



Institut für Europarecht
Institut de droit européen

‘Rights of Nature’ in the EU

– Colliding Cosmologies on Non/Human Relations

Dr. Marie Petersmann

LSE Law School

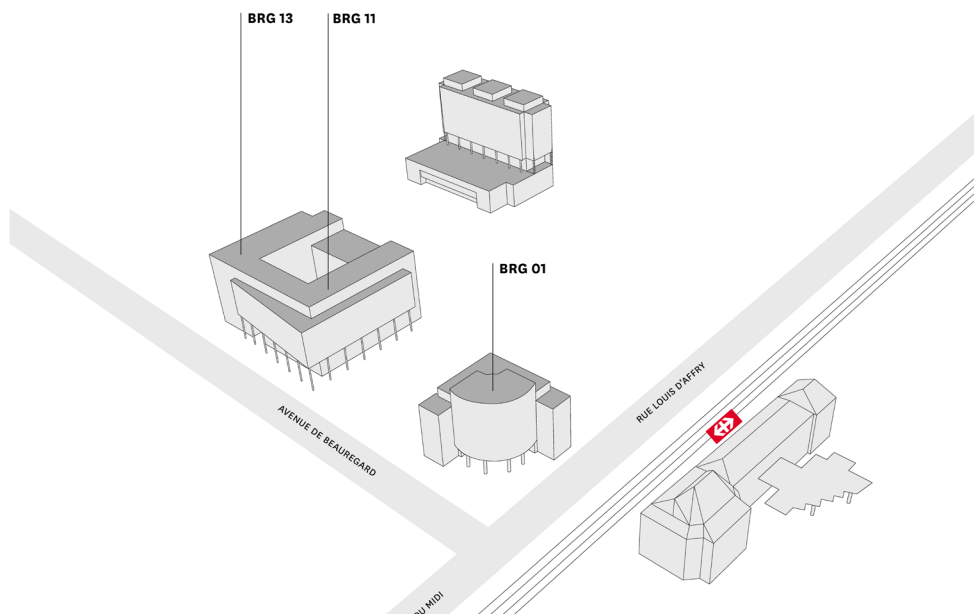
Tuesday, 19 November 2024, 17.15-19.00

University of Fribourg, Beaugard, Room BQC 2.813,
Avenue Beaugard 13

Contact: secrétariat Prof. Samantha Besson,
claudia.schneuwly@unifr.ch

How are 'rights of nature' conceptualised in the proposed EU Charter on the Fundamental Rights of Nature, and how does this relate to Indigenous cosmologies whom the experts invoke in their draft text? On the one hand, we find a relationality that focuses on entangled agencies between humans and non-humans. Embedded in particular Andean cosmologies that informed postcolonial, plurinational, and re-constitutional processes in Latin America, this relationality played a major role in advancing 'rights of nature' in Ecuador and Bolivia, which the EU experts take as examples when advocating for an EU Charter on Rights of Nature. On the other hand, we find a relationality that connects pre-existing human and non-human entities, aimed at enabling the former to better protect the latter. These different conceptualisations speak to distinct modes of living with non-humans, each inscribed in particular historical, cultural, and socio-political contexts. Both approaches open up opportunities but also warrant critical attention about inherent limitations of the 'rights' discourse now extended onto non-humans, and what this implies in terms of strategic legal and political organising to protect, care for, and repair anthropogenic harms rooted in structures of racial capitalism, neo-colonialism, and extractivism. Reckoning with these tensions and contradictions is key to make sense of the struggles behind 'rights of nature' today.

Marie Petersmann is Assistant Professorial Research Fellow at LSE Law School in London (UK). Her research lies at the intersection between international environmental law, human rights, ecology and critical theory. Her research project *Anthropocene Legalities: Reconfiguring Legal Relations within More-than-human Worlds* is funded by a Dutch NWO grant. Her book *When Environmental Protection and Human Rights Collide* was published with Cambridge University Press in 2022.



University of Fribourg, Beauregard, room BQC 2.813, Avenue Beauregard 11

Contact: secrétariat Prof. Samantha Besson, Av. Beauregard 11, CH - 1700 Fribourg; claudia.schneuwly@unifr.ch