

# COCHABAMBA

Documents of the  
**World People's Conference on Climate Change  
and the Rights of Mother Earth**

Bolivia, April 2010



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## CONTENTS

People's Agreement on Climate Change and the Rights of Mother Earth.....	3
Indigenous People's Declaration: 'Mother Earth can live without us, but we can't live without her' .....	13
Universal Declaration of the Rights of Mother Earth.....	17

## INTRODUCTION

In April 2010, more than 30,000 people from over 100 countries took part in the **World People's Conference on Climate Change and the Rights of Mother Earth** in the central Bolivian city of Cochabamba.

The participants, who included more than 40 official government delegations and thousands of activists and representatives of social movements, wrote and approved the documents published in this pamphlet.

The resolutions adopted in Cochabamba must now be put into action, in two parallel ways.

On one hand, the resolutions will become part of negotiations for a new climate treaty, Evo Morales told the delegates that the eight member countries of the Bolivarian Alliance of the Americas (ALBA) will go to the next round of international climate negotiations with a submission that is "based on ... the proposals that came out of the seventeen working groups of the Cochabamba conference."

At the same time, the Cochabamba meeting is a major step towards building a mass democratic movement against climate change, The resolutions adopted in Bolivia provide a programmatic basis for such a movement.

This pamphlet contains three of the key resolutions adopted in Cochabamba. Other workshop resolutions are being posted, as translations are completed, on the official conference website (<http://pwccc.wordpress.com/>) and by the only journal *Links* (<http://links.org.au/node/1647>).

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# People's Agreement on Climate Change and the Rights of Mother Earth

*Final Declaration of the World People's Conference on Climate Change and the Rights of Mother Earth*

Today, our Mother Earth is wounded and the future of humanity is in danger.

If global warming increases by more than 2 degrees Celsius, a situation that the "Copenhagen Accord" could lead to, there is a 50% probability that the damages caused to our Mother Earth will be completely irreversible. Between 20% and 30% of species would be in danger of disappearing. Large extensions of forest would be affected, droughts and floods would affect different regions of the planet, deserts would expand, and the melting of the polar ice caps and the glaciers in the Andes and Himalayas would worsen. Many island states would disappear, and Africa would suffer an increase in temperature of more than 3 degrees Celsius. Likewise, the production of food would diminish in the world, causing catastrophic impact on the survival of inhabitants from vast regions in the planet, and the number of people in the world suffering from hunger would increase dramatically, a figure that already exceeds 1.02 billion people.

The corporations and governments of the so-called "developed" countries, in complicity with a segment of the scientific community, have led us to discuss climate change as a problem limited to the rise in temperature without questioning the cause, which is the capitalist system.

We confront the terminal crisis of a civilizing model that is patriarchal and based on the submission and destruction of human beings and nature that accelerated since the industrial revolution.

The capitalist system has imposed on us a logic of competition, progress and limitless growth. This regime of production and consumption seeks profit without limits, separating human beings from nature and imposing a logic of domination upon nature, transforming everything into commodities: water, earth, the human genome, ancestral cultures, biodiversity, justice, ethics, the rights of peoples, and life itself.

Under capitalism, Mother Earth is converted into a source of raw materials, and human beings into consumers and a means of production, into people that are seen as valuable only for what they own, and not for what they are.

Capitalism requires a powerful military industry for its processes of ac-

cumulation and imposition of control over territories and natural resources, suppressing the resistance of the peoples. It is an imperialist system of colonization of the planet.

Humanity confronts a great dilemma: to continue on the path of capitalism, depredation, and death, or to choose the path of harmony with nature and respect for life.

It is imperative that we forge a new system that restores harmony with nature and among human beings. And in order for there to be balance with nature, there must first be equity among human beings. We propose to the peoples of the world the recovery, revalorization, and strengthening of the knowledge, wisdom, and ancestral practices of Indigenous Peoples, which are affirmed in the thought and practices of “Living Well,” recognizing Mother Earth as a living being with which we have an indivisible, interdependent, complementary and spiritual relationship. To face climate change, we must recognize Mother Earth as the source of life and forge a new system based on the principles of:

- harmony and balance among all and with all things;
- complementarity, solidarity, and equality;
- collective well-being and the satisfaction of the basic necessities of all;
- people in harmony with nature;
- recognition of human beings for what they are, not what they own;
- elimination of all forms of colonialism, imperialism and interventionism;
- peace among the peoples and with Mother Earth;

The model we support is not a model of limitless and destructive development. All countries need to produce the goods and services necessary to satisfy the fundamental needs of their populations, but by no means can they continue to follow the path of development that has led the richest countries to have an ecological footprint five times bigger than what the planet is able to support. Currently, the regenerative capacity of the planet has been already exceeded by more than 30 percent. If this pace of over-exploitation of our Mother Earth continues, we will need two planets by the year 2030. In an interdependent system in which human beings are only one component, it is not possible to recognize rights only to the human part without provoking an imbalance in the system as a whole. To guarantee human rights and to restore harmony with nature, it is necessary to effectively recognize and apply the rights of Mother Earth. For this purpose, we propose the attached project for the Universal Declaration on the Rights of Mother Earth, in which it's recorded that:

- The right to live and to exist;
- The right to be respected;

- The right to regenerate its bio-capacity and to continue its vital cycles and processes free of human alteration;
- The right to maintain their identity and integrity as differentiated beings, self-regulated and interrelated;
- The right to water as the source of life;
- The right to clean air;
- The right to comprehensive health;
- The right to be free of contamination and pollution, free of toxic and radioactive waste;
- The right to be free of alterations or modifications of its genetic structure in a manner that threatens its integrity or vital and healthy functioning;
- The right to prompt and full restoration for violations to the rights acknowledged in this Declaration caused by human activities.

The “shared vision” seeks to stabilize the concentrations of greenhouse gases to make effective the Article 2 of the United Nations Framework Convention on Climate Change, which states that “the stabilization of greenhouse gases concentrations in the atmosphere to a level that prevents dangerous anthropogenic inferences for the climate system.” Our vision is based on the principle of historical common but differentiated responsibilities, to demand the developed countries to commit with quantifiable goals of emission reduction that will allow to return the concentrations of greenhouse gases to 300 ppm, therefore the increase in the average world temperature to a maximum of one degree Celsius.

Emphasizing the need for urgent action to achieve this vision, and with the support of peoples, movements and countries, developed countries should commit to ambitious targets for reducing emissions that permit the achievement of short-term objectives, while maintaining our vision in favor of balance in the Earth’s climate system, in agreement with the ultimate objective of the Convention.

The “shared vision for long-term cooperative action” in climate change negotiations should not be reduced to defining the limit on temperature increases and the concentration of greenhouse gases in the atmosphere, but must also incorporate in a balanced and integral manner measures regarding capacity building, production and consumption patterns, and other essential factors such as the acknowledging of the Rights of Mother Earth to establish harmony with nature.

Developed countries, as the main cause of climate change, in assuming their historical responsibility, must recognize and honor their climate debt in all of its dimensions as the basis for a just, effective, and scientific solu-

tion to climate change. In this context, we demand that developed countries:

- Restore to developing countries the atmospheric space that is occupied by their greenhouse gas emissions. This implies the decolonization of the atmosphere through the reduction and absorption of their emissions;
- Assume the costs and technology transfer needs of developing countries arising from the loss of development opportunities due to living in a restricted atmospheric space;
- Assume responsibility for the hundreds of millions of people that will be forced to migrate due to the climate change caused by these countries, and eliminate their restrictive immigration policies, offering migrants a decent life with full human rights guarantees in their countries;
- Assume adaptation debt related to the impacts of climate change on developing countries by providing the means to prevent, minimize, and deal with damages arising from their excessive emissions;
- Honor these debts as part of a broader debt to Mother Earth by adopting and implementing the United Nations Universal Declaration on the Rights of Mother Earth.

The focus must not be only on financial compensation, but also on restorative justice, understood as the restitution of integrity to our Mother Earth and all its beings.

We deplore attempts by countries to annul the Kyoto Protocol, which is the sole legally binding instrument specific to the reduction of greenhouse gas emissions by developed countries.

We inform the world that, despite their obligation to reduce emissions, developed countries have increased their emissions by 11.2% in the period from 1990 to 2007.

During that same period, due to unbridled consumption, the United States of America has increased its greenhouse gas emissions by 16.8%, reaching an average of 20 to 23 tons of CO<sub>2</sub> per-person. This represents 9 times more than that of the average inhabitant of the “Third World,” and 20 times more than that of the average inhabitant of Sub-Saharan Africa.

We categorically reject the illegitimate “Copenhagen Accord” that allows developed countries to offer insufficient reductions in greenhouse gases based in voluntary and individual commitments, violating the environmental integrity of Mother Earth and leading us toward an increase in global temperatures of around 4°C.

The next Conference on Climate Change to be held at the end of 2010

in Mexico should approve an amendment to the Kyoto Protocol for the second commitment period from 2013 to 2017 under which developed countries must agree to significant domestic emissions reductions of at least 50% based on 1990 levels, excluding carbon markets or other offset mechanisms that mask the failure of actual reductions in greenhouse gas emissions.

We require first of all the establishment of a goal for the group of developed countries to achieve the assignment of individual commitments for each developed country under the framework of complementary efforts among each one, maintaining in this way Kyoto Protocol as the route to emissions reductions.

The United States, as the only Annex 1 country on Earth that did not ratify the Kyoto Protocol, has a significant responsibility toward all peoples of the world to ratify this document and commit itself to respecting and complying with emissions reduction targets on a scale appropriate to the total size of its economy.

We the peoples have the equal right to be protected from the adverse effects of climate change and reject the notion of adaptation to climate change as understood as a resignation to impacts provoked by the historical emissions of developed countries, which themselves must adapt their modes of life and consumption in the face of this global emergency. We see it as imperative to confront the adverse effects of climate change, and consider adaptation to be a process rather than an imposition, as well as a tool that can serve to help offset those effects, demonstrating that it is possible to achieve harmony with nature under a different model for living.

It is necessary to construct an Adaptation Fund exclusively for addressing climate change as part of a financial mechanism that is managed in a sovereign, transparent, and equitable manner for all States. This Fund should assess the impacts and costs of climate change in developing countries and needs deriving from these impacts, and monitor support on the part of developed countries. It should also include a mechanism for compensation for current and future damages, loss of opportunities due to extreme and gradual climactic events, and additional costs that could present themselves if our planet surpasses ecological thresholds, such as those impacts that present obstacles to "Living Well."

The "Copenhagen Accord" imposed on developing countries by a few States, beyond simply offering insufficient resources, attempts as well to divide and create confrontation between peoples and to extort developing countries by placing conditions on access to adaptation and mitigation resources. We also assert as unacceptable the attempt in processes of inter-

national negotiation to classify developing countries for their vulnerability to climate change, generating disputes, inequalities and segregation among them.

The immense challenge humanity faces of stopping global warming and cooling the planet can only be achieved through a profound shift in agricultural practices toward the sustainable model of production used by indigenous and rural farming peoples, as well as other ancestral models and practices that contribute to solving the problem of agriculture and food sovereignty. This is understood as the right of peoples to control their own seeds, lands, water, and food production, thereby guaranteeing, through forms of production that are in harmony with Mother Earth and appropriate to local cultural contexts, access to sufficient, varied and nutritious foods in complementarity with Mother Earth and deepening the autonomous (participatory, communal and shared) production of every nation and people.

Climate change is now producing profound impacts on agriculture and the ways of life of indigenous peoples and farmers throughout the world, and these impacts will worsen in the future.

Agribusiness, through its social, economic, and cultural model of global capitalist production and its logic of producing food for the market and not to fulfill the right to proper nutrition, is one of the principal causes of climate change. Its technological, commercial, and political approach only serves to deepen the climate change crisis and increase hunger in the world. For this reason, we reject Free Trade Agreements and Association Agreements and all forms of the application of Intellectual Property Rights to life, current technological packages (agrochemicals, genetic modification) and those that offer false solutions (biofuels, geo-engineering, nanotechnology, etc.) that only exacerbate the current crisis.

We similarly denounce the way in which the capitalist model imposes mega-infrastructure projects and invades territories with extractive projects, water privatization, and militarized territories, expelling indigenous peoples from their lands, inhibiting food sovereignty and deepening socio-environmental crisis.

We demand recognition of the right of all peoples, living beings, and Mother Earth to have access to water, and we support the proposal of the Government of Bolivia to recognize water as a Fundamental Human Right.

The definition of forests used in the negotiations of the United Nations Framework Convention on Climate Change, which includes plantations, is unacceptable. Monoculture plantations are not forests. Therefore, we require a definition for negotiation purposes that recognizes the native for-

ests, jungles and the diverse ecosystems on Earth.

The United Nations Declaration on the Rights of Indigenous Peoples must be fully recognized, implemented and integrated in climate change negotiations. The best strategy and action to avoid deforestation and degradation and protect native forests and jungles is to recognize and guarantee collective rights to lands and territories, especially considering that most of the forests are located within the territories of indigenous peoples and nations and other traditional communities.

We condemn market mechanisms such as REDD (Reducing Emissions from Deforestation and Forest Degradation) and its versions + and + +, which are violating the sovereignty of peoples and their right to prior free and informed consent as well as the sovereignty of national States, the customs of Peoples, and the Rights of Nature.

Polluting countries have an obligation to carry out direct transfers of the economic and technological resources needed to pay for the restoration and maintenance of forests in favor of the peoples and indigenous ancestral organic structures. Compensation must be direct and in addition to the sources of funding promised by developed countries outside of the carbon market, and never serve as carbon offsets. We demand that countries stop actions on local forests based on market mechanisms and propose non-existent and conditional results. We call on governments to create a global program to restore native forests and jungles, managed and administered by the peoples, implementing forest seeds, fruit trees, and native flora. Governments should eliminate forest concessions and support the conservation of petroleum deposits in the ground and urgently stop the exploitation of hydrocarbons in forestlands.

We call upon States to recognize, respect and guarantee the effective implementation of international human rights standards and the rights of indigenous peoples, including the United Nations Declaration on the Rights of Indigenous Peoples under ILO Convention 169, among other relevant instruments in the negotiations, policies and measures used to meet the challenges posed by climate change. In particular, we call upon States to give legal recognition to claims over territories, lands and natural resources to enable and strengthen our traditional ways of life and contribute effectively to solving climate change.

We demand the full and effective implementation of the right to consultation, participation and prior, free and informed consent of indigenous peoples in all negotiation processes, and in the design and implementation of measures related to climate change.

Environmental degradation and climate change are currently reaching

critical levels, and one of the main consequences of this is domestic and international migration. According to projections, there were already about 25 million climate migrants by 1995. Current estimates are around 50 million, and projections suggest that between 200 million and 1 billion people will become displaced by situations resulting from climate change by the year 2050.

Developed countries should assume responsibility for climate migrants, welcoming them into their territories and recognizing their fundamental rights through the signing of international conventions that provide for the definition of climate migrant and require all States to abide by determinations.

Establish an International Tribunal of Conscience to denounce, make visible, document, judge and punish violations of the rights of migrants, refugees and displaced persons within countries of origin, transit and destination, clearly identifying the responsibilities of States, companies and other agents.

Current funding directed toward developing countries for climate change and the proposal of the Copenhagen Accord are insignificant. In addition to Official Development Assistance and public sources, developed countries must commit to a new annual funding of at least 6% of GDP to tackle climate change in developing countries. This is viable considering that a similar amount is spent on national defense, and that 5 times more have been put forth to rescue failing banks and speculators, which raises serious questions about global priorities and political will. This funding should be direct and free of conditions, and should not interfere with the national sovereignty or self-determination of the most affected communities and groups.

In view of the inefficiency of the current mechanism, a new funding mechanism should be established at the 2010 Climate Change Conference in Mexico, functioning under the authority of the Conference of the Parties (COP) under the United Nations Framework Convention on Climate Change and held accountable to it, with significant representation of developing countries, to ensure compliance with the funding commitments of Annex 1 countries.

It has been stated that developed countries significantly increased their emissions in the period from 1990 to 2007, despite having stated that the reduction would be substantially supported by market mechanisms.

The carbon market has become a lucrative business, commodifying our Mother Earth. It is therefore not an alternative for tackle climate change, as it loots and ravages the land, water, and even life itself.

The recent financial crisis has demonstrated that the market is incapable of regulating the financial system, which is fragile and uncertain due to speculation and the emergence of intermediary brokers. Therefore, it would be totally irresponsible to leave in their hands the care and protection of human existence and of our Mother Earth.

We consider inadmissible that current negotiations propose the creation of new mechanisms that extend and promote the carbon market, for existing mechanisms have not resolved the problem of climate change nor led to real and direct actions to reduce greenhouse gases. It is necessary to demand fulfillment of the commitments assumed by developed countries under the United Nations Framework Convention on Climate Change regarding development and technology transfer, and to reject the “technology showcase” proposed by developed countries that only markets technology. It is essential to establish guidelines in order to create a multilateral and multidisciplinary mechanism for participatory control, management, and evaluation of the exchange of technologies. These technologies must be useful, clean and socially sound. Likewise, it is fundamental to establish a fund for the financing and inventory of technologies that are appropriate and free of intellectual property rights. Patents, in particular, should move from the hands of private monopolies to the public domain in order to promote accessibility and low costs.

Knowledge is universal, and should for no reason be the object of private property or private use, nor should its application in the form of technology. Developed countries have a responsibility to share their technology with developing countries, to build research centers in developing countries for the creation of technologies and innovations, and defend and promote their development and application for “living well.” The world must recover and re-learn ancestral principles and approaches from native peoples to stop the destruction of the planet, as well as promote ancestral practices, knowledge and spirituality to recuperate the capacity for “living well” in harmony with Mother Earth.

Considering the lack of political will on the part of developed countries to effectively comply with commitments and obligations assumed under the United Nations Framework Convention on Climate Change and the Kyoto Protocol, and given the lack of a legal international organism to guard against and sanction climate and environmental crimes that violate the Rights of Mother Earth and humanity, we demand the creation of an International Climate and Environmental Justice Tribunal that has the legal capacity to prevent, judge and penalize States, industries and people that by commission or omission contaminate and provoke climate change.

Supporting States that present claims at the International Climate and Environmental Justice Tribunal against developed countries that fail to comply with commitments under the United Nations Framework Convention on Climate Change and the Kyoto Protocol including commitments to reduce greenhouse gases.

We urge peoples to propose and promote deep reform within the United Nations, so that all member States comply with the decisions of the International Climate and Environmental Justice Tribunal.

The future of humanity is in danger, and we cannot allow a group of leaders from developed countries to decide for all countries as they tried unsuccessfully to do at the Conference of the Parties in Copenhagen. This decision concerns us all. Thus, it is essential to carry out a global referendum or popular consultation on climate change in which all are consulted regarding the following issues; the level of emission reductions on the part of developed countries and transnational corporations, financing to be offered by developed countries, the creation of an International Climate Justice Tribunal, the need for a Universal Declaration of the Rights of Mother Earth, and the need to change the current capitalist system. The process of a global referendum or popular consultation will depend on process of preparation that ensures the successful development of the same.

In order to coordinate our international action and implement the results of this "Accord of the Peoples," we call for the building of a Global People's Movement for Mother Earth, which should be based on the principles of complementarity and respect for the diversity of origin and visions among its members, constituting a broad and democratic space for coordination and joint worldwide actions.

To this end, we adopt the attached global plan of action so that in Mexico, the developed countries listed in Annex 1 respect the existing legal framework and reduce their greenhouse gases emissions by 50%, and that the different proposals contained in this Agreement are adopted.

Finally, we agree to undertake a Second World People's Conference on Climate Change and the Rights of Mother Earth in 2011 as part of this process of building the Global People's Movement for Mother Earth and reacting to the outcomes of the Climate Change Conference to be held at the end of this year in Cancun, Mexico.

## **Indigenous People's Declaration: 'Mother Earth can live without us, but we can't live without her'**

We, the Indigenous Peoples, nations and organizations from all over the world, gathered at the World Peoples' Conference on Climate Change and the Rights of Mother Earth, from April 19th to 22nd, 2010 in Tiquipaya, Cochabamba, Bolivia, after extensive discussions, express the following:

We Indigenous Peoples are sons and daughters of Mother Earth, or "Pachamama" in Quechua. Mother Earth is a living being in the universe that concentrates energy and life, while giving shelter and life to all without asking anything in return, she is the past, present and future; this is our relationship with Mother Earth. We have lived in coexistence with her for thousands of years, with our wisdom and cosmic spirituality linked to nature. However, the economic models promoted and forced by industrialized countries that promote exploitation and wealth accumulation have radically transformed our relationship with Mother Earth. We must assert that climate change is one of the consequences of this irrational logic of life that we must change.

The aggression towards Mother Earth and the repeated assaults and violations against our soils, air, forests, rivers, lakes, biodiversity, and the cosmos are assaults against us. Before, we used to ask for permission for everything. Now, coming from developed countries, it is presumed that Mother Earth must ask us for permission. Our territories are not respected, particularly those of peoples in voluntary isolation or initial contact, and we suffer the most terrible aggression since colonization only to facilitate the entry of markets and extractive industries.

We recognize that Indigenous Peoples and the rest of the world live in a general age of crises: environmental, energy, food, financial, ethical, among others, as a consequence of policies and attitudes from racist and exclusionary states. We want to convey that at the Copenhagen Climate Conference, the peoples of the world demanded fair treatment, but were repressed. Meanwhile the states responsible for the climate crisis were able to weaken even more any possible outcome of negotiations and evade signing onto any binding agreement. They limited themselves to simply supporting the Copenhagen Accord, an accord that proposes unacceptable and insufficient goals as far as climate change action and financing to the most affected countries and peoples.

We affirm that international negotiation spaces have systematically excluded the participation of Indigenous Peoples. As a result, we as In-

Indigenous Peoples are making ourselves visible in these spaces, because as Mother Earth has been hurt and plundered, with negative activities taking place on our lands, territories and natural resources, we have also been hurt. This is why as Indigenous Peoples we will not keep silent, but instead we propose to mobilize all our peoples to arrive at COP16 in Mexico and other spaces well prepared and united to defend our proposals, particularly the “living well” and plurinational state proposals.

We, Indigenous Peoples, do not want to live “better”, but instead we believe that everyone must live well. This is a proposal to achieve balance and start to construct a new society. The search for common objectives, as history shows us, will only be completed with the union of Indigenous Peoples of the World. The ancestral and indigenous roots shared by the whole world must be one of the bonds that unite us to achieve one unique objective.

### **Therefore we propose, require and demand:**

1. The recovery, revalidation and strengthening of our civilizations, identities, cultures and cosmovisions based on ancient and ancestral Indigenous knowledge and wisdom for the construction of alternative ways of life to the current “development model”, as a way to confront climate change.

2. To rescue and strengthen the Indigenous proposal of “living well,” while also recognizing Mother Earth as a living being with whom we have an indivisible and interdependent relationship, based on principles and mechanisms that assure the respect, harmony, and balance between people and nature, and supporting a society based on social and environmental justice, which sees life as its purpose. All this must be done to confront the plundering capitalist model and guarantee the protection of life as a whole, through the search for inclusive global agreements.

3. We demand States to recognize, respect and guarantee the application of international standards of human rights and Indigenous Peoples’ rights (i.e., The UN Declaration on the Rights of Indigenous Peoples, ILO Convention 169) in the framework of negotiations, policies, and measures to confront climate change.

4. We demand States to legally recognize the preexistence of our right to the lands, territories, and natural resources that we have traditionally held as Indigenous Peoples and Nations, as well as restitution and restoration of natural goods, water, forests and jungles, lakes, oceans, sacred places, lands, and territories that have been dispossessed and seized. This is needed to strengthen and make possible our traditional way of living while contributing effectively to climate change solutions.

Inasmuch, we call for the consolidation of indigenous territories in exercise of our self-determination and autonomy, in conformity with systems of rules and regulations. At the same time we demand that states respect the territorial rights of Indigenous Peoples in voluntary isolation or in initial contact, as an effective way to preserve their integrity and combat the adverse effects of climate change towards those peoples.

5. We call on States not to promote commercial monoculture practices, nor to introduce or promote genetically-modified and exotic crops, because according to our people's wisdom, these species aggravate the degradation of jungles, forests and soils, contributing to the increase in global warming. Likewise, megaprojects under the search for alternative energy sources that affect Indigenous Peoples' lands, territories, and natural habitats should not be implemented, including nuclear, bio-engineering, hydroelectric, wind-power and others.

6. We demand changes to forestry and environmental laws, as well as the application of pertinent international instruments to effectively protect forests and jungles, as well as their biological and cultural diversity, guaranteeing Indigenous Peoples' rights, including their participation and their Free, Prior, and Informed Consent.

7. We propose that, in the framework of climate change mitigation and adaptation measures, states establish a policy that Protected Natural Areas must be managed, administered and controlled directly by Indigenous Peoples, taking into account the demonstrated traditional experience and knowledge towards the sustainable management of the biodiversity in our forests and jungles.

8. We demand a review, or if the case warrants, a moratorium, to every polluting activity that affects Mother Earth, and the withdrawal of multinational corporations and megaprojects from Indigenous territories.

9. We urge that states recognize water as a fundamental human right, avoiding its privatization and commodification.

10. We demand the application of consultations, participation, and the Free, Prior and Informed Consent of Indigenous Peoples and affected populations in the design and implementation of climate change adaptation and mitigation measures and any other intervening actions on Indigenous territories.

11. States must promote mechanisms to guarantee that funding for climate change action arrives directly and effectively to Indigenous Peoples, as part of the compensation for the historical and ecological debt owed. This funding must support and strengthen our own visions and cosmovi-

sions towards “living well”.

12. We call for the recovery, revalidation and strengthening of Indigenous Peoples’ technologies and knowledge, and for their incorporation into the research, design and implementation of climate change policies. This should compliment Western knowledge and technology, ensuring that technology transfer processes do not weaken indigenous knowledge and technologies.

13. We propose the recovery, development and diffusion of indigenous knowledge and technology through the implementation of educational policies and programs, including the modification and incorporation of such knowledge and ancestral wisdom in curricula and teaching methods.

14. We urge States and international bodies that are making decisions about climate change, especially the UNFCCC, to establish formal structures and mechanisms that include the full and effective participation of Indigenous Peoples. They must also include local communities and vulnerable groups, including women, without discrimination, as a key element to obtain a fair and equitable result from climate change negotiations.

15. We join in the demand to create a Climate Justice Tribunal that would be able to pass judgement and establish penalties for non-compliance of agreements, and other environmental crimes by developed countries, which are primarily responsible for climate change. This institution must consider the full and effective participation of Indigenous Peoples, and their principles of justice.

16. We propose the organization and coordination of Indigenous Peoples worldwide, through our local, national, regional, and international governments, organizations, and other mechanisms of legitimate representation, in order to participate in all climate change related processes. With that in mind, we call for an organizational space to be created that will contribute to the global search for effective solutions to climate change, with the special participation of Elders.

17. We propose to fight in all spaces available to defend life and Mother Earth, particularly in COP16, and so we propose a 2nd Peoples’ Conference to strengthen the process of reflection and action.

18. The ratification of the global campaign to organize the World March in defense of Mother Earth and her peoples, against the commodification of life, pollution, and the criminalization of Indigenous and social movements.

*Created in unity in Tiquipaya, Cochabamba, Bolivia,  
the 21st day of April, 2010.*

# Universal Declaration of the Rights of Mother Earth

## Preamble

We, the peoples and nations of Earth:

considering that we are all part of Mother Earth, an indivisible, living community of interrelated and interdependent beings with a common destiny;

gratefully acknowledging that Mother Earth is the source of life, nourishment and learning and provides everything we need to live well;

recognizing that the capitalist system and all forms of depredation, exploitation, abuse and contamination have caused great destruction, degradation and disruption of Mother Earth, putting life as we know it today at risk through phenomena such as climate change;

convinced that in an interdependent living community it is not possible to recognize the rights of only human beings without causing an imbalance within Mother Earth;

affirming that to guarantee human rights it is necessary to recognize and defend the rights of Mother Earth and all beings in her and that there are existing cultures, practices and laws that do so;

conscious of the urgency of taking decisive, collective action to transform structures and systems that cause climate change and other threats to Mother Earth;

proclaim this Universal Declaration of the Rights of Mother Earth, and call on the General Assembly of the United Nation to adopt it, as a common standard of achievement for all peoples and all nations of the world, and to the end that every individual and institution takes responsibility for promoting through teaching, education, and consciousness raising, respect for the rights recognized in this Declaration and ensure through prompt and progressive measures and mechanisms, national and international, their universal and effective recognition and observance among all peoples and States in the world.

## Article 1. Mother Earth

- (1) Mother Earth is a living being.
- (2) Mother Earth is a unique, indivisible, self-regulating community of interrelated beings that sustains, contains and reproduces all beings.
- (3) Each being is defined by its relationships as an integral part of Mother Earth.

(4) The inherent rights of Mother Earth are inalienable in that they arise from the same source as existence.

(5) Mother Earth and all beings are entitled to all the inherent rights recognized in this Declaration without distinction of any kind, such as may be made between organic and inorganic beings, species, origin, use to human beings, or any other status.

(6) Just as human beings have human rights, all other beings also have rights which are specific to their species or kind and appropriate for their role and function within the communities within which they exist.

(7) The rights of each being are limited by the rights of other beings and any conflict between their rights must be resolved in a way that maintains the integrity, balance and health of Mother Earth.

### **Article 2. Inherent Rights of Mother Earth**

(1) Mother Earth and all beings of which she is composed have the following inherent rights:

- (a) the right to life and to exist;
- (b) the right to be respected;
- (c) the right to regenerate its bio-capacity and to continue its vital cycles and processes free from human disruptions;
- (d) the right to maintain its identity and integrity as a distinct, self-regulating and interrelated being;
- (e) the right to water as a source of life;
- (f) the right to clean air;
- (g) the right to integral health;
- (h) the right to be free from contamination, pollution and toxic or radioactive waste;
- (i) the right to not have its genetic structure modified or disrupted in a manner that threatens its integrity or vital and healthy functioning;
- (j) the right to full and prompt restoration the violation of the rights recognized in this Declaration caused by human activities;

(2) Each being has the right to a place and to play its role in Mother Earth for her harmonious functioning.

(3) Every being has the right to wellbeing and to live free from torture or cruel treatment by human beings.

### **Article 3. Obligations of human beings to Mother Earth**

(1) Every human being is responsible for respecting and living in harmony with Mother Earth.

- (2) Human beings, all States, and all public and private institutions must:
  - (a) act in accordance with the rights and obligations recognized in this

Declaration;

- (b) recognize and promote the full implementation and enforcement of the rights and obligations recognized in this Declaration;
- (c) promote and participate in learning, analysis, interpretation and communication about how to live in harmony with Mother Earth in accordance with this Declaration;
- (d) ensure that the pursuit of human wellbeing contributes to the wellbeing of Mother Earth, now and in the future;
- (e) establish and apply effective norms and laws for the defence, protection and conservation of the rights of Mother Earth;
- (f) respect, protect, conserve and where necessary, restore the integrity, of the vital ecological cycles, processes and balances of Mother Earth;
- (g) guarantee that the damages caused by human violations of the inherent rights recognized in this Declaration are rectified and that those responsible are held accountable for restoring the integrity and health of Mother Earth;
- (h) empower human beings and institutions to defend the rights of Mother Earth and of all beings;
- (i) establish precautionary and restrictive measures to prevent human activities from causing species extinction, the destruction of ecosystems or the disruption of ecological cycles;
- (j) guarantee peace and eliminate nuclear, chemical and biological weapons;
- (k) promote and support practices of respect for Mother Earth and all beings, in accordance with their own cultures, traditions and customs;
- (l) promote economic systems that are in harmony with Mother Earth and in accordance with the rights recognized in this Declaration.

#### **Article 4. Definitions**

(1) The term “being” includes ecosystems, natural communities, species and all other natural entities which exist as part of Mother Earth.

(2) Nothing in this Declaration restricts the recognition of other inherent rights of all beings or specified beings.

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