



EARTH LAW CENTER

REPORT 2023

LATIN AMERICA LEGAL PROGRAM



PREPARED BY

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EARTH LAW CENTER LEADING THE PROGRESS ON RIGHTS OF NATURE

LATIN AMERICA: A MEGA-DIVERSE REGION

Latin America and the Caribbean are some of the most biologically mega-diverse regions in the world. Conserving its biodiversity is essential to tackle climate change worldwide and ensure ecosystem benefits for future generations. Consequently, due to its global significance, there is a need for innovative solutions. Rights of Nature is a legal framework with a record of success in the region to help conserve critical ecosystems.

In 2020, Earth Law Center officially launched its Latin America Legal Program. Its main objective is to expand the progress of ecocentric legislation, conservation, and environmental justice in this region, protecting critical ecosystems (rivers, forests, mangroves, oceans) and endangered species. We also leverage these victories to support the Rights of Nature movement in other regions and in the United Nations.

HIGHLIGHTING OUR 2023

Earth Law Center (ELC) successfully worked together with partners, scientists, civil society, and governments, influencing the recognition and implementation of the Rights of Nature in the continent. **Here are some of our victories:**

- **Sea Turtle Protections (Panama):** ELC and partners helped incorporate “the rights of sea turtle populations” into a new national law protecting sea turtles.
- **Court Enforcement (Panama):** Panama’s Supreme Court declared unconstitutional the law law n°406 (2023) that approves the mining concession contract between the state and Sociedad Minera Panamá, S.A., shutting down one of the world’s largest copper mines. The decision in its argumentative part made reference to the 2022 national rights of nature law (ELC co drafted the law).
- **Shark Protections (Panama):** ELC introduced a series of recommendations to incorporate the Rights of Nature into a shark protection bill (pending).
- **Comprehensive Regulations (Panama):** ELC helped formulate comprehensive regulations implementing the Rights of Nature into all facets of government in Panama (pending publication).
- **Constitutional Amendment (Aruba):** ELC helped inform a Rights of Nature constitutional amendment that, if passed, would make Aruba only the second country in the world to constitutionally recognize Nature’s rights.
- **Our Expert Opinion, amicus curiae (Ecuador):** ELC filed an amicus curiae brief contributing to a victory establishing environmental flows for the Dulcepamba River and setting the stage for potential dam removal victory based on the river’s rights.
- **Our Expert Opinion, amicus curiae (Ecuador):** ELC filed an amicus curiae brief contributing to a victory protecting Ecuador’s Intag Valley against the large-scale Llurimagua copper mining project. The court ruled that communities’ constitutional right to consultation about the project had been violated, as had the Rights of Nature.
- **Indigenous Women River Defenders training (Chile & Peru):** ELC trained 100+ Indigenous women river defenders about their new rights under the Escazú Agreement, a regional treaty to protect and empower frontline environmental defenders.
- **Permanent Protection for Rivers (Chile):** ELC is part of a coalition of organizations in Chile working to promote legal instruments for the permanent protection and restoration of Chile’s rivers and basins. This campaign was launched at the Somos Cuenca festival in Nov. 2023.
- **Rights for the Biobío River (Chile):** ELC with partners conducted four workshops in the Biobío region to facilitated dialogue between communities, authorities, experts, and other interested parties to jointly develop a Declaration on the Rights of the Biobío River.

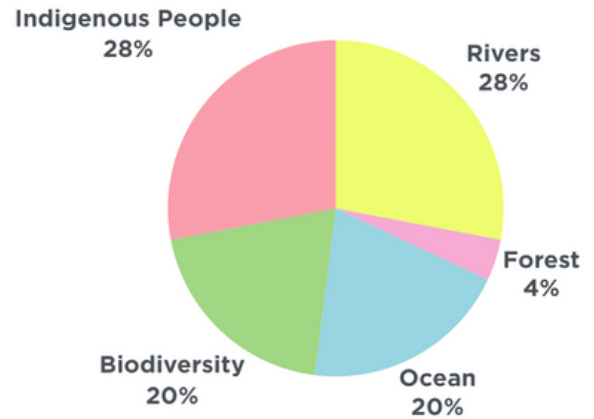


WE DID A LOT MORE, TOO!

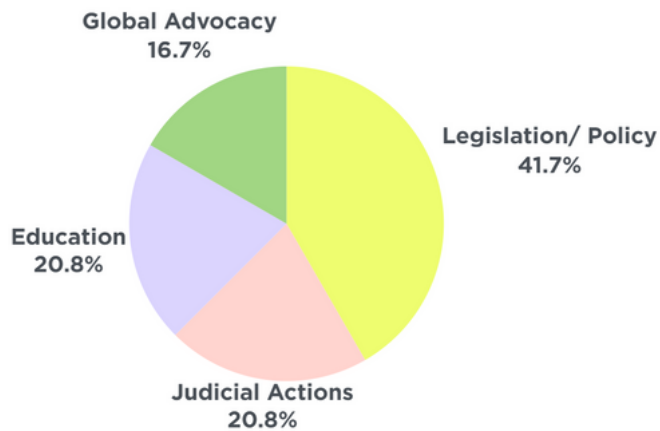
OUR WORK IN NUMBERS



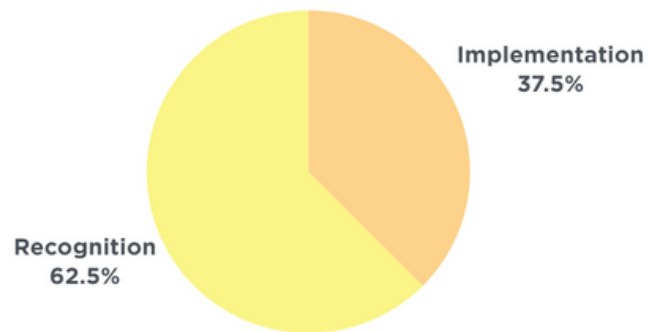
In 2023, the Latin America legal team consolidated its work in 7 countries on the continent: **Chile, Peru, Ecuador, Colombia, Panama, Aruba, and Mexico.**



AREAS OF WORK

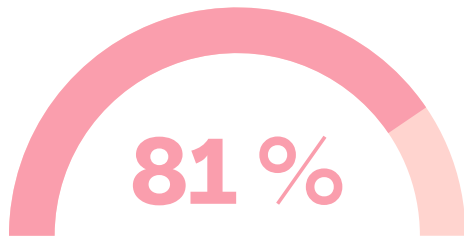


WHAT WE DO



OUR WORK ON RIGHTS OF NATURE

ACHIEVEMENT LEVEL



Every year, we evaluate our work and design the inputs, activities, outputs, outcomes, and the desired impact of our projects for the next period.

2023 was an extraordinarily successful year for the ELC Latam Legal Program, in which 81% of our goals were achieved despite budget challenges and increasing demand for our work. Each year represents a new challenge, with new areas of expansion and growth.

WE ARE LOOKING FORWARD TO THE UPCOMING 2024!

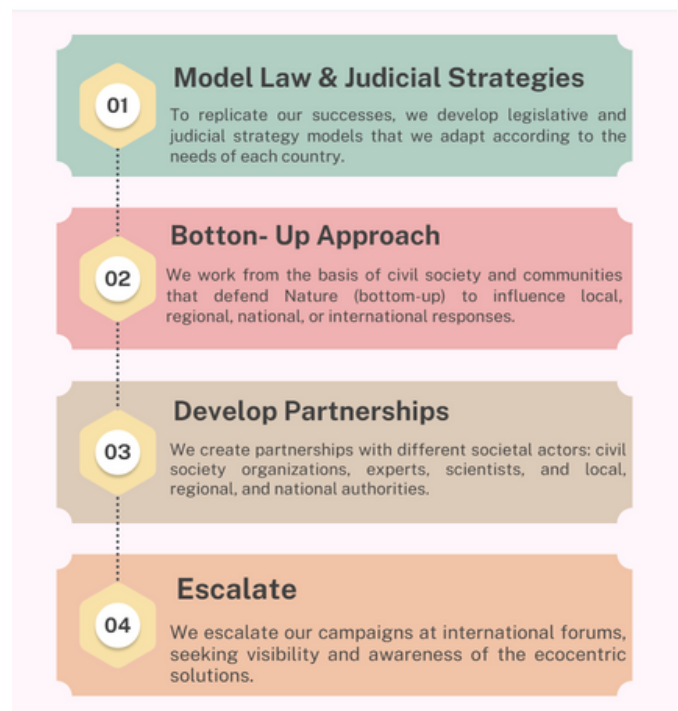
“Much of the strength of the Rights of Nature framework lies in its mandate to prevent future harm and restore ecosystems to health through community partnerships.”

Constanza Prieto Figelist
ELC Latin America Legal Director

OUR STRATEGY

we partner, replicate, and escalate our work

Since 2020, the ELC Latam Legal Program has worked to develop partnerships and collaborated to provide solutions to the environmental needs of Latin American communities. We seek to empower and support them in the search for environmental justice, advancing progressive ecocentric legislation and escalating our campaigns to make these communities' needs visible in international forums.



OUR TEAM IN ACTION



UN 2023 WATER CONFERENCE

Aurélie Rodzynek
Constanza Prieto Figelist
Solene Crawley



ESCAZÚ COP 2

F. Javier Ruiz

TRAINING FOR THE KUKAMA WOMEN FEDERATION, LORETO, PERU.

F. Javier Ruiz
Nohad Escares
Kukama Women



NY CLIMATE WEEK NEW YORK UNIVERSITY

Constanza Prieto Figelist

WORKSHOP IN ALTO BIOBIO CHILE “POR UN RÍO BIOBIO CON DERECHOS”

Constanza Prieto Figelist
Nohad Escares
Monti Aguirre



HEARING IN DEFENSE OF MARAÑÓN RIVER'S RIGHTS

F. Javier Ruiz

2024

EXPANDING OUR SUCCESS



NEXT STEPS

The work in Latin America supports Earth Law Center's broader mission to advance ecocentric laws, policies, and governance. We do this through advocacy, consulting, and education to mitigate the effects of climate change and biodiversity loss.

Aware of the decline of imperiled species, in 2024, we will emphasize biodiversity protection. Our goal is to increase the levels of biodiversity protection in the region, adopt a rights-based approach, and support the rights of Indigenous Peoples who have a rich heritage of local and cultural knowledge around the native biodiversity within their territories. This builds from the new, UN-sponsored Kunming-Montreal global biodiversity framework, which includes support for the Rights of Mother Earth and ecocentrism due to ELC's advocacy.

In **Mexico**, ELC will build from the iconic victories in Panama to create rights-based campaigns that protect **sea turtle and shark populations**.

In **Peru**, ELC will partner with local scientists to develop legislation establishing legal rights and strong protections for **native stingless bees and their ecosystems** in the Amazon rainforest.

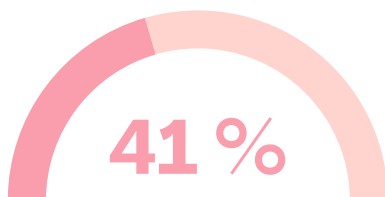
In **Chile** and **Peru**, ELC will expand a 2-year training program for Indigenous women river defenders and also advance the rights of rivers (with International Rivers & Defensa Ambiental).

In **Ecuador**, ELC will continue to submit amicus briefs protecting imperiled ecosystems & species, including to seek dam removal on the Dulcepamba River based on the rights of rivers.

And much more!

BUDGETARY NEEDS

ITEM	PARTIAL AMOUNT	TOTAL AMOUNT
Salaries (Including 2 full time staff lawyers)		USD 130,000
Legislation & Policy (Including hiring a new lawyer)		USD 12,000
Empowering Indigenous Environmental Protectors <ul style="list-style-type: none">• Chile• Ecuador• Mexico	15,000 X 3	USD 45,000
Protecting Native Bees & Indigenous knowledge in Peru		USD 20,000
Global Advocacy		USD 10,000
Social Media Campaign		USD 5,000
Operating Costs Latam legal Program would like to build toward an approximate 15% indirect cost budget line to support administration and other critical needs (email, reporting, organizational software, etc.)		USD 33,300
TOTAL		USD 255,300



Despite our important victories, only 41% of our budget needs for 2024 are currently assured. With your support, we can continue working together to achieve our goals and amplify our impact on the continent.

EVERYTHING WE DO, WE DO TOGETHER



NOTE FOR YOU

The ELC Latin America Legal Program wants to thank all our partners, volunteers, and donors who have trusted in our mission and projects. Together, we have built this program, impacted legislation, and amplified the voices of Nature and multiple communities in more than seven Latin American countries.

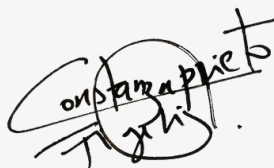
We are proud of our work. The work in Latin America supports ELC's broader mission to advance ecocentric laws, policies, and governance. We do this through advocacy, consulting, and education to mitigate the effects of climate change and biodiversity loss.

2023 was a year in which we materialized the desire to expand our legislative and judicial projects to work directly with communities (in Chile and Peru) in order to empower them to protect their environmental rights and the Rights of Nature. In 2024, this project will be extended to different latitudes of the continent, seeking to escalate our mission to protect Nature's guardians and replicate our successes.

Without human rights, there is no possible implementation of the Rights of Nature—they are intrinsically interconnected. Our dream is a society that develops and flourishes in harmony with Nature.

Be our partner. Let's continue working together in 2024 to achieve more victories for Nature, environmental defenders, and future generations.

THANKS FOR THIS AMAZING 2023!



Costanza Prieto Figelist
Latin America Legal Director
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