

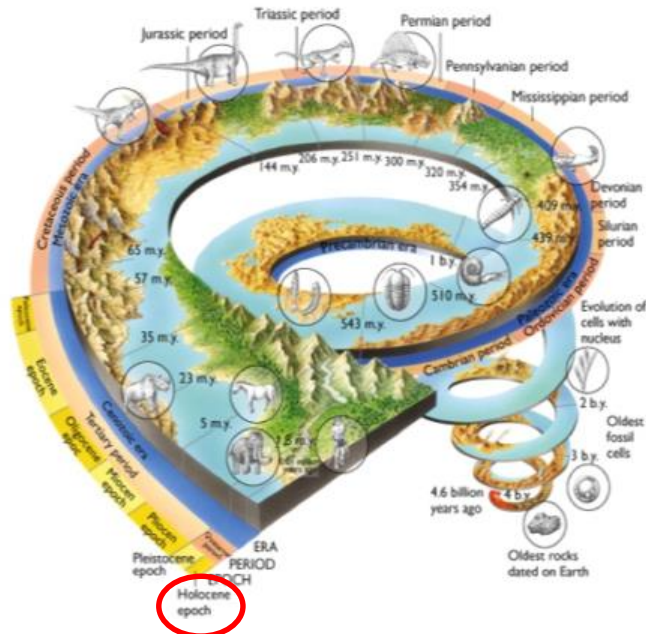
Também somos Terra (ameaçada...)

Francisco Ferreira
(parte 3)





O que é a nossa Casa Comum?

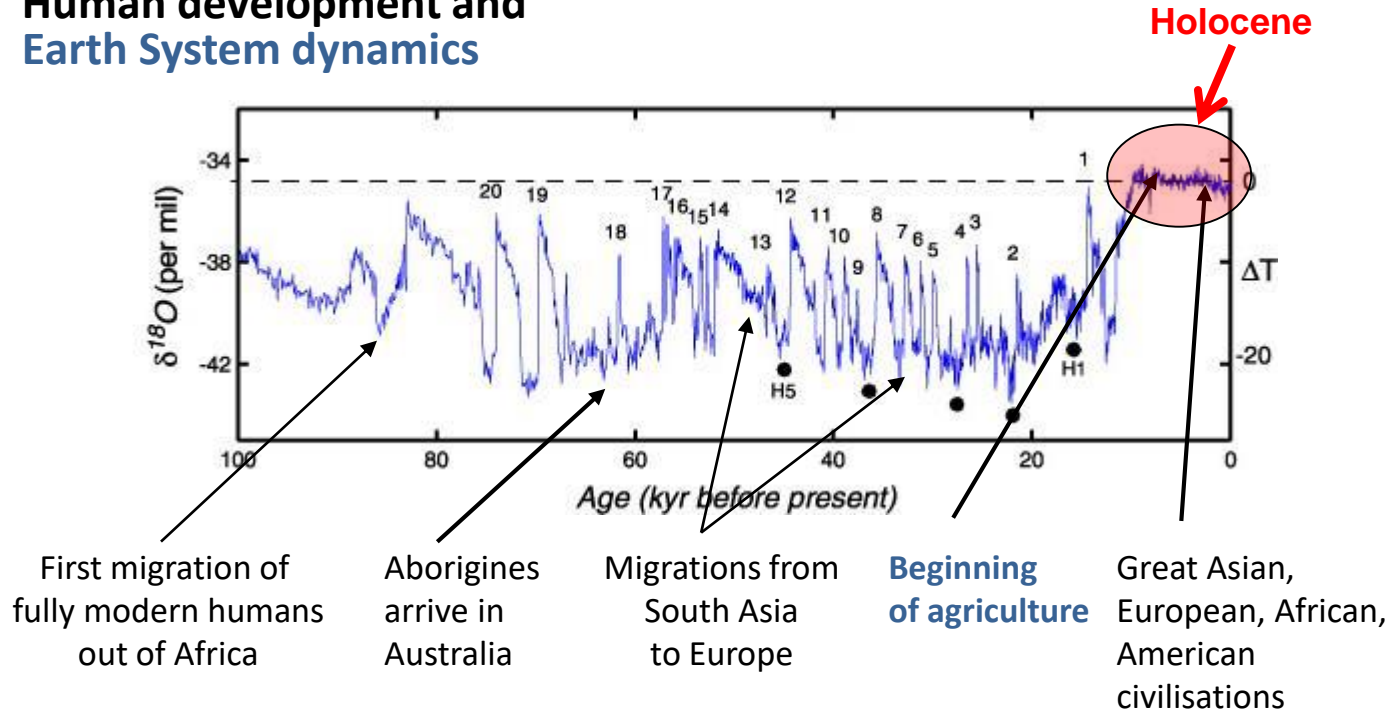


HOLOCENE

Throughout the lifetime of the Planet, the Earth system has gone through many different status



Human development and Earth System dynamics



Source: GRIP ice core data (Greenland) and S. Oppenheimer, "Out of Eden", 2004



O nosso planeta **é**
um território com
uma superfície de
510 milhões km²
dividido entre
países



Hardware



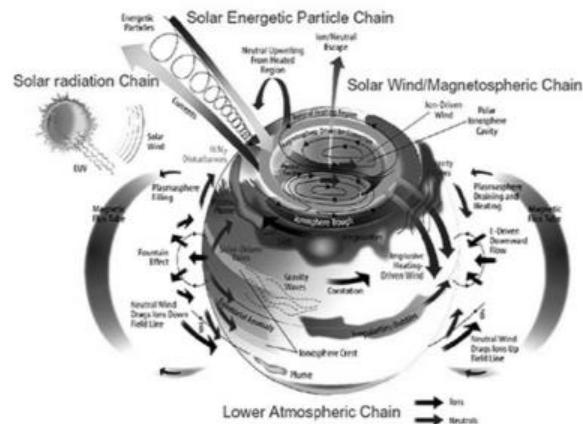
THE HARDWARE



THE PLANET

Tangible physical space, with legally recognized territorial characters and rights (sovereignties)

THE SOFTWARE



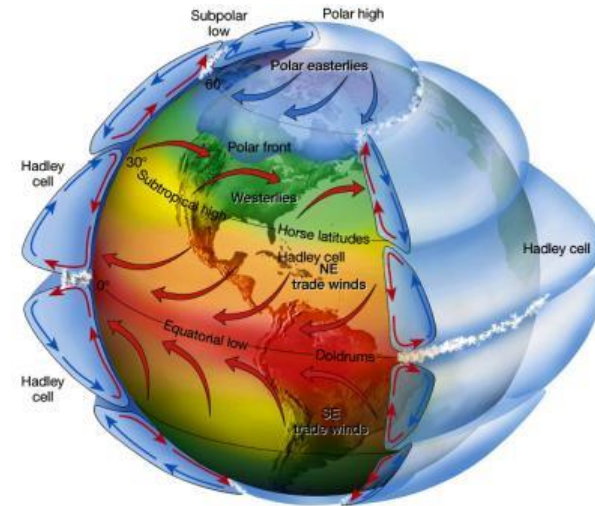
THE SYSTEM

A legally recognized functional and Intangible space, with no specific territorial character (SOS)



Além deste espaço físico, o nosso planeta possui um conjunto completo de ciclos biogeofísicos intangíveis e interativos que compõem o Sistema Terrestre.

Esse conjunto de ciclos interativos - no seu estado holocénico funcional - constituem o **Comum Global**, intangível e indivisível da Humanidade (o seu *Espaço Operacional Seguro*).



Software

Anthropocene – asking us to do the impossible

TERRITORIAL ELEMENTS

Division and privatization as the obvious solution

HARDIN CONCEPT

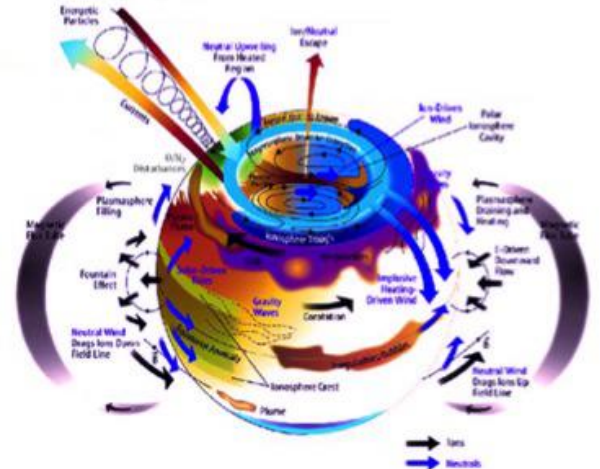


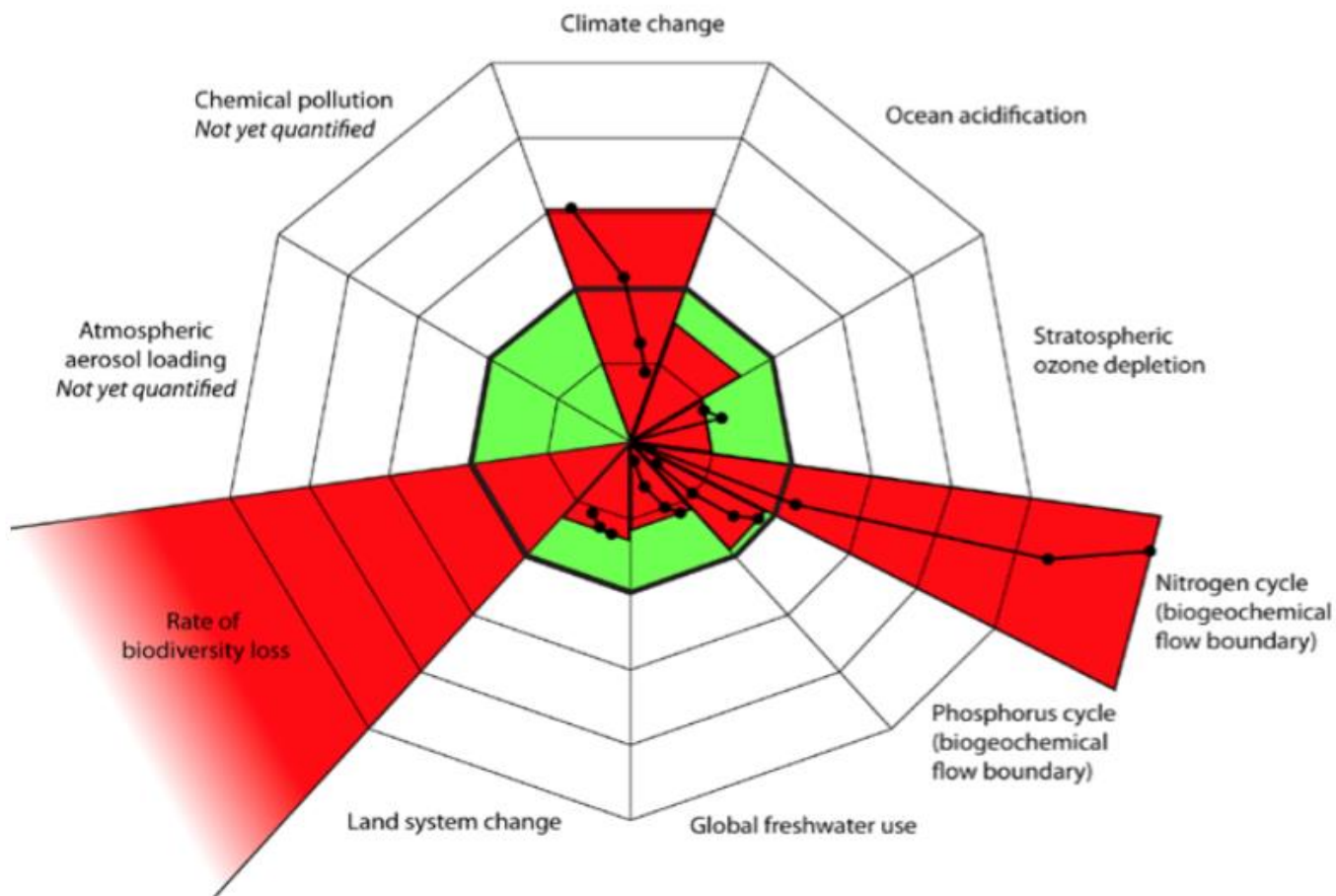
NON-TERRITORIAL ELEMENTS

Commons' Management - the not so obvious solution

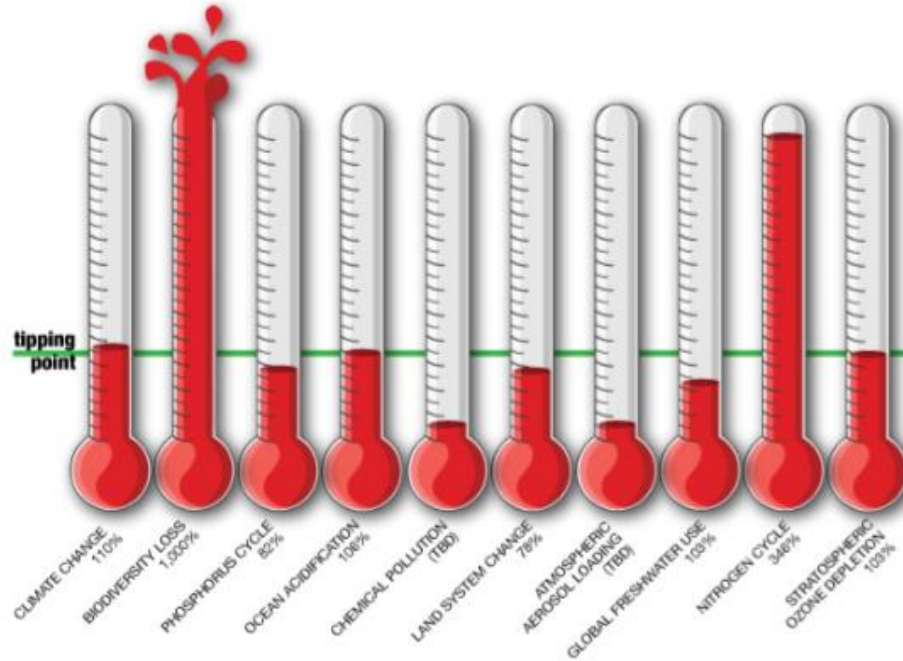
OSTROM CONCEPT

VS.



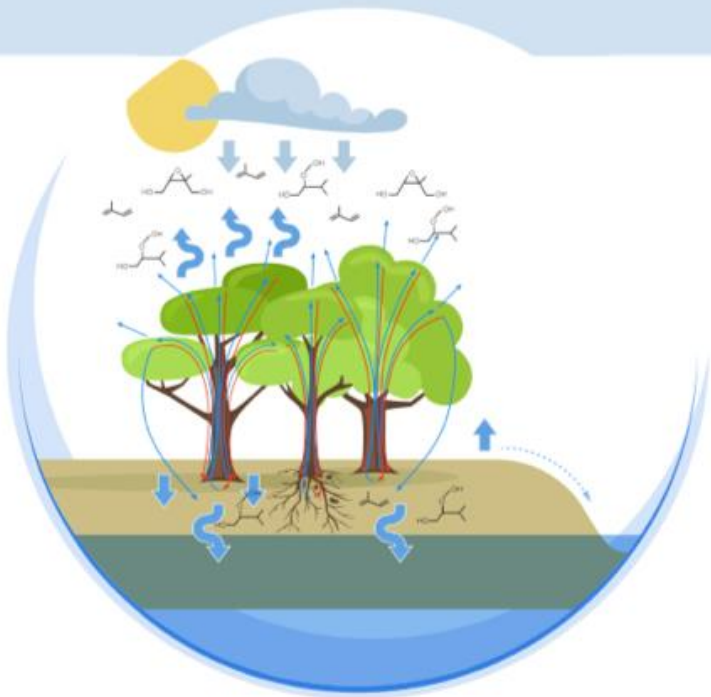


The Planetary Quotas are limits for human interactions with the Earth System, based on the Planetary Boundaries, which are applicable to any scale of human activity



Each nation State shall be given full capacity to define its own strategy, with the mandatory goal of achieving its own best balance in relation to the Common Heritage.

The rule of the game

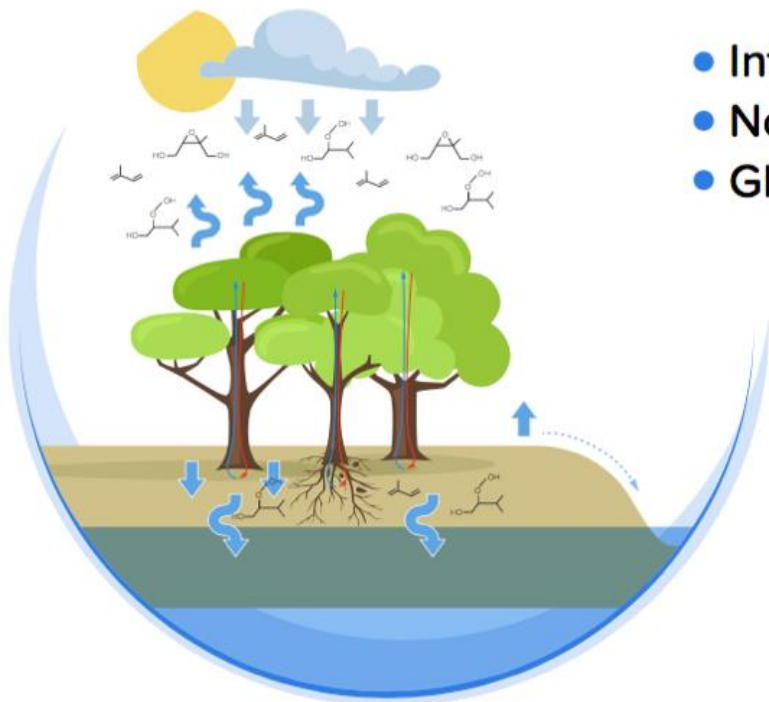


Whoever destroys more ecosystems and causes more damage in the biogeophysical cycles, the more economic benefits will have.

Why are we unable to shift this rule of the game?

The Earth System services are:

- Intangible, (mainly chemical changes)
- Non-territorial (spans over all sovereignties)
- Global and for so they are seen as **+ externalities**



External
to law

+

External
for economy

=

External to the
organization of
human societies

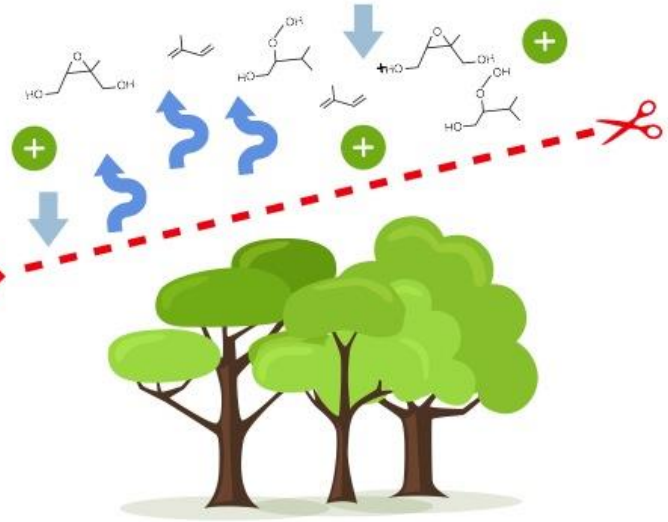
TIPPING POINTS IN THE EARTH SYSTEM



The Fundamental Role of Law



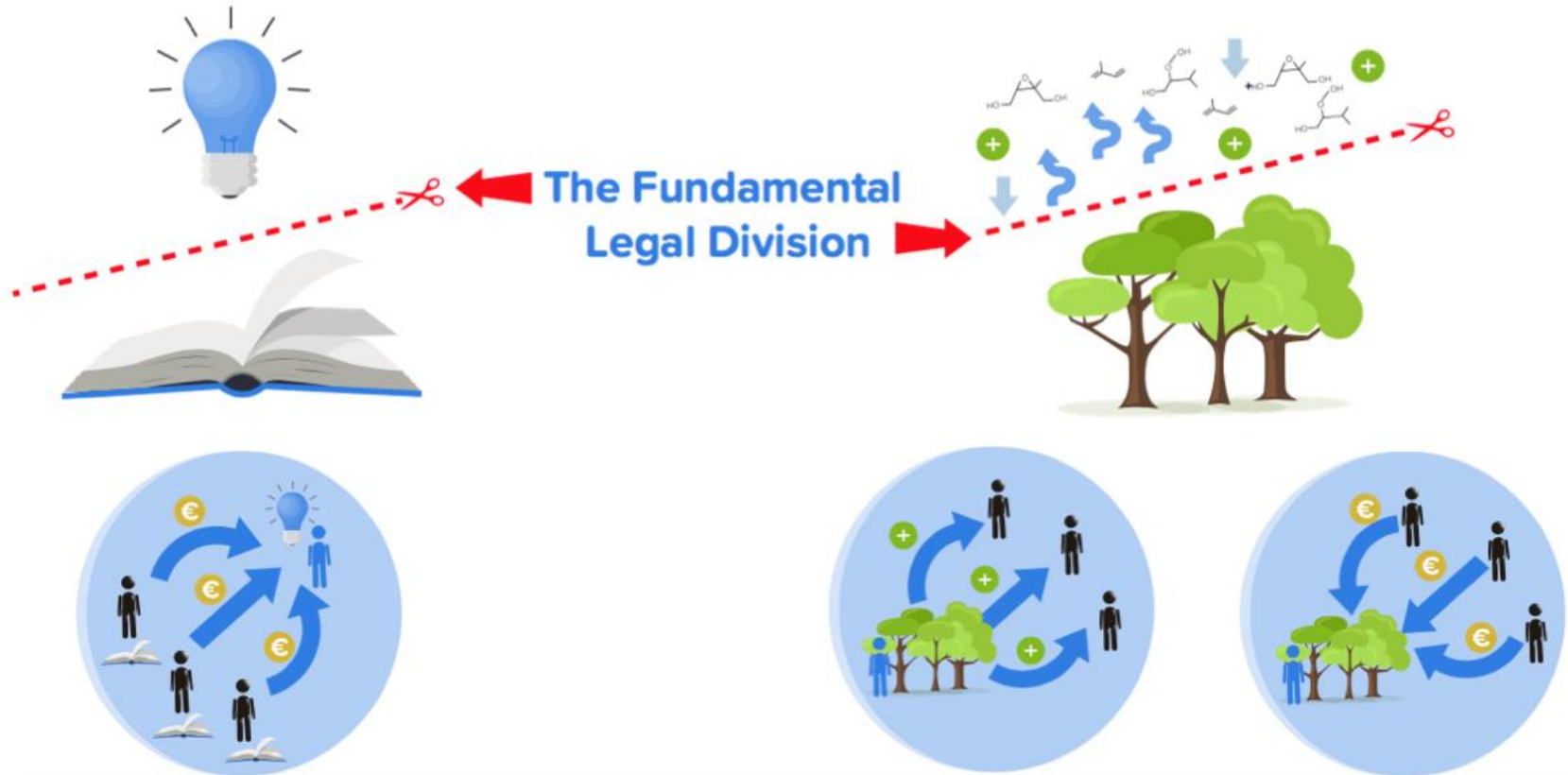
**The Fundamental
Legal Division**



FUNCTIONING EARTH SYSTEM = NEW INTANGIBLE OBJECT OF LAW

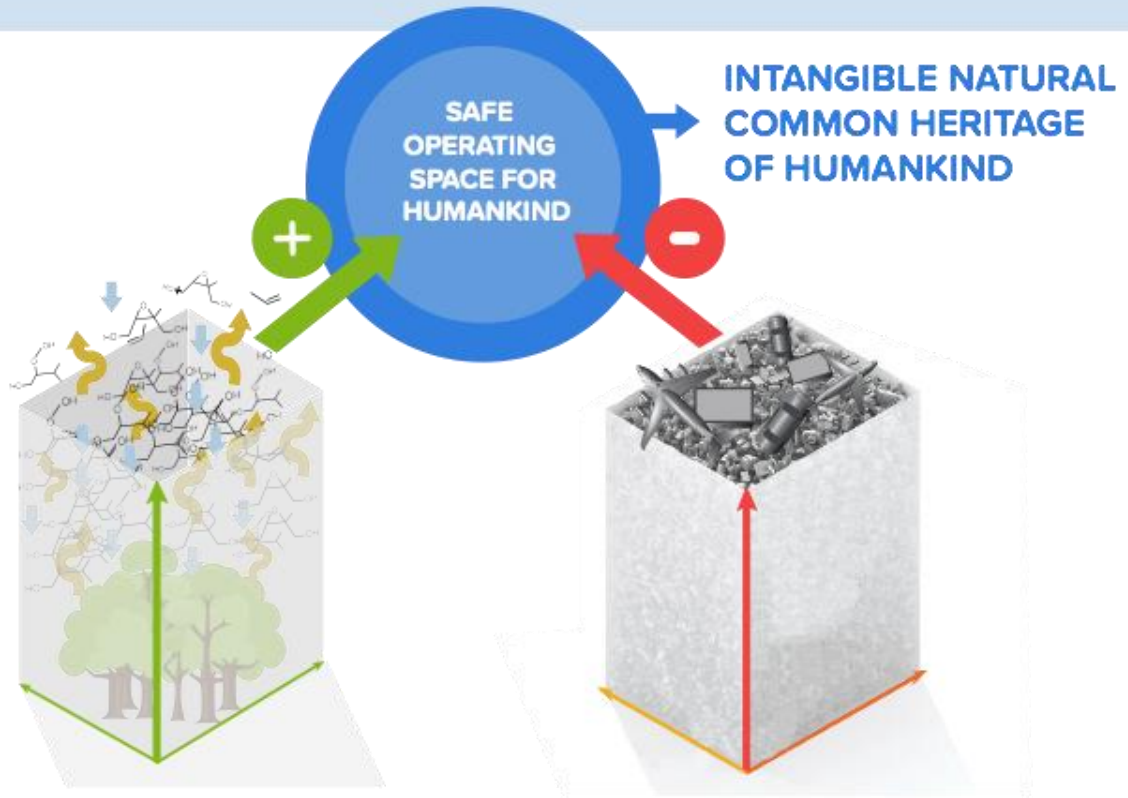
An new Intangible Object of Law

The fact of the Earth System Services being intangible can not constitute an insurmountable obstacle to its legal recognition



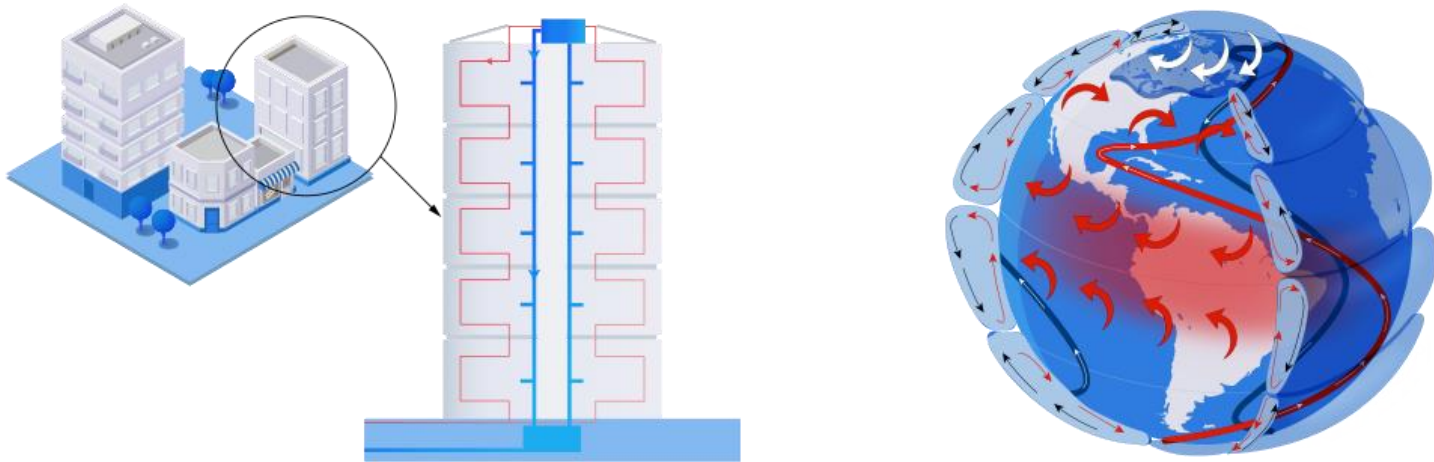
OUR PROPOSAL IS:

- Compensating the positive impacts on the biogeophysical cycles;
- Internalizing the hidden costs of damage done to the biogeophysical cycles into the economy.



CONDOMINIUM: The legal framework where 2 different legal regimes co-exist in the same space.

Functional Division + Spacial Division



By defining clearly the different competencies, the condominium transforms the overlap into a symbiosis.



**ESTABLISHING OUR COMMON HOME AS A LEGAL
CONSTRUCT BASED ON KNOWLEDGE**

The intangible heritage contributes to the understanding of the critical crossroads of contemporary humanity, shedding light on the human condition, and on some of the possible paths for their redemption.

(Viriato Soromenho-Marques 2006)