



## INDIGENOUS ENVIRONMENTAL NETWORK

February 7, 2019

### TALKING POINTS ON THE AOC-MARKEY GREEN NEW DEAL (GND) RESOLUTION

*The Indigenous Environmental Network applauds the Green New Deal resolution for its vision, intention, and scope. With this resolution, Representative Ocasio-Cortez (Resolution House of Representatives) and Senator Markey (Resolution US Senate) have begun a critical process to change the national conversation in regards to addressing the climate crisis at hand. From sea level rise to loss of land to food insecurities, Indigenous frontline communities and Tribal nations are already experiencing the direct impacts of climate change, and we are encouraged to see these congressional leaders take charge to help Indigenous communities and Tribal nations protect their homelands, rights, sacred sites, waters, air, and bodies from further destruction.*

*However, while we are grateful to see this support by the Representative and Senator, we remain concerned that unless some changes are made to the resolution, the Green New Deal will leave incentives by industries and governments to continue causing harm to Indigenous communities. Furthermore, as our communities who live on the frontline of the climate crisis have been saying for generations, the most impactful and direct way to address the problem is to keep fossil fuels in the ground. We can no longer leave any options for the fossil fuel industry to determine the economic and energy future of this country. And until the Green New Deal can be explicit in this demand as well as closing the loop on harmful incentives, we cannot fully endorse the resolution. We remain supportive of Representative Ocasio-Cortez and Senator Markey's aspirations and hope to be constructive partners in actualizing the goal of generating radical change in the fight to protect the sacredness of Mother Earth.*

*Below is a detailed assessment of the main problems we see in the current language of the Green New Deal:*

### **Net Zero Emissions**

The primary goal of the AOC-Markey Green New Deal (GND) Resolution is to “achieve net-zero greenhouse gas emissions”. We reject net-zero emissions language (as well as carbon neutral and zero-carbon) because it implies the use of carbon accounting that includes various types of carbon pricing systems, offsets and/or Payments for Ecological Services (PES). The use of this language opens up space and opportunity for fossil fuel industries to continue the business-as-usual practices of extraction, transport and combustion. In addition, the industry’s most responsible for climate change – fossil fuel industries – obtain more profits through the use of market mechanisms built into carbon pricing systems that include offsets and PES. This language is the opposite of what we have been demanding. It appears that the policy-makers who use this language are failing to listen to us. First and foremost, if we are to stop climate change, we must create a plan to keep fossil fuels in the ground that includes cutting off subsidies and tax breaks.

Further, net zero emissions and carbon neutrality inherently imply that the reduction of carbon and other greenhouse gases (GHG) emissions can be met through carbon market systems and other techno-fixes. In addition, the language in the AOC-Markley resolution includes financing for green infrastructure which is undefined in the document. Geoengineering technologies such as Carbon Capture Sequestration (CCS), Carbon Capture Use and Storage (CCUS) and Bioenergy with Carbon Capture and Storage (BECCS) are examples of techno-fixes that can be claimed as producing net zero emissions as well as building green infrastructure. However, these techno-fixes are expensive, unproven, unjust and do not address the root causes of climate change nor support environmental justice. BECCS opens the door for biomass energy, afforestation and more forest offset systems such as REDD+. Carbon trading allows polluters to buy and sell permits to pollute instead of cutting air pollution at source. Carbon trading privatizes the air that we breathe. It turns the atmosphere into the private property of polluters.

### **Renewable and Clean Energy Needs to Be Clearly Defined**

"Renewable Energy" and "Clean Energy" need to be clearly defined in the AOC-Markey GND Resolution. Any definition should exclude all combustion-based energy facilities, such as

the burning of "bridge fuels" like fracked gas, as well as municipal solid waste and biomass incinerators, and nuclear energy and large-scale hydroelectric dams. These so-called renewable energy systems pose major environmental justice concerns. Presently all of these dirty energy options are heavily subsidized through various Renewable Energy (RE) incentives, like state-based Renewable Portfolio Standards (RPS), and other financial credits as well as tax and regulatory loopholes.

### **Restoring Natural Ecosystems and Restoring and Protecting Threatened, Endangered, and Fragile Ecosystems**

The AOC-Markey GND Resolution links the restoration and protection of fragile and natural ecosystems to the removal of greenhouse gases, to reducing pollution, to enhancing biodiversity and supporting climate resiliency. We are concerned that these restoration projects would be used as climate mitigation schemes.

Forests are part of these ecosystems where international, national and jurisdictional climate change policies trade forest rights with increased pollution. The programs commodify or "financialize" Nature. "Investment for forest protection" is rapidly becoming part of the vocabulary of the nature conservation debate. It is a process which separates and quantifies the Earth's cycles and functions – such as carbon, water, forests, fauna and biodiversity – turning them into "units" to be sold in financial and speculative markets.

For example, in the State of California, the cap-and-trade system brokers carbon offsets. It is cheaper for the polluting oil refineries to buy the so-called carbon in these trees rather than reduce emissions at the source. Globally, these mechanisms are called Reducing Emissions from Deforestation and Forest Degradation (REDD+). In addition, this mechanism may be influenced by the involvement of the forestry and biotech industries and includes untested and unnatural methods of conservation, management of forests and enhancement and replacement of forest resources and carbon stocks.

Forest carbon offsets neither protect forests nor reduce emissions. They allow continuation of business as usual. This is part of the "green economy" that places a monetary price on Nature and creates new derivative markets that will only increase the destruction of Mother

Earth. We cannot put the future of Nature and humanity in the hands of financial speculative mechanisms using the forests, agriculture, soils and algae as carbon offsets.

### **Compensation for Farmers**

As with the rest of the Resolution, the language that refers to compensation to farmers is unclear regarding the type of farming the plan would compensate. We are concerned that the compensations might include funding for GMOs and/or Climate Smart Agriculture (CSA) that can be used as offsets or what is called carbon farming.

### **Strengthen Language on Indigenous Peoples and Upholding Indigenous Rights**

In the section that's reads, "It is further *resolved* that a Green New Deal must be developed in transparent and inclusive consultation, collaboration, and partnership with frontline communities, labor unions, worker collectives, civil society groups, academia, and businesses [hereafter referred to as "stakeholders"].

Commentary: This section exemplifies the need for inclusion of Tribes or the term Indigenous Peoples. Paragraph 13 (below) includes an edited description of the terms Tribes and Indigenous Peoples. The government-to-government relationship of Tribes and the United States means that the U.S. government not treat Tribes as mere "stakeholders" or simply as part of the general public. Tribes, their tribal members and indigenous communities are rights-holders.

Paragraph 13. That reads, "Obtaining the voluntary, prior, and informed consent of Indigenous peoples for all decisions that affect them, honoring all treaties with Indigenous peoples, and protecting and enforcing the sovereignty and land rights of all Indigenous peoples;" Replace with the following:

*"The Green New Deal must be developed in transparent and inclusive consultation, collaboration, and partnership in recognition of the sovereignty and self-determination of federally recognized American Indian and Alaska Native Tribes and villages including all inherent rights secured under treaties, statutes, executive orders and federal and state court cases. These projects will also include other Indigenous Peoples that includes Indigenous organizations, Tribal universities and colleges, Native Hawaiian organizations and State recognized Tribes."*

Follow with a new Paragraph to address FPIC, to read as follows:

*“Acknowledge the recognition of Tribes that develop and implement their own Free, Prior and Informed Consent (FPIC) laws and protocols regarding any development that impacts Indian Country, inclusive of their lands, waters, territories and resources; and off-reservation hunting, fishing, medicine gathering, food gathering, cultural and spiritual practices. In the absence of Tribes implementing laws and protocols on FPIC, the federal policies on meaningful consultation with Tribes must be fulfilled.”*

**Therefore:**

Without a direct denunciation of: 1) a clear commitment to keeping fossil fuels underground; 2) rejecting carbon pricing mechanisms including forest, conservation and biodiversity carbon offsets as an unjust and false solution that ultimately condemns both forests, ecosystems and communities; 3) strengthen the language on Tribes, Indigenous Peoples and communities; and 4) without an emphasis on the fundamental need to *challenge and transform* the current dominant political and economic systems that are driving forest destruction, social injustice and the climate crisis; the AOC-Markey platform risks being an exercise in futility. We demand that fossil fuels be kept underground and that the subsidies and tax breaks that keep the fossil fuel industry viable be shifted towards a clear, grassroots-based Just Transition.

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