

Welcome to Turning Conscience Into Action, the Earth Charter podcast. Join Mirian Vilela, Earth Charter International Executive Director, in her fascinating conversations with great thinkers, scholars and activists from around the world who are working in the fields of sustainability, ethics, education and social transformation. Our purpose is to generate new insights on how to face current global challenges and inspire informed action.

Today I have the pleasure of having a conversation with Prue Taylor and Klaus Bosselmann who are joining us today from New Zealand.

And I would like to start our conversation today. I thank both of you for taking the time to join us today and share your thoughts, wisdom, and experience with us. Thank you. Thank you. Thank you, Mirian. So let me start with the first question, which is why, when, maybe, how did you get interested or involved in the Earth Charter initiative? We remember that. Okay, so maybe I'll begin. In the late 1980s, I was studying international law, international environmental law, and I became very aware that unless there was a fundamental ethical change in the way that human beings relate to the environment, then our legal system and our governance system at the international law level would always be a barrier or a problem.

It would be the cause of more harm, not a source of solution. So I was very aware of the importance of a fundamental shift in ethical values. And I became aware that this was something that, you know, states were being asked to address in the run-up to the 1992 Earth Summit, but that they were resisting all efforts to do that and it was not going to happen. And so when I and Klaus together attended the Earth Summit in 1992, we became part of the group of people who sort of took on the task from civil society to pick up West States were unable to act and at least to create the first draft of an Earth Charter.

And then a little bit later on beyond 1992, personally, I had some involvement in drafting sessions, but also in always in understanding the importance of the Earth Charter for transforming international environmental law and governance.

So you're already a part of that discussion around the Charter back during the real Earth Summit in 1992. Both of you. Yes. In fact, one of our enduring memories of that time is meeting in a little tent. And there were maybe 12 of us at times and we would have, you know, our chairs in a little circle. And it was it was really lovely because we were in a tent and our chairs were on the grass, but we were protected from the sun by this tent. But it was very hot and very challenging, but it was very exciting.

And then when our draft was presented at the Global Summit, it was that was very, very exciting because we felt a real sense of achievement that we had done what states were unwilling to do as sort of, you know, a small group of people from civil society. But we definitely saw that this was just the start, you know, that little draft that we did. And when you look back at that original draft, it's very short, but it has everything in it. And it was, you know, it was very much sort of like, this is something that must be achieved.

And we really felt like we were proving to states that human beings were capable of getting together and agreeing a set of common values for the prosperity of the planet and human beings. We could do that. Whereas always this message was it's not possible.

So that was in the NGO forum. Yes, the 92 NGO forum in Rio de Janeiro, in New Clouse. Yeah, just to compliment, through one aspect, you described already very nicely what happened in 1992. Firstly, for me, and I'm sure for through to this, especially because it was our first collaboration, we only met a year earlier, became great friends, fell in love and worked very hard at the Earth's summit. It really brought us brought home to us how important it is to share values. And in my case, my value shaped up in the early 1980s, starting with the background of the environmental movement in Germany, co-founder of the German Greens.

And then my academic career began with a simple article, a fundamental critique of environmental law, basically arguing why the whole concept of environmental law is not working because it's based on wrong philosophical assumptions. So in doing so and working in that area, I met Christopher Stone in the mid 1980s, the author of *Should Trees Stand Self-Standing*. And if there's a single person who was probably more inspirational in terms of how the law should respond to the environmental crisis, it would have to be Christopher Stone.

So we became friends and experienced the Germany of the 1980s, became clear that we had to fundamentally change the whole system of law and political policies, including the Constitution. And that's how then the Earth's summit came along. And that's kind of environment. It is important to note that the Earth's summit was a result of the Brunnen report, the United Nations report on environment development. But it was quite clear that there needs to be a fundamental shift from what was called unsustainable to sustainable development.

So the Earth's summit was really all about finding policies and identifying key norms under which are states capable and willing to shift from unsustainable to sustainable development. Now states have become quite clear, as Pruhe said, that they were not capable, not willing to embrace the complexity of the global environmental crisis. And that's where a certain Morris Strong came along. And I would give credit to Morris Strong, who was the general secretary and organizer of the Earth's summit in Rio, who basically looked around himself and said, well, are there any willing minds and activists who would, you know, draft a first form of an Earth Charter, which I might add was called for by the Brunnen report.

In some language, there was a plea to states to draft a charter to protect the global environment. So we picked it up. And thanks to Morris Strong and others, we had a first sort of highlight during the Earth's summit. And then of course, it took off from there. And another highlight later on when we became legal advisors to the draft committee, and then finalizing the text, which was eventually adopted in 2000, the peace palace in the Hague. Yeah, it's wonderful. We have so much to be grateful to both of you for engaging so deeply in this process from the early, early years.

So during the decade of the nineties, you were involved in the whole process of drafting the consultation of the Earth's charter. And then two decades now, since the Earth's charter was actually launched, you have also been, I suppose, part of me drafting of many other declarations and efforts such as the Earth's charter. So my question is, what do you think is the great strength or the added value of the Earth's charter, especially now to current times, especially in the midst of so many other similar sort of declarations?

OK, I would say I'd like to make two comments in relation to your question.

First of all, the great strength of the Earth's charter that and it's sort of the way that we can use it today is to use it to illustrate that we are capable as a global civil society of articulating a common vision and common values. And whilst that's always been important, it's becoming more important today because there is a evolving discussion about global citizenship and for global citizenship to be a real force in international governance, it needs to be underpinned by a set of common or shared values.

So the Earth's charter is very important to helping the global citizenship movement. And the global citizenship movement is crucial to re-addressing the power balance and the democratic deficit in international law and governance because never before have we needed a strong voice from civil society that says we are part of governance, we are part of the future of this planet and this is what we want. It's not all about what states and multinational corporations and the traditional actors want. And also it's not global civil society can help us move beyond the traditional paradigm of international to global to shared to common responsibility.

So that's the first point. And the second point about the Earth's charter is and this is where I find the Earth's charter crucial, always has been but continues to be crucial. It's a tool for dialogue. It's a tool that can bring us together constantly where we can discuss, share, contest, reevaluate our shared values and whether or not we continue to uphold those values and whether or not we can hold ourselves to account and also ask how those shared values need to evolve as time goes by. So it's that the Earth's charter is a tool that we can use to hold ourselves to account but also continue our dialogue about shared values and what they mean and whether they're up to the task.

The instrument for it to stimulate dialogue but also instruments to guide us towards the global citizenship. Exactly. And in terms of your question about other declarations, I don't see any of the other declarations as, for me, the Earth's charter is the mother declaration.

And so I see the Earth's charter as providing a really important role in the Earth's charter initiative as helping to inform those other declarations and the other movements around them to ensure that we are united, we are not divided, that we hold a steady course and there's commonality in our diversity.

Thank you, Klaus. You have proven said it all very nicely and can only add a few aspects, perhaps to the quality of the Earth's charter, what it really stands for. And in my view, it is, as Prue was saying, it's a source of ongoing inspiration and ongoing dialogue and that's important to keep the conversation going between us as members of global civil society. But equally, the importance of the Earth's charter for the development of international

environmental law and the system of global governments, that is not to be recognized often, is not recognized often enough, I find.

We tend to think that these international treaties and what happens at the United Nations is pretty much run by states and by perhaps multinational corporations and civil society has little influence, but that's not true at all. If I only point to the fact that environmental law education around the world, producing, if you like, a new generation of lawyers, many of them would have been informed by the Earth's charter as a benchmark document that we must use in order to draft better policies and better laws for protecting the environment.

So the system of education, particularly university legal training, has an incredibly important role, but equally influencing decision making at international levels. Just a recent example is, for example, the Paris Agreement from 2015 on climate change and its preamble and some operating principles refers to the need to protect the integrity of Earth's ecological systems. Clearly a notion and a fundamental norm that came from the Earth's charter or currently a French initiative towards a global pact for the environment, clearly informed by the Earth's charter is one of the key reference documents, and it goes on and on.

Whenever you come to international conferences at UN level or elsewhere, you find sooner or later the Earth's charter being mentioned. And to me, that's an indication that the Earth's charter was not a one-off effort back 20 years ago, but is of ongoing importance. And I would argue has never been more important and topical than today. The current pandemic, of course, is a window in opportunity to point to each other and say, what have we allowed to happen here? There's a fundamental failure of human developments and settlements to respect the boundaries towards wildlife.

And thereby implication saying we need to take an Earth system approach that's connected to the connectedness of all ecological systems. And beautifully enough, the Earth's charter is called Earth's charter for a reason. The very term Earth is in itself inspirational.

And yeah, so that's for me the ongoing attraction of the Earth's charter and reflection of who we are, who we can become as global civil society, our influence and then equally what it has already achieved.

So the Earth's charter is not a hard law instrument. But what you're seeing is that it can influence hard law.

Yes, this is strength that it is not a hard law document, nor is it a so-called soft law document, which is an agreement among states which does not have any legally binding power. The Earth's charter gains in strength from the very fact that states had no say in it. That makes us a truly democratic movement, basically telling our leaders how to lead us. So that's why I think the Earth's charter doesn't fit the traditional legal categories of soft law and then becoming hard law. It would be too narrow.

One day I would like to think the Earth's charter will be referred to as the world's true draft constitution that all humanity is able to relate to.

Thank you. So you have been part of a group called the Global Ecological Integrity Group. And therefore, for the past over 20 years, 30 years even, you have been thinking a lot about ecological integrity and how does that relate to international law, environmental law. Can you share with us what do you understand, or what does ecological integrity mean for you? And how do you see the way in which that is articulated in the Earth's charter?

For me, it was probably the biggest discovery in my academic career as an environmentalist to finally have a concept that makes a lot of sense. And here's why.

One ongoing concern of policy makers and law makers is to clearly define what the environment is. What the heck is the natural environment? We say it so easily. We are not even clear whether humans are part of it or not. And do we mean an assembly of animals and plants or just ecosystems? Well, it gives us a very clear definition of what the environment is. The environment is nothing, is just one name that captures the reality of ecological systems that are all interconnected. Or if you like, there's one single ecological system called Planet Earth, which is a clear demonstration of the fact we are talking about living system ecosystems that have certain qualities.

So that's one aspect. We have a measurable definition of what we mean by the environment, namely the integrity is defined as the ability of an ecosystem to maintain its identity in a sense that an ecosystem is capable to respond to changes. Like each of us as a human being is an ecological system in ourselves, right? We need to be able to maintain our identity and integrity if we want to stay healthy. The same applies for all life forms individually or collectively.

And when these movements that started with the Earth Charter really with the notion of ecological integrity took hold among academic circles and scientific communities, it just happened so that a group of Canadian environmental health experts and philosophers and lawyers, mainly in Canada, started an initiative which became the Global Ecological Integrity Group, which is an incredibly important network of some 300 environmental scholars coming together on a regular basis to further investigate the notion of ecological integrity. I think today the eco integrity model is widely accepted, not just in scientific but also in legal and policy making communities. Again, we have the Earth Charter, I think, thankful for that.

It's interesting because it's a concept that one could say that it's more for scientists, but you have been working on ecological integrity from the international law point of view. Who, what does ecological integrity mean for you?

Well, I agree with my esteemed husband's definition of ecological integrity, but I would basically summarize it as a holistic concept of health and well-being. And it incorporates, but it also incorporates human nature relationships and tangible and intangible values in a way that requires a transformation in the human nature relationship. So if we go back to Klaus's comments about COVID, what we learn from ecological integrity, if we understand it holistically, is that what we do to nature we do to ourselves, what we do to ourselves we do to nature. So yeah, so for me ecological integrity is a very holistic concept

of health and well-being of all together, but in a way that's transformative of that relationship beyond, of course, anthropocentric values to ecocentric values. Great.

And the way in which the Roschata is a framing ecological integrity, you think it's clear enough?

In an ideal world, we would be able to draft the Roschata again. We would use, the principles would stay the same, but the wording would change here and there. What the concept of eco integrity gives even more prominence perhaps in the first operating principle where we talk about respect for life and the community of life as fundamental as it is, but of course the location in the sort of second main principle is still the valid one. So it's a matter of wording, making it very clear, but it doesn't require a sort of rewriting of the text in order to foster the legitimacy and the importance of the Roschata.

What has happened, of course, partly thanks to the Roschata is that we have so many international agreements referring to the duty of states to cooperate in order to protect the integrity of earth ecological system, first pronounced in principle seven of the software documents of the 1992 Rio Declaration on Environment Development. And this has been repeated ever since in no less than 25 international agreements. So states knowingly and hopefully intentionally committed to their duty to protect the integrity of earth ecological systems.

And our job is the Earth Charter movement is really to remind states of this fundamental commitment and help translating what it actually means in real law and policymaking. It seems to me this is one of the systemic issues we are dealing with when you look at international law, how it's being made. It's made by real people, obviously negotiators on behalf of states and stuff. They do their job, they go home, they go into retirement, go elsewhere and all of a sudden things get forgotten. A number of things, you know, important concepts in international law have been forgotten and if you ask the politicians today, many wouldn't have heard about it.

So again, the Earth Charter has this sort of lasting legacy and I see it very much as a inspiration, of course, has been said but also as a sort of model constitution that helps us framing our thinking.

So the Earth Charter is obviously, you know, of ongoing importance.

True. In 2014, you wrote a chapter for a book which was called The Earth Charter, The Commons and the Common Heritage of Mankind Principle. There in that chapter you describe how you see the key role for the Earth Charter, both for today and in the future. So can I ask you to share with us the gist of that chapter? The whole gist of it. Okay, the overarching gist of that chapter was really to bring the Earth Charter and the Earth Charter movement together with the a reemerging discussion about the commons and what the commons are and how do we govern ourselves as human beings in relation to the commons, which is a really important thing. All environmental law and management and governance should be focused on us as the ones that need to transform the way we behave.

We don't need to manage ecological systems, we need to manage ourselves and how we relate to and use ecological systems. So it's bringing the Earth Charter together with the emerging commons or reemerging commons movement, which also has a very, coordinates itself around the articulation of tangible and intangible values. And then the third piece of that article was a discussion of a legal concept called the common heritage of mankind or the common heritage principle, although it sounds very human centred, it's not, in fact, when you understand it fully, it's not. It is a quite well developed concept of international law that really speaks to our common responsibility to hold parts of the planet in sacred trust for the benefit of all.

So it was really bringing these three together and seeing how they could mutually reinforce one another with the objective of really transforming international environmental law, international law. So that was the gist. That's wonderful, thank you. So the commons or the global commons, what does that mean for someone who never heard of it or if you can give us some examples of that? Okay, so the idea of the commons in traditional international law has been around for a very long time and essentially you could say it means areas of the earth that are outside of the territorial jurisdiction of the 189 nation states that we have. So it's the leftover bits that haven't been claimed as part of territorial sovereignty, that they haven't got their hands on yet. And a classic example would be the high seas.

All the seas in the middle of the oceans, how about the north pole, south pole?

More difficult, more difficult to do some agreements and disagreements, but the one over which there is no contention really is the high seas, although there's contention about where the high seas start and end because states are in fact increasing their grab over the high seas. And perhaps the most famous and law commons, international commons, would be the deep sea bed because there is a legal regime for the deep sea bed. So that's traditional international law. And then in the 1990s with climate change and ozone depletion, those kinds of issues became more apparent that in fact there were global systems like the atmosphere, the global atmosphere that were shared by all, but yet they transcended both the international commons and you know territorial sovereignty, if you like.

So we started thinking not so much of the international commons as areas outside jurisdiction, we started thinking about the global commons as sort of these shared areas. The question here is who takes care, who's responsible for the global commons, which are these air oceans or the deep oceans, would air, cleaner or air atmosphere be considered commons? Well I think the answer to that is provided for us now by Earth System Science. All of this is ridiculous, you know, fragmentation. In essence, Earth System Science tells us that there is one integrated Earth System that operates and that is our shared global ecological commons.

And once we start focusing on that as an integrating concept, then we really have to lift our sights in terms of our governance structures. So the key question for us becomes how do we govern ourselves in relation to this very complex, interdependent, interconnected system that operates globally but delivers benefits regionally and locally? How do we coordinate ourselves and our governance to, and this is a crucial thing now because this

is where things have really changed in the last few decades, to protect but to restore, right, to restore.

This is where now we have to really focus because Earth System Science tells us, you know, particularly with global biodiversity loss and global atmospheric temperature increases, that's parts of climate change and ocean acidification, that we've really gone beyond what is called the sort of safe operating space. We've so degraded these systems that now we have to attend to not doing less harm but to actually, how do we restore those systems in a way that is consistent still with human well-being, right? How can we recalibrate our very relationship with natural systems so that in the very act of using those natural systems to support human health and well-being, we are also returning a benefit now to those ecological systems.

So that's not about doing less harm, that's about actually transforming the way we drive our benefits, you know, all those benefits that we depend on. We have to drive them in a way that also returns a benefit to those systems. That's when it comes to protect and restore ecosystems in a territory that belongs to a certain country is one thing, but in a territory that somehow belongs to nobody is where the issue around how to address the responsibility of caring, protecting and restoring the global climate comes, right? Sure, but I think the importance of Earth System science, we no longer make that distinction, right? We no longer make that distinction between whether we're acting within sovereign territory or in relation to sovereign rights or outside of. It doesn't make any sense.

This is one interconnected shared system which is seriously imperiled by the actions, collective actions of all humanity. That's old thinking, right? But from the perspective of science and now the new international law, it seems to be clear, but from the perspective of many government officials is where a lot of work needs to be done in terms of expanding, deepening their consciousness or awareness on these issues.

Yeah, I think to some degree my observation when I attend international treaty negotiations, like I did last year for a new treaty regime for the high seas, my observation is that there's still a lot of people acting in official capacities, you know, as the diplomatic representatives of states, they actually still do not understand the magnitude of the perils that we face and they don't understand the interconnectedness. They will see climate changes separate from ocean health or something, so they're not understanding the interconnectedness and they're not understanding that we've come to the limits of the logic of the way we've been approaching these problems. And now we have to absolutely transform the way we organize ourselves, manage ourselves and relate to nature. And it's possible.

I mean, it sounds like, you know, I agree that the way I articulate this, it sounds like something that's almost unachievable because of the scale of transformation, but a nice little example I like to use focuses on soil and the role of farmers. And traditionally, the role of a farmer was of course to utilize the land and the soil to return a benefit to his or her family. But also it was the role of a farmer to nurture the soil and build the soil's health as part of that use to hand it down to future generations. So this is the kind of returning to the understanding of our responsibilities that I'm talking about. And sometimes it's easier to understand in a little example than it obviously at a global scale. No, sure. It's very helpful. Thank you. Thank you so much, Koo.

It's good for us to have this conversation because it invites us to think about this, to expand our minds and vision, to think about the common, the global commons and our responsibility to that, to care, protect, restore. Now, Klaus, let me turn to you. You have been writing, publishing a lot over the years.

And I have seen that you have been arguing that the *rushara* should be seen as a document capable of providing international law with a new improved vision, a vision based on the rule of law in ecological context. Could you comment on this in *Pride 5*? How do you see this?

Yes. The rule of law is in fact the most fundamental principle to guide society and international community. So we just have to appreciate what it means. It means that no one is above the law and all people, institutions and entities are accountable to the law.

And it is today generally accepted that the rule of law must be consistent with international human rights principles. So we can take this as a commonly agreed fundamental principle of all societies to say, nobody is above the law, we are all guided by the law. And this law itself has a certain quality, namely to protect human rights. Now, this is the social context of human existence, the ecological context here, means of course the recognition that humans are not just part of a social system, but part of natural systems, implying certain responsibilities that we have to our fellow human beings and our fellow non-human beings. Any system can only successfully maintain its integrity if we have an understanding of these kind of connections.

So the community of life as the Earth Charter beautifully describes this is our true home. We belong as human beings, not just to the community of humans, but to the community of life as a whole. And therefore, the rule of law with an ecological context is really a guide in addition to the social context for any kind of lawmaking, both domestically and internationally, to simply reflect the physicality again, right, that we are as individual human beings part of social entities and social system, but equally part of ecological systems. So to me, the rule of law in this sense has its ultimate grounding in humans belonging to the community of life. Again, the Earth Charter was instrumental to sort of nurture these kind of thinking.

And it's not just my own idea, there have been of course many books being written about not just the fundamental importance of the rule of law, but how human rights are being considered to be fundamental and equally our concern for the natural environment. So I think this is one of those wonderful experiences of the last two, three decades that at least as far as the legal community is concerned, say legal scholars and law students, there's a much better understanding today that the human existence depends utterly on both factors and our social context, operated under certain principles reflecting human rights and equally our ecological context. Thank you, Klaus. You have also written quite a lot on the notion of strong sustainability.

So I'd like to ask you, what does that notion or concept of strong sustainability means? And you have been articulating that there are *Characote* servers as an instrument to help clarify that. Can you talk about that? Yes, of course, as I said earlier, the Earth Charter came as a result out of the observation that we need, societies need to develop in a

sustainable manner. And while the Brundtland report, the United Nations report, was probably not quite clear exactly what this entails, it did say that fundamentally we depend on the natural environment and not the other way around on a healthy economy or on social justice. Ultimately, we are depending on the protection of the integrity of ecological systems as a prerequisite for anything else.

And this was reasonably well understood, I would have thought in my time in the late 1980s and early 90s around Rio, but increasingly forgotten what instead sort of became the dominant message that sustainable development is good for everything, is good for business, for economic growth and all the rest of it, muddling it up. So we have to be very precise when we when we talk about sustainability. It can only ever be described that any social and economic development depends on the ongoing protection of the integrity of ecological systems. And this kind of thinking as I think well understood in the legal literature with respect to international law, but is still not understood by governments, by states. So there's a lot of educational work to be done.

We have an opportunity right now, for example, the global pact for the environment that has become a UN initiative that is sort of under constant negotiations. Not much has been achieved so far, but it has been quite clear since the early phases of drafting the text, and I was involved as a member of the legal expert group, that it should be informed by the concern for the integrity of ecological system as being fundamental. So as far as I can tell, the global pact for the environment, despite some other flaws in the text, does the right thing and follows the strong sustainability logic, that the Earth Charter was not only the first, but until pretty much now, the only credible document making this clear.

Many other documents in international agreements, including you know, climate change agreements, they are sort of silent about it, about these phenomenon called sustainability. And if you think about it, today, I talked about the sustainable development goals, the United Nations goals, and still lack a clear definition, what do we mean by sustainable development, and we still have ongoing discussion about the meaning of sustainability. Again, the Earth Charter leads the way, and I'm very pleased to say that this is the kind of stuff that law students learn in any environmental law courses around the world.

So strong sustainability and nothing less.

Now you have written about global governance. Is it global governance or global environmental governance? How does that link with the Earth Charter? If you can share with us some key elements or ideas behind that, or maybe even the challenges of global environmental governance. Yes. Well, the notion of global governance, what is this, is basically, describes a system of international norms and institutions to tackle global issues. It's very fundamental, such as peace, security, environmental systems, economic and financial systems, it's basically concerned with global issues. Currently, we have a certain toolbox that is useful for this model of global governance, consisting, for example, of the universal declaration of human rights and other human rights treaties.

So these are fundamental norms that describe how we deal with global issues based on human rights concerns and principles. And equally, we have the United Nations as an example of global institutions.

No matter what you think about the United Nations, how effective it has been, we do not have a realistic alternative. And rather than continuing to criticize the shortcomings of the UN, including the World Health Organization, I would rather celebrate the very fact that we have it. And without the commitment of so many people working within the United Nations, we would be far from it. I could, I cannot even imagine how the world would be without such institution. Exactly. This pandemic is a big wake-up call. But the interesting thing about this relationship between global governance and the Earth Charter is that global governance theory and also practical developments are, again, widely informed by the Earth Charter.

Largely, so this phenomenon, Earth, right? We were well ahead of our time back then, sort of, 30 years ago in the early 90s, calling this fundamental document Earth Charter, not a global environmental Charter, but Earth. We note today, much better, what that Earth is real. It has not only a physical reality and a spiritual reality, but also, and increasingly, a political and arguably, a legal reality, as expressed in the Earth system science and the Earth system approach to lawmaking that Prou talked about, or a more recent development based on the observation that we have responsibilities for the global commons and Earth as a whole, the notion of Earth's trusteeship comes in.

That has led to another initiative where the Earth Charter was instrumental for, namely, an initiative that of many dozens or nearly 100 human rights and environmental organizations that cooperated and drafted the what's called the Hague Principles for a universal declaration of responsibilities for human rights and Earth's trusteeship adopted in December 2018 in the Peace Palace in the Hague, where the Earth Charter was adopted in 2000, and to celebrate the 70s anniversary of the universal declaration of human rights.

So we have another very important development coming from this Earth Charter philosophy that we can today more clearly articulate what the fundamental values and principles should be under which we all want to be guided in order to have a efficient system of global governance, namely human rights, but also human responsibilities, and these human responsibilities are expressed in institutional terms as trusteeship responsibilities, and by trusteeship a lawyer understands an entity. I was exactly going to ask you what does that mean for Earth's trusteeship. In the Anglo-American word, the word trust doesn't really have a sort of deeper meaning other than many people think of a commercial trust or a family trust, basically the administration and management of assets, money, and so forth.

Whereas the true meaning of trusteeship is a far older concept from Roman law, it's just a legal governance construct, meaning that one entity or one person acts on behalf and to the benefit of another person or institution. This is what Prü referred to in the context of common heritage, it really creates trusteeship responsibilities. You are acting in the best interest of future generations of the Earth, of Mother Earth as a whole. This is not new, it's not new in law, it's one of those key sort of requirements under any legal system that we need to have some form of institutionalized responsibilities, and that is called trusteeship. The United Nations...

Can this lead to responsibility to the common good?

Yes, that defines the responsibility to the common good precisely. The United Nations, just to sort of highlight the importance of trusteeship, has in the United... In the UN Charter, reference to what they call the sacred trust of all nations in articles 74 and 76. In that regard, it refers to the trusteeship responsibilities of sovereign states over ex-colonies reflecting the reality of the 1950s and so on. When the process of decolonization began, and new entities were created, namely states, but in order to have a legal recognition, these colonies needed to be represented by trustees, and that led to the United Nations trusteeship council.

Now, the interesting thing is there has been an ongoing support for the idea that the trusteeship council, which now has no function anymore, but the chambers in New York still exist, should be converted, should be upgraded, if you like, to a United Nations Earth trusteeship council. An idea that a former secretary general of the United Nations, the late Kofi Annan, postulated and was supported by a number of states. So again, the Earth Charter and the Earth Charter movement is much needed here with our kind of almost institutionalized wisdom, fundamental norms, ecological integrity and earth as a whole, as a legal entity that's worth recognizing. Also our very good relationship that we have to the General Assembly with its dialogue on humans with nature.

These are important fora where we can promote key ideas around the Earth Charter in this instance, particularly models of global governance. We are coming now to the last question. It has to do with the current challenges. You have been involved in all of these for 30 years, over 30 years. So how do you perceive the current major challenges humanity has? How to address them? Of course, there are many, but what comes first in your mind as key major global challenges that we are facing as humanity and how to address them.

The way you put the question makes it easy for me to say the biggest threat is fear, that for some reasons, for irrational reasons, no good convincing rational reasons, fear seems to be a driving force for so many negatives that we are seeing around the world, just symbolized by this figure called Trump and I won't go any further. It reflects the desperation of large parts of society and not just the United States. We even see it here in New Zealand, even so to a much lesser degree, that the experience of entire generation has been that they have been left behind. All those developments of modernity, more growth and the global economy and so forth may have worked for some, but not for most of us. This has triggered this kind of feeling of hopelessness, even fear.

The Earth Charter Movement stands for the direct opposite, not just the spirit in which it has been written, but the very fact that the Earth Charter exists as a reflection of values that we all share is an indication of the other side, namely hope.

So we are certainly not living in an age of enthusiasm and hope and optimism. There's no reason for that, but that's where I get my personal strength from. We can do much better than what we have now. I would say if we are only able to have this conversation going, the very fact that 98% of humans, there's a figure that's more or less plucked out of the air, shares fundamentally the same values and concerns, love, respect for each other, family, friends and so on. Why are we not guided by this, by decency, respect and love for each other, rather than by the antithesis, namely fear? That's how a person like Trump

can flourish. The Earth Charter gives us this kind of beautiful coherence, despite all diversity, and we celebrate diversity.

This is one of the most fundamental principles of life, but the observation that there is unity and diversity. So this is the kind of message ultimately that the Earth Charter is conveying. So that's what I ultimately have to say, despite acknowledging we are living in dark ages right now, I think none of us in the Earth Charter movement has ever given up hope, nor should be. There's no reason. We have done a lot of good things and hopefully continue to do so. When you talk about fear, do you refer to fear of the different fear to change? What kind of fear? Yeah, of course the fear that's been nurtured by a sense of powerlessness. Many people feel there is no way out of their misery and we have seen it just recently in the American elections, right?

What it has meant to many Americans of color in particular, all of a sudden having a glimpse of how purely by the fact that a non-Trump has been elected.

And this to me sort of is an illustration of the fact that fear comes from this experience that your voice doesn't matter. And this is certainly not true. Voice of each of us matters.

That's how I would see fear. I know that there are other dimension we could of course say the very prospect of humanity, right, that we are sort of degrading the planet and so forth. I wouldn't even go there. Maybe that's part of it. But thinking in those kind of pandemic situations and populism in the increase in many countries, it's nurtured by fear and we need to address this directly. Of course the values that the US China stands for, they are the source of all.

How about for you? What are the major humanity challenges now? Well, you know, when I think about this, I try to not think about the specific examples of major challenges that we face, but rather look to what's happening underneath that these or these sort of individual challenges are not individual. They're interconnected and they're symptoms. So what are they symptoms of? And this is how I try and think this through. And you know, one sort of thread of thought that makes a lot of sense to me to help coordinate my thinking comes down to the concept of relationships, that you know, our relationships with each other, our relationships with Mother Earth are deeply disturbed and fractured.

And because of those loss of relationships and the understanding of how vital those relationships are, we are sort of impoverished in our existence. And from that we develop, I think, we tend to develop, class talked about it as fear. I think it's, we develop an impoverished view of who we are as human beings and what we're capable of, that we're capable of enormous good, enormous creativity, enormous collaboration and cooperation, that we are capable of enormous ingenuity and vision.

And I think that really these things are absolutely, we're absolutely capable of all these things and there are vital strengths. But to, to re harness all of that, we have to come back to our relationships and rebuild them, our relationships with one another, you know, individually, collectively, our relationship with place, our relationship to Mother Earth. And use those energies and redirect those energies. Wonderful. Well, thank you so much

for both of you for taking your time to join us today and share your wisdom and knowledge with us. Thank you so much.

Thank you for having us, Mirian. We have to thank you for the opportunity. You keep a lot of things together and you have done so for many, many, many years. And without people like you, we wouldn't be here, right? Let's face it. Absolutely right. This is about relationships. It's about relationships and trust.

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