Corporations and Land Reserves: protecting the right to roam

Hello delegates, my name is Magnus Macleod and I am going to chairing the Environment 1 committee alongside my co-chair, Libby Rear. This conference will be my first time chairing at GWC MUN and I am looking forward to observing the Environment Committee from a different perspective as I was a delegate in the Environment committee last year.

For those of you for whom this your first time being a delegate, I would advise you not to feel pressured into speaking and instead settle into your role before contributing when you feel comfortable. Though, that said, make sure to contribute even just a little.

The following briefing paper is both a starting point for your research and a document to refer back to if you need any clarification.

General Information

The right to roam is the right to access private or publically owned land for recreation or exercise. It can also be referred to as the right of public access to the wilderness.

Many countries believe that this access is a deeply ingrained human right due to the benefits brought by this right in terms of health and happiness. These countries believe that everyone should be able to experience wilderness of some description. The places that hold these views tend to have large areas of wilderness and places of low population densities, such as the Scandinavian countries. In these places, not having a right to roam would mean the cordonning off of swathes of land, having both an impact on tourism and quality of life. These countries generally regard legislation protecting the right to roam to be necessary to ensure that private land does not become exclusive access.

However, in other countries, trending towards high-density urban populations, the right to roam is not regarded as necessary and is in fact occasionally regarded as detrimental to their societies. These views can be because of cultures that either don’t value the wilderness highly or don’t have the wealth to value the wilderness. Some states do not endorse the right to roam due to the problems that this right gives rise to in relation to privacy and property rights. Other governments oppose the right to roam to protect the environment. Around the world rare habitats are in danger of disappearing, a right to roam policy in some of these places could be potentially disastrous for biodiversity and the protection of species.

Background in UDHR

When considering the right to roam from any perspective it is important to consider the background of this right based in the UDHR (Universal Declaration
of Human Rights). Whilst there are no clauses directly mentioning the right to roam there are related articles, Article 13. of the UDHR states that:

“(1) Everyone has the right to freedom of movement and residence within the borders of each state.”

Some governments argue that this article advocates a universal right to roam, that this article implies that it is a human right to wander wherever a person pleases. Other governments might argue that in fact this article is completely ambiguous or irrelevant to the right to roam as freedom of movement only relates to the ability of a person to travel from place to place, rather than to go wherever they wish, or indeed use land for recreation (recreational use being a key part of any right to roam).

Another relevant article of the UDHR is Article 12. which states that:

“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation.”

Governments opposed to a right to roam will argue that any right to roam will inevitably compromise the more important right to privacy and an integral home. Most governments in favour of the right to roam acknowledge this as an issue, however they also point out that legislation can be built around the right to roam to protect privacy. Many governments also restrict the right to roam to rural and wild areas, making the issue around privacy much less of a problem.

Some points you should consider from your country’s perspective

• Is access to the wilderness a fundamental human right?
• Does freedom of movement mean that anyone can go anywhere?
• Is the cost to privacy too much to justify a right to roam?
• What limits must be placed upon a potential right to roam to protect the environment?
• What types of recreational activities should be allowed under the right to roam? Should campfires be allowed?

What should you do now?

Now you should do your own research into the subject and look into your country’s position. Delegates must complete and submit a position paper by **Friday 24 February 2017** if they wish to be considered for an award. A position paper is a brief account (yours should be around 50 words) of a country’s views surrounding a topic of debate (in this case the right to roam).

These briefing papers should be sent to my email at: mmacleod12@gwc.org.uk
To find out more about this issue

https://www.eli.org/sites/default/files/docs/kyle_article.pdf

For Country Profiles and lots of other useful information:

http://www.nationsonline.org/oneworld/
http://news.bbc.co.uk/1/hi/country_profiles/default.stm

For issues of current international debate:

http://www.newint.org/
http://www.idebate.org/
http://www.amnesty.org/