



## 30th session of the Advisory Committee

### Statement on the report on “Impact of new technologies *intended* for climate protection on the enjoyment of human rights”

August 7, 2023

The Center for International Environmental Law welcomes the Advisory Committee’s report on new technologies intended for climate protection. This report is particularly important as it is the first one that addresses geoengineering from a human rights perspective. The message that comes out is clear: geoengineering technologies and approaches are not compatible with human rights.

As the report makes explicit, geoengineering technologies remain unproven, unavailable, and unfeasible at scale, and fail to address the root causes of climate change. Approaches such as solar radiation modification or ocean fertilization seek to change very delicate and complex ecological systems and have the potential to affect weather patterns at a regional or global scale, undermining food security and the livelihoods of billions of people. Carbon Dioxide Removal approaches such as direct air capture or enhanced weathering are not viable solutions to reduce emissions, given their inefficacy, high energy, and resource demand, and impact on ecosystems. Worryingly, the deployment of such technologies is already being used by corporations and governments as an excuse not to rapidly phase out fossil fuels and scale up renewable energy.

The precautionary approach and States’ obligations to protect, respect, and fulfill human rights already provide a solid legal framework, including the obligation to regulate private actors effectively so as to protect human rights. These obligations entail a duty not to deploy or develop geoengineering technologies, given the associated high risks and uncertainties for the rights of present and future generations - including the right to a clean, healthy, and sustainable environment - and the availability of proven low-risk alternatives to prevent climate harm. Beyond human rights obligations and environmental law principles, a number of multilateral environmental agreements also prohibit climate geoengineering deployment or outdoor experimentation already.

Yet, dangerous and unregulated experiments continue to take place across the world, often in delicate ecosystems and on Indigenous Peoples’ territories, without any Free, Prior, and Informed Consent. States must take action at the national level to ensure that no research or deployment of geoengineering takes place. Mexico’s announcement to prohibit solar radiation modification on its national territory is a very positive example of the kind of leadership we need to see from governments in light of these threats.

As the Advisory Committee’s report rightfully highlights, failure to implement effective and equitable mitigation plans is inconsistent with States’ legal obligation to protect human rights from grave and foreseeable risks. A full, fast, funded, fair fossil fuel phase-out alongside a rapid roll-out of renewable energy technologies, deployed in a way that is respectful of human rights and ecosystems, as well as energy demand reduction and ecosystem restoration, must be the primary paths for keeping global average temperature increase below 1.5 degrees Celsius. The Fossil Fuel Non-Proliferation Treaty initiative provides a unique platform to gather support for a global binding instrument on shifting toward a fossil-free future.

This report provides a crucial contribution to advancing human rights-based climate action. Building upon the work of the Advisory Committee, we now call upon human rights mechanisms and mandate holders to continue to look at geoengineering and reiterate the incompatibility of such technologies with human rights obligations to monitor States’ compliance with their human rights obligations in this regard - both domestically and in the context of international fora.