

# Indigenous groups submit recommendations on climate change to the UN Commission on Human Rights

Friday, 25 February 2005

February 25th - The UNCHR is composed of 53 States and meets each year in regular session in March/April for six weeks in Geneva. In the next session between March 14 – April 22, the Indigenous Environment Network has submitted an intervention with three recommendations. The main recommendation is requesting the Commission authorize a Special Rapporteur on Climate Change and Human Rights, with the mandate to examine the relationship between human rights and climate change. Additionally the groups recommend that the UNCHR look at the effect that emissions trading in the Kyoto Protocol has on indigenous peoples' human rights.

The submission:

United Nations Commission on Human Rights, 61st Session

March 14 – April 22, 2005

Agenda item 17(d): Promotion and Protection of Human Rights, Science and Environment

Written intervention by the International Indian Treaty Council (IITC), and its affiliate, the Indigenous Environmental Network (IEN).

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To many Indigenous Peoples – North and South - carbon trading, as a solution to climate change and global warming, is a new form of colonialism that infringes on the human rights of Indigenous Peoples and local communities. As a matter of human rights we are concerned with the claim of governmental leaders that carbon trading will halt the climate crisis. The mining of fossil fuels and the release of their carbon to the oceans, air, soil and living things have caused this crisis more than anything else. This excessive burning of fossil fuels is now jeopardizing Mother Earth's™ ability to maintain a sustainable climate.

Governments, export credit agencies, corporations and international financial institutions continue to support and finance fossil fuel exploration, extraction and other activities that worsen global warming, such as forest degradation and destruction on a massive scale, while dedicating only token sums to renewable energy. It is particularly disturbing that the World Bank has recently defied the recommendation of its own Extractive Industries Review which calls for the phasing out of World Bank financing for coal, oil and gas extraction.

The emission reductions that the Kyoto Protocol established for industrialized countries were only 5.2% below 1990 levels – which most scientists agree is completely inadequate to effectively address global warming. Even these inadequate targets are being evaded through schemes such as carbon emissions trading including the establishment of carbon – sinks – like monoculture tree plantations – mainly in the Global South. These schemes are being embraced by the very corporate entities that are destroying the Mother Earth. Meanwhile destruction of true carbon reservoirs like native forests continues, leading to more releases of greenhouse gases.

Communities disproportionately impacted by climate change and the questionable "solutions" put forward by the carbon trading mechanisms, sinks projects and continued fossil fuel exploration, extraction and burning, include small island states, whose very existence is threatened, as well as Indigenous Peoples, the poor and the marginalized, particularly women, children and the elderly around the world. We must be concerned of the immediate danger to the continuation of the way of life of the Indigenous Peoples of the Arctic-regions who are watching their world melt before their eyes.

The November 2004 Arctic Climate Impact Assessment (ACIA), authorized by the ministers of foreign affairs to the Arctic Council, demonstrate that, for Inuit and other Indigenous Peoples of the Arctic-regions, climate change is very real. The Arctic Council is a body comprised of Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the United States. The assessment report projects massive thinning and depletion of sea-ice, with the result that ice-inhabiting marine species of seals, walrus, and polar bear will be pushed to extinction by 2070-2090. Many Inuit, Inupiat, Yupik and Athabascan Indigenous Peoples of Alaska, United States and the Inuit of Canada and other regions of the Arctic-Circle are experiencing increasing difficulty in predicting weather and environmental conditions. Hunters have even perished by falling through the sea-ice when traveling to hunting territories across formerly safe areas.

Global warming is threatening the ability of Indigenous Peoples of the northern climates to survive as a hunting-based culture. Seals, whales, walrus, caribou, and other species provide highly nutritious food, and provide a deep cultural and spiritual connection with the natural environment.

The connection between the sustainable livelihood of Indigenous Peoples worldwide and the negative affects of global warming is undeniable and the need to address climate change as a human right issue is urgent. Climate change is not a theoretical concern for Indigenous Peoples worldwide as exemplified by the Indigenous Peoples of the Arctic, but a genuine threat to our health and our physical and cultural survival. Both within the United States and around the world, the effects of countries and the fossil-fuel industry to fail to address global warming may soon be measured in countless lives lost to adverse impacts.

The refusal of United States, Canada, and other industrialized governments and international financial institutions like the World Bank to force corporations to phase out use of fossil fuels is causing more and more military conflicts around the world, magnifying social and environmental injustice and violations of human rights.

We call once again, to your attention the human rights implications concerning the legitimacy of the World Bank's Prototype Carbon Fund (PCF). The PCF is an instrument to commodify the atmosphere, promote privatization and concentrate resources in the hands of a few, taking away the rights of many to live with dignity. The PCF is not a mechanism for mitigating climate change. It legitimizes a market for an indefinable "commodity", but in fact cannot be reliably described, quantified or verified. It is neither "carbon" nor pollution that is being traded, but people's lives and paper certificates claiming to be carbon credits. The carbon offset culture and emissions trading carries with it concerns of human rights violations, especially with our Indigenous communities within the southern hemisphere of the Americas.

History has seen attempts to commodify land, food, labour, forests, water, genes and ideas. Carbon trading follows in the footsteps of this history and turns the earth's carbon-cycling capacity into property to be bought or sold in a global market. Through this process of creating a new commodity "carbon" the Earth's ability and capacity to support a climate conducive to life and human societies is now passing into the same corporate hands that are destroying the climate.

The governmental leaders have not adequately nor openly discussed the topic of property rights to the atmosphere and whether fossil fuel polluters have the right to dump millions of tons of carbon dioxide into the common air space.

The ruination and destruction of the way of life of Indigenous Peoples brought about by climate change as a direct result of release of greenhouse gas emissions amounts to a violation of the fundamental human rights of Indigenous Peoples. The failure to take remedial action by the United States and other industrialized countries most responsible for this

human-induced climate change constitutes a violation of the human rights of Indigenous Peoples, specifically the right to life, health, culture, means of subsistence, and property.

The International Indian Treaty Council and its affiliate, the Indigenous Environmental Network, reaffirms its requests that the human rights consequences of climate imbalance for Indigenous Peoples be addressed by urging the 61st Session of the UN Commission on Human Rights to adopt a resolution which:

a) The Commission authorize a Special Rapporteur on Climate Change and Human Rights, with the mandate to examine the relationship between human rights and climate change.

b) Requests that the Office of the UN High Commissioner on Human Rights conduct an expert consultation, seminar or workshop on Indigenous Peoples, human rights and climate change. The seminar should focus on preparing a report ascertaining how international activities such as the UNFCCC, Kyoto Protocol, World Bank Prototype Carbon Fund, and other international, regional, national and local activities, policies and mechanisms on climate change, carbon emissions trading, sinks and large scale tree plantations and mitigation and adaptation planning activities. The seminar should issue a report on the effect of these activities on the rights of Indigenous Peoples, and how they fail to make recommend appropriate linkages with existing international human rights standards; and

c) This Commission should recommend to the United Nations Framework Convention on Climate Change (UNFCCC) to strongly consider, as a matter of human rights, the creation of an Inter-Sessional Ad hoc Working Group on Indigenous Peoples and that this resolution address the need for financial and capacity building mechanisms to be developed for full and effective participation of Indigenous Peoples in all UNFCCC meetings, including Subsidiary Bodies, with specific reference to vulnerability, adaptation, poverty, and other impacts of climate change.