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CLIMATE EMERGENCY AND ENVIRONMENTAL CRISIS DECLARATION

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This declaration exposes the severity of the current threats to the climate, environment and biodiversity, and aims to encourage present and future legal professionals to realise the importance of their role in addressing these crises.

Preamble

Humanity's progress in the sciences, medicine, engineering, construction, transportation and arts has been truly formidable and admirable. However, it has come with a hidden environmental cost which we urgently need to address.

That cost, driven primarily by our increasing thirst for energy, fossil fuels and consumables, is leading to systemic destabilizations of the entire living planet. Ice caps are vanishing, forests are turning into deserts, dead zones in oceans are growing, sea levels and temperatures are rising, all at alarming rates. This is endangering entire species, ecosystems, societies and nations.¹

As law students, we have a moral duty to instigate change and frame legal responses to the urgency of anthropogenic climate change, environmental degradation and biodiversity loss. Our own wellbeing, future generations and the creatures on this living planet depend on us fulfilling that duty.

Therefore, by

Recognising the clear and unequivocal declaration of over 11,000 climate scientists on 5 November 2019 that "planet Earth is facing a climate emergency";²

Reporting the World Meteorological Organization's finding of 5 June 2020 that CO₂ concentrations reached a seasonal peak of 417.1 parts per million in May 2020, the highest monthly reading ever recorded;³ and that eight of the ten hottest years on record globally have occurred in the past decade, with May 2020 marking the warmest May on record;⁴

¹ <https://www.un.org/en/sections/issues-depth/climate-change/>

² <https://academic.oup.com/bioscience/article/70/1/8/5610806>

³ <https://public.wmo.int/en/media/news/record-co2-levels-and-temperatures-highlight-need-action-world-environment-day>

⁴ <https://www.climatecentral.org/gallery/graphics/top-10-warmest-years-on-record>

Noting that the decrease in CO₂ emissions due to COVID-19 pandemic is merely what is required yearly over the next decades to limit climate change to a 1.5 °C warming;⁵

Alarmed “that the sixth mass extinction is human caused and accelerating”,⁶ and that climate change is still occurring “much faster than anticipated”;⁷

Promoting the fruition of the United Nations’ *Sustainable Development Goals* (‘SDG’), and especially SDG 13 on taking ‘urgent action to combat climate change’, with the Paris Agreement being a central aspect of the achievement of this goal;⁸

Further, by

Embracing the opportunity presented by the upheaval caused by COVID-19 for a re-working of current unsustainable practices and a transformation of the financial, economic and political systems that govern our societies today;

Acknowledging, respecting and taking inspiration from Aboriginal and Torres Strait Islanders’ connection with Country and their knowledge and role in the management, conservation and sustainable use of Australia’s environment and heritage;

Fearing the threat of losing Indigenous knowledge due to the dispossession of land rights, rapid environmental changes, colonisation and social change;⁹

Guided by the *Principles of Ecologically Sustainable Development* – prevention of harm, precautionary principle, polluter pays principle, conservation of biological diversity and ecological integrity, principle of sustainable use, principle of intra-generational and inter-generational equity;¹⁰ and

Stressing the importance of the law as a legal discipline in providing a set of ‘regulated knowledge practices’ essential to achieving ecologically sustainable development;

⁵ <https://www.nature.com/articles/s41558-020-0797-x>

⁶ <https://www.pnas.org/content/117/24/13596>

⁷ <https://www.un.org/sustainabledevelopment/progress-report/>

⁸ <https://www.un.org/development/desa/disabilities/envision2030.html>

⁹ Strengthening and Implementing the Global Response (IPCC Special Report), 360. https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_Chapter4_Low_Res.pdf

¹⁰ Justice Brian J Preston “Principles of Ecologically Sustainable Development”.

http://www.lec.justice.nsw.gov.au/Documents/preston_principles%20of%20ecologically%20sustainable%20development.pdf

We declare, with more than 11,000 scientists and representatives from 1,767 jurisdictions and local governments in 30 countries from around the world,¹¹ clearly and unequivocally that planet Earth is facing a climate emergency.

Further, we declare that planet Earth is facing an environmental crisis.

We challenge governments, businesses, faculties, teachers and students to take proactive action in implementing creative legal interventions to address the urgency for climate change adaptation, mitigation and ecologically sustainable development.

Consequently, we commit ourselves to:

1. Recognising that as future legal professionals, we have a moral duty to make our concern known. We want to make clear the injustices faced by all people, ecosystems and species across the world facing an existential threat;
2. Spreading awareness about the climate emergency and environmental crisis, and educating students about legal responses to them;
3. Challenging students to uncover creative strategies to address these crises;
4. Supporting and developing opportunities for legal professionals to consider the latest climate and environmental science, and investigate the ways in which the law can, and should, respond to it;
5. Supporting the implementation and further development of The University of Melbourne's Sustainability Charter,¹² and efforts to achieve carbon neutrality and innovative waste management across the University's operations;
6. Highlighting the importance of implementing *Environmental Policy Integration* (EPI) - the process of ensuring that environmental objectives are reflected in all policy areas and all dimensions of daily business;
7. Protecting and fostering Indigenous knowledge; and
8. Implementing sustainable practices, such as reducing meat and wasteful products at all MULSS and VELSN events.

¹¹ As of 26 August 2020. <https://climateemergencydeclaration.org/climate-emergency-declarations-cover-15-million-citizens/>

¹² https://sustainablecampus.unimelb.edu.au/_data/assets/pdf_file/0006/3286509/UoM_Sustainability-Charter_Feb_18.pdf

The *Melbourne University Law Students' Society* (MULSS) and the *Victorian Environmental Law Student Network* (VELSN) ask that the Australian government, and all governments around the world to act on their commitments to reducing the impact of anthropogenic climate change and environmental degradation by honouring the recommendations established through science, international agreements and ancient wisdom. This would be achieved by:

- (a) rapidly phasing out the use of fossil fuels and transitioning to clean energy systems, as well as striving to reduce energy consumption wherever possible;
- (b) rapidly implementing strong and efficient waste reduction strategies such as for plastics, energy, carbon emissions, food and others;
- (c) safeguarding the dignity, wellbeing and economic future of workers and communities in carbon intensive sectors; and
- (d) moving swiftly to capture the economic opportunities and green jobs in a sustainable, circular economy.

We look to Australia, currently experiencing one of the highest rates of species loss on the planet,¹³ together with the other G20 nations, responsible for almost 80% of greenhouse gas emissions,¹⁴ to lead by example.

¹³https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Faunalextinction/Interim_report

¹⁴<https://www.unenvironment.org/news-and-stories/press-release/lagging-climate-action-g20-nations-have-huge-opportunities-increase>