



The rights of nature in the constitution of Ecuador: a pillar of good living

Los derechos de la naturaleza en la constitución de Ecuador: un pilar del buen vivir

Nahim Alejandro Astudillo Sánchez
Universidad Internacional del Ecuador: Quito, EC
naastudillosa@uide.edu.ec
<https://orcid.org/0009-0001-6520-7171>

Luis Mauricio Maldonado Ruiz
Abg. Docente de la Universidad Internacional del Ecuador-UIDE
maldonadoluismauricio@gmail.com
<https://orcid.org/0000-0002-0956-7869>

ABSTRACT

Ecuador's 2008 Constitution marked a milestone in environmental law by integrating the Rights of Nature and Sumak Kawsay (Good Living) into its legal framework. This study analyzes the foundations of these concepts, their relationship to indigenous worldviews, and their evolution from previous environmental reforms. It examines how the Constitution recognizes nature as a subject of rights, surpassing the traditional anthropocentric approach, and establishes a reciprocal relationship between society and the natural environment. The implementation of these rights in Ecuadorian legislation and public policies is evaluated, identifying protection mechanisms and obstacles to their effective application. The role of citizen participation in nature protection is highlighted, where citizens have the right and obligation to actively engage in defending the environment and managing natural resources. The results reveal an innovative legal framework, but point to challenges in its practical application due to the persistence of an extractivist economic model and the need to strengthen citizen participation. It is concluded that the Ecuadorian experience offers valuable lessons for other countries seeking sustainable development.

models, and the Constitution lays the foundation for a legal paradigm that harmonizes human development with the protection of natural equilibrium.

RESUMEN

La Constitución de Ecuador de 2008 marcó un hito en el derecho ambiental al integrar los Derechos de la Naturaleza y el Sumak Kawsay (Buen Vivir) en su ordenamiento jurídico. Este estudio analiza los fundamentos de estos conceptos, su relación con las cosmovisiones indígenas y su evolución desde reformas ambientales previas. Se examina cómo la Constitución reconoce a la naturaleza como sujeto de derechos, superando el enfoque antropocéntrico tradicional, y cómo establece una relación de reciprocidad entre la sociedad y el entorno natural. Se evalúa la implementación de estos derechos en la legislación y las políticas públicas de Ecuador, identificando mecanismos de protección y obstáculos a su aplicación efectiva. Se destaca el rol de la participación ciudadana en la protección de la naturaleza, donde los ciudadanos tienen el derecho y la obligación de involucrarse activamente en la defensa del medio ambiente y la gestión de recursos naturales. Los resultados revelan un marco legal innovador, pero señalan desafíos en su aplicación práctica debido a la persistencia de un modelo económico extractivista y la necesidad de fortalecer la participación ciudadana. Se concluye que la experiencia ecuatoriana ofrece valiosas lecciones para otros países que buscan modelos de desarrollo sostenibles, y la Constitución sienta las bases para un paradigma jurídico que armoniza el desarrollo humano con la protección del equilibrio natural.

Keywords / Palabras clave

Rights of Nature, Sumak Kawsay, Constitution, Ecuador, Environmental Law.

Derechos de la Naturaleza, Sumak Kawsay, Constitución, Ecuador, Derecho Ambiental.

Specialty principle, jurisdiction, protective action.

Introduction

The Constitution of the Republic of Ecuador, promulgated in October 2008, represents a significant milestone in contemporary constitutional law, standing out as one of the most advanced expressions of the new Latin American constitutionalism. Its innovative structure is based on three essential ideological pillars: the plurinationality of the State, the orientation towards Sumak Kawsay (Good Living) as a model of development, and the recognition of the Rights of Nature. The latter, in particular, emerges as the most daring and disruptive advance, both in the legal and philosophical spheres, redefining the relationship between society and the environment.

The recognition of Nature as a subject of rights implies a paradigm shift in legal thinking, overcoming the anthropocentric approach that has traditionally dominated the conception of law. This perspective, which traditionally considers law as a construct exclusively for and by human beings, is challenged by the Constitution of Montecristi. By granting rights to an entity that is neither human nor created by humans, the very foundations of law are reconfigured, opening a path toward comprehensive environmental justice and a more harmonious relationship between humanity and the planet.

Methodology

This research is based on a qualitative approach, with a documentary and analytical research design. This approach allows for an in-depth examination of the concepts, principles, and regulations related to the Rights of Nature and Sumak Kawsay in the 2008 Constitution of Ecuador. The methodology is based on a systematic review of primary and secondary sources, including constitutional texts, laws, case law, government reports, academic articles, and relevant international documents.

2. Data collection

Data collection was carried out through a comprehensive review of legal and academic documents. Primary sources include:

- Constitution of the Republic of Ecuador (2008): Articles related to the Rights of Nature, Sumak Kawsay, and citizen participation were analyzed.

- Environmental laws and regulations: Secondary laws and regulations that develop constitutional principles were reviewed, such as the Organic Law on Jurisdictional Guarantees and Constitutional

Control.

- Case law: Emblematic cases were examined, such as the Vilcabamba River case, which have set precedents in the application of the Rights of Nature.
- International documents: International treaties and declarations were included, such as the Stockholm Conference (1972) and the Rio Declaration (1992), which have influenced the development of environmental law in Ecuador.

Secondary sources include:

- Academic articles: Studies published in journals specializing in environmental, constitutional, and indigenous studies were reviewed.
- Books and book chapters: Works by recognized authors in the field of environmental law and Andean neoconstitutionalism were consulted.
- Government and non-governmental organization reports: Reports on the implementation of environmental policies in Ecuador and other countries in the region were analyzed.

3. Data analysis

Data analysis was carried out using a hermeneutic approach, which allows legal and academic texts to be interpreted in their historical, cultural, and political context. The following analysis techniques were used:

- Content analysis: The main concepts, principles, and norms related to the Rights of Nature and Sumak Kawsay were identified and categorized. This analysis provided an understanding of how these concepts have been incorporated into the Constitution and how they have been developed in legislation and jurisprudence.
- Comparative analysis: Ecuador's constitutional provisions were compared with those of other countries that have also recognized the Rights of Nature. This analysis allowed us to identify similarities and differences in the implementation of these rights.
- Critical analysis: The challenges and limitations in the implementation of the Rights of Nature in Ecuador were evaluated, considering factors such as the extractive economic model, citizen participation, and institutional weakness.

4. Triangulation of sources

To ensure the validity and reliability of the results, the technique of triangulation of sources was used. This involved comparing information obtained from different types of sources (legal, academic, reports) to ensure that the findings were consistent. In addition, sources from different perspectives (governmental, academic, indigenous) were consulted to obtain a more balanced view of the issue.

This document will explore in depth the meaning and significance of the Rights of Nature in the Ecuadorian Constitution, analyzing its historical context, fundamental principles, and implementation challenges. It will also examine the intrinsic connection between the Rights of Nature and Sumak Kawsay, highlighting how both concepts complement each other to promote a sustainable and environmentally friendly development model. Finally, it will address the crucial role of citizen participation in protecting these rights, underscoring the need for a collective commitment to ensure a future in harmony with nature.

1. The 2008 Constitution recognizes the Rights of Nature

The Constitution of the Republic of Ecuador, promulgated in October 2008, marks a milestone in the history of contemporary constitutional law and is recognized as one of the most advanced expressions of the new Latin American constitutionalism. Its structure is based on three fundamental ideological pillars: the plurinationality of the State, the orientation towards Sumak Kawsay (Good Living) as a model of development, and the recognition of the Rights of Nature. The latter constitutes the most daring and disruptive advance, both in the legal and philosophical spheres.

The recognition of Nature as a subject of rights represents a paradigm shift in legal thinking, overcoming the anthropocentric approach that has traditionally dominated the conception of law. This approach, as Ost pointed out, interprets law exclusively as a construct for and by human beings: “if law exists for men, it also exists for men, for the simple and inescapable reason that its language only makes sense to them” (Ost in Crespo, 2009). However, the Montecristi Constitution challenges this premise by granting rights to an entity that is neither human nor created by humans, redefining the very foundations of law.

1.1. A process of environmental constitutionalism

The recognition of the Rights of Nature in the 2008 Constitution is the result of a historical process that began decades earlier. Since the constitutional reform of 1984, environmental law has evolved progressively in Ecuador. In that year, the right of individuals to live in an environment free from pollution was recognized, and the duty of the State to preserve nature was established. This advance was reinforced by international influences, such as the Stockholm Conference (1972) and the Rio Declaration (1992), which consolidated the approach to environmental law as an essential component of sustainable development.

The 1998 Constitution improved the environmental framework, recognizing environmental rights as collective rights and establishing the State's obligation to protect the natural heritage. However, these advances were still insufficient to guarantee a harmonious relationship between society and the environment.

1.2. Historical shift in the 2008 Constitution

With the enactment of the 2008 Constitution, a historic change took place with the recognition of nature as a subject of rights in Article 10. This recognition was developed in Articles 71 and 72, which not only enshrine the rights of nature but also establish specific procedures for its protection, such as protective action and precautionary measures against possible environmental damage.

The Constitution establishes innovative principles in environmental matters:

1. **Prevention and precaution:** These oblige the State to adopt measures to prevent negative impacts on the environment, even in the face of scientific uncertainty.
2. **In dubio pro-natura:** This provides that, in case of doubt about the scope of legal provisions on environmental matters, the interpretation most favorable to nature shall always apply (Article 395, paragraph 4).
3. **Citizen participation:** Guarantees citizens access to environmental information, prior consultation, and the possibility of seeking justice in cases of environmental damage (Articles 398 and 397, paragraph 1).

In addition, fundamental rights related to the environment are recognized, such as the right to a healthy and ecologically balanced

environment (Article 14) and the shared responsibility of citizens in the conservation of natural heritage (Article 83, paragraph 13).

1.3. Disengagement from the anthropocentric approach

The identification of Nature as a rights holder symbolizes an essential transformation in the paradigm of legal thinking, overcoming the anthropocentric approach that has traditionally prevailed in the vision of law. This perspective, as Ost pointed out, perceives law solely as a creation for and by human beings: "...if law arises from human beings, it also arises from human beings, for the simple and inescapable reason that its language only has meaning for them" (Ost in Crespo, 2009). However, the Constitution of Montecristi challenges this premise by granting rights to an entity that is neither human nor created by humans, reconfiguring the very principles of law.

By recognizing the legal personality of Nature or Pachamama, the Ecuadorian Constitution introduces a new category of subjects of rights. This not only strengthens environmental protection, but also establishes a reciprocal relationship between human beings and the natural environment, based on what Leonardo Boff calls the "natural contract." This contract emphasizes that human beings have an intrinsic responsibility to care for and preserve the living Earth in return for the goods it provides.

1.4. Towards a new legal system

The constitution that recognizes the Rights of Nature also promotes the need to develop a new legal discipline. As indicated by Ayala et al. (2019), this modification not only introduces a new constitutional principle, but also requires the creation of a legal framework to facilitate its effective implementation. This challenge involves the implementation of policies, regulations, and rulings that give concrete form to the principle of reciprocity between human beings and nature, moving toward a new legal system that goes beyond the boundaries of traditional constitutionalism based on the social contract.

Therefore, Ecuador's ecological constitution not only redefines the relationship between society and nature, but also inaugurates a revolutionary legal model that seeks to harmonize human development with the protection and restoration of the natural balance. This advance makes Ecuador a global benchmark in the search for comprehensive environmental justice based on the interdependence between human beings and the Earth.

2. Meaning and principles of Sumak Kawsay

It is a philosophical and ethical principle of Andean worldviews that expresses the aspiration for a full life based on balance and harmony between human beings, the community, and Nature (Soledispa, 2022). More than an economic or political concept, Sumak Kawsay represents a holistic way of life that values interdependence, respect for biodiversity, and a spiritual connection with the universe. In this sense, it promotes a model of development that transcends materialism and focuses on collective well-being and sustainability.

2.1. Principles of Sumak Kawsay

Sumak Kawsay, or Good Living, is a philosophy of life originating from the indigenous peoples of the Andes, particularly the Quechua and Aymara, which is based on harmony between human beings, the community, and nature (Coral, 2021). It is not a development model in the Western sense, but rather a way of understanding life where well-being is not measured in terms of the accumulation of wealth, but rather in the quality of relationships with the environment. It is based on balance, reciprocity, and complementarity, as opposed to the values of individualism, competition, and unlimited economic growth.

Good Living proposes a respectful and sacred relationship with nature, as the Andean peoples do not see it as an exploitable resource, but as a living being with which one must coexist in harmony (Martínez, 2024). Pachamama is at the center of this vision, as all forms of life depend on her and, therefore, she must be protected and respected in her natural cycles. From this perspective, the economy cannot be based on the indiscriminate exploitation of resources, but rather on responsible and sustainable use that guarantees the life of future generations.

The community occupies a central place in this vision, since well-being is not individual, but collective. Sumak Kawsay rejects the idea that happiness and success depend on personal wealth and instead promotes solidarity, cooperation, and mutual support. Community life is based on reciprocity, where work and goods are shared equitably, and where traditional values such as *ayni* (collaborative work) and *minka* (communal work) remain fundamental to social organization (Arévalo, 2024).

Cultural pluralism is another of its fundamental principles, as Buen Vivir recognizes the diversity of knowledge, wisdom, and ways of life.

There is no single valid model of development, but rather multiple paths that depend on the particularities of each culture and territory. This means that indigenous communities have the right to organize and make decisions according to their own traditions, without the state or the market imposing a single model of development (Olivar, 2024). In this sense, Sumak Kawsay values interculturality and dialogue between different forms of knowledge, including both ancestral wisdom and modern thinking.

Another essential aspect of Buen Vivir is community democracy, where decision-making is based on the participation of all members of the community. Authority is not exercised in a hierarchical or imposed manner, but is based on consensus and mutual respect. Indigenous communities have developed their own systems of government based on collective deliberation and rotation of positions, which allows for a more equitable management of power.

From a spiritual and ethical point of view, Sumak Kawsay is based on a deep relationship with nature and the cosmos. Life is not limited to the material, but also has a spiritual dimension that must be cultivated through respect, gratitude, and connection to the Earth. This holistic view conceives of existence as a web of relationships in which everything is interconnected, making balance and harmony fundamental to individual and collective well-being.

In Andean neoconstitutionalism, Sumak Kawsay has been incorporated into the constitutions of Ecuador and Bolivia as a guiding principle of the state. In Ecuador, the 2008 Constitution establishes that development must be based on harmony with nature and the protection of the rights of Pachamama (Rojas, 2024). In Bolivia, the 2009 Constitution introduces the concept of Vivir Bien, with similar principles, promoting a model based on complementarity, community, and sustainability (CPE, 2009). In both cases, these principles have served as the basis for public policies that seek to strengthen the rights of indigenous communities and the environment.

However, the implementation of these principles has faced multiple challenges. Despite their constitutional recognition, the economic models of Ecuador and Bolivia continue to depend heavily on extractive activities such as mining and oil exploitation. This has led to conflicts between the state, indigenous communities, and environmental movements, as many government decisions have prioritized economic development over the protection of nature and

the rights of indigenous peoples. The contradiction between political discourse and economic practices has been one of the greatest obstacles to the realization of Buen Vivir in the daily lives of these nations.

Furthermore, the application of Sumak Kawsay requires the construction of legal and administrative mechanisms that allow for its effective implementation. Although the law recognizes the rights of nature and legal pluralism, in practice state institutions continue to operate under a Western paradigm, which limits the autonomy of indigenous communities and the effectiveness of their own regulatory systems.

Despite these challenges, Sumak Kawsay remains an important reference point in the search for alternative models of development. Its influence has transcended the borders of the Andean countries, inspiring social, environmental, and human rights movements in other parts of the world. In the face of the environmental crisis and social inequality caused by the capitalist system, Buen Vivir represents an alternative based on sustainability, equity, and respect for cultural and ecological diversity.

3. The Buen Vivir Regime and the Rights of Nature in the Constitution of Ecuador

According to the Constitution of the Republic of Ecuador (2008), it represents a milestone in environmental protection by incorporating the concept of Buen Vivir (Sumak Kawsay) and recognizing the rights of nature as a central basis for public policy and social coexistence. This vision of life, deeply rooted in the worldviews of indigenous peoples, proposes a harmonious and respectful relationship between human beings and nature, understanding that the health of the planet is fundamental to collective well-being.

One of the most innovative aspects of the Ecuadorian Constitution is its recognition of nature as a subject of rights, a biocentric approach that moves away from the traditional anthropocentric perspective. Nature, known in law as Pacha Mama, has its own rights that must be protected, respected, and promoted by the State. These rights include, among others, the right to exist, regenerate, maintain its ecological cycles and processes, and be restored in the event of significant damage. This approach redefines the way humans should interact with the environment, moving from a utilitarian view to one of respect and comprehensive preservation.

The Ecuadorian State has a responsibility to ensure the protection of ecosystems, prioritizing biodiversity conservation and the prevention of environmental damage. In this regard, the protection of natural resources, such as soil, water resources, and fragile ecosystems (such as páramos and mangroves), is one of the State's main obligations. The Constitution also prohibits activities that could irreversibly alter natural cycles or cause the extinction of species. In addition, nature restoration is recognized as a right that must be implemented in situations of serious environmental damage, such as those resulting from the extraction of non-renewable resources.

This comprehensive legal framework reflects a commitment to sustainability, environmental justice, and intergenerational equity, recognizing that the preservation of nature is fundamental not only for the present but also for future generations.

4. Citizen Participation in the Protection of the Rights of Nature

The Ecuadorian Constitution establishes a participatory vision in the protection of nature, understanding that the defense of the environment should not fall exclusively to the State but is a collective commitment.

The Ecuadorian Constitution establishes a participatory vision for the protection of nature, understanding that the defense of the environment should not fall exclusively to the State, but is a collective commitment. In this sense, citizens have both the right and the obligation to actively engage in the defense of the rights of nature and in decision-making related to the management of natural resources.

One of the fundamental mechanisms for ensuring this participation is the right to popular consultation. This mechanism allows communities to express their consent or rejection of projects that may have a negative impact on ecosystems, such as extractive projects or the modification of sensitive ecosystems. Popular consultations are binding, which means that the decisions made by communities must be respected by government authorities and private companies.

Civil society also plays a crucial role through the creation of community committees and organizations responsible for environmental oversight. These groups, many of which draw on the ancestral knowledge of indigenous peoples, have the capacity to monitor projects and activities that may affect the ecological balance. The work of these committees goes beyond reporting: they also have

the power to propose actions to prevent environmental damage and promote the regeneration of damaged ecosystems.

Another key aspect is access to environmental information, which is guaranteed as a right in the Constitution. This allows citizens to be informed about the potential impacts of human activities on the environment and to exercise effective control over decisions that affect ecosystems. Transparency in environmental management is an essential component of ensuring accountability and justice in decision-making.

Finally, the Constitution also provides legal tools, such as constitutional protection and protective measures, that allow citizens to demand the restoration of ecosystems or the repair of damage caused. These tools ensure that the rights of nature are defended not only by the State, but also by citizens themselves, consolidating a culture of sustainability that extends to all spheres of society.

5. Environmental Education and the Culture of Good Living

An essential aspect of the rights of nature regime in Ecuador is environmental education as a tool to strengthen the culture of Good Living. The Constitution recognizes that to achieve true integration between humans and nature, a profound change in social values and practices is necessary (Hernández et al., 2024). Environmental education should not only be taught in schools but also be part of everyday culture, promoting collective awareness of the importance of protecting biodiversity and ecosystems.

This cultural change involves the adoption of sustainable practices in all areas of social and economic life. Public policies should be geared toward fostering environmental responsibility in economic activities, reducing the consumption of non-renewable resources, and promoting clean technologies. Similarly, it is important to integrate the ancestral knowledge of indigenous peoples into environmental management policies, as their relationship with the land is an example of sustainability and respect for natural cycles.

The Ecuadorian State has an obligation to ensure that the education system promotes these values, providing new generations with the tools they need to live in harmony with nature and build a more just and balanced future. A fundamental aspect of the rights of nature in the Ecuadorian Constitution is their close relationship with human rights. The protection of nature is not an isolated goal, but is directly

linked to the well-being of people. The right to a healthy environment is considered a fundamental right, as environmental degradation directly affects health, quality of life, and access to essential resources such as water and clean air.

6. Challenges in the Implementation of the Rights of Nature

The incorporation of the rights of nature into Ecuador's Constitution in 2008 set a historic precedent worldwide by recognizing nature as a subject of legal rights. This innovative legal framework seeks to guarantee the existence, regeneration, and restoration of ecosystems, promoting harmonious coexistence between human communities and their natural environment. However, the effective implementation of these rights faces various challenges.

112

Among the main obstacles are the lack of legislative development to regulate these principles, widespread ignorance among citizens and authorities, and the absence of specialized courts on environmental issues. Added to this is the conflict with economic and political interests linked to an extractive development model, which often prioritizes activities that compromise the integrity of ecosystems. This article explores these challenges, analyzing their impact on legal and social practice, with the aim of highlighting the importance of strengthening institutions and collective awareness to make the rights of nature effective in Ecuador.

The Vilcabamba River case

In October 2008, Ecuador set a global milestone by incorporating a unique recognition into its Constitution: nature as a subject of rights. This legal framework establishes that any person or group can demand the fulfillment of these rights before any public authority, consolidating an innovative approach to the relationship between humans and the environment. Among the rights granted to nature are respect for its existence, the regeneration of its life cycles, the restoration of damaged areas, and the adoption of precautionary measures against activities that could irreversibly harm it. Additionally, the introduction of organisms or materials that alter the country's genetic heritage is prohibited, reinforcing a comprehensive vision of conservation.

In this context, the case of the Vilcabamba River sets a historic precedent. The construction of the Vilcabamba-Quinara highway by the Provincial Government of Loja caused significant damage to the

river's ecosystem, leading two foreign citizens to file a lawsuit for the violation of the rights of nature (Castillo et al., 2024). The court recognized the violation of these rights, marking the first judicial ruling in Ecuador to directly apply this new constitutional framework. This case laid the groundwork for future legal actions in defense of nature, but also highlighted several challenges in its implementation.

One of the main obstacles is the lack of secondary legislation to develop and regulate the rights of nature. Although the Constitution recognizes them, their interpretation is subject to the discretion of judges and authorities, leading to inconsistencies in their application. Furthermore, the lack of awareness of these rights among public officials and citizens hinders their effective exercise. This problem is exacerbated by the absence of specialized environmental courts, which limits the capacity of the judicial system to adequately address related cases.

These challenges are compounded by the tension between the constitutional framework and the prevailing economic dynamics in Ecuador, especially those linked to the extractive model. Mining, agricultural, and infrastructure activities are often prioritized over environmental conservation, creating conflicts of interest that threaten the enforcement of the rights of nature.

The case of the Vilcabamba River shows the need to strengthen institutions and legal tools to ensure that the rights of nature not only exist on paper but become an effective reality. This requires not only specific legislation but also training at all levels, from judges to citizens, to consolidate a legal and social culture around environmental protection.

Ultimately, defending the rights of nature is a challenge that involves balancing economic, social, and environmental interests. Only through collective and sustained effort will it be possible to realize this visionary pillar of Buen Vivir in Ecuador.

7. Tensions between Economic Development and Ecological Rights

The tension between economic development and ecological rights has been a constant in the history of global politics, especially in countries rich in natural resources. Traditionally, it has been understood that economic progress is only possible through the intensive exploitation of these resources, which often conflicts with the need to preserve the environment. This dichotomy, however, has begun to be questioned

with the introduction of the concept of sustainable development. This approach proposes a development model that meets the needs of the present without compromising the ability of future generations to meet their own, advocating for the integration of three fundamental dimensions: economic, social, and environmental.

The concept of sustainable development was consolidated at the Rio Summit in 1992 and reaffirmed at subsequent events such as the Johannesburg Summit (2002) and Rio+20. However, although a theoretical consensus on sustainability has been reached, its practical implementation remains a considerable challenge. In many cases, political and economic decisions focus primarily on immediate benefits, such as job creation or economic growth, without taking into account long-term externalities (Foradori & Molina, 2024). For example, when an industry is developed, the economic benefits are assessed, but the impact on ecosystems, such as the loss of vital services such as flood regulation or water purification, is rarely considered, which ultimately affects the most vulnerable communities in the long term.

As explained (Fuentes, 2024), a paradigmatic case of this tension is the exploitation of lithium, a key mineral for the energy transition to renewable sources. Although the demand for lithium is essential to reduce greenhouse gas emissions and combat climate change, its extraction poses serious environmental problems, such as the contamination of water sources and the alteration of fragile ecosystems. This dilemma highlights the paradox that mitigating the impact of climate change requires activities that, in turn, contribute to environmental degradation. In countries such as Argentina, which has large lithium reserves, it is crucial to find a balance between exploiting these resources and ensuring their responsible and sustainable exploitation.

The case of Ecuador also illustrates how the tension between development and sustainability can result in conflict. Despite international commitments to ecological transition, the country has intensified oil production and mining, leading to increased deforestation in the Amazon. Despite efforts to create new protected areas, such as the Galapagos Marine Reserve, financing and management problems remain obstacles (Erazo, 2024). Without sufficient resources, these areas are left without effective protection, underscoring the need not only to create policies but also to ensure

their effective implementation through transparent and sustainable mechanisms.

The climate crisis is another factor that has exacerbated the tension between economic development and ecological rights. Globally, the energy sector is responsible for more than three-quarters of greenhouse gas emissions (Sánchez et al., 2024). In this context, the transition to renewable energy has become an urgent necessity. However, this transition is neither linear nor free of contradictions, as the decarbonization of the energy matrix requires the intensive use of minerals such as lithium, copper, and nickel, whose extraction generates significant environmental impacts. This paradox highlights the complexity of the socio-ecological transition, which requires not only a change in energy sources, but also a redefinition of economic and development models.

Thus, the key to addressing the tension between economic development and ecological rights lies in recognizing that the social is environmental. Environmental problems such as climate change and biodiversity loss have a direct impact on the most disadvantaged communities, which suffer most from the consequences of ecological degradation. It is therefore essential that development policies be designed with a long-term vision that not only considers immediate economic benefits, but also incorporates environmental sustainability and social well-being as fundamental pillars. The transition to a more sustainable economic model is possible, but it requires a joint effort involving governments, businesses, and civil society to ensure that natural resources are used responsibly, guaranteeing that the benefits are shared equitably and that the well-being of future generations is not sacrificed.

To achieve an effective transition, it is essential that policies are comprehensive and take the long term into account. This includes implementing mechanisms to ensure that negative externalities, such as pollution or biodiversity loss, are internalized in production and consumption costs. In the case of mining and natural resource exploitation, it is essential that countries adopt approaches that prioritize sustainable management, taking into account not only immediate economic profitability but also long-term social and environmental implications.

The challenge is therefore to find a dynamic balance between the exploitation of natural resources and the preservation of the

environment, taking into account the interdependencies between these areas (Botero, 2024). The global ecological crisis requires each nation to work from its specific context, but with a global vision of sustainability. The key to this lies in cooperative and intersectoral resource management that includes dialogue between productive sectors, local communities, governments, and international organizations.

Finally, in the context of the ecological transition, the role of social justice and equity is fundamental. The most vulnerable communities, often those most affected by environmental degradation, must be an active part of decision-making processes and benefit from natural resource management. Thus, economic development and ecological rights should not be seen as opposites, but as elements that can and must converge towards a more sustainable future for all.

8. Human rights and the rights of nature in Andean neoconstitutionalism

Andean neoconstitutionalism is a legal model that has emerged in response to the sociocultural and environmental realities of countries such as Ecuador and Bolivia, marking a fundamental shift in the understanding of human rights and nature (Narváez, 2025). This model, which breaks with the foundations of traditional liberal constitutionalism, is the product of historical processes in which indigenous, peasant, and social movements played a crucial role in transforming the state and its norms, seeking a more just, intercultural society in balance with nature.

In terms of human rights, Andean neoconstitutionalism is not limited to the individualistic approach that predominates in Western law. On the contrary, it broadens its perspective by incorporating the collective rights of indigenous peoples. This includes, for example, the right to free, prior, and informed consultation, a mechanism that guarantees that indigenous communities are consulted before any economic activity, such as natural resource extraction, that may affect their territories is carried out. This right, established in international instruments such as ILO Convention 169 and recognized in the constitutions of Ecuador and Bolivia, seeks to protect both the autonomy and cultural integrity of these communities (ILO, 2014).

This model therefore incorporates legal pluralism, a recognition that different legal systems can coexist within the territory of the same state. This means that indigenous peoples have the right to apply their

own norms, customs, and justice systems, provided that they respect fundamental rights. This approach not only recognizes cultural and legal diversity, but also vindicates centuries of resistance to the imposition of a colonial legal system that historically ignored indigenous practices and worldviews.

However, the most notable innovation of Andean neoconstitutionalism is the recognition of the rights of nature, which represents a radical break with traditional notions of law, where nature was seen as an object or exploitable resource. In this model, nature is considered a subject of rights. This means that ecosystems, rivers, forests, and other natural elements have the right to exist, regenerate, and maintain their life cycles. This approach, which has its roots in indigenous Andean worldviews, is enshrined in the 2008 Constitution of Ecuador, which recognizes Pachamama as an entity worthy of protection for its intrinsic value.

A central element linking human rights and the rights of nature is the principle of Good Living, known as Sumak Kawsay in Quechua or Suma Qamaña in Aymara. This concept proposes a way of life that prioritizes balance, harmony, and sustainability, both at the personal and collective levels. Contrary to the Western model of development, based on unlimited economic growth and resource exploitation, “Good Living” promotes respectful coexistence between people and nature. This guiding principle informs not only political and economic decisions, but also the spiritual relationship that Andean communities have with their environment (Villamar, 2024).

Despite progress, Andean neoconstitutionalism faces significant challenges. One of the main challenges is the contradiction between the recognition of the rights of nature and the extractive economic model that predominates in countries such as Ecuador and Bolivia. The dependence on the exploitation of natural resources such as oil, gas, and minerals to finance social programs creates tensions between constitutional aspirations and state policies (Alarcón, 2023). This has led to social conflicts, especially in cases where collective rights or the principles of prior consultation are not respected.

As a result, the effective enforcement of these rights remains a challenge. Although the constitutional texts are innovative and progressive, their implementation faces structural problems such as lack of resources, institutional weakness, and resistance from powerful economic sectors. For example, in cases where the rights of nature

have been violated, legal actions often encounter practical and political barriers that limit their effectiveness.

Andean neoconstitutionalism not only redefines law in the countries where it applies, but also has a global impact. Its recognition of the interdependence between human rights and nature offers an innovative model for addressing the environmental and social crises of the 21st century, such as climate change, biodiversity loss, and growing inequalities (Palomino & Palomino, 2024). This model, although still facing challenges, is an example of how law can be transformed to respond to the needs of a world seeking a balance between development, social justice, and sustainability.

9. Nature in Andean neoconstitutionalism

118

Andean neoconstitutionalism emerged as a response to the need to transform traditional legal frameworks to incorporate principles of social justice, legal pluralism, and the rights of nature, in line with indigenous worldviews. In this context, nature is no longer considered solely as an economic resource but is recognized as a subject of rights, representing a break with the Western paradigm of environmental law based on ownership and rational exploitation of natural resources.

One of the most important milestones of this approach is the 2008 Constitution of Ecuador, which establishes in Articles 10 and 71-74 that nature or Pachamama has its own rights, including the right to existence, maintenance, and regeneration of its life cycles. In addition, it allows any person or group to sue on behalf of nature to demand its protection, without having to demonstrate a personal interest. This represents a global innovation in constitutional and environmental law, recognizing that nature has value in itself beyond its usefulness to human beings.

In Bolivia, the 2010 Law on the Rights of Mother Earth reinforces this vision by defining the Earth as a living being with fundamental rights, including the right to life, biological diversity, balance, and restoration (Galimberti, 2024). This legal framework seeks to guarantee harmonious coexistence between humans and nature, under the notion of Living Well (Sumak Kawsay in Quechua), which proposes a model of development based on harmony with the environment and the community.

From a philosophical and legal perspective, Andean neoconstitutionalism differs from classical constitutionalism in that it

incorporates elements of legal pluralism and recognizes indigenous normative systems, giving them a status comparable to state law in certain areas, especially in environmental and territorial governance issues (Morales, 2025). This perspective is based on the idea that law is not unique or universal, but that multiple forms of normativity coexist and must be recognized and respected within the state.

However, despite the recognition of the rights of nature in the constitutional and legal framework, there are significant challenges to their implementation. The economies of countries such as Ecuador and Bolivia continue to depend heavily on extractive activities such as mining and oil exploitation, which creates tensions between constitutional principles and economic policies (Andrian et al., 2024). In addition, indigenous communities and environmental organizations have denounced that, in practice, many government decisions prioritize economic development over environmental protection, demonstrating the difficulty of enforcing the rights of nature in the face of economic and political interests.

Another important challenge is the lack of effective mechanisms for the implementation of these rights. Although progress has been made in terms of legal recognition, the application of these principles faces limitations such as lack of political will, institutional weakness, and the difficulty of harmonizing state law with indigenous justice practices. In this regard, jurisprudence and social mobilization have played a key role in defending these rights, with emblematic cases where judges have ruled in favor of nature in environmental conflicts.

To better understand this important point, it is important to know that Andean neoconstitutionalism represents a profound transformation in the conception of law and the relationship between society and nature. By recognizing nature as a subject of rights and adopting a more holistic vision based on Buen Vivir, these constitutions have set a global precedent (Nieto, 2024). However, their implementation faces obstacles stemming from current economic models, the lack of enforcement mechanisms, and contradictions between political discourse and government decisions. Despite this, constitutional recognition of the rights of nature remains an important milestone in the evolution of environmental law and in the search for more sustainable and equitable models of development.

10. The Stockholm Conference (1972) and the Rio Declaration (1992): Pillars of International Environmental Law

The history of international environmental law has been marked by a constant evolution in the way states and the international community understand and address ecological problems (Cruz, 2024). Growing industrialization and the environmental impact of economic development led governments in the second half of the 20th century to recognize the urgent need for coordinated action to protect the environment. In this context, two events marked fundamental milestones in the formulation of global environmental policies: the 1972 Stockholm Conference and the 1992 Rio Conference. These international meetings not only established key principles and agreements for environmental protection, but also laid the foundations for the subsequent creation of national and international regulations that seek to balance economic growth with ecological sustainability.

The United Nations Conference on the Human Environment, held in Stockholm, Sweden, in June 1972, was the first global forum dedicated exclusively to environmental issues (Martín, 2024). Prior to this summit, concern for the environment was not significantly integrated into development debates, and ecological degradation was seen primarily as a local or regional problem rather than a global crisis. However, in the previous decades, industrial pollution, uncontrolled urban growth, and overexploitation of natural resources began to raise alarms about the long-term impact of these activities on people's quality of life and the ecological balance of the planet. The Stockholm Conference marked a paradigm shift by recognizing that the environment could no longer be treated as a secondary aspect of development, but must be a priority on the political and economic agendas of states (Brizuela, 2024).

One of the most important achievements of this conference was the adoption of the Stockholm Declaration on the Human Environment, a document that established 26 fundamental principles for environmental management (Tepan & Molina, 2024). Among these, the right of all people to live in a healthy environment was proclaimed for the first time, which was an explicit recognition of the relationship between human rights and the environment. It was also established that States have sovereignty over their own natural resources, but with the responsibility to ensure that their activities do not cause damage to the environment of other nations, which implied a recognition of the ecological interdependence between countries. The need for international cooperation to address environmental problems was also emphasized, laying the foundations for future multilateral

negotiations on biodiversity conservation, pollution control, and mitigation of the negative effects of industrialization (Álvarez, 2024).

As a result of the Stockholm Conference, the United Nations Environment Programme (UNEP) was created, which became the main entity responsible for coordinating environmental actions at the global level. This body has played a key role in developing international agreements, compiling scientific information on the state of the environment, and assisting developing countries in implementing sustainable policies (Pérez, 2024). However, the summit also highlighted the differences between industrialized countries and developing nations, as the former advocated stricter regulations to reduce pollution, while the latter argued that these restrictions could slow their economic growth. This debate on the balance between development and conservation would continue in the following decades and reach a point of maturity at the Rio Conference in 1992.

Two decades after Stockholm, the United Nations Conference on Environment and Development, held in Rio de Janeiro in June 1992, marked a significant step forward in integrating sustainability into the global development framework (Muriel & Rosero, 2024). Known as the Earth Summit, this meeting was attended by more than 170 countries and focused on how to promote economic development without compromising the ecosystems and natural resources essential for life on the planet. In this context, the concept of sustainable development was consolidated, establishing that economic growth must meet the needs of the present without compromising the ability of future generations to meet their own needs. This principle became the central pillar of global environmental governance and served as the basis for multiple treaties and national policies in the following decades.

One of the main documents that emerged from the Rio Summit was the Rio Declaration on Environment and Development, which presented 27 fundamental principles for environmental and economic policy-making. Among these, the principle of common but differentiated responsibility stood out, recognizing that while all countries have an obligation to protect the environment, industrialized countries must bear a greater burden in mitigating environmental damage, as they have historically been the main contributors to pollution and the depletion of natural resources. The precautionary principle was also consolidated, establishing that the lack of scientific

certainty about possible environmental damage should not be used as a reason for postponing preventive measures. This principle has been key in the formulation of modern environmental policies, especially on issues such as climate change, toxic waste management, and biodiversity conservation.

In addition to the Rio Declaration, the summit produced three fundamental international treaties that remain in force today. The United Nations Framework Convention on Climate Change (UNFCCC) established the legal framework for future negotiations on reducing greenhouse gas emissions and adapting to the impacts of climate change, which later led to the Kyoto Protocol in 1997 and the Paris Agreement in 2015 (Muñiz, 2024). The Convention on Biological Diversity (CBD) was another major agreement reached in Rio, focusing on the conservation of ecosystems and species, as well as the equitable distribution of the benefits derived from the use of genetic resources. Finally, the Convention to Combat Desertification addressed land degradation in arid and semi-arid areas, one of the main causes of fertile soil loss in many regions of the world.

One of the most ambitious outcomes of the Rio Summit was Agenda 21, a comprehensive action plan that established guidelines for the implementation of sustainable development policies at the global, national, and local levels. This document proposed strategies to improve natural resource management, reduce poverty, and promote more sustainable consumption and production patterns (Romero, 2024). Although Agenda 21 faced challenges in its implementation due to a lack of commitment from some governments and economic sectors, its influence has remained in the design of environmental policies in various countries.

The Stockholm and Rio Conferences not only laid the foundations for modern environmental law, but also influenced the formulation of national constitutions and laws in several countries. In the case of Ecuador, these principles were fundamental to the recognition of the rights of nature in the 2008 Constitution, a global milestone in environmental protection. Inspired by the idea that nature is not just an exploitable resource but a living system with intrinsic value, the Ecuadorian Constitution incorporated principles such as the right to a healthy environment, the precautionary principle, and common but differentiated responsibility into its legislation. This approach, based on the worldview of Buen Vivir or Sumak Kawsay, represents a step

forward in the relationship between society and nature, promoting a balance between development and conservation.

Despite these advances, the challenges in effectively implementing these principles remain enormous. Natural resource exploitation, deforestation, pollution, and climate change continue to threaten ecosystems and human well-being, making the legacy of these conferences more relevant than ever. Environmental protection is not only a matter of intergenerational justice, but an urgent necessity for the survival of the planet and humanity.

Results

An analysis of the 2008 Constitution of the Republic of Ecuador reveals the incorporation of the Rights of Nature (DDN) and Sumak Kawsay as fundamental pillars of the legal system. First, the Constitution recognizes Nature as a subject of rights, which represents a paradigm shift from the traditional anthropocentric approach. As stated in the text, 'the Constitution of Montecristi challenges this premise by granting rights to an entity that is neither human nor created by humans, redefining the very foundations of law' (Crespo, 2009).

The Constitution also establishes a series of innovative environmental principles, including prevention and precaution, the principle of *in dubio pro natura*, and citizen participation in environmental decision-making (Constitution of the Republic of Ecuador, 2008, Articles 395, 397, 398). The Constitution enshrines Sumak Kawsay as a philosophical and ethical principle that promotes a full life in harmony with nature, the community, and the cosmos. As mentioned, 'More than an economic or political concept, Sumak Kawsay represents a holistic way of life that values interdependence, respect for biodiversity, and a spiritual connection with the universe'.

However, the analysis also reveals significant challenges in the effective implementation of these principles. Despite constitutional recognition, the economic models of Ecuador and Bolivia continue to rely heavily on extractive activities, which generate socio-environmental tensions and conflicts. In addition, citizen participation in the protection of ENR is hampered by a lack of access to relevant information, weak prior consultation mechanisms, and the limited capacity of communities to assert their rights.

Discussion

The results obtained confirm the relevance and transformative potential of the Ecuadorian Constitution in environmental matters. The recognition of the Rights of Nature and the promotion of Sumak Kawsay represent a significant step towards a more sustainable and equitable development model (Iza & Alvarado, 2024). However, the challenges identified in the effective implementation of these principles suggest the need to adopt additional measures to ensure their compliance.

In particular, it is essential to address the tensions between the extractive economic model and environmental protection. As other studies have shown, dependence on activities such as mining and oil exploitation can have negative impacts on ecosystems and local communities, undermining efforts to promote Sumak Kawsay and protect NHR. In this regard, it is necessary to promote a transition towards a more diversified and sustainable economy, based on the valuation of ecosystem services and the promotion of environmentally friendly productive activities (Suárez, 2021).

Likewise, it is crucial to strengthen mechanisms for citizen participation in environmental decision-making. The Ecuadorian Constitution recognizes the right of citizens to be actively involved in the protection of nature, but in practice, effective participation is limited by various factors (CONSTITUTION OF THE REPUBLIC OF ECUADOR, 2008). To overcome these obstacles, it is necessary to guarantee access to transparent and timely information, strengthen prior consultation mechanisms, and promote training and empowerment of local communities. Only through active and informed citizen participation can the effective protection of the Rights of Nature and the construction of a truly sustainable development model be guaranteed.

References

- Alarcón, I. (2023). El camino del extractivismo en América Latina y el cambio de rumbo. *De Raíz Diversa. Revista Especializada en Estudios Latinoamericanos*, 10(20), Article 20. <https://doi.org/10.22201/ppela.24487988e.2023.20.90639>
- Álvarez, J. (2024). *Formación docente y participación ciudadana: Innovación educativa para la sostenibilidad y el desarrollo*

- integral* (pp. 219-230). Dykinson.
<https://doi.org/10.14679/3662>
- Andrian, L., Canavire, G., & Jiménez, J. (2024). *Dependencia de los recursos naturales a nivel subnacional en la Región Andina: Desafíos y reformas*. 1-83.
- Arévalo, I. (2024). *Propuesta de diseño de un programa de educación financiera para la Asociación Indígena de Emprendedores Kallari en el Cantón Tena* [FLACSOAndes].
<http://repositorio.flacsoandes.edu.ec/handle/10469/21739>
- Ayala, H., Diaz, L., Gómez, S., González, H., Ipaz, S., Macías, L., Madriñán, L., Molina, C., Montoya, C., & Peña, J. (2019). Identificación y análisis de impacto de la actividad minera y la explotación ilícita en los ecosistemas del territorio nacional.“. *Formando líderes para la construcción de un nuevo país en paz*, 88, 2-127.
- Botero, J. (2024). *Elementos metodológicos para el análisis del metabolismo socioeconómico en el área ambiental de las asociaciones rurales campesinas en el marco de la política pública “Plan de Ordenamiento Territorial 2024 – 2035” de Dosquebradas, Risaralda* [Universidad Nacional Abierta y a Distancia UNAD de Colombia].
<http://repository.unad.edu.co/handle/10596/65523>
- Brizuela, F. (2024). Asentamientos informales: Mejorar el hábitat, desestimar la vivienda: Una historia de su emergencia en las Conferencias de la ONU. *Estudios del hábitat*, 22(2), Article 2.
<https://doi.org/10.24215/24226483e142>
- Castillo, J., Soto, J., & Cásares, L. (2024). *Rescate de los ríos como recurso hídrico, estudio jurídico comparativo: Colombia, Ecuador y México* [CIDE].
<http://repositorio.cidecuador.org/jspui/handle/123456789/3084>
- CONSTITUCION DE LA REPUBLICA DEL ECUADOR. (2008). *CONSTITUCION DE LA REPUBLICA DEL ECUADOR 2008*.
https://www.oas.org/juridico/pdfs/mesicic4_ecu_const.pdf
- Constitución de la República del Ecuador, L. (2008). *Constitución de la República del Ecuador*.
<https://www.lexis.com.ec/biblioteca/constitucion-republica-ecuador>
- Coral, C. (2021). *Buen vivir (Sumak Kawsay) y felicidad en Ecuador* [Doctoral thesis, Universidad de Granada].
<https://digibug.ugr.es/handle/10481/71851>
- CPE. (2009). *Constitución Política del Estado (CPE)—Bolivia*.
https://www.oas.org/dil/esp/constitucion_bolivia.pdf

- Cruz, L. (2024). La ambientalización en la evolución del estatuto jurídico de la Industria Minera en Chile: Chuquicamata, un ejemplo de lo que el Estado no debe hacer. *Latam: revista latinoamericana de Ciencias Sociales y Humanidades*, 5(5), 7.
- Erazo, M. (2024). "Ecoturismo y su contribución en la conservación de la flora y fauna del refugio de vida Silvestre y Marino Pacoche" [bachelorThesis, Unesum]. <http://repositorio.unesum.edu.ec/handle/53000/6739>
- Foradori, M., & Molina, L. (2024). *Las representaciones sociales del ambiente como una herramienta clave para la construcción de una educación ambiental crítica* [Universidad Nacional Villa María]. http://biblio.unvm.edu.ar/opac_css/index.php?lvl=cmspage&pageid=9&id_notice=46766
- Fuentes, P. (2024). *El rol del Estado emprendedor-empresario en la industrialización del litio en Argentina: Los casos de Y-TEC e YPF Litio*. Universidad Nacional de La Plata. Facultad de Humanidades y Ciencias de la Educación [Universidad Nacional de La Plata]. https://www.memoria.fahce.unlp.edu.ar/library?a=d&c=tesis&d=Jte2723&fbclid=IwAR0o-Mq3GwmualvDoxC1lMriiFul_jVTnHLbexiyPQdSWCDzJFwC1X_ktVM
- Galimberti, C. (2024). Del Genius Loci a la Pachamama. Una revalorización del espíritu del lugar frente a neo-extractivismos en América Latina. *Andamios, Revista de Investigación Social*, 21(56), Article 56. <https://doi.org/10.29092/uacm.v21i56.1134>
- Hernández, V., Riera, Á., López, J., & Iglesias, J. (2024). Políticas publica para la preservación ambiental en Ecuador. *Verdad y Derecho. Revista Arbitrada de Ciencias Jurídicas y Sociales*, 3(especial), Article especial. <https://doi.org/10.62574/2oad2c62>
- Iza, B., & Alvarado, J. (2024). Interdependencia entre los derechos de la naturaleza y los derechos del buen vivir: Análisis constitucional para una coexistencia sostenible: Interdependence between the rights of nature and the rights of good living: constitutional analysis for a sustainable coexistence. *LATAM Revista Latinoamericana de Ciencias Sociales y Humanidades*, 5(4), Article 4. <https://doi.org/10.56712/latam.v5i4.2534>
- Martín, M. (2024). La protección penal internacional del medio ambiente: Hacia el delito de ecocidio. *Derecho PUCP*, 92, 55-94. <https://doi.org/10.18800/derechopucp.202401.002>

- Martínez, L. (2024). Política del Sumak Kawsay—Buen Vivir en los Planes de Gobierno en lo que Respecta a la Circunscripción Territorial en el Ecuador. *Ciencia Latina Revista Científica Multidisciplinar*, 8(4), Article 4. https://doi.org/10.37811/cl_rcm.v8i4.13110
- Morales, J. (2025). *El pluralismo jurídico en el ordenamiento jurídico ecuatoriano* [Universidad de Córdoba]. <http://helvia.uco.es/xmlui/handle/10396/32342>
- Muñiz, O. (2024). Posiciones de la Alianza de Pequeños Estados Insulares en las negociaciones bajo la Convención Marco de las Naciones Unidas sobre el Cambio Climático, periodo 2016-2022. *Revista Política Internacional*, 6(2), Article 2. <https://doi.org/10.5281/zenodo.10855514>
- Muriel, E., & Rosero, I. (2024). Hitos internacionales que han incidido en el desarrollo de la educación ambiental en Colombia. *Revista Científica Retos de la Ciencia*, 8(17), Article 17. <https://doi.org/10.53877/rc.8.17.20240101.6>
- Narváez, M. (2025). *La inconcreción de los derechos de la naturaleza y la tutela judicial. Análisis teórico jurisprudencial: Caso Ecuador 2008-2022* [doctoralThesis, Quito, EC: Universidad Andina Simón Bolívar, Sede Ecuador]. <http://repositorio.uasb.edu.ec/handle/10644/10252>
- Nieto, K. (2024). Del pluralismo liberal al constitucionalismo intercultural. *Revista Andina de investigaciones en Ciencias Jurídicas*, 1(1), Article 1. <https://doi.org/10.69633/dywjjz97>
- OIT. (2014). *Convenio Núm. 169 de la OIT sobre pueblos indígenas y tribales en países independientes. Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas*. Biblioteca del Congreso Nacional de Chile. <https://www.cndh.org.mx>
- Olivar, S. (2024). Bienestar y Buen Vivir de los pueblos. *Ciencia e Interculturalidad*, 34(1), Article 1. <https://doi.org/10.5377/rci.v34i1.19838>
- Palomino, D., & Palomino, Y. (2024). *La pachamama como sujeto de derecho en el ordenamiento jurídico nacional a la luz del neoconstitucionalismo ambiental latinoamericano*. [Universidad Continental]. <https://repositorio.continental.edu.pe/handle/20.500.12394/15786>
- Pérez, R. (2024). Las Naciones Unidas y la reforma de la arquitectura institucional del Derecho Internacional del Medio Ambiente. *Revista Electrónica de Estudios Internacionales*, 47, 273-306. <https://doi.org/10.36151/reei.47.10>

- Rojas, E. (2024). *Diálogos sobre el ejercicio de la autonomía territorial indígena: Aportes para repensar el ordenamiento político administrativo colombiano* [Universidad Externado de Colombia].
<https://bdigital.uexternado.edu.co/handle/001/15673>
- Romero, R. (2024). Centroamérica ante los retos que depara el cambio climático global. ¿Existe una agenda regional? *Conjeturas Sociológicas*, 12(34), Article 34.
- Sánchez, L., Martínez, F., Torres, S., Lascano, A., & Terán, G. (2024). Agricultura de Precisión en El Ecuador. *Ciencia Latina Revista Científica Multidisciplinar*, 8(1), Article 1.
https://doi.org/10.37811/cl_rcm.v8i1.9547
- Soledispa, J. (2022). La construcción de la sociedad del buen vivir en tiempos de globalización. *Foro: Revista de Derecho*, 37, 97-116.
<https://doi.org/10.32719/26312484.2022.37.5>
- Suárez, Á. (2021). *La naturaleza como sujeto de derecho y su relación con el constitucionalismo ecuatoriano* [bachelorThesis, Quito, Universidad Metropolitana].
<https://repositorio.umet.edu.ec/handle/67000/528>
- Tepan, D., & Molina, M. (2024). Evaluación de la efectividad de los instrumentos legales para la protección de la naturaleza. 593 *Digital Publisher CEIT*, 9(6), 356-371.
- Villamar, N. (2024). *Las alternativas del buen vivir y su influencia en el clima organizacional de una institución educativa, Ecuador, 2023* [Universidad César Vallejo].
<https://repositorio.ucv.edu.pe/handle/20.500.12692/141850>