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**The Jordan Romero Case;  
A Biological Super Athlete or a Product of the Sport Industry**

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**Abstract**

Many questions have arisen in regards to Jordan Romero's climbing actions, in terms of ethics and legality. Although, he has already successfully climbed most of the highest summits, his last expedition to climb mountain Everest, has found strong opposition and criticism. Jordan's decision to climb Everest, at the age of 13, comes into contradiction with the convention on Human Rights, the International Public Law, the climbing rules and regulations of Nepal, and the Law of U.S.A. What should also be put into reference is the fact that Romero's pursuit violates the Article No. 1 in the Declaration of Tyrol 2002 (Mountaineering), which defines individual responsibility for the activities of the climber. This paper outlines the legal and ethical aspects of Jordan's venture, taking into account the biological hazards.

**Keywords:** Jordan Romero; rules and regulations of climbing in Nepal; CTMA; sponsorship

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**Introduction**

***Jordan Romero’s “Summits”***

Jordan Romero was born in July 12, 1996. He has been an active mountaineer since 2006. He was inspired to climb the tallest mountains of each continent after having seen a painting that had the seven continents’ highest mountains. Until now, he has conquered six out of the “Seven Summits”, as presented below.

**Table 1.** Six of the "Seven Summits" Romero has conquered.

Year	Summits	Country	Continent	Elevation ft	Elevation m
April 2006	Mount Kilimanjaro	Tanzania	Africa	19,340	5,892
July 2007	Mount Elbrus	Russia	Europe	18,510	5,642
December 2007	Mount Aconcagua	Argentina	South America	22,841	6,962
June 2008	Mount McKinley	United States	North America	20,320	6,194
September 2009	Mount Carstensz Pyramid	Indonesia	Australia/Oceania	16,024	4,884
May 2010	Mount Everest	Nepal, China	Asia	29,035	8,848

Source: Wikipedia, the free encyclopedia

Many debatable issues have been brought into surface in regards to Jordan Romero’s climbing actions, in terms of ethics and legality, due to the biological and natural hazards he is being faced with. Although, he has already successfully climbed the highest summits in all five continents except from Antarctica, his last expedition to climb mountain Everest in May 22, 2010 has found strong opposition within the climbing and scientific community. There are claims that one’s biological age can be up to 6 years

older than his birth date. Despite these claims, Jordan's decision to climb Everest, at the age of 13, is an illegal act according to the convention on Human Rights, the International Public Law, the climbing rules and regulations of Nepal, where the project took place and the Law of U.S.A.. (the country of his citizenship). Additionally, Romero's pursuit violates the Article No. 1 in the Declaration of Tyrol 2002 (Mountaineering), which defines individual responsibility for the activities of the climber. The purpose of this paper is to analyze the legal and ethical aspects of Jordan's venture, taking into account the biological hazards.

According to Puchan (2004:172), climbing falls under the label of action sports, which is placed on sports that often include risk, danger, or unconventional rules and/or techniques. "The BMC recognizes that climbing and mountaineering are activities with a danger of personal injury or death. Participants in these activities should be aware of and accept these risks and be responsible for their own actions and involvement." However, David Hillebrandt, medical adviser to the British Mountaineering Council, commends in regards to Romero's attempt, "It is totally against the spirit of true mountaineering. This sounds like it's about mass marketing, money and it's verging on child abuse. Nowadays, people are effectively being winched up (the mountains), using ropes that Sherpas have put in for them. It will all be done for him. He's a token passenger". This aspect puts in forward the Human Rights. According to law definition for damage, is any unfavorable change of a persons' tangible or intangible goods. Ethical damage, to be more accurate, is any damage that is caused in non materials, such as life, health and other intangibles that manifest one's personality

### ***Mountaineering in terms of Physiology***

The motives for adventure sports participants are the risk and the challenge. For climbing in particular, is the sense of physical achievement, the notion of one's skills' application in a hostile and dangerous environment. "Overcoming a challenge and dealing with risk are firm parts of the climbing psyche". Indeed, the demands of such activity are so high, that are commonly said to reach the terms of "challenge" and "adventure". The nature of the mountain environment may present a number of challenges for mountaineers. Such challenges, apart from the accidents that the wild scenery may cause, like icefalls and avalanches, range from hypothermia, high altitude pulmonary edema, high altitude cerebral edema, and sudden cardiac death. What is more, mountain hiking in regards to physiology has a major surcharge on climber's lower

body, upper body and spine, as well as an increase in the demands of the anaerobic metabolism.

Research based evidence reveals that barometric pressures (PB) near the summit of Mt. Everest (altitude 8,848 m) are of major physiological interest, as the partial pressure of oxygen is near the limit for human survival<sup>19</sup>. High altitudes (above 3100m) apart from the continuous changes of extreme weather conditions dissemble the danger of hypoxia. West (1999) provides evidence that humans at these altitudes are close to the limit of tolerance to hypoxia<sup>19</sup>. This means a decrease in concentration of oxygen in the blood and thus, drops of oxygen pressure (PaCO<sub>2</sub>). This disorder entails breathlessness, headaches, nausea, insomnia, fatigue and decline in mental capability. Dr. Peter Hackett, director of the Institute of Altitude Medicine in Telluride, Colorado, says “There are plenty of studies that show MRI abnormalities as well as, to some extent, functional abnormalities in people who have come from Everest and other high peaks. Climbers often show brain atrophy, a shrinking of the brain from cell death and white spots in their brains”. Mental symptoms are very common in such conditions. At high altitude brain cells are sensitive to oxygen lack which may cause unconsciousness, spasm of the arteries in the brain, possibly due to thrombosis which could result in paralysis of one side of the body, as well as migraine attacks with loss of speech.

### ***Climbing on Mountain Everest & Legislation***

In order for life and health to be protected, as regards to mountaineering, laws have been established. As mountain climbing is gaining more in popularity, the number of fatalities has increased. Registrations permit systems have proven successful at reducing the number of mountaineering fatalities. Strong risk management messages directed at climbers combined with strong enforcement of climbing rules should help avoid undesired situations such as the two case reports as presented by Heggie and Jorgenson (2010), where the climbers in both incidents ignored warnings.

Specifically, Nepal's rules and regulations for climbing, clearly define age limitations that ban climbers under the age of 16 from climbing the world's tallest peak. Therefore, Romero was forced to climb from the Chinese controlled Tibetan side of the mountain. China, at that time, had not such restrictions in place, and as such Romero and his team were able to proceed with their expedition. However, coming up against all this criticism from the media, the scientific and the climbing community, the China Tibet Mountaineering Association (CTMA), the organization that regulates climbing activities in

Tibet, issued new regulations on June 10 2010. The decision sets age limitations on mountain Everest, that does not permit climbers under the age of 18 and over the age of 60 to climb Everest's North Side, which shares a border with Tibet and Nepal, both on the high and low end.

### ***Ethical issues***

Extreme or action sports are beginning to make their way into the spotlight of mainstream media, partly because of the benefits from the growing interest of audiences. The advertising industry has identified this increased interest in extreme sports, and is using it to promote ordinary products with an aura of the special or extreme as well as products related to the extreme sports business. The corporate sponsorship objectives are based on image making, brand promotion, an increase in sales, cost effectiveness and reaching target markets. Evidence suggest that sponsorship of sports does impact the image of the corporation, and reaching target markets is an invaluable benefit for the corporations<sup>20</sup>. As it is clearly stated in Puchan's article (2004:174), "...A good sponsored climber seriously affects sales for manufacturers-.....Climbing and mountaineering can be sold as an interesting and sexy activity to do. It helps to sell products...". If individual athletes are getting the most recognition, then it may be more advantageous for corporations to sponsor the athletes rather than the sport. Thus, action sports athletes are also cashing in on endorsement packages. Along the way and due to this major exposure and media coverage, Romero has gained many supporters, willing to sponsor his ventures. His sponsors are from big firms to individuals, who offer money and other kinds.

On one hand, this is seen by many, as Romero being taken advantage of, as the motive force behind the majority of his sponsors is the publicity gained and the advertisement of their brands. This is an ethical issue that reveals the power of money. It fells the Mountaineering ideal as it leads to pure commercialization. Also, it reveals the negative aspect of capitalism and the trends of West societies.

On the other hand, out of Romero's "Dream" pursuit, one can recognize some positive aspects. For one thing, Romero could be seen as an idol, as he seems to be mature enough to set his own personal goals and put extreme effort to carry them out. This makes him a great example to be followed. In spite of the fact that his dream to conquer the world's seven summits is illegal, he is still the youngest to have climbed the world's tallest peak. This, by its own is inspirational for many others to follow. What is

more, as corporate sponsorship continues to intensify worldwide, a variety of sport segments have benefited financially from the interest of corporations to partner with individuals and sporting events. All this media exposure what Romero has provoked, has given to the sport of High Altitude Climbing so much glamour and publicity, increasing its popularity. In turn, this has created a new market, targeting children and adolescents. Finally, as any progress brings new industrial advances, this is the case here, as well. As far as the equipment is concerned, there have been noted technological innovations and room for further improvements.

### **Discussion and Conclusion**

Despite all the debates and disputes, Romero will hold the record for the youngest climber on Everest until China or Nepal bend their minimum age limits. Each country has its own rules and policies on climbing. As the commercialization of the extreme sports continues to intensify, rules' enforcement is a hard task. However, the physiological and natural hazards of High Altitude Climbing should concern all worlds' citizens. All laws placed and applied should be human oriented, not money oriented. This means that their role is to protect all citizens' health and not corporates' interests. If High Altitude Climbing is commonly accepted and scientifically proved that entails serious dangers for the health, there should be established a universal law banning at least young climbers.

Now, Romero has moved his sights to Antarctica, near the South Pole at mountain Vinson Massif, to complete his quest to climb the "Seven Summits of the World". As he says, "We've trained our minds for the difficulties and emotions that the mountain will give to us. We've trained our bodies for the physical challenges that the mountain will share. We've opened our souls to the mountain, the history, the culture and the rituals that surround the climb. We are a team and together we will find our synergy and step together toward the summit". This view is in accordance with a numerous climbers and authors who have speculated on the motivating factors that drive many people to risk their lives by following their quest. It is the calculated danger, the beautiful and wild surroundings, the sense of physical achievement, the bonding between people who go climbing together. Extreme's sports legal framework is still in its infancy and its concept is based on that the ultimate responsibility for personal safety and appropriate behavior belongs to the individual. Thus, it is a matter of time before Romero's dream is achieved. A question that also arises is, who has the right to decide for somebody else's life as long as one's actions do not cause harm to someone else apart from his own self.

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