**Living in Harmony with Nature: Need for a New Right Paradigm, an Analysis in the Context of Convention of Bio Diversity.**

**Stellina Jolly**

Abstract

The atrocities and human sufferings witnessed during Second World War presented to the world a new imperative in the form of human right and quickly assumed the language of the century. It began with the declaration of Human Rights and primarily looks at the individual human person and protection of their rights and recognition. As true to its term it emphasizes human rights and sees the human being here and now disregarding what went before and what will come after. It speaks of the human being and human community without reference to the world in which they are placed in nature. In the late 1960s, a second imperative emerged alongside human rights in the form of sustainability. The concept of sustainability has developed out of the upsetting feeling that human interference has led to an unavoidable path of destruction. International Environmental Law was quick to adopt this new paradigm. Many nations even elevated it to the position of a constitutional right recognizing the right to a clean environment. While recognizing the need for protecting nature and resources the sustainable approach it still continued to be dominated by anthropocentrism as evident from the provisions of CBD and RAMSAR Convention etc. The narrow anthropological focus of human rights and sustainability discourse leads us to several distortions. In the backdrop of mounting environmental crisis it has become increasingly aware that there is a dire necessity to live in harmony with nature. There is a requirement of a new “generation” of rights and that directory of rights should be extended to the natural world. The enjoyment of rights should not be on the premise that it is subject to limitation in terms of the freedoms of others, but also of nature also. Paper will attempt to propose a new right paradigm for humanity to live in harmony with nature in the context of Convention of Bio- Diversity. Substantive procedural aspect of the new model of rights can be addressed by a declaration on the rights of nature and modifications to public trust doctrine respectively. The paper attempts to analyses this alternative right model and assesses the efficacy of this method in finding a solution for the humanity and to reach a dignified level of sustainable way of living in harmony with nature.

**Speaker Biography**

**Dr Stellina Jolly** is an Asst professor at South Asian University (SAU), New Delhi, a collaborative effort by SAARC Countries. For the past eight years she has concerned herself with various deep issues of law including Environmental law, International law and Bioethics. This deep interest has enabled her to work at various levels with different organisations and institutes. She has authored two books titled “Climate Change: Changing Dimensions of Law and Policy” and “Law Technology and Women: Challenges and Opportunities”. She has to her credit several publications and has delivered lectures on various aspects of climate change and environment law at national and international level including International journal of Public law, EUBIOS Journal of Bio Ethics etc. She has associated with various organisations and institutions in a number of projects including, IIPA and Rajiv Gandhi Foundation. She has been part of editorial board of peer reviewed journals including, Indian Journal of Human Rights, University Institute of Legal Studies Journal, etc.