
THE HUMAN RIGHT TO SUSTAINABLE DEVELOPMENT: HISTORICAL AND CONCEPTUAL CONTOURS

Cristhian Magnus De Marco

PhD in Law from the Pontifical Catholic University of Rio Grande do Sul (PUCRS).
Master in Law from the Federal University of Santa Catarina (UFSC).
Professor at the University of Western Santa Catarina (UNOESC).
E-mail: cristhian.demarco@unoesc.edu.br

Orides Mezzaroba

Doctor and Master in Law from the Federal University of Santa Catarina (UFSC).
Professor of the Post-Graduate Program in Law at the Federal University of Santa Catarina
(UFSC)
E-mail: oridesmezza@gmail.com

ABSTRACT

The purpose of this article is to characterize the historical assertion of the category sustainable development in the international documents legitimized by the United Nations. Points to a refinement in the notion of development, which projects it beyond merely economic development. The same refinement occurred with the concept of environmental preservation. The perspective of sustainability has allowed an expanded perception of the complexity of the phenomenon, making it fundamental for the integral promotion of all other rights. Regarding the methodology used, it is bibliographical and documentary research. Thus, the article responds that sustainable development presents itself like a new legal principle capable of overcoming the rhetorical game, generating rights and responsibilities in the legal arena.

Keywords: Sustainable development; Human rights; Principle.

*O DIREITO HUMANO AO DESENVOLVIMENTO SUSTENTÁVEL:
CONTORNOS HISTÓRICOS E CONCEITUAIS*

RESUMO

O presente artigo tem por objetivo caracterizar a afirmação histórica da categoria desenvolvimento sustentável nos documentos internacionais legitimados pela Organização das Nações Unidas. Aponta-se para um refinamento ocorrido na noção de desenvolvimento, que a projeta para além do desenvolvimento meramente econômico. O mesmo refinamento ocorreu com o conceito de preservação ambiental. A perspectiva da sustentabilidade veio a permitir uma percepção expandida da complexidade do fenômeno, tornando-o fundamental para a promoção integral de todos os demais direitos. Quanto à metodologia empregada, trata-se de pesquisa bibliográfica e documental. Com isso, o artigo responde que o desenvolvimento sustentável se apresenta como um novo princípio jurídico, capaz de superar o jogo retórico e gerar direitos e responsabilidades na seara jurídica.

Palavras-chave: *Desenvolvimento sustentável; Direitos humanos; Princípio.*

The speed of change and the speed with which new situations are created follow the impetuous and foolish rhythm of Man, instead of following the deliberate step of Nature. (Rachel Carson)

INTRODUCTION

The text was written in 1962 by writer and scientist Rachel Carson (1969, pp. 16-17), 10 years before the United Nations Conference on the Human Environment in Stockholm. It represents well the movement of renewal of the ecological ideas occurred after the Second World War. The book is quite symbolic with respect to the interaction of human life with the environment, and more especially with respect to the effects of human activity on the transformation of nature and the consequences for humankind and its environment.

In this context, the main objective of this article is to analyze the process of consolidation of the principle¹ of sustainable development through a methodology that would allow analysis of the category in focus in its dimensions: (a) conceptual; (b) empirical, and (c) critical-normative². The analytical distinctions are necessary to guarantee the intersubjective controls of the proposed theme, trying to maintain the discourse within the scope of scientific purposes. Empirical observation and rigorous critical control complete this integrative analysis methodology.

The article will explore the main international documents on sustainable development. To do so, the first task is to establish some semantics. To define Human Rights it is interesting to mention the notion presented by Peces-Barba³ for whom Human Rights imply faculties attributed to individuals and collectivities by Law. Thus, life, liberty,

¹ It is adopted as an operational concept of principle elaborated by Alexy in his Theory of Fundamental Rights: “[...] principles are norms that order something to be carried out to the greatest extent possible within the existing legal and factual possibilities. Principles are therefore optimization warrants.” (ALEXY, 2008, p. 90). Thus, it is stated that the present work has the pretensions of providing interesting analyzes for the dogmatics of human and fundamental rights.

² This text appropriates the alexyan methodological proposal, for whom the analytical dimension “concerns the systematic-conceptual dissection of the law in force. “The empirical dimension can be understood in relation to the cognition of valid positive law, and the normative dimension advances for elucidation and criticism of legal and jurisprudential praxis. (ALEXY, 2008, pp. 33-35).

³ “[...] faculties that the Law assigns to individuals and social groups, expressing their needs regarding life, liberty, equality, political or social participation or any other fundamental aspect that affects the integral development of people in a community of free men, demanding the respect or action of other men, social groups and the State, and with the guarantee of the public powers to reinstate their exercise in case of violation or to perform their performance.” (FISH-BARBA, 1987, p. 1415).

equality, participation and other fundamental aspects that matter to the integral development of people may be demanded and must be guaranteed by those who have the right and the duty.

This is an important definition because it contains a vision of the integrality of Human Rights, which is in line with the material existence (*ethos*) of a right to sustainable development, as proposed in this article. Furthermore, the idea defended here is quite broad, allowing its subsumption in a conception also generalized and formal about human rights norms. That is, formally, in a discursive theory of Law, one can understand that the standards of human rights are all those for which there is a correct reasoning referred to the Human Rights (ALEXY, 2008, p. 76). In this aspect, the epistemological assumption of this article is based on a certain theory of legal argumentation, which presumes intersubjective rationality and the construction of human existence in language and through it (ALEXY, 2011).

Fundamental Rights are understood in this article on the exact same grounds and methodology of Human Rights. It is only for the sake of legal technique that the Fundamental Rights rules are based on a statement of fundamental rights contained in the text (normative provisions) of a particular Constitution.

1 OVERVIEW OF THE HISTORICAL IMPORTANCE OF THE CATEGORY “SUSTAINABLE DEVELOPMENT” IN THE WORLD SCENARIO

The world has become a small place, and climate change can be felt by anyone. The future has arrived! The moral responsibility this generation holds to the sustainability of ecosystems, distribution of goods and charges on that reality is a matter of justice. These are the impressions of Klaus Bosselmann (2015, p. 26), for whom sustainability and justice provide similar feelings; and in the present time none of them is more urgent or distant than the other, especially when one realizes that living well in the now would be unfair if such a condition were to be at the expense of future generations.

Although the theoretical *development* of the categories *development* and *sustainability* is remarkable in the last quarter of the last century up to the present day, the harmonization of the developmental agenda with the sustainability plans remains difficult. The paradigm of purely economic

development seems to stand up to the holistic proposals of sustainable development, which is worrying since that model does not take into account the propositions declared more committed to the social, economic and environmental justice of the present and the future. It is worth noting, in fact, some of the historical evolution of value: *sustainable development*.

Soon after the Second World War, there was the creation of the United Nations (UN), whose main objective was to think about world peace. But the world also needed new planning for the economies that had been torn apart by war. The Bretton Woods agreements were then held, promoted at a series of conferences in New Hampshire to establish control and standardization of international economic policy. However, the progressive economic prosperity that the agreements provided for the central nations did not drag the world around. Quite the opposite.

For Ignacy Sachs, *development* and *human rights* were two important strong-ideas for overcoming the remnants of the Great Depression and the Second World War, propelling the United Nations system and the processes of decolonization (SACHS, 2009: 47). After that, “the public opinion has become increasingly aware of both the limitation of *nature’s capital* and the dangers of aggression to the environment, used as a deposit. “ (SACHS, 2009, p. 48).

In this scenario, the most emblematic event in 1972 was held in Stockholm, Sweden, in order to find an ecological vision of development with sustainability, that is, a holistic vision that inserts the human in a relation of belonging and interdependence of the natural environment. It was the First World Conference on Man and the Environment⁴. In its first paragraph was the proclamation that “man is, at the same time, the work and the builder of the environment that surrounds him”. It is important to take into account that “the protection and improvement of the human environment for present and future generations has become the overriding goal of humanity”, which should be sought together with the pursuit of peace and economic and social development around the world (UN, 1972).

At the same time, researchers from the so-called “Club of Rome”⁵

4 The organizers of the Stockholm Conference held a preparatory meeting in Founex (Switzerland) in 1971, highlighting the interdependence between development and the environment for the first time. “The current concern with the Human Environment has arisen at a time when the energies and efforts of the developing countries are being increasingly devoted to the goal of development. Indeed, the compelling urgency of the development objective has been widely recognized in the last two decades by the international community and has more recently been endorsed in the proposals set out by the United Nations for the Second Development Decade.” (THE FOUNEX REPORT, 1971).

5 The Club of Rome is an informal organization of scientists from different fields, economists, businessmen, politicians and others, for the study of complex global challenges that defy humanity.

had published their studies, called the Meadows Report - as Dana Meadows led the working group - and warned that if the world continued with the same intensity of consumption, production, exploitation, pollution, and other indicators in 100 years, at most, humanity would be doomed to a catastrophe. The publication was applauded by some and considered alarmist by others (LOMBORG, 2012, pp. 24-40).

In 1974, the Declaration of Cocoyoc (UN, 1974), Mexico, approved at the symposium organized by the United Nations Environment Program (UNEP) and the United Nations Conference on Trade and Development (UNCTAD), in its first paragraph, that, 30 years after the signing of the United Nations Charter, expectations of deployment and a new world order were thwarted. The promise of a better life had not been fulfilled, and to a large extent, it was found that the most fundamental human needs were not being met. The world was hungrier, homeless and more illiterate since the creation of the UN. But the statement did not only raise the need for the provision of basic human needs. It also called for a comprehensive development, which could only take place with the extension of freedoms and rights.

In the following year, the Dag-Hammarskjöld Foundation, in partnership with UNEP, produced the *What Now* report. This document challenged the UN to seek a ‘turning point’ (*Ponto de mutação*), warning of what signaled as a deep crisis in the development, extreme inequality in the distribution of wealth and serious environmental consequences. Urgent measures have been proposed for the withdrawal of people from the extreme poverty line and for a new development oriented towards environmental preservation (DAG HAMMARSKJÖLD REPORT, 1975).

But the consolidation of the term *sustainable development* took place with the Brundtland Report. The *World Commission on Environment and Development* (WCED) was established in 1983 and published its report in 1987 under the name *Brundtland Report*. Resolutions no. 42/187 and 42/186 of the UN General Assembly endorsed the report, proposing a joint effort to ensure that all the objectives and recommendations mentioned were fulfilled. In 1987, the Danish government sponsored the publication of the report under the title: “Our Common Future”. (WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENT, 1988).

The central concept of the Brundtland Report is “sustainable” (MURESAN, 2011, p 59-68). The report sponsored by the Club of Rome, in partnership with the Massachusetts Institute of Technology (MIT), is published in Portuguese in: MEADOWS; MEADOWS; RANDERS; BEHRENS III (1978).

development”, an expression borrowed from the IUCN (World Conservation Strategy) of 1980 (KOEST, 1990), that is: “sustainable development is the one that meets the needs of the present without compromising the possibility for future generations to meet their own needs. “(WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENT, 1991, p. 46). The concept works with two referents: (a) the perception of the *needs* of the present, that is, the unshakable search for solutions to poverty spread throughout the world, since, without overcoming this obstacle - it is impossible to speak in development; and (b) the perception that, with the current stage of technological evolution and social organization, there are obvious environmental limitations for the satisfaction of basic needs, whether present or future. Therefore, the concern for sustainability has become a global issue. The interrelationship between the poverty of some regions and the high standard of irresponsible consumption on the other must be a matter of fairness and equity, depending on sustainability.

In 1990, the United Nations Development Program launched its first annual report, called the Human Development Index (HDI). From this point of view, development was no longer measured by the economic emphasis - based on the Gross Domestic Product (GDP) and began to reflect indicators such as life expectancy, education, and the conditions to enjoy a decent life (NANDA, 2016, p. 389). The report was proposing that development enables people to take their own decisions. No one can guarantee human happiness, but the development process should create a favorable environment for people individually or collectively to develop their potentials and have a reasonable chance of having a productive and creative life, according to their own needs and interests (UNITED NATIONS, 1990).

Nanda states that these aspects of people’s well-being were cleverly captured by Nobel laureate Amartya Sen in his work *Development as Freedom* (SEN, 2000), by incorporating human choices, capabilities, freedoms, and empowerment into the concept of development. (NANDA, 2016, p. 390). The United Nations *website* confirms that the HDI proposal was created by Mahbud ul Haq with the participation of Amartya Sen. The importance of this record is that this development perspective has led the Organization for Economic Cooperation and Development (OECD) to produce a report that suggested goals for international development. These goals became the *Millennium Objectives Goals* (MDGs), from 2000 to 2015, and later on the *Sustainable Development Goals* (SDGs)

2015-2030, adopted by the UN General Assembly, as will be seen below (NANDA, 2016, p. 390). In this way, *development* and *sustainability* have become inseparable concerns, both in international reports and in academic analyzes.

From 3 to 14 June 1992, the United Nations Conference on Environment and Development was held in Rio de Janeiro, with representatives from 108 countries, also called the Earth Summit or ECO-92. The objective was to assess the environmental events that have taken place since the Stockholm Conference. The event resulted in five important documents: 1) Rio Declaration on Environment and Development (UN, 1992a); 2) Agenda 21 (UN, 1995)⁶, 3) Principles for the Sustainable Management of Forests (UN, 1992b), 4) Convention on Biological Diversity (MINISTRY OF ENVIRONMENT, 1994), 5) Convention on Climate Change⁷.

Until the Rio-92 Conference, the published documents emphasized the *intergenerational* aspect of sustainable development, taking into account principle n. 3 of the Rio Declaration: “The right to development must be exercised in a way that allows the development and environmental needs of present and future generations to be met fairly.” The two pillars, then, were: attention to basic needs and preservation of the environment for the present generation and for the future.

From 2 to 4 September 2002, the World Summit on Sustainable Development, held in Johannesburg (UN, 2002), was dubbed Rio + 10. In the Corollary Declaration of this event, the participating countries reaffirmed their commitment to sustainable development. However, according to Jeffrey Sachs (2015, p. 5), the definition of sustainable development has taken a more practical approach, more focused on a holistic perception of the problem than on the intergenerational approach hitherto emphasized. Problems relating to (a) economic development have been integrated; (b) social inclusion, and (c) environmental sustainability. Indeed, Article 5 of the Johannesburg Declaration advocated: “5. We therefore take on the collective responsibility to advance and strengthen the interdependent and mutually supportive pillars of sustainable development - economic development, social development and environmental protection - at the

⁶ “Agenda 21 can be defined as a planning tool for building sustainable societies on different geographic bases that reconciles methods of environmental protection, social justice and economic efficiency. “(UN, 1995).

⁷ All documents mentioned in this paragraph can be found online on the UNITED NATIONS IN BRAZIL *website* (UN, 2017a).

local, national, regional and global levels.” Thus, the commitment to future generations has, however, remained secondary.

In 2011, the United Nations Environment Program (UNEP) conducted a publication called *Keeping Track of Our Changing Environment* (UN, 2011). The UN goal was to present a document of great authority, with enough statistical data to convince the world about the transformations the planet has been suffering in many areas: population, climate change, food production, agriculture, natural disasters and other issues. This was a preparation for the Rio + 20 Conference, presenting comparisons in each item of analysis of the evolution of numbers since ECO-92.

At the Rio + 20 Conference (June 20-22, 2012) the final document published by UN - Res. 66/288, *The Future We Want* (UNITED NATIONS, 2012) - emphasized the need to integrate the three dimensions of sustainable development: social, economic and environmental, recognizing the links between them (paragraph 3). Subsequently, paragraph 4 stated as follows:

Reafirmamos también que es necesario lograr el desarrollo sostenible promoviendo un crecimiento sostenido, inclusivo y equitativo, creando mayores oportunidades para todos, reduciendo las desigualdades, mejorando los niveles de vida básicos, fomentando el desarrollo social equitativo y la inclusión, y promoviendo la ordenación integrada y sostenible de los recursos naturales y los ecosistemas, que contribuye, entre otras cosas, al desarrollo económico, social y humano y facilita al mismo tiempo la conservación, la regeneración, el restablecimiento y la resiliencia de los ecosistemas frente a los problemas nuevos y en ciernes.

From paragraph 245 of the document *The future we want*, the United Nations global policy is based on the fulfillment of “Sustainable Development Goals”, also called *goals to change the world*, highlighting the interdependence between the three dimensions of sustainability. The 8 Millennium Development Goals (MDGs)⁸ [8] whose agenda was drawn up in 2000 to last until 2015 has now been expanded by the document “*Transforming Our World: The 2030 Agenda for Sustainable Development*” (UN, 2015b) of 13 October 2015:

8 1 - Poverty reduction; 2 - Achieve universal primary education; 3 - Equality between the sexes and women’s autonomy; 4 - Reduce child mortality; 5 - Improve maternal health; 6 - Combat HIV/AIDS, malaria and other diseases; 7 - Ensure environmental sustainability; 8 - Establish a Global Partnership for Development.

The 17 Sustainable Development Goals and 169 objects we are announcing today demonstrate the scale and ambition of this new Universal Agenda. They build on the legacy of the Millennium Development Goals and conclude what they have failed to achieve. They seek to realize the human rights of all and achieve gender equality and the empowerment of women and girls. They are integrated and indivisible, and balance the three dimensions of sustainable development: economic, social and environmental.

This reference to the main⁹ political and legal texts - presented above - seems sufficient to characterize *sustainable development* as a new moral, ethical, political and legal value of great importance capable of generating human and fundamental rights and duties.

It is worth mentioning, however, that “development”, as a right, begins its historical affirmation in the UN system with art. 55 of the Letter of June 1945¹⁰. But the expression “Human Right to Development” was affirmed by Resolution n. 41/128 of the United Nations General Assembly in December 1986 with the so-called Declaration on the Right to Development (1986). It is not in the purposes of this article to promote a more detailed digression on the right to development. The synthesis by Ignacy Sachs (2008, p. 37) is quite convincing about the complexity of this right and its necessary integration with sustainability:

We can summarize the evolution of the idea of development in the last half century, pointing to its complexity, represented by the addition of successive adjectives - economic, social, political, cultural, sustainable - and, more important, new problems.

The United Nations Agenda 2030 (UN, 2015), already mentioned above, established the 17 Sustainable Development Objectives (ODS). They are:

9 Other documents cited in section II of Res. 66/288, under the title: Renewal of the Political Commitment. Also to check a report on major international documents on the environment, check: UN Brazil. The UN and the Environment (2017a). It is important to note that, starting in 2014, the UN has a United Nations Environmental Assembly. Check: UNITED NATIONS (2016).

10 UN Charter (1949): “Article 55. In order to create conditions of stability and well-being, which are necessary for peaceful and friendly relations between nations, based on respect for the principle of equal rights and self-determination of peoples, the United Nations will favor: a) higher levels of life, effective work and conditions of progress and economic and social development; “

- Objective 1 - End poverty in all its forms, everywhere;
- Objective 2 - End hunger, achieve food security and improve nutrition, and promote sustainable agriculture;
- Goal 3 - Ensure a healthy life and promote well-being for all, at all ages;
- Objective 4 - Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all;
- Goal 5 - Achieve gender equality and empower all women and girls;
- Objective 6 - Ensure the availability and sustainable management of water and sanitation for all;
- Objective 7 - Ensure reliable, sustainable, modern and affordable access to energy for all;
- Goal 8 - Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all;
- Objective 9 - Build resilient infrastructures, promote inclusive and sustainable industrialization and foster innovation;
- Goal 10 - Reduce inequality within and between countries;
- Goal 11 - Make cities and human settlements inclusive, secure, resilient and sustainable;
- Objective 12 - Ensure sustainable production and consumption patterns;
- Objective 13 - Take urgent action to combat climate change and its impacts;
- Objective 14 - Conservation and sustainable use of oceans, seas and marine resources for sustainable development;
- Objective 15 - To protect, recover and promote the sustainable use of terrestrial ecosystems, to manage forests sustainably, to combat desertification, to halt and reverse land degradation and to halt the loss of biodiversity;
- Objective 16 - Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels;
- Objective 17 - Strengthen the means of implementation and revitalize the global partnership for sustainable development.

Indeed, in 2002, when Ignacy Sachs prepared his statement - quoted above - to the World Commission on the Social Dimension of Globalization of the ILO, he already referred to the complexification of the “right to development”. Then, with the “Millennium Goals” and, successively, the “Sustainable Development Goals”, the holistic and complex perspective of the principle of *sustainable development* is well characterized.

2 THE AFFIRMATION OF THE PRINCIPLE OF “SUSTAINABLE DEVELOPMENT” AS A RESPONSIBILITY AND FUNDAMENTAL HUMAN RIGHT

Jeffrey Sachs (2015, p. 13) suggests that the present age be called: “The Age of Sustainable Development”. This name is justified for the author because of the globalized social interconnection, never seen before. Ideas, business, people, technologies and diseases spread with unprecedented speed and intensity. We transit between the joy of constant new information and the fear of environmental catastrophes. There are new opportunities and new risks.

Freitas (2011, p. 55) extends the three well-known dimensions of sustainable development, arguing, with no exaggeration, for the existence of five dimensions, “more or less intertwined like branches of a tree. “ The author proposes, for classification, without trivializing approaches or extreme reductionism, the following dimensions: social, ethical, legal and political, economic and environmental.

The social dimension is one that is concerned with the connection between all beings, not allowing the maintenance of exclusionary models nor the neglect of fundamental social rights. Sustainability, in this dimension depends on the effectiveness of rights and public policies related to health, education, housing, sanitation, security, work and leisure, among others.

The ethical dimension of sustainability advocates a duty always to act in a beneficial way for all human beings (as it is possible), “not only to stop harming them”. This requires an attitude that seeks not only intimate well-being, but social well-being (FREITAS, 2011, p. 58).

The environmental dimension of sustainability matters in the recognition of the dignity of the environment. And, along with that dignity, is the right of future generations to a “clean environment.” (FREITAS, 2011, p. 60).

The economic dimension requires a balance between efficiency and equity. Production and consumption must be structured on a rational basis, with respect to nature and in pursuit of the elimination of poverty (FREITAS, 2011, 62).

For Freitas (2011, p. 63), in the legal-political dimension “the pursuit of sustainability is a right; and to find it is an inalienable and intangible constitutional duty to recognize the freedom of every citizen.” In the intersubjective conformation of the contents of fundamental rights

and duties, the whole society must be involved through direct democratic participation, whenever feasible.

The legal-political dimension includes rights that characterize a sustainable state, related to well-being, namely: a) right to dignified longevity, b) right to food without excesses or deficiencies, c) right to a clean environment, d) right to education e) right to democracy, preferably a direct one, f) right to free information and of appreciable content, g) right to judicial and administrative process with timely outcome, h) right to security, i) right to income from honest work, j) the right to good public administration, k) the right to decent and safe housing (FREITAS, 2011, p. 63 e ss.).

Thus, it seems that the ethical and legal-political dimensions devised by the author hold a strong appeal related to human and fundamental duties, that is, those commitments inherent to citizenship and to which, in this text, it prefers to be called *responsibilities*¹¹. Here we can even propose that the social, economic and environmental dimensions are connected directly to the *Right to Sustainable Development*, while the ethical and legal-political dimensions express legal *responsibilities* with the same phenomenon.

Other classifications concerning the dimensions of sustainability are possible. For Fritjof Capra (1988), sustainability is based on the basic principles of ecology: a) interdependence, b) recycling, c) partnership, e) flexibility and f) diversity. Human communities, for the physical, are compared to the behavior of ecosystems.

Interdependence is the “vast and intricate network of relationships, the web of life. “ (CAPRA, 1998, p. 231). It is the mutual dependence of

11 “It is by duties, for example, that one can safely sustain the essential ethics in legal and non-legal relations; the values that elevate the human being, considering the proximity of the duties with the virtues; and the political participation of citizens, so essential to the development of the Nation. “(LIMA, 2011). The option of the present article by the expression responsibility is based on 4 reasons: (1) affinity of definitions with the behavioral expectations related to the defense of the balanced environment. In this sense, the following entry is taken from the Aurelio dictionary (Rio de Janeiro: Nova Fronteira, 1986, p. 1466) : “**Responsabilidade**. S. f. 1. Qualidade ou condição de responsável. 2. *Jur*: Capacidade de entendimento ético-jurídico e determinação volitiva adequada, que constitui pressuposto penal necessário da responsabilidade. **Responsabilidade moral**. *Filos*. 1. Situação de um agente consciente com relação aos atos que ele pratica voluntariamente. [...] Obrigação de reparar o mal que causou aos outros. (2) afinidade conceitual com a proposta weberiana de ética da responsabilidade. “ (3) affinity with the proposal of individual responsibility outlined by Sen, who does not despise the responsibility of the State and Society for the formation of human capacities. It is worth mentioning: “A division of responsibilities that puts the burden of caring for one person’s interest on the shoulders of another person can lead to the loss of several important aspects such as motivation, involvement and self-knowledge that the person himself may be in a unique position to possess. Any statement of social responsibility that replaces individual responsibility can only be, to varying degrees, counterproductive. There is no substitute for individual responsibility. “(SEN, 2000, p. 322). And, (4) avoid the conceptual confusion of the expressions duties and obligations, the first linked to philosophical conceptions, and the second, to Civil Law.

all organisms. Interdependence itself has a predominant ethical dimension:

The success of the entire community depends on the success of each of its members, while the success of each member depends on the success of the community as a whole. [...] A sustainable human community is aware of the multiple relationships among its members. Nurturing the community means nurturing these relationships. (CAPRA, 1998, p. 232).

In recycling, the economic and environmental dimensions predominate, proposing that the mode of production leaves linearity - culminating with the disposal - and that they adopt sustainable, recyclable programs. The partnership element, in its turn, “means democracy and personal power, as each member of the community plays an important role.” If there is progress in the partnership, says Capra, there will be an “coevolution”; “Each partner better understands the needs of others.” (CAPRA, 1998, p. 234).

From the observation of the flexibility of living systems, Capra proposes the same for human communities, as a strategy for the resolution of conflicts. Since rigid decisions do not resolve disputes well, the author suggests flexibility.

[...] managing a social system - a company, a city or an economy - means finding the *ideal* values for the system variables. If we try to maximize any single variable instead of optimizing it, it will invariably lead to the destruction of the system as a whole (CAPRA, 1998, p. 235).

Finally, *diversity* is important in human communities - ethnic and cultural diversity. If individuals are isolated, diversity can become a source of prejudice and conflict, but if everyone is aware of their interdependence, the community becomes flexible and, along with compliance with other principles, sustainable (CAPRA, 1998, p. 235). The principles of flexibility and diversity converge, it seems, to the social, legal and political dimensions.

For Sen (2011, 285), the Brundtland Report did a good job in defining sustainable development as “meeting the needs of the present generation without compromising the ability of future generations to meet their own needs. “ But we must go further. Sen proposes that in order to evolve with this concept, it is necessary to include in it the dimension

of *values*, surpassing only considerations about *needs*. The people have, effectively, needs, but in addition, have values; and this implies appreciation of their ability to reason, evaluate, choose, participate and act. “Seeing people only according to their needs can give us a very poor view of mankind.” (SEN 2011, p. 284).

Robert Solow proposed a new concept for sustainability, seeking to overcome the proposal of the Brundtland Report. In the economist’s view, sustainability requires that the next generation be given the same opportunities for the realization of their well-being. At the very least, with the same possibility of maintaining the existing standard of living and providing the same conditions for subsequent generation (SOLOW, 1993)¹². Thus, there is no consumption of the capital of humanity, maintaining sustainability.

Sen commends Solow’s proposal at the outset. The prospect of maintaining *the standard of living* “at least as good as ours” for Sen motivates the preservation of the environment and extends the understanding envisaged in the Brundtland Report. Instead of limiting sustainability to *human needs*, Solow extends sustainability to other dimensions, beyond simply maintaining needs.

Although the concept of Solow is important and attractive, you may be asked if the recommendations of “maintenance standard of living” or guarantee of the same “well-being levels” also apply to developing countries such as Brazil, or those with extreme poverty rates. Meanwhile, since Solow’s proposal for sustainability is neither reductionist nor all-or-nothing, it also seems to apply to regions with such characteristics. The concept proposed by Solow is comprehensive and proposes an examination of the contexts of each reality.

Solow (2000) admits that a major dilemma occurs in poor countries; between meeting economic goals and preserving the environment. So he suggests that, given the complexity of the world, with diverse interests and tastes, there is much to gain by investing in innovation¹³ and also

12 “For the rest of this talk, I will assume that a sustainable path for the national economy is one that allows every future generation the option of being as well off as its predecessors. The duty imposed by sustainability is to bequeath to posterity not any particular thing - with the sort of rare exception I have mentioned - but rather to endow them with whatever it takes to achieve a standard of living at least as good as our own and to look after their next generation similarly. We are not to consume humanity’s capital, in the broadest sense. Sustainability is not always compatible with discounting the well-being of future generations if there is no continuing technological progress. But I will slide over this potential contradiction because discount rates should be small and, after all, there is technological progress.” (SOLOW, 1993, p. 168).

13 The advancement of technological innovation is fundamental, in Solow’s view, for economic

transforming the kind of yes-or-no questions, leading to a “dead end” for questions that can be answered in terms of more-or-less. But most importantly, in practice, it is identifying what should be accomplished *most* and what should be accomplished *less* (SOLOW, 1993, p. 172).

For Solow (1993), to demand the impossible of a society is to release it from any commitment to sustainability. So the radical propositions should be avoided. But the author, starting from the premise that there is a strong ethical commitment to future generations - not only to the next ones, but also to the more distant ones - proposes that the same possibilities of having levels of well-being. In other words: “Sustainable development must therefore be seen as a commandment, so that our present standard of living is not achieved at the expense of the impoverishment of future generations.” (MUELLER, 2005, p. 687).

Sen (2011, p. 285) proposes an even broader concept of sustainability, arguing that meeting the needs and sustaining a standard of living are *committed to human values and capabilities*. The valuation of *concrete opportunities* does not always contribute to a “standard of living” or to “our own interests”.

Having established these premises, Sen defends the relevance of valuing what people are right to attribute importance:

If the importance of human life lies not in our standard of living and satisfaction of needs but also in the freedom we enjoy, then the idea of sustainable development must be correspondingly reformulated. In this context, being consistent means thinking not only about sustaining the satisfaction of our needs but, more broadly, on the sustainability - or magnification - of our freedom (including freedom to meet our needs). Thus recharacterized, sustainable freedom can be broadened from the formulations proposed by Brundtland and Solow to include preservation and, where possible, the expansion of the substantive freedoms and capabilities of today’s people “without compromising the ability of future generations” to have similar or greater freedom. (SEN, 2011, p. 286).

Sen therefore extends the concept of sustainability, including values, related to autonomy, capacity and freedom. For this amplification, this author affirms that his proposal goes beyond the approaches that use

growth and development. Solow’s economic approach to the importance of technological innovation is complex, not involving analysis in this work. The question is therefore mentioned, only for possible interest that may be raised for a specific research on the application of new technologies in urban sustainability. (SOLOW, 2000)

income and *wealth* as criteria to verify the “human success”. It also goes beyond the political philosophy of John Rawls - focused on primary goods such as income, prerogatives, jobs, self-esteem and others. Sen notes that for Rawls these are the main indicators for verifying justice as fairness, disagreeing with this proposition, since this list of primary goods is to be understood only as a relation of means useful to the valuable purposes of human life¹⁴.

Therefore, the concept of sustainability, according to Sen, takes into account the sustainability of freedom seen as capacity. The proposal seeks to avoid the excessive linkage of sustainability with economic aspects, the satisfaction of needs or the maintenance of living standards. The idea of capacity and sustainability, for Sen, also takes these aspects into account, but mainly “it is linked to substantive freedom; it gives a central role to a person’s real fitness to do different things that he or she values.” (SEN, 2011, p. 287).

Thus, all efforts must be undertaken so that the next generation can also preserve for the subsequent generation the possibility of exercising their capacities, that is, the realization of values related to the concept of good life¹⁵ in the social, ethical, legal-political, economic and environmental dimensions.

CONCLUSION

Giddens (2010, p. 87-88) argues that the concept of “sustainable development” has an anodyne character, with intrinsic imprecision and a certain way of “sucking canes and whistling at the same time”. They are contradictory aspects, since *sustainability* refers to the continuity and balance, while *development* has focused on the dynamism and change, referring in general to the increase in GDP. Therefore, in his opinion “sustainable development is more a motto than an analytical concept”. (GIDDENS, 2010, p. 88).

In the same sense, Leite and Caetano (2010, p. 257) assert that,

14 See RAWLS (2003, p. 239). Sen notes that for Rawls these are the main indicators for judging justice as fairness, disagreeing with the proposition, since this list of primary goods should be understood only as a ratio of useful means to the valuable ends of human life. It should be noted, however, that John Rawls responds to Amartya Sen, arguing that his theory does not rule out the importance of capabilities and their relationship to an essential minimum for being cooperative members of society. (RAWLS, 2003: 248)

15 *Good life* in the Aristotelian ethical sense, according to which happiness which does not consist of riches, nor honors, nor pleasures, but a life of virtues, which is linked to the capacity for conducting proportional behaviors. (Aristotle, 2000, p. 47 e ss.).

“when everything is sustainable development, nothing is.” The authors express concern about the possible political manipulation of the concept of sustainable development, which would leave the Judiciary to solve highly complex problems. Politics would be giving to Law the risk of its decisions. More than that, for the authors there is a conceptual void that can be filled without commitment to the environmental cause. Thus, treating sustainable development as a principle would not be a way of protecting the environment, since it would allow misuse with the aim of coloring any decision.

Replacing the principle of sustainable development, Leite and Caetano (2010, p. 257) propose a new state model, which they call the State of Environmental Law: “an abstract concept, constituted of juridical, social and political elements aimed at the persecution of an environmental condition capable of fostering harmony between ecosystems and, consequently, ensuring the full satisfaction of dignity beyond the human being. Only this new state can fill the gaps left by “the famous sustainable development.” It would be the overcoming of the models of the State of Liberal Right and Social State. A new political horizon, open to the complexity, contradiction and conflict. (LEITE e CAETANO, 2010, p. 258).

The criticisms presented by the renowned authors are intelligent and would be more interesting if carried out within the discussion of the very concept of sustainable development without removing it. The arguments are appropriate to combat the trivialization and misuse of a category that has been built with much study, especially in international spaces where human rights are discussed. This is because even the principles which are most committed to environmental preservation, such as those contained in the constitutions of Ecuador and Bolivia: *Sumak Kawsay* in the Quechua language, *Suma Qamanã* in Aymara, or *Teko Porã* in Guarani, which express a concept of life in fullness with Mãe Terra (Mother Earth), are subject to the risk of being used as mere speech tool, a term co-opted to the functions and structures of government, losing its real meaning of cultural, epistemological and multinational transformation. Laws approved in Ecuador on water and mining, according to Catherine Walsh (2010, p. 20), have made exactly this rhetorical use of categories that claim to be appropriate for environmental protection policies.

What may eventually be considered anodyne may perhaps become effective by means of suitable tools. It is necessary to go beyond the

poisoned well and the false analogy that helps argumentative task. The replacement of the denomination of the form of State or the proposition of a new declared ideology most probably does not have the desired effect; and in the same way one can fall into the trap of the practical distortion of the ends declared by the words. Therefore, it seems necessary to move in the structure of the language of rights; to take the rights seriously. The human right to sustainable development is something that has been built and refined by the international community at the cost of all sorts of pressures and uncertainties - often with important scientific divergences¹⁶ - nevertheless, with each new conference, with each new published report (UNEP, UNDP and others) there are empirical elements accessible to the community in general, which provide a public space for political, juridical, academic and common sense.

Through a renewed perspective on the dogmatics of human and fundamental rights, based on the normative character of the principles and on the integration of the analytical, empirical and critical dimensions, a discursive possibility of moving evolutionarily in the concept of sustainable development is envisaged.

A sample of this effort for conceptual and empirical enhancement, as well as some dedication to the effective optimization of the principle of sustainable development, can be seen from the Human Development Report of 2015. After 25 years of the publication of the first Human Development Report, it can be seen that UNDP started in 1990 with a simple concept that development meant “broadening human choices by giving greater prominence to the richness of human lives, and not in a reductive way, to the wealth of economies.” (So the concept of development, since 1990, did not mean only GDP growth, as Giddens judged). Indeed, the 2015 Report recorded that in the last 25 years, (a) people have lived longer; (b) the number of individuals with access to drinking water and sanitation is higher; (c) the *per capita income* in the world has increased; (d) poverty has decreased; (e) the digital revolution has interconnected people from different countries and societies. The Report also noted that major challenges remain in the following areas: (a) persistent poverty and oppressive inequalities; (b) climate change and climate sustainability in general; (c) conflicts and situations of instability. These situations obviously create difficulties for the guarantee of *decent work*, which is the focus of the aforementioned

16 Brazilian authors who contest some consensus on climate change: MACHADO e FELICIO (2011). And MOLION (2016).

Report, but the problems related to sustainability and the environment are no longer addressed. Therefore, a concept of sustainable work is proposed:

The Report identifies sustainable work that promotes human development while reducing and eliminating negative side effects and undesirable consequences as an important foundation for sustainable development. Sustainable work expands the opportunities of the present generation without compromising those of future generations. (UN, 2015c, p. IV).

The objectives of sustainable development, proposing its 17 objectives and 169 goals, derive largely the alleged vagueness and ambiguity of the concept of sustainable development. By transforming these objectives into measurable criteria, annually detailed in the reports, the United Nations provides an important debate, not only on particular sectors of interest, but covering the complex ramification of the tree of human and environmental development.

For all this, it is concluded that sustainable development can be considered as an evolving legal principle¹⁷. There is nothing to disagree with a principled approach to this value¹⁸. As Alexy proposes, value and principle are two sides of the same coin. Values are in the axiological dimension, and principle, in the ethical one. With this, the possibility of legal intervention aimed at optimizing the right to sustainable development should never be overlooked, even though the economic and environmental aspects are on different sides of the scale, otherwise the human right of access to the Justice. A good and renewed dogmatics for human and fundamental rights seems to enable a broad and thoughtful interpretation of this fundamental principle, without harming the political process of conquest and affirmation of new rights.

17 Sequences from the Human Development Reports are a good example of this conceptual and paradigmatic evolution: GLOBAL HUMAN DEVELOPMENT REPORTS (UN, 2017b). For the year 2016, UNDP is presenting sector reports. The Report for Latin America can be checked at: UN (2015d).

18 For Alexy (2008, p. 86) value and principle are two sides of the same coin. Values are in the axiological dimension and the principles in the deontological dimension.

REFERENCES

ALEXY, R. *Teoria dos Direitos Fundamentais*. São Paulo: Malheiros, 2008.

ALEXY, R. *Teoria da argumentação jurídica: a teoria do discurso racional como teoria da fundamentação jurídica*. 3. ed. Rio de Janeiro: Forense, 2011.

ARISTÓTELES. *Ética a Nicômaco*. São Paulo: Martin Claret, 2000.

BOSELDMANN, K. *O princípio da sustentabilidade*. São Paulo: Revista dos Tribunais, 2015.

CAPRA, F. *A teia da vida: uma nova compreensão científica dos seres vivos*. São Paulo: Cultrix, 1988.

CARSON, R. *A primavera silenciosa*. São Paulo: Melhoramentos, 1969.

COMISSÃO MUNDIAL SOBRE MEIO AMBIENTE E DESENVOLVIMENTO. *Nosso futuro comum*. 2. ed. Rio de Janeiro: Editora da Fundação Getúlio Vargas, 1991.

DAG HAMMARSKJÖLD REPORT. The 1975 Dag Hammarskjöld Report. *What Now*, 1975. Disponível em: <<http://www.daghammarskjold.se/wp-content/uploads/2016/07/What-Now-1975.pdf>>. Acesso em: 10 nov. 2016.

FREITAS, J. *Sustentabilidade: direito ao futuro*. Belo Horizonte: Fórum, 2011.

GIDDENS, A. *A política da mudança climática*. Rio de Janeiro: Zahar, 2011.

JASHCKE, A.; FELICIO, R. A. Ambientes atmosféricos modificados pelo homem e suas verdadeiras implicações. *Periódico Eletrônico Fórum Ambiental da Alta Paulista*, v. 7, n. 8, nov. 2011. Disponível em: <http://www.amigosdanatureza.org.br/publicacoes/index.php/forum_ambiental/article/view/194/193>. Acesso em: 11 nov. 2016.

LEITE, J. R. M.; CAETANO, M. A. As facetas do significado de desenvolvimento sustentável - uma análise através do Estado de Direito Ambiental. In: PIOVESAN, F.; SOARES, I. V. *Direito ao desenvolvimento*. Belo Horizonte: Fórum, 2010. p. 250-277.

LIMA, F. G. M. D. *Os deveres constitucionais: o cidadão responsável*, 2011. Disponível em: <<http://servicos.prt7.mpt.gov.br/artigos/2011/Deveres%20Constitucionais.pdf>>. Acesso em: 28 nov. 2016.

LOMBORG, B. Environmental alarmism, then and now: the club of Rome's problem - and ours. *Foreign Affairs*, 2012. Disponível em: <<https://www.foreignaffairs.com/articles/2012-07-01/environmental-alarmism-then-and-now>>. Acesso em: 1º dez. 2016.

MARTÍNEZ, G. P. -B. et al. *Derecho positivo de los derechos humanos*. Madri: Debate, 1987.

MEADOWS, D. H. et al. *Limites do crescimento: um relatório para o projeto do Clube de Roma sobre o dilema da humanidade*. 2. ed. São Paulo: Perspectiva, 1978.

MINISTÉRIO DO MEIO AMBIENTE. Convenção sobre diversidade Biológica. Decreto Legislativo n. 2, de 1994, 1994. Disponível em: <<http://www.mma.gov.br/destaques/item/7513-conven%C3%A7%C3%A3o-sobre-diversidade-biol%C3%B3gica-cdb>>. Acesso em: 24 nov. 2016.

MOLION, L. C. B. *Desmistificando o aquecimento global*, 20--. Disponível

em: <http://www.icat.ufal.br/laboratorio/clima/data/uploads/pdf/molion_desmist.pdf>. Acesso em: 11 nov. 2016.

MUELLER, C. C. O debate dos economistas sobre a sustentabilidade – uma avaliação sob a ótica da análise do processo produtivo de Georgescu-Roegen. *Estudos Econômicos*, vol. 35, n. 4, 2005. p. 687-713. Disponível em: <<http://www.scielo.br/scieloOrg/php/reference.php?pid=S0101-41612005000400004&caller=www.scielo.br&lang=en>>. Acesso em: 2 nov. 2016.

MURESAN, A. R. The Club of Rome’s Concept of Globalization - State Independence on World Scale. *Research and Science Today*, p. 59-68, 2011. Disponível em: <http://heinonline.org/HOL/Page?handle=hein.journals/rescito1&div=11&start_page=59&collection=journals&set_as_cursor=0&men_tab=srchresults#>. Acesso em: 5 jan. 2017.

NANDA, V. P. The journey from the millennium development goals to the sustainable development goals. *Denver Journal of International Law and Policy*, v. 44. 3, p. 389-412, 2016. Disponível em: <http://heinonline.org/HOL/Page?handle=hein.journals/denilp44&div=20&start_page=389&collection=journals&set_as_cursor=0&men_tab=srchresults>. Acesso em: 4 mar. 2017.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). *Declaração da conferência da ONU no ambiente humano*, 1972. Disponível em: <www.mma.gov.br/estruturas/agenda21/_arquivos/estocolmo.doc>. Acesso em: 13 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). *Declaração do Rio sobre o meio ambiente e desenvolvimento*, 1992a. Disponível em: <<http://www.onu.org.br/rio20/img/2012/01/rio92.pdf>>. Acesso em: 24 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Relatório da

conferência das Nações Unidas sobre Meio Ambiente e Desenvolvimento. *A/CONF. 151/26. Declaração de Princípios sobre Florestas*, 1992b. Acesso em: 24 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Conferência das Nações Unidas sobre o Meio Ambiente e Desenvolvimento: Agenda 21. *Nações Unidas no Brasil*, 1995. Disponível em: <<http://www.onu.org.br/rio20/img/2012/01/agenda21.pdf>>. Acesso em: 31 mar. 2017.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). *Declaração de Joanesburgo sobre Desenvolvimento Sustentável*, 2002. Disponível em: <www.mma.gov.br/estruturas/agenda21/_arquivos/joanesburgo.doc>. Acesso em: 24 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). *Keeping track of our changing environment*, 2011. Disponível em: <<http://www.onu.org.br/rio20/img/2012/01/Keeping-Track-of-Changing-Environment-UNEP.pdf>>. Acesso em: 29 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Nações Unidas no Brasil. *A ONU e o Meio Ambiente*, 2015a. Disponível em: <<https://nacoesunidas.org/acao/meio-ambiente/>>. Acesso em: 17 abr. 2017.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Nações Unidas no Brasil. *Transformando Nosso Mundo: A Agenda 2030 para o Desenvolvimento Sustentável*, 2015b. Disponível em: <<https://nacoesunidas.org/pos2015/agenda2030/>>. Acesso em: 24 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Programa das Nações Unidas para o Desenvolvimento (PNUD). *Relatório do Desenvolvimento Humano 2015: o trabalho como motor do desenvolvimento humano*, 2015c. Disponível em: <http://hdr.undp.org/sites/default/files/hdr15_overview_pt.pdf>. Acesso em: 30 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Uma equipe do relatório regional iniciou um processo participativo, visitando diversos países da região para conversar com os governos e instituições, coletar dados e determinar fatores específicos de cada país que influenciam seu desenvolvimento humano. *ONU: Relatório de Desenvolvimento Humano em 2016 traz metodologia inédita para América Latina*, 2015d. Disponível em: <<https://nacoesunidas.org/onu-relatorio-de-desenvolvimento-humano-em-2016-traz-metodologia-inedita-para-america-latina/>>. Acesso em: 30 nov. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). *Nações Unidas no Brasil*, 2017a. Disponível em: <<http://onu.org.br>>. Acesso em: 2 abr. 2016.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Programa das Nações Unidas para o Desenvolvimento no Brasil. *Relatórios de Desenvolvimento Humano Globais*, 2017b. Disponível em: <<http://www.br.undp.org/content/brazil/pt/home/idh0/relatorios-de-desenvolvimento-humano/rdhs-globais.html#2011>>. Acesso em: 1º abr. 2017.

RAWS, J. *Justiça como equidade: uma reformulação*. São Paulo: Martins Fontes, 2003.

SACHS, I. Pensando sobre o desenvolvimento na era do meio ambiente. In: STROB, P. I. *Ignacy Sachs: Caminhos para a sustentabilidade*. Rio de Janeiro: Garamond, 2009. p. 47-64.

SEN, A. *Desenvolvimento como liberdade*. São Paulo: Companhia das Letras, 2000.

SEN, A. *A ideia de justiça*. São Paulo: Companhia das Letras, 2011.

SOLOW, R. *An almost practical step toward sustainability*. New York:

Rosources for the future, 1993.

SOLOW, R. *Growth theory*. New York: Oxford University Press, 2000.

STRECK, L. L. *Verdade e Consenso*. Rio de Janeiro: Lumen Juris, 2006.

THECOCOYOC-DECLARATION. *Helsinki*, 1974. Disponível em: <https://helsinki.at/projekte/cocoyoc/COCOYOC_DECLARATION_1974.pdf>. Acesso em: 10 nov. 2016.

THE FOUNEX REPORT. Stakeholder forum for a sustainable future. *The Founex Report on development and environment*, 1971. Disponível em: <<http://www.stakeholderforum.org/fileadmin/files/Earth%20Summit%202012new/Publications%20and%20Reports/founex%20report%201972.pdf>>. Acesso em: 22 nov. 2016.

UNITED NATIONS. *Declaration on the right to development*, 1986. Acesso em: 24 nov. 2016.

UNITED NATIONS. *Human Development Report*, 1990. Disponível em: <http://hdr.undp.org/sites/default/files/reports/219/hdr_1990_en_complete_nostats.pdf>. Acesso em: 29 nov. 2016.

UNITED NATIONS. 66/288. *The future we want*, New York, 2012. Disponível em: <http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/288&Lang=E>. Acesso em: 24 nov. 2016.

UNITED NATIONS. United Nations Environment Program (UNEP). *Towards a pollution-free planet*: UN environment assembly, 2016. Disponível em: <<http://www.unep.org/environmentassembly/>>. Acesso em: 13 dez. 2016.

VEIT, K. From Stockholm to Brundtland. *Environmental Policy and Law*, 1990. Disponível em: <<https://portals.iucn.org/library/efiles/documents/WCs-004.pdf>>. Acesso em: 23 nov. 2016.

WALSH, C. development as Buen Vivir: institutional arrangements and (de)colonial antanglements. *Development*, 53, 2010. 15-21. Disponível em: www.sidint.org/development. Acesso em: 30 set. 2016.

Artigo recebido em: 17/05/2017.

Artigo aceito em: 16/08/2017.

Como citar este artigo (ABNT):

MARCO, Cristhian Magnus De; MEZZAROBA, Orides. O Direito Humano ao Desenvolvimento Sustentável: Contornos Históricos e Conceituais. *Veredas do Direito*, Belo Horizonte, v. 14, n. 29, p. 323-349, mai./ago. 2017. Disponível em: <<http://www.domhelder.edu.br/revista/index.php/veredas/article/view/1066>>. Acesso em: dia mês. ano.