



Tuesday 3 October 2023

Auckland Transport  
20 Viaduct Harbour Avenue, Auckland, 1010

## **Presentations of the Equal Justice Project to the Auckland Transport Board**

### **Introduction**

1. The Equal Justice Project (EJP) makes this presentation on the use of fossil fuel advertising by Auckland Transport. In summary, in light of the climate emergency, the EJP asks that the advertising of fossil fuel products be prohibited under Auckland Transport's Advertising Policy as Auckland Transport has done for gambling, alcohol and smoking products. The Auckland Transport Advertising Policy covers sites such as buses, bus shelters, advertising in transport stations, etc.
2. The EJP is a non-partisan pro bono charity that utilises law students' legal training and knowledge to advocate for change, including the promotion of effective climate action in Auckland.
3. By way of introduction, following the release of the third Intergovernmental Panel on Climate Change (IPCC) on 4 April 2022, the UN Secretary-General said that:

“We are on a fast track to climate disaster. Major cities under water. Unprecedented heatwaves. Terrifying storms. Widespread water shortages. The extinction of a million species of plants and animals. This is not fiction or exaggeration. It is what science tells us will result from our current energy policies. We are on a pathway to global warming of more than double the 1.5°C limit agreed on in Paris. Some Government and business leaders are saying one thing, but doing another. Simply put, they are lying. And the results will be catastrophic. This is a climate emergency.”

4. More recently, the Intergovernmental Panel on Climate Change (IPCC), in their Sixth Assessment Report, released on March 20, 2023 at the Panel's 58th Session, declared:

“Global warming is more likely than not to reach 1.5°C between 2021 and 2040 even under the very low GHG emission scenarios (SSP1-1.9), and likely or very likely to exceed 1.5°C under higher emissions scenarios. Many adaptation options have medium or high feasibility up to 1.5°C (medium to high confidence, depending on option), but hard limits to adaptation have already been reached in some ecosystems and the effectiveness of adaptation to reduce climate risk will decrease with increasing warming (high confidence).”

5. Auckland Council declared a climate emergency in 2019 and the central Government declared a climate emergency on 2 December 2020.

6. Under Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan, the Council adopted a goal to reduce net emissions by 50% by 2030, while aiming for net zero emissions by 2050. Te Tāruke-ā-Tāwhiri includes a number of actions, including providing communications and tools to support sustainable lifestyles through behaviour change.
7. Importantly, from the EJP perspective, Te Tāruke-ā-Tāwhiri acknowledges that: "Climate change also creates intergenerational inequity. If we do not act, we risk leaving a significantly different and less habitable world to our children and our children's children." As a consequence, Te Tāruke-ā-Tāwhiri highlights the importance of Te Reo Rangatahi: the rangatahi voice as being unique and critical in addressing climate change.

### **Fossil Fuel Emissions and AT's Current Policies**

8. Emissions from the transport sector are rising and the last few years were globally the warmest on record. Despite this, our observations are that airlines and auto manufacturers continue to advertise high-emitting products such as flights, SUVs, and internal combustion engine (ICE) vehicles.
9. Advertising plays a significant role in shaping societal norms and lifestyles. On one hand, it can raise awareness about the climate crisis. However, more often than not, advertising promotes and normalises unsustainable consumption patterns that are high in carbon emissions.
10. Auckland Transport's Climate Change Adaption Policies' purposes are centred around restoring and protecting Auckland's climate's wellbeing. Its primary objectives include supporting early and systemic identification and assessment of climate-related risks and impacts and supporting the development of plans and strategies to adapt and mitigate climate-related risks. Additionally, the policy aims to highlight key responsibilities for managing climate-related risks and impacts. The approach aligns with AT's broader sustainability goals, encompassing the restoration and protection of Auckland's living system's wellbeing. AT adopts a precautionary approach to proposed activities that potentially harm the environment to minimise environmental impacts. The EJP believes that the amendments requested would better reflect these existing policies.
11. The EJP asks that the advertising of fossil fuel products be prohibited under Auckland Transport's Advertising Policy.
12. Currently, Auckland Transport prohibits the advertisement of products and activities that promote gambling, alcohol and smoking products. These restrictions aim to benefit communities by discouraging harmful behaviour.
13. Advertising products and services which use a high amount of fossil fuels leads to more carbon emissions overall. By banning these from being advertised, we believe Auckland Transport can help aid Auckland/New Zealand's contribution to the fight against climate change.
14. We ask that Auckland Transport amend the Revenue Generating Advertising Policy to include the following clause within the section 5(b) "Policy Principles":

“5(b) AT will not approve or permit advertisements to remain on AT infrastructure, facilities or services if, at AT’s sole discretion, the advertisement:

- pertains to petrol and diesel car advertising, particularly for the largest and most polluting cars such as Sports Utility Vehicles (SUVs), airline advertising for flights, or fossil fuel companies (e.g., Z Energy, BP, Mobil, Caltex).”

### **France's Exemplary Model: A Guiding Path for New Zealand**

15. France is leading the movement to reduce the advertising of fossil fuels. The French Parliament recently adopted a new law that prohibits the promotion of petroleum-based energy items, energy derived from burning coal, and carbon-containing hydrogen. This groundbreaking measure makes France the first country in Europe to enforce such a distinctive commitment.<sup>1</sup>
16. Taking inspiration from France, the EJP asks that Auckland Transport consider following this example and implement a ban on advertising fossil fuels. By doing so, Auckland Transport can actively contribute to the goals of Te Tāruke-ā-Tāwhiri..

### **The United Kingdom and The Netherlands**

17. The Netherlands has also taken a stand against fossil fuel advertisements. In 2021, the city of Amsterdam banned advertisements promoting fossil fuels in the city. The city of Haarlem also announced they would ban the advertisement of holiday flights and non-electric cars from 2024.<sup>2</sup> These products will be prohibited from being advertised on buses, shelters and billboards.
18. The United Kingdom has begun to take a stand against advertising environmentally harmful products, with public opinion increasing in favour of following in France’s footsteps.<sup>3</sup>
19. We ask that Auckland Transport takes inspiration from the Netherlands’ policies and prohibit advertisements promoting fossil fuels.

### **Conclusions**

20. As rangatahi/youth in Auckland, the EJP are concerned for our futures and we urge that the climate emergency be taken seriously, with the implementation of effective climate action and climate justice.

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<sup>1</sup> <https://www.aa.com.tr/en/environment/france-bans-fossil-fuel-advertisements/2666815>

<sup>2</sup> <https://www.independent.co.uk/travel/news-and-advice/haarlem-ban-adverts-flights-netherlands-b2162480.html>

<sup>3</sup> <https://www.newscientist.com/article/mg25433851-200-it-worked-with-cigarettes-lets-ban-ads-for-climate-wrecking-products/>

21. As the UN Secretary-General has said, choices made now will make or break the commitment to 1.5°C. Climate promises and plans must be turned into reality and action, now. It is time to stop burning our planet and start investing in a future based around 'renewables' and effective climate action.
22. Your decisions in this matter will directly impact Auckland's youth, environment, resources, and future.
23. Based on the submissions made above, we ask that Auckland Transport amend its Advertising Policy and prohibit the advertising of fossil fuel products as Auckland Transport has done for gambling, alcohol and smoking products.

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Yours sincerely  
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