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Studies

# Interdisciplinary Perspectives on the Interplay between Human Rights and Sustainability

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## Preface

The following collection of manuscripts emerged from an interdisciplinary virtual exchange held during the Winter semester of 2023/2024 at the Environmental Campus Birkenfeld, organized by Prof. Dr. Milena Valeva and Prof. Dr. Kathrin Nitschmann. Additionally, Prof. Dr. Héctor Bombiella Medina, a lecturer of anthropology in the Department of World Languages and Cultures at Iowa State University, contributed to the virtual exchange and supervised case studies 3 and 4, bringing his extensive experience in this field and facilitating the international exchange. Within the elective module on Human Rights, students from the Bachelor's programs "Nonprofit and NGO Management" and "Environmental and Business Law," as well as the Master's program "Energy and Corporate Law," explored the interconnections between human rights and sustainability.

In an era marked by unprecedented environmental challenges and profound social transformations, the intersection of human rights and the rights of nature has emerged as a critical area of inquiry and debate. Today, as we face the dual crises of climate change and biodiversity loss, the traditional boundaries between human and environmental rights are increasingly blurred. This confluence demands a fresh, interdisciplinary approach to understanding and addressing the complex and interrelated issues at hand.

Human rights, fundamental to the dignity and freedom of individuals, are deeply impacted by environmental degradation. Communities worldwide are experiencing firsthand the devastating effects of polluted air, contaminated water, and deforested landscapes, all of which undermine basic human rights to health, livelihood, and well-being. Conversely, recognizing the rights of nature – the intrinsic value of ecosystems and species – challenges us to reconsider our legal, ethical, and philosophical frameworks. It calls for a paradigm shift from an anthropocentric world-

view to one that embraces the interconnectedness of all life forms.

Engaging in robust discussions and research on these topics is essential in today's context. By exploring interdisciplinary perspectives, we can forge innovative solutions that honor both the rights of individuals and the integrity of nature. This special issue aims to contribute to this vital discourse, providing insights and fostering dialogue on how we can collectively navigate the complex landscape of human rights and environmental sustainability.

The first chapter „Human rights and SDGs in the context of democracy“ examines the significance of international human rights in today's context and links them to new value systems like sustainability.

The second chapter, the case study „Rights of Nature“ explores the concept of granting legal rights to nature itself by comparing laws from various countries to show how it combats environmental exploitation.

The third chapter, the case study „Traditional coca leaf consumption and drug trafficking in Colombia“ delves into the complex issues surrounding coca cultivation in Colombia, highlighting its economic, social, and political impacts.

The fourth chapter, the case study „The artisanal fishing community of Chorrillos, Peru“ aims to provide theoretical insights and recommendations for improving the livelihoods of artisanal fishing communities in Peru, considering legal, ethical, and environmental perspectives as well as how economic liberalization, privatization, and deregulation affect the community's socio-economic conditions.

# The challenges and opportunities of liberal democracies in promoting international value systems

Author: Jacob Mayer

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## 1 Introduction

### 1.1 Addressed issue

In 1948, the United Nations proclaimed the Universal Declaration of Human Rights as a guideline for the protection of human rights. Not legally binding, the declaration represents an ideal that must be promoted by those who are committed to it. Among other amendments adopted since 1948, in 1998 the General Assembly passed a declaration seeking to strengthen the responsibility and right to protect human rights. „Stressing that all members of the international community shall fulfill, jointly and separately, their solemn obligation to promote and encourage respect for human rights and fundamental freedoms for all“ (UN General

Assembly, 1998,) this declaration is one of the central starting points of this paper.

The Universal human rights formed the basis for many subsequent international treaties and agreements, one of the most recent being the 2030 Agenda with the SDGs. The legal situation of these agreements differs greatly in terms of their binding nature and enforceability. These issues will be examined in more detail in the following parts of this publication series. However, it should be noted here that successful implementation of the written goals requires voluntary debate and implementation. In today's multicultural, international context, some countries have significantly higher financial as well as social capital to fulfill these responsibilities.

Based on the assumption that many of the existing liberal democracies fulfill these criteria of higher capacities, which will be discussed again in the course of the data analysis, this paper attempts to answer the question of what special responsibilities but also what opportunities are offered in this particular position.

### 1.2 Structure of this paper

To begin with, the current data situation will be examined in more detail. The focus here is on the international comparison of various reference values that are relevant to the issue at hand. First, we will take a brief look at the Human Rights Index (HRI), as processed by Our World in Data, what characteristics it has in international comparison and what questions and challenges can be derived from it. We will then take a look at the 2023 Sustainable Development Report (SDR). Here, again, we will try to recognize certain patterns in the international comparison. In a second step, we will link the progress of the individual countries with the respective income level, as already shown in the SDR. In addition, we include the Democracy Index, published by The Economist, in our data analysis. In the final step, we use all the data to build an overall picture that allows us to see the progress of global development in our area of interest and the associated challenges.

In the following step, the results of this data analysis will be combined with further research findings and the question of the responsibility of liberal democracies in an international context. The challenges but also opportunities and possible benefits of promoting human rights and SDGs will be examined in more detail. Before concluding, we will try to generalize our findings to paint a picture of the inherent resilience of human rights and SDGs.

## 2 Comparison of data

In the following sections of the data analysis, the respective indices are first briefly described. Subsequently, the respective observations that are relevant to the research question are highlighted. The observations are summarized in section 2.5.

### 2.1 Human Rights Index (2022)

It is important to note that different organizations may develop their own human rights index using

The variable ranges from 0 to 1 (most rights):

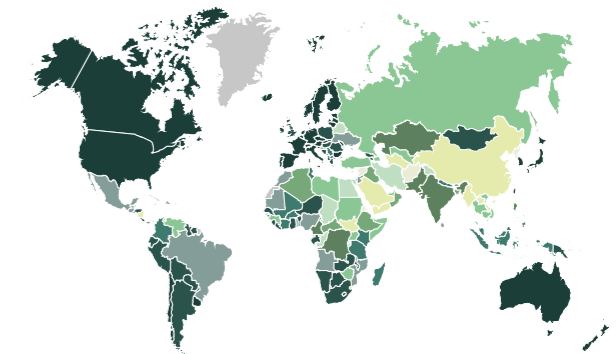
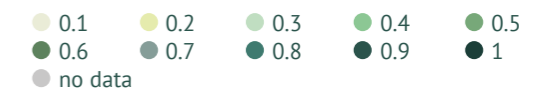


Figure 4: Human Rights Index (V-Dem, 2023)

different methodologies and indicators. Today we look at the HRI, which is published by Our World in Data and is based on research by the Varieties of Democracy (V-Dem) project.

The index tool uses a simple scale from 0 to 1, with 1 indicating the best level of human rights development. The data shows the development over time with initial assessments since 1789 as well as the current situation in international comparison shown in Figure 4.

The first thing to note is the considerable differences between human rights developments. In 2022, North Korea is at the lowest end of the scale with a score of 0.01, followed by 5 other countries with a score below 0.1. Sweden, New Zealand and Denmark are at the highest end of the scale with a score of 0.95 (V-Dem, 2023).

### 2.2 Sustainable Development Report (2023)

The Sustainable Development Report provides a comprehensive analysis of how countries are performing in terms of meeting the various targets set out in the 2030 Agenda for Sustainable Development. As one of the most important instruments for the global development of the United Nations, the annual report enables the improvement of activities to achieve the goals and highlights the remaining challenges.

The world map in Figure 5 shows the development status of the SDGs on a scale from 0 to 100, where 100 is equivalent to achieving all 17 goals. As with HRI, there are major differences in

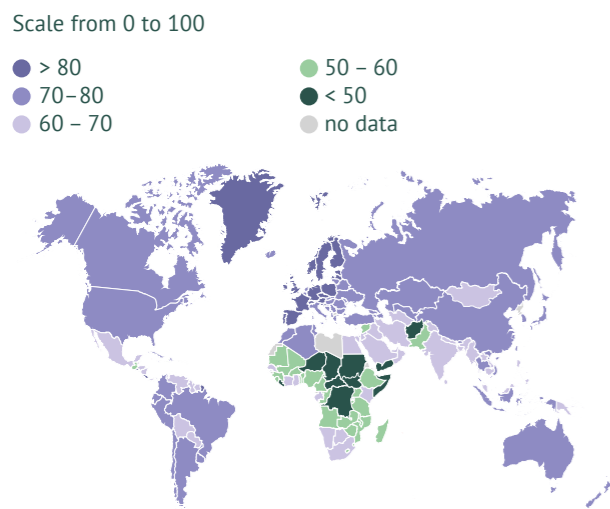


Figure 5: SDG overall score 2023 (Sachs, et. al., 2023)

the international comparison. A special factor that was taken into account when calculating the SDG Index is so-called spillovers. Negative and positive effects, for example along international supply chains, are included in this calculation. Examining these effects more closely and including them in the discussion on global sustainable development is one of the most important points in the question of responsibility. In the 2023 report, the researchers point out that high-income countries (HICs) have a significantly higher negative impact than low-income countries (Sachs et. al., 2023)

**2.3 SDGs and country income level**

The classification by income level is published by the World Bank every year on July 1. As can be seen in Figure 3, a distinction is essentially made between four income classes, the decisive factor being the value of the gross national income (GNI) per capita.

The SDG Index and country income levels are intricately connected, reflecting the interplay between economic development and progress towards achieving the SDGs. Lower-income countries may face challenges in allocating resources to address multiple SDGs simultaneously. They may prioritize basic needs such as poverty reduction, access to clean water, and healthcare before tackling more complex sustainability issues. It is therefore not unexpected that there is a certain similarity between Figures 6 and 7, which will be discussed in more detail in Section 2.5.

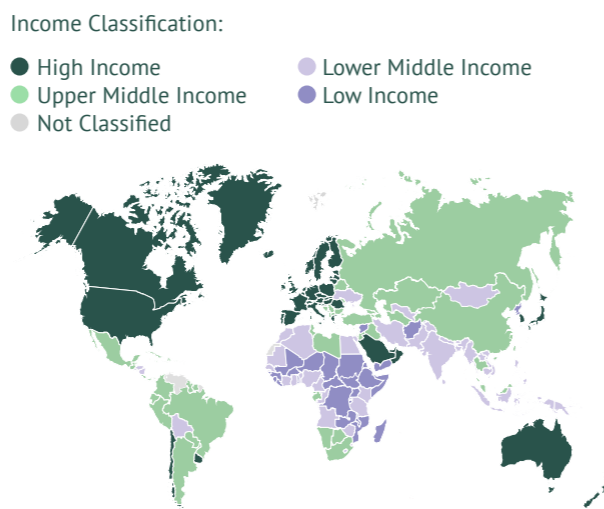


Figure 6: Country Income Level (Hamadeh, et. al., 2022)

**2.4 Democracy Index (2022)**

The Democracy Index is a comprehensive tool designed to evaluate and measure the state of democracy in countries around the world. On a scale of 0 to 10, all countries worldwide are compared in terms of the implementation of fundamental democratic rights. Produced by The Economist, the index provides a systematic assessment of political freedoms, electoral processes, government functionality, and civil liberties. By assigning scores to nations based on a set of criteria, the Democracy Index offers insights into the quality and health of democratic governance globally.

Figure four again shows major international differences. When looking at this indicator, it becomes particularly clear that regional and historical characteristics also play a major role in the evaluation of the results.

**2.5 Observations and interrelations**

The HRI, the SDG Report, the country income level, and the Democracy Index represent distinct but interconnected tools for assessing and understanding various aspects of a country's development and governance. Each index contributes a unique perspective to the broader narrative of global progress, and they often converge in highlighting the intricate relationship between human rights, sustainable development, income, and the quality of democratic governance. To emphasize the global differences, the respective results for Afghanistan and Sweden are shown side by side in Table 1.

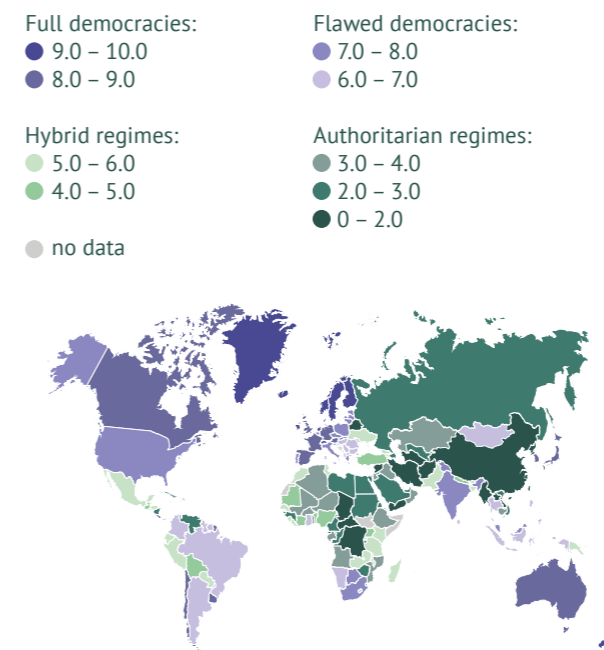


Figure 7: Democracy Index, 2022 (The Economist, 2023, p. 5)

Sweden represents an economically strong liberal democracy and performs above average in all rankings. In contrast, Afghanistan shows how countries with low incomes and a low level of freedom and human rights are also lagging behind in terms of sustainable development.

To conclude the data analysis, reference should be made once again to the previous graphs. Because they show particularly clearly that correlations are recognizable. Not only human rights and democracy complement each other, but also economic success and the subsequent progress in achieving the SDGs.

**3 Promoting international value systems**

The preceding data analysis not only makes it clear that there are significant differences in the progress of the implementation of the value systems examined, but also that these are intertwined and are also influenced by external factors such as the financial situation. In his publication "Actualizing Human Rights", Jos Philips describes three main issues: the challenge of global inequality, the challenge of future people and the question of motivation (Philips, 2020). In the following section, the role of liberal democracies in promoting international values systems will be considered on the basis of these three issues.

Characteristic	Afghanistan	Sweden
Democracy Index	9.39	0.32
Human Rights Index	0.02	0.95
SDG Score	49.0	86.0
Income level	Low income	High income

Table 1: Overall comparison of Afghanistan and Sweden (own visualization)

**3.1 Role of liberal democracies**

Liberal democracies are characterized not only by a stable democratic system but also by a high degree of realized human rights and, with a few exceptions, a good GNI. These countries therefore have a particularly good starting point when it comes to issues of sustainable development and international cooperation. And it is not only the aforementioned UN declaration that calls on the international community to provide mutual support, voices are also currently being raised calling on the international community to act. In its latest annual report, Amnesty International draws attention to the special role of international support and also denounces the different treatment of various conflicts. Abuses are particularly denounced when Western states see no personal economic risk in raising their voices (Amnesty International, 2023). This problem leads to the first more specific question about the responsibility of liberal democracies. What challenges do they face when trying to stand up for their values and achievements internationally?

**3.1.1 Challenges faced by Liberal Democracies**

In his remarks on the challenge of global inequality Philips concludes that even in an ideal world, a certain degree of inequality in the protection of human rights is inevitable. This is attributed to the persistence of largely sovereign states with different capacities to protect human rights, to differences in wealth and technology, and to limited external assistance. However, it also emphasizes the importance of having very good reasons for denying equal protection to ensure that vulnerable populations are not neglected. He concludes

that in this less than ideal world, many inequalities in protection are often linked to global injustices that require immediate efforts for change (Philips, 2020).

In the recently published World Inequality Report the authors add another layer to the topic of inequality. They show that, in addition to inequality between individual countries, particularly large inequalities within countries are also becoming a problem (Chancel et. al., 2022). In Germany, for example, inequality has increased further in recent years and the top 10% currently earn on average ten times as much as the bottom 50% (Chancel et. al., 2022). A rise in inequality therefore poses several challenges for liberal democracies. On the one hand, they must face up to the challenging fact that their economic superiority in a globalized world means that they should also take responsibility for problems in other countries. On the other hand, they must become aware of the growing inequality in their midst in order to prevent their own destabilization.

The challenge of future people not only raises the question of the rights of future generations, but generally also the question of the balancing of the rights of different stakeholder groups against each other. These questions lead to a deep examination of various human rights factors. At what point can they be asserted, what degree of equality should be sought if, as noted in the last question, complete equality is not possible at all.

The challenge of future people not only raises the question of the rights of future generations, but generally also the question of the balancing of the rights of different stakeholder groups against each other. These questions lead to a deep examination of various human rights factors.

From these questions, Philips develops a possible framework with the help of which such dilemma situations could be dealt with (Philips, 2020).

Inevitably linked to these issues are the pressing challenges of climate change. This topic brings together almost all of the issues mentioned so far. One term that unites all these issues is the call for climate justice. The Unicef Climate Justice Roundtable, which brought together a group of activists and experts, defines the term as "combatting social injustice, gender injustice, economic injustice, intergenerational injustice and environmental injustice" and see the logical consequence and solution in large-scale systemic change (UNICEF, 2022). Therefore, the call for climate justice can be seen as one of the central challenges for governments, especially for those who have benefited from injustice in the past. To bridge the gap to the challenge of future people it should also be noted at this point that although the topics addressed are more important than ever, they are by no means as new as their prominent place on the everyday agenda. Already in 1972 at the United Nations Conference on the Human Environment these claims were represented:

*„To defend and improve the human environment for present and future generations has become an imperative goal for mankind—a goal to be pursued together with, and in harmony with, the established and fundamental goals of peace and of worldwide economic and social development (United Nations, 1972).“*

The list of challenges mentioned is certainly not exhaustive, many challenges arise in everyday political life and differ in each country, the problems presented are intended to focus on systemic responsibility. Following on from this, the next section will focus on the possibilities and opportunities and use the question of motivation to paint a picture of how and why a commitment to international value systems can be worthwhile.

### 3.1.2 Opportunities for Liberal Democracies

The question of motivation as discussed by Philips goes into great theoretical depth as to which material and immaterial needs of people must be met in order to guarantee that they do not violate the rights of others. Similarly, the question of which needs can or must be fulfilled to what extent in

order to maintain a society of human rights over several generations, with fluctuating priorities of their needs, is also discussed very theoretically. In his conclusions, he finally addresses the optimism of the theories presented and suggests them as a means of achieving an ideal to strive for in decision-making situations (Philips, 2020).

So what scope do the various threats and the question of motivation open up for decisions in terms of internationally realized human rights and sustainability goals? To approach an answer to this question, an example at the national level will be used in the following to finally make a theoretical transfer to the international level.

In one of her publications, Sonja Grimm discusses the extent to which respect for human rights is a commitment to democracy. Similar to her considerations, the following section also assumes that respecting human rights is a desirable goal of political action. In one of her publications, Sonja Grimm discusses the extent to which respect for human rights is a commitment to democracy. Similar to her considerations, the following section also assumes that respecting human rights is a desirable goal of political action. In her final remarks, Grimm comes to the conclusion that political participation is part of the self-determination given by human rights. Consequently, political participation should be made possible for everyone (Grimm, 2004). The fact that even countries with a high degree of realized democracy can improve can be illustrated by the example of Germany. On the one hand, statistical surveys show a decline in confidence in the government (Statista, 2024) and on the other hand the demands for political participation rights that go beyond the right to vote are becoming louder and more urgent. For example, through the demands of the climate activist group „Letzte Generation“, which is calling for a social council to solve climate policy issues (Letzte Generation, 2024).

Finally, climate policy issues also draw attention to the international context. They draw a link to the demands of the United Nations SDGs and what means are needed to assume international responsibility. In her analysis of securing human rights, Sonja Grimm comes to the conclusion that even military deployment abroad could be justified if proportionality is maintained (Grimm, 2004). In

defense of climate justice, strict economic actions and conditions, such as functional supply chain laws, could be well justified. Scientific findings from the V-Dem Democracy Report support this thesis. It shows that the economic power of autocratic states is increasing significantly and that the share of global trade between democratic states has fallen from 74% to 47% in the last 24 years. The authors therefore call for a closer examination of the growing power of autocratic states and how these trends can be counteracted (Papada et. al., 2023)

### 3.2 Resilience of universal human rights and SDG's

The final question of resilience will not be answered with certainty. The above observations and findings only allow some conclusions to be drawn about the long-term existence of international value systems. First of all, it must be noted that the trends of radicalization and strengthening autocracies show that human rights, democracy and the associated objectives of the SDGs are by no means immanently resilient to attacks.

On the other hand, the many different institutions dedicated to the protection and implementation of these ideas show that there is a strong international civil society that has acquired knowledge and tools for the defense of liberal democracies over many years. V-Dem analyzes the example of countries in which autocratic processes have been reversed and comes up with five effective means of redemocratization. United opposition uniting with civil society and international support and protection of democracy are two of these means (Papada, et. al., 2023), and they support the assumption that the above-mentioned challenges and opportunities of liberal democracies and a systematic exploration of scope for action can lead to effective policies

## 4 Conclusion

Firstly, in the previous sections, both in the data analysis and in the following discussion of the theoretical and practical opportunities and risks, it was emphasized at various points how closely the various topics are intertwined and connected. And regarding the question of motivation, Philip's comment on aspirational ideals was also mentioned. However, if one assumes that the status

achieved in liberal democracies is the aspirational goal for other countries, the aspirational goal for liberal democracies could be even more far-reaching. In concrete terms, liberal democracies could use the freedom available to them to pursue goals that transcend national borders. When considering arguments about historical or spillover effects that contribute to responsibility for negative consequences abroad, aspirational goals in terms of international responsibility should almost be self-evident.

Secondly, the idea of resilience developed in the previous section should be emphasized and specified once again. The resilience of international value systems is not predetermined, but grows and falls with the mass of people and institutions that are involved in defending and promoting them.

Finally these conclusions give rise to a network of social responsibility and self-preservation interests for liberal democracies. They are called upon to promote active engagement and dissemination of these ideas and to enforce the nationally applicable values and norms in their actions in the international context.



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## Effective conflict resolution through ADRs: opportunities, challenges and applications in different contexts

Author: Pauline Nicolay

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### 1 Introduction

The achievement of sustainable development hinges on safeguarding the environment, preserving natural resources, and fostering economic growth that is intricately linked with responsible resource utilization. In simpler terms, sustainable development is contingent upon maintaining environmental sustainability. Conversely, Goal 16 of the 2030 Agenda for Sustainable Development emphasizes the need for global peace, justice, and robust institutions, aiming to uphold the rule of law and facilitate access to justice on a worldwide scale. Addressing environmental conflicts is an integral facet of environmental sustainability and a crucial

component of ensuring access to justice. The escalating environmental challenges stemming from the relentless growth of the global population and the insufficient global adoption of renewable energy resources have significantly impacted the environment, leading to a corresponding surge in environmental conflicts.

Given the considerable diversity in the judicial systems of nations worldwide and the often inefficacious nature of these systems, there arises a pressing need to reconsider and reconstruct effective alternative dispute resolution mechanisms, especially concerning their role in environmental conflicts. However, it is essential to acknowledge

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