



ESTADO PLURINACIONAL DE BOLIVIA  
MINISTERIO DE RELACIONES EXTERIORES

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*Courtesy Translation*

## **Agreement between the Government of the Plurinational State of Bolivia and the United Nations Department of Economic and Social Affairs**

### **Section I. Background Information**

Since 2009, under the leadership of the Plurinational State of Bolivia, intergovernmental negotiations were initiated at the General Assembly on the non-anthropocentric or Earth-centred principle of Harmony with Nature. In this regard, starting with the declaration of International Mother Earth Day on 22 April 2009 by the General Assembly (resolution 63/278), the Plurinational State of Bolivia has led the negotiations on seven consecutive resolutions on Harmony with Nature (resolutions 64/196, 65/164, 66/204, 67/214, 68/216, 69/224 and 70/208).

The resolutions contain different perspectives of this Harmony with Nature paradigm in which the fundamental basis of our actions, including legal responses, toward the Earth is not solely grounded in human interests. At the core of this worldview is the recognition of the intrinsic value of Nature, within which human-Nature relationships are based on a symbiotic connection, are interconnected and are subject to the natural laws of the Universe.

A first step in this direction was reaffirmed in 2012, in the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want" (resolution 66/288):

*"We recognize that planet Earth and its ecosystems are our home and that "Mother Earth" is a common expression in a number of countries and regions, and we note that some countries recognize the rights of nature in the context of the promotion of sustainable development."*

Since 2012, General Assembly resolutions have recognized the importance of giving due consideration to Harmony with Nature, as reflected in resolution 70/1 "Transforming our world: the 2030 Agenda for Sustainable Development" adopted by the General Assembly at its seventieth session. Under Sustainable Development Goal 12 "Ensure sustainable consumption and production patterns", contained in the resolution, target 12.8 states: that Member States commit themselves, by 2030, to ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in Harmony with Nature.



Furthermore, resolution 70/208, the seventh resolution on Harmony with Nature adopted on 22 December 2015, expresses the “conviction that, in order to achieve a just balance among the economic, social and environmental needs of present and future generations, it is necessary to promote harmony with nature”, and “decides to initiate, in 2016, a virtual dialogue on Harmony with Nature among, inter alia, experts on Earth jurisprudence worldwide”.

Earth Jurisprudence recognizes that the Earth is the source of laws that govern life and provides a cohesive framework which underpins many disciplines, notably: Philosophy, Earth System Ethics, Rights of Nature Legislation, Holistic Earth Science, and Ecological Economics, to cite a few.

Earth Jurisprudence allows for all disciplines to be woven together and create a more effective governance approach, inspiring citizens and societies to reconsider how they interact in harmony with the natural world. This requires our human community to comply with the laws of the Earth, for the well-being of the whole Earth Community and for future generations of all species.

In this regard, Earth Jurisprudence offers a universal holistic and interdisciplinary approach, allowing for law and governance reform as well as societal change that recognizes the inherent value of the natural world and support human societies to live in Harmony with Nature.

## **Section II. Earth Jurisprudence: The Way Forward**

Earth Jurisprudence recognizes the Universe as the primary lawgiver, revealing the laws that maintain the order of life and its capacity for ongoing renewal and evolution. In contrast to the current legal system in which human laws are the highest authority for human society and, implicitly, for controlling all other life forms and ecological systems, serving human interests.

Under Earth Jurisprudence, the Earth is viewed, perceived and experienced as an interconnected community of life- a relationship-based existence between humanity and the rest of Nature<sup>1</sup>. Thus, constituting an Earth Community. In contrast, under the current legal system, humans see themselves as separate from the natural world and legal relationships are only created between people and corporations, all aspects of the natural world and the Earth are viewed, perceived and experienced as objects void of life, subject to human needs.

Moreover, under Earth Jurisprudence the Universe is composed of subjects to be communed with, not objects to be used. As subjects, each component of the Earth community has inherent rights: 1.) To be, to exist; 2.) To habitat or a place to be; and, 3.) To fulfill its role in the ever renewing processes and evolution of the Earth community. In this regard, legislation recognizing rights of Nature has already

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<sup>1</sup> The word “Nature is capitalized to recognize Nature’s inherent personhood in an Earth-centred worldview



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MINISTERIO DE RELACIONES EXTERIORES

---

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started to unfold in many jurisdictions worldwide. In contrast to current western legal systems, that grants rights only to humans and selected human constructs such as corporations.

Indigenous peoples around the world understand that human governance systems need to be derived from the laws of the Earth, and comply with them. We humans are inextricably part of the community of life on Earth and as such we cannot override the laws that maintain the homeostatic balances of the Earth system. Since the Industrial Revolution, we have increasingly witnessed the dire consequences when trying to do so. Therefore, we urgently need to transform our way of thinking and living. Indigenous systems are an inspiration for the way forward.

An initial step to the way forward was reflected in the declaration made by participants of the World People's Conference on Climate Change and Rights of Mother Earth, Tiquipaya, Plurinational State of Bolivia, in April 2010<sup>2</sup>. The proposed Universal Declaration recognizes Mother Earth as a living being with rights to life, existence and continuation of her vital cycles and processes – free from human disruptions. On the occasion of the Second World People's Conference on Climate Change and the Defence of Life, held in Tiquipaya from 10 to 14 October 2015<sup>3</sup>, many voices reiterated this sentiment, and call upon the General Assembly to assume the task of drafting, adopting and implementing the Universal Declaration.

Earth Jurisprudence advances Economics rooted in the biophysical realities of the Earth System, as well as other areas of human endeavor. In contrast to current economics, in which all the elements and ecosystems of the Earth are treated as a subset of the economy, ignoring the biophysical realities of the Earth System as a whole. Deleterious human activity is increasingly damaging the natural world and has permanently altered the overall functioning of the Earth System. Climate Change is only one of the many imbalances mirroring humankind's disharmony with the natural world.

The Earth is a living system, the source of life, an indivisible, interdependent and interrelated community comprised of human beings and wider Nature. The Earth is not simply a source of resources that can be exploited, modified, altered, privatized, commercialized and transformed without consequences to humankind.

The scientific community has well documented evidence that our present way of life, in particular our unsustainable patterns of production and consumption has severely undermined the functioning of the Earth System and its capacity to regenerate with adverse consequences for both the Earth and the overall well-being of humanity. Earth Jurisprudence offers an alternative to current

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<sup>2</sup> A/64/777

<sup>3</sup> A/C.2/70/8



ESTADO PLURINACIONAL DE BOLIVIA  
MINISTERIO DE RELACIONES EXTERIORES

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anthropocentric thinking and argues that by working in a harmonious human-Earth relationship we can transform our relationship with the natural world from one of destruction, to one of mutually beneficial support.

Earth Jurisprudence calls for the understanding that strengthening the Earth System will only be possible if all living beings live in Harmony with Nature and with Mother Earth. This cosmivision through which humankind can live well in peace and balance with Nature - offers an alternative to current thinking and practices that are characterized by several challenges, with many of the impacts hitting the most vulnerable populations the hardest.

The Plurinational State of Bolivia further acknowledges the importance of relying on broad forms of knowledge, including indigenous, ancestral, investigative, empirical, political, intuitive, emotional and spiritual knowledge. The non-anthropocentric perspective of living in Harmony with Nature, while having its roots in indigenous philosophy, governance and ways of life, is by no means exclusive to the Plurinational State of Bolivia. It can also be found in many other ancient civilizations and cultures and spiritualities worldwide, which share the same relationship between humankind and Mother Earth.

### **Section III. In Support of the Earth Community**

In light of the above, the Plurinational State of Bolivia, with the creation of the Harmony with Nature contribution reaffirms its commitment to live in Harmony with Nature and to contribute to the 2030 Agenda for Sustainable Development, with particular reference to Sustainable Development Goal 8, target 12.8, which states that by 2030 people everywhere will have the relevant information and awareness for sustainable development and lifestyles in Harmony with Nature.

At this critical time, with the future of the Earth in our hands, the Plurinational State of Bolivia invites Member States, civil society organizations, academia, non-governmental organizations and the entities of the United Nations system to contribute to the United Nations Harmony with Nature project in support of the Earth Community.

### **Section IV. Objective of the UN Harmony with Nature Project**

The objective of this contribution is to advance the Harmony with Nature paradigm, as stated above in keeping with the General Assembly resolutions cited above.

*Recalling its resolutions 63/278, 64/196, 65/164, 66/204, 67/214, 68/216, 69/224 and 70/208 of the United Nations General Assembly, the Donor shall provide the necessary funds to finance non-anthropocentric activities to commemorate International Mother Earth Day on 22 April and/or during the calendar year. The*



ESTADO PLURINACIONAL DE BOLIVIA  
MINISTERIO DE RELACIONES EXTERIORES

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*Resolutions invite Member States and other relevant stakeholders to consider contributing to support the Earth-centred paradigm described herein.*

## **Main Activities**

1. The objective of this contribution is to implement the following activities:
  - a) To support the participation of independent experts, practitioners, thinkers and academicians, particularly from the South, working at the cutting-edge of natural and social sciences, including physics, chemistry, biology, ecology, economics, philosophy, sociology, law, ethics, anthropology, medicine, linguistics, arts, spirituality and more, to further advance the conceptualization of a non-anthropocentric paradigm that reflects the principles, drivers and values of living in Harmony with Nature, relying on current scientific information, particularly from centers of excellence;
  - b) To support the work being undertaken by Member States, Major Groups and other stakeholders as well as the growing Knowledge Network on Harmony with Nature through the Harmony with Nature website ([www.harmonywithnatureun.org](http://www.harmonywithnatureun.org)), in keeping with the above-mentioned UN resolutions in order to showcase holistic implementation activities and policies to guide humanity towards a life in Harmony with Nature and the restoration of the health and integrity of the Earth System;
  - c) To promote the understanding of this Earth-centred paradigm to live in Harmony with Nature through debates, discussions, forums, dialogues, exhibits, arts, printed, virtual and/or online material, audio-visual material, video clips, documentaries, user-friendly web technologies and facilitate necessary translations of relevant material, as appropriate;
  - d) The Interactive Dialogues of the General Assembly on Harmony with Nature, the Secretary-General Reports on Harmony with Nature as well as the expert's summary report on Earth Jurisprudence (A/71/266) should serve as framework when engaging and/or supporting activities described herein regarding the Earth-centred worldview advanced herein;
2. The Donor shall make available to UN DESA amount of US\$ 40,000 (forty thousand us dollars) plus the interest generated therefrom. The contribution is subject to 7 per cent programme support cost.
3. The voluntary contribution is to be paid into the Trust Fund to Support the work of the High-Level Political Forum on Sustainable Development and earmarked for the activities related to Harmony with Nature. The



disbursement of all the pledged funds of US\$40,000 is envisaged during the month of September 2016 in one lump sum, after entry into force of this agreement and once national administrative procedures have been completed.

4. The amounts shall be deposited to

Bank Name:	J.P. Morgan Chase International Agencies Banking
Bank Address:	270 Park Avenue, 43rd Floor, New York, NY, 10017-2014 USA
ABA Number:	021 000 021
Account Number:	485001969
Swift Code:	CHASUS33
Account Name:	United Nations General Trust Fund
Reference:	Trust Fund for support of the work of the High-Level Forum on Sustainable Development (Fund WKA)

5. The United Nations shall administer the funds in accordance with its financial regulations and other applicable rules and procedures. In the event that any part of the funds remains unspent, the unspent funds shall be returned to the Plurinational State of Bolivia together with any interest earned on the funds, or an alternative use of the funds can be requested by the United Nations for approval by the Plurinational State of Bolivia.
6. The United Nations shall, within six months of the utilization of the funds, provide the Donor with a financial report on the use of the funds. In order for the Donor to meet its reporting obligations for the expenditure, the United Nations must also provide the Donor substantive report of the use of the funds.
7. The contribution received by the United Nations shall be subject to the internal and external auditing procedures as provided for in its financial Rules and Regulations and financial and administrative procedures and practices. Any report of the United Nations Board of Auditors containing observations related to the use of this contribution shall be made available to the Plurinational State of Bolivia.
8. UN DESA and the Government of the Plurinational State of Bolivia shall seek to settle amicably any differences and disputes arising from or relating to the implementation of this Agreement.



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---

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9. Nothing in this standard administrative agreement will be deemed a waiver, express or implied, of any of the privileges and immunities on the United Nations.
10. The United Nations shall maintain a separate account for the project, showing all receipts and expenditures, including the interest accrued.
11. After completion of the implementation of the project UN DESA shall submit to the Donor a final report on the implementation of the project, the results obtained and a final financial statement within 6 months after the completion of the project.
12. After completion of the implementation of the Agreement, UN DESA shall transfer to the Donor its share of any surplus balance. Any audit concerning the utilization of the project funds shall be carried in accordance with the United Nations financial rules and regulations.
13. UN DESA shall inform the Donor of observations related to the use of this contribution contained in any report of the United Nations Board of Auditors and upon request shall make available such report to the Donor.
14. This Agreement may be supplemented or modified by written Agreement between the Donor and UN DESA. In all other respects the provisions of the Vienna Convention of 21 March 1986 on the Law of Treaties between States and International Organizations or between International Organizations shall apply by analogy to the present Agreement.
15. Any amendment to the Agreement may be effected by an Exchange of Letters signed by the Donor and the United Nations.