

THE ETHICS SPECIALIST GROUP (ESG) OF THE WORLD CONSERVATION UNION (IUCN) COMMISSION ON ENVIRONMENTAL LAW (CEL): A THUMBNAIL INTRODUCTION

Since 2003 the Ethics Specialist Group of the IUCN Commission on Environmental Law has worked closely with the Global Ecological Integrity Group. Members of the ESG have participated in GEIG conferences at Urbino, Italy; Montreal, Canada; and Venice, Italy, and members of GEIG have participated in ESG conferences and workshops at Pocantico, New York; Aberdeen, Scotland; and Bangkok, Thailand. There have also been several joint publications. It is anticipated by all parties that this collaboration will continue and grow ever richer in the years ahead. Following is a brief thumbnail introduction to the ESG in five parts: The World Conservation Union, Mission of the Ethics Specialist Group, The ESG and the Earth Charter, Current Activities, and Background History.

The co-chairs of the Ethics Specialist Group are Brendan Mackey and Klaus Bosselmann, both of whom are also active members of the Global Ecological Integrity Group.

The World Conservation Union

The World Conservation Union (IUCN) is the conservation movement's most representative and influential international body. Its overarching mission is "a just world that values and conserves nature." The Union has over 1,000 member organizations from some 140 countries including 77 states, 114 government agencies, and 800-plus national and international non-governmental organizations (NGOs). Its 1000 staff members at the Secretariat in Switzerland and in other offices around the world are working on some 500 projects. IUCN is the only organization with Observer status in the United Nations General Assembly providing expertise on the conservation of nature, biodiversity and natural resources, and the only democratic forum in which governments and non-government organizations can engage together to frame the global conservation agenda. The World Conservation Congress is the general policy-setting body of IUCN and takes place every three or four years.

The most active members of the World Conservation Union are the 10,000 internationally recognized scientists and experts from more than 180 countries who volunteer their services to its six global commissions. The Commission on Environmental Law (CEL) is one of these commissions. The others are the Species Survival Commission, the World Commission on Parks and Protected Areas, the Commission on Ecological Management, the Commission on Education and Communication, and the Commission on Environmental, Economic and Social Policy. Each commission is composed of several "specialist groups" of which the CEL Ethics Specialist Group is one.

Mission of the Ethics Specialist Group

The official mission of the ESG is as follows:

1. The purpose of the Ethics Specialist Group, housed within the Commission of Environmental Law of the World Conservation Union, is to help build the capacity of the commission and the IUCN membership (civil society and government), to critically reflect upon, and effectively engage, the major ethical challenges facing the global environment today.

2. The theory and practice of soft and hard environmental law (international, national, local) constitutes the primary vehicle for the group's ethical reflection and practical engagement.

3. The ESG seeks to continue and build upon the many efforts of CEL to advance legal understandings and instruments that integrate human rights, sustainable development, and care and respect for the larger living world, viz. World Charter for Nature, Draft International Covenant for Environment and Development, The Earth Charter.

4. The Earth Charter, with its strong affirmation of global interdependence and the universal responsibility of every person and community for the indivisible values of justice, peace, and ecological integrity, provides the overarching ethical vision for understanding the meaning and implications of sustainable development and other leading contemporary ethical issues involving humankind and the rest of nature.

The ESG and the Earth Charter

The focus of ESG work in recent years has been on advancing a critical understanding of the Earth Charter and the positive role it can play in building credible and effective global ethics and international law. The ESG has sought to advance understanding and implementation of the principles of the Earth Charter in a rich variety of contexts: global and development ethics; democracy, ecology and religion; the progressive conceptual development of environmental law; climate change; biotechnology; public health; ecological integrity; environmental human rights (including those of children and the unborn); animals and ethics; and education.

The conceptual foundations of the Earth Charter, and its implications for particular ethical and policy issues in international law, have been considered in depth by ESG members at numerous academic and international conferences. In addition to two special issues of collected papers -- "The Earth Charter and Global Ethics" *Worldviews* (Volume 8, Number 1, 2004), and "The Earth Charter and Global Transformation" *Ethics, Place, and Environment* (2005) -- ESG members Klaus Bosselmann, Donald Brown, Nigel Dower, Ron Engel, Michael Jeffrey, William Lynn, Brendan Mackey, Prue Taylor, Dire Tladi, and Laura Westra have presented and published scholarly papers on the relation of the Earth Charter to ethics, ecological integrity, human health, and international law.

In 2004 the Ethics Specialist Group and the Earth Charter Initiative joined hands to lead a successful effort to achieve IUCN members adoptedion of Resolution

WCC3.022 at by the Third World Conservation Congress meeting in Bangkok, Thailand. The operative sections of the resolution reads thus. This Resolution:

- “1. ENDORSES the *Earth Charter* as an inspirational expression of civil society’s vision for building a just, sustainable and peaceful world;
2. RECOGNIZES, consistent with IUCN’s mission, the *Earth Charter* as an ethical guide for IUCN policy and will work to implement its principles through the IUCN Intersessional Programme;
3. RECOMMENDS that the *Earth Charter* be used by IUCN to help advance education and dialogue on global interdependence, shared values, and ethical principles for sustainable ways of living; and
4. ENCOURAGES member organizations and states to examine the *Earth Charter* and to determine the role the *Earth Charter* can play as a policy guide within their own spheres of responsibility.”

ESG members also made presentations on the role of the Earth Charter in global ethics, international law, and sustainable development at several workshops at the Congress and at Mahidohl University.

WCC 3.20.2: Drafting a Code of Ethics for Biodiversity was also adopted by the Bangkok Congress. This Resolution:

- “1. REAFFIRMS IUCN’s commitment to an ethical view of nature conservation, based on respect for the diversity of life, as well as the cultural diversity of peoples;
2. CALLS ON the Director General to invite the ethics specialist group of the IUCN Commission on Environmental Law to hold discussions with a view to drafting a code of ethics for the conservation of biodiversity, accompanied by aims to be achieved and actions to be undertaken, and to submit such a code for consideration at the next World Conservation Congress;
3. PROPOSES that IUCN takes an interest in the efforts made by existing philosophical and religious schools of thought regarding nature conservation throughout the world;
4. RECOMMENDS that IUCN considers subsequently strengthening its work with States in order to promote the adoption of national codes of ethics offering each and every person rights and duties concerning respect for the diversity of life on Earth.”

Current Activities

In August 2005 an *ad hoc* Expert Consultative Group was convened by the Ethics Specialist Group (ESG) in partnership with the Centre for Humans and Nature (CHN) at a retreat center outside Chicago in order to develop recommendations for

implementation of these two resolutions and to consider how the ESG could contribute to this work and related activities. A Report summarizing these recommendations was subsequently forwarded to the Chair of CEL, members of the IUCN Council, and the Director General and President of IUCN, for their consideration and action. This Report provides the basis for a new ESG Workplan for the next several years. A copy of this Report may be obtained by writing one of the co-chairs of the ESG:

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Background History

In the broadest sense, the work of the Ethics Specialist Group has been under way since the founding of IUCN in 1948 and the request by Julian Huxley, Director General of UNESCO, that the organization undertake "a preliminary study of a World Convention for the Protection of Nature" (interpreted by the first IUCN General Assembly as "a World Charter inspired by the Universal Declaration on the Rights of Man"). Although this did not occur, the Union did take leadership in building international consensus on world conservation ethics in several ground-breaking documents that helped prepare the way for the Earth Charter. These include *The World Conservation Strategy* (IUCN, UNEP, WWF, FAO, UNESCO, 1980), *World Charter for Nature* (adopted by United Nations General Assembly in 1982), *Caring for the Earth* (IUCN, UNEP, WWF, 1991), and the *Draft International Covenant on Environment and Development* (IUCN Commission on Environmental Law, in cooperation with the International Council of Environmental Law, Third Edition, 2004). The Draft Covenant is indirectly referenced in the closing section of the Earth Charter as "an international legally binding instrument on environment and development."

In 1984 Ron Engel, then Professor of Environmental and Social Ethics at Meadville/Lombard Theological School at the University of Chicago, was asked to address the IUCN General Assembly in Madrid, Spain on the subject of environmental ethics, and to form an Ethics Working Group (EWG), "an intercommissional working group to advise the Director General of IUCN on how IUCN can play a more effective role in promoting the ethical dimensions of the World Conservation Strategy." Between 1984 and 1996 the EWG network grew to 537 corresponding members in 71 countries.

Between these years EWG activities included collaboration with the WWF- Religion and Conservation Network, beginning with the 1986 Inter-faith Congress at Assisi; collaboration with IDEA, International Development Ethics Association, through mutual steering committee representation, and conferences in Mexico, Honduras, and Scotland; consultation on the adoption of a code of environmental ethics and practice by the European Economic Summit nations; preparation of a comprehensive proposal "The Role of Ethics, Culture, and Religion in Conserving Biodiversity: A Blueprint for Research and Action" for IUCN, WRI, UNESCO and UNEP as part of the Global Biodiversity Strategy; United Nations Conference on "The Ethical Dimensions of the United Nations Program on Environment and Development, Agenda 21."

In the late 1980s and early 1990s the EWG sponsored an international consultation on the ethical content of the "Draft International Covenant on Environment and Development" and several members of the group participated in drafting meetings of the Covenant at the IUCN Environmental Law Center in Bonn, Germany. In 1994 the EWG, CEL and ELC jointly sponsored Workshop #1 on environmental ethics and law, at IUCN General Assembly in Buenos Aires, with special attention to Draft 5 of the proposed International Covenant on Environment and Development. The draft Covenant was officially launched in 1995.

The most important activity of the EWG during this period, however, was the preparation of the chapter on "Ethics, culture and conservation" for Caring for the Earth, the Second World Conservation Strategy, which involved consultations at the 1986 International Conference on the World Conservation Strategy, Ottawa, Canada; drafting meetings at Meadowcreek Conference Center, USA; workshops with educators at IUCN General Assembly, San Jose, Costa Rica; and presentations at the Perth Australia IUCN General Assembly. Because of the EWG's work, the ethical principle "Respect and care for the community of life" was adopted as the foundation for Caring for the Earth when it was launched by IUCN in sixty-five countries in 1991. 1990 saw the publication of the first book of the EWG, J. Ronald Engel and Joan G. Engel, eds., *Ethics of Environment and Development: Global Challenge, International Response*, with forward by IUCN President M.S. Swaminathan and chapters by authors from Australia, Canada, China, Finland, India, Israel, Kenya, Norway, Russia, Saudi Arabia, Tanzania, Thailand, the United Kingdom, the United States, Uruguay, and Yugoslavia. Also in 1990 the Conference on Spirit and Nature, at Middlebury College, USA brought together members of the EWG and leaders of world faiths, including the Dalai Lama, to discuss the ethical principles of Caring for the Earth. Conference presentations were published in Steven Rockefeller and John Elder, eds., *Spirit and Nature*, and communicated through a PBS documentary produced by Bill Moyers. In 1993, Andrea Matte-Baker, in "Follow-up to Caring for the Earth," concluded that in comparison to Agenda 21 "a truly unique aspect of Caring for the Earth is its treatment of the ethical question, which provides the strongest single principle that can guide society towards a sustainable path of development."

In 1993 the EWG held a workshop in the Indiana Dunes National Lakeshore, USA, to plan the follow-up to Caring for the Earth. It was attended by representatives of five IUCN commissions, including Parvez Hassan, chair of the Commission on Environmental Law, and twelve partner organizations. The workshop concluded that the first priority was to launch a global dialogue that would culminate by the year 2000 in a vision of how the diverse cultures of the world can affirm a shared conservation ethic.

This priority bore fruit in 1997 with the formation of the Earth Charter Commission and the subsequent work of the Earth Charter drafting committee and international consultative process, and that was fulfilled in the launch of the final text of the Earth Charter in 2000.

