



From Anthropocentrism to Earth-Jurisprudence: Evaluating the Rights of Nature within Ghana's Statutory and International Legal Frameworks

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Abstract

Pervasive environmental degradation in Ghana, driven by illegal mining, deforestation, and river pollution, exposes the structural failures of regulatory regimes grounded in anthropocentric resource exploitation. This study addresses the central question of how indigenous systems of customary ecological stewardship can be systematically harmonized and integrated with statutory environmental law to establish an operational, dual-governance Rights of Nature (RoN) framework in Ghana. Utilizing a socio-legal narrative review approach, the paper critically analyzes domestic environmental legislation alongside emerging global ecocentric standards. The findings reveal that Ghana's legal landscape structurally prioritizes short-term resource exploitation over ecosystem health, a vulnerability severely compounded by institutional fragmentation and the legal subordination of traditional conservation customs to human-centric property regimes. To resolve this systemic gap, the study conceptualizes a dual-governance model that elevates indigenous custodians to autonomous legal guardians alongside state institutions. The paper concludes that achieving long-term ecological resilience requires a decisive shift toward ecocentric norms, supported by two fundamental reforms: amending the 1992 Constitution of Ghana to explicitly recognize the inherent RoN with expanded public enforcement standing, and enacting a unified Environmental Code that formalizes customary ecological stewardship within Ghana's statutory system.

1. INTRODUCTION

In Ghana, the ubiquity of illegal small-scale gold mining (galamsey), excessive deforestation, and perennial pollution of our major river basins (the Pra, Ankobra, Densu, etc.) constitute a threat to the country's stability

as well as the general well-being of its citizens.¹ These social and environmental crises are a stark indication that the Ghana's current environmental regulatory systems have failed.²

This problem is not only administrative but also stems from the way the issue has been understood and studied. Ghana's formal legislative framework sees the "environment" not as an active agent with rights of its own, but as a passive "resource" which must be manipulated and exploited to satisfy the economic needs of human beings.³ For instance, when regulatory agencies address water pollution, they evaluate ecological damage strictly in terms of human water treatment costs and agricultural loss, completely ignoring total ecosystem collapse.⁴

Ghana's governance landscape is legally pluralistic, where state institutions coexist with traditional authorities. Empirical evidence has shown that these customary methods are indeed highly effective. For instance, state-managed reserves, in some cases, often contain less biodiversity and species than traditional sacred groves.⁵⁶

The African Convention on the Conservation of Nature and Natural Resources (2003) recognises the importance of environmental protection, but it also clearly states that each country has the sovereign right to use its natural resources in line with its own development plans.⁷ This framework emphasises the "sustainable use" of natural resources, intending to "satisfy human needs." This clearly puts economic gains ahead of the intrinsic Right of Nature (RoN), and this underscores why serious problems like the fast-accelerating biodiversity loss and water scarcity are seen on the African soil.⁸

¹ Daryl Bosu, Estellamaria Ohene-Asante and Enam Antonio, "Constitutional Paradigm Shifts on Environmental Stewardship and Intergenerational Equity in Ghana" (A Rocha Ghana, 2026), <https://ghana.arochoa.org/wp-content/uploads/sites/42/2026/02/POLICY-BRIEF.pdf>.

² "Courts of the Living: Re-Imagining Environmental Justice in the Era of Ecological Crisis," Samuel Dotse, *Modern Ghana*, accessed June 2, 2026, <https://www.modernghana.com/news/1498589/courts-of-the-living-re-imagining-environmental.html>.

³ Dickson Adom et al., "Review of Assessing Legal Frameworks and Stakeholder Perspectives on Integrating the Rights of Nature into Ghana's Environmental Governance", *Research Square* (2026): 3.

⁴ Samuel Dotse, *loc.cit.*

⁵ Roshel Ayimaa et al., "Enhancing Cultural Recognition in Public Policy Systems for Sustainable Inclusive Governance," *International Journal for Multidisciplinary Research* 7, no. 3 (2025): 4.

⁶ Awuor Ponge, "Sacred Groves and the Supernatural: The Role of Indigenous Beliefs in Biodiversity Conservation and Climate Adaptation in Sub-Saharan Africa," *Journal of Climate Policy* 5, no. 1 (2026): 12.

⁷ African Convention on the Conservation of Nature and Natural Resources, adopted July 11, 2003, African Union. See African Union, "African Convention on the Conservation of Nature and Natural Resources", [https://au.int/sites/default/files/treaties/41550-treaty-Charter ConservationNature NaturalResources.pdf](https://au.int/sites/default/files/treaties/41550-treaty-Charter%20ConservationNature%20NaturalResources.pdf).

⁸ Igwe Kelechi Njoku, "African Biodiversity Loss: Food Insecurity and the Rising Risk to Human Security", <https://afsol.ipss-addis.org/wp-content/uploads/2025/01/Analysis-Report Biodiversity.pdf>.

An urgent legal transformation in the region is needed to solve these growing environmental problems. Uganda has become an African leader in formalising RoN, though through ordinary legislation rather than constitutional reform. Uganda's National Environment Act of 2019 explicitly states that "Nature has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution." The legislative document grants legal standing to others to report any known infringements on nature's rights.⁹

Despite many environmental laws worldwide, studies have shown that climate change and biodiversity loss constitute a global crisis.¹⁰ This underscores the urgent need to phase out the anthropocentric legal systems that place undue emphasis on satisfying human interests at the expense of nature. In the global sphere, this conceptual shift from anthropocentrism has resulted in the development of several alternative legal approaches to the ecocentrism concept, including constitutional entrenchment, legislative or statutory law-making, and doctrines developed by courts, public trust, and *parens patriae*.¹¹ Post-anthropocentric legal systems provide the philosophical foundation for RoN by challenging 'the dominating centrality of the human for society and theory' and reframing the human-nature relationship around ecological interdependence, responsibility, and respect for nature's inherent rights.¹²

Current literature remains fragmented into two isolated paradigms: formalistic legal analyses that treat eco-centric frameworks like the RoN as top-down, purely legislative instruments, as well as anthropological studies that treat Traditional Ecological Knowledge (TEK) as a fading, informal practice.¹³ This dichotomy leaves the practical mechanics of institutional integration entirely unexamined. While existing literature aptly describes how statutory land policies undermine indigenous stewardship, it remains largely descriptive and lacks prescriptive legal remedies.¹⁴ There is a distinct lack of research exploring how customary indigenous approaches can be systematically harmonized and formally incorporated into Ghana's statutory

⁹ Anima Mundi Law Initiative, "Rights of Nature Case Study Nature (Uganda)," <http://files.harmonywithnatureun.org/uploads/upload1140.pdf>.

¹⁰ Ivan Parise, "A Brief Review of Global Climate Change and the Public Health Consequences," *Australian Journal of General Practice* 47, no. 7 (2018): 451 – 452.

¹¹ Chris Ikporukpo and Ninane Ikporukpo, "Rights of Nature and Environmental Management in the Developing Countries," *International Journal of Law and Society* 8, no. 2 (2025): 135–136.

¹² Felicity Deane and Justine Bell-James. "Nature-Based Climate Solutions and the Rights of Nature: A Conundrum of Values." In *Climate Technology and Law in the Anthropocene*, ed. Leonie Reins and Alexander Zahar (Bristol: Bristol University Press, 2025), 296-297.

¹³ Dickson Adom et al., *op.cit.*, 12- 14.

¹⁴ See Rawnak Miraj Ul Azam, Syeda Afroza Zerin, and Fahim Faisal Khan Alabi, "The Rights of Nature Movement: Legal, Cultural, and Policy Challenges in Implementing Eco-Centric Laws," *Journal of Environmental Law & Policy* 5, no. 01 (2025): 104, 107; Jérémie Gilbert, "The Rights of Nature, Indigenous Peoples and International Human Rights Law: From Dichotomies to Synergies," *Journal of Human Rights and the Environment* 13, no. 2 (2022): 399; and Jacqueline A. Ignatova, Anatoli Ignatov, and Helen Akolgo-Azupogo, "The Contested Politics of Intergenerational Land and Gender Justice in Northern Ghana," *Ghana Studies* 28, no. 1 (2026): 7.

environmental legislation to advance the RoN framework. This research seeks to bridge the gaps by discussing ways to integrate indigenous forms of ecological stewardship with statutory environmental law in Ghana. It contributes a new model of pluralistic eco-centric jurisprudence, where RoN can be institutionalized within a post-colonial legal system where the state and traditional authorities share geographic jurisdiction.

This study examines how indigenous systems of customary ecological stewardship may be systematically harmonized and integrated with statutory environmental law to establish an operational, dual-governance RoN framework in Ghana. The analysis proceeds as follows. First, it reviews Ghana's legal and policy frameworks in the lens of the RoN framework. Second, it considers the international legal framework on the Rights of Nature. Third, it provides a critical analysis of these frameworks. The study then shifts from description to critique. Finally, it offers an academic reflection by addressing three research questions: (a) How can indigenous systems of customary ecological stewardship be systematically harmonized and integrated into statutory environmental law to establish an operational, dual-governance RoN framework in Ghana? (b) To what extent do Ghana's current supreme and sector-specific statutory legal frameworks operate under an anthropocentric paradigm rather than recognizing the intrinsic Rights of Nature? (c) How does institutional and legislative fragmentation impact the enforcement and comprehensive planning of environmental governance in Ghana?

This study utilizes a narrative review grounded in socio-legal perspectives,¹⁵ analyzing constitutional provisions, statutory laws and regulations, judicial decisions, and international legal instruments relevant to RoN. Comparative legal insights are drawn from examples in Ecuador, Bolivia, Uganda, and Colombia. These legal documents are further analyzed using scientific articles, legal commentaries, and policy documents. The thematic organization highlights recurring issues such as anthropocentrism, the precautionary principle, ecological entitlements, and the legal personhood of nature. This paper does not comprehensively address certain recent or unpublished findings and practical developments, particularly within traditional land tenure systems or organizational contexts.

2. RESULT AND ANALYSIS

2.1 Ghana's Legal and Policy Framework on the Right of Nature

2.1.1 The 1992 Constitution

The 1992 Constitution of Ghana, as the supreme law in Ghana,¹⁶ establishes the baseline for domestic environmental governance. It reflects a commitment to environmental protection through the Directive Principles of State Policy: directs the State to safeguard the environment for posterity,¹⁷ imposes a civic duty on citizens to protect nature,¹⁸ and vests natural assets

¹⁵ Javeed Sukhera, "Narrative Reviews: Flexible, Rigorous, and Practical," *Journal of Graduate Medical Education* 14, no. 4 (2022): 414.

¹⁶ The 1992 Constitution of Ghana with Amendments through 1996 (1992, rev. 1996, Art.1(2))

¹⁷ *Ibid.*, Art. 36(9)

¹⁸ *Ibid.*, Art. 41(k)

in the President "in trust for the people of Ghana."¹⁹ The Constitution also operationalizes this oversight by establishing sector-specific commissions (Minerals, Forestry, and Fisheries) to manage resource utilization.²⁰ However, a critical socio-legal analysis reveals that this architecture remains strictly human-centric. Under Article 257(6) of the Constitution, natural resources are held in trust exclusively for human beneficiaries, leaving nature without independent legal standing or intrinsic rights.

This structural limitation is further compounded by the rules governing legal standing (*locus standi*). Under Article 2(1) of the 1992 Constitution of Ghana, the Supreme Court adopted a liberal approach to public interest litigation in *Sam (No. 2) v. Attorney-General*, ruling that a citizen need not prove personal injury to challenge unconstitutional acts.²¹ Yet, despite this broad procedural gateway, Ghanaian constitutional jurisprudence remains human-centered. As affirmed in *Bimpong-Buta v. General Legal Council*²² and *Mrs. Margaret Banful v. Attorney-General*²³, the Constitution recognizes only human beings and legally created entities, such as companies, as "persons" capable of holding legal rights. Consequently, ecosystems cannot appear before courts as legal subjects. Any environmental action must be grounded in physical damage to human health or property. No procedural framework has been erected that would permit citizens and civil society organizations to act as legal guardians for damaged rivers or forests.

Comparatively, global constitutional developments demonstrate how post-colonial frameworks can transcend this anthropocentric barrier. Ecuador's 2008 Constitution explicitly recognizes nature (*pachamama*) as a holder of constitutional rights, granting any individual standing to enforce its protection.²⁴ The landmark *Los Cedros* decision (Case No. 1149-19-JP/20, 2021) further revoked state-issued mining permits in a fragile forest in Ecuador.²⁵ Similarly, Bolivia's legislative framework determined that Mother Earth is a collective subject of public interest with intrinsic rights to life, natural cycles, clean water, clean air, and restoration, establishing explicit statutory duties for the State and society to protect these rights.²⁶

¹⁹ *Ibid.*, Art. 257(6)

²⁰ *Ibid.*, Art. 269, Sec. 1.

²¹ The Supreme Court of Ghana, *Sam V Attorney-General* (No. 2)[1999-2000] 2 GLR 336 (May 10, 2000), 337.

²² The Supreme Court of Ghana, *Bimpong-Buta V. General Legal Council and Others*, *Scribd* (2026), 739.

²³ The Supreme Court of Ghana, *Margaret Banful And Henry Nana Boakye Vs. The Attorney-General And The Ministry Of Interior* - [2017]Dlsc2600 | *Dennislaw*, *Dennislaw* (2017), 1.

²⁴ Ecuador's 2008 Constitution, Arts. 71–73. See "Ecuador: 2008 Constitution in English," *Pdba.Georgetown.Edu*, accessed July 29, 2026, <https://pdba.georgetown.edu/Constitutions/Ecuador/english08.html>

²⁵ João P. Bastos, Nicolas Cachanosky & Justin Callais., "Do Rights of Nature Protect the Environment? Macro-Level Evidence From Ecuador," *Constitutional Political Economy* (2026): 4. See also Mika R Peck, et al. "The Conflict Between Rights of Nature and Mining in Ecuador: Implications of the Los Cedros Cloud Forest Case for Biodiversity Conservation," *People and Nature* 6, no. 3 (2024): 1096, 1099.

²⁶ Lexivox.Org, "Bolivia: Ley No 71, 21 De Diciembre De 2010." <https://www.lexivox.org/norms/BO-L-N71.html>

Another example is Uganda's National Environment Act 2019 which formalizes nature's right to exist and regenerate while granting public standing to enforce those rights.²⁷

To operationalize the RoN within Ghana's legal system, constitutional reform is essential. Chapter 5 of the 1992 Constitution should be amended to expressly recognize nature's rights to exist, flourish, and regenerate.²⁸ The reform should establish a pluralistic legal guardianship model that empowers citizens and traditional authorities as statutory guardians of ecosystems.

2.1.2 Environmental Protection Act 1124 (2025)

The Environmental Protection Act 1124 (2025) serves as Ghana's principal statutory instrument for environmental governance and climate risk management. The Act harmonizes existing regulatory frameworks, incorporates Nationally Determined Contributions (NDCs) under the Paris Agreement into domestic law, and establishes the Environmental Protection Authority (EPA) as the primary body responsible for enforcement, coordination, and prosecution of environmental offenses, acting under the constitutional authority of the Attorney-General pursuant to Article 88 of the 1992 Constitution.²⁹ Additionally, Chapter 5 of the Constitution introduces a statutory framework specifically dedicated to climate change adaptation and mitigation. However, despite these institutional updates, Act 1124 treats ecosystems primarily as natural resources for human development and economic stability, conferring broad administrative powers while omitting concrete statutory duties to protect ecosystems for their intrinsic value.³⁰ For instance, the Act provides no clear definition of the term "environment," creating legal uncertainty and increasing the likelihood of inconsistent interpretation and overlapping responsibilities among environmental agencies³¹

Despite the Authority's extensive powers, weak enforcement, driven by limited funding, technical capacity, and political commitment, threatens the legal assimilation of the RoN paradigm into Act 1124.³² Precedents from

²⁷ The Uganda Gazette No. 10, Volume CXII, The National Environment Act, 2019 (2019), Section 4. See also Dickson Adom, "Digging Deeper: Why Constitutional Recognition of Nature's Rights is Key to Solving Ghana's Environmental Crisis," *Journal of Innovations in Science and Technology* 3, no. 1 (2025): 501;

²⁸ See further analysis on Chapter 5 of the 1992 Constitution in Section 2.1.2 and Section 2.4.1 of this paper.

²⁹ See Ghana Environmental Protection Act 2025, Act 1124, Sec. 1 (Jan. 6, 2025); and Ghana's Constitution of 1992, op. cit. Art. 88 (3-4).

³⁰ Ghana Environmental Protection Act 2025, Act 1124, Sec. 3-4, 40-48.

³¹ See "Overview of the Environmental Protection Act, 2025 (Act 1124)," Samuel Alesu-Dordzi, *The Business & Financial Times*, accessed July 29, 2026, <https://thebftonline.com/2025/04/24/overview-of-the-environmental-protection-act-2025-act-1124/>; and Elinor Buys and Bridget Lewis, "Environmental Protection through European and African Human Rights Frameworks," *The International Journal of Human Rights* 26, no. 6 (2022): 960.

³² Ebenezer Ebo Yahans Amuah et al., "Reviewing the performance of environmental policies in addressing environmental and socio-economic issues and associated implementation challenges: Ghana's perspective," *Environmental Development* 56 (2025): 101288.

Colombia's Atrato River case which ruled that the Atrato River basin is a legal subject possessing intrinsic rights to protection, conservation, and restoration³³ and Bolivia's RoN legislation which regulated that Mother Earth (Pachamama) is a collective subject of public interest possessing inherent legal rights, show that legal recognition alone is insufficient without robust institutions and strong environmental accountability.³⁴ Although Act 1124 strengthens environmental governance, it does not fully embrace the RoN paradigm. Operationalizing RoN into this Act will require legal reforms that recognize nature as a rights-holder, establish clear enforcement and guardianship mechanisms, and strengthen institutional capacity to ensure effective implementation.

2.1.3 Environmental Assessment Regulation (L.I 1652)

Enacted in 1999 under the framework of sustainable development, the Environmental Assessment Regulations (L.I. 1652) serve as Ghana's primary administrative mechanism for overseeing development activities that impact the environment and public health. Regulation 1(1) mandates Environmental Impact Assessments (EIAs) and registered environmental permits for high-risk undertakings across sectors such as agriculture, forestry, mining, and industry, defining environmental impact broadly as any direct or indirect man-made change affecting biodiversity and natural resources.³⁵ However, despite its regulatory scope, L.I. 1652 operates under an anthropocentric logic that treats environmental permits as state-sanctioned authorizations for acceptable ecological harm to accommodate economic growth, relying on administrative mechanisms like ex post facto clearances to create a "pollute, pay, and get cleared" regime that subverts the precautionary principle and legalizes incremental environmental decline rather than protecting nature's intrinsic rights.³⁶

Comparative frameworks illustrate how environmental assessment regimes can be structurally reoriented around ecocentric values. In New Zealand, Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 recognizes the Whanganui River as a legal person.³⁷ It also established a collaborative co-governance body (*Te Pou Tupua*) alongside a NZ\$ 30,000,000 (thirty million New Zealand dollars) or equivalent to 17,632,350 USD (seventeen million six hundred thirty-two thousand three hundred fifty

³³ See Philipp Wesche, "Rights of Nature in Practice: A Case Study on the Impacts of the Colombian Atrato River Decision," *Journal of Environmental Law* 33, no. 3 (2021): 535.

³⁴ Dickson Adom, *op. cit.*, 10.

³⁵ Ghana Environmental Assessment Regulations, 1999, L.I. 1652, reg. 1 (1) (1999), Reg. 1(1) & Schedule 1.

³⁶ See Hans Vedder, "To Take to Sea in a Sieve: Environmental Law and Competition." In *Research Handbook on Sustainability and Competition Law*, ed. Julian Nowag (Cheltenham and Northampton: Edward Elgar Publishing, 2024), 298 and "Legalising Illegality: Here's the Case Against Ex Post Facto Environmental Clearances," Kanika Jamwal, Down to Earth, accessed July 29, 2026. <https://www.downtoearth.org.in/environment/legalising-illegality-heres-the-case-against-ex-post-facto-environmental-clearances> and Francois Retief et al., "Unique Features of Environmental Impact Assessment (EIA) in Protected Areas (PAs) – Towards Best Practice Principles," *Impact Assessment and Project Appraisal* 43, no. 3 (2025): 176.

³⁷ Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, Section 14.

US dollar) restoration fund. Crucially, Section 11 of the Act compels administrative decision-makers under environmental legislation to evaluate project impacts based on the river's health and its intrinsic Tupua te Kawa values rather than human utility.³⁸

The previous comparison may be used to initiate a legal reform in Ghana. To transcend the limitations of L.I. 1652, Ghana should reform its regulatory framework by recognizing nature as a rights-holder, embedding the precautionary principle into mandatory EIAs, and formalizing co-governance arrangements between statutory agencies and traditional authorities to steward ecologically sensitive areas.

2.1.4 Land Act 2020 (Act 1036)

The Land Act, 2020 (Act 1036) serves as Ghana's primary statutory framework for harmonizing land administration, tenure security, and land governance. Crucially, the Act formalizes customary land stewardship by placing statutory fiduciary obligations on traditional custodians, including chiefs and Tendamba, to administer community lands transparently and sustainably, supported operationally by Customary Land Secretariats.³⁹ The Act 1036 supports sustainable land administration that is applied alongside Ghana's environmental and land-use planning laws. These provisions assist in maintaining land quality, preventing unlawful activities, and ensuring responsible land use.⁴⁰

However, fiduciary duties are legally framed around securing human benefits and managing land as an economic asset for indigenous community members, rather than safeguarding ecosystems for their intrinsic ecological value. Unlike comparative legislation in Ecuador⁴¹ and Panama⁴² that grants natural systems explicit legal standing to exist, persist, and regenerate, Ghana's framework treats ecosystems, rivers, and forests merely as subject

³⁸ See Christopher Rodgers, "A New Approach to Protecting Ecosystems: The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017," *Environmental Law Review* 19, no. 4 (2017): 266–279; Miriama Cribb, Elizabeth Macpherson, and Axel Borchgrevink, "Beyond Legal Personhood For The Whanganui River: Collaboration And Pluralism In Implementing The Te Awa Tupua Act," *The International Journal of Human Rights* (2024): 4; "The Te Awa Tupua Act: An Inspiration For Communities To Take Responsibility For Their Ecosystems," Gabrielle Plowens, Plowens, Gabrielle, Rory Smith, and Matthias Kramm. The Revelator, accessed July 29, 2026, <https://Therevelator.Org/Te-Awa-Tupua-Act/>; "Te Awa Tupua (Whanganui River Claims Settlement) Act 2017" (2017) Sec. 11(1-3); and Stephen Jannink, "A Stellar Personality: Legal Personality as a Means for Sustainable Governance of Outer Space," https://www.unoosa.org/documents/pdf/SpaceforYouth/Stephen_Jannink_Space4Youth_Competition.pdf, 2.

³⁹ See Ibrahim Abu Abdulai, "Emergent neo-customary land tenure and non-indigene smallholders' access to farmlands in peri-urban Ghana," *Discover Sustainability* 5, no. 70 (2024):1-2 and Romanus Dokgubong Dinye et al., "Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa," *International Journal of Multidisciplinary Research and Analysis* 08, no. 05 (2025): 2426.

⁴⁰ Ghana, Land Act, 2020, Act 1036, sec. 2 (Dec. 23, 2020).

⁴¹ Section 2.1.1. of this Paper

⁴² Jayson Fry "The Right of Nature: Lessons from Panama for Mangrove Protection in Miami." *University of Miami Inter-American Law Review* 57, no. 2 (2026): 373 <https://repository.law.miami.edu/umialr/vol57/iss2/5>

matter of property ownership.⁴³ The Act fails to grant legal personality to natural entities or allow for their direct legal representation in court. Operationalizing an ecocentric paradigm within Ghana's land governance will therefore require amending Act 1036 to recognize nature as a rights-bearer, broaden fiduciary duties to encompass ecological integrity, and empower traditional custodians and citizens to act as legal guardians of ecosystems rather than mere administrators of property.

2.2 International Legal Framework on the Right of Nature

2.2.1. The 1982 United Nations (UN) World Charter for Nature

The 1982 United Nations (UN) World Charter for Nature was established to ensure and enforce the RoN worldwide. The charter states that "nature shall be respected and all its essential processes shall not be impaired."⁴⁴

It seeks to ensure that genetic liability on Earth is not compromised and that special protection is afforded to unique areas.⁴⁵ It strengthens Earth Jurisprudence in acknowledging a value to non-human life in its own right beyond instrumental ones; the beginning of a move away from strict anthropocentrism at the international level.⁴⁶ However, the extent of its ecocentric potential is capped by the nature of it being a non-binding, soft law instrument lacking enforcement mechanisms. Although international soft law principles often guide domestic legal reform, Ghana abstained from voting on the resolution adopting the Charter at the UN General Assembly⁴⁷ and successive governments largely treated its tenets as non-binding aspirational guidelines rather than translating them into binding statutory environmental law or constitutional protections.⁴⁸

2.2.2. Kunming-Montreal Global Biodiversity Framework

The Kunming-Montreal Global Biodiversity Framework (GBF) calls for the enhancement of Mother Earth-centric actions targeting a significant (30%) restoration of degraded aspects of nature by 2030 to ensure there is "ecological integrity" and enhanced biodiversity.⁴⁹ This framework explicitly

⁴³ Yaffa Epstein et al., "Science and the Legal Rights of Nature," *Science* 380, no. 6646 (2023):1.

⁴⁴ United Nations General Assembly, World Charter for Nature, A/RES/37/7 (October 28, 1982): Section I, Para. 1 <http://www.un-documents.net/a37r7.htm>

⁴⁵ United Nations General Assembly, "World Charter for Nature," <https://www.refworld.org/legal/resolution/unga/1982/en/10627>.

⁴⁶ Arie Trouwborst, "Back to Basics: The Intrinsic Value of Nature and Its Source," *Journal of International Wildlife Law & Policy* 29, no. 2 (2026): 110.

⁴⁷ Cambridge University Press, "United Nations: General Assembly Resolution on a World Charter for Nature": pp. 455.

⁴⁸ "Summary of World Charter for Nature, 1982", LawBhoomi, accessed July 1, 2026, <https://lawbhoomi.com/world-charter-for-nature/>.

⁴⁹ Kunming-Montreal Global Biodiversity Framework, UN Doc. CBD/COP/DEC/15/4 (December 19, 2022), Section H, Target 1 and 2. <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf>. See also Tristan Tyrrell, "The Kunming-Montreal Global Biodiversity Framework: Oceans & Climate Change," Secretariat of the Convention on Biological Diversity (presented at the UNFCCC Ocean and Climate Change Dialogue, June 13, 2023), slide 10, https://unfccc.int/sites/default/files/resource/OD2023Day1_CBD.pdf.

embeds the RoN⁵⁰ and ecocentric philosophies within its global conservation targets,⁵¹ establishing a new global standard in nature conservation. Although adopted by consensus as an international roadmap,⁵² the framework is a non-binding soft law instrument under the Convention on Biological Diversity (CBD) that relies on voluntary national commitments rather than mandatory legal sanctions.⁵³

Its efficacy has been undermined due to the state-centered and voluntary nature of the implementation, where ecocentric values are subjugated to national economic development policies. The Government of Ghana responded by revising its National Biodiversity Strategy and Action Plan (NBSAP) and joining the Biodiversity Finance Initiative (BIOFIN) to align its national planning with the framework's targets.⁵⁴

2.2.3. Basel Convention

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention) aims to regulate the movement of hazardous waste across international borders and ensure its proper management. It encourages environmentally sound disposal of toxic waste and bans developed countries from exporting such waste to developing nations.⁵⁵

Despite its immense step in the defense of the environment by instituting a firm, legally enforceable world system of regulation preventing developed countries from importing toxic waste from poorer nations such as Ghana, its core philosophy remains anthropocentric. It narrows the possibility of Nature's rights by considering environmental destruction as a transboundary threat against human health and socio-economic lives, rather than as a violation of an ecosystem's right to exist.

As a State Party to the Basel Convention since acceding on May 30, 2003,⁵⁶ Ghana responded to its international obligations by enacting the Hazardous and Electronic Waste Control and Management Act, 2016 (Act 917) and L.I. 2250 to establish regulatory controls over hazardous e-waste

⁵⁰ Kunming-Montreal Global Biodiversity Framework, Section C, para. 7(b).

⁵¹ *Ibid.*, Target 19(f).

⁵² Tim Stephens "The Kunming-Montreal Global Biodiversity Framework." *International Legal Materials* 62, no. 5 (2023): 868.

⁵³ "What the Global Biodiversity Framework Means for Your Business—and How to Take Action – Science Based Targets Network," Science Based Targets Network, Accessed July 29, 2026, <https://sciencebasedtargetsnetwork.org/news/blog/what-the-global-biodiversity-framework-means-for-your-business-and-how-to-take-action/>.

⁵⁴ "Ghana Launches Biodiversity Finance Initiative to Scale Up Investment for Nature Protection," United Nations Development Programme Ghana, Modern Ghana, accessed July 29, 2026, <https://www.modernghana.com/news/1393863/ghana-launches-biodiversity-finance-initiative.html>.

⁵⁵ Basel Convention adopted March 22, 1989, 1673 U.N.T.S. 5, Art. 4, <https://www.basel.int/portals/4/basel%20convention/docs/text/baselconventiontext-e.pdf>.

⁵⁶ See "Parties to the Basel Convention," Basel.int, accessed July 27, 2026, <https://www.basel.int/?tabid=4499>; and

imports.⁵⁷ Nonetheless, it maintains an anthropocentric emphasis on human health, economic regulation, and administrative permitting.

2.2.4. Rotterdam Convention

The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention) aims to protect the environment by promoting shared responsibility in the global trade of pesticides and toxic chemicals. It requires that nations be informed about the risks associated with certain harmful substances or products so they can make an informed decision on whether to permit their importation or not.⁵⁸

Ghana acceded to the Rotterdam Convention on May 30, 2003, operationalizing its Prior Informed Consent (PIC) obligations domestically through pesticide registration and administrative permitting under Part II of the Environmental Protection Agency Act, 1994 (Act 490) (now the Environmental Protection Act 1124 (2025)) and the Pesticides Control and Management Act, 1996 (Act 528).⁵⁹ While the framework monitors and restricts the influx of toxic chemicals before they enter local ecosystems, its overall approach stalls the development of ecocentric jurisprudence. Rather than recognizing nature as an independent legal subject with enforceable rights, the law treats ecosystems merely as passive recipients of pollution subject to human management.

2.2.5. Montreal Protocol

The Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol) agreement is designed to protect the ozone layer by phasing out the production and consumption of ozone-depleting substances.⁶⁰ Its success is a testament to the effectiveness of international cooperation in addressing a specific, scientifically understood threat. By phasing out many potent greenhouse gases, the Protocol has also significantly contributed to slowing climate change.⁶¹

However, its legal structure is entirely state-centric and focused on regulating a specific category of industrial chemicals to prevent harm to humans and the environment.⁶² It does not confer rights upon the ozone

⁵⁷ "Regulation of E-Waste in Ghana" Bentsi-Enchill, Letsa & Ankomah, accessed July 29, 2026, <https://bentsienchill.com/regulation-of-e-waste-in-ghana/>.

⁵⁸ Rotterdam Convention, adopted September 10, 1998, entered into force February 24, 2004, Art. 7 (Text and Annexes revised 2005), <https://www.fao.org/4/y5877e/y5877e00.pdf>.

⁵⁹ Compliance Committee for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, "Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade," <https://www.pic.int/portals/5/download.aspx?d=unep-fao-rc-cc.2-inf-3.en.pdf>.

⁶⁰ Montreal Protocol, adopted September 16, 1987, entered into force January 1, 1989, Article 2A (as adjusted and amended up to the Kigali Amendment, 2016), <https://ozone.unep.org/sites/default/files/2019-04/Montreal-Protocol-English-2018.pdf>.

⁶¹ Guus J. M. Velders et al., "The Importance of the Montreal Protocol in Protecting Climate," *Proceedings of the National Academy of Sciences* 104, no. 12 (2007): 4814.

⁶² "About Montreal Protocol," United Nations Environment Programme, accessed July 29, 2026, <https://www.unep.org/ozonaction/who-we-are/about-montreal-protocol>.

layer itself but instead manages a global commons for the benefit of humanity. Ghana is a State Party to the Montreal Protocol, having ratified the treaty on July 24, 1989, as well as its subsequent amendments, including the 2016 Kigali Amendment ratified on August 2, 2019.⁶³ The Government of Ghana responded by establishing the National Ozone Unit (NOU) under the Environmental Protection Agency (EPA) to enforce phase-out schedules for chlorofluorocarbons (CFCs) and hydrofluorocarbons (HFCs) through import quotas, licensing systems, and technician certification, maintaining an administrative compliance model rather than establishing intrinsic rights for the atmosphere.⁶⁴

2.3 A Shift from Description to Critique

Fusing Earth Jurisprudence with David Schiff's Socio-Legal Theory of social structure and law reveals that operationalizing the RoN requires addressing fundamental constitutional and statutory barriers in Ghana. As Schiff demonstrates, legal analysis cannot treat statutes as isolated "paper rules"; rather, formal legal transformation remains constrained unless the underlying institutional structures and social dynamics regulating resource governance are directly reordered.⁶⁵ While Earth Jurisprudence challenges the treatment of nature as mere property, Ghana's legal framework explicitly enforces an extractive, property-based model. Under Article 257(6) of the 1992 Constitution, natural resources are vested in the President in trust for the Ghanaian people; however, judicial interpretation has reduced this public trust to a non-justiciable political concept rather than an enforceable fiduciary duty. This economic bias is further embedded in statutory frameworks like L.I. 1652, Act 1036, and Act 1124, which legalize acceptable thresholds of environmental damage to promote human utility instead of upholding the strict precautionary principle. As evidence from Ecuador highlights, broad constitutional declarations alone fail without precise statutory standards and clear judicial rules.⁶⁶

These structural deficiencies are compounded by severe regulatory fragmentation across sector-specific commissions under Article 269 of the Constitution.⁶⁷ For instance, the Environmental Protection (Mining in Forest Reserves) Regulations 2022 (L.I. 2462) permitted mining within protected

⁶³ See "United Nations Environment Programme (UNEP) Ozone Secretariat – Country Profile (Ghana): Ozone Secretariat – Ghana Ratification Status," Unep.org, accessed July 29, 2026, <https://ozone.unep.org/countries/profile/gha>; and United Nations, "United Nations Treaty Collection," https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-2-f&chapter=27&clang=en.

⁶⁴ Ministry of Environment, Science, Technology and Innovation, and Environmental Protection Agency, Ghana's Third Biennial Update Report to the United Nations Framework Convention on Climate Change (Accra: MESTI and EPA, 2021), https://unfccc.int/sites/default/files/resource/gh_BUR3_1282021_submission.pdf.

⁶⁵ David Schiff, "Socio-Legal Theory: Social Structure and Law," *Modern Law Review* 39, no. 3 (1976): 287–291.

⁶⁶ See Philipp Wesche, *op.cit.*, 11; and Mauricio Guim and Michael A. Livermore, "Where Nature's Rights Go Wrong," *Virginia Law Review* 107, no.7 (2021): 1348.

⁶⁷ Ghana's Constitution of 1992 with Amendments, *op. cit.*, Art. 269(1).

forest reserves under specific administrative conditions.⁶⁸ This rule directly contradicted the conservation goals of the Forest and Wildlife Policy 2012,⁶⁹ showing how statutory laws often prioritize immediate economic gains over long-term ecological balance. Furthermore, giving the Environmental Protection Authority (EPA) the power to regulate mining in forest reserves under L.I. 2462 created a major legal contradiction, as the EPA is not one of the resource-managing commissions authorized under Article 269. This institutional confusion directly enables environmental crises like illegal mining (galamsey). It is believed that galamsey is fundamentally a problem of “institutional failure” born from a complete disconnect between state regulators and local communities.⁷⁰ An IMANI Africa (2025) policy brief confirms that the recent repeal of L.I. 2462 was merely a symbolic victory, as it failed to address the deeper structural weaknesses that allowed over 2,000 mining licenses to be granted in forest areas in the first place.⁷¹

Resolving these failures requires bridging the gap between formal state law and indigenous governance. Although traditional Ghanaian societies successfully conserved ecosystems through customary taboos and sacred management practices, modern statutory frameworks like Act 1036 subordinate these norms by framing traditional custodians strictly as managers of commercial real estate.⁷² A practical model for reform is provided by Uganda’s National Environment Act 2019, which formally codifies nature’s right to exist and regenerate while integrating customary protections for Sacred Natural Sites, such as those of the Bagungu people.⁷³ The Ugandan model proves that successful RoN implementation requires lifting traditional ecological governance to be on par with statutory law, transforming customary custodians into legally empowered, autonomous guardians of nature.

⁶⁸ Ghana, Environmental Protection (Mining in Forest Reserves) Regulations, 2022 (L.I. 2462), Regs. 1 & 3.

⁶⁹ Ministry of Lands and Natural Resources, Ghana Forest and Wildlife Policy (Accra: Ministry of Lands and Natural Resources, 2012), Section 3.1 & Policy Objective 1.

⁷⁰ “Feature: The Problem of Galamsey is Institutional Failure,” The Ghanaian Chronicle, accessed December 15, 2025, <https://thechronicle.com.gh/feature-the-problem-of-galamsey-is-institutional-failure/>.

⁷¹ “Is the Repeal of L.I. 2462: A False Dawn in Ghana’s Fight Against Galamsey?”, IMANI’s Critical Analysis of Governance Issues (CAGI), accessed December 15, 2025, <https://imaniafrica.org/2025/11/is-the-repeal-of-l-i-2462-a-false-dawn-in-ghanas-fight-against-galamsey/>.

⁷² See Dickson Adom, *Rights of Nature: An Earth-Centred Legal Thinking Rooted in African Ancestral Wisdom, Towards a Conceptual Understanding* (Adom D. Publications, 2026), 11; Adu-Boahen Kofi et al., “Implications of Traditional Beliefs and Practices on Natural Resource Conservation and Management: Evidence From Some Selected Urban Rivers in Ghana,” *BOHR International Journal of Civil Engineering and Environmental Science* 1, no. 1 (2022): 15; and Joseph Blocher, “Building on Custom: Land Tenure Policy and Economic Development in Ghana,” *Yale Human Rights and Development Law Journal* 9 (2006): 185.

⁷³ See Anima Mundi Law Initiative, *op. cit.*, 11; and Anne Haluska, “Restorative Justice and the Rights of Nature: Using Indigenous Legal Traditions to Influence Cultural Change and Promote Environmental Protection,” *Mitchell Hamline Law Review* 49, no. 1 (2023): 105.

Finally, international legal mechanisms, specifically advisory opinions from the International Court of Justice (ICJ)⁷⁴ and the Inter-American Court of Human Rights (IACtHR),⁷⁵ provide strategic procedural benchmarks for enforcing domestic environmental obligations and climate resilience. While countries are not legally bound to enforce these opinions, they serve as a gateway to shaping international legal standards and domestic regulatory frameworks. Ghana's environmental crisis cannot be solved by isolated statutory edits or administrative bans. Instead, this socio-legal synthesis justifies a dual-governance framework that integrates international standards, statutory enforcement, and revived customary authority. By linking state institutions with local customary stewardship, this approach offers a mechanism to transition Ghana from an extractive regime toward true ecological resilience.

2.4. Reflection

2.4.1. Harmonizing Indigenous and Statutory Governance: Toward an Operational Dual Rights of Nature Framework

Harmonizing indigenous customary stewardship with statutory environmental law to establish an operational, dual-governance RoN framework requires bridging the gap between traditional conservation customs and state law. Historically, indigenous Ghanaian communities conserved ecosystems using taboos, totems, and sacred days;⁷⁶ however, state law subordinates these norms, and the Land Act, 2020 (Act 1036) restricts traditional leaders (Chiefs and Tendamba) to managing land as commercial assets.⁷⁷

Operationalizing dual governance requires amending Chapter 5 of the 1992 Constitution to explicitly recognize nature's inherent rights to exist,

⁷⁴ International Court of Justice. Obligations of States in Respect of Climate Change, Advisory Opinion, 2025 I.C.J. (23 July), paras. 42–48, See also Claire Joachim, "Revolutionary? A Contextual Analysis of the International Court of Justice's Advisory Opinion on State Obligations in Climate Change (23 July 2025): 5. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5382074.

⁷⁵ See The Environment and Human Rights (State obligations in relation to the environment in the context of the protection and guarantee of the rights to life and to personal integrity—Interpretation and scope of Articles 1(1), 4, and 5 of the American Convention on Human Rights), Advisory Opinion OC-23/17, Inter-Am. Ct. H.R. (ser. A) No. 23 (Nov. 15, 2017), paras. 55, 115–126 https://www.corteidh.or.cr/docs/opiniones/seriea_23_ing.pdf.

See also "Human Rights and the Protection of the Environment: The Advisory Opinion of the Inter-American Court of Human Rights," Giovanni Vega-Barbosa and Lorraine Aboagye, EJIL: Talk!, accessed December 15, 2025, <https://www.ejiltalk.org/human-rights-and-the-protection-of-the-environment-the-advisory-opinion-of-the-inter-american-court-of-human-rights/>; Patricio Trincado Vera, "Rights of Nature in the Inter-American Court of Human Rights: Understanding the Ecocentric Approach to the Right to A Healthy Environment," *Review of European, Comparative & International Environmental Law* 33, no. 3 (2024): 521.

⁷⁶ Daniel Boamah Asante et al., "Combating the Global Environmental Crisis Using Indigenous Ecological Knowledge: The Case of Kwahu Traditional Area, Ghana," *Frontiers in Human Dynamics* 7 (2025): 01; see also Bosompem Ahunoabobirim Agya, "Cultural Determinants of Sustainable WM Practices: A Review of Taboos, Norms, and Beliefs in Ghana's Rural Communities," *Waste Management Bulletin* 3, no. 4 (2025): 01.

⁷⁷ See discussion in Section 2.1.4.

flourish, and regenerate, while establishing a legal guardianship model that grants citizens, traditional authorities, and civil society standing to protect ecosystems before the courts. Statutorily, this entails reforming the Environmental Protection Act 1124 (2025) and the Environmental Assessment Regulations (L.I. 1652) to recognize nature as a rights-holder, embed the precautionary principle, and establish formal co-governance arrangements between state agencies and traditional authorities over ecologically significant areas.

2.4.2. Anthropocentrism versus Intrinsic Rights of Nature in Ghanaian Law

Ghana's supreme and sector-specific legal frameworks operate under a pervasive anthropocentric paradigm, treating nature strictly as a commercial asset for human utility rather than a rights-bearing entity. Constitutionally, Article 257(6) vests natural assets in the President in trust exclusively for human beneficiaries. Furthermore, as affirmed in *Bimpong-Buta v. General Legal Council* and *Mrs. Margaret Banful v. Attorney-General*,⁷⁸ Ghanaian jurisprudences restricts legal personhood to humans and corporate entities, denying citizens procedural standing (*locus standi*) to litigate on behalf of damaged ecosystems absent human harm.

Sector-specifically, the Environmental Protection Act 1124 (2025) treats ecosystems merely as resources for economic stability,⁷⁹ while the Environmental Assessment Regulations (L.I. 1652) legalize acceptable thresholds of ecological harm through administrative permits, subverting the precautionary principle.⁸⁰ Finally, the Land Act, 2020 (Act 1036) reinforces this economic bias by reducing customary custodians (Chiefs and *Tendamba*) to commercial real estate fiduciaries, entrenching an extractive legal regime that fails to recognize nature's intrinsic right to exist, flourish, and regenerate.⁸¹

2.4.3. Institutional and Legislative Fragmentation: Impacts on Environmental Governance Enforcement and Planning

Institutional and legislative fragmentation severely undermines Ghana's environmental governance by creating overlapping mandates, jurisdictional conflicts, and regulatory loopholes that paralyze effective enforcement and long-term planning. A prime example is the Environmental Protection (Mining in Forest Reserves) Regulations, 2022 (L.I. 2462), which permitted mining in protected reserves under administrative conditions, directly contradicting the conservation mandates of the Forest and Wildlife Policy 2012 by prioritizing short-term economic gains over ecological balance.⁸² Empowering the Environmental Protection Authority (EPA) to regulate forest mining under L.I. 2462 created a glaring legal contradiction, as the EPA is not among the constitutionally authorized resource-managing commissions under Article 269.

⁷⁸ See Section 2.1.1 of this paper.

⁷⁹ See Section 2.1.2 of this paper.

⁸⁰ See Section 2.1.3 of this paper.

⁸¹ See Section 2.1.4 of this paper.

⁸² See Section 2.3 of this paper.

This institutional confusion fuels crises like illegal mining (galamsey), which represents a fundamental institutional failure driven by a complete disconnect between state regulators and local communities. Deprived of a unified legal mandate and a centralized monitoring framework, state institutions struggle to execute long-term spatial planning or enforce compliance, reducing environmental protection to reactive, piecemeal interventions that fail to prevent widespread ecosystem degradation.

3. CONCLUSION

This study demonstrates that Ghana's legal architecture remains fundamentally anthropocentric, treating natural entities merely as property assets while regulatory and legislative fragmentation under Article 269 undermines enforcement and enables ecological crises like galamsey. In addressing these structural failures, the study establishes that transforming Ghana's environmental governance requires moving beyond isolated statutory updates to adopt an operational, dual-governance RoN framework. This is achieved by harmonizing state law with indigenous customary stewardship, that is, elevating traditional custodians from mere property fiduciaries under the Land Act 2020 (Act 1036) into legally empowered, autonomous guardians of ecosystems alongside state institutions. Structured through a phased implementation strategy, which encompasses a unified Environmental Code in the short term, statutory recognition of customary co-governance in the medium term, and a constitutional amendment to Chapter 5 to grant legal standing to nature in the long term. This framework bridges formal law, international advisory mechanisms, and ancestral ecological wisdom. Ultimately, this research contributes a viable socio-legal model for legally pluralistic post-colonial nations, demonstrating how integrating indigenous custodianship with statutory authority can transition Ghana from an extractive legal model to an ecocentric paradigm grounded in Earth Jurisprudence.

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BIBLIOGRAPHY

Book

- Adom, Dickson. *Rights of Nature: An Earth-Centred Legal Thinking Rooted in African Ancestral Wisdom, Towards a Conceptual Understanding*. Suame-Kumasi: Adom D. Publications, 2026.
https://www.researchgate.net/publication/401295001_Rights_of_Nature_An_Earth-Centred_Legal_Thinking_Rooted_in_African_Ancestral_Wisdom_Towards_a_Conceptual_Understanding#fullTextFileContent
- Deane, Felicity, and Justine Bell-James. "Nature-Based Climate Solutions and the Rights of Nature: A Conundrum of Values." In *Climate Technology and Law in the Anthropocene*, edited by Leonie Reins and

- Alexander Zahar, 286–307. Bristol: Bristol University Press, 2025.
<https://doi.org/10.51952/9781529232912.ch013>.
- Vedder, Hans. To Take to Sea in a Sieve: Environmental Law and Competition. In *Research Handbook on Sustainability and Competition Law*, edited by Julian Nowag. Cheltenham and Northampton: Edward Elgar Publishing, 2024.
<https://doi.org/10.4337/9781802204667.00026>

Journal Article

- Adom, Dickson et al. "Review of Assessing Legal Frameworks and Stakeholder Perspectives on Integrating the Rights of Nature into Ghana's Environmental Governance". *Research Square* (2026): 1-26.
<https://doi.org/10.21203/rs.3.rs-9528146/v1>
- Adom, Dickson. "Digging Deeper: Why Constitutional Recognition of Nature's Rights is Key to Solving Ghana's Environmental Crisis." *Journal of Innovations in Science and Technology* 3, no. 1 (2025): 499–510. <https://doi.org/10.60129/jinces.v3i1.00525>
- Agya, Bosompem Ahunoabobirim. "Cultural Determinants of Sustainable WM Practices: A Review of Taboos, Norms, and Beliefs in Ghana's Rural Communities." *Waste Management Bulletin* 3, no. 4 (2025): 1-11.
<https://doi.org/10.1016/j.wmb.2025.100242>.
- Amuah, Ebenezer Ebo Yahans et al. "Reviewing the performance of environmental policies in addressing environmental and socio-economic issues and associated implementation challenges: Ghana's perspective." *Environmental Development* 56 (2025): 1-15.
<https://doi.org/10.1016/j.envdev.2025.101288>
- Asante, Daniel Boamah, Dickson Adom, Afua Asante, and Vera Gyamera. "Combating the Global Environmental Crisis Using Indigenous Ecological Knowledge: The Case of Kwahu Traditional Area, Ghana." *Frontiers in Human Dynamics* 7 (2025): 1-16.
<https://doi.org/10.3389/fhumd.2025.1457544>.
- Ayimaa, Roshel, et al. "Enhancing Cultural Recognition in Public Policy Systems for Sustainable Inclusive Governance." *International Journal for Multidisciplinary Research* 7, no. 3 (2025): 1–24.
<https://www.ijfmr.com/papers/2025/3/42812.pdf>
- Azam, Rawnak Miraj Ul, Syeda Afroza Zerine, and Fahim Faisal Khan Alabi. "The Rights of Nature Movement: Legal, Cultural, and Policy Challenges in Implementing Eco-Centric Laws." *Journal of Environmental Law & Policy* 5, no. 01 (2025): 87–116. <https://doi.org/10.33002/jelp050104>
- Bastos, João P., Nicolas Cachanosky, and Justin Callais. "Do Rights of Nature Protect the Environment? Macro-Level Evidence From Ecuador." *Constitutional Political Economy* (2026): 1-14.
<https://doi.org/10.1007/s10602-026-09514-6>.
- Blocher, Joseph. "Building on Custom: Land Tenure Policy and Economic Development in Ghana." *Yale Human Rights and Development Law Journal* 9 (2006): 166-202.
https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=2633&context=faculty_scholarship

- Buys, Elinor and Bridget Lewis. "Environmental protection through European and African human rights frameworks." *The International Journal of Human Rights* 26, no. 6 (2022): 949–977. <https://doi.org/10.1080/13642987.2021.1986011>
- Cambridge University Press. "United Nations: General Assembly Resolution on a World Charter for Nature." *International Legal Materials* 22, no. 2 (2017): 455–60. <https://doi.org/10.1017/s0020782900030564>.
- Cribb, Miriama, Elizabeth Macpherson, and Axel Borchgrevink. "Beyond Legal Personhood for the Whanganui River: Collaboration and Pluralism In Implementing The Te Awa Tupua Act." *The International Journal of Human Rights* (2024): 1–24. <https://doi.org/10.1080/13642987.2024.2314532>
- Gilbert, Jérémie. "The Rights of Nature, Indigenous Peoples and International Human Rights Law: From Dichotomies to Synergies." *Journal of Human Rights and the Environment* 13, no. 2 (2022): 399–415. <https://doi.org/10.4337/jhre.2022.02.04>
- Haluska, Anne. "Restorative Justice and the Rights of Nature: Using Indigenous Legal Traditions to Influence Cultural Change and Promote Environmental Protection." *Mitchell Hamline Law Review* 49, no. 1 (2023): 99–125. <https://open.mitchellhamline.edu/cgi/viewcontent.cgi?article=1309&context=mhlr>
- Ignatova, Jacqueline, Anatoli Ignatov, and Helen Akolgo-Azupogo. "The Contested Politics of Intergenerational Land and Gender Justice in Northern Ghana." *Ghana Studies* 28, no. 1 (2026): 7–35. <https://doi.org/10.3368/gs.28.1.7>
- Ikporukpo, Chris and Ninane Ikporukpo. "Rights of Nature and Environmental Management in the Developing Countries." *International Journal of Law and Society* 8, no. 2 (2025): 132–139. <https://doi.org/10.11648/j.ijls.20250802.16>
- Jayson Fry "The Right of Nature: Lessons from Panama for Mangrove Protection in Miami." *University of Miami Inter-American Law Review* 57, no. 2 (2026): 347–388. <https://repository.law.miami.edu/umialr/vol57/iss2/5>
- Kofi, Adu-Boahen, et al. "Implications of Traditional Beliefs and Practices on Natural Resource Conservation and Management: Evidence From Some Selected Urban Rivers in Ghana." *BOHR International Journal of Civil Engineering and Environmental Science* 1, no. 1 (2022): 8–24. <https://doi.org/10.54646/bijcees.002>
- Mauricio Guim and Michael Livermore, "Where Nature's Rights Go Wrong," *Virginia Law Review* 107, no. 7 (2021): 1347–1419. <https://virginialawreview.org/articles/where-natures-rights-go-wrong/>
- Parise, Ivan. "A Brief Review of Global Climate Change and the Public Health Consequences." *Australian Journal of General Practice* 47, no. 7 (2018): 451–456. <https://www1.racgp.org.au/getattachment/b29d8c5b-ad18-4f81-8f71-a5430a4a47fd/climate-change-and-the-public-health.aspx>

- Peck, Mika R, et al. "The Conflict Between Rights of Nature and Mining in Ecuador: Implications of the Los Cedros Cloud Forest Case for Biodiversity Conservation," *People and Nature* 6, no. 3 (2024): 1096–1115. <https://doi.org/10.1002/pan3.10615>
- Ponge, Awuor. "Sacred Groves and the Supernatural: The Role of Indigenous Beliefs in Biodiversity Conservation and Climate Adaptation in Sub-Saharan Africa." *Journal of Climate Policy* 5, no. 1 (2026): 12–32. <https://doi.org/10.47941/jcp.3612>
- Retief, Francois, et al. "Unique Features of Environmental Impact Assessment (EIA) in Protected Areas (PAs) – Towards Best Practice Principles." *Impact Assessment and Project Appraisal* 43, no. 3 (2025): 171–178. <https://doi.org/10.1080/14615517.2025.2470936>
- Rodgers, Christopher. "A New Approach to Protecting Ecosystems: The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017." *Environmental Law Review* 19, no. 4 (2017): 266–279. <https://doi.org/10.1177/1461452917744909>
- Schiff, David. "Socio-Legal Theory: Social Structure and Law." *Modern Law Review* 39, no. 3 (1976): 287–310. <https://doi.org/10.1111/j.1468-2230.1976.tb01458.x>.
- Stephens, Tim. "The Kunming–Montreal Global Biodiversity Framework." *International Legal Materials* 62, no. 5 (2023): 868–887. <https://doi.org/10.1017/ilm.2023.16>.
- Sukhera, Javeed. "Narrative Reviews: Flexible, Rigorous, and Practical." *Journal of Graduate Medical Education* 14, no. 4 (2022): 414–417. <https://doi.org/10.4300/jgme-d-22-00480.1>
- Trouwborst, Arie. "Back to Basics: The Intrinsic Value of Nature and Its Source." *Journal of International Wildlife Law & Amp Policy* 29, no. 2 (2026): 109–146. <https://doi.org/10.1080/13880292.2026.2639696>
- Velders, Guus J. M et.al. "The Importance of the Montreal Protocol in Protecting Climate." *Proceedings of the National Academy of Sciences* 104, no. 12 (2007): 4814–4819. <https://doi.org/10.1073/pnas.0610328104>
- Vera, Patricio Trincado. "Rights of Nature in the Inter-American Court of Human Rights: Understanding the Ecocentric Approach to the Right to A Healthy Environment." *Review of European, Comparative & International Environmental Law* 33, no. 3 (2024): 521–535. <https://doi.org/10.1111/reel.12580>
- Wesche, Philipp. "Rights of Nature in Practice: A Case Study on the Impacts of the Colombian Atrato River Decision." *Journal of Environmental Law* 33, no. 3 (2021): 531–555. <https://doi.org/10.1093/jel/eqab021>

Legal Document

- African Convention on the Conservation of Nature and Natural Resources, <https://au.int/sites/default/files/treaties/41550-treaty-Charter ConservationNature NaturalResources.pdf>
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. <https://www.basel.int/portals/4/basel%20convention/docs/text/baselconvention-text-e.pdf>

- Conference Of The Parties To The Convention On Biological Diversity. Kunming-Montreal Global Biodiversity Framework 2022. <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf>
- Ghana. Constitution of 1992 with Amendments through 1996. 1992 (rev. 1996). <https://faolex.fao.org/docs/pdf/gha129754.pdf>.
- Ghana. Environmental Assessment Regulations, 1999, L.I. 1652. 1999. Accessed December 16, 2025. https://kasaghana.org/legal_frameworks/environmental/7.3%20ENVIRONMENTAL%20ASSESSMENT%20REGULATIONS%201999%20L.%20I.%201652.pdf
- Ghana. Environmental Protection Act, 2025, Act 1124. Assented January 6, 2025. <https://faolex.fao.org/docs/pdf/gha232276.pdf>
- Ghana. Land Act, 2020, Act 1036. Assented December 23, 2020. Accessed December 16, 2025. <https://faolex.fao.org/docs/pdf/gha168926.pdf>
- Lexivox.Org. "Bolivia: Ley No 71, 21 De Diciembre De 2010." 2023. <https://www.lexivox.org/norms/BO-L-N71.html>
- Montreal Protocol on Substances that Deplete the Ozone Layer. <https://ozone.unep.org/sites/default/files/2019-04/Montreal-Protocol-English-2018.pdf>
- Political Database of the Americas. "Ecuador: 2008 Constitution in English." *Pdba.Georgetown.Edu*, 2008. <https://pdba.georgetown.edu/Constitutions/Ecuador/english08.htm>
- Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. <https://www.fao.org/4/y5877e/y5877e00.pdf>
- Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (2017).
- Uganda Gazette No. 10, Volume CXII The National Environment Act, 2019
- United Nations General Assembly. World Charter for Nature. <https://www.refworld.org/legal/resolution/unga/1982/en/10627>

Other Document

- Bosu, Daryl, Estellamaria Ohene-Asante and Enam Antonio. "Constitutional Paradigm Shifts on Environmental Stewardship and Intergenerational Equity in Ghana". <https://ghana.arocha.org/wp-content/uploads/sites/42/2026/02/POLICY-BRIEF.pdf>
- Compliance Committee for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. "Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade." <https://www.pic.int/portals/5/download.aspx?d=unep-fao-rc-cc.2-inf-3.en.pdf>
- Ghana, Ministry of Lands and Natural Resources. Ghana Forest and Wildlife Policy. Accra: Ministry of Lands and Natural Resources, 2012.
- Initiative, Anima Mundi Law. "Rights of Nature Case Study Nature (Uganda)," <http://files.harmonywithnatureun.org/uploads/upload1140.pdf>.

- Jannink, Stephen. "A Stellar Personality: Legal Personality as a Means for Sustainable Governance of Outer Space." https://www.unoosa.org/documents/pdf/SpaceforYouth/Stephen_Jannink_Space4Youth_Competition.pdf
- Joachim, Claire. "Revolutionary? A Contextual Analysis of the International Court of Justice's Advisory Opinion on State Obligations in Climate Change (23 July 2025)." https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5382074
- Ministry of Environment, Science, Technology and Innovation, and Environmental Protection Agency. Ghana's Third Biennial Update Report to the United Nations Framework Convention on Climate Change. Accra: MESTI and EPA, 2021. Accessed august 27, 2026. https://unfccc.int/sites/default/files/resource/gh_BUR3_1282021_submission.pdf.
- Njoku, Igwe Kelechi. "African Biodiversity Loss: Food Insecurity and the Rising Risk to Human Security". https://afsol.ipss-addis.org/wp-content/uploads/2025/01/Analysis-Report_Biodiversity.pdf
- Tyrrell, Tristan. "The Kunming-Montreal Global Biodiversity Framework Oceans & Climate Change." https://unfccc.int/sites/default/files/resource/OD2023Day1_CBD.pdf
- Union, African. "African Convention on the Conservation of Nature and Natural Resources". https://au.int/sites/default/files/treaties/41550-treaty-Charter_ConservationNature_NaturalResources.pdf
- "United Nations Treaty Collection," https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_n_o=XXVII-2-f&chapter=27&clang=en.

Case Law

- Inter-American Court of Human Rights. The Environment and Human Rights (State obligations in relation to the environment in the context of the protection and guarantee of the rights to life and to personal integrity—Interpretation and scope of Articles 1(1), 4, and 5 of the American Convention on Human Rights), Advisory Opinion OC-23/17, Inter-Am. Ct. H.R. (ser. A) No. 23 (Nov. 15, 2017),
- International Court of Justice. Obligations of States in Respect of Climate Change, Advisory Opinion, 2025 I.C.J. (23 July). <https://www.icj-cij.org/sites/default/files/case-related/187/187-20250723-adv-01-00-en.pdf>
- The Supreme Court of Ghana. Sam V Attorney-General (No. 2)[1999-2000] 2 Glr 336 (May 10, 2000). <https://www.studocu.com/row/document/ghana-institute-of-management-and-public-administration/law/sam-v-attorney-general-no-2/16278344?sid=4d1120ac-c8cc-4374-93cf-21a25cbe551c1784467990>
- Supreme Court of Ghana. Bimpong-Buta V. General Legal Council and Others, Scribd (2026). <https://www.scribd.com/document/609373279/bimpong-buta-v-general-legal-council-and-others>

Supreme Court of Ghana. Margaret Banful And Henry Nana Boakye Vs. The Attorney-General And The Ministry Of Interior - [2017]Dlsc2600 | Dennislaw, Dennislaw (2017).

Web Page

- Alesu-Dordzi, Samuel. "Overview of the Environmental Protection Act, 2025 (Act 1124)," The Business & Financial Times. Accessed July 29, 2026, <https://thebftonline.com/2025/04/24/overview-of-the-environmental-protection-act-2025-act-1124/>
- Bentsi-Enchill, Letsa & Ankomah. "Regulation of E-Waste in Ghana", accessed July 29, 2026, <https://bentsienchill.com/regulation-of-e-waste-in-ghana/>
- Dotse, Samuel. "Courts of the Living: Re-Imagining Environmental Justice in the Era of Ecological Crisis," Modern Ghana. accessed June 2, 2026. <https://www.modernghana.com/news/1498589/courts-of-the-living-re-imagining-environmental.html>
- IMANI's Critical Analysis of Governance Issues (CAGI), "Is the Repeal of L.I. 2462: A False Dawn in Ghana's Fight Against Galamsey?".. accessed December 15, 2025. <https://imaniafrica.org/2025/11/is-the-repeal-of-l-i-2462-a-false-dawn-in-ghanas-fight-against-galamsey/>
- Jamwal, Kanika. "Legalising Illegality: Here's the Case Against Ex Post Facto Environmental Clearances," Down to Earth. Accessed July 29, 2026. <https://www.downtoearth.org.in/environment/legalising-illegality-heres-the-case-against-ex-post-facto-environmental-clearances>
- LawBhoomi. "Summary of World Charter for Nature, 1982." accessed July 1, 2026. <https://lawbhoomi.com/world-charter-for-nature/>
- Plowens, Gabrielle, Rory Smith, and Matthias Kramm. "The Te Awa Tupua Act: An Inspiration For Communities To Take Responsibility For Their Ecosystems," The Revelator. Accessed July 29, 2026. <https://Therevelator.Org/Te-Awa-Tupua-Act/>
- Political Database of Americas. "Ecuador: 2008 Constitution in English," Pdba.Georgetown.Edu. Accessed July 29, 2026. <https://pdba.georgetown.edu/Constitutions/Ecuador/english08.html>
- Science Based Targets Network. "What the Global Biodiversity Framework Means for Your Business—and How to Take Action – Science Based Targets Network," Accessed July 29, 2026, <https://sciencebasedtargetsnetwork.org/news/blog/what-the-global-biodiversity-framework-means-for-your-business-and-how-to-take-action/>
- Secretariat of the Basel Convention. "Parties to the Basel Convention," Basel.int, accessed July 27, 2026, <https://www.basel.int/?tabid=4499>
- The Ghanaian Chronicle. "Feature: The Problem of Galamsay is Institutional Failure," accessed December 15, 2025, <https://thechronicle.com.gh/feature-the-problem-of-galamsay-is-institutional-failure/>

- United Nations Development Programme Ghana. "Ghana Launches Biodiversity Finance Initiative to Scale Up Investment for Nature Protection." Modern Ghana, accessed July 29, 2026, <https://www.modernghana.com/news/1393863/ghana-launches-biodiversity-finance-initiative.html>
- United Nations Environment Programme (UNEP) Ozone Secretariat – Country Profile (Ghana): Ozone Secretariat – Ghana Ratification Status," Unep.org, accessed July 29, 2026, <https://ozone.unep.org/countries/profile/gha>
- United Nations Environment Programme. "About Montreal Protocol," accessed July 29, 2026, <https://www.unep.org/ozonaction/who-we-are/about-montreal-protocol>
- Vega-Barbosa, Giovanni and Lorraine Aboagye. "Human Rights and the Protection of the Environment: The Advisory Opinion of the Inter-American Court of Human Rights," EJIL: Talk!, accessed December 15, 2025, <https://www.ejiltalk.org/human-rights-and-the-protection-of-the-environment-the-advisory-opinion-of-the-inter-american-court-of-human-rights/>