

28th Session of the Human Rights Council Advisory Committee
Item 3(d). Impact of new technologies for climate protection
9 August 2022

Thank you Chair.

The Center for International Environmental Law would like to address several issues concerning the human rights impact of technologies pursued in the name of climate change and the preliminary outline for the Advisory Committee's study.

First, the term “New Technologies For Climate Protection” obscures critical differences between technologies that may fall within its scope, and presupposes that they are all beneficial or desirable. We strongly urge the Advisory Committee to use the term “geoengineering,” which has been employed in international legal instruments since 2007, when referring to any technologies intended to deliberately reduce solar insolation or increase carbon sequestration from the atmosphere on a large scale. Discussing solar radiation management (SRM) and carbon dioxide removal (CDR) alongside renewable energy as “new” climate technologies masks the distinctly risky and speculative nature of the former. Solar and wind are demonstrated, available, and economically feasible. Geoengineering technologies remain unproven, unavailable, and infeasible at scale.

Second, the study must not assume that geoengineering technologies are necessary or that their deployment could be compatible with international human rights and environmental law. As the IPCC's findings have repeatedly shown, large-scale CDR and carbon capture and storage face multiple feasibility constraints and pose significant risks to humans and nature. Relying on such technologies may lead to irreversible harm, due to the adverse impacts of their deployment and/or to their displacement of proven, near-term mitigation measures more likely to avoid catastrophic levels of warming, such as replacing fossil fuels with renewables and reducing energy demand. A human rights-based approach to climate action, interpreted in line with the Paris Agreement and the precautionary principle, requires prevention of further emissions. In delaying such action, geoengineering exacerbates the threats to human rights from overshooting 1.5°C, even temporarily.

SRM could further unbalance regional climates, endangering food and water supplies for up to 2 billion people, especially vulnerable and marginalized populations. The IPCC has consistently warned of SRM's risks to people and ecosystems, which remain poorly understood. Over 250 scientists are calling for a non-use agreement concerning solar geoengineering.

Finally, community consultation and Free Prior and Informed Consent processes are prerequisites to any decision-making on geoengineering. Such processes have not occurred to date, even though several geoengineering experiments are planned or underway on indigenous territories. Environmental and human rights defenders must be protected and able to exercise rights to freedom of expression, association, and participation without intimidation or retaliation. Failing to guarantee equal public access to information and decision-making exacerbates corporate capture of climate policy. And lack of access to accountability and effective remedy for the negative impacts of geoengineering, which may be irreversible, puts communities at heightened risk. As this Committee and the Council consider the human rights impact of geoengineering technologies, they must not only accept and consider the voices of those potentially affected but actively seek those voices out.

Thank you.