World People's Conference on Climate Change and the Rights of Mother Earth (2010):

I. A DEEPER COMMITMENT TO SUSTAINABLE DEVELOPMENT IN THE 21ST CENTURY

1. In this century, the central challenges of sustainable development are: on the one hand, to overcome poverty and the tremendous inequalities that exist and, on the other hand, reestablish the equilibrium of the Earth system. Both objectives are intrinsically linked and one cannot be reached independently of the other.
2. It is essential to recognize and affirm that growth has limits. The pursuit of unending development on a finite planet is unsustainable and impossible. The limit to development is defined by the regenerative capacity of the Earth's vital cycles. When growth begins to break that balance, as we see with global warming, we can no longer speak of it as development, but rather, the deterioration and destruction of our home. A certain level of growth and industrialization is needed to satisfy basic needs and guarantee the human rights of a population, but this level of "necessary development" is not about permanent growth, but rather, balance among humans and with nature.
3. New technologies will not allow unending economic growth. Scientific advances, under some circumstances, can contribute to resolve certain problems of development but can't ignore the natural limits of the Earth system.
4. The main challenge for the eradication of poverty is not to grow forever, but to achieve an equitable distribution of the wealth that is possible under the limits of the Earth system. In a world in which 1% of the population controls 50% of the wealth of the planet, it will not be possible to eradicate poverty or restore harmony with nature.
5. Sustainable development seeks to eradicate poverty in order to live well, not generate wealthy people who live at the expense of the poor. The goal is the satisfaction of basic human needs in order to allow for the development of human capabilities and human happiness, strengthening community among human beings and with Mother Earth.



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6. To end poverty and achieve an equitable distribution of wellbeing, the basic resources and companies should be in the hands of the public sector and society. Only a society that controls its principal sources of income can aspire to a just distribution of the benefits needed to eliminate poverty.
7. The so-called “developed” countries must reduce their levels of over-consumption and overexploitation of resources of the world in order to reestablish harmony among human beings and with nature, allowing for the sustainable development of all developing countries.
8. Developing countries should realize their right to development following patterns and paradigms that are distinct from those of developed countries. It is not sustainable or viable for all countries to follow the example of developed countries without causing the collapse of our Earth system. The ecological footprint of the developed countries is between 3 and 5 times larger than the average ecological footprint that the Earth system can sustain without an impact on its vital cycles.
9. Sustainable development can only be achieved from a global perspective and cannot be achieved only in the national level. The wellbeing of a country is only sustainable if it also serves to contribute to the wellbeing of the entire Earth system. The so-called developed countries are still far from reaching sustainable development.
10. Sustainable development should ensure equilibrium among the three pillars – social, economic, and environmental – which are interrelated, preserving the fundamental principle of common but differentiated responsibility.

II. THE NEW EMERGING CHALLENGE: RESTORING THE EQUILIBRIUM OF THE EARTH SYSTEM

11. The emerging challenges of the 21st Century are the product of exaggerated ambition and accumulation of wealth concentrated in a few sectors, the exacerbation and combination of different contradictions that were present in the last century. The various crises that exist in the areas of food, energy, the environment, climate, finance, water, and even institutions have reached chronic levels and are feeding off of one another, in some cases to the point of no return.
12. We are living an environmental crisis that, as it deepens, threatens the existence of human beings and life as a whole. The Earth is a living system and the source of life. It is an indivisible, interdependent and interrelated community comprised of human beings, nature, the atmosphere, hydrosphere, and geosphere. The Earth system has intrinsic laws that regulate its functioning, articulating the physical, chemical, biological and ecological elements in a manner that makes life possible. Through the term Mother Earth, we express this relationship of belonging to a system and respect for our home.



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13. Human activity is altering the dynamics and functioning of the Earth system to a degree never before seen. The capitalist system is the principal cause of the imbalance because it puts the rules of the market and the accumulation of profit above the laws of nature. Nature is not simply a sum of elements, it's not a source of resources that can be exploited, modified, altered, privatized, commercialized and transformed without any consequences.
14. Human beings and nature are at the center of concerns for sustainable development. It is essential to get beyond the anthropocentric vision. Until now, no species besides Man has been able to modify the characteristics of the planet in such a substantial way and in such a short period of time. It is essential to restore and guarantee the existence, integrity, interrelation, interaction and regeneration of the Earth system as a whole and of all of its components in order to achieve a sustainable development that is capable of confronting the multiple crises facing humanity and the planet today.

III. TOOLS FOR FIXING THE PERSISTENT GAPS AND ACHIEVE SUSTAINABLE DEVELOPMENT

15. To reestablish harmony with nature, we must recognize and respect the intrinsic laws of nature and its vital cycles. Not only do human beings have a right to a healthy life, but so do the other components and species belonging to the system we call nature. In an interdependent and interrelated system like the planet Earth, it is not possible to recognize the rights of just the human part of the system without affecting the whole. Just as human beings have rights, the Mother Earth also has the right to exist, the right to maintain its vital cycles, the right to regeneration, the right to be free from structural alteration, and the right to relate to the other parts of the Earth system. In order to reestablish balance with nature, it is necessary to clearly establish the obligations of humans toward nature, and to recognize that nature has rights that should be respected, promoted, and defended.
16. We have to end the system of consumption, waste and luxury. Millions of people are dying of hunger in the poorest parts of the globe, while the richest spend millions of dollars are spent to combat obesity. Developed countries must change their unsustainable patterns of consumption, production, and waste through public policies, regulations, the conscious and active participation of society, This includes promoting ethics that value human beings for what they are, not what they have.
17. It is necessary to guarantee the human right to water, education, health, communication, transportation, energy and sanitation. The provision of these services must be essentially public and based on efficient social management, not private business. The principal goal should be common wellbeing and not



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private profit, in order to ensure that these services reach the poorest and most marginalized sectors in an equitable manner.

18. States should ensure the right of their populations to proper nutrition by strengthening food sovereignty policies that promote: a) food production by farmers, indigenous peoples and small agricultural producers; b) access to land, water, seeds, credit and other resources for family and community producers; c) the development of social and public enterprises for food production, distribution, and sale that prevent hoarding and contribute to the stability of food prices in domestic markets, thus halting speculative practices and the destruction of local production; d) the right of citizens to define and to know and have the proper information about what they consume, the way their food is produced, and its origins; e) the right to healthy, varied and nutritious food; f) the right to consume what is necessary and prioritize local production; g) practices that contribute to reestablishing harmony with nature, avoiding greater desertification, deforestation, and destruction of biological diversity; h) the promotion of the use of indigenous seeds and traditional knowledge. Food production and commercialization must be socially regulated and cannot be left to free market forces.
19. Without water, there is no life. Humans and all living things have the right to water, but water also has rights. All States and peoples worldwide should work together in solidarity to ensure that loss of vegetation, deforestation, the pollution of the atmosphere and contamination are prevented from continuing to alter the hydrological cycle. These cause desertification, lack of food, temperature increase, sea level rise, migrations, acid rain, and physical-chemical changes that could provoke the loss of genetic and species diversity, damaging the health of ecosystems.
20. Forests are essential to the balance and integrity of planet Earth and a key element in the proper functioning of its ecosystems and the broader system of which we are a part. Thus we cannot consider them as simple providers of goods and services for human beings. The protection, preservation and recuperation of forests is necessary in order to reestablish the balance of the Earth system. Plantations that are planted for profit and promoted as carbon sinks and providers of environmental services are not forests. Forests are not plantations that can be reduced to their capacity to capture carbon and provide environmental services. Native forests and woodlands are essential for the water cycle, the atmosphere, biodiversity, the prevention of flooding, and the preservation of ecosystems. Forests are also home to indigenous peoples and communities. The preservation of forests should be pursued through integral and participatory management plans that should be financed with public funding from developed countries or specific taxes on the sectors with the greatest consumption.



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21. It is essential to guarantee a real and effective reduction of greenhouse gases, particularly on the part of the developed countries historically responsible for climate change, in order to stabilize the increase in temperature to 1°C during this century. We must therefore strengthen the Kyoto Protocol with a second period of commitments by developed countries, instead of replacing it with a more flexible voluntary agreement. It is necessary to eliminate carbon market mechanisms and offsets so that real domestic reductions are made within the countries with said obligations. South Africa should not be another Cancun, delaying once again the central issue of substantive reductions in greenhouse gas emissions.
22. All forms of violence against women are incompatible with sustainable development. Violence done to women in militarily occupied territories, domestic or sexual violence, and discrimination in the workplace and in public spheres are problems we must solve. We must link the issue of the economic role of women to the protection of nature.
23. In order for sustainable development to exist, it is essential to guarantee the full application of the United Nations Declaration on the Rights of Indigenous Peoples.
24. Under the framework of common but differentiated responsibilities established in the 1992 Rio Declaration, the so-called developed countries must assume and pay their historical ecological debt for having contributed the most to the deterioration of the Earth system. The payment of this ecological debt by developed countries to developing countries and the sectors most affected among their own populations should replace to the greatest possible degree the ecological damage provoked. Developed countries should transfer financial resources from public sources and also the effective transfer of socially and ecologically appropriate technologies required by sovereign developing countries.
25. The enormous resources dedicated to defense, security and war budgets by developed countries should be reduced. These resources should instead be used to address the effects of climate change and the imbalance with nature. It is inexcusable that 1.5 trillion dollars in public funding are used on these budgets, while, to address the impacts of climate change in developing countries, they want to dedicate just 100 billion dollars from public and private funds as well as market sources.
26. A financial transaction tax should be created to help build a Sustainable Development Fund to attend to the sustainable development challenges faced by developing countries. This financing mechanism should generate new, stable and additional resources for developing countries. A tax of 0.05% applied on a global level has the potential to capture \$661 billion per year according to



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- ECLAC.¹ The mechanism of the international financial transaction tax can be built in a voluntary and gradual manner with the participation of those developed and developing countries that wish to participate.
27. The Rio+20 Conference should not create market mechanisms with regard to nature, biodiversity and the so called environmental services: a) The logic of the market and monetary valuation applied to environmental services and biodiversity will generate greater inequality in the distribution of those resources, which are essential for humanity and Mother Earth; b) The establishment of these market mechanisms will deepen the imbalance with nature because they are driven by the search for maximum profits and not harmony with nature; c) It will affect the sovereignty of our States and peoples by generating new forms of property rights over the functions of nature that will be in the hands of investors. These mechanisms are uncertain, volatile and the source of financial speculation given that the bulk of the money they mobilize will remain in the hands of intermediary actors.
 28. Sustainable development requires a new international financial architecture to replace the World Bank and the IMF with entities that are democratic and transparent, that respect national priorities and national independence in the application of development strategies. These new institutions should have a majority representation by developing countries and should act according to the principles of solidarity and cooperation, rather than commercialization and privatization.
 29. It is essential to create an effective Technology Transfer Mechanism that stems from the demand and needs of the countries of the South for technologies that are socially, culturally, and environmentally appropriate. Said mechanism should not be a “show room” for the sale of technologies by rich countries. In order to promote the exchange of scientific and technical knowledge, it is essential to remove intellectual property barriers so that there might exist a true transfer of environmentally friendly technologies from developed countries to developing countries.
 30. Intellectual property rights over genes, microorganisms and other forms of life are a threat to food sovereignty, biodiversity, access to medicine and other elements that are essential for the survival of low-income populations. All forms of intellectual property over life should be abolished.
 31. Gross Domestic Product is not an adequate means of measuring the development and wellbeing of a society. Thus it is necessary to create indicators for measuring the environmental destruction caused by certain economic activities in order to advance toward sustainable development in harmony with

¹ <http://www.eclac.org/cgi-bin/getProd.asp?xml=/prensa/noticias/comunicados/3/44323/P44323.xml&xml=/prensa/tpl/p6f.xml&base=/tpl/top-bottom.xml>



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- nature, integrating social and environmental aspects that are not aimed at the commercialization of nature and its functions.
32. Respect for the sovereignty of States is essential in the management and protection of nature under the framework of cooperation among States.
 33. No identical solutions exist for all peoples. Human beings are diverse. Our peoples have their own unique cultures and identities. To destroy a culture is to threaten the identity of an entire people. Capitalism attempts to homogenize us all to convert us into consumers. There has not been, nor will there ever be, a single model for life that can save the world. We live and act in a pluralistic world, and a pluralistic world should respect diversity, which is itself synonymous with life. Respect for peaceful and harmonious complementarity among the diverse cultures and economies, without exploitation or discrimination against any single one, is essential for saving the planet, humanity, and life.
 34. Peace is essential for sustainable development. There is no worse aggression against humanity and Mother Earth than war and violence. War destroys life, and it has a particularly strong impact on the poorest and most vulnerable. Nobody and nothing is safe from war. Those that fight suffer, as do those that are forced to go without bread in order to feed the war. Wars squander life and natural resources.
 35. An International Tribunal of Environmental and Climate Justice must be established to judge and sanction crimes against nature that transcend national borders, violating the rights of nature and affecting humanity.
 36. To achieve sustainable development, it is necessary to promote public associations, public-public associations among actors in different States, public-social associations among different social sectors, and public-private associations.
 37. The problems affecting humanity and nature require the exercise of global democracy through the development of mechanisms of consultation and decision-making such as referendums, plebiscites, or popular consultations so that the citizens of the world as a whole may speak.
 38. Sustainable development is incompatible with all forms of imperialism and neocolonialism. In order to stop imperialism and neocolonialism, it is essential to end the imposition of conditionalities, military interventions, coups and blackmail.
 39. The collective global response that is needed to confront the crisis we face requires structural changes. We must change the system – not the climate or the Earth system. In the hands of capitalism, everything is converted into merchandise: water, earth genomes, ancestral cultures, justice, ethics and life. It is essential to develop a pluralistic system based on the culture of life and harmony among human beings and with nature; a system that promotes sustainable development in the framework of solidarity, complementarity, equity, social and economic justice, social participation, respect for diversity, and peace.



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IV. THE GREEN ECONOMY AND ITS DANGEROUS AND FALSE SOLUTIONS

40. At a global scale, the supposed objective of the Green Economy of disassociating economic growth from environmental deterioration is not viable. Those that promote the Green Economy promote a three-dimensional capitalism that includes physical capital, human capital, and natural capital (rivers, wetlands, forests, coral reefs, biological diversity and other elements). For the Green Economy, the food crisis, the climate crisis and the energy crisis share a common characteristic: the failed allocation of capital. As a result, they try to treat nature as capital – “natural capital.”
41. The Green Economy considers it essential to put a price on the free services that plants, animals and ecosystems offer to humanity in the struggle for the conservation of biodiversity, water purification, pollination of plants, the protection of coral reefs and regulation of the climate. For the Green Economy, it is necessary to identify the specific functions of ecosystems and biodiversity and assign them a monetary value, evaluate their current status, set a limit after which they will cease to provide services, and concretize in economic terms the cost of their conservation in order to develop a market for each particular environmental service. For the Green Economy, the instruments of the market are powerful tools for managing the “economic invisibility of nature.”
42. One of the examples most cited by the Green Economy is the initiative known as REDD (Reducing Emissions through Deforestation and Forest Degradation), which consists of isolating and measuring the capacity of the forest to capture and store carbon dioxide in order to issue certificates for greenhouse gas emissions reductions that can be commercialized and acquired by companies in developed countries that cannot meet their mitigation commitments. In this way, the developing countries will end up financing the developed countries.
43. It is wrong to attempt to fragment nature into “environmental services” with a monetary value for market exchange. We should not put a price on the capacity of forests to act as carbon sinks, nor promote their commercialization as does REDD. The market for carbon credits based on forests will lead to: a) noncompliance with effective emission reduction commitments by developed countries; b) the bulk of resources being appropriated by intermediaries and financial entities and rarely benefitting countries, indigenous peoples and forests themselves; c) the generation of speculative bubbles based on the sale and purchase of said certificates; and d) the establishment of new property rights over the capacity of forests to capture carbon dioxide, which will clash with the sovereign rights of States and the indigenous peoples that live in forests. The promotion of market mechanisms based on the economic needs of developing countries is a new form of neocolonialism.



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44. The postulates promoted under the Green Economy are wrong. The current environmental and climate crisis is not a simple market failure. The solution is not to put a price on nature. Nature is not a form of capital. It is wrong to say that we only value that which has a price, an owner, and brings profits. The market mechanisms that permit exchange among human beings and nations have proven incapable of contributing to an equitable distribution of wealth. The Green Economy should not distort the fundamental principles of sustainable development.
45. Not all that glitters is gold. Not all that is labeled “green” is environmentally friendly. We must use the precautionary principle and deeply analyze the different “green” alternatives that are presented before proceeding with their experimentation and implementation.
46. Nature cannot be subject to manipulation by new technologies without consequences in the future. History shows us that many dangerous technologies have been released in the market before their environmental or health impacts are known, or before their social and economic impacts on poor people and developing countries are understood. This is currently the case with genetically modified organisms, agrochemicals, biofuels, nanotechnology, and synthetic biology. These technologies should be avoided.
47. Geoengineering and all forms of artificial manipulation of the climate should be prohibited, for they bring the enormous risk of further destabilizing the climate, biodiversity and nature.
48. It is necessary to create public and multilateral mechanisms within the United Nations to evaluate in an independent manner and without conflict of interest the potential environmental, health, social, and economic impacts of new technologies before they are spread. This mechanism must involve transparency and social participation by potentially affected groups.
49. “Green” capitalism will bring about natural resource grabbing, displacing humanity and nature from the essential elements needed for their survival. The drive for profit, instead of reestablishing harmony within the system, will provoke even greater imbalances, concentrations of wealth, and speculative processes.

V. INSTITUTIONAL FRAMEWORK FOR SUSTAINABLE DEVELOPMENT

50. The institutional architecture of the United Nations for sustainable development should establish a structure to promote balanced and equal treatment of the three pillars: the economic, social, and environmental. This institutional architecture should articulate and coordinate the different authorities involved in order to avoid overlapping efforts and achieve effective coordination.
51. The Economic Pillar should determine the sustainable development agendas of economic and commercial organizations such as the WTO, the World Bank and



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- IMF. Without an effective integration among these entities, the institutional framework will be unable to define the economic policies necessary to achieve sustainable development while respecting national priorities and national independence and with transparent and socially acceptable management.
52. The Social Pillar should coordinate entities such as ILO, WHO, UNESCO, UN-Women, the Indigenous Permanent Forum and others in order to improve their actions and impacts in the struggle for the eradication of poverty.
 53. The Environmental Pillar should stem from a better coordination and implementation of the different Conventions (UNFCCC, UNCCD, CBD) and the incorporation of all environmental issues including water.
 54. The coordination of these three pillars should be under the auspices of a Council for Sustainable Development that is created on the basis of what is now the Commission on Sustainable Development. It should be at the level of a Council that would function as a subsidiary body of the General Assembly, guaranteeing a fundamental role for States, coordinating with the Economic and Social Council, and with regular functioning to follow up on and implement the goals and mechanisms agreed and resolutions adopted.
 55. Developing countries should have a majority representation in said Council, and its functioning should be democratic and transparent.
 56. The Council for Sustainable Development should include mechanisms for the participation of civil society and non-governmental organizations especially organizations representing workers, indigenous peoples, farmers, small agricultural producers and fishermen, women, youth and consumers. The private sector cannot have the same amount of influence as the social sectors, given that, by definition, its goal is to create profit rather than social wellbeing. The linking of the Sustainable Development Council with the different social actors should occur through a Consultative Group.