



Utrecht University

Faculty of Law, Governance, and Economics

School of Law

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Human rights and climate engineering policy

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Paris Agreement

Preamble

... Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights...

Human rights and climate engineering

This article discusses arguments that manipulating the Earth's climate may provoke unforeseen, unintended and uncontrollable consequences that threaten human rights.

Potential Threats to Human Rights from Deployment of Geoengineering Options

THE RIGHT TO FOOD

THE RIGHT TO HEALTH

THE RIGHT TO WATER

THE RIGHT TO LIFE

What are human rights?

- Rights that all people can claim by being human
- Ethical, political and legal understandings
 - Legal = in treaties
 - “their respective obligations” in Paris Agreement
- Promises states make about how they’ll (not) treat people

Human rights and climate engineering [1/4] CE as *scientific research*

- Right to “enjoy the benefits of scientific progress and its applications”
- “the freedom indispensable for scientific research”
 - Plus “the right to hold opinions” and “freedom of expression”
- Right to “benefit from the protection of the moral and material interests resulting from any scientific... production”
- [Parties shall take steps “for the conservation, the development and the diffusion of science”]

Source: International Covenant on Economic, Social and Cultural Rights arts. 15, 19
See also the Charter of Fundamental Rights of the European Union art. 13.

Human rights and climate engineering [2/4] CE as *human subjects research* (SRM field tests)

- “no one shall be subjected without his free consent to medical or scientific experimentation”
 - Groups?
- To protect vulnerable people and groups
 - People with disabilities
 - Children?
 - Soft law agreements

Human rights and climate engineering [3/4] CE as a *governmental process*

- Right to “seek, receive and impart information and ideas of all kinds”
- Right to “to take part in the conduct of public affairs, directly or through freely chosen representatives”
- Right to access legal remedies if their human rights have been violated

Source: International Covenant on Civil and Political Rights arts. 2.3, 19.2, 25(a)

Human rights and climate engineering [4/4] CE as *having substantive impacts*

- Right to “the highest attainable standard of... health”
- Right to “an adequate standard of living”
 - “including adequate food, clothing and housing”
- Right to “be free from hunger” and for a people not to “be deprived of its own means of subsistence”

Source: International Covenant on Economic, Social and Cultural Rights arts. 1.2, 11, 12.1



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