

**Statement of IIDMA under Agenda item 5**  
17/01/2019

Ms. and Mr. Chairs, distinguished delegates,

**I'm Paulo Magalhães**, and, I'm representing IIDMA and Common Home of Humanity and speaking on behalf of several NGOs present here today.

As you know, we met with several Member States and both Co Chairs. We are grateful for the engagement and we believe strengthening such collaboration should be an important part of this process going forward.

The initial impulse of this initiative came from civil society, more specifically from professors of environmental law and judges from all over the world.

As such, we are key stakeholders and the outcome of this process is of fundamental importance to civil society.

This pact is an absolute necessity, if we are able to determine which is its object and what are its advantages.

Although we do not have the right of voting, we must say that we aren't here, only to legitimate the decisions you take. We cannot have responsibilities, if we are not in position to propose solutions to be discussed as something to be considered in a serious way, and be here only because is politically correct to say that we are here, and say in a public way that we participate.

If in the next few years we go beyond the Planetary Threshold, changing from a stabilized Earth System to a Hothouse Earth, the victims will be concrete people, and not the abstract entities that are the States. And these people are your people of each of your the States present here.

We have already agreed between us, that we will prepare for you a document that will be called " Why we need a UN framework convention on the Earth System". The contributions from civil society for a Global Pact for Environment.

*Law at the service of the environment*

We will ask that this document be sent to all delegates from all countries before our next meeting. Once we have the responsibility, we pretend that this proposal enter as an option to be considered in the next meeting.

But more than that, what we really asking for, is for this text be read by all of you. and you will see that none of your sovereignty powers will be affected. When we are talking about the Earth System, we are not talking about territories. We are talking about an intangible Earth system that has no territory, that is global, constituted for biogeophysical cycles that circulate around all the planet, and are not under the sovereignty of any state. This system, that exists inside and outside all countries, is our main and most outstanding global common.

The first step, as Elinor Ostrom teach us, for a successful management of a Common Good, there are at least 3 central structural conditions:

- 1 – to define in a clear way the common good that is at stake;
- 2 - To have rules of appropriation of the common good;
- 3 . To have rules for provision of benefits on the common good.

These are some of the basic conditions to become possible a collective action. This pact, more than a binding document, should give us a new theoretical framework for organize the interdependence between all the people of world, on the common use of the same system we all depend. We need a new concept that allow us to find new solutions! We have the great responsibility of being capable of finding one agreement where all of us feel its own interest protect. And this is only possible with a new theoretical framework: the global pact we are building! As human construction that will be, it will not never be a perfect construction, but must have a better capability of explaining the world we live. For so, only innovation could give us a new grown to move forward.