

**Natural Resources** sustain all human flourishing.

- Complex dynamics in 4 general categories
- They transcend boundaries in space and time.
- Their scarcity constrains human opportunity

	Exhaustible S	Renewable Q
Sterile	Oil	Water
Living	Fish	Fish

**Recognized Rights** in Natural Resources Access

- Water, Food, Health, Environment
- ICESR General Comments

All Rights have correlative **Responsibilities**

- Human Rights: human as Social Creature
- Natural Law tradition: Rights and Responsibilities
- Hohfeldian Rights: 3 elements

A ==> B

Imperfect dualism:

- Realizing B's right requires Collective Action
- Responsibility diffuse

There is a failure to realize rights

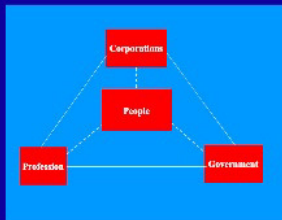
- An underemphasis on Responsibility
- Difficulty coordinating Common Action toward Rights

**Institutions**

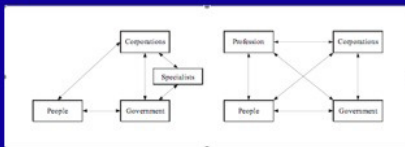
- Connect Rights and Responsibilities
- Trio of overlapping forms:
  - Government
  - Corporate
  - Professional
- Human at center as client and provider

**Professions:**

- Cultivation of specialized knowledge
- Direction of knowledge toward Common Good



Professionals and Specialists



# Human Rights and Natural Resources Recognition, Governance, Realization

## Toward a Declaration of Stewardship Responsibilities

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### Declaration of Stewardship Responsibilities

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#### PREAMBLE

#### Whereas

1. Natural Resources are the necessary foundation of all human material productivity,
2. Natural Resources are a deposit of live-sustaining opportunity for all,
3. Natural Resources constrain all human achievement,
4. Unspeakable damage to natural resources is surely within human capacity,
5. Human achievement is a good held in common by all people, and transmitted among generations

#### And Whereas

6. The human person and his development is the central and authentic concern of the Universal Declaration of Human Rights, which affirms:
  - a. that everyone has duties to the community in which alone the free and full development of his personality is possible (Article 29)
  - b. that everyone has the right to an adequate standard of living (Article 25)
  - c. that everyone has the right to participation in economic and political society
7. The International Covenants (on Civil and Political Rights, and on Economic, Social and Cultural Rights) recognize ownership of Natural Resources by people as a first principle,

#### And Whereas

8. Human activity is needed to preserve, enhance, and direct Natural Resources toward the common good,
9. Coordination of actions, across Scientific, Economic, Political, and Cultural units, is necessary to achieve common ends relative to Natural Resources
10. A functioning civil society is necessary for securing orderly access to Natural Resources, and requisite to realizing their benefit

**Intending** to conserve and enhance the opportunities of all persons of present and future generations,

And **Intending** to maintain and enhance the life-sustaining capabilities of all nations,

**We endorse** this common standard of stewardship, to be pursued by all persons, to be realized in law and promoted in custom at all levels, regional, national, and international, and supported by all agencies of governments, corporations and the professions.

#### ARTICLES

**Article 1:** A *sustainable* relationship among people and Natural Resources shall be pursued in Scientific, Economic, and Social communities. As Natural Resources sustain human productivity, so must humans sustain Natural Resource productivity and availability.

**Article 1a:** Everyone has a responsibility to reduce reliance on *nonrenewable* natural resources. This implies a diligent search for alternatives.

**Article 1b:** Everyone has responsibility to *use less*, to recycle more, and to find efficient substitutes for Natural Resources.

**Article 1c:** Everyone has responsibility to *avoid contamination* of natural resources.

**Article 2:** *Ownership* of Natural Resources by people is recognized by the Covenants; it may not be severed without consent. Private property shall be protected from uncompensated or arbitrary taking.

**Article 3:** *Property rights* in Natural Resources shall be encouraged where workable; and understood as obligations to stewardship, the duty demanded by freedom.

**Article 4:** *Obligation to Maintain:* No one has a natural or intrinsic right to *waste, harm, destroy, pollute, or degrade* a Natural Resource. A right to use carries with it the responsibility to maintain.

**Article 5:** *Obligation of Ownership:* Owners of Natural Resources shall behave as stewards, now and into the indefinite future. The freedom to own Natural Resources carries with it the responsibility to serve people's needs for them.

**Article 5a:** *Trusteeship:* Governments and public agencies may serve as *trustees* of Natural Resources on behalf of citizens, for the purposes of stewardship as described herein.

**Article 5b:** The stewardship obligations so entrusted, shall be initiated and maintained in a democratic manner, and consistent with established norms of ownership and responsibility.

**Article 6:** *Sovereignty* shall be respected; it is to be understood as a stewardship responsibility for Natural Resources lying within a political jurisdiction.

**Article 7:** *Time and space scales* of a Natural Resource are to be explicitly recognized by all concerned with resource use, ownership, or governance. These scales do not obey political or economic jurisdictions *per se* and must be respected.

**Article 8:** *Fugitive* resources move by nature across political, legal and economic boundaries, necessitating *cooperative* governance. *Property rights* and political *sovereignty* must recognize these natural motions and the overlapping authority implied and required.

**Article 9:** Ability of persons to form *collective governance* of Natural Resources, by mutual consent, shall not be inhibited, nor shall it be required except through democratic action consistent with the Universal Declaration of Human Rights and related Covenants. In forming collective governance mechanisms, due respect for the primacy of property rights, national sovereignty, and international law will be exercised, subject to the joint responsibility for Natural Resource stewardship.

**Article 10:** *Cumulative effects* of separate actions that have aggregate or synergistic effects on Natural Resources, shall be recognized and accounted for collaboratively among owners, beneficiaries, and governance bodies.

**Article 11:** *Habitat* for living resources shall be safeguarded against degradation or destruction from individual or collective action or inaction.

**Article 12:** Natural *conditions* that distribute Resources shall be safeguarded against degradation or destruction from individual or collective action or inaction.

**Article 13:** *Extinction* of living Resources, by individual or collective action or inaction, removes future human opportunity; it is to be avoided.

**Article 14:** *Uncertainty and error* shall be treated conservatively, that is, with a *preferential option for conserving future opportunity*.

**Article 15:** *Substitution:* In the case of non-renewable resources, the justification for irreversible use is to be found in the adequacy and sustainability of the substitute.

**Article 16:** *Rent:* When Resources are exchanged economically, the rent shall be captured on behalf of the original owners and treated as a sustainable substitute for Resource depletion

**Article 17:** *Protection:* resources that grow more slowly than the financial interest rate, are especially vulnerable to being "mined" as nonrenewable resources. Special protection from simple economic action is required if extinction is to be avoided.

**Article 18:** *Implementation:* Everyone has a responsibility to seek ways of implementing the above responsibilities within human institutions, and to seek new institutional expressions of them, consistent with all extant Human Rights instruments.

**Article 19:** Nothing in this declaration shall be interpreted as elevating Natural Resources above Human Rights. They are *subservient* to Human Rights and that is the sole justification for stewardship responsibilities described herein.

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