

Purpose of Research Stay in Christchurch, New Zealand

PhD Title: Rights for the Arctic Ocean: A Path Towards Sustainability?

Project Abstract:

International environmental law (IEL) has failed to halt or reverse the rapid deterioration of the planet's life support systems and is reflective of the anthropocentric mindset. IEL is anchored in the illusionary rule of separation, superiority and domination of humans over nature.¹ It appears crucial to move beyond the traditional legal binary of humans as subjects of law and nature as an object of law.² Building on the need to elaborate effective regulatory responses to existing threats and challenges, the project seeks to explore whether redefining the legal status of nature and conferring rights to the natural world at the international level, with a specific focus on the Arctic Ocean, has the potential to catalyze a broader shift in law and society and a shift in human attitude towards nature. The Rights of Nature (RoN) might represent an opportunity to take into account of the Arctic Ocean's interests, beyond economic and commercial interests and to also question the underlying and problematic anthropocentric mindset of IEL. Against this background, the main research question of this study is: *To what extent can the RoN provide an apposite response to the challenges posed by the Anthropocene in the context of the Arctic Ocean at the international level?*

Description of the exchange research stay in accordance with the work plan of my thesis:

The project seeks to investigate the advantages and disadvantages of the RoN approach and what the practical consequences have been in places where these have been implemented. Provided that the RoN are the appropriate answer, how could they be implemented under international law and within the context of the Arctic Ocean? If not, what transformation do we want to see within the RoN?

In order to answer the main research question, this study adopts a critical lens towards the RoN and asks two sub-questions:

- a. How are the RoN implemented at the national level? What have been the domestic implications and effects of having RoN legislations in place?
- b. How would the implementation of the RoN work at the international level in the context of areas beyond national jurisdiction in the Arctic?

One of the research project's main goals is to look at how the RoN are implemented in practice at the domestic level to date (question a). The project includes the case studies of how RoN are implemented in Ecuador and New Zealand. Against this background, the questions that I wish to answer during this research stay are to know whether implementing the RoN into the national legal system made a difference with respect to how nature is treated? What is working and

¹ Louis J Kotzé and others, 'Earth System Law: Exploring New Frontiers in Legal Science' (2022) 11 Earth System Governance 100126; Vito De Lucia, 'Beyond Anthropocentrism and Ecocentrism: A Biopolitical Reading of Environmental Law' (2017) 8 Journal of Human Rights and the Environment 181.

² Emily Jones, 'Posthuman International Law and the Rights of Nature' (2021) 12 Journal of Human Rights and the Environment 76.

what can be improved? Ultimately, what lessons can we learn from the implementation of the RoN at the domestic level? To address these questions the project will include a six-month-long research stay in New Zealand.

Furthermore, I am currently also evaluating whether I want to include empirical work in my research and what it would entail. I believe that it would be interesting to rely on interviews of different parties, such as indigenous peoples and representants of the government that are connected to the implementation of the RoN in practice. these would enable getting first-hand impression and also enrich my knowledge on indigenous law and philosophy.

Estimated Budget for a 6 months research stay in Christchurch, New Zealand

LIVING/WORKING EXPENSES, MONTHLY	NZD	NOK
Rent, single bedroom apartment	1600-2200	10000-14000
Transportation, bus and train	115	≈ 730/pers
Utilities (electricity, internet, water)	250-300	1600-1900
Mobile communication	60/pers	≈ 400/pers
Exercising (Climbing membership)	190	≈ 1200/pers
Subsistence expenses	-	2850/pers
Charge for visiting scholars	200	1250
TOTAL	-	22330 x 6 months = 133980 for 1 27510 x 6 months = 165060 for 2

TRAVELING COSTS		
Return flight from Tromsø to Christchurch	-	≈ 30000/pers
Travel/health insurance for 6 months	375/pers	2400/pers
TOTAL	-	32400/pers 64800 for 2

* It is not entirely clear at the moment whether there is a charge for visiting scholars. This will be clarified further down the application process. The amount here is an estimation based on fees charged by other institutions.

Comments:

Please note that the presented costs are an estimation, based on online sources and personal needs. The estimated budget might also evolve according to inflation and other circumstances.

Family expenses: my partner is considering joining me during the exchange period, provided that funding can be obtained. Therefore, I put estimated expenses for 1 and 2 people.

Empirical research: I am currently evaluating whether doing empirical work during the research stay and cannot immediately provide an exact approximation of the estimated costs, so here is an estimation based on potential need for a translator and the costs of travel and accommodation.

Empirical research costs	-	≈ 10000
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Sources:

<https://www.trademe.co.nz/a/property/residential/sale/canterbury/christchurch-city>

https://kiwieducation.com/nz/about_country/cost-of-living/

<https://www.metroinfo.co.nz/travel-and-fares-info/fares/>

<https://www.numbeo.com/cost-of-living/in/Christchurch>

<https://bouldering.co.nz/prices/>

16 January 2023

Object: Supervisor's approval for Research stay

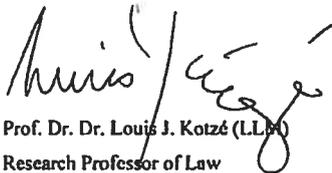
Dear Lise Myrvang,

This is to express our pleasure in supporting Mana Tugend's funding application for a research stay at the University of Canterbury in Christchurch, New Zealand for the purpose of her PhD dissertation.

Mana shared with her supervisors her desire to visit the University of Canterbury for a six-month long research stay in 2024; and after examining this potential we agreed that the proposed stay will be an asset for her project.

Given the topic of her research, a visit at the University of Canterbury will certainly help Mana enrich her knowledge on domestic application of the Rights of Nature, as well as give her access to the library and an academic environment with strong competence in issues connected to the Rights of Nature. This research stay is instrumental to complete her PhD dissertation in accordance with the current plan and research aims and will help her acquire desired data in further pursuing her doctoral research.

Sincerely yours



Prof. Dr. Dr. Louis J. Kotzé (LL.M.)
Research Professor of Law



Maria Madalena das Neves
Associate Professor