**Human Rights Council Advisory Committee**

**Questionnaire on the impact of new technologies for climate protection on the enjoyment of human rights [[1]](#footnote-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.*

**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.

* *SRM: At the current rate of the global crisis and increasing risk to people residing in most vulnerable countries, impacts of climate change and taking away the fundamental human rights to children and youth. During this period, it is essential that researchers and academia form Global South get the opportunity to learn and support ongoing research in solar climate interventions.*
* *Forestation and other NbS: Though well known, the scale at which forestation and other NbS are applied can have a very negative impact on local communities. In the past decades, forests have been cut down only to be replanted for carbon credits etc. These have huge consequences on indigenous communities who are the true owners of many lands and forests marked for nature-based carbon sequestration. Hence, a greater attention must be given to these approaches.*

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

* *SRM: Solutions such as marine cloud brightening has the capacity to save humanity in the short-term while we work to reduce global emissions over the next 25-50 years where net zero is being promised by many countries. Between now and 2100, the intensity and frequency of climate hazards are only going to worsen. To protect human lives, SRM technologies should be strengthened, especially across the most vulnerable countries to protect our basic rights.*

1. 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?

* *Forestry remains one of the most critical aspects of NTCP that threatens human rights and have resulted to the death of earth defenders due to land grabbing and encroachment into indigenous lands without consent.*
* *Some other issues arising in NTCP relates to governance and operationalization at scale. The technologies in question are the ones that are currently being piloted on indigenous lands as well those that require a cross-boundary air space to function but does not have a multilateral framework on how the operational phase could look like. This requires further research into governance and ownership into the deployment of such technologies.*

1. 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?

* *Accessibility, fairshare and equity in deploying NTCP threatens the wellbeing and the rights to a healthy environment of the most vulnerable communities. If NTCP are to be developed and operationalized, it must invest in ensuring a just and equitable way by providing capacity to individuals and researchers from Global South to contribute to ongoing research in NTCP as well as its governance and deployment. Especially, young people who will live to witness the large-scale implementation of NTCP.*

1. 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.

* *There is not adequate human rights framework at the moment. This can be witnessed by the ongoing gaps in the nature-based NTCP which are being implemented and have resulted in the trading of forests to private sector for carbon reduction or offsetting schemes. For SRM technologies that are in research phase, there have to be new frameworks that are built upon the principles of local consent and understanding of the technology, fair share and justice (polluting countries must pay for the deployment of NTCP in most vulnerable countries where climate change has also resulted in economic losses and degraded human rights), knowledge sharing, and co-governance among different stakeholders.*

1. 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?

* *Business as usual has already changed the natural climate system. At this point, NTCP should be allowed just as other mitigation and adaptation efforts unless empirical research proves that there is definitely short-term high risk that degrades human rights efforts. In both mitigation and adaptation, though mainstream, there are still many lessons that have been learnt from implementation and are being improved.*

1. 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?

* *Yes. However, the different NTCP have varied risks and human right implications. A case-by-case review may offer a better opportunity for early deployment for some solutions.*

1. 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?

* *Developing an inter-governmental framework that ensures a fair, just and equitable deployment of all NTCP.*

**Specific questions for UN Agencies**

1. Please describe the relevant work that your organization/agency/body has done on the issue of NTCP and human rights. What have been the key challenges and accomplishments? What lessons were learned in the process? How and to what extent is the human rights approach included in the design and implementation of the policies undertaken by your organization in this area? How is human-rights impact analyzed and assessed?
2. Could your organization be involved (for instance, in supporting, financing or monitoring role) in the use of the NTCP in the future? If so, how would it contribute to the protection and promotion of human rights?
3. Are there or do you expect any opportunities for your organization to collaborate with other organizations on the issue of NTCP and human rights? What challenges do you anticipate?

**Specific questions for States**

1. In your country, what are the main human rights challenges arising from the implementation of climate change national plans and policies? List and describe them briefly.
2. Is your country involved in or supports in any way the development, implementation or use of NTCP?
3. What measures, if any, (legislative, administrative, institutional, or other) have been put in place to regulate the use of NTCP? Have the human rights challenges arising from such activity been taken into account in their adoption?
4. In your country, which government agency has the initiative in the decision-making related to NTCP policies? If so, to what extent does the agency take the human rights issues into account in its agenda and decisions?

**Specific questions for National Human Rights Institutions**

1. Please describe the relevant work that your organization has done on the issue of NTCP and human rights. What have been the key challenges and accomplishments?
2. How may the use of NTCP impact the enjoyment of human rights in your country? Is there any group that may be disproportionally affected? 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?
3. What are the gaps in national policies? What national and international actions would be required to effectively address these challenges?
4. Has your country used or does it consider using NTCP? If so, how does your organization act or intend to act to protect and promote human rights? What methodology do you use or propose to analyze and assess the impact on human rights of NTCP?

**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?

* *Green Africa Youth Organization (GAYO) is working with different partners across Africa to build the capacity of young people on NTCP such as SRM which are not very familiar within the Africa context. So far, we have been able to raise awareness to over 200 young people on NTCP and raising their interest to pursue higher eduction in the fields of NTCP.*
* *The challenges we face are the lack of practical case studies that are applicable to the context of Africa, as well as inadequate institutions offering research in NTCP which we can point young people to. We have to rely a lot on research spearheaded by groups in the Global North.*

1. 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?

* *By ensuring that NTCP do not reverse the progress attained in my local communities with regards to human rights and resilience to climate change. This will be done by ensuring local communities have the capacity to understand and contribute to NTCP implementation in a fair manner.*

1. What will be the impact of NTCP on the enjoyment of human rights in the field that your organization covers? What are the main human rights challenges that these technologies pose? Is the international human rights framework well equipped to address them? 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?

* *In many African countries where we have held conversations on NTCP, local governments do not have any policy guidance or framework in place to ensure safe implementation of projects under NTCP. The actions required are increased in awareness, capacity to support research at the national or regional level.*
* *Leveraging local academic and CSOs to increase awareness and education on near term climate risks and the urgent need for NTCP.*

1. 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?

* *Similar to mainstream mitigation and adaptation, the decision-making of NTCP research should include a wide range of stakeholders including residents, experts and policy actors. Most importantly, communities that will be affected the most by the impacts of NTCP should be consulted with during each decision making process.*

1. 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?

* *GAYO assess citizens awareness through public debates and commentary on climate change and its impacts. For the next 3 years, up until 2025, we are focused to create awareness, educate the public on NTCP and build their interest in exploring diverse engagement opportunities with the sector. This is done through media talks, events such a seminars, as well as holding focus group discussions relevant to NTCP.*

1. 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?

* *This is mainly through knowledge sharing and convening gatherings that brings the most relevant stakeholders to dialogue and co-create a pathway to the development, deployment and use of NTCP.*

**Specific questions for the technical community and academic institutions**

1. How would you differentiate between “new” and “old” technologies for climate protection?
2. Which NTCP do you find most important for the global efforts to combat climate change and why?
3. What will be the impact of NTCP on the enjoyment of human rights in the short-term and the long-term?
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?
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?
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?

**Specific questions for the private sector**

1. Is your company or sector involved or will it be involved in the use of NTCP? How? Does your company take into account human considerations while assessing the risks and potential impact of the use of these technologies?
2. What would you identify as the key benefits and risks for human rights associated with these technologies in the short-term and the long-term? What needs to be done (at the company, state or global level) to avoid or mitigate possible risks?
3. How can human rights due diligence be enhanced in the private sector in response to the existing human rights concerns that arise in relation to the use of NTCP?
4. What is the policy of your company or sector vis-a-vis public involvement in decision-making process on the development and use of NTCP?

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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.). [↑](#footnote-ref-1)