

Introduction  
to  
World Charter for Nature  
by Samar Singh

*President, WPA-India, the Samarpan  
Foundation and The Tourism and Wildlife Society of  
India*

Human rights have been attracting a lot of attention and many people have heard of the UN Declaration of Human Rights. How many know about a similar declaration on the World Charter for Nature adopted by the UN General Assembly on 28 October 1982.

The need for such a declaration was expressed succinctly by the Late Prime Minister Smt. Indira Gandhi in her address at the UN Conference on the Human Environment held at Stockholm in June 1972 as follows:

“It has been my experience that people who are at cross-purposes with nature are cynical about mankind and ill-at-ease with themselves. Modern man must re-establish an unbroken link with nature and with life. He must again learn to invoke the energy of growing things and to recognize, as did the ancients in India centuries ago, that one can take from the earth and the atmosphere only so much as one puts back in them.”

The philosophy that human conduct affecting nature must be carefully guided and judged gained ground in the seventies,

ultimately finding expression in what is called the World Charter for Nature, which was adopted and proclaimed by the General Assembly of the United Nations on 28 October 1982.

Modeled on the UN Declaration on Human Rights and inspired largely by the philosophy and principles of the Stockholm Declaration (1972) and the World Conservation Strategy (1980), the Charter for Nature is really a collective call to humankind for promoting nature conservation and all that it entails. Its main significance lies in the fact that, for the first time, the highest international forum for the consideration of human affairs not only found time to debate the issue at length but also developed a consensus on certain fundamentals necessary for sustaining life on earth and acceptable to the nations of the world.

The adoption of the Charter for Nature by the UN General Assembly in October 1982 was the culmination of seven years of effort, which started from the 12<sup>th</sup> General Assembly of the International Union for the Conservation of Nature and Natural Resources (IUCN) held at Kinshasa in Zaire during September 1975. Speaking at the Assembly opening session, General Mobutu Seko, the then President of Zaire, gave a stirring call in the following words:

*"The seas, the oceans, the upper atmosphere belong to the human community...one cannot freely overuse (such) international resources. People of goodwill...are looking to you for positive result...This is why, if I had any advice for you, I would suggest the establishment of a Charter for*

*Nature...If we were asked to be a pilgrim for environmental protection, this we would be willing to be."*

This set the ball rolling. The IUCN took up the challenge and appointed a task force consisting of some members of its Commission on Environmental Law, Policy and Administration (CEPLA) to produce something concrete. The six-member task force included India's eminent jurist, the Late Dr. Nagendra Singh, Judge of the International Court of Justice, who later became the President of the same Court.

The Charter proclaims twenty-four basic principles of conservation and is divided into four main parts: (a) Preamble; (b) General Principles; (c) Functions; (d) Implementation.

The five General Principles are given below:

- i) Nature shall be respected and its essential processes shall not be impaired.
- ii) The genetic viability on the earth shall not be compromised; the population levels of all life forms, wild and domesticated, must be at least sufficient for their survival, and to this end necessary habitats shall be safeguarded.
- iii) All areas of the earth, both land and seas shall be subject to these principles of conservation; special protection shall be given to unique areas, to representative samples of all the different types of ecosystems, and to the habitats of rare or endangered species.

- iv) Ecosystems and organisms, as well as the land, marine and atmospheric resources that are utilized by man, shall be managed to achieve and maintain optimum sustainable productivity, but not in such a way as to endanger the integrity of those other ecosystems or species with which they coexist.
- v) Nature shall be secured against degradation caused by warfare or other hostile activities.

These principles are certainly high-sounding and may even appear utopian to realize. Besides, the Charter is strictly not a legal document binding on the nations of the world. At best, it is what the jurists would call a “soft law” instrument, having a normative character from its adoption by the UN General Assembly. Its effectiveness depends on the influence it can bring to bear on the laws and practices in different countries. However, it is a declaration of global importance, setting out the basic principles that must be observed in order to achieve the conservation of nature and natural resources. It is verily a moral code of behaviour in human relationships with nature.

It is noteworthy that unlike some other such declarations, the Charter for Nature addresses itself not simply to States (i.e. their governments) but also to everyone. Thus, while the preamble refers to the need for appropriate measures to protect nature “at the national and international, individual and collective, and public and private levels,” other principles in the Charter appeal variously to the international community (Principle 14), associations, groups and corporations

(Principle 21) and individuals (Principles 21, 23 and 24). While this approach is unusual in international law, it is to be noted that the Universal Declaration on Human Rights had already adopted this pattern.

It is equally clear that the States, which have, for their part, agreed to those principles, which the text also addresses to their nationals, are, by that practice, contributing to the development of international law. It may be asked, however, whether or not the effect of the Charter as between individuals and their various groupings differs from that produced as between States. For the latter, the Charter sets out rules to be observed, while for the individuals and groups of individuals, its principal value is formative, as a code of conduct, aimed at the establishment of a consciousness, whose legal elements will in most cases remain to be developed by the national legislatures.

As the Charter for Nature is formally a recommendation of the United Nations General Assembly, it is not binding on the States in a strict sense. Nevertheless, it differs from most other recommendations emanating from international bodies and even from the General Assembly itself in that it was solemnly proclaimed, rather than simply adopted, and in that it contains principles, which are general in scope.

It should, therefore, be regarded as an instrument having a special character, a declaration of principles after the fashion of the Universal Declaration on Human Rights, or the Declaration of 24 October 1974 concerning the principles of

international law as to friendly relations and cooperation between States in accordance with the United Nations Charter. To some degree, the Charter reflects the state of man's ecological awareness, and sets out, in some sense, broad ethical principles designed to ensure the survival of humankind and the smooth functioning of the major mechanisms of the planet. Thus, although formally not binding, it possesses a moral and practical force.

A salient feature of the Charter is its special appeal addressed to individuals, specially in Principle 24, which states that "every person has a duty to act in accordance with the provisions of the present Charter; acting individually, in association with others or through participation in the political process, each person shall strive to ensure that the objectives and requirements of the present Charter are met."

This principle is concerned not so much with legal duties as with the moral responsibilities, which each citizen must assume. Everyone must recognize his/her moral responsibility to protect nature. In a sense, the Charter is an expression of an ecological ethic, which should underlie all individual and collective behaviour. These apparently abstract considerations, in fact, contain a profound truth.

The effectiveness of the Charter, like that of all measures to conserve nature and natural resources, depends not just upon sanctions provided for in the law, but on a general acceptance of the value of nature and its cardinal importance for the survival of present and future generations. As with the

Universal Declaration on Human Rights, this has been done with the purpose of defining and establishing new social values, which must become the basis for living together in harmony—a vital requirement for the survival and well-being of humankind and all life forms on this our planet.

# The World Charter for Nature

*Adopted by the  
General Assembly of the United Nations  
on October 28, 1982*

## ***The General Assembly***

Reaffirming the fundamental purposes of the United Nations, in particular the maintenance of international peace and security, the development of friendly relations among nations and the achievement of international cooperation in solving international problems of an economic, social, cultural, technical, intellectual or humanitarian character.



### **Aware that:**

- a) Mankind is a part of nature and life depends on the uninterrupted functioning of natural systems which ensure the supply of energy and nutrients,
- b) Civilization is rooted in nature, which has shaped human culture and influenced all artistic, and scientific achievement, and living in harmony with nature gives man the best opportunities for the development of his creativity, and for rest and recreation:

### **Convinced that:**

- a) Every form of life is unique, warranting respect regardless of its worth to man, and to accord other organisms such recognition, man must be guided by a moral code of action.
- b) Man can alter nature and exhaust natural

resources by his action or its consequences and, therefore, must fully recognize the urgency of maintaining the stability and quality of nature and of conserving natural resources.

**Persuaded that:**

- a) Lasting benefits from nature depend upon the maintenance of essential ecological processes and life support systems, and upon the diversity of life forms, which are jeopardized through excessive exploitation and habitat destruction by man.
- b) The degradation of natural systems owing to excessive consumption and misuse of natural resources, as well as the failure to establish an appropriate economic order among peoples and among States, leads to the breakdown of the economic,

social and political framework of civilization.

- c) Competition for scarce resources creates conflicts, whereas the conservation of nature and natural resources contributes to justice and the maintenance of peace and cannot be achieved until mankind learns to live in peace and to forsake war and armaments.

**Reaffirming** that man must acquire the knowledge to maintain and enhance his ability to use natural resources in a manner which ensures the preservation of the species and ecosystems for the benefit of present and future generations.

Firmly convinced of the need for appropriate measures at the national and international, individual and collective, and

private and public levels, to protect nature and promote international co-operation in this field.

Adopts, to these ends, the present **World Charter for Nature**, which proclaims the following principles of conservation by which all human conduct affecting nature is to be guided and judged.

***I. General Principles***

1. Nature shall be respected and its essential processes shall not be impaired.
2. The genetic viability on the earth shall not be compromised; the population levels of all life forms, wild and domesticated, must be at least sufficient for their survival, and to this end necessary habitats shall be safeguarded.

3. All areas of the earth, both land and sea, shall be subject to these principles of conservation; special protection shall be given to unique areas, to representative samples of all the different types of ecosystems and to the habitats of rare or endangered species.
4. Ecosystems and organisms, as well as the land, marine and atmospheric resources that are utilized by man, shall be managed to achieve and maintain optimum sustainable productivity, but not in such a way as to endanger the integrity of those other ecosystems or species with which they coexist.
5. Nature shall be secured against degradation caused by warfare or other hostile activities.

## ***II. Functions***

6. In the decision making process it shall be recognized that man's needs can be met only by ensuring the proper functioning of natural systems and by respecting the principles set forth in the present Charter.
7. In the planning and implementation of social and economic development activities, due account shall be taken of the fact that the conservation of nature is an integral part of these activities.
8. In formulating long-term plans for economic development, population growth and the improvement of standards of living, due account shall be taken of the long-term capacity of natural systems to ensure the subsistence and settlement of the populations concerned, recognizing that this capacity may be enhanced through science and technology.

9. The allocation of areas of the earth to various uses shall be planned, and due account shall be taken of the physical constraints, the biological productivity and diversity and the natural beauty of the areas concerned.
10. Natural resources shall not be wasted, but used with a restraint appropriate to the principles set forth in the present Charter, in accordance with the following rules;
  - a) Living resources shall not be utilized in excess of their natural capacity for regeneration;
  - b) The productivity of soils shall be maintained or enhanced through measures which safeguard their long-term fertility and the process of organic decomposition, and prevent erosion and all other forms of degradation;

- c) Resources, including water, which are not consumed as they are used shall be reused or recycled;
  - d) Non-renewable resources which are consumed as they are used shall be exploited with restraint, taking into account their abundance, the rational possibilities of converting them for consumption, and the compatibility of their exploitation with the functioning of natural systems.
11. Activities which might have an impact on nature shall be controlled, and the best available technologies that minimize significant risks to nature or other adverse effects shall be used; in particular:
- a) Activities which are likely to cause irreversible damage to nature shall be avoided,
  - b) Activities which are likely to pose a



- significant risk to nature shall be preceded by an exhaustive examination their proponents shall demonstrate that expected benefits outweigh potential damage to nature, and where potential adverse effects are not fully understood the activities should not proceed,
- c) Activities which may disturb nature shall be preceded by assessment of the consequences, and environmental impact studies of development project shall be conducted sufficiently in advance, and if they are to be undertaken, such activities shall be planned and carried out so as to minimize potential adverse effects,
  - d) Agriculture, grazing, forestry and fisheries practices shall be adapted to the natural characteristics and constraints of given areas,

- e) Areas degraded by human activities shall be rehabilitated for purposes in accord with their natural potential and compatible with the well-being of affected populations.
12. Discharge of pollutants into natural systems shall be avoided and :
- a) Where this is not feasible, such pollutants shall be treated at the source, using the best practicable means available,
  - b) Special precautions shall be taken to prevent discharge of radioactive or toxic wastes.
13. Measures intended to prevent, control or limit natural disasters, infestations and diseases, infestations and diseases shall be specifically directed to the causes of these scourges and shall avoid adverse side-effects on nature.

### ***III. Implementation***

14. The principles set forth in the present Charter shall be reflected in the law and practice of each State, as well as at the international level.
15. Knowledge of nature shall be broadly disseminated by all possible means, particularly by ecological education as an integral part of general education.
16. All planning shall include, among its essential elements, the formulation of strategies for the conservation of nature, the establishment of inventories of ecosystems and assessments of the effects on nature of proposed policies and activities; all of these elements shall be disclosed to the public by appropriate means in time to permit effective consultation and participation.

17. Funds, programmes and administrative structures necessary to achieve the objective of the conservation of nature shall be provided.
18. Constant efforts shall be made to increase knowledge of nature by scientific research and to disseminate such knowledge unimpeded by restrictions of any kind.
19. The status of natural processes, ecosystems and species shall be closely monitored to enable early detection of degradation or threat, ensure timely intervention and facilitate the evaluation of conservation policies and methods.
20. Military activities damaging to nature shall be avoided.
21. States and, to the extent they are able, public authorities, international organizations, individuals, groups and corporations shall:

- a) Co-operate in the task of conserving nature through common activities and other relevant actions, including information exchange and consultations;
- b) Establish standards for products and manufacturing processes that may have adverse effects on nature, as well as agreed methodologies for assessing these effects;
- c) Implement the applicable international legal provisions for the conservation of nature and the protection of the environment;
- d) Ensure that activities within their jurisdiction or control do not cause damage to the natural systems located within other States or in the areas beyond the limits of national jurisdiction;

- e) Safeguard and conserve nature in areas beyond national jurisdiction.
22. Taking fully into account the sovereignty of States over their natural resources, each State shall give effect to the provisions of the present Charter through its competent organs and in cooperation with other States.
23. All persons, in accordance with their national legislation, shall have the opportunity to participate, individually or with others, in the formulation of decisions of direct concern to their environment, and shall have access to means of redress when their environment has suffered damage or degradation.
24. Each person has a duty to act in accordance with the provisions of the present Charter; acting individually, in

association with others or through participation in the political process, each person shall strive to ensure that the objective and requirements of the present Charter are met.