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Editorial

Alan Faria Andrade, Village CO2 of Inequalities.

The law recognized as science and as a social instrument, provides the human person, humanity and social interaction, mechanisms of conflict resolutions and rules of coexistence in a broad way. In this sense, we can understand the right as a text created by human people and placed on paper, which contains expressions and phrases that guides the future of humanity. Thus, it can be said that human rights are all those rights that are based on what provides life to the human person, from the habitat to the possibility of being free and expressing what he wants, going through work and food.

But the recognition of human rights has never been so clear to humanity. The recognition of human rights initially passed through the recognition of the rights of individuals before a central power, which we today clearly recognize as a State. And at other times, we sought to recognize rights by limiting the interference of state power in human relations.

After these initial understandings, publishing a human rights magazine with articles related to solidarity, recognition of people, giving importance to sport and protecting nature in line with social development in the dynamics of economy of Francesco, seems frightening to us. However, no!!! Pope Francis' proposal to develop a new economy means integrating all the dynamics of human existence on planet Earth and the aspects that this edition proposes to us, is precisely to start the reasoning of an integral and supportive human gaze of human and environmental relations. Both state and civil society issues.

In the article, "The Human Right to International Solidarity", Lucia Tonelotto, reminds us that "each decision causes near and distant consequences" and that "the Covid-19 Pandemic taught us that we are interconnected, and only if we collaborate can we save ourselves: either we save ourselves or no one is saved". Thus, presents to us the proposal that is being discussed in the United Nations –on international solidarity as another human right to be implemented by states. It is a proposal of "community logic of solidarity and mutual help" between countries and peoples.

Ana Argento Nasser, in the article “A new paradigm to rethink diversities”, in a more propositional way, when dealing with people with disabilities, indicates the need for paradigm changes when recognizing the existence of these people and the importance of communication change when doing this. It proposes a “Model of Communication and Legitimate Recognition of Disability”, which aims to “move from inclusion to recognition”. That is, not about inclusion that we are dealing with when we recognize people with disabilities, but of recognizing the existence and potential of all human people in society, whether with disabilities, black people, women, or LGBT people.

Another bold perspective in this issue is the possibility of thinking about Human Rights and Sport, in the article “ Sport and Human Rights”, proposed by Julia Jastrzabek and Jean-Claude Rugigana. For sport from the perspective of human rights, can recognize the benefits it provides, in addition to the issue of human health, but also recognize a series of realities, such as labor rights, economic activity and social integration of peoples. Sporting events as a center for the promotion of civil, political, economic, social, cultural, and environmental rights. They report the impact of the “Best Karate Holidays for Children” project on human rights and social development in Rwanda in the periods 2019 and 2020.

Finally, Kathleen Zegarra Delgado teaches clearly in her article “*Sustainable development paradoxes. From thought to action.*”, that everything is connected and that we and the environment are creatures of equal power before the Creator and that we must rethink our way of dealing as sister Planet Earth. That we must come out of extractive thinking to a thought of integration and sustainability, to our own guarantee of survival in this world. Thus, it proposes a “paradox of sustainable development that involves two fronts: a necessary change in the economy and an unrestricted respect for environmental human rights.”

We believe that the general guidelines can contribute to readers’ reflections on other human rights perspectives that we are developing in the Economy of Francesco. And that one day we will be in another economy, with more soul, inclusive, and human; that generates life and preserves the environment. And that here, we are not faced with an end point or event, but are at the beginning of a process that we are all called to be part of and contribute.

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INTERNATIONAL COOPERATION

THE HUMAN RIGHT TO INTERNATIONAL SOLIDARITY

Lucia Tonelotto¹

Introduction

In the era of economic, cultural and ideological globalization in which we find ourselves living, interdependence between people is increasingly proliferating.

To a greater extent, in today's society we can find the truthfulness of the butterfly effect theory: "it is said that the slightest flapping of a butterfly's wings is able to cause a hurricane on the other side of the world"² This phrase, if applied to social reality, reflects the situation in which we live: no choice is an end in itself; every decision causes near and far-off consequences.

In today's globalization, economic and social inequalities are emerging progressively. In a world where wealth increases dramatically, fewer and fewer are benefiting from it. In a world where technology is making great strides, more and more people are dying of hunger, treatable diseases and natural disasters, realities that could be easily prevented.

Moreover, the Covid-19 pandemic has taught us that we are interconnected, and only if we collaborate can we save ourselves: either we save ourselves together or no one is saved. This concept is already present at international level, thanks to international solidarity, but finds itself difficult to emerge because some states don't want to recognize it as a legally binding human right.

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² The Butterfly Effect, film by Eric Bress e J. Mackye Gruber, 2004



THE INTERNATIONAL PATH FOR THE RIGHT TO INTERNATIONAL SOLIDARITY

The concept of International Solidarity saw its emergence on the international scene at the beginning of the 1970s when third generation rights began to emerge for the first time: known as International Solidarity rights.

This new category of human rights was added to the first generation rights (civil and political) and to the second generation rights (economic, social and cultural). In the former it was clear that there was the need for non-intervention by the state in order to favor full access by citizens to civil and political rights; in

the case of economic, social and cultural rights, there was a need for states to implement internal policies that favored respect for human rights.

The novelty that is recognized in third generation rights is the appearance in the sphere of international protection, not of the individual as a citizen, but of the person as he belongs to humanity. Nowadays, the subdivision between generation of rights has failed because it has been recognized that every right is important and interconnected in equal measure without distinction of generation.

The study of International Solidarity as a distinct element within third generation rights begins within the Commission for Human Rights, a United Nations body established for the protection and promotion of human rights. The first official document recognizing International Solidarity was drawn up in 2002³ raising the concern that globalization has not favored all peoples but only some and therefore, through the recognition of International Solidarity, tries to eliminate the gap between developed and developing states. It

³ United Nations, Commission on Human Rights Resolution 2002/73, Human Rights and International Solidarity,

also aims to foster a relationship of solidarity at an intragenerational and intergenerational level.

With this document, states are asked to implement international relations in a manner that *"[...] global challenges must be managed in a way that distributes costs and burdens fairly, in accordance with basic principles of equity and social justice, and that those who suffer, or who benefit least, deserve help from those who benefit most. [...] to create such conditions will ensure that the needs and interests of future generations are not jeopardized by the burden of the past, and to hand on a better world to future generations"*⁴

The Tsunami, which occurred in 2004 in Southeast Asia, accelerates the process of recognition of International Solidarity within the Commission for Human Rights. It is with Resolution 2005/55 that the Independent Expert⁵ (WHO IS THIS?) was established with the task, for a period of three years, of studying the problem and drawing up a Declaration concerning the right of peoples to International Solidarity, collaborating with the United Nations agencies, States, NGOs and all stakeholders on the international scene.

The mandate of the Independent Expert has been renewed over the years and in 2017 the first draft of the Declaration on the right to international solidarity was presented. Currently, it still being analyzed as many Western bloc countries (USA, EU countries, Canada and Australia) do not want to recognize the right to international solidarity. These States, even if they claim to recognize the importance of the principle of International Solidarity and the political commitment that this entails, nevertheless emphasize the fact that each State is primarily responsible for the protection and promotion of the human rights of its citizens. They reiterate that all states can consider international assistance but cannot be determined by it. With the right to International Solidarity, the more developed countries could risk this greater involvement, but they do not want to take it on. Moreover, they affirm that the principle of International Solidarity is already specified in numerous international documents and that, therefore, they see no reason to recognize the right as there are no characteristics for such recognition. Therefore, they give importance to the principle of International Solidarity and to cooperation as an instrument of implementation of this principle so they do not recognize the need for new instruments and new international legal constraints in this field.

⁴ United Nations, Commission on Human Rights Resolution 2002/73, Human Rights and International Solidarity, p. 2.

⁵ Independent figure within the United Nations, of high professional prominence, with the task of studying a specific topic. <https://www.ohchr.org/en/issues/solidarity/pages/iesolidarityindex.aspx>

What is the right to international solidarity

The principles underlying International Solidarity are: respect for human dignity, adherence to the principles of justice, equity, non-interference, self-determination, mutual respect; elimination of slavery; sharing of scientific and technological advances; promotion of ethical behavior; disarmament; help without imposing conditions; role of non-governmental organizations in stimulating public opinion and studies on the subject. The implementation of all these principles at international and state levels are identified as the measures and methods necessary for the realization of the right to International Solidarity.

As far as the right of international solidarity is concerned, it can be recognized that *"the legal subjectivity of International Solidarity is recognized in the freedom of the human person from the borders of the state and that all human beings are born free and equal in dignity and rights: the original belonging is to the "human family". Membership in a given state must be considered not as a possession of the person by that state, but as an obligation of the same to guarantee, within its jurisdiction, the exercise of the set of rights on which universal citizenship is based. The space of this exercise is marked by the range of operations of International Human Rights Law, the space-world, and not by the frontier of states."*⁶

⁶ A. Papisca, *Il diritto della dignità umana: riflessioni sulla globalizzazione dei diritti umani*, Marsilio, 2011, p. 26.

Legal norms can be broken down into four elements⁷ and we will now see how they are expressed in the law of international solidarity:

- the object (what one has the right to): is expressed in the possibility of asserting one's rights and being able to implement them in a community logic of solidarity and mutual aid.
- the holder of active legitimacy to exercise the right: it is humanity as a whole and is recognized, specifically, in the individual or people who need help at that moment. Depending on the conditions of life and government, the law can be made explicit by the State to which the person belongs or, directly by the person, if his own State, which represents him internationally, is not in the right conditions or does not want to do so. The owner, however, may not even be present in the current era, may be identifiable in the future, the intergenerational perspective of solidarity comes into play here.
- the holder of the passive legitimacy on which the obligations connected to the law weigh: it is always the international community as a whole, the strongest parties economically and democratically governed, take charge of the needs of the poorest populations. It may emerge that the holders of duties

⁷ E. Pariotti, *I diritti umani: concetto, teoria, evoluzione*, CEDAM 2013

and rights divide the international community between the rich, who help, and the poor, who receive. On a more in-depth reading, however, it is recognized that these two parts are not antithetical to each other, but dialogue and help each other, each making its own particularity available to the other. However, this exchange must not take place in a profit-making logic, but according to a perspective of fraternity, equity and social justice.

- the conditions of applicability must be implemented in an intragenerational and intergenerational logic. In the first, the need for reporting on everything that states do towards other countries and other populations is recognized, moreover, it is necessary to make transparent every behavior that takes place in the name of an international organization and, above all, that the State you belong and the organization take responsibility for the acts it promotes with this body. This mode of truth-responsibility must be applied to all branches of development: economic-financial, environmental, health, humanitarian, security, peace, etc. Furthermore, the exchange of information and knowledge is required to prevent natural disasters, to build infrastructures, and to improve the economic situation of many poor countries. The developed countries

see this act as a loss, but do not recognize that in this way, many problems can be avoided and instead the system of security and peace that all countries are trying to create would be strengthened. In an intergenerational logic, we want to ensure a minimum standard of living for future generations which is crumbling today. From a perspective of intergenerational equity, International Solidarity implies the involvement of three aspects: a) each generation must maintain the diversity of its natural, cultural and economic resources; b) the quality of the ecological- environmental system transmitted to future generations must be comparable with that enjoyed by present generations; c) the natural and cultural heritage, past and present, must be preserved and handed down so that future generations can have access to it. Intergenerational solidarity is proposed as an action to prevent damage, in which priority must be given to the result and not to the cost of the activity, and the burden of the action must be rightly distributed according to the possibilities.⁸

⁸ D. Shelton, *Intergenerational Equity, in Solidarity: a Structural Principle of International Law*, Rüdiger Wolfrum/Chie Kojima (eds), Springer, 2009

Cooperation vs international solidarity

The last important aspect to analyze with regards to international solidarity is the difference between it and international cooperation. The countries of the Western bloc argue that the principle of international solidarity is part of cooperation, but if we analyze the right of international solidarity carefully, it emerges that they are two distinct matters, indeed the latter is a subsequent and evolved step in cooperation. Cooperation was born as an aid between states to rebuild those countries affected by the Second World War. However, it is not an unconditional help and many times the conditions protect the donor more, as for this charitable gesture the payment of the debt is requested with interest or conditions that determine the recipient's political choices. As stated by Holger Hestermeyer, the cooperation is an act of "self-centered solidarity" for the donor country.⁹ Furthermore, in cooperation it is not essential to report and understand how capital is spent, thus causing serious consequences such as enrichment of the rulers and their officials, instead of raising the well-being of an entire population. This lack of control over the use of money makes cooperation part of a system of coexistence in which States do not control each other to protect the well-be-

⁹ 30 H. P. Hestermeyer, Reality or aspiration? Solidarity in International environmental and world trade law, Otto Hahn group "diversity and homogeneity", outcome paper 2/2012.

ing of the world population. Only in the case of crimes against humanity can, if desired, intervention occur.

Therefore, the cooperation implemented by the States, in recent years, has not favored the growth of developing countries, on the contrary it has only impoverished them: the only ones that have benefited from it have been the developed countries, which in this way controls the governments of these nations within international relations.

International Solidarity replaces this system of coexistence by creating an international environment in which States are responsible for each other. This responsibility is due to the fact that states are identified as entities that protect the world population. They have the task of better governing a good that has been entrusted to them, and which therefore does not belong exclusively to them. In this perspective, the states are responsible among themselves in governing that common good that belongs to the international community, coordinating their choices and actions in order to protect the world population and not just the national one. States will no longer be able to make their own decisions following a logic of economic and political profit but will have to implement them in a spirit of human rights, placing the protection of the person and the people as the main objective. In this way, wealth and well-be-

ing would be redistributed throughout global society. For example, if a citizen of a rich country is entitled to a certain basic treatment for his life by the state, such as health, this must be applicable for all the people of the world. If this is not the case, as previously mentioned, a person must have the opportunity to appeal to the international community and this must take charge of the implementation of the law.

The wealth of rich countries comes from the use of underground materials that they do not own and from the exploitation of centuries of colonization in poor countries. Solidarity cooperation is, therefore, an act due to these populations who have not had the opportunity to develop due to colonization and, subsequently, due to local governments placed by world powers as a function of a bipolar political service logic. International Solidarity recognizes the possibility of development that is given to developing countries by giving them back what was previously taken from them through colonization. Of course, it is not possible today to really give back what has been taken away, but this can be done through financial help and sharing of knowledge. Thus, we enter the "altruistic solidarity" as described by Holger Hestermeyer.¹⁰

Finally, today's cooperation is based on a voluntary system, in which countries can freely choose who to help and how to help. However, according to International Solidarity help must be given to everyone, regardless of political ideas (certainly while maintaining respect for human rights) and the modalities must respect very clear criteria.

In order to implement international solidarity, we need a real global responsibility that is able to harmonize development and globalization as indicated by Stiglitz:

What we need are policies for sustainable, just and democratic growth. This is the reason for the development. Development is not a tool to help a few people get rich or to create a handful of useless protected sectors that only a small elite benefit from; development does not mean putting Prada, Benetton, Ralph Lauren or Louis Vuitton at the disposal of the rich in the cities and then leaving the poor in the countryside in misery. The fact that you can buy Gucci bags in a Moscow department store does not mean that the country has switched to a market economy. Development means transforming society, improving the lives of the poor, giving everyone a chance for success and ensuring access to health services and education for everyone.

¹⁰ H. P. Hestermeyer, Reality or aspiration? Solidarity in International environmental and world trade law, Otto Hahn group "diversity and homogeneity", outcome paper 2/2012.

This kind of development cannot materialize if only a few impose the policies that a country must follow. Ensuring that decisions are made in a democratic way means ensuring the active participation in the debate of numerous economists, officials and experts from developing countries. It also means that participation must be broad and go beyond experts and politicians. Developing countries must become architects of their own destiny, but we Westerners cannot shirk our responsibilities. It is not easy to start doing things in a different way. Bureaucracies, like people, develop bad habits and adjusting to change can be difficult. But international institutions must face the changes, perhaps painful, that will allow them to play the role for which they were born and to make globalization work by working not only for those who are already well and for industrialized countries, but also for the poor and for developing nations.

The West must do its part to reform the international institutions that govern globalization. We are the ones who have created these institutions and now we must work to make them work. If we are to take into consideration the legitimate concerns of those who have expressed their discontent with globalization, if we want globalization to work for the billions of people who have so far found no benefit, if we want globalization with a human face to become a reality, then we must raise our voices. We cannot, we must not remain

*aloof relegating ourselves to the role of simple and inert spectators.*¹¹

Conclusion

The situation we are currently living reminds us even more that we are interconnected to one another and we can only save ourselves together. For this reason, according to me, the right to international solidarity is the answer to our needs. It is time to recognize that we are all part of the same family and it is possible to respect human rights if we legally recognize the membership to this family beyond state borders.

Solidarity, therefore, cannot be a simple economic aid, but must involve a change of mentality that brings man back to the first step of the entire development pyramid, recognizing him as an entity with a dignity to be respected and protected. Man must return to being a “social being” and not a being to produce. The conditions imposed by the market, the economy and finance must be overcome. We need to stop thinking of ever-increasing gains. As the philosophers of antiquity well said, it is not in well-being and possessing material goods that man realizes himself, but in the relationship with the other, in being a gift for the other.

11 STIGLITZ J. E., *Globalization and Its Discontents*, W. W. Norton, 2003



DIVERSITIES

A new paradigm to rethink diversities

Ana Argento Nasser¹

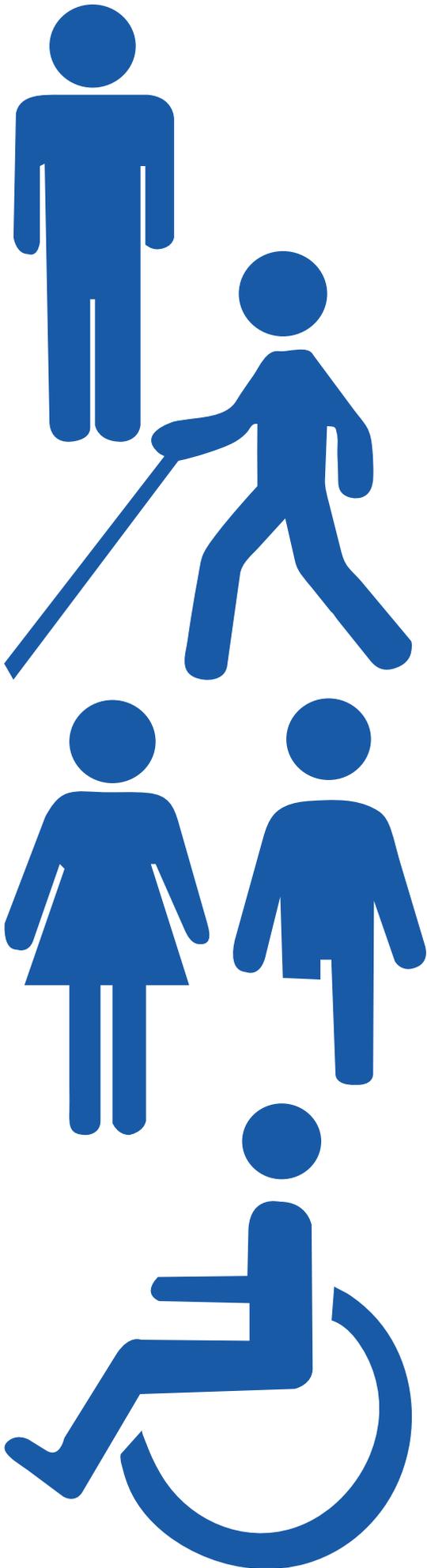
Abstract

Generally, when human rights and diversities are related, the term inclusion is the one that appears as a way of shortening distances and generating policies that legitimize these “Others”. This article presents a new paradigm to address the issue of disability, a specific field of study of the author, which can be applied to other socially vulnerable groups. The Model of Communication and Legitimate Acknowledgement of Disability (MCLAD) is characterized by a paradigm shift: moving from inclusion to acknowledgment. To substantiate this, three categories are presented: acknowledgment, distance, and vulnerability. The different theories and concepts that support the model will also be presented.

The purpose of the MCLAD is to deepen the idea of empowering people with disabilities as part of today’s diverse societies and closing historically constructed gaps which are still in force.

Key words: diversity, people with disabilities; acknowledgment; empowerment; vulnerability; distance, human rights.

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Introduction

The Model of Communication and Legitimate Acknowledgement of Disability (MCLAD) tries to break with the logic of continuing to add terms and euphemisms around the issue. I propose a new line to think about relationships in democratic societies. Taking the step from inclusion to acknowledgement does not imply another way of naming disability, but rather addressing the problem from concrete practices of recognition. Conveniently, the “D” in the model name can be understood and used for both “disability” and “diversity”. In this sense, I want to invite the reader to understand that all the development of the new model can be applied to other social groups, historically invisible, and whose rights have been violated (migrants, refugees, ethnic groups, etc) both in their categories and in the axes across them.

In order to arrive at the proposal of the MCLAD, I will first present some facts about disability. Then I will discuss why it is necessary to change the paradigm by questioning the term “inclusion” and proposing the use of the term “legitimate acknowledgement”. Finally, I will address the implications of the MCLAD, and I will share some conclusions.

Human rights and disability

When one thinks of the binomial “human rights” and “disability”, they are easily conceived as historically intertwined. However, this is not the case. The link between society and People with Disabilities (PwD) has changed over time. They went from dispensing with them, to placing emphasis on the barriers that society built by not taking them into account, which impeded the development of its full autonomy. As paradigms emerged, they also became intermingled, and these mixtures between models do not quite put the emphasis on the person and their rights within the society of which they are a part.

There are other lags. On the one hand, continue to frame PWD as a minority and therefore treat them as such. According to the latest report from the World Health Organization of November 2017, there are more than 1 billion people with disabilities worldwide, representing about 15% of the world's population. This report also ensures that disability disproportionately affects the most vulnerable populations, that is, the poorest populations. Half of the PwD cannot pay for health care and, in turn, those who can, are more vulnerable to being poor due to the high costs they face when they do not have medical coverage for certain treatments, necessary supports, personal assistance, etc. In relation to schooling, children with disabilities are less likely to be in school. Regarding employment, official world data highlights that the percentage of employed people with disabilities is lower than those without disabilities (53% men with disabilities and 20% women with disabilities, compared to 65% men without disabilities and 30% women without disability).

On the other hand, although at the global level there was already a Human Rights`Declaration promulgated in 1948, which established the fundamental rights that should be protected for all the people of the planet, it seemed (and the facts of invisibility and vulnerability in compliance of their rights demon-

strated it) that people with disabilities were excluded from such protection and a Convention had to be created exclusively to ensure their rights (the same has happened with other groups such as women, children, etc.). This macro document called "International Convention on the Rights of Persons with Disabilities" was promulgated by the UN in 2006. Something that identifies this Convention is that people with disabilities from different groups participated in the drafting of its articles, which marked a legal milestone in which the same people involved and favored with a normative framework, were active members of what was expressed and demanded for all the States parties that adhere.

From this contextualization and before presenting the new model, it is necessary to answer some questions. First of all:



“Why is it necessary to change the paradigm?”

To understand what the MCLAD proposes, first, it is necessary to explain why we will question the term “inclusion” and why I propose an alternative: “acknowledgement”.²

From an etymological point of view, the word “inclusion” derives from the Latin *includere*, which means to put inside, to shut in, to insert. The term *includere* is made up of the preposition “in”

² We have decided to use the term “acknowledgement” instead of “recognition” because to recognize something and/or someone means to take notice of or to perceive them, and to acknowledge means to express such recognition. In other words, recognition may be only an internal process, whereas acknowledgement is a person’s expressed recognition of something/someone, and it implies an external admission of what is being recognized. We believe that, in the context of our proposal, that difference is crucial.

(within, inside) and the verb “claudere” (to enclose, to confine, to make inaccessible). Inclusion could be understood as the action of bringing something/someone inside (dictionary.com; etymonline.com). The adjective “social” comes from the Latin *sociālis*, which means to belong to, to be dedicated to, to live with, to join others. *Sociālis* is made up of the noun *soci* (partners, fellows, comrades), and the suffix *ālis* is added to turn the noun into an adjective (Sandoval, 2016, p.82).

In this sense, it is worth asking whether it is real that some people are outside society and should be included. How can this inside/outside division actually take place? In concrete terms, every person makes up society; we are all members of society, the only difference is that many people participate in unfavorable conditions (Sen, 2000, p.28). It is hard to imagine that people are “outside” society or completely outside of social and economic life. The same happens with inclusion: it is very difficult for people to be completely “included” (Mascareño and Carvajal, 2015, p. 136). This is why the Inter-American Development Bank (IDB, in Spanish) (2007) adds question marks to the title of its report “The outsiders?”, since speaking metaphorically about the outsiders and the insiders does not allow for a clear conceptualization of social inclusion. For its part, the definition given by the World Bank makes reference to society by indicating

that social inclusion is “the process of improving the skills, opportunities and dignity of disadvantaged people on the basis of their identity so that they take part in society” (World Bank, 2013).

Numerous authors (Levitas, 2003; Mascareño and Carvajal, 2015; Sandoval, 2016; O’Reilly, 2005; Young, 2000, among others) have investigated social inclusion from different perspectives and analyses, which accounts for the elasticity of the concept.

For Sandoval (2016, p. 95), one way of understanding the process of social inclusion is to note that it involves the incorporation of people or groups in different articulated or interdependent mechanisms of redistribution and recognition (what we call “acknowledgement”), since the disadvantageous or non-significant way in which these people participate in society is mainly due to rules and norms (institutions and culture), and to the material and symbolic deprivation, be it individual or collective, that these rules and norms produce, which lead to poverty and/or lack of respect. In addition to this, there are individual factors (such as lack of family support, lack of social networks, old age, gender, skin color, chronic disease, disability, sexual preference, belonging to a different culture, etc.) that, when perceived and valued from the perspective of the dominant insti-

tutions and culture, they result in the disadvantageous participation of these people or groups in the different areas of society.

Sandoval defines the mechanisms of redistribution and recognition as those policies, programs, plans, laws, rules, institutions and other instruments administered by the State that, in an articulated way, channel and change the way in which material resources (redistribution) and symbolic resources (recognition/ acknowledgement) are distributed to those groups that, due to the lack of or the systematic deprivation of these means and tools, participate in society in a disadvantageous or insignificant way.

This last conception of the “redistribution and recognition mechanisms” enables us to confirm that the term inclusion by itself remains ambiguous and requires other components to make it concrete. At the same time, it allows for an openness to think about recognition/ acknowledgement linked to inclusion.

It can also be considered that, although the term “inclusion” admits different conceptions and practices which should be valued and applied (for instance, inclusion policies), it does deepen into the question of the empowerment of people with disabilities at the personal level, with all that it implies.

Although the main goal of this article is not to continue delving into the different views and conceptions of social inclusion, in this section, we wanted to provide some insights that allow us to understand that the term inclusion is ambiguous. My proposal of a paradigm shift based on acknowledgement already implies inclusion (with its conception provided by the Social Model that we will explain later), and it allows us to interpret legitimate acknowledgement taking into account the three axes; person–society–State, which permanently interact with the three categories: acknowledgement, distance, and vulnerability. For its part, the proposal of self-acknowledgement (explained later in the person axis and the acknowledgement category) within the MCLAD is central to understand that inclusion is not possible without self-knowledge, and that true legitimate acknowledgement will begin when the person perceives themselves as an active member with rights and responsibilities, when society values all its members and when the State effectively fulfills its role by turning laws into concrete practices.

Towards a new paradigm shift: The Model of Communication and Legitimate Acknowledgement of Disability

The Model of Communication and Legitimate Acknowledgement of Disability (hereinafter MCLAD) emerged in 2014 (Argento Nasser, 2014) and, over time, it has been updated³ until this final version⁴, the general guidelines of which will be explained below.

As a basis for this shift, we have analyzed different currents and theories, which throw light on the Model. They allow us to understand the proposal in depth, which will lead to reconciling some ideas, historically conceived, around the subject. In this sense, our model is based on three categories: acknowledgement, distance and vulnerability. The MCLAD takes contributions from some theories and currents about vulnerable groups, their struggles and configurations at different levels. Some of these theories are Axel Honneth's Recognition Theory and Paul Ricoeur's Theory of Mutual Recognition. In addition, we will analyze Miriam Barreras Contreras' contributions on the "Fenomenología del entre" (Phenomenology of the Among), a reading that is substantial for the MCLAD. In turn,

³ In 2018, Ana Argento Nasser, along with psychologists Andrea Garde, Macarena Guzmán and Juan Pablo Vega (all members of Por Igual Más Foundation), began to rethink the 2014 Model and reconfigure its categories. Gisela Trento, a graduate in Social Communication, also made a contribution on the category "distance".

⁴ This new version was written thanks to the valuable contributions and guidance of Juan Bautista Duhau, PhD in Theology, and Natalia Monge Mohedas, Certified English Translator.

certain conceptions of the Ontology of Language and the concept of “vulnerability” (from the anthropological, social and biographical framework) have been important to substantiate that limitation is part of being human. Everybody has limitations, some manifest more than others.

Why do we include the term “communication” in the title of the Model?

Our model conceives language as a constructor of realities and the Language Ontology⁵ throws light on this, since it proposes the central role that language occupies in the formation of our lives, our identities and the worlds in which we participate.

The MCLAD states that it is fundamental to know what people with disabilities say and communicate about themselves; what society says and how it refers to disability; and how the State

⁵ Beginning in the second half of the 20th century, a major theoretical revolution began in the understanding of language. This was called a “linguistic turn.” One of its main exponents was the American philosopher Richard Rorty who wrote *The Linguistic Turn* in 1967. In short, he proposed that language would no longer be a structured means of representation capable of relating to the world, but rather a world-building agent. Thus, the linguistic turn meant going from speaking of private mental representations to beginning to speak of all representation being linguistic. In this context, the Ontology of Language as a discipline articulates very diverse contributions: Martin Heidegger’s *Dasein* theory; Friedrich Nietzsche’s observations on the human need to constantly regenerate a meaning for our lives (with the recognition of both that language is the space in which the human being cannot escape and, at the same time, the abode where it is recognized as such); the contributions of the British John Austin, the American John Searle and the Austrian Ludwig Wittgenstein; from the field of biology, the contributions of the Chilean biologist Humberto Maturana with his works on the biology of cognition and the epistemological change that they propose. In addition, the work of a Chilean author, the contemporary sociologist and philosopher, Rafael Echeverría stands out.

ulates practices around it. Language builds realities, configures scenarios, and enables public actions and policies. The use of language is neither innocent nor impartial.

Throughout history we have heard—and still do—the term “positive discrimination” (due to negligence or lack of knowledge) against people with disabilities, for example, in the case of euphemisms such as “special abilities”, or terms such as “disabled”, “invalid”, “retarded”, among others. However, in the era of new technologies and the boom of communication through different platforms, it is hard to understand how it is possible to continue informing by using concepts that distort the meaning of phrases and facts (for example, when it comes to talking about the value of people with disabilities, they should not be called invalids or handicapped). The fact is aggravated when those who are communicating are professionals in social communication and journalism.

For the acknowledgement of people with disabilities—and of any other person—it is essential to understand that, in all social coexistence, language matters and that the concepts and terms used to name and “label” can open up possibilities or impede them.

Why do we talk about “legitimate” acknowledgement?

The MCLAD poses a specific kind of acknowledgement: it is one that must be legitimized by concrete practices. In this sense, our model adopts Honneth’s (2003) distinction between two forms of what he calls recognition, which we define as acknowledgement⁶: ideological recognition/acknowledgement (an “evaluative promise” at the discursive level) and legitimate recognition/acknowledgement (a “material evaluation”, crystallization of that promise). In this sense, we can say that the laws that guarantee the rights of people with disabilities in democratic societies imply only discursive (ideological) recognition and, therefore, when they are not legitimized with specific policies and practices, they do not constitute a legitimate acknowledgement.

Going deeper into his theory, Honneth distinguishes a positive sense of recognition⁷, and one of the premises that supports it is that an act of recognition should not be reduced to the symbolic, to mere words. On the contrary, it is through behaviors and actions that credibility is gained, that is, by concrete

⁶ Note that Honneth’s concept of recognition is equivalent to the concept of acknowledgement we establish in our model. Therefore, in this section of the article, the concepts of recognition and acknowledgement are interchangeable.

⁷ The first premise on the positive meanings of recognition that Honneth analyses is to consider “recognition” according to the German meaning of the term (“Einräumen”), that is, as the affirmation of positive qualities of subjects or groups (which does not exclude that it may exist a link with the attribution that in English and French is given to the term: to recognize or identify something or someone as such).

acts of recognition. In turn, Honneth’s positive vision is reflected when he expresses that “recognition should be considered as the nature of different forms of practical behaviors in which each time the primary meaning of a certain affirmation towards someone else is reflected” (A. Honneth, 2006; p. 135). Such behaviors have an undoubtedly positive nature because the recipient is allowed to identify themselves with their qualities and thereby achieve greater autonomy. This is key in the recognition of every single individual. Continuing with what was proposed in the previous point regarding the Ontology of Language and the reason why the model considers communication as instrumental, we can sustain that in addition to “mere words”, the actions towards whom the words are directed are fundamental in recognition. Metacommunication, gestures, sounds, expressions, everything that accompanies concepts, also configures scenarios and creates praxis. Merely discursive recognition is not enough.

For Honneth there are three forms of reciprocal recognition that give life to justice, which constitute forms of social progress where the individual is recognized and reaches self-realization: 1) Love, that seeks to ensure the wellbeing of the other and allows affective security. 2) The law or legal recognition, given that from the normative perspective of a “generalized other”, we can recognize

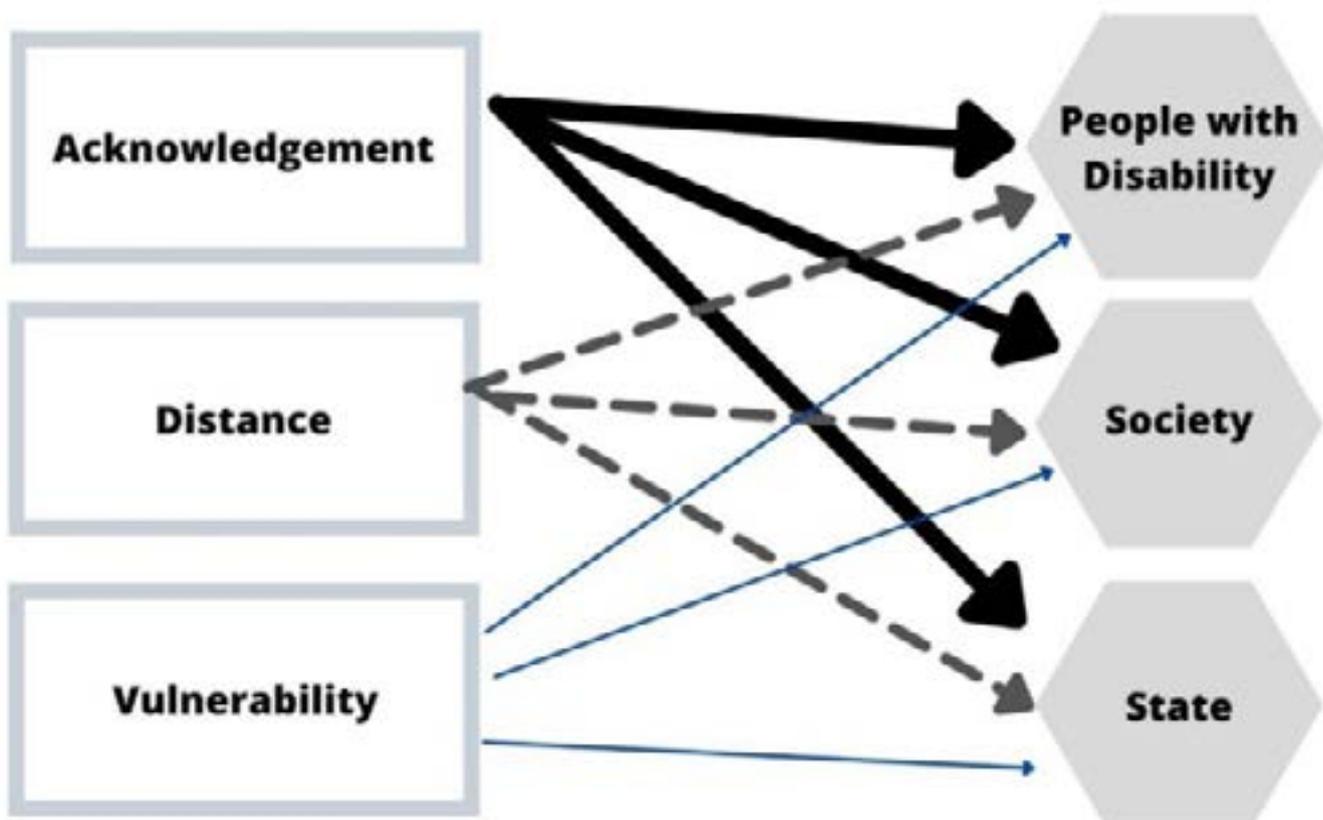
ourselves as people with rights, free and equal. 3) Social esteem, since the valuation of qualities and capacities of individuals is what gives a sense of solidarity, since humiliation or devaluation endanger identity. These three categories allow for self-respect, self-esteem, and self-confidence (Honneth, 2003).

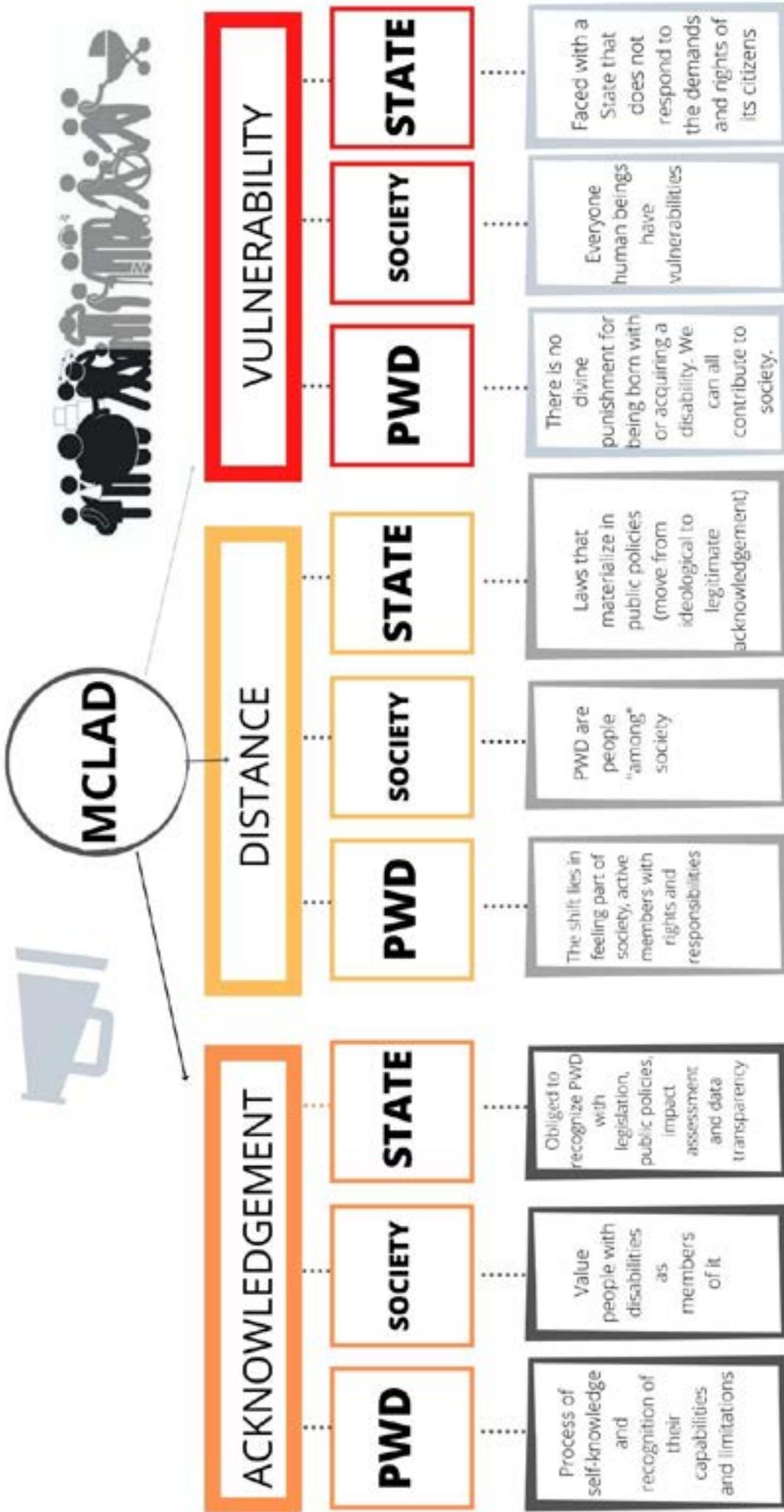
By virtue of the MCLAD, we understand that each of these three forms of reciprocal recognition (love/rights/social esteem) sheds light onto the triple correlation (person/society/State) and its three categories (recognition, distance, and vulnerability). Of the three proposals put forward by Honneth, we understand that love is the one that guides the others, just as the recognition category is the basis of the MCLAD. Every act of love implies an act of legitimate acknowledgement.

The categories and axes of the MCLAD

In the next graphic are described the three categories that the MCLAD proposes: recognition, distance, and vulnerability. In turn, each of them is related to the three axes: person with disability/society/State⁸. Analyzing the dynamics of these relationships will provide us with the necessary elements to understand the proposed turnaround.

⁸ The State here is used as a synonym for Government.





Final considerations

When we affirm that the MCLAD implies a paradigm shift, we mean that it provides some elements from legitimate acknowledgement to complement aspects which inclusion does not address. These are: the self-acknowledgement of people with disabilities and the sense of responsibility linked to empowerment; vulnerability as a category of reconciliation, which is typical of every human being; the contribution of the Phenomenology of the Among to think about how relationships and practices actually occur in society and, finally, the role of the State, which must watch over all its citizens, avoiding the distance between discourse (laws) and practices and, above all, avoiding exclusion from the system due to lack of monitoring of actions.

In this sense, the notion responsibility in self-acknowledgement and as part of empowerment, requires that the person with a disability themselves go through a process of acknowledgement and self-knowledge, to understand what they can and cannot do, that is, which are their abilities, strengths, and potential, and which are their weaknesses and limitations. The possibility of looking at ourselves with truth and honesty allows us to avoid frustrations. At the same time, self-acknowledgement is not only knowing and fighting for their rights, but also fulfilling their duties. For people to acknowledge themselves,

they must first recognize themselves as protagonists of their actions, and this implies being responsible.

In reference to what has been exposed, we can say that self-knowledge requires the presence of others, mutual recognition. That is, identity and alterity are united. From the point of view of social vulnerability and the demands of justice, awareness of non-recognition by others is essential. It supposes the denunciation not only of the areas of vulnerability that generate greater susceptibility, but also of the situations in which vulnerability is caused by the lack of power, by the impossibility of fighting against such elements.

This quote is fundamental for our model because it leads us to understand why moving from inclusion to acknowledgement is essential. Anchoring ourselves in the paradigm of inclusion means accepting that there is a “power over others”, over those who are outside and must be included. To acknowledge them as individuals who are “part of” and “live among” society will be the step towards a true coexistence, where diversity is understood as intrinsic and where all voices are legitimized.

Another implication of the MCLAD is to consider vulnerability as a category of reconciliation. It is necessary to focus on the category of vulnerability as constitutive of human beings and not only

as a result of inequalities and struggles for recognition that have not reached consensus. We understand, together with Javier de la Torre Díaz (2017, op.cit), that we are all inserted in a network of reciprocal relationships in which, generally, what each individual can give depends, in part, on what they have received. Forgetting what was received and what our future needs makes us deeply vulnerable as well as denying our fragility, since it is an intrinsic quality.

For the MCLAD, the importance of the category of vulnerability is to be able to understand it as a “possibility of” and as constitutive of people. Accordingly, De la Torre Díaz affirms that vulnerability is a transforming source of the world, a condition “to receive” the radical donation from parents, the elderly and society (De la Torre Díaz, 2017a). Therein lies the importance of learning to receive, to welcome, to depend, to cultivate the virtues of receiving. For this reason, for him “vulnerability is absolute acceptance; it is knowing how to be limited in order to grow up. Vulnerability is feeling fragile and opening up to the possibility of healing and acceptance”. That is why vulnerability “is not a passivity but an opening to a possibility of encounter and communion” (J. de la Torre Díaz, 2017b, p.167). In this sense, he comes to the conclusion that what builds our vulnerable humanity is “the possibility and opportunity to live recognizing our vulnerability and recognizing the value

of the vulnerable in their wounds and beyond their wounds” (J. de la Torre Díaz, 2017b, op.cit.). Translating this reflection to the theme of disability, we can say that it is necessary to recognize the person beyond their limitations, but with them. It is important to look at the person with disabilities first as people and with their potentialities, call them by their names and as active members of society. It also implies understanding that all people are worthy by virtue of being people and that their dignity is not related to the “mathematics of capabilities”, but to the fact of being born, growing up, living together and discovering themselves as part of a context in which everyone can add value.

Another important point to ponder is the contribution of the Phenomenology of the Among to the MCLAD. As we have already explained, one of the fundamental proposals made by this Model is its invitation to move from the inclusion to the acknowledgement of people with disabilities as a constitutive part of society. They are society and they make it up. They should not be blurred within the whole of society. In this change of perspective, Miriam Barrera Contreras’ contribution, with her Phenomenology of the Among, is pertinent to our analysis. We can say that people with disabilities live “among” society, in the midst of society, and not just “in” it. This allows us to rethink in the same sense with all the diversities. To substantiate this,

we will delve into this phenomenological vision. According to the author, the concept “among” resists, alters, mediates and welcomes. Therefore, we are not in the presence of a simple concept to explain. The “among” introduces a disruption in the logical-formal rationality, which is necessary in order to elucidate a new “pact” that allows for mutual coexistence. The among is “a frontier rationality that takes the ‘inter’ from which our societies today seek to define themselves as intercultural, interdependent, interdialogical” (Barrera Contreras, 2013, p.246). In that sense, the concept of “the among” approximates but does not merge individuals. It allows people to keep the right and appropriate distance. “The concept of ‘the among’ is a frontier and as such is a space open to difference, but it is also a space for protecting what is our own, or what —at least— we experience as ‘our own’” (Barrera Contreras, 2013, op.cit.).

Based on this analysis, the Model of Communication and Legitimate Acknowledgement of Disability considers that people with disabilities resist within society through their struggles for acknowledgement. They are “among” society, although discursively they are looked at—and treated—as if they were outside of it, and it is believed that the duty of society (which excludes PWD) and of the State is to include them. But as Barreras Contreras clearly states, mediation occurs between the individ-

ual and the collective. In the same vein, the MCLAD maintains that acknowledgement also involves people with disabilities themselves. At the same time, it promotes bringing this distance into tension and conflict, through the three categories of the Model and the triple link (person/society/State). Furthermore, this perspective reinforces the idea of the need to reduce the distance which is latent between what is “inside” and “outside”. Society should acknowledge PWD as part of it, not as members who are outside and must be incorporated. People with disabilities constitute the richness of social diversity.

From what has been previously analyzed and explained, we can assert that the notion of “the among” is not homogenizing, but rather heterogeneous and it gives space to diversity as a social value.

Finally, another implication of this Model is the necessary active role of the State. This point underlines that the State—as guarantor of the rights of all its citizens without exception— must ensure the mechanisms to eliminate the distance between the regulation of a law and its effective implementation, as well as monitoring the actions and their results. In this sense, the MCLAD proposes four steps for an effective legitimate acknowledgement (not only ideological, following Honneth): 1) Regulation of the law; 2) Public

policies that turn a law into concrete actions through programs, projects, etc.; 3) Monitoring and assessing the impact of these public policies; 4) Data transparency, that is, public access to the results of said assessments. By following these four steps, the State can ensure compliance with laws in favor of people with disabilities and optimal social coexistence, without bureaucratic barriers. Otherwise, if the State only focuses on regulating the law, but there are no accompanying government programs, acknowledgement will only take place at the discursive level. On the other hand, if a law is regulated and programs are developed, but there is no control over them, this can lead to other types of exclusions, such as falling into mere welfare, or in other cases, enabling bad practices and corruption. Finally, if there are regulated laws, programs and impact assessments, but the State does not share the results, nor does it allow access to specific requests from entities, for example Civil Society Organizations, due to the lack of transparency, new distances are created, which will hamper acknowledgement policies.

For the new paradigm to be in force, it is necessary to reduce the gap between legitimate and discursive acknowledgement on the part of the State (especially with regard to compliance with disability laws). In addition, it is necessary to promote self-awareness among people with disabilities (both of their limita-

tions and their capacities, emotions, interests, rights and responsibilities) and foster their empowerment as members of society, who are within society and not outside it.

Also, we go back to the idea that every act of love implies an act of legitimate acknowledgement: love expressed in social esteem (Society), in self-knowledge and self-respect (PWD), and love expressed in protection (State). And the same for others diversities.

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SPORTS

Sport and Human Rights

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Introduction

Sport is an inherent part of our global society, having a great unifying power. A joy of movement, individual and team competition, a strive for excellence, commitment, cooperation, respect and fair play are among universal values and benefits offered by sport. Unquestionably, these values have a great potential of promoting and enforcing human rights. According to UNESCO¹ sport can teach us fairness, teambuilding, equality, discipline, inclusion, perseverance, respect, and sport has the power and capability to learn them, thus contributing to the development of skills among individuals and communities. In turn, the Christian perspective on sport and the human being states that a fundamental theme in sport is “giving one’s very best”. Sport is called “a universal phenomenon”, which “serves the human person in his or her integral development (...) and fosters loyalty in interpersonal relations, friendship, and respect for rules”².

1 UNESCO (n.d.).

2 Dicastery for Laity, Family and Life (2018).



BEST HOLIDAYS
KARATE



OLYMPIC SPORTS
PERFORMANCE

Given the importance of sport for global society, the main aim of this article is to present the various aspects of sport-human rights nexus. Sport can be understood multidimensionally, i.e.: as a physical activity on amateur and professional level, as an industry and branch of economy, as an element of public policy for healthy living, leisure time and well-being among people. Also, the role of international sporting competitions due to their recognition and public attention should be highlighted, having a potential to bring many social benefits on the one hand, but also carrying inherent risks³ including to human rights on the other. Through this paper, we would like to depict the major areas of the relationship between sport and human rights as well as to identify problems, challenges and good practices that are related with these two issues. Furthermore, the role of two leading international sport organisations, namely IOC and FIFA will be also presented with characterising their approach to human rights. The context of coronavirus pandemic cannot be omitted; thus, it will be also mentioned in what way and how sport could be a catalyst for global recovery. The article concludes with a case study of “Best holidays karate for children” project carried out in Rwanda with presenting the role of sport in achieving the human rights and social development.

Legal foundations for human rights in the world of sport

But first, let us outline the formal background for human rights in the world of sport. The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights proclaimed in 1948, which has become a global, and widely recognised, common standard in setting out and protecting fundamental human rights, together with inspiring and laying the foundations for the adoption of dozens of human rights treaties permanently applied at global and regional levels. At the heart of Declaration lies a right to lead a life in dignity, health, freedom, and secure well-being for all, irrespective of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include, among others, that everyone has the right to: work with appropriate working conditions and wage, freedom of expression, education, adequate

³ Institute for Human Rights and Business (n.d.).

standard of living⁴. Therefore, the Declaration can be perceived as a foundation for several advances of human rights in the areas related with sport. Another important document for stakeholders in sport industry is the UN Guiding Principles on Business and Human Rights, which is dedicated to the issue of human rights and transnational corporations and other enterprises⁵. Sport as a branch of global economy generates substantial profits, operates between different economic sectors and creates employment. Therefore, all entities and stakeholders in their activities and operations should comply with these Principles, enhancing the highest standards and practices concerning the world of sport and human rights.

In turn, the importance of sport in sustainable development has been addressed by the UN 2030 Agenda for Sustainable Development. In the following paragraph 37 of the UN 2030 Agenda, it is stated that “[s]port is also an important enabler of sustainable development. We recognize the growing contribution of sport to the realization of development and peace in its promotion of tolerance and respect and the contributions it makes to the empowerment of women and of young people, individuals and communities as well as to health, education and social inclusion objectives”⁶. It is a conventional wisdom that physically active society is a healthy society. Therefore, sport should be treated as a powerful source and tool for social development and inclusion and a universal platform to emphasise the importance of human rights, individual dignity, right to secure living needs, and to enhance human capabilities. These aspects are of particular importance for youth population development because for many of them sport and athletes as role models are motivation for shaping their character and virtues and pursuing their life goals and dreams.

Finally, the context of coronavirus pandemic cannot be omitted when it comes to the role of sport in global recovery. The importance of sport in this process has been acknowledged by the United Nations and its report entitled “Recovering Better: Sport for Development and Peace. Reopening, Recovery and Resilience Post-COVID-19”⁷. Even though the world of sport has been itself considerably affected by the

4 UN (n.d.).

5 UN Human Rights (2011).

6 UN (2015).



pandemic – many sporting events were cancelled or postponed, including the Tokyo 2020 Olympic and Paralympic Games, it has also contributed to tackle the pandemic; for instance, sports venues and stadia provided space for testing centres or temporary hospitals. Undoubtedly, sport plays a very important part in building better world, well-being and sustainable development, and so enhancing human rights. Thus, the United Nations have called all Member States to integrate sport and physical activity into national strategies for social and economic recovery from the Covid-19 pandemic⁷.

Challenges and risk in the world of sport considering human rights

On the one hand, sport and sporting events can give a boost for human, social and economic development, consequently having a potential to advance human rights. Apart from the soft skills that can be acquired through going in for individual or team sports including respect, cooperation, teambuilding, leadership, sport industry contributes to the overall economy through job creation, increase in employment opportunities or general urban regeneration, especially in the areas where sporting events take place such as the Olympic and Paralympic Games, which are attributed to a particular host city. On the other hand, many severe incidences of human rights violations in the world of sport are reported. They concern athletes, local communities – especially those living in the neighbouring areas to the sports venues, people working in sport industry or construction sites during the preparations for sports events. Unfortunately, many direct or indirect forms of harassment, abuses and discrimination directed at athletes and sportspersons are present. Those often appear on social media platforms; therefore, there should be increased efforts from technological giants to improve their anti-discrimination policies and react when offensive and disrespectful content is created and shared. The role of education is also very important in preventing negative behaviour to show that sport is a universal value that unite people around the world and gather us around a celebration of sport competition in the spirit of fair play. The rights of athletes and sport-related people should be further enforced and developed, also by giving them a strong mandate and representation in decision-making sports-bodies to tackle and prevent any violations.

⁷ UN (2020).

Other forms of human rights violations in the world of sport are linked to organising sporting mega-events, especially to people living in the vicinity of sports venues or working on construction sites. Unfortunately, over the past few decades many adverse impacts have been observed such as⁸: forced evictions and displacements⁹, unsafe labour conditions¹⁰, suspending regular rule of law, creating laws that exclude or impede participation into decision-making, various forms of discrimination, disregard for environmental issues, economic abuse, lack of adequate housing or lack of freedom of expression. These concerns and risk during the organisation of sporting mega-events should be tackled and remedied by major stakeholders and organisers, host governments and decision-makers, also through involving local communities into active dialogue and governance structures to develop best solutions that would serve the whole of society, especially those directly affected¹¹. This could increase an accountability and transparency in delivering sports events, thus contributing to foster human rights.

Undoubtedly, a growing public awareness about the importance of human rights in the world of sport have been observed over the past years. Sport is a multidimensional and universal platform for addressing the fundamental rights of every human being, however in light of recurring reports on several human rights' violations, there is still much work to be done to improve human rights' policies, strategies and mechanisms of prevention and remedy in the world of sport.

The process of institutionalisation of human rights in the world of sport

The significance of the inherent relationship between sport and human rights is evidenced by its growing institutionalisation thanks to establishment of organisations, strategies, programmes, as well as greater and more efficient collaboration between stakeholders. As a result, more sports and non-sports' organisations, which operate in the fields of sport and human rights, emerge at local or internation-

8 Examples of human rights violations linked to the following five editions of the summer Olympic Games: Sydney 2000, Athens 2004, Beijing 2008, London 2012, Rio 2016 have been enumerated in article by Graeff & Fernandes (2019).

9 Crout (2018); Porter, (2009); Zirin, (2016).

10 Human Rights Watch (2014).

11 See also McGillivray, Edwards, Brittain, Bocarro, & Koenigstorfer (2019).

al level. One of the examples of a very broad coalition having sport and human rights at the core of their activity is the Centre for Sport & Human Rights. Its mission is “to advance a world of sport that fully respects and promotes human rights by generating awareness, building capacity and delivering impact”, and so “to fully align the world of sport with the principles of human rights”¹². The organisation’s mission builds on the Sporting Chance Principles developed to “affirm a shared commitment to realising human rights in and through sport” to ensure that sport and all related areas are fully aligned with the fundamental principles of human dignity, human rights and labour rights¹³. This organisation unites multi-stakeholder actions and engage in mega-sporting events, sports bodies, sponsors and broadcasters, governments and IGOs, people and communities, thus substantially invoking a constant need and commitment to working towards the fulfilment of these Principles. These actions are aimed at preventing human rights violations linked to sport, ensuring remedy for those affected by human rights abuses and harnessing opportunities to promote human rights in sport that contribute to positive change, impacts and benefits for all¹⁴.

International sport organisations (ISOs) should appear in a role of duty-bearers and significant advocates of respecting and promoting human rights. An increasing number of ISOs have implemented the principles of human rights into their statutes, codes of conduct, and based on those actions it can be concluded that human rights nowadays are one of priorities for such organisations. Let us present two examples of the IOC and FIFA.

Building on Olympic Agenda 2020 and being aligned with core United Nations (UN) standards, in March 2020 the IOC unveiled an independent expert report presenting *Recommendations for an IOC Human Rights Strategy*¹⁵. The IOC’s approach to human rights derives from a philosophy of Olympism which is the core of the Olympic Games. Fundamental Principle 2 in the Olympic Charter¹⁶ states explicitly that “the goal of Olympism is to place sport at the service of

12 Centre for Sport and Human Rights (n.d.-a).

13 Centre for Sport and Human Rights (n.d.-b).

14 Centre for Sport and Human Rights (n.d.-a).

15 Prince Zeid Ra’ad Al Hussein & Davis (2020).

16 IOC (2020b).

the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity". Moreover, Fundamental Principle 4 provides a clear reference to human rights where "[t]he practice of sport is a human right" and that "[e]very individual must have the possibility of practising sport, without discrimination of any kind". Finally, Principle 6 expands on the abovementioned statements by declaring that "[t]he enjoyment of the rights and freedoms set forth in this Olympic Charter shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status". Another important document is the IOC Code of Ethics, which stands for respecting ethical principles, also regarding human dignity, human rights and rejection of any forms of discrimination and abuses¹⁷. In the vein of the Olympic philosophy the new IOC human rights strategy should be based on the following six comprehensive principles¹⁸: "1. Putting athletes at the centre of sport means recognising sports bodies' responsibilities towards them; 2. Sports-related bodies should respect the rights of all stakeholders affected by their operations; 3. The IOC's responsibility for human rights is broader than, and different from, the IOC's legal liability and its 'jurisdiction', 4. Enabling access to remedy for severe human rights harms in sports is essential to "responsible autonomy", 5. Good governance is essential to, but distinct from, preventing and addressing human rights risks".

Moreover, from a perspective of human rights protection in the Olympic and Paralympic Games an important regulation has been introduced in the Olympic Host Contract¹⁹. This regulation enhances human rights protection and their respect and "ensure that any violation of human rights is remedied in a manner consistent with international agreements, laws and regulations applicable in the Host Country and in a manner consistent with all internationally-recognised human rights standards and principles, including the UN Guiding Principles on Business and Human Rights, applicable in the Host Country"²⁰. It adds

17 IOC (2020a).

18 Prince Zeid Ra'ad Al Hussein & Davis (2020, pp. 20-23).

19 Olympic Host Contract – a document describing relationships between the Olympic Host(s), the Host National Olympic Committee (NOC), the Organising Committee for the Olympic Games and Paralympic Games (OCOG) and the IOC and their respective responsibilities regarding the planning, organising, financing and staging of the Olympic and Paralympic Games.

20 IOC (2017, p. 16).

a point about a prohibition of any form of discrimination with regard to a country or a person on grounds of race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status”²¹. The above points included in the Olympic Host Contract are an important formal commitment to human rights protection during each stage of the organisation of Olympic and Paralympic Games.

The second organisation as a subject of analysis of human rights policy approach in ISOs is FIFA – a world football governing body. Like the IOC, FIFA has also enforced its statutory commitment in human rights in recent years. According to article 3 of the FIFA Statutes “FIFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights”. The FIFA Council in May 2017 published a new Human Rights Policy. FIFA implements its human rights commitment through a four-pillar approach²¹:

- Pillar 1: Commit and embed – FIFA publicly commits to safeguarding its human rights responsibilities and takes action to embed respect for human rights within its bodies and the administration as well as among its member associations.
- Pillar 2: Identify and address – FIFA identifies potential and actual adverse human rights impacts associated with its activities and addresses such risks through adequate prevention and mitigation measures.
- Pillar 3: Protect and remedy – FIFA helps protect those who advocate respect for human rights associated with its activities and is committed to contributing to providing remedy where individuals have been adversely affected by activities associated with FIFA.
- Pillar 4: Engage and communicate – FIFA will engage with external stakeholders in a structured manner and will communicate regularly and transparently with its stakeholders and the public about its efforts to ensure respect for human rights.

Based on above examples of strategies and policies adopted by leading ISOs it can be concluded that these entities formally acknowledge the need for embracing human rights as an essential part of their mission, operations and activities. However, there is the other

²¹ IOC (2017, p. 16).

²² FIFA (2017).

side of the coin, namely, whether these policies are, and will be truly implemented and enforced in practice, so that ISOs and other stakeholders really demonstrate their accountability. Undoubtedly, the latest developments and amendments to the human rights strategies in ISOs presented in this article prove their commitment and that protection and respect of human rights as well as remedy measures and solutions seem to be constantly reinforced. But in this process, the role of countries should be emphasised whether they would adhere to human rights standards and strategies. And this significantly depends on institutional quality, the state of rule of law and the level of democratic principles in society.



The role of sport in achieving the human rights and social development.

A case study of “Best holidays karate for children” project in Rwanda

Julia Jastrzābek*

Jean-Claude Rugigana**

As we say before, sport has proven itself as an instrumental tool to promote various policies in our global society. It has been playing a vital role in promoting and strengthening universal respect of human rights and social development. Sport brings people together to interact, play and engage in conversation that build social harmony and learn values across gender, tribe and race.

Sport and human rights are linked as they both help to promote economic, social and cultural rights. It is one of the best tools to change the society as it encourages unity among people regardless of religious or cultural background, gender and tribe. It advances the gender equality, fostering inclusion and helping young people to improve their physical and emotional health and build valuable connections among them.

In 1994, Rwanda experienced the Genocide against the Tutsi where over one million people were killed. Over the last 27 years, sport has immensely contributed to the nation’s development in different aspects.

The power of sport in recovering the nation after the tragedy

After the 1994 Genocide against the Tutsi, the government of Rwanda had given a significant attention to issues related to human rights violations in every aspect and social development. In achieving unity, reconciliation and social cohesion sport was also used as a large majority of Rwandans are sports fans.

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The government has been much emphasising on the use of power of sport to promote the good health and well-being of its citizens by putting in place different sporting initiatives such as the routine bi-month car free day and mass sports across the country. All these sports development programs helped Rwandans to harness what unites them than what divided them but also to promote the healthy lifestyle.

Rwandans' rights and sporting nation policies have been among the priorities of the government. Rwanda ratified international legal instruments including Universal Declaration of Human Rights, the Convention on the Elimination of all Forms of Discrimination Against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. Rwanda has also adopted different sports codifications such as the UNESCO International Charter of Physical Education, Physical Activity and Sport and the Olympic Charter through the Rwanda National Olympic and Sports Committee just to name a few.



The impact of “Best Holidays Karate for Children” project on human rights and social development

Through the International Olympic Committee Young Leaders Programme, the “Best Holidays Karate for Children” project was implemented in partnership with the Champions Karate Academy. The program which was a sports camp took place during school holidays over a period of one year from 2019 to 2020 and it was designed with the aim of promoting the Sustainable Development Goal 3: Good Health and Well-Being, and the Olympic values among the Rwandan youth. Young people from 4 to 16 years of age benefited from this project by mainly exploring karate but also other sports such as basketball, sports chanbara and badminton.



The project idea was created to address the lack of activities offered to children during their school holidays as they have been wasting time watching television and playing video games during these breaks. It was a concern that was shared by their parents in Kigali city. As they were looking for a safe place where their kids could be occupied with sport, learning and educational activities, the project idea and objec-

tives resonated with parents. The project has been promoting the right to play and social development among the children considering the following aspects:

a. Promoting physical and emotional health

Engaging in sport keeps the body healthy, improves social skills and mental health. Sport has been used to raise awareness, to handle mental health stigmas and help with mental health issues to become more active.

The “Best Holidays Karate for Children” project has been focusing on the Sustainable Development Goal 3 and its sports camp program has been a great and safe environment to develop a sporting habit for life while making karate and physical activity accessible to many children as possible including the disadvantaged ones and promoting the social development among them. As a result, the participants are now more prone to focus and accomplish the tasks they have been given to do at home and at school, and they have gained self-confidence that allows them to express themselves fully and with confidence in public.

b. Advancing gender equality and inclusion

Sport helps people to challenge stereotypes that contribute to make girls and women less eager to engage in sports activities. The government of Rwanda is fully committed to ensuring equal rights between men and women without prejudice.

At present, young girls have joined different sports including football, basketball, volleyball, martial arts among others in big numbers including persons with disabilities. They are being given equal opportunities to build their career as professional athletes and also holding top leadership roles in sports and this helps to raise their voice on issues related with human rights violations that may occur in sports industry.

Within a one-year period, the project “Best Holidays Karate for Children” has impacted 229 children including 75 girls which is a contribution to the women in sports campaign.

Sport has proven to be a catalyst for promoting inclusion where all people are fully empowered to realise their human rights on equal basis like others.



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c. Fostering unity

Sports has the power to foster unity and reconciliation as it brings people together and promote social cohesion. The “Best Holidays Karate for Children” camp helped every child to enjoy right to play as entitled regardless of gender, disabilities or religious background or any attributes that may lead to persons being excluded.

Furthermore, the children were also taught to respect and learning from their differences and recognised that everyone is born free and equal in dignity and rights. It helped them to accept others as they are and learned to forgive each other instead of revenge.

Conclusion

To conclude, this article demonstrates that sport and human rights are inextricably linked with each other. Sport provides a sense of community and social inclusion, mutual respect, space for dialogue, foster gender equality or tackle discrimination. These aspects create favourable conditions for respecting human rights and are also consistent with the principles of the Economy of Francesco.

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ENVIRONMENT

Sustainable development paradox's.

From thought to action

Kathleen Zegarra Delgado*

“We are faced not with two separate crises, one environmental and the other social, but rather with one complex crisis which is both social and environmental. Strategies for a solution demand an integrated approach to combating poverty, restoring dignity to the excluded, and at the same time protecting nature”.

Pope Francis, LS 139

We live in a world that is immensely rich but at the same time extremely poor: According to the World Bank in its Report on world economic perspectives, it considers that the impact of covid19, with the forecasts of January 2021, the number of additional poor people in the world is estimated between 119 and 124 million, 60% of which, approximately, they inhabit South Asia. In this sense, reality shows us every day that under the pretext of excessive, uneven economic development, without a social face, it is possible to destroy nature and thus self-destruct.

The biggest mistake is to believe that we are in a disconnected world; where economic activities and their environmental and social consequences are not linked. Let me make a parallel with the human brain, here neuron systems interact, in turn they are made up of cells, made up of nucleus, ribosomes and other components. The human brain is not reduced to a certain group of neurons or neurotransmitters, they need to be interconnected to function properly.

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The same happens in our relationship with the planet, discerning that our behaviours with the Earth have an impact on the alterations caused as a result of climate change. Understanding the world and seeking its improvement is the idea of effectively embodying the concept of sustainable development, paraphrasing Sachs 2015, p.14: *"We must accept this complicated reality that connects production systems, people, governments, companies but also connects us with the Physical Earth in an unprecedented way"*

In this sense, we will address the progressiveness of the right to a healthy and balanced environment, sustainable development embodied from its most remote normative antecedents, considering the Stockholm Declaration, the Brundtland Report, the Rio Declaration that sought an adequate relationship between man and society. Nature, however, its excessive consumerism and super industrialism influenced the acceleration of the greatest ecological crisis: Climate change.

I consider it essential that to solve the problem of climate change, the denial of the principles as essential elements in our internal legal system would lead to finding ourselves involved in climate inaction, reflected in Giddens' Paradox, which holds: dangers posed by global warming are not tangible, immediate or visible in the course of everyday life

[...] many arms will cross and do nothing concrete about it.

In this context of pandemic, with a digitized economy focused in the aggressive consumerism and the human being reduced to cold statistics. Our challenge is to return to *sumak kawsay* -a term in Quechua that means the art of good living; with greening of the ethics and irradiating the political-economic that involve the care of our common home, the humanization of science and the connectivity of law.

Relationship between humans and environment: We are not above nature. We are from nature.

Postura de la Iglesia sobre los derechos de la naturaleza

What is the relation between human and environment? Is a sole owner of creation? Some questions invite us for rethink our role in the planet, we should be walking a process the transformations our lifestyle, mind, actions and discover our really role: Custodians our Common Home because we are from nature. I explain:

Currently, man believes that he is empowered to apprehend and exploit all the natural resources at your fingertips; likewise, we are in front of narcissistic selfishness of rulers who seek to create schisms between countries with the purpose of becoming the *"new oil sheiks"*



Picture by Gonzalo Saenz de Mieira: Let's not forget - there will be no vaccine for climate change.

or applying techniques of “*bureaucratic deregulation*” without technical or legal basis because, in his opinion. The obtuse environmental issue constitutes a hindrance, this type of attitudes is leading to a true *ecological default*.

Man is the summit of creation, his relationship with God is based on a collaborative bond with the planet, he exercises dominion over nature, but not in an absolute way, but must maintain an attitude of respect with other creatures, to the limits of nature itself. These premises were already for example considered since Pope Paul VI (1971) in the Apostolic Letter, *Octogesima adveniens*, stating that the human being, “due to an inconsiderate exploitation of nature, runs the risk of destroying it and being in turn a victim of this degradation”.

In this same vein, Saint John Paul II (1979) in *Redemptor hominis*, expresses: it was the Creator’s will that man get in touch with nature as an intelligent and noble “owner” and “custodian”, and not as an “exploiter” and “destroyer” without any qualms (RH 15). It exhorts not to look at nature only for utilitarian and consumer purposes.

Subsequently, Pope Benedict XVI (2009), in the encyclical *Caritas in veritate*, expresses the need to harmonize the relationships between human beings and nature, with the main emphasis on reviewing our lifestyles, the consequences that this behaviour entails for our lives. our self-destruction and damage to the planet (CV 51).

The encyclical *Laudato Si*, that the Holy Father links science and our faith in the face of ecological challenges, which as members of the same human family we have to face. Use the phrase "Praise You!" Coming from the song of praise to the creatures of Saint Francis of Assisi, praise that symbolizes the call to remind us that our Earth, is a sister with whom we share our existence, welcomes us into her arms like a beautiful mother. The Genesis already told us; we are Earth! And each element such as water and air imbue us with it.

It is contradictory, but in the face of the undeniable situation of impairment, detriment to our Common Home, we continue to conceive the concept of "development" above the destruction of the ecological balance, placing our own survival at risk, only with the erroneous desire to achieve prosperity, a success that destroys everything in its path, provokes and affects the self-destruction of the human being, his dignity and the environment where he coexists.

The weather chaos must come to an end, it is convenient to take up a message of respect from all the inhabitants towards the planet; According to what was expressed by Patriarch Bartolomé in *Laudato Si*: "That human being destroys biological diversity in divine creation; those human beings degrade the integrity of the Earth and contribute to climate change, stripping the earth

of its natural forests or destroying its wetlands; those human beings pollute the waters, the soil, the air. These are all sins. Because "a crime against nature is a crime against ourselves and a sin against God." (LS 15-16)

It is not enough to speak and declare, it is essential to define it, because the consequence is to be left without a planet and to become a population in a phase of extermination. I mention these words of the extermination phase because that is what ecological disasters make our planet.

In *Laudato Si*, Pope Francis shows us how we must advance in the process of ecological conversion. As the spiritual guide of the Church, he addresses in depth current and future global problems, and draws from them indications about the direction we should take for the good of our common home, the home of humanity.

The man-nature binomial is oriented to concretize an authentic ecological conversion, it means, the loving awareness of recognizing our connection with other creatures, in communion with them, expressing gratitude and gratuity to the work of the Creator, it means transcending the individual sphere and get involved in the formation of community networks capable of nurturing a passion for caring for the world, from everyday habits to forging new paths

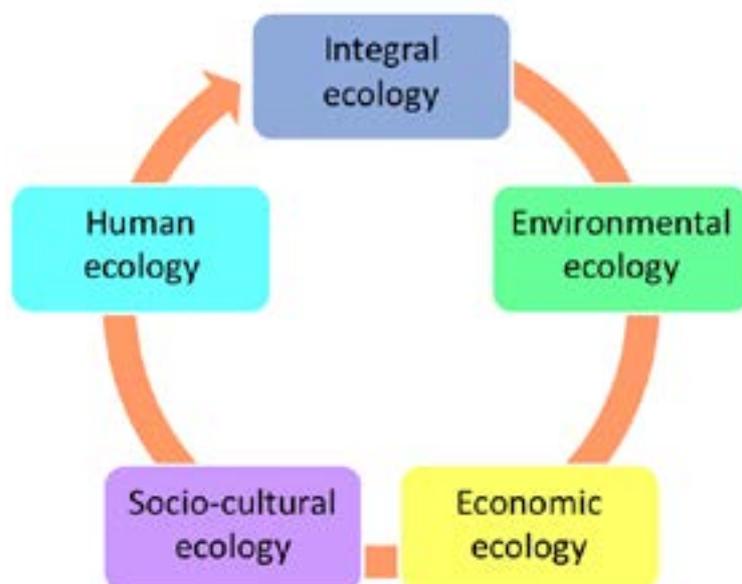
that generate pressure on those who hold political, economic and social power. (LS, 206-219).

The signs of the times demand that we understand our origin from the same source, combat the moral dilemmas typical of modern anthropocentrism (ease, consumerism, relativism, indifference, throwaway culture, the technocratic paradigm) and assume the role of responsible administrator of our home common, paraphrasing the Holy Father in *Fratelli tutti*: To care for the world in which we live means to care for ourselves. Yet we need to think of ourselves more and more as a single-family dwelling in a common home (FT, 17), with universal conscience and intergenerational morality.

Greening the thought and the actions that derive from it, implies looking back at those who understood and internalized the importance of human relationships with the beauty of the surrounding nature, that is, our native peoples, our brothers have demonstrated - says Pope Francis in the Apostolic Exhortation *“Querida Amazonia”* : If the care of people and the care of ecosystems are inseparable (...).The wisdom of the original peoples of the Amazon region “inspires care and respect for creation, with a clear consciousness of its limits, and prohibits its abuse. To abuse nature is to abuse our ancestors, our brothers and sisters, creation and the Creator, and to mortgage the future. (QA,42).

Since the appearance of the human being on Earth, a bond was created with it, but with the passage of time it became increasingly weaker, prisoners of ease, we tried to cling to an apparently comfortable life, forgetting the place that allows us to live. but we have damaged uncontrollably. Thus, ecological disasters such as the loss of biodiversity, climate change, the use of polluting energies, pesticides, the loss of water, among others, are alerts of the extermination in which we find ourselves immersed.

However, the solution is within our reach, it is not based on a “magic formula” but consists of a change of vision of the world, where everything is connected, adopting a multidimensional option such as integral ecology, this new paradigm that involves a circular vision with different edges:



The connectivity of integral ecology links environmental ecology that allows seeking integral solutions that consider the interactions of natural systems with each other and with social systems; economic ecology based on capable of forcing to consider reality in a broader way, where the protection of the environment must constitute an integral part of the development process and cannot be considered in isolation that it summons the different knowledge, also the economic one, towards a more comprehensive and inclusive look.

On the other hand, sociocultural ecology means paying attention to local cultures when analysing issues related to the environment, putting scientific-technical language in dialogue with popular language. In the same way, human ecology, which the poor can develop in the midst of so many limitations with centrality in human dignity, which calls us to an integral and integrating perspective. Everything is connected, the health of the institutions of a society has consequences on the environment and on the quality of human life (LS, 137-148).

The human-nature nexus is to assume integral ecology from the commitment and responsibility with society, nature and at the same time humanize the economy, disregarding the logic of immediate revenue and betting on integral human development.

Growth is not producing a type of society that is good for humanity. It is not producing the social interactions that allow us to prosper as individuals and members of a community. And, in essence, it is attacking the earth. It is undermining the life systems of the planet itself.

Humanity is violating physical limits that are dangerous for us, in the sense of human-made changes in the chemistry of the air, the land, the oceans that have profound and extraordinarily dangerous implications for survival. The survival of millions of species, survival and well-being of our own species.

With this panorama, although alarming and gloomy, it claims to understand that people are from nature, creation is an interconnected whole, this is a wake-up call and its appeal for moral action in a combination of a common home, a global economy, but founded on social inclusion and environmental sustainability.

Sustainable development paradox's

[discusión sobre los derechos de la naturaleza]

The dilemma between economic growth and environmental sustainability has always been presented as something inevitable, traditionally considering that an increase in the environment

forces us to take measures that inevitably delay economic development. Initially, it was sought to avoid the possible collision of both categories.

The behaviour of human beings in relation to their excessive exploitation of natural resources dates from the Club of Rome, a private association made up of businessmen, scientists and politicians, an entity that commissioned a group of researchers from the Massachusetts Institute of Technology (MIT) to analyze the Report on Growth Limits under the direction of Dr. Meadows, warning about ecological catastrophes that could arise as a result of excessive human activities, mathematizing the excesses of industrialization, environmental pollution, food production and the depletion of resources on a global scale, that if this trend continued, we would reach the growth limits of the planet in one hundred years (DL Meadows, 1972, pp. 1-3)

It is evident that there was a need to change human and political passivity to reverse these situations capable of placing the finite resources of our planet and its inhabitants at high risk, since the apparent threats were becoming reality and the fallacy of progress did not. It neither consigned the limits of the Earth nor did it seek to change the immediate, consumer habits.

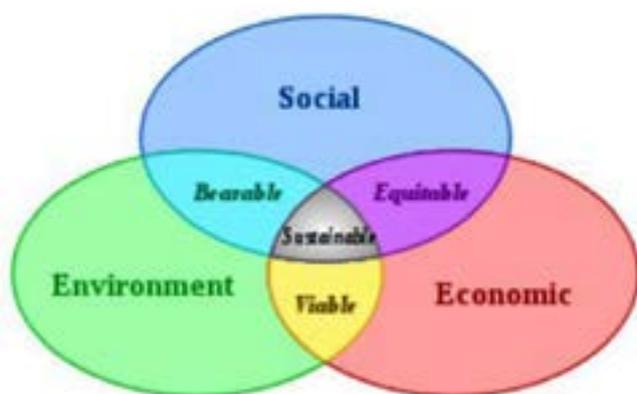
However, industrialized countries showed a clear refusal to neglect economic growth and in order to find possible solutions, meetings began to be held between experts from developed and developing country governments, academia and non-governmental organizations, giving rise to the Founex Report of 1971, recognizing the possibility of connecting the economic and the environmental, this would be the precedent to build and promote the acceptance of the States of the concept of sustainable development (Salmón, 2020, p.284).

The emergence and understanding of the term sustainable development as a comprehensive and inclusive paradigm, invoking the harmonization of social, economic and political dimensions on a global scale, requires structural and lasting solutions on the part of States, whether developed or developing, companies and their own. civil society as a whole. From this it follows that economic growth has limits: The preservation of the natural foundations that sustain life.

In the context of international environmental law, the 1972 Stockholm Declaration on the Human Environment stated that man has a fundamental right to freedom, equality and the enjoyment of adequate living conditions in a quality environment that allows him lead a dignified life and enjoy well-being, but it

also implies a solemn obligation to protect and improve it for the well-being of present and future generations (criterion of intergenerational justice). In this way, it proclaims the areas of the human environment: natural and artificial, both unavoidable for the enjoyment of fundamental human rights, including that of life itself.

In addition, the emergence and understanding of the term sustainable development as a comprehensive and inclusive paradigm, invoking harmonization of social, economic and political dimensions on a global scale, demanding structural and lasting solutions on the part of States, whether developed or developing, these being the most vulnerable, consolidating a catalogue of principles, meant the beginning of the universalization of environmental problems, marking a historical milestone.



Picture: Sustainable Development in Brundtland Report 1987

Subsequently, in 1987 with the publication and dissemination of the report called "Our Common Future", better known as "The Brundtland Report", it clearly states that society must modify its lifestyle and habits of life, if the social crisis and the degradation of nature spread irreversibly.

This report on the state of the global environment and its link with current development models, demanded a change of course in production and consumption patterns, invites the challenge of its concrete application, transfers to market and transition economies, involving countries industrialized and developing, admits to conserve assets that nature provides us for future growth.

Next great milestone in 1992 was the Rio Declaration, charged with giving expression to a founding democratic principle: the right of people to participate in decisions that affect their environment and quality of life. Principle 10 is an essential step for environmental governance, facilitating public decisions involving citizens, promoting the so-called rights of access: To environmental information, participation in decision-making for environmental impact and justice, this triad has occupied a central place in the construction of the sustainable development paradigm, integrating the economic, social and

environmental aspects in public decision-making. (Colombo, 2018, pp. 6-7).

The Rio Declaration brought with it the so-called Rio products: the United Nations Framework Convention would provide scopes on the problem of climate change as a global one, requiring cooperation between nations to reduce greenhouse gases that cause alterations on the planet and its components and the Convention on Biological Diversity, a key instrument for sustainable development for the preservation of ecosystems, species and genetic resources; it would be considered in the common interest of all humanity and its quality as an international binding treaty would serve to be enshrined in the Constitutions of the world.

Sustainable Development of the United Nations considers that the declaration of the Millennium Development Goals marks an important milestone, it was in September 2000, where leaders of 189 countries met at the United Nations headquarters to sign the Millennium Declaration, a landmark document by which they pledged to achieve, by 2015, a set of eight measurable goals, such as reducing extreme poverty and hunger by half, promoting gender equality or reducing child mortality.

The Millennium Development Goals were revolutionary because they offered a common discourse to reach a

global agreement. The eight objectives were realistic, easy to communicate and also had a clear mechanism for their quantification and monitoring. The progress made on the MDGs was substantial.

The MDG Fund contributed directly and indirectly to the achievement of the MDGs with an inclusive and comprehensive approach. This approach, inspired by the Millennium Declaration and its emphasis on considering development as a right, focused specifically on traditionally marginalized groups, such as ethnic minorities, indigenous peoples and women.

Also known as the Johannesburg Summit, held from August 26 to September 4, 2002. Focused on sustainable development, it was a call to adopt a different approach to development and another kind of international cooperation; It recognizes that decisions made in one part of the world may affect people in other regions.

The United Nations Sustainable Development Conference or United Nations Sustainable Development Conference (Rio 2012 or Rio + 20) had as its central axes analysing and establishing the foundations of a green or ecological economy, whose objectives are the sustainability and the eradication of poverty and, on the other hand, the creation of an institutional framework for sus-

tainable development, laying the foundations for environmental governance. (Foy, 2013, p.35).

The fundamental issue was to what extent the world can change course and achieve a sustainable future, for which it covers many other issues, such as poverty, fresh water, sanitation, agriculture, desertification and energy, employment, health, education, and also to the oceans, forests, drylands and the atmosphere, problems mainly faced by Africa and small island developing States, in turn promote different ways of life that can put an end to excess consumption and production. (Vera, 2015, pp. 97-99).

World leaders gathered at the Rio + 20 June 2012 Summit decided to fight back. They understood that the world needs a radically new approach. The first thing that world leaders made clear in the conclusions document entitled the future we want is that under no circumstances are we allowed to give up.

Specifically, Rio + 20 focused on how to build a green economy to achieve sustainable development and lifting people out of poverty and how to improve the international coordination for sustainable development. The final document, *El Futuro que queremos*, argues that the post-2015 agenda should be built on the foundations of human rights, equality and sustainability.

With the Declaration of the Sustainable Development Goals in 2015 - which are a restructuring of the Millennium Development Goals are from 2000 a new impetus, a new strength, a new capacity for social mobilization, new resources could be given. and a new political will to a problem that has been present in the public consciousness for more than forty years, and twenty in international legislation.

The SDGs put on the table a new global agenda that will involve the entire world community, not only governments but also private companies, scientists, civil society leaders, NGOs and, of course, students of all the world. Unlike the Millennium Development Goals, whose scope is largely limited to poor countries and leaves rich countries in the role of donors, the SDGs will be universally applicable.

In 2015, the UN approved the 2030 Agenda on Sustainable Development, an opportunity for countries and their societies to embark on a new path to improve the lives of all, leaving no one behind. The agenda has 17 Sustainable Development Goals, ranging from the elimination of poverty to the fight against climate change, education, equality for women, the defense of the environment or the design of our cities.

This Agenda represents a milestone on an international scale, since for the

first time unite poverty and sustainable development, showing that it is not possible poverty eradication without regard for sustainability, issues both that had been working within the framework of the United Nations, but never so far jointly. Likewise, and under the motto “leave no one behind”, people are placed in the center, understanding that there is no possibility development that does not take into account human rights.

But without a doubt, the greatest advance of the 2030 Agenda is that it is an agenda shared and universal. The objectives set are for all countries and all societies. At last, the United Nations and governments agree that development needs are the same for all people, regardless of where they live. We all need health, education, housing, employment, energy, equality, peace and healthy ecosystems to live with dignity, both now and in future generations. (Acha, 2017, pp.16-17).

The key to delivering the Sustainable Development Goals in a truly transformational way is how seriously governments, intergovernmental bodies and stakeholders take their role, singularly or in partnership, in their implementation. The SDGs have been framed as a “we the people” document, rather than taking only a state-centric approach. Its achievement will lie in their ability to inspire people around the world. (Dodds; Donoghue and Leiva, 2016, p. 25)

In relation with the dimensions of sustainable development indicated: economic, social, environmental; The economist Jeffrey Sachs suggests adding governance as a criterion of effectiveness for the achievement of the SDGs, it implies a responsibility with the planetary needs, since within an interconnected world it is necessary to assume commitments and participation of a universal nature.

Efforts towards sustainable development must take place, instead of investing benefits in doing more harm, such as in propaganda against climate change or in corporate lobbies. As we move towards the good governance necessary to achieve the SDGs, we will need that good governance and responsible leadership to be present in both the public and private sectors. (Sachs, 2015, pp. 672-683).

The 2030 agenda awakened in the international community a feeling of joint work with the purpose of solving the serious problems that the world is going through, on the other hand, five years later, there are new problems that demand the attention of States, especially in relation to humanitarian crises to cause of armed conflicts (Syria, for example), climate refugees, and even the pandemic derived from COVID-19.

At the international level, countless countries during 2020 decreed total

confinements of their population in order to prevent the virus from spreading, situations that, of course, had a regulatory nuance, and even debate regarding the restriction of rights. Although this meant improvements in air quality, reduction of pollution, recovery of natural spaces, the increase in the volumes of different waste, including medical, masks, gloves, personal protective equipment, waste that may or may not be infected with the virus, then improper handling of them could cause a rebound effect with serious consequences for human health and the environment.

Environmental human rights to achieve sustainable development. A view from Latin America.

In the first section we have analysed the ecological debt derived from the behaviour and interactions of man with nature, a concern analysed throughout the Magisterium of the Church through various pontifical documents, highlighting *Laudato Si* as the encyclical axis that would build and propose the concretion of migrating towards an integral ecology, capable of mainstreaming and integrating ourselves in concrete solutions to save the planet, which involves the commitment of each one and starts from our lifestyle to the creation of community networks capable of promoting changes in spaces such as the economy and / or politics.

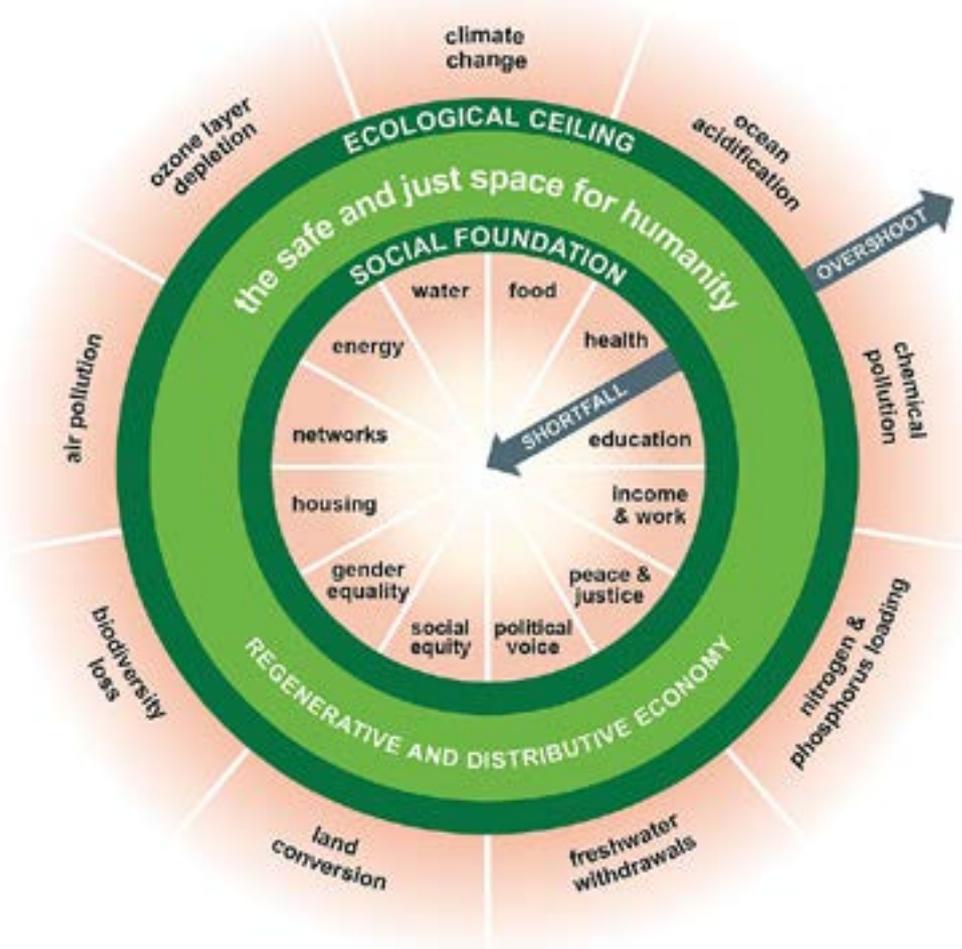
Along these lines, the paradox of sustainable development, described in the second section, we can see that it continues to be a concern at the level of politics and international law, institutionalizing itself since the Conference on the human environment in Stockholm, where the human right to an environment healthy and balanced is considered a necessary parameter to transform the linear economy.

In this regulatory journey, concerns about the climate crisis resurface where the threats of climate change induced by man are beginning to be understood as the main cause of the largest emissions in history capable of affecting the well-being of present and future generations (Davies; Adelman; Grear and others, 2017, pp. 218-219). This era called Anthropocene, fragments the harmony in its different forms of life, causes great impacts on a global scale and affects the responsibility of present and future generations.

Although with the Paris Agreement and with a view to COP26 in Glasgow it calls for a greater commitment from the States, we are losing sight of the fact that the paradox of sustainable development involves two fronts: A necessary change in the economy and the unrestricted respect of environmental human rights.

On the first point, about changing the course of the economy, the Swedish scientist Johan Rockström from the Stockholm Resilience Centre proposed in 2009 a new paradigm that integrates the continuous development of societies and the maintenance of the Earth's systems of resilient and accommodative shape; This means defining a safe operating space at an economic, social and climatic level to respect planetary limits - or of nature itself as we have indicated - to inform efforts towards global sustainability. One proposed approach to the sustainable development goals holds that the stable functioning of the Earth system is a prerequisite for prosperous societies around the world. (Rockström, pp.8-14)

Taking into consideration planetary limits (climate change; ozone layer depletion; changes in land use; fresh water consumption; nitrogen and phosphorus cycle; biodiversity; aerosols; chemical pollution and ocean acidification), economist Kate Raworth designed a model called Donut Economy, where world development could take place within the biophysical limits of a stable earth system and includes social goals that experts say would guarantee the global fulfilment of human rights - for example, the Development Goals. Sustainable (SDG) of the United Nations. Meeting the basic needs of the population demands the planet's resources, and that cannot be ignored either:



Picture: Dimensions of Doughnut Economics by Kate Raworth

It establishes a roadmap to lead humanity to an ideal point where the needs of all can be met with the means of the planet, a compass in the form of a donut points the way to human progress. To these extreme human circumstances must be added the increasing degradation of our planetary home. Human activity is placing unprecedented strain on the systems that support life on Earth. (Raworth, 2018, pp. 9-11). Overcoming thresholds on any of these issues puts human life on the planet at unavoidable risk. The complete picture of these planetary challenges has been lost sight precisely in an inappropriate use of economic language.

Regarding the second front, that is, environmental human rights, are not instrumental in nature, but environmental human rights usefully complement the rights of nature, since nature and environment are inseparable, as suggested the Rio Declaration 1992 in its Principle 1: human beings “have the right to a healthy and productive life in harmony with nature” and the World Declaration of the International Union for Conservation of Nature (IUCN) on the Rule of Law in environmental matters, in its Principle 2. “Nature has an intrinsic right to exist, prosper and evolve.”

In the same time, Pope Francis has already said this in his speech upon receiving in the Vatican a small delegation

of French laity committed to the field of ecology accompanied by the president of the French Episcopal Conference, Bishop Éric de Moulins Beaufort, Holy Father said:

“The Catholic Church intends to participate fully in the commitment to protect the common home. It does not have ready solutions to propose and does not ignore the difficulties of the technical, economic and political issues at stake, nor all the efforts that this commitment entails. But it wants to act concretely where possible, and above all it wants to form consciences to promote a deep and lasting ecological conversion, which is the only one that can respond to the important challenges that we have to face”.

The European paradigm on the rights of nature holds that countries such as Switzerland, Portugal, France, have specified a set of obligations with the government in relation to Nature and its protection. On the other hand, Europe’s natural diversity is part of the regular reporting under one of the main EU legal acts on the protection of nature: the Habitats Directive. This directive, which came into force in 1992, announced the initiation of strong and innovative actions by the EU in the field of nature conservation. The Habitats Directive identifies the most endangered and valuable natural resources.

The two main ways to achieve these objectives are the Natura 2000 network

of conservation areas, which aims to achieve a balance between human activity and wildlife in a living and changing landscape and a strict species protection regime.

Although the rights of Nature do not currently find an express recognition in the legal order of the EU, some factors can be pointed towards a biocentric shift of recognition of the rights of Nature. (Borrás, 2020, pp. 94-95).

In Latin American for example, the 2008 Constitution of Ecuador is the first globally to expressly recognize nature as a subject of rights, admitting its intrinsic value regardless of its usefulness. Along the same lines, Bolivia both in its Political Constitution of 2009, and in Laws 71 of 2010 and 300 of 2012, recognized nature as a subject of rights. In Peru, for example, Bill No. 6957/2020 has been presented to the Congress of the Republic, which proposes the recognition of the rights of mother nature, ecosystems and species.

Two important milestones for Latin America regarding environmental human rights that I consider essential to rescue are:

- Advisory Opinion 23/17 of the Inter-American Court of Human Rights; A consultative competence served as the basis for granting a solution to a contentious case, responding to the right to a healthy environment, transcending

the sphere of indigenous communities and expanding its scope. It is the first contentious case of the Court in which it pronounces on the rights to a healthy environment, to adequate food, to water and to participate in cultural life based on Article 26 of the American Convention on Human Rights.

- The Escazú Agreement; seeks to be an alternative of transversal and inclusive solution for the prevention of socio-environmental conflicts, an instrument capable of safeguarding rights that range from access to environmental information, political participation in decision-making on investment projects, access to environmental justice and the protection of environmental defenders.

In conclusion, promoting sustainable development through environmental human rights means recognizing the need for inclusive and participatory economic agendas, in such a way that governments are held accountable, achieve better results for all, leaving no one behind. Integrating human rights in environmental legislation and policies is to involve civil society in decision-making processes, guaranteeing governance and repairing those damages to the ecosystems and territories of our native and indigenous communities, empowering them in the middle of vulnerability.

Humanizing the economy, the defense of human rights and environmental sustainability invites us to question that indifference, the denial of the environmental and climate crisis needs to find concrete answers and begins with the ecological conversion that arises from grounded in the convictions of our faith, since the teachings of the Gospel have direct consequences for our way of thinking, feeling and living. A commitment this lofty cannot be sustained by doctrine alone, without a spirituality capable of inspiring us, without an “interior impulse which encourages, motivates, nourishes and gives meaning to our individual and communal activity” (LS,216).

Ecological conversion means leaving the individualistic and instrumental logic and responding with generosity and gratuity for our planet, and assuming the role of protectors of the common home is a call to moral responsibility before environmental issues. Everything is connected.

Without ecological conversion we cannot speak of integral ecology, an approach proposed by Pope Francis; This is a path that requires actions from all of us, since there is no social justice without an ecological dimension, nor ecology without social justice. We cannot separate the two crises. The world is sick and the Church, as a people, turned into a field hospital, has the evangeliz-

ing vocation and mission of healing the creation that God has given to all.

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