



Quaker United Nations Office

13 Avenue du Mervelet
CH-1209 Geneva, Switzerland

Tel +41 (22) 748-4800

Fax +41 (22) 748-4819

Human Rights Council Advisory Committee

Questionnaire on the impact of new technologies for climate protection on the enjoyment of human rights ¹

Please answer core questions as well as specific questions addressed to your category of stakeholder (UN agency, State, NHRI, civil society, technical community and academia or private sector). The questionnaire is distributed to you in its entirety for the purpose of transparency.

Please respond as concretely and concisely as possible, listing factors and giving relevant examples.

Please note the definition of “new technologies for climate protection” (hereafter NTCP) in the footnote. There is no need to answer all questions if some are irrelevant to your work.

About us:

This submission is from the Quaker United Nations Office in Geneva (QUNO), under the Friends World Committee for Consultation (FWCC). We are an ECOSOC accredited civil society organization which has supported peace and justice efforts at the United Nations since the 1950s. Earlier, in 1947, FWCC co-received the Nobel Peace Prize.

Our Human Impacts of Climate Change’ programme has existed since 2012. We are active observers at the Human Rights Council, the UN Framework Convention on Climate Change, and the Intergovernmental Panel on Climate Change.

At the UNFCCC we are members of RINGO – Research and Independent organizations.

¹ The term *new technologies for climate protection* for the purpose of this questionnaire broadly refers to techniques of deliberate intervention in the Earth’s natural system in order to prevent further climate change or reverse it. The two main kinds are (1) Solar Radiation Management SRM (i.e. stratospheric aerosols) and (2) Carbon Dioxide Removal CDR. CDR solutions can be nature-based (forestation, soil carbon sequestration, biochar, etc.) or technological (enhanced weathering, bioenergy with carbon capture and storage, direct air capture and storage, etc.).

Core questions (for all stakeholders)

1. Which new technologies for climate protection (NTCP) are of particular importance when it comes to impact on human rights? List three most relevant and explain your choice.
 - a. Risk of human rights abuses increase from policy choices that rely on NTCP rather than rapid transformation of the root causes driving increased global surface temperature, specifically in relation to NTCP - fossil fuels, intensive agriculture, and deforestation.
 - b. The Intergovernmental Panel on Climate Change (IPCC) Special Report on Global Warming of 1.5C outlines the human rights abuses - loss of life, livelihoods, food security and ecosystems on which human life depends – between event a 1.5C and 2C temperature². It then outlines the P1 scenario in which NTCP (other than afforestation) is avoided, specifically:
 - i. *P1: A scenario in which social, business and technological innovations result in lower energy demand up to 2050 while living standards rise, especially in the global South. A downsized energy system enables rapid decarbonization of energy supply. Afforestation is the only CDR option considered; neither fossil fuels with CCS nor BECCS are used.*³
 - c. Currently, wealthy, fossil-fuel extraction dependent countries are pressing for NTCP investment over rapid reduction of fossil fuels and failing to sufficiently invest in the rapid increase of renewable energies required for a healthier and more effective transformation. NTCP of CDR enables continued reliance on fossil fuels, for example, reliance on carbon capture storage (CCS) and carbon capture and utilization storage (CCUS), rather than rapid increase in renewable energy systems. It is of serious concern that financial interests, lucrative in the case of fossil fuels and centralized for profits in the hands of few, are being ‘ringfenced’ to continue through NTCP, rather than renewable energy options which are cheaper, ready at scale, and have potential for greater decentralized ownership to empower the poorest with safe, affordable and clean energy. In sum, NTCP is being pushed to protect vested-interests of the few, rather than alternatives which not only protect but also empower the many, another serious human rights concern.
 - d. The IPCC has also outlined the healthiest mitigation action to protect the climate – and humans and ecosystems - is the rapid transformation of climate drivers to therefore avoid temperature ‘overshoot’. In ‘overshoot’, human rights abuses increase - people and ecosystems die. The concept that global temperatures are reduced somehow in the future does bring the dead back to life.
 - e. The IPCC findings in the recent 6th Assessment Report (AR6) Summary for Policy Makers (SPM) Working Group III Mitigation, states that rapid transformation of climate drivers that can therefore reduce reliance on risky CDR in the longer term. The IPCC report states:
 - i. *Modelled global pathways that limit warming to 1.5°C (>50%) with no or limited overshoot involve more rapid and deeper near-term GHG emissions reductions through to 2030, and are projected to have less*

² https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf

³ https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf p.14

net negative CO₂ emissions and less carbon dioxide removal (CDR) in the longer term, than pathways that return warming to 1.5°C (>50%) after a high overshoot (C2 category).'

- f. The AR6 SPM WGIII also highlights CDR risks to human rights related to lives and livelihoods when implemented badly, which too often is the case, specifically:
- i. *CDR methods such as soil carbon sequestration and biochar can improve soil quality and food production capacity. Ecosystem restoration and reforestation sequester carbon in plants and soil, and can enhance biodiversity and provide additional biomass, **but can displace food production and livelihoods, which calls for integrated approaches to land use planning, to meet multiple objectives including food security. However, due to limited application of some of the options today, there are some uncertainties about potential benefits (high confidence).***⁴
 - ii. *In contrast, afforestation or production of biomass crops for BECCS or biochar, when poorly implemented, can have adverse socio-economic and environmental impacts, including on biodiversity, food and water security, local livelihoods and on the rights of Indigenous Peoples, especially if implemented at large scales and where land tenure is insecure (high confidence).*
- g. This continues with warning on geo-engineering related to ocean fertilization, threatening the health of our oceans, marine life and in turn food security to the several billion human beings dependent on fish for nutrition.
- i. *Ocean fertilisation, if implemented, could lead to nutrient redistribution, restructuring of ecosystems, enhanced oxygen consumption and acidification in deeper waters (medium confidence). {7.4, 7.6, 12.3, 12.5}.*⁵
- h. Solar radiation management (SRM) and related enhanced weathering – the research thus far fails to sufficiently incorporate consequences to eco-systems. SRM experiments and deployment pose ‘novel’ risks; this term, in the earlier ARGWGII SPM draft (Impacts, Adaptation and Vulnerability) was removed in negotiations by extraction wealthy political pressures. However, the ‘novel risk’ findings to humanity and ecosystems remain in the underlying chapters. And approved language of the SPM still outlines risks to substantially increased human rights abuses. First, in the IPCC Special Report on Global Warming of 1.5C stated:
- i. *Solar radiation modification (SRM) measures are not included in any of the available assessed pathways. Although some SRM measures may be theoretically effective in reducing an overshoot, they face large uncertainties and knowledge gaps SPM Summary for Policymakers 13 as well as substantial risks and institutional and social constraints to deployment related to governance, ethics, and impacts on sustainable*

⁴ https://report.ipcc.ch/ar6wg3/pdf/IPCC_AR6_WGIII_SummaryForPolicymakers.pdf D.1.6, p.53

⁵ https://report.ipcc.ch/ar6wg3/pdf/IPCC_AR6_WGIII_SummaryForPolicymakers.pdf C.11.2, p.47

*development. They also do not mitigate ocean acidification. (medium confidence) {4.3.8, Cross-Chapter Box 10 in Chapter 4}.*⁶

- i. And again, in the ARG WGII SPM:
 - i. *Solar radiation modification approaches, if they were to be implemented, introduce a widespread range of new risks to people and ecosystems, which are not well understood (high confidence). Solar radiation modification approaches have potential to offset warming and ameliorate some climate hazards, but substantial residual climate change or overcompensating change would occur at regional scales and seasonal timescales (high confidence). Large uncertainties and knowledge gaps are associated with the potential of solar radiation modification approaches to reduce climate change risks. **Solar radiation modification would not stop atmospheric CO2 concentrations from increasing or reduce resulting ocean acidification under continued anthropogenic emissions (high confidence).***⁷

We have bolded the last sentence, as evidence that investing in SRM is not investing in reduction of climate drivers, it is addressing one symptom and only temporarily, as the removal of SRM would rapidly result in temperature returns. Human rights abuse questions include who controls the SRM systems, who receives coverage, and who controls the ability/power to hold poorer countries under political threat of removal? These are all serious human rights concerns.

2. What kind of NTCP may contribute to human rights promotion and protection? Please, explain how.

- a. The IPCC has stated that CDR could counterbalance ‘hard-to-abate’ residual emissions. However, CDR does not transform and replace human activities driving climate change. CDR should be last measure – sought only after governments have first invested in the most effective, healthy, sustainable, just, and ambitious mitigation approaches. These would include, along the IPCC SR1.5C P1 model quoted previously, rapid reduction of fossil fuels/rapid increase in renewable energies, transformation to sustainable agriculture systems, sustainable and just economic systems (consumption levels and economic reliance on unsustainable growth), reduction of deforestation and implementation of sustainable heating/cooling systems. CDR is presented in IPCC findings as appropriate for ‘hard to abate’ emissions. However, extraction wealthy countries are pushing CDR as a priority climate action, and the Human Rights Committee should highlight the ethics of policy decisions made to protect vested interests but leading to greater risk of catastrophic global temperature rise and the massive human rights abuses this would incur.

An ethical challenge, because wealthy fossil fuel extraction economies countries fail to sufficiently pursue healthier and effective transformations and instead are proposing CDR as ‘solutions’. This is both immoral and risking essential time to stabilize global surface temperature rise at a safer level. Policies relying on NTCP rather than rapid reduction of fossil fuels threaten

⁶ https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf C.1.4 p. 12

⁷ https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf , B.5.5, page 21

humanity with runaway climate change because NTCP address symptoms but not the disease; they do not transform the main drivers. Dangerous examples include:

- i. United Kingdom – political support for CCS and CCUS, alongside the decision to increase access to extraction of fossil fuels and (latest) announcing a tax break incentives for fossil fuel companies investing in extraction⁸. In turn, restricting planning permission for onshore wind turbines in England to near impossible (not Scotland however, different system) and scrapping mitigation efforts such as support for housing insulation and energy reduction.⁹
- b. The International Energy Agency (IEA) states that we need to reach net-zero by 2050, specifically:
 - i. *“Instead of fossil fuels, the energy sector is based largely on renewable energy. Two-thirds of total energy supply in 2050 is from wind, solar, bioenergy, geothermal and hydro energy. Solar becomes the largest source, accounting for one-fifth of energy supplies. Solar PV capacity increases 20-fold between now and 2050, and wind power 11-fold. Net zero means a huge decline in the use of fossil fuels. They fall from almost four-fifths of total energy supply today to slightly over one-fifth by 2050. Fossil fuels that remain in 2050 are used in goods where the carbon is embodied in the product such as plastics, in facilities fitted with CCUS, and in sectors where low-emissions technology options are scarce.”*¹⁰

3. What are the key human rights challenges and risks arising from NTCP and from which in particular? Do NTCP create unique and unprecedented challenges or risks, or are there earlier precedents that help us understand the issue area?

- a. SRM would be ‘unique and unprecedented’. In discussing research, the Human Rights Committee should explore which countries/companies/organizations are funding SRM research, and if there is a conflict of interest in relation to insufficient efforts to rapidly fossil fuels – if vested interests of the few, extraction wealthy countries are forcing humanity into a more dangerous, yet (avoidable with urgent action) ‘plan B’.
- b. Concerning CDR risks, the AR6 WGII SPM (Adaptation) outlined mal-adaptation that leads to greater human rights abuses. This includes weak legal protection of land tenancy, small-scale farmers, and Indigenous Peoples rights. Human rights risks in adaptation are similar to risks in mitigation, yet concerningly, the AR6 WGIII SPM (Mitigation) draft at the start of the approval session lacked language on climate justice, human rights or Indigenous People’s rights. By the end of the approval session, the final draft included some rights language, but risks to human rights abuses remain higher without policy guidance on implementing fair and effective climate action through human rights-based approaches (HRBA). The Human Rights Committee should refer

⁸ <https://www.msn.com/en-gb/money/other/rishi-sunak-offers-tax-incentives-to-fossil-fuel-firms-despite-climate-emergency/ar-AAXLebd>

⁹ <https://www.theguardian.com/environment/2021/mar/27/uk-government-scraps-green-homes-grant-after-six-months>

¹⁰ https://iea.blob.core.windows.net/assets/7ebafc81-74ed-412b-9c60-5cc32c8396e4/NetZeroby2050-ARoadmapfortheGlobalEnergySector-SummaryforPolicyMakers_CORR.pdf p.9

to the underlying chapters to gain a clearer understanding of human rights abuses relating to ‘mal-mitigation’, which may be less prevalent in the SPM.

4. What specific human rights may be affected by the use of NTCP? Please, explain how. Who are the rights-holders that potentially would be the most affected by the use of NTCP? Are they also the most affected by climate change? How could they and the society at large be engaged in the decision-making process?

- a. The most affected rights-holders affected by the use of NTCP in the long term, are all human beings and healthy eco-systems on which human lives depend, since NTCP reliance delays the rapid transformation of climate driver root causes needed to stabilize global temperature rise to a safer level. ‘Overshoot’ is not an option for human rights of those who will lose their land, livelihood and even lives due to reaching temperature levels in ‘overshoot’. As the IPCC SR1.5C states:
 - i. *“Pathways limiting global warming to 1.5°C with no or limited overshoot would require rapid and far-reaching transitions in energy, land, urban and infrastructure (including transport and buildings), and industrial systems (high confidence). These systems transitions are unprecedented in terms of scale, but not necessarily in terms of speed, and imply deep emissions reductions in all sectors, a wide portfolio of mitigation options and a significant upscaling of investments in those options (medium confidence).”¹¹*
- b. Holding to a 1.5C limit without overshoot has profound effects on supporting human rights, including:
 - i. *“Consequently, limiting global warming to 1.5°C is projected to reduce risks to marine biodiversity, fisheries, and ecosystems, and their functions and services to humans, as illustrated by recent changes to Arctic sea ice and warm-water coral reef ecosystems (high confidence). {3.3, 3.4, 3.5, Box 3.4, Box 3.5}.”¹²*
- c. It is important to recognise IPCC findings that global temperature rise beyond 1.5C for *“marine ice sheet instability in Antarctica and/or irreversible loss of the Greenland ice sheet could result in multi-metre rise in sea level over hundreds to thousands of years. These instabilities could be triggered at around 1.5°C to 2°C of global warming (medium confidence).”¹³* NTCP reliance, focusing on symptoms rather than transforming root causes, makes crossing these tipping points ever more likely.
- d. On NTCP near term human rights abuses, read through the AR6 WGII SPM outlining concerns for food and water security, for example:
 - i. *“Risks arise from some responses that are intended to reduce the risks of climate change, including risks from maladaptation and adverse side effects of some emissions reduction and carbon dioxide removal measures (high confidence). Deployment of afforestation of naturally unforested land, or poorly implemented bioenergy, with or without*

¹¹ https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf C.2, p. 15

¹² https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf B.4 p.8

¹³ https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf B.2.2 p7

carbon capture and storage, can compound climate-related risks to biodiversity, water and food security, and livelihoods, especially if implemented at large scales, especially in regions with insecure land tenure (high confidence). {Box 2.2, 4.1, 4.7, 5.13, Table 5.18, Box 9.3, Box 13.2, CCB NATURAL, CWGB BIOECONOMY}.¹⁴

And also:

- ii. Documented examples of adverse impacts of land-based measures intended as mitigation, when poorly implemented, include afforestation of grasslands, savannas and peatlands, and risks from bioenergy crops at large scale to water supply, food security and biodiversity (high confidence). {2.4, 2.5, Box 2.2, 3.4, 3.5, Box 3.4, Box 9.3, CCP7.3, CCB NATURAL, CWGB BIOECONOMY}.¹⁵*

5. Is the existing international and your national human rights framework adequate to safeguarding human rights of those affected by the use of NTCP? Why or why not? If not, what principles may be identified in order to address the gaps? List them according to priority.

- a. No. There is need to strengthen international norms and laws that reflect human-rights-based approaches (HRBA, or ‘rights-based approaches) to climate action, as outlined by the UN Special Rapporteur on Human Rights and the Environment. The AR6 WGII SPM refers twice to ‘rights-based approaches, and the underlying text is full of references to human rights. However, as mentioned, the AR6 WGIII is weaker on human rights, and this is of great concern since mitigation actions too easily fail to engage stakeholders in decision making, or respect human rights and Indigenous Peoples rights, and erode (already often weak) land tenancy rights of the poorest or marginalized, including marginalization based on ethnicity or race. Without clear international norms and laws, States are more likely to abuse the human rights of these communities.
- b. The Convention on Biological Diversity (CBD) contains a moratorium on geo-engineering that affects biodiversity.
 - i. (CBD) “that no climate-related geo-engineering activities** that may affect biodiversity take place, until there is an adequate scientific basis on which to justify such activities and appropriate consideration of the associated risks for the environment and biodiversity and associated social, economic and cultural impacts, with the exception of small scale scientific research studies that would be conducted in a controlled setting in accordance with Article 3 of the Convention, and only if they are justified by the need to gather specific scientific data and are subject to a thorough prior assessment of the potential impacts on the environment;¹⁶*

¹⁴ https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf
B.5.4 p.21

¹⁵ https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf
D.4.2. p. 34

¹⁶ <https://www.cbd.int/climate/geoengineering/>

- c. This moratorium reflects the threat to biodiversity and ecosystem health of geo-engineering reliance when healthier, more effective and fair mitigation and adaptation actions exist. Relying on geo-engineering or climate engineering, while avoiding rapid reduction of root causes driving anthropogenic climate change, could be viewed as a crime against humanity.
- 6. Given that NTCP may present potential risks for the enjoyment of human rights, to what extent do human rights legal obligations require the States to pursue other climate protection policies presenting less risks of harm, including mitigation and adaptation measures?**
- a. We have the scientific findings, and current human rights obligation norms and laws. These should be strengthened, through the Human Rights Council and other international efforts, to hold States to account for the decisions they make on mal-adaptation or mal-mitigation climate action that increases risk of human rights abuses.
- 7. As opposed to focusing on selected few technologies, do you think a holistic and inclusive approach will help reduce any gaps in the existing system for addressing human rights challenges from NTCP?**
- a. Yes, the work of the Human Rights Council and Special Rapporteurs on ‘human rights-based approaches’ to climate action is exceptional, effective and life-affirming.
- 8. What should be the responsibilities of key stakeholders (UN agencies, states, NHRIs, civil society, technical community and academia, private sector) in mitigating the risks of NTCP to human rights and/or fostering its protection?**
- a. Clarity on the obligation to pursue healthy, rapid and fair transformation of human activities (root causes) driving climate change and other environmental destruction, rather than support for NTCP approaches which avoid healthy, rapid and fair transformation of root causes, in turn delay necessary action to avoid catastrophic climate change and the related catastrophic levels of human rights abuses.

Specific questions for civil society organizations

- 1. Please describe the relevant work that your organization has done on the issue of NTCP and human rights. What are the key accomplishments? What challenges has your organization faced?**
- a. We are active observers of the UNFCCC, IPCC and HRC. We are expert reviewers and active observers at the IPCC for human rights language, working closely with OHCHR colleagues to ensure rights language is protected, or encourage inclusion when in the underlying chapters but absent in the SPM. Examples of our IPCC work include:
 - i. <https://quno.org/sites/default/files/timeline/files/2022/IPCC%2055th%20Session%20Impacts%20Adaptation%20and%20Vulnerability%20FCCC%20interventions%20FINAL.pdf>

- ii. <https://quno.org/sites/default/files/timeline/files/2022/IPCC%2056th%20Session%20Mitigation%20of%20Climate%20Change%20-%20FWCC%20interventions.pdf>
- b. And publications:
 - i. <https://quno.org/sites/default/files/resources/HumanRightsBasedApproaches%20FINAL.pdf>
 - ii. https://quno.org/sites/default/files/resources/QUNO_Role%20of%20DRE%20in%20Peacebuilding_FINAL_0.pdf
 - iii. https://quno.org/sites/default/files/resources/Climate%20Justice_August_2016.pdf
- 2. **Should your organization be involved in the use of the NTCP (for instance, in a monitoring role) how would it contribute to the assessment of human rights impacts and ensuring its protection?**
 - a. To date, we do not have the capacity to monitor NTCP on the ground. We work to strengthen peace and justice at the multilateral level, through international law, norms and related agreements.
- 3. **What will be the impact of NTCP on the enjoyment of human rights in the field that your organization covers?**

We believe we have answered this above, in highlighting dangers of NTCP reliance and resulting failure in sufficient and healthy climate mitigation.

- a. **What are the main human rights challenges that these technologies pose?**
We believe we have answered this question in # 6 and 7 in the first section.
- b. **Is the international human rights framework well equipped to address them?**
Again, we have answered this above.
- c. **What are the policy gaps in national policies? What actions at national and international level would be required in order to effectively address these challenges?**
 - i. Sufficient national climate action to reflect their Paris Agreement commitments, especially:

1. *“Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity, Recognizing the importance of the conservation and enhancement, as appropriate, of sinks and reservoirs of the greenhouse gases referred to in the Convention, Noting the importance of ensuring the integrity of all ecosystems, including oceans, and the protection of biodiversity, recognized by some cultures as Mother Earth, and noting the importance for some of*

the concept of "climate justice", when taking action to address climate change (Preamble)¹⁷

2. *Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change; (Art 2.1.a)*
3. *Developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets. Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances. (Art. 4.4)*
4. *Support shall be provided to developing country Parties for the implementation of this Article, in accordance with Articles 9, 10 and 11, recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions. (Art. 4.5)¹⁸*

- ii. National, regional and local legal commitment to, and support for, human rights-based approaches.

4. How should the rights to access information, to participate in environmental decision-making and to access to remedy be applied in the context of NTCP-related research, experimentation, development and deployment?

- a. As described, NTCP too easily threaten greater abuses of human rights and Indigenous Peoples rights. They tend to be planned as ‘large-scale’, demanding significant amounts of land on which people live, and resulting in profound challenges to people’s ability to grow food and source clean water. Access to information, to participate in environmental decision making are ‘human rights-based approaches but they are too easily ignored. We are already seeing geo/climate engineering experiments being planned or implemented without engagement of those who live on the land being experimented on. In many cases, including in democratically elected government countries, people who are affected and pursue a right to information/participation are arrested, and increasing, murdered.

5. How do you evaluate citizens’ awareness of the potential impact of NTCP on human rights? Does your organization have a roadmap to enhance public awareness of the issue?

- a. Most people have no clue what is being proposed under geo/climate engineering, nor grasp that these NTCPs are being pushed by wealthier, extraction economy dependent States and companies that seek to protect current unsustainable and unjust economic systems and profit structures. Even the most basic, day to day changes people can make – such as plant-based diets, reduced travel and

¹⁷ https://unfccc.int/files/meetings/paris_nov_2015/application/pdf/paris_agreement_english_.pdf

¹⁸ https://unfccc.int/files/meetings/paris_nov_2015/application/pdf/paris_agreement_english_.pdf (see Article references after quotes)

consumption, are not encouraged or even explained by government representatives as critical contributions.

6. What are the means to ensure meaningful public participation in the debate and decision-making process over the use and potential risks of NTCP, particularly of those most vulnerable or affected?

- a. As with individual people facing the law, companies and governments should be liable for their environmental/climate destruction, specifically, to take ‘limited’ out of liability in company law to ensure full accountability and responsibility for damages now or contributions to future damages/human rights abuses.
- b. Legal requirement of companies selling NTCP to be fully liable for any damage their research/final product causes.
- c. No NTCP experiments/actions can be conducted in areas without permission from people fully informed of risks, who are living in the affected area.

Specific questions for the technical community and academic institutions

(Answering some of these, are we are members of RINGO – research and independent organizations)

1. How would you differentiate between “new” and “old” technologies for climate protection?

- a. What exists proven to scale, and what does not. CCS and CCUS are not yet deployable to scale, for example, and cannot yet be presented as an active, current alternative. This was raised in the ARG WGIII approval session, and language to reflect lack of ‘to scale’ availability reality was improved as a result. This is important, as some governments are presenting CCS/CCUS to their citizens as a viable current option when it is not – in turn their government policies fail to sufficiently invest in renewable energies and other healthy mitigation options available and cheaper today.
- b. ‘Protection’ should also be a word that is used with caution. We can only ‘protect’ the climate by stopping the human activities driving GHG emissions and concentrations. Failure to transform root causes, as in the case of NTCPs, will lessen our chance for a safer climate – not ‘protect’ it.

2. Which NTCP do you find most important for the global efforts to combat climate change and why?

- a. I am encouraged by the increased emphasis in IPCC reports to ‘conserve and restore ecosystems’ for both land and forests. This is opposed to afforestation and reforestation, which have human rights abuse risks. ‘Conserve and restore’ reflects awareness of the devastating state forests/land is currently in, and the effectiveness both for climate and biodiversity, in healthy and nature regeneration.

3. What will be the impact of NTCP on the enjoyment of human rights in the short-term and the long-term?

- a. Answered above.

- 4. How should the impact of the use of NTCP be assessed and attributed given scientific uncertainty? What is the role for the precautionary approach?**
- a. The role of the precautionary approach is essential. We already have sufficient knowledge of what is happening, the transformations needed, and the current actions/technologies needed to rapidly reduce GHG emissions. The current situation if renewable energies as affordable and healthy is extraordinary, yet most governments are not acting sufficiently to implement, instead seeking to invest in CCS, CCUS, nuclear etc, which cost more and in the case of nuclear, fail to disclose the cost to public tax and danger in storing long term radioactive waste. It is not the ‘cheap clean energy’ narrative so often stated.
 - b. The Human Rights Committee should highlight how renewable energies enable ‘decentralized’ energy ownership, empowering even the poorest to be benefit. The current ‘centralized’ energy systems, and their interest in NTCP, are often privately owned. This poses another conflict of interest – to maintain lucrative control by the few – and risks further human rights.
- 5. Will the current international human rights framework and standards as well as national policies be effective in addressing human rights challenges from NTCP? If not, how can they be improved?**
- a. Answered in previous questions.
6. Do you think that policy efforts to address human rights challenges in NTCP will promote their use or deter it? How to strike a balance between the need to employ technology with the goal of reaching net zero CO2 emissions and the need to protect human rights?
- a. Addressing human rights abuse risks in NTCP will help policy makers understand that relying on NTCP is less effective, more risky, expensive and ultimately extremely dangerous in their detraction from investment into rapid reduction of root causes driving existential levels of global temperature rise. As the AR6WGII report states:
 - i. *The cumulative scientific evidence is unequivocal: Climate change is a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a liveable and sustainable future for all. (very high confidence) {1.2, 1.4, 1.5, 16.2, Table SM16.24, 16.4, 16.5, 16.6, 17.4, 17.5, 17.6, 18.3, 18.4, 18.5, CCB DEEP, CWGB URBAN, WGI AR6 SPM, SROCC SPM, SRCCL SPM}*¹⁹

We stress the phrase, ‘liveable and sustainable future for all’, and thank the Human Rights Committee for this opportunity to submit.

Lindsey Fielder Cook (she/her)

¹⁹ https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf
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Representative for Climate Change
Quaker United Nations Office
Geneva



Email. lfcook@quno.ch

Tel. [+ 41 22 748 4800](tel:+41227484800)

Cell. [+44 7934 45 3471](tel:+447934453471)

Web : www.quno.org

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