**Special Rapporteur on Climate Change: Consultation Interventions**

Catherine Murupaenga-Ikenn, 2022 June 23

To: hrc-sr-climatechange@un.org

**Introduction**

1. Kia ora/ greetings, and thank You for this opportunity to offer My top action recommendations[[1]](#footnote-1) under the Special Rapporteur’s mandate, with particular emphasis on loss and damage.
	1. Note that, as is humanity’s existential predicament, please assume all these recommendations concerning climate crisis mitigation and adaptation (**CCMA**) are urgent (without Me having to explicitly repeat that throughout this intervention).
	2. I imagine all these ideas will be familiar to the Special Rapporteur given the many frustrating years – if not decades and generations – that climate crisis has been ‘on humanity’s radar’. Therefore, if there’s one over-arching recommendation I would make it would be to call on all decision-makers and the ‘powers that claim to be’ to stop with the rhetoric and just get on with what needs doing!

**Recommendations**

***Indigenous Rights***

1. *Recognising* that traditional indigenous values, science and wisdom is inherently Life-nurturing (as opposed to their disaster capitalistic Life-destroying counterparts), and therefore holds the key to solution-building for humanity’s converging crises, FULLY PROTECT indigenous rights, including implementing Te Tiriti o Waitangi[[2]](#footnote-2) in Aotearoa, and the UNDRIP.[[3]](#footnote-3)

***Environment***

1. *Recognising* that without a habitable biosphere human civilisation (if not humanity as a species itself) will perish in the near-term:
	1. REPAIR AND PROTECT the environment, especially in so far as providing oceanic, soil, hydrological and water, food, natural health remedies and other securities;
	2. GIVE EFFECT TO the international crime against humanity of Ecocide,[[4]](#footnote-4) including the dimensions of aquacide (destruction of water bodies, waterways, aquifers and such) and terracide (destruction of soil);
	3. INCLUDE reduction of GHG-emitting munitions and military actions on all UNFCCC COP agendas; and
	4. FULLY PROTECT environmental and human rights defenders against unjust laws which would demonize them as a threat to society, when in truth they are the ones fighting to save People and the Planet from the real terrorists: i.e., any and all human rights-violators (whether public or private actors in their individual, State or corporate capacity).
2. *Recognising* that:
	1. techno fixes are in many cases false CCMA solutions; and
	2. For decades, civil society activists,[[5]](#footnote-5) from indigenous peoples[[6]](#footnote-6) to scientists,[[7]](#footnote-7) have been warning about geoengineering and its devastating effects[[8]](#footnote-8) - particularly solar radiation management, or aerosol spraying[[9]](#footnote-9):

ENSURE the 2010 UN CBD geo-engineering moratorium[[10]](#footnote-10) is fully enforced.[[11]](#footnote-11)

***Economic***

1. CREATE an economy of “enough” – integrating the notion of “public luxury, private sufficiency”.[[12]](#footnote-12)
2. ENSURE equitable wealth distribution in society, including progressive tax reform to alleviate poverty, and generate the resources needed to finance an effective CCMA plan.[[13]](#footnote-13)
3. DEVELOP AND IMPLEMENT CCMA-focused Business Human Rights National Action Plans.[[14]](#footnote-14)

***Energy***

1. OPTIMISE energy efficiency across society (minimise energy losses), and IMPLEMENT a “closed loop” [[15]](#footnote-15)/ circular[[16]](#footnote-16) economy and society (minimise - and in many areas as possible eliminate - waste).

**Societal**

1. **ENSURE NZ Constitutional transformation (to support CCMA), with Māori free, prior and informed consent, is progressed in a timely way.**

**Climate justice**

1. I also support the People’s COP26 Decision for Climate Justice’s[[17]](#footnote-17) 10 recommendations to help address UNFCCC [COP failings](https://eu.boell.org/en/2021/12/16/false-solutions-prevail-over-real-ambition-cop26):
	1. **Global North countries pay their climate debt.**
	2. **Deliver a Global Goal for Adaptation.**
	3. **Address climate injustice and pay up for Loss and Damage.**
	4. **Deliver your fair share of action (re NDCs/ emissions targets).**
	5. **Reject False Solutions (**[carbon markets](https://www.scidev.net/global/road-to-cop27-nature-people-and-carbon-markets/)**, ‘Net zero’, geoengineering, false *‘*nature based’ solutions, or ‘renewables’…especially insofar as they** [imperil indigenous peoples](https://www.reuters.com/business/cop/rights-groups-warn-paris-pact-rules-carbon-markets-leave-indigenous-people-2021-11-12/)**).**
	6. **Protect Human Rights.**
	7. **Remove Big Polluters from UNFCCC decision-making processes (that goes double for industrial fossil fuel, agricultural, military and other GHG high-emitting complexes).**
	8. **Deliver Just Transitions: And, I would add, dismantle courts that give corporations the ability to sue governments for climate action that may harm the corporation’s profit-making (e.g. re the** [Energy Charter Treaty](https://www.cnbc.com/2021/11/24/climate-the-fight-to-dismantle-the-little-known-energy-charter-treaty.html)**, or Trade Agreements with** [Investor to State Dispute Settlement](https://waronwant.org/news-analysis/just-transition-against-trade-rules-lets-change-them) **[ISDS] mechanisms).**
	9. **Co-operation and Solidarity: And, I would add:**
		1. **make** [food security the major theme](https://www.un.org/en/food-systems-summit/news/un-special-envoy-calls-focus-food-next-climate-talks-limit-global-heating-and) **at COP27 – links to industrial agricultural issues, agro-ecology (reforestation), freshwater security, ocean protection, building community resilience, corporate supply chain transparency, toxic chemical pollution, etc. But note the risk of** [corrupt UN Food Systems Summit officials](https://www.aljazeera.com/opinions/2021/7/25/here-is-why-we-are-boycotting-the-un-food-systems-summit) overtaking the climate policy space; and
		2. Reduce over-consumption.
	10. **Include the People. And, I would add:**
	11. **at UNFCCC meetings;**
	12. **support the creation of People’s Assemblies to hold elected officials accountable; and**
	13. **Support more of what youth want – including giving 16 year olds the right to vote in local and general elections.**

Ngā mihi/ regards,

Catherine Murupaenga-Ikenn

(Of the Te Rarawa and Ngāti Kurī Māori peoples, Aotearoa New Zealand)

* B.L/B.Soc.Sci, LLM
* ***United Nations Office of the High Commissioner for Human Rights***
* *Research Consultant, Special Rapporteur on the right to Freedom of Religion or Belief*
* *Senior Indigenous and Minorities Fellow, Pacific Region (2020-2021)*
* *Indigenous Fellow, Pacific Region (2005)*
1. The headings below are adapted from the Aotearoa ‘Pathway 4 Survival’ movement’s climate crisis “solutions”, details accessible at <https://www.climatejusticenow.nz/wp-content/uploads/2022/05/Pathway-to-Survival-Four-Page-2022-05-12-v17.pdf>. [↑](#footnote-ref-1)
2. <https://waitangitribunal.govt.nz/treaty-of-waitangi/meaning-of-the-treaty/>. [↑](#footnote-ref-2)
3. The New Zealand Government is undertaking its public consultation on UNDRIP implementation. For more details, see <https://www.tpk.govt.nz/en/whakamahia/un-declaration-on-the-rights-of-indigenous-peoples>. [↑](#footnote-ref-3)
4. <https://ecocidelaw.com/>. [↑](#footnote-ref-4)
5. E.g. see [HOME](https://www.handsoffmotherearth.org/) (Hands Off Mother Earth) campaign; [Geoengineering Monitor](https://www.geoengineeringmonitor.org/); the ETC (Action Group on Erosion, Technology and Concentration) website on climate and [geoengineering](https://www.etcgroup.org/issues/climate-geoengineering); [geoengineeringwatch.org](https://www.geoengineeringwatch.org/), especially the [information fliers](https://www.geoengineeringwatch.org/climate-engineering-fact-and-photo-summary/) uploaded to its website – and others. [↑](#footnote-ref-5)
6. E.g. see indigenous peoples in 2009 denouncing the climate change “false solution” of geo-engineering (the [Anchorage Declaration](https://unfccc.int/resource/docs/2009/smsn/ngo/168.pdf), para 6); the 2017 video from the [Indigenous International Forum on Biodiversity](https://www.c2g2.net/views-indigenous-peoples-geoengineering-research-governance/); C Murupaenga-Ikenn’s notes from the 2018 (Wellington) Pacific Climate Change Conference Workshop, “Engaging Pacific Islands on Geoengineering Research”; [objections by the Saami](https://insideclimatenews.org/news/07072021/sami-sweden-objection-geoengineering-justice-climate-science/?utm_source=InsideClimate+News&utm_campaign=8281fac1d0-&utm_medium=email&utm_term=0_29c928ffb5-8281fac1d0-328470692) reported in 2021, and many others. [↑](#footnote-ref-6)
7. E.g. see this 2008 article in the Bulletin of Atomic Scientists, [“20 Reasons why geoengineering may be a bad idea”](https://climate.envsci.rutgers.edu/pdf/20Reasons.pdf). [↑](#footnote-ref-7)
8. For more background, see my [2017 Opinion piece](https://www.nzherald.co.nz/northern-advocate/news/opinion-geoengineering-truth-darkens-horizon/ICD7WEAWK4JKT6EOIATR4IDYHA/) published in the Northern Advocate. [↑](#footnote-ref-8)
9. E.g. see this [EcoWatch article and explanation](https://www.ecowatch.com/solar-geoengineering-risks-climate-change-2623070339.html). [↑](#footnote-ref-9)
10. <https://www.cbd.int/climate/geoengineering/>. [↑](#footnote-ref-10)
11. On 14 December 2021, the Brookings Institute published its report, “[Preparing the United States for security and governance in a geoengineering](https://www.brookings.edu/research/preparing-the-united-states-for-security-and-governance-in-a-geoengineering-future/) future”. It describes a ‘hypothetical’ scenario of secret USA geoengineering deployment ostensibly under the guise of climate crisis mitigation, but ultimately making the planet disastrously hotter, disrupting food supply, poisoning our planet and destroying our Ozone (expert opinion being that these, and other deadly impacts, will be the probable outcome of said technology deployment). This report comes after COP26 failed, once again, to produce any outcomes that will meaningfully mitigate climate crisis, thereby creating more interest in (and pressure to implement) false ‘techno-fix’ geoengineering solutions (See for example [this Financial Times article](https://www.ft.com/content/ae6a8e8f-94db-4f06-a377-343a84e9be4d); this [ETC Group reflection article](https://www.etcgroup.org/content/cop26-resembles-global-trade-fair-geoengineers-big-ag-and-big-dat); and this [Institute of Electrical and Electronics Engineers (IEEE) article](https://spectrum.ieee.org/solar-geoengineering) speculating research could begin again in 2022). While it’s good that the report is warning about the insanity of geoengineering, at the same time the report makes the case for the United States to “prepare itself for the risks and uncertainties that come along with their potential deployment.” In other words, geoengineering is anticipated to be a fait accompli – unless citizens front-foot sufficient opposition to ensure it goes no further. (Worse, there is much compelling evidence that geoengineering is already in routine operation by many States, and has been for decades - For instance, China has been operating weather modification programmes since at least the 2000’s: e.g. see this [2009 ABC News item](https://www.abc.net.au/news/2009-11-11/artificial-snowstorm-brings-chaos-to-beijing/1138460); this [2018 Forbes article](https://www.forbes.com/sites/trevornace/2018/05/10/china-is-launching-a-massive-weather-control-machine-the-size-of-alaska/?sh=7cfd75a46315); and this [2021 Guardian report](https://www.theguardian.com/world/2021/dec/06/china-modified-the-weather-to-create-clear-skies-for-political-celebration-study)). [↑](#footnote-ref-11)
12. <https://www.theguardian.com/commentisfree/2017/may/31/private-wealth-labour-common-space>. [↑](#footnote-ref-12)
13. For more information, see My interventions on the New Zealand Government’s Taxation (Annual Rates for 2021-22, GST, and Remedial Matters) Bill here: <https://www.parliament.nz/resource/en-NZ/53SCFE_EVI_115767_FE2557/61d2a37d734c6ce0410a41ed98a8e94362042acf>. [↑](#footnote-ref-13)
14. See <https://www.ohchr.org/en/special-procedures/wg-business/national-action-plans-business-and-human-rights>. Note NZ doesn’t have one, despite the fact that NZ has a[wellbeing policy framework led by Treasury](https://www.treasury.govt.nz/information-and-services/nz-economy/higher-living-standards/he-ara-waiora?fbclid=IwAR3P0QIK59ASUf_xqocJBhGfdu_kpWb_-dMlX6S08av2DiKbOZXxOVCLCAM)**.** [↑](#footnote-ref-14)
15. <https://closedloop.com.au/>. [↑](#footnote-ref-15)
16. <https://www.unep.org/circularity>. [↑](#footnote-ref-16)
17. For full details, see <https://cop26coalition.org/the-peoples-cop26-decision-for-climate-justice/>. [↑](#footnote-ref-17)