



PRESS RELEASE

Antarctica Lawyers Up

Recognising that Antarctica has legal rights, such as the “right to be cold”, establishes a standard for holding States, corporations and people accountable if they infringe those rights.

[CAPE TOWN, 1 DECEMBER 2023 – ANTARCTICA DAY]: Antarctica may be the most remote place on the planet, but it plays a central role in the wellbeing of all life on Earth. Despite its contribution, the continent and surrounding Southern Ocean has no sovereignty, and no representation in any decision-making that affects it. Yet it is increasingly vulnerable to highly complex and intensifying threats, ranging from climate change to vested political interests and commercial exploitation. It is time for an effective solution to protect this fragile wilderness on which we all depend.

To this end, an [international group](#) of more than 20 experts – the Antarctic Rights working group – has been working towards the recognition of fundamental legal rights for Antarctica and the Southern Ocean to which States, corporations and people can be held politically and legally accountable if they infringe those rights, as is the case with human rights. And there is a critical connection: when we advance Nature rights we also advance human rights, such as our right to a clean, healthy, and sustainable environment.

Today, at COP28 in Dubai, the Antarctic Rights working group in conjunction with the [Global Alliance for the Rights of Nature](#), [launched / will launch] the draft [Antarctica Declaration](#) during the event “A Global Movement Advancing Systemic Change for Real Climate Solutions” in the Blue Zone. Open for discussion, this draft Declaration defines those fundamental (nature) rights and the human duties to ensure that they are upheld. From today, the working group is also actively recruiting organisations and individuals to join the [Antarctica Alliance](#). The Alliance will finalise, and adopt, the Declaration before working with partners to implement it globally to guide the development of laws, policies and the institutions necessary to ensure that people do not harm the continent.

Rights of Nature authority, environmental lawyer, and working group member, [Cormac Cullinan](#), explains: “The idea of recognising a human or institution to speak on behalf of a legal subject who is unable to represent themselves, for example an infant or an unborn child, is well established in law. Antarctic Rights is part of the [rapidly growing global Rights of Nature movement that is transforming how humans relate to Nature](#). The draft Declaration calls on nations and international bodies to recognise Antarctica as an independent legal entity with rights under international law, such as the right to a voice in climate change negotiations, or the right to maintain itself as an ecological community free of human disruption. Further to finalising the Declaration, members of the Antarctica Alliance will ensure that those speaking for this unique community of life have the necessary knowledge, expertise and commitment to its best interests. This will create a powerful new voice to speak for Nature in the global political arena.”

Antarctica and the surrounding Southern Ocean cover ten percent of Earth’s surface and plays a vital role in maintaining the conditions which enable life to flourish. As the world’s coldest continent, it acts as a refrigerator for the planet, cooling Earth by reflecting sunlight. Cold water that wells up from the ocean depths along the Antarctic convergence nourish vast blooms of phytoplankton, which feed the teeming krill populations which whales and fish eat. The phytoplankton further help stabilise the climate by absorbing large quantities of carbon dioxide from the atmosphere before sinking to store it on the ocean bed, while the Southern Ocean drives the global circulation of ocean currents, and absorbs a disproportionately high percentage of the heat and carbon absorbed by all oceans.

At present, Antarctica’s vast lands, ice, surrounding waters and unique species are under threat from accelerating climate change, amongst other risks. Scientists warn that if decisive measures are not taken now, it will soon become impossible to prevent a cascade of consequences. The Antarctica Treaty System is unable to address the challenges effectively – also in part because the most significant risk arises from activities outside the Treaty area, in particular those causing rapid global climate change. (In 2022 the extent of Antarctic sea ice reached a record low.) In addition, a lack of consensus among the member states continues to block progress.

“We cannot afford to continue treating Antarctica as a political pawn or commercial resource. Instead, this vital and magnificent community of life deserves a voice on the global stage that is equal to its importance. The adoption of a Declaration that recognises that all Antarctic beings have rights that humanity must respect and protect, will establish a basis for global collaborative action to protect Antarctica and benefit us all. We hope that, in time, this will evolve into an inspiring prototype of an international, eco-centric governance system.”

Website: <https://antarcticrights.org/>

LinkedIn: <https://www.linkedin.com/company/antarctic-rights>

Instagram: https://www.instagram.com/antarctic_rights/

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About

The Antarctic Rights [working_group](#) has been working for the past two years on a global initiative to recognise Antarctica (including the surrounding Southern Ocean) as a self-regulating entity with the right to be protected and represented in international decision-making. For more, please visit antarcticrights.org.